



CITY CLERK

CITY OF SAN JOSÉ, CALIFORNIA

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STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA)
CITY OF SAN JOSE)

I, Patricia L. O'Hearn, City Clerk and Ex-Officio Clerk of the Council of and for the City of San Jose, in said County of Santa Clara, and State of California, do hereby certify that "**Ordinance No. 26495**" the original copy of which is attached hereto, was passed for publication of title on the **16th day of October, 2001**, was published in accordance with the provisions of the Charter of the City of San Jose, and was given final reading and adopted on the **30th day of October, 2001**, by the following vote:

AYES: CAMPOS, CHAVEZ, CORTESE, DIQUISTO, LeZOTTE, SHIRAKAWA
REED, WILLIAMS, YEAGER, GONZALES

NOES: NONE

ABSENT: DANDO

DISQ: NONE

Said ordinance is effective as of **November 30, 2001**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of San Jose, this **1ST day of November, 2001**.

(SEAL) Patricia L. O'Hearn
PATRICIA L. O'HEARN
CITY CLERK AND EX-OFFICIO
CLERK OF THE CITY COUNCIL

ORDINANCE NO. 26495

AN ORDINANCE OF THE CITY OF SAN JOSÉ AMENDING VARIOUS CHAPTERS OF TITLE 20 OF THE SAN JOSE MUNICIPAL CODE BY AMENDING SECTIONS 20.90.060, 20.50.100, AND 20.100.910, AND BY ADDING SECTIONS 20.60.080, 20.200.415, 20.200.1162, AND 20.200.1163 TO MODIFY THE PARKING REQUIREMENTS FOR CERTAIN INDUSTRIAL LAND USES, TO REVISE PROVISIONS PERTAINING TO PUBLIC EATING ESTABLISHMENTS AND SOCIAL SERVICE AGENCIES IN INDUSTRIAL ZONING DISTRICTS, AND TO ESTABLISH PROVISIONS RELATED TO SETBACKS FOR CERTAIN EQUIPMENT IN PLANNED DEVELOPMENT DISTRICTS

WHEREAS, on September 11, 2001, this Ordinance was found to be categorically exempt from environmental review per the provisions of Section 15061(b)(3) of the California Environmental Quality Act of 1970, as amended, under File No. PP01-09-171.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSÉ:

SECTION 1. Section 20.90.060 of Chapter 20.90 of Title 20 of the San Jose Municipal Code is hereby amended to read in its entirety as follows:

20.90.060 Number of Parking Spaces Required

- A. Each land use shall provide, on site, at least the minimum number of parking spaces required by Table 20-190, unless a modification has been granted pursuant to Section 20.90.220 or 20.90.230.
- B. All required parking shall be made available to residents, patrons and employees of a use on the site.
- C. All parking spaces shall be standard size spaces as set forth in Section 20.90.100. Alternatively, a Development Permit may:
 - 1. Authorize all off-street parking spaces to be uniform-size car spaces, as set forth in Section 20.90.100; or

- 2. Allow up to forty (40) percent of the off-street parking spaces to be small car spaces as set forth in Section 20.90.100. The remainder of the required off-street parking spaces shall be standard car space as defined in Section 20.100.

- D. If the number of off-street parking spaces hereinafter required contains a fraction, such number shall be rounded to the nearest higher whole number.

- E. Whenever alternative units of measurement are specified in Tables 20-190, 20-200 or 20-210 for computing off-street parking requirements for any given use, the unit of measurement which provides the greatest number of off-street parking spaces for such use shall control.

- F. The minimum number of off-street parking spaces required for any given use is the same irrespective of the district in which such use is conducted. In case of a use for which off-street parking requirements are not specified at all, the requirements for the most nearly similar use for which off-street parking requirements are specified shall apply.

- G. When two or more uses are located in the same lot or parcel of land or within the same building, the number of off-street parking spaces required shall be the sum total of the requirements of the various individual uses computed separately in accordance with this Chapter 20.90, except as hereinafter provided for alternating uses.

