

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING SECTIONS 20.90.060 AND 20.90.220 OF CHAPTER 20.90 OF TITLE 20 OF THE SAN JOSE MUNICIPAL CODE TO REDUCE PARKING REQUIREMENTS FOR SPECIFIC GROUND FLOOR COMMERCIAL USES WITHIN NEIGHBORHOOD BUSINESS DISTRICTS, TO REDUCE PARKING REQUIREMENTS FOR CERTAIN MINIWAREHOUSES/MINISTORAGE USES CITYWIDE, AND MAKING MINOR, TECHNICAL OR CLERICAL CORRECTIONS TO EXISTING MUNICIPAL CODE LANGUAGE**

**WHEREAS**, a Negative Declaration was prepared for this proposed Ordinance pursuant to Chapter 21.12 of Title 21 of the San José Municipal Code, under File No. PP06-172, and said Negative Declaration became final on December 6, 2006.

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

**SECTION 1.** Section 20.90.060 of Chapter 20.90 of Title 20 of the San José 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 20.90.100.

- 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	

Table 20-190 Parking Spaces Required by Land Use		
Use	Minimum Parking Required	Applicable Sections
	per staff	
School, trade and vocational	1 per 3 students, plus 1 per staff	
Entertainment and Recreation		
Arcade, amusement	1 per 200 sq. ft of floor area	
Batting Cages	1 per station, plus 1 per employee	
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. of floor area	
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	

Table 20-190 Parking Spaces Required by Land Use		
Use	Minimum Parking Required	Applicable Sections
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 area used for assembly	
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	Note 3
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	Note 3
Entertainment (with any food or alcohol service)	1 per 40 sq. ft. of area open to the public	Note 3
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	Note 3
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)	Note 3

Table 20-190 Parking Spaces Required by Land Use		
Use	Minimum Parking Required	Applicable Sections
<b>General Retail</b>		
Alcohol, off-site sales	1 per 200 sq. ft. of floor area	Note 3 and 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. of floor area	Note 3
Plant nursery	1 per 200 sq. ft. of floor area	
Open air sales establishments and areas	1 per 200 sq. ft. of floor area	
Outdoor vending	3 parking spaces	Part 10, Chapter 20.80
Pawn shop/broker	1 per 200 sq. ft. of floor area	
Retail or wholesale commercial entity, single occupant greater than 100,000 gross square feet	1 per 200 sq. ft. of floor area	
Retail sales, goods and merchandise	1 per 200 sq. ft. of floor area	Note 3
Retail sales of furniture	1 per 250 sq. ft. of floor area	Note 3
Sales, appliances, industrial equipment, and machinery	1 per 1000 sq. ft. of floor area	
Neighborhood Shopping Center (minimum 100,000 sq. ft. in size), includes a mix of permitted and conditional uses	1 per 225 sq. ft. of floor area	Note 1
<b>General Services</b>		
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. of floor area	
Hotel/motel	1 per guest room or suite,	Section

Table 20-190 Parking Spaces Required by Land Use		
Use	Minimum Parking Required	Applicable Sections
	plus 1 per employee	20.90.220(C)
Laundromat	1 per 200 sq. ft. of floor area	
Maintenance and repair, small consumer goods	1 per 200 sq. ft. of floor area	
Messenger services	1 per 200 sq. ft. of floor area., 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. of floor area	Note 3
Photo processing and developing	1 per 200 sq. ft.	
Printing and publishing	Minimum 1 per 350 sq. ft. of floor area, maximum 5% over minimum required.	
Social Service Agency	1 per 250 sq. ft. of floor area	
<b>Health and Veterinary Services</b>		
Animal boarding, indoor	1 per employee, plus 1 per 1,000 sq. ft. of floor area	
Animal grooming	1 per 200 sq. ft. of floor area	
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. of floor area	
Medical, dental and health practitioner	1 per 250 sq. ft. of floor area	
Veterinary clinic	1 per 250 sq. ft. of floor area	
<b>Industry</b>		
Catalog and mail order house	1 per 250 sq. ft. of floor area of office space plus, plus 1 per 1000 sq. ft. of floor area of	

