

PP24-011 City Streamline Review Process

December 17, 2024

City Council

Project File No. PP24-011

Project Manager: Michelle Flores, Supervising Planner

Principal Planner: Jerad Ferguson



*Planning, Building and
Code Enforcement*

Background



San José 2023-2031 Housing Element Development

- Analysis of governmental constraints to the development of housing for all income levels
- Sought strategies to help fulfill the City's Regional Housing Needs Allocation and to reduce governmental constraints
- Key strategy to identified was a program to shorten the timeline of approvals for multifamily housing on infill sites.

P-7 Housing Element Program: City Infill Housing Ministerial Approval Ordinance

This strategy would adopt and implement a City Streamlined Review Process to ministerially approve infill housing developments that meet all objective standards.

- No public hearing
- CEQA ministerial exemption

Metrics:

1. December 2024: City Council Approval of Ordinance
2. Evaluate the permit process improvements six months after adoption;
3. Ongoing evaluation, reporting, and implementation through the Housing Catalyst Work Plan;
4. Entitlement of 200 units per year using the streamlined review process during the first years after adoption; and
5. Average 25 percent reduction in the length of time from application to planning permit issuance.

Eligibility – Site Characteristics

☐ Growth Areas

- Planned Urban Villages (except Alum Rock)
- Station Areas
 - Capitol Caltrain
- Specific Plans
 - Midtown, Jackson-Taylor

☐ Land Use Designations and Zoning Districts

- Urban Residential, Transit Residential, Urban Village or Mixed Use Commercial

☐ Not within the Airport Influence Area

☐ Not a Planned Development Zoning

☐ Within ½ mile of existing major transit stop or existing stop along a high-quality transit corridor.

Eligibility – Project Characteristics

☐ Density

- Minimum 40 DU/AC

☐ Demolition

- Reduce the total number of existing dwelling units on the site
- Demolish units occupied by tenants in a multifamily residence (3+ units) within the last five years
- Projects subject to an affordable housing regulatory agreement
- Properties protected under Ellis Act

☐ Historic

- Report is required to document and evaluate that the buildings are not eligible for listing in the National Register, California Register or San José Historic Resource Inventory for the demolition or alteration of:
 - Buildings over 45 years old
 - Identified structures on the Historic Resource Inventory
- Buildings on the Historic Resource Inventory (except for Identified Structures) cannot be demolished or altered

Proposed Changes to Local Ministerial Ordinance

- Historic requirement
 - Currently only excluded historic structures listed as a City Landmark on the City's Historic Resource Inventory
- Exclude projects within 300 feet of a creek
- Exclude projects within 100 feet of a City Landmark or Landmark District
- Projects are subject to standard environmental permit conditions

City Council Outreach Policy

City Council Outreach Policy (6-30)

- Last updated in 2004
- Currently no required community meeting for ministerial permits
- Projects must post an on-site sign

Other methods of outreach:

- Weekly newly filed project list
- Email subscriptions for development notifications
- Public GIS viewer
- SJPermits

Proposed Update to City Council Outreach Policy

Citywide Work Plan

- Update Outreach Policy
 - Outreach to begin in January 2025
 - Housing Element, Audit Recommendation, Environmental Justice Element, and Racial Equity Plan
- Anticipate to present to City Council by end of 2025

Outreach

- Community meeting held on November 7th
- Individual meetings held with various groups
- Project website with proposed criteria was posted before the community meeting
- SJ Housing Site Explorer has an interactive map with potential qualifying sites

Recommendation

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

1. Adopt a resolution adopting the Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041), Supplemental Environmental Impact Report (Resolution No. 77617), and Supplemental EIR (Resolution No. 77617), and Addenda thereto.
2. Approve an ordinance amending various sections of Title 20 of the San José Municipal Code (Zoning Code or Zoning Ordinance) to:
 - a. Amend Chapter 20.55 to include amendments to Section 20.55.203, Table 20-138 to allow Streamlined Infill Housing Development and adding Notes 27 and 28;
 - b. Amend Chapter 20.195 to include amendments to: (i) Section 20.195.010 to include a local ministerial approval process for Streamlined Infill Housing Developments in the purpose of Chapter 20.195; (ii) Section 20.195.020 to add the definition of Infill; (iii) Section 20.195.070 to allow Streamlined Infill Housing Development to qualify for the Local Ministerial Approvals; (iv) Section 20.195.080 to amend existing ministerial standards and add a new standard; (v) Section 20.195.090 to state that projects must comply with Chapter 5.08, as amended; (vi) Section 20.195.100 to add permit conditions; and (vii) Add a new Part 4 of Chapter 20.195 to allow ministerial approval for Streamlined Infill Housing Developments;
 - c. Amend Chapter 20.200 to add a new definition for Streamlined Review for Infill Housing Development; and
 - d. Adopt a resolution approving standard environmental planning permit conditions for projects approved under the local ministerial ordinance as described in section 20.195.100.F of the San José Municipal Code.