Table 20-190 Parking Spaces Required by Land Use		
Use	Minimum Parking Required	Applicable Sections
Agriculture and Resource Uses		
Agriculture and Resource Uses	1 per employee	
Drive-Through Uses		
Drive-through in conjunction with any use	no additional parking required	
Education and Training		
Day care center	1 per 6 children, up to 5 spaces and thereafter 1 per 10 children (includes employee parking)	
Instructional studios	1 per 150 sq. ft. of floor area	
Private Instruction, personal enrichment	1 per 3 students, plus 1 per staff	
School- elementary (K-8) (Private and Public)	1 per teacher, plus 1 per employee	
School- secondary (9-12) (Private and Public)	1 per teacher, plus 1 per employee, plus 1 per 5 students	
School, post secondary	1 per 3 students, plus 1 per staff	

Table 20-190 Parking Spaces Required by Land Use		
Use	Minimum Parking Required	Applicable Sections
School, trade and vocational	1 per 3 students, plus 1 per staff	
Entertainment and Recreation		
Arcade, amusement	1 per 200 sq. ft	
Bowling establishment	7 per lane	
Dancehall	1 per 40 sq. ft. open to public	
Driving range	1 per tee, plus 1 per employee	
Golf course	8 per golf hole, plus 1 per employee	
Health club, gymnasium	1 per 80 sq. ft. recreational space	
Miniature golf	1.25 per tee, plus 1 per employee	
Performing arts production per rehearsal space	1 per 150 sq. ft. of floor area	
Poolroom	1 per 200 sq. ft.	
Private club or lodge	1 per 4 fixed seats on the premises, or 1 per 6 linear feet of seating, plus 1 per 200 square feet of area without seating but designed for meeting or assembly by guests, plus 1 per 500 sq. ft. of outdoor area developed for recreational purposes	
Recreation, Commercial (indoor)	1 per 80 sq. ft. of recreational area	
Recreation, Commercial (outdoor)	20 per acre of site	
Skating rink	1 per 50 sq. ft. of floor area	
Swim and tennis club	1 per 500 sq. ft. of recreation area	
Motion picture theatre, indoor	1 per 3 seats in theaters with 1-3 screens; 1 per 3.3 seats with 4+ screens	
Motion picture theatre, outdoor	1 per 300 sq. ft.	
Theaters, Auditoriums, Sports Arenas, and Stadiums—with or without fixed seats	1 per 4 fixed seats on the premises, plus 1 per 7 linear feet of fixed benches, or 1 per 30 square feet of floor area used for assembly	

Table 20-190 Parking Spaces Required by Land Use		
Use	Minimum Parking Required	Applicable Sections
Food Services		
Banquet facility	1 per 2.5 seats or 1 per 40 square feet of dining area, whichever requires the greater number of parking spaces	
Caterer w/eating facility (not a catering facility)	1 per 2.5 seats or 1 per 40 square feet of dining area, whichever requires the greater number of parking spaces	
Caterer w/no public interface	1 per 250 sq. ft.	
Drinking establishments	1 per 2.5 seats or 1 per 40 square feet of drinking area, whichever requires the greater number of parking spaces	
Entertainment (with any food or alcohol service)	1 per 40 sq. ft. of floor area open to the public	
Public eating establishments	1 per 2.5 seats or 1 per 40 square feet of dining area, whichever requires the greater number of parking spaces	
Take-out Only Establishment (including but not limited to pizza delivery, ice cream shops, doughnut shops)	1 per 75 sq. ft. of area open to the public, minimum of 5 spaces, plus 1 per delivery vehicle (if applicable)	
General Retail		
Alcohol, off-site sales	1 per 200 sq. ft.	Part 11, Chapter 20.80
Auction house	1 per 2 seats, or 1 per 50 sq. ft. of auction area exclusive of warehouse area	
Food, beverage, groceries	1 per 200 sq. ft.	
Plant nursery	1 per 200 sq. ft.	
Open air sales establishments and areas	1 per 200 sq. ft.	
Outdoor vending	3 parking spaces	Part 10, Chapter 20.80
Pawn shop/broker	1 per 200 sq. ft.	
Retail or wholesale commercial entity, single occupant greater than 100,000 gross square feet	1 per 200 sq. ft.	
Retail sales, goods and merchandise	1 per 200 sq. ft.	
Retail sales of furniture	1 per 250 sq. ft.	
Sales, appliances, industrial equipment, and machinery	1 per 1000 sq. ft.	
Neighborhood Shopping Center (minimum 150,000 sq. ft. in size), includes a mix of permitted and conditional uses	1 per 225 sq. ft.	Note 1

