



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Joseph Horwedel

SUBJECT: SEE BELOW

DATE: November 24, 2008

Approved

Paul Firth

Date

12/2/08

COUNCIL DISTRICT: City-Wide
SNI AREA: N/A

SUBJECT: MINOR MODIFICATION TO CITY COUNCIL POLICY 6-5 STREET NAMING AND RENAMING.

RECOMMENDATION

Amend City Council Policy 6-5 Street Naming and Renaming to allow a streamlined process for applications when the proposed change is not a serious, complicated matter, and will cause little or no disruption to existing businesses, residents or the post office; and allow per the discretion of the Director of Planning for such proposed street name changes to forego hearing by the Planning Commission and proceed directly to City Council.

OUTCOME

Council's approval of this policy change will allow a streamlined process for minor street renamings.

BACKGROUND

On May 10, 2005, City Council Policy 6-5 Street Naming and Renaming was revised to require extensive public outreach prior to City Council consideration in response to street renaming proposals that were controversial and consumed extensive amounts of staff and community time to consider, specifically to obtain the support of the affected owners and occupants due the costs and hardships they would directly incur. The Policy includes a very detailed process including a noticed community meeting held by the applicant prior to submittal to the Planning Division, a petition signed by over 50% of "affected residents" in favor of the renaming (with copies of utility bills to verify the signatures are valid), and a second community meeting held by Planning

staff prior to a Planning Commission's public hearing. However, the current policy does not include any provisions for a lesser amount of outreach for those projects that have little or no effect on the addresses of existing occupants or business, for projects in predominantly vacant areas where there are little to no existing occupants to be effected, or projects that are simply for clarification purposes.

To date, seven street renamings have been applied for, all of which have been minor in nature with regard to potential effects on owners and occupants. Given this situation, the Director of Planning has used his discretion to lessen the burden on applicants where the benefit of the extra outreach process required by the current policy is doubtful or nonexistent. In these instances, the street renamings were approved by City Council with an explanation by Planning that the intent of the Street Renaming Policy was being met even though the specific process were not.

ANALYSIS

Providing a streamlined process for minor street renamings would not frustrate the intent of the policy and would lessen the burden on applicants where the full process provides no additional benefit. Staff is proposing amendments to the current policy to incorporate provisions for a streamlined process for minor street renamings, subject to the discretion of the Director of Planning and the Council Policy on Public Outreach.

In the case of a small street that has a proposed street renaming, the surrounding property owners and/or occupants and businesses within 500 feet of the street are not likely to actually be effected by the street renaming. For those cases where the street does not provide a through-fare to another street, there would be no confusion caused during way-finding. For smaller streets contained within developments under construction, there are no residents yet to be effected. These proposals should not require a petition to be signed by those within 500 feet of the street renaming, no benefit is had from two separate community meetings and additional noticing for a Planning Commission hearing. The Planning staff has used discretion in such projects to notice directly to City Council without resulting in any controversy from the public.

When the suffix of a street is proposed to be changed, such as from Road to Court, Planning staff has benefited from holding a single community meeting to determine if there is any preference on suffix by affected property owners on the street and to inform the residents of the process and answer questions.

In accordance with Public Outreach Policy 6-30, the Planning staff has employed this level of discretion. This reflects the City's commitment to providing the information and opportunities to encourage residents to actively participate in the land use development process. It is the purpose of the Public Outreach Policy to include input from the indirectly affected residents, property owners and businesses. The Public Outreach Policy also establishes a baseline protocol for dissemination of information related to development activity and to encourage early and frequent communication between City staff, applicants and the public. This minor modification to the Street Naming and Renaming Policy still conforms with the Public Outreach Policy, but would allow outreach to be proportionate to the scale of the project proposed.

EVALUATION AND FOLLOW-UP

The proposed policy modification is a development process streamlining measure that will reduce time and costs associated with minor street renamings. The results of this policy modification should not cause the need to provide follow up to the City Council, unless on a case by case basis an issue is identified.

POLICY ALTERNATIVES

Alternative: Retain existing Policy 6-5 provisions and do not streamline the Street Renaming process for those projects that would meet such exception criteria.

Pros: Retaining current regulations would not compromise the City's land use or public outreach goals.

Cons: Retaining current requirements would impede/hamper the City of San José's ability to improve the process for minor street renaming proposals, which would contribute to further Street Renaming proposals to be brought forth to City Council that do not conform to the current Policy 6-5.

Reason for not recommending: The proposed streamlining measures offer tangible benefits in reduced time and costs for applicants and City staff without compromising the objectives of the City's Public Outreach Policy 6-30.

PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater.
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City.
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach.

Staff has done outreach by presenting the proposed ordinance to the Developers and Neighborhood Roundtables via a citywide e-mail list consisting of neighborhood associations. The proposed ordinance and staff report has been posted on the Department's website and the public hearing notice, which included the Planning Commission and City Council hearing dates, and posted on the Department's website.

COORDINATION

This project was coordinated with the City Attorney.

HONORABLE MAYOR AND CITY COUNCIL

November 24, 2008

Subject: Street Naming Policy 6-5

Page 4

FISCAL/POLICY ALIGNMENT

This project is consistent with applicable General Plan policies and City Council approved guidelines/policies as further discussed in the above memo.

CEQA

CEQA: Not a Project.



JOSEPH HORWEDEL

Director of Planning, Building and Code Enforcement

For questions please contact Darryl Boyd, Principal Planner at 408-535-7800.

City of San José, California

CITY COUNCIL POLICY

POLICY NUMBER: 6-5

TITLE: STREET NAMING AND RENAMING

EFFECTIVE DATE: March 13, 1971

REVISED DATE: ~~May 10, 2005~~, December 16, 2008

BACKGROUND

The City Council of the City of San Jose is responsible for the naming of public streets, boulevards, avenues, drives, courts, circles, pedestrian and other public and private rights-of-way. Street renaming is often a serious and complicated matter. It should be a process that is inclusive of the community. The purpose of the policy is to set forward appropriate criteria and a process by which streets are renamed in the City of San José. The policy places a heavy burden and strict criteria on street name change proponents due to the disruption a name change can cause existing businesses, the post office and the initial, temporary confusion that can be caused and potential removal of significant names of historical meaning. However, not all street renamings are complicated. For proposed Street Renamings of minor rights of way, a streamlined process is available.

PURPOSE

The City Council desires to establish uniform guidelines to govern the naming of streets and the changing of street names in order to avoid potential conflicting names or misunderstandings and to promote the public welfare and general convenience of the community.

POLICY

New Streets and Other Named Rights of Way

It is the policy of the City of San Jose that the names for new public and private streets and other named rights of way:

- A. Are to be selected by the developer and submitted to the Department of Planning, Building and Code Enforcement for clearance and approval before the tract map is recorded.
- B. Must meet with the approval of the County Communications Department and the U.S. Post Office.
- C. That continuing for some length in one general alignment shall have only one name.
- D. Will usually be called "court" when they are cul-de-sacs; however, "place" is acceptable.
- E. A cul-de-sac may carry the same name as the street at its open-end.
- F. That are loop streets will usually be called "circle".
- G. The maintenance and future use of names with historic significance within Santa Clara Valley is encouraged.

Renaming of Other Named Major Rights of Way

It is the policy of the City of San Jose that the renaming of public and private streets and other named rights of way that are major thoroughfares shall follow the criteria and process set forth below:

1. Renaming of public or private streets or other named rights of way shall fully implement the Council Policy on Public Outreach, specifically including early consultation with the affected community, multi-lingual notices in English, Spanish, and Vietnamese (and including any other language that is reasonably known to be prominent in the area) and translation.
2. Prior to submitting an application to the ~~Planning Implementation~~ Division, the applicant is responsible for holding at least one public meeting noticed in English, Spanish, and Vietnamese (and including any other language that is reasonably known to be prominent in the area) to all affected property owners and/or occupants and businesses.
3. "Affected property owners" means property owners and/or occupants and businesses ~~within 500 feet of~~ located along the street whose name is proposed for change.
4. Submit a completed application to the ~~Planning Implementation~~ Division of the Department of Planning, Building, and Code Enforcement, including:
 - The existing street name, the proposed new street name and the reasons for the requested street name decision must be submitted.
 - A location map showing the street or the portion of a street proposed for renaming.
 - The required application, environmental and outreach fees.
 - The applicant's proof of legal residency or business address in the City of San José. This may be in the form of a utility bill with the applicant's name and address listed.
 - A list of names and addresses of all affected property owners and occupants with their corresponding Assessor's Parcel Number.
 - A petition signed and dated by a majority (over fifty percent) of the affected property owners with their printed names and addresses next to their signatures and that:
 - a) indicates their support of the proposed street renaming, and
 - b) the signatures are no more than two years old upon time of submittal to the City of San José, and
5. Each and every petitioner must be a ~~resident of real property or business within 500 feet of the street whose name is proposed for change or initial naming n affected property owner.~~
6. The applicant will be responsible for providing a utility bill from each signatory as a method for verifying signatures collected.
7. Renaming of streets with names of Santa Clara Valley historic significance is discouraged.
8. Renaming of streets the contained in the City of San José's Historic Resources Inventory or that may have potential historical significance, shall be referred to the Historic Landmarks Commission for review and recommendation.
9. The Planning staff shall hold at least one public meeting in accordance with the Council Policy on Public Outreach on the proposed renaming prior to the Planning Commission's public hearing.
10. Staff shall prepare a report and recommendation to the Planning Commission (and any other appropriate commission) and a subsequent memo to the City Council addressing the Commission's recommendation on a proposed street renaming application.

Renaming of Other Named Minor Rights of Way

Notwithstanding the foregoing, it is also the policy of the City of San Jose that the renaming of minor public and private streets and other minor rights of way shall follow the more streamlined criteria and process set forth below:

1. Renaming of minor public or private streets or other minor rights of way shall fully implement the Council Policy on Public Outreach.
2. Submit a completed application to the Planning Division of the Department of Planning, Building, and Code Enforcement, including:
 - The existing street name, the proposed new street name and the reasons for the requested street name decision must be submitted.
 - A location map showing the street or the portion of a street proposed for renaming.
 - The required application, environmental and outreach fees.
 - A list of names and addresses of all affected property owners and occupants with their corresponding Assessor's Parcel Number.
3. The Planning staff may hold one public meeting in accordance with the Council Policy on Public Outreach on the proposed renaming prior to the public hearing where the Director of Planning determines that Public Outreach may have value (for example, if there are no existing residents to receive outreach efforts, the Director may determine that undertaking Public Outreach would result in an unnecessary expenditure of time and resources).
4. The Planning staff may schedule an application for consideration directly to City Council where no controversy or material issue has been brought to the attention of the Planning Division during the processing of the application.
5. The renaming of minor public or private streets or other minor rights of way means those renamings that meet one or more of the following criteria:
 - The base name of the street or right of way is not changing and only the suffix is changing (such as "avenue" to "drive" or "way"); or
 - Regardless of the length of the street or right of way proposed to be renamed, no current occupants exist along the street or right of way proposed to be renamed; or
 - No more than twenty (20) occupied parcels are affected by the proposed renaming.