

RESOLUTION NO. 75262

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE INITIATING PROCEEDINGS ON ITS OWN MOTION PURSUANT TO THE PROVISIONS OF SECTION 20.120.010 OF CHAPTER 20.120 OF TITLE 20 OF THE SAN JOSE MUNICIPAL CODE (THE ZONING CODE) TO ELIMINATE THE ENTERTAINMENT ESTABLISHMENT USE FROM THE ZONING CODE, SETTING A PUBLIC HEARING THEREON, AND REFERRING THE PROPOSED AMENDMENT TO THE ZONING CODE TO THE PLANNING COMMISSION FOR ITS REPORT OR RECOMMENDATION

BE IT RESOLVED by the Council of the City of San Jose as follows:

SECTION 1. Pursuant to provisions of Chapter 20.120 of Title 20 of the San Jose Municipal Code, the Council of the City of San Jose, on its own motion, does hereby initiate proceedings to adopt a proposed ordinance amending Chapters 20.40, 20.70 and 20.200 of Title 20 of the San José Municipal Code to eliminate the entertainment establishment use category.

SECTION 2. The above-mentioned proposed Ordinance is hereby: (a) referred to the Director of Planning Building and Code Enforcement to administer the processing of the proposed ordinance in accordance with all applicable laws, rules, ordinances, regulations and policies of the City and for the Director's report and recommendation thereon and (b) referred to the Planning Commission for its report or recommendation thereon. In addition, the City Clerk is hereby directed to send a copy of this resolution to said Planning Commission.

SECTION 3. Tuesday, May 18, 2010, at the hour of 1:30 p.m., or as soon thereafter as the matter may be heard, in the Council Chambers of the Council of the City of San Jose in the City Hall of said City, located at 200 East Santa Clara Street, is

the time and place for hearing on the proposal to approve the above-mentioned Ordinance amending Title 20 of the San José Municipal Code. The City Clerk is hereby directed to publish notice thereof as required by Chapter 20.120 of Title 20 of the San Jose Municipal Code.

ADOPTED this 26th day of January, 2010, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE, REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:



LEE PRICE, MMC
City Clerk