

RESOLUTION NO. 73120

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE INITIATING ON ITS OWN MOTION PROCEEDINGS TO CONSIDER AMENDMENTS TO TITLE 21 OF THE SAN JOSE MUNICIPAL CODE REGARDING ENVIRONMENTAL CLEARANCE PROCESSES UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970 TO ALLOW FOR ADDITIONAL APPEALS OF CERTAIN ENVIRONMENTAL CLEARANCE DETERMINATIONS TO THE CITY COUNCIL, DIRECTING THE ADMINISTRATION TO DEVELOP A PROPOSED ORDINANCE FOR COUNCIL CONSIDERATION AND REFERRING THE PROPOSED ORDINANCE TO THE PLANNING COMMISSION FOR ITS REPORT AND RECOMMENDATION

WHEREAS, on March 28, 2006, the City Council of the City of San José considered and adopted that certain urgency ordinance entitled “AN URGENCY ORDINANCE OF THE CITY OF SAN JOSE AMENDING CHAPTER 21.04 OF TITLE 21 OF THE SAN JOSE MUNICIPAL CODE TO ADD A NEW SECTION AND AMENDING SECTION 21.06.030 OF CHAPTER 21.06 OF TITLE 21, ALL RELATED TO PROVIDING FOR AN ADDITIONAL APPEAL TO THE CITY COUNCIL OF CERTAIN ENVIRONMENTAL CLEARANCE DETERMINATIONS AND SETTING FORTH THE FACTS CONSTITUTING SUCH URGENCY;” and

WHEREAS, the City Council desires to consider a regular ordinance regarding that same topic and that the proposed ordinance be referred to the Planning Commission of the City of San José for its report and recommendation.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

SECTION 1. The Council of the City of San Jose, on its own motion, does hereby initiate proceedings to adopt that certain proposed ordinance entitled, “AN URGENCY

ORDINANCE OF THE CITY OF SAN JOSE AMENDING CHAPTER 21.04 OF TITLE 21 OF THE SAN JOSE MUNICIPAL CODE TO ADD A NEW SECTION AND AMENDING SECTION 21.06.030 OF CHAPTER 21.06 OF TITLE 21, ALL RELATED TO PROVIDING FOR AN ADDITIONAL APPEAL TO THE CITY COUNCIL OF CERTAIN ENVIRONMENTAL CLEARANCE DETERMINATIONS AND SETTING FORTH THE FACTS CONSTITUTING SUCH URGENCY;” a copy of which is attached hereto, and said ordinance being incorporated herein by reference the same as is fully set forth herein.

SECTION 2. The above-mentioned ordinance is hereby referred to the Planning Commission for its report, recommendation and comment, and the City Clerk is hereby directed to send a copy of this resolution to said Planning Commission.

ADOPTED this 28th day of March, 2006, by the following vote:

AYES:	CAMPOS, CHAVEZ, CHIRCO, CORTESE, LeZOTTE, NGUYEN, PYLE, REED, WILLIAMS, YEAGER; GONZALES
NOES:	NONE
ABSENT:	NONE
DISQUALIFIED:	NONE

RON GONZALES
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk

