



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Stephen M. Haase

SUBJECT: SEE BELOW

DATE: February 12, 2004

COUNCIL DISTRICT: Citywide

SNI AREAS: All

SUBJECT: PROPOSED ORDINANCE AMENDING TITLE 20, THE ZONING CODE, OF THE SAN JOSE MUNICIPAL CODE, TO CLARIFY THE PROCESS OF CONCURRENT FILING AND REVIEW OF PLANNED DEVELOPMENT ZONING AND PLANNED DEVELOPMENT PERMIT APPLICATIONS.

RECOMMENDATION

The Planning Commission voted 7-0-0 to recommend that the City Council adopt the proposed ordinance amending Title 20, the Zoning Code, of the San Jose Municipal Code clarifying the concurrent filing and review process of Planned Development Zoning and Planned Development Permit applications.

BACKGROUND

As a part of the "Getting Families Back to Work" initiative, the City Council directed staff to streamline and improve the predictability and timeliness of the development process. The proposed Zoning Ordinance clarification is a response to the directive.

On February 11, 2004, the Planning Commission held a public hearing to consider the proposed clarification ordinance to allow Planned Development Zonings and Planned Development Permits to be acted upon by a single decision-making body in a unified process. The Planning staff recommended approval of the proposed ordinance, as outlined in the attached staff report.

At the hearing, staff explained that the concurrent processing of rezonings and development permits provides a number of advantages to the public. A unified process discloses the entirety of a project as early as possible to the public. Permit-level details (such as building and landscaping materials, colors, signage, and hours of operation) would be known prior to a decision by the City Council. In addition, the public would have multiple opportunities to comment on proposed projects as a part of a unified approval process. This would include the

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**SUBJECT: Title 20 Ordinance Clarifying the Concurrent Filing and Review Process
for Planned Development Zoning and Planned Development Permit Applications**

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opportunity to comment before the Planning Commission, which acts as a recommending body, and before the City Council, which takes final action on the project.

Staff also stated that as a part of any future rezoning and development permit processed concurrently, staff would help to ensure that the public is able to review and comment on both proposals. Application materials, including plans, are available for review at the Planning Office. Applicants would continue to be required to have community meetings for large and/or controversial projects per Council's Public Outreach Policy. Hearing notices for all projects would continue to be distributed per Council Policy.

No one spoke in favor of or in opposition to the proposed Ordinance amendment.

PUBLIC OUTREACH

On January 29, 2004, public hearing notices were mailed to members of the industrial, commercial, and residential development community along with key neighborhood organizations (e.g., associations and SNI Neighborhood Advisory Committees) and neighborhood umbrella groups (e.g., United Neighborhoods). As standard practice, staff posted the staff report and draft ordinance as well as the hearing dates on the Department's website. In addition staff called several neighborhood leaders to ensure that they were aware of this proposal and had received the staff report.

COORDINATION

Preparation of the proposed ordinance has been coordinated with the City Attorney's Office.

CEQA

Not a project.

STEPHEN M. HAASE, SECRETARY
Planning Commission

Attachment

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SMH:phs

