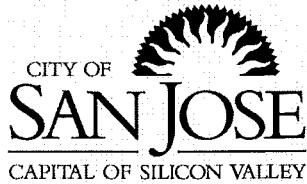


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SEP 4 2009
 Memorandum
 by City Manager's Office

TO: HONORABLE MAYOR
 AND CITY COUNCIL

FROM: Joseph Horwedel

**SUBJECT: DISTINCTIVE NEIGHBORHOOD
 PROGRAM STATUS REPORT**

DATE: August 31, 2009

Approved Paul Krutz Date 9/3/09

INFORMATION

In the 2008/2009 fiscal year budget, the City Council approved funding for the development of a "Distinctive Neighborhood Program" that would add further protection and enhancement to unique single-family residential neighborhoods in San Jose.

Based on community input, Planning staff developed four potential policy options to establish a Distinctive Neighborhood Program. These options were presented to the City Council on June 2, 2009. The Council unanimously accepted the findings of all four policy options and approved funding for the 2009/2010 Fiscal Year for the implementation of the following two policy options:

- Modify the Municipal Code to require a permit citywide to demolish older homes
- Create a Conservation Study Area

Staff has developed a work program and outreach strategy for the implementation of these two policy options to allow Council consideration by the end of the 2009 calendar year (see: http://www.sanjoseca.gov/planning/distinctive_neighborhood/). An email has been sent out to interested community members reflecting the current status of the program and anticipated implementation completion date.

Analysis of the two policy options mentioned above is currently underway. Staff is considering the following:

- Using 1955 (rather than 1945) as a cutoff date for requiring review of proposed demolitions of single-family homes built before that date because 1955 represents a significant change in the growth rate of San Jose; and revising the definition of the word "Demolition" in the Zoning Code to reflect the front of the house;
- Streamlining the process for designation of a Conservation Area rather than creating a new entity called the Conservation Study Area; and requiring review of proposed demolitions of older homes within areas proposed to be designated as a Conservation Area while a Conservation Area application is being processed.

HONORABLE MAYOR AND CITY COUNCIL

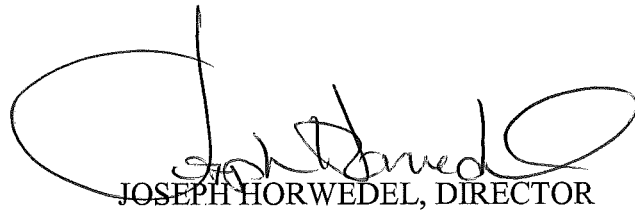
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Additional outreach is anticipated in October 2009. Staff is planning to conduct a community meeting (tentatively scheduled for October 1, 2009) at the Dr. Martin Luther King, Jr. Library. In addition, staff will convene focus groups with the Neighborhood Roundtable, Developers Roundtable, Historic Landmarks Commission, American Institute of Architects, Association of Realtors, and the National Association of Remodeling Industry.

Code Amendments reflecting these policy options will be coordinated with the City Attorney and will be discussed at the outreach meetings identified above.

A handwritten signature in black ink, appearing to read "Joseph Horwedel", is written over the printed name and title.

JOSEPH HORWEDEL, DIRECTOR

Planning, Building and Code Enforcement

For questions, please contact Akoni Daniels, Principal Planner, at 535-7823.