

ORDINANCE NO. 27717

AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING SECTION 20.120.100 OF CHAPTER 20.120 OF TITLE 20 OF THE SAN JOSE MUNICIPAL CODE TO ALLOW THE DIRECTOR OF PLANNING, BUILDING AND CODE ENFORCEMENT TO MAKE A DETERMINATION AS TO WHETHER TO TAKE DIRECTOR-INITIATED CONFORMING REZONINGS DIRECTLY TO THE CITY COUNCIL WITHOUT PLANNING COMMISSION RECOMMENDATION

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

Section 20.120.100 of Chapter 20.120 of Title 20 of the San José Municipal Code is amended to read as follows:

20.120.100 Ordinances Conforming to the General Plan

- A. If the Council determines, at the time it initiates the zoning or rezoning of property pursuant to Section 20.120.010, that the proposed zoning or rezoning conforms to the Land Use/Transportation Diagram of the General Plan, the Council may, in lieu of the Planning Commission Hearing, refer the ordinance to the Director for a report or recommendation. No Public Hearing will be required. The report or recommendation shall be submitted to the Council no later than thirty (30) days from the date the ordinance was referred by the Council.

- B. If the Director determines that a petition for zoning or rezoning, filed pursuant to Section 20.120.020, conforms to the Land Use/Transportation Diagram of the General Plan, the Director may, in lieu of the Planning Commission Hearing, prepare a report or recommendation for the City Council. No Public Hearing will be required. Nothing shall prevent the Council from referring such petition to the Planning Commission for its report and recommendation when it receives the report or recommendation from the Director.

- C. If the Director determines, at the time the Director initiates the zoning or rezoning of property pursuant to Section 20.120.030, that the proposed zoning or rezoning conforms to the Land Use/Transportation Diagram of the General Plan, the Director may, in lieu of the Planning Commission Hearing, prepare a report or recommendation for the City Council. No Public Hearing will be required. Nothing shall prevent the Council from referring such petition to the Planning Commission for its report and recommendation when it receives the report or recommendation from the Director.

PASSED FOR PUBLICATION of title this 2nd day of May, 2006, by the following vote:

AYES: CAMPOS, CHIRCO, CORTESE, LeZOTTE, NGUYEN,
PYLE, REED, WILLIAMS, YEAGER, CHAVEZ

NOES: NONE

ABSENT: GONZALES

DISQUALIFIED: NONE

CINDY CHAVEZ
Vice Mayor

ATTEST:

LEE PRICE, MMC
City Clerk