Table 20-190 Parking Spaces Required by Land Use		
Use	Minimum Parking Required	Applicable Sections
General Services		
Bed and Breakfast	2 spaces, plus 1 per guest room, plus 1 per employee	
Crematory	1 per full-time employee	
Dry cleaner	1 per 200 sq. ft.	
Hotel/motel	1 per guest room or suite, plus 1 per employee	Section 20.90.220(C)
Laundromat	1 per 200 sq. ft.	
Maintenance and repair, small consumer goods	1 per 200 sq. ft.	
Messenger services	1 per 200 sq. ft., plus 1 per company vehicle	
Mortuary and funeral services	1 per 4 seats, plus 1 per company vehicle	
Personal services	1 per 200 sq. ft.	
Photo processing and developing	1 per 200 sq. ft.	
Printing and publishing	Minimum 1 per 350 sq. ft., maximum 5% over minimum required.	
Social Service Agency	1 per 250 sq. ft.	
Health and Veterinary Services		
Animal boarding, indoor	1 per employee, plus 1 per 1,000 sq. ft.	
Animal grooming	1 per 200 sq. ft.	
Emergency Ambulance Station	1 per employee, plus 1 per on-site staff, plus 1 per facility vehicle	
Hospital per in-patient facility	1 per 2.5 beds	
Medical clinic/out-patient facility	1 per 250 sq. ft.	
Medical, dental and health practitioner	1 per 250 sq. ft.	
Veterinary clinic	1 per 250 sq. ft.	
Industry		
Catalog and mail order house	1 per 250 sq. ft. of office space plus, plus 1 per 1000 sq. ft. of warehouse and distribution area	
Distribution facility	A minimum of two (2) for facilities with a floor area under five-thousand (5,000) square feet; a minimum of five (5) for facilities with a floor area between five thousand (5,000) sq. ft. and twenty-five thousand (25,000) sq. ft.; for facilities in excess of twenty-five thousand (25,000) sq. ft. a minimum of one (1) per five-thousand (5,000) sq. ft. or a fraction thereof	

Table 20-190 Parking Spaces Required by Land Use		
Use	Minimum Parking Required	Applicable Sections
Establishment for the repair, cleaning of household, commercial or industrial equipment or products	1 per 350 sq. ft.	
Hazardous materials storage	1 per employee plus 1 per company vehicle	
Hazardous waste facility	1 per employee plus 1 per company vehicle	
Industrial Services	1 per 350 sq. ft of floor	
Junkyard	1 per employee	
Laboratory	1 per 350 sq. ft. of floor area	
Manufacturing and Assembly, Light, Medium, Heavy	1 per 350 sq. ft. of floor area plus 1 per company vehicle	
Miniwarehouse/ministorage	1 per 2,000 sq. ft., plus 1 per resident manager	
Outdoor storage	1 per employee	
Private power generation	1 per employee plus 1 per company vehicle	
Research and Development	1 per 350 sq. ft. of floor area	
Stockyard, including slaughter	1 per employee	
Warehouse	A minimum of two (2) for warehouses with a floor area under five-thousand (5,000) square feet; a minimum of five (5) for warehouses with a floor area between five thousand (5,000) sq. ft. and twenty-five thousand (25,000) sq. ft.; for warehouses in excess of twenty-five thousand (25,000) sq. ft. a minimum of one (1) per five-thousand (5,000) sq. ft. or a fraction thereof	
Wholesale sale establishment	1 per 2,000 sq. ft. of floor area, plus 1 per company vehicle	
Offices and Financial Services		
Automatic Teller Machine (Free standing)	2 per machine	
Business support	1 per 200 sq. ft. plus 1 per company vehicle	
Financial institution	1 per 250 sq. ft.	
Offices, business and administrative	1 per 250 sq. ft.	
Private security	1 per 250 sq. ft. office space, plus 1 per employee plus 1 per company vehicle	