Table 20-190 Parking Spaces Required by Land Use		
Use	Minimum Parking Required	Applicable Sections
	warehouse and distribution area	
Commercial Support	1 per 350 sq. ft. of floor area	
Distribution facility	A minimum of two (2) for facilities with a total gross floor area under five-thousand (5,000) square feet; a minimum of five (5) for facilities with a total gross floor area between five thousand (5,000) sq. ft. and	
Distribution facility (cont.)	twenty-five thousand (25,000) sq. ft.; for facilities with a total gross floor area in excess of twenty-five thousand (25,000) sq. ft. a minimum of one (1) per five-thousand (5,000) sq. ft. of gross floor area or a fraction thereof	
Establishment for the repair, cleaning of household, commercial or industrial equipment or products	1 per 350 sq. ft. of floor area	
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 area	
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 5,000 sq. ft. of floor area, plus 1 per resident manager	Note 4
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 total gross floor area under five-thousand (5,000) square feet; a minimum of five (5) for warehouses with a total gross 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. of total gross floor area a minimum of one (1) per five-thousand (5,000) sq. ft. of gross floor area 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. of floor area plus 1 per company vehicle	
Financial institution	1 per 250 sq. ft. of floor area	
Offices, business and administrative	1 per 250 sq. ft. of floor area	
Private security	1 per 250 sq. ft. of floor area office space, plus 1 per employee, plus 1 per company vehicle	



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 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	Note 5 and Section 20.90.220(B)
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	
<b>Transportation and Utilities</b>		
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	
<b>Vehicle Related Uses</b>		
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. of floor area	
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 2
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  Exclusively indoors sales	1 per 350 sq. ft. enclosed showroom, 1 per 2,500 sq. ft. open area, plus 2 per service bay  1 per 200 sq. ft.	
Auto rental agency	1 per 400 sq. ft. of floor area, plus 1 per rental vehicle	
Sale, vehicle parts	1 per 200 sq. ft. of floor area	
Tires, batteries, accessories, lube, oil change, smog check station, air conditioning	4 per grease rack or vehicle work station, plus 1 per employee	
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.
3. Parking for uses of this type located within a Neighborhood Business District and meeting all of the requirements set forth in Section 20.90.220 [C], may be reduced as specified in Section 20.90.220[C].
4. Parking for miniwarehouse/ministorage uses meeting all of the requirements of Section 20.90.220[D] may be reduced as specified in Section 20.90.220(D).
5. Covered parking may include carports or garages.

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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 20.90.220 of Chapter 20.90 of Title 20 of the San José Municipal Code is hereby amended to read in its entirety as follows:

**20.90.220 Reduction in Required Off-Street Parking Spaces**

A. Alternative Transportation

1. A reduction in the required off-street parking spaces of up to ten percent (10%) may be authorized with a Development Permit for structures or uses located within 2,000 feet of a proposed or an existing rail station, and areas designated as neighborhood business districts in the City's General Plan. If no Development Permit is required, a development exception may authorize a reduction.

B. One-family Dwellings

1. A reduction in the required off-street parking may be authorized with a Development Permit, or a Special Use Permit if no Development Permit is required, for one-family dwellings. The reduction may be made if the following criteria are met:
  - a. At least one covered parking space is provided; and
  - b. No more than one dwelling occupies the lot; and
  - c. The location of the required covered parking is set back a minimum of sixty (60) feet from the front property line and fifty (50) feet from the side corner property line; and
  - d. The required covered parking is accessed by a driveway of a width no less than ten (10) feet and no more than twelve (12) feet; and
  - e. Any curb cuts accessing the parking shall be in proportion to the driveway width; and
  - f. No additional paving in the front setback shall be designated or used for parking; and
  - g. The floor area of the covered parking structure does not exceed three hundred and fifty (350) square feet; and
  - h. The covered parking structure shall meet all other applicable regulations of this Title.

C. Ground Floor Uses in Neighborhood Business Districts

1. The off-street parking requirement for uses subject to Note 3 on Table 20-190 in Section 20.90.060 shall be reduced to one (1) space per four hundred (400) square feet of floor area, provided all of the following requirements are met:
  - a. The site is designated on the San Jose 2020 General Plan Land Use Transportation Diagram with the Neighborhood Business District Overlay, and
  - b. The use is located on the ground floor of a building, and
  - c. No parking reduction is approved for a use pursuant to Section 20.90.220.A.1 of this Chapter.

D. Miniwarehouse/Ministorage

1. A reduction in the required off-street parking may be authorized with a Development Permit for those miniwarehouse/ministorage buildings meeting all of the following requirements:
  - a. Buildings are single story, and
  - b. Loading spaces are available directly adjacent to those storage units contained in the single-story building.

E. Other Uses

1. A reduction in the required off-street parking for SROs, emergency residential shelters, residential care/service facilities and convalescent hospitals, hotels/motels, bed and breakfast inns, senior housing uses, and indoor recreation uses may be approved with a Development Permit provided that such approval is based upon the findings in Subsection B of Section 20.90.200.

**PASSED FOR PUBLICATION** of title this            day of            , 2006, by  
the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

VACANT:

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RON GONZALES  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk