

Memorandum

TO: RULES AND OPEN GOVERNMENT
COMMITTEE

FROM: Joseph Horwedel

SUBJECT: SET GENERAL PLAN HEARING
FOR FALL 2008

DATE: July 23, 2008

Approved

Date

7/26/08

COUNCIL DISTRICT: City-Wide
SNI AREA: All

RECOMMENDATION

Planning staff recommends that the Rules and Open Government Committee set a General Plan City Council Fall hearing for the evening of December 2, 2008 continued to the evening of December 16, 2008 for General Plan amendments that do not involve the conversion of employment land to non-employment uses, do not involve modifications to the Urban Growth Boundary, or do not involve expansion of the Urban Service Area, unless early consideration for continued processing or denial is recommended by City staff, or unless an item under consideration was deferred by Council from a previous General Plan hearing in 2008.

OUTCOME

The proposed Fall 2008 General Plan hearing will allow processing of City-initiated and privately-initiated General Plan land use and text amendments that have completed environmental clearance and are ready for a public hearing by the Council between December 2 and December 16, 2008. Of primary importance are proposed text amendments associated with the Housing Element Update to the *San José 2020 General Plan* to address the Regional Housing Needs Allocation period from January 1, 2007 through June 30, 2014. The Housing Element must be periodically updated and certified by the California Department of Housing and Community Development (HCD). The City of San José must complete its Housing Element Update and should have it certified by HCD by June 30, 2009.

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San Jose City Clerk

BACKGROUND

In June, 2007 the City Council approved a text amendment to the *San José 2020 General Plan* (File No. GP07-T-01) that requires an annual General Plan hearing for the review and consideration of all proposed amendments that involve the conversion of employment land to non-employment uses, or that involve minor modifications to the Urban Growth Boundary (UGB) or expansion of the Urban Service Area (USA). The annual review for such amendments was held by Council this year on April 22, 2008 continued to May 6, 2008 and May 20, 2008 with Council adopting a final resolution that included the deferral of items to Fall 2008 that involve modification to the Urban Growth Boundary or expansion of the Urban Service Area (File Nos. GP06-02-02 and UGB06-001).

ANALYSIS

In the interest of bringing to City Council City-initiated General Plan amendments and privately-initiated General Plan amendments that do not involve conversions of employment land to other uses, Planning staff is requesting a Fall 2008 hearing to consider these other proposals. Examples of such General Plan amendments include:

1. General Plan text amendments associated with policy changes for the Housing Element Update consistent with State requirements;
2. General Plan land use and text amendments associated with the Alum Rock Neighborhood Business District to facilitate implementation of a proposed form-based zoning for portions of this Business District that are within a planned Bus Rapid Transit Corridor; and
3. Staff-initiated text and land use changes to the General Plan to increase retail opportunities within the City consistent with the Mayor's Budget Message approved by the City Council on June 17, 2008.

EVALUATION AND FOLLOW-UP

The proposal for a Fall 2008 General Plan Hearing is needed for processing City-initiated General Plan amendments that are related to the Housing Element Update, the Alum Rock Neighborhood Business District, and retail opportunities within the City, consistent with Council direction.

POLICY ALTERNATIVES

If Council does not adopt the proposed recommendations, as described above, the City Council may consider all pending General Plan amendments during one General Plan hearing in 2009.

Alternative 1: Schedule the next General Plan hearing for a date to be determined in 2009.

Pros: This approach would potentially facilitate to a greater degree the City's assessment of the cumulative implications from all pending General Plan amendment proposals.

Cons: This alternative would delay processing General Plan amendments related to the Housing Element Update, which the City should complete for certification by HCD by June 30, 2009. This alternative would also delay designating additional retail sites.

Reason for not recommending: This alternative may negatively impact the ability of the City to have its Housing Element Update certified by HCD in a timely manner. In addition, the delay could delay opportunities for future retail uses on sites that otherwise would have been considered by Council in Fall 2008.

PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 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. **(Required: E-mail and Website Posting)**
- Criterion 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. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Although this item does not meet any of the above criteria, staff will follow Council Policy 6-30: Public Outreach Policy for the individual amendments. During a City Council public hearing on the General Plan on May 20, 2008, the topic of a Fall 2008 General Plan hearing was discussed. Staff also discussed this timeframe informally with individual applicants that have pending General Plan amendments.

The public can be informed about the status of amendments on the Planning Division's web site, which contains information on the General Plan process, each proposed amendment, staff reports, and hearing dates. In addition, Planning staff is available to respond to questions.

COORDINATION

This memorandum was coordinated with the City Attorney's Office.

FISCAL/POLICY ALIGNMENT

This proposal is consistent with applicable General Plan policies.

COST SUMMARY/IMPLICATIONS

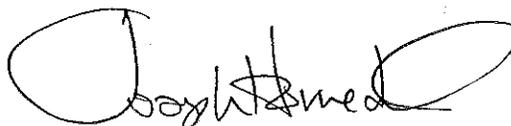
Not applicable.

BUDGET REFERENCE

Not applicable.

CEQA

Not applicable.



JOSEPH HORWEDEL, DIRECTOR
Planning, Building and Code Enforcement

For questions please contact Laurel Prevetti at 408-535-7901,