Table 20-190 Parking Spaces Required by Land Use		
Use	Minimum Parking Required	Applicable Sections
Public, Quasi-Public and Assembly Uses		
Cemetery	1 per full-time employee	
Church/Religious Assembly	1 per 4 fixed seats, or 1 per 6 linear feet of seating, or 1 per 30 sq. ft. of area designed for assembly, used together or separately for worship.	
Community television antenna systems	1 per company vehicle	
Museums and libraries (Privately and publicly operated)	1 per 300 sq. ft. of area open to the public	
Parks and playgrounds	1 per 500 sq. ft.	
Community centers	1 per 4 fixed seats, or 1 per 6 linear feet of seating, plus 1 per 200 square feet of area without seating but designed for meeting or assembly by guests, plus 1 per 500 sq. ft. of outdoor area developed for recreational purposes	
Utility facilities, excluding corporation yards, storage or repair yards and warehouses	1 per 1.5 employees, plus 1 per company vehicle	
Recycling Uses		
Processing facility	1 per employee of the largest shift, plus 1 per facility vehicle	
Transfer facility	1 per employee of the largest shift, plus 1 per facility vehicle	
Small collection facility	1 per attendant	
Residential		
Emergency residential shelter	1 per 4 beds, 1 per 250 square feet of floor area which is used for office purposes	Section 20.90.220(C)
Guesthouse	1 per guest room, plus 1 per each employee	
Live/Work	No additional parking required above what is required for commercial use parking	
Living quarters, custodian, caretakers	1 per living unit	
Mixed Use/Ground floor commercial with residential above	Respective commercial and residential parking requirements combined	
Multiple dwelling	See Table 20-210, required parking is determined by the type of parking facility and the number of bedrooms	
One family dwelling	2 covered	Section 20.90.220(B)

Table 20-190 Parking Spaces Required by Land Use		
Use	Minimum Parking Required	Applicable Sections
Residential Care or Service Facility	1 per first 6 client beds, plus 1 additional space for up to 4 client beds (or portion thereof) above the first six, plus 1 additional space for each additional four client beds (or portion thereof), plus 1 space for each employee or staff member.	Section 20.90.220(C)
Servants quarters attached to a one-family dwelling or attached to a garage structure	1 additional parking space	
SRO Facilities within 2,000 ft. of public transportation		
SRO Residential Hotels	.25 per SRO unit	
SRO Living Unit Facilities with shared kitchen and bathroom facilities	.25 per SRO unit	
SRO Living Unit Facilities with partial or full kitchen and bathroom facilities	1 per SRO unit	
SRO Facilities not within 2,000 ft. of public transportation	1 per SRO unit	
Sororities, fraternities and dormitories occupied exclusively (except for administrators thereof) by students attending college or other educational institutions	1 per guest room, plus 1 per employee	
Temporary farm labor camp necessary to the gathering of crops grown on the site	1 per dwelling unit	
Travel Trailer Parks	1 per employee	
Two family dwelling	See Table 20-200, required parking is determined by the type of parking facility and the number of bedrooms	
Transportation and Utilities		
Common carrier depot	1 per employee, plus 1 per company vehicle	
Communication service exchange	1 per 250 sq. ft. of office/meeting/technician work space, plus 1 per employee, plus 1 per 1000 sq. ft. of space devoted to computer equipment space	
Television and radio studio	1 per 250 sq. ft. of space devoted to office use	
Wireless communication antenna	1 per site	

Table 20-190 Parking Spaces Required by Land Use		
Use	Minimum Parking Required	Applicable Sections
Vehicle Related Uses		
Accessory installation, passenger vehicles and pick-up trucks	4 per vehicle work station, plus 1 per employee	
Auto broker, retail w/on-site storage	See Vehicle sales and leasing	
Auto broker, wholesale, no on-site storage	1 per 250 sq. ft.	
Car wash	1 per employee, plus stacking as follows: self service - 5 cars per lane full service – 15 cars (may be in multiple lanes)	Note 3
Gas or charge station	1 per employee, plus 1 per air and water pump service area, plus 1 space for information stop	
Gas or charge station with incidental service and repair	4 per grease rack or vehicle work station, plus 1 per employee, plus 1 per air and water pump service area, plus 1 space for information stop	
Glass sales, installation and tinting	4 per vehicle work station, plus 1 per employee	
Repair and cleaning per detailing of vehicles	4 per grease rack or vehicle work station, plus 1 per employee	
Sale or lease of vehicles	1 per 350 sq. ft. enclosed showroom; 1 per 2,500 sq. ft. open area, plus 2 per service bay	
Exclusively indoors sales	1 per 200 sq. ft.	
Auto rental agency	1 per 400 sq. ft., plus 1 per rental vehicle	
Sale, vehicle parts	1 per 200 sq. ft.	
Tires, batteries, accessories, lube, oil change, smog check station, air conditioning	4 per grease rack or vehicle work station, plus 1 per employee, plus	
Vehicle wrecking, including sales of parts	1 per employee	

Notes:

1. A covenant of easement is required when multiple parcels are involved.
2. Stacking shall be calculated at twenty (20) feet per car.

Table 20-200 Two-family Dwelling			
Living Unit Size	Type of Parking Facility		
	All Open Parking	One-Car Garage	Two-Car Garage
0 Bedroom (Studio)	1.5	1.5	2.0
1 Bedroom	1.5	2.0	2.0
2 Bedroom	2.0	2.0	2.0
3 Bedroom	2.0	2.0	2.0
Each Additional Bedroom	0.25	0.25	0.25

Table 20-210 Multiple Dwelling			
Living Unit Size	Type of Parking Facility		
	All Open Parking	One-Car Garage	Two-Car Garage
0 Bedroom (Studio)	1.5	1.6	2.2
1 Bedroom	1.5	1.7	2.3
2 Bedroom	1.8	2.0	2.5
3 Bedroom	2.0	2.2	2.6
Each Additional Bedroom	0.15	0.15	0.15

SECTION 2. Section 20.50.100 of Chapter 20.50 of Title 20 of the San José Municipal Code is hereby amended to read in its entirety as follows:

20.50.100 Allowed Uses and Permit Requirements

- A. "Permitted" land uses are indicated by a "P" on Table 20-110.
- B. "Conditional" uses are indicated by a "C" on Table 20-110. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with a Conditional Use Permit as set forth in Chapter 20.100.

"Conditional" uses which may only be approved on property designated on the Land Use/Transportation Diagram of the San Jose 2020 General Plan, as amended, with the Mixed Industrial Overlay are indicated by a "CM" on Table 20-110. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with a Conditional Use Permit as set forth in Chapter 20.100.
- C. "Special" uses are indicated by a "S" on Table 20-110. These uses may be allowed in such designated districts, as an independent use, but only upon

issuance of and in compliance with a Special Use Permit as set forth in Chapter 20.100.

- D. "Administrative" uses are indicated by a "A" on Table 20-110. These uses may be allowed in such designated districts, as an independent use, but only upon issuance of and in compliance with an Administrative Permit as set forth in Chapter 20.100.
- E. Land uses not permitted are indicated by a "-" on Table 20-110. Land uses not listed on Table 20-110 are not Permitted.
- F. When the right column of Table 20-110 includes a reference to a Section number or a footnote, the regulations cited in the Section number or footnote apply to the use. In addition, all uses are subject to any other applicable provision of this Title 20 and any other Title of the San Jose Municipal Code.

Table 20-110 Industrial Districts Land Use Regulations				
Use	Zoning District			Applicable Sections & Notes
	IP	LI	HI	
Industry				
Auction		C	C	
Industrial Services	-	P	P	
Laboratory, processing	-	P	P	
Manufacturing and Assembly				
Light	P	P	-	
Medium	-	P	P	
Heavy	-	-	P	
Research and Development	P	-	-	
Catalog and mail order	P	P	-	
Construction/Corporation yard	-	C	C	
Distribution facility	C	P	P	
Establishment for the repair, cleaning of household, commercial or industrial equipment or products	-	P	P	
Extraction of minerals from the ground, including quarrying	-	-	C	
Hazardous materials storage	-	C	C	
Hazardous waste facility	-	CM	C	
Junkyard	-	-	C	
Miniwarehouse/ministorage	-	P	P	
Outdoor uses or storage	-	C	P	Section 20.50.210
Private power generation	C	C	C	Note 1
Stockyard, including slaughter	-	-	C	
Warehouse	-	P	P	
Wholesale sale establishment	C	P	P	

Table 20-110 Industrial Districts Land Use Regulations				
Use	Zoning District			Applicable Sections & Notes
	IP	LI	HI	
Additional Uses				
Any use not set forth in Tables 20-30, 20-50, 20-90	-	-	C	
Any use without a permanent fully enclosed building on-site	C	C	C	
Commercial support	P	-	-	Section 20.50.110
General Retail				
Nursery, plant	-	-	CM	
Outdoor vending		A	A	Part 10, Chapter 20.80
Retail or wholesale commercial entity, single occupant greater than 100,000 gross square feet	CM	CM	-	
Sales, office furniture, industrial equipment, machinery	-	C	-	
Seasonal Sales	P	P	P	Part 14, Chapter 20.80
Education and Training				
Day care center	CM	CM	CM	
School, driving (class A & B license)	-	P	P	
School, trade and vocational	-	CM	-	
Entertainment and Recreation Related				
Equestrian and riding club	-	CM	CM	
Health club, gymnasium	CM	CM	CM	
Performing arts production/rehearsal space	CM	CM	CM	
Swim and Tennis club	-	CM	CM	
Theatre, outdoor	-	-	CM	
Food Services				
Public eating establishments	P	C	C	Note 8
Health and Veterinary Services				
Emergency ambulance service	CM	CM	CM	
Medical clinic/ out-patient facility	CM	-	-	
General Services				
Crematory	-	CM	C	
Hotel/motel	CM	-	-	
Personal services	CM	CM	CM	
Photo processing and developing	P	P	P	
Printing and publishing	P	P	P	
Social Service Agency	C	C	C	
Offices and Financial Services				
Automatic Teller Machine	P	P	P	Section 20.80.200
Financial institution	CM	CM	CM	
Offices, business and administrative	P	-	-	
Public, Quasi-Public and Assembly Uses				
Cemetery	CM	CM	CM	
Church/Religious Assembly	CM	CM	CM	

Table 20-110 Industrial Districts Land Use Regulations				
Use	Zoning District			Applicable Sections & Notes
	IP	LI	HI	
Residential				
Emergency residential shelter	-	CM	CM	Section 20.80.500
Living quarters, custodian, caretakers	-	-	C	Note 2
Drive-Through Use				
Drive-through in conjunction with any use	CM	CM	CM	
Recycling Uses				
Recycling processing facility	C	S	S	
Recycling transfer facility	C	S	S	
Large collection facility	-	-	P	
Reverse vending	A	A	A	
Small collection facility	A	A	A	
Transportation and Utilities				
Common carrier depot	C	C	C	Note 3
Community television antenna systems	C	C	C	
Communications service exchange	C	C	C	
Off-site, alternating and alternative use parking arrangements	S	S	S	Section 20.90.200
Parking establishment not Permitted in Tables 20.30, 20.50 and 20.90	C	C	C	
Parking establishment, off-street	C	C	C	
Television, radio studio	C	C	C	
Utility facilities, excluding corporation yards, storage or repair yards and warehouses	C	C	C	
Wireless communication antenna	C	C	C	Section 20.80.1900
Electrical Power Generation				
Base Load Facility			C	
Stationary Peaking Facility		C	C	
Transportable Peaking Facility		C	C	
Co-Generation Facility	S	S	S	
Stand-by/Backup				
Facilities that do not exceed noise and air standards	P	P	P	Note 6
Facilities that do exceed noise and air standards	C	C	C	
Temporary Stand-by-Backup	A	A	A	
Photovoltaic	P	P	P	
Wireless communication antenna, building mounted	P	P	P	Section 20.80.1900

Table 20-110 Industrial Districts Land Use Regulations				
Use	Zoning District			Applicable Sections & Notes
	IP	LI	HI	
Vehicle Related Uses				
Gas or charge station	-	CM	CM	Note 4
Gas or charge station with incidental service and repair	-	CM	CM	Note 5
Leasing passenger vehicles, pick-up trucks not exceeding twenty-five (25) feet in length, and motorcycles		C		
Repair and cleaning of vehicles	-	P	P	Note 7
Sale or lease of commercial vehicles, trucks, buses, trailers, campers, boats, mobilehomes, construction equipment	-	C	-	
Vehicle wrecking, including sales of parts	-	-	P	

Notes:

1. Back up generators for emergency purposes with a maximum individual output rating less than fifty (50) horse power and which have received an exemption or a permit to operate by the Bay Area Air Quality Management District are a permitted use when operated in conjunction with any permitted or conditional use.
2. Site must be seven (7) acres or more.
3. Includes associated office.
4. No incidental repair or service. No retail sale of food grocery items or alcoholic beverages may be approved. See Section 20.80.550.
5. Incidental repair includes air conditioning service, carburetor & fuel injection service, electrical service, radiator service, and tune-up, lube, oil change, and smog check services, as well as tires, batteries and accessories installation. This use designation does not allow body repair or painting. All incidental repair activities shall be conducted within a fully enclosed building. No retail sale of food grocery items or alcoholic beverages may be approved. See Section 20.80.550.
6. Those facilities that meet specified criteria related to noise and air emissions may be processed through a Site Development Permit Adjustment or Planned Development Permit Adjustment.
7. All vehicle-related repair, service, and accessory or other installation, excepting the cleaning of vehicles, shall be conducted within a fully enclosed building.
8. Public eating establishments in the IP district are subject to the limitation of the Commercial Support Use. Public eating establishments in the LI or HI districts are limited to a maximum of 650 gross square feet in size.

SECTION 3. Section 20.100.910 of Chapter 20.100 of Title 20 of the San José Municipal Code is hereby amended to read in its entirety as follows:

20.100.910 Planned Development Permit Required

Unless the base zone is being utilized:

- A. No building or structure shall be erected, constructed, enlarged, placed or installed or moved onto any site nor shall there be any exterior alteration of any structure which is in a planned development district, and no building permit or installation permit shall be issued for such work, except pursuant to and in accordance with a Planned Development Permit.
- B. No use shall be added, changed, modified, enlarged or altered on any site which is in a planned development district except pursuant to and in accordance with a Planned Development Permit.
- C. A Planned Development Permit may be issued for all or any part of the property situate in a Planned Development District.
- D. A Planned Development Permit or amendment to a Planned Development Permit may be issued for:
 - 1. The use of new dwelling units, which are not yet occupied for residential purposes, as model homes or sales offices in connection with the sale of dwelling units in a planned development district.
 - 2. The use of structures, such as mobilehomes, as sales offices in connection with the sale of dwelling units in a planned development district.
 - 3. The use of land in the Planned Development District for off-street parking or other uses incidental to the sales office or model home operation. Such use shall be limited to the duration of the sales office or model home operation.
- E. A Planned Development Permit is not required for building additions, exterior alterations, and accessory structures on parcels six thousand square feet or less which are used for single-family detached residential use if the additions, alterations, or structures:
 - 1. Meet the development regulations of the R-1-8 residence district; and
 - 2. The construction would not require the issuance of a Single Family House Permit, pursuant to Part 9 of this Chapter 20.100, if the property were not situated in a Planned Development Zoning District; and
 - 3. The addition, alterations or accessory structures otherwise conform to the requirements of the Planned Development Zoning District.

- F. A Planned Development Permit is not required for mechanical equipment in Planned Development Districts consisting solely of detached, one family dwelling uses. The setbacks for all mechanical equipment in these Planned Development Districts must meet the setback requirements set forth in the particular Planned Development District. If no setback standards have been set forth for a particular Planned Development District, the setbacks requirements shall be those standards set forth in Section 20.60.080.

SECTION 4. Chapter 20.100 of Title 20 of the San José Municipal Code is hereby amended by adding a new Section to be numbered and entitled and to read in its entirety as follows:

Section 20.60.080 Setbacks for Mechanical Equipment

Mechanical equipment, including, but not limited to, pool equipment and HVAC equipment, may be placed in the rear setback and must maintain all of the following setbacks:

- A. A minimum five (5)-foot setback from the rear property line; and
- B. A minimum setback from the side property line of a distance equal to that of the side setback requirements of, or the actual side setbacks allowed under, the particular Planned Development District, and
- C. A minimum front setback of a distance required by or actually allowed under the particular Planned Development District.

SECTION 5. Chapter 20.200 of Title 20 of the San José Municipal Code is hereby amended by adding a new Section to be numbered and entitled and to read in its entirety as follows:

20.200.415 Food and Goods Distribution Facility

A "food and goods distribution facility" is a facility that distributes food or goods in the form of meals, groceries, clothing, or other household items directly to a citizen in need. No compensation is accepted by a food and goods distribution facility or its staff for the distribution of said food or goods.

SECTION 6. Chapter 20.200 of Title 20 of the San José Municipal Code is hereby amended by adding a new Section to be numbered and entitled and to read in its entirety as follows:

20.200.1162 Social Service

A "social service" is a service or activity undertaken to advance the welfare of citizens in need. A social service may include supporting office uses, supporting medical office or clinic uses, supporting vocational or trade training, supporting personal services and/or a food and goods distribution facility.

SECTION 7. Chapter 20.200 of Title 20 of the San José Municipal Code is hereby amended by adding a new Section to be numbered and entitled and to read in its entirety as follows:

20.200.1163 Social Service Agency

A "social service agency" is an agency that provides social services.

PASSED FOR PUBLICATION OF TITLE this 16th day of October, 2001,
by the following vote:

AYES:	CAMPOS, CHAVEZ, CORTESE, DANDO, DIQUISTO, LEZOTTE, REED, WILLIAMS, YEAGER; GONZALES
NOES:	NONE
ABSENT:	SHIRAKAWA, JR.
DISQUALIFIED:	NONE



RON GONZALES
Mayor

ATTEST:



PATRICIA L. O' HEARN
City Clerk
by Nancy Alford, Assistant City Clerk

SAN JOSE POST-RECORD

~ SINCE 1910 ~

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PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California)
County of Santa Clara) ss

Notice Type: GORSJ SAN JOSE ORDINANCE (1 PUB)

Ad Description: ORDINANCE NO. 26495

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the SAN JOSE POST-RECORD, a newspaper published in the English language in the City of San Jose, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of Santa Clara, State of California, under date of February 3, 1922, Case No. 27,844. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

10/23/01

Executed on: 10/23/01
At Los Angeles, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.


Signature

This space for filing stamp only

2.91"

SJ#: 310355

ORDINANCE NO. 26495
AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING VARIOUS CHAPTERS OF TITLE 20 OF THE SAN JOSE MUNICIPAL CODE BY AMENDING SECTIONS 20.90.060, 20.50.100, AND 20.100.910, AND BY ADDING SECTIONS 20.60.080, 20.200.415, 20.200.1162, AND 20.200.1163 TO MODIFY THE PARKING REQUIREMENTS FOR CERTAIN INDUSTRIAL LAND USES, TO REVISE PROVISIONS PERTAINING TO PUBLIC EATING ESTABLISHMENTS AND SOCIAL SERVICE AGENCIES IN INDUSTRIAL ZONING DISTRICTS, AND TO ESTABLISH PROVISIONS RELATED TO SETBACKS FOR CERTAIN EQUIPMENT IN PLANNED DEVELOPMENT DISTRICTS PASSED FOR PUBLICATION OF TITLE this 16th day of October, 2001, by the following vote:
AYES: CAMPOS, CHAVEZ, CORTESE, DANDO, DIQUISTO, LAZOTTE, REED, WILLIAMS, YEAGER; GONZALES
NOES: NONE
ABSENT: SHIRAKAWA, JR.
DISQUALIFIED: NONE
RON GONZALES, Mayor
ATTEST:
Patricia L. O'Hearn, City Clerk
By Nancy Alford, Assistant City Clerk
10/23/01

SJ- 310355#