



Memorandum

TO: RULES AND OPEN
GOVERNMENT COMMITTEE

FROM: Chris Burton

**SUBJECT: SCHEDULE GENERAL PLAN
HEARING FOR DECEMBER 2022**

DATE: November 9, 2022

Approved

Date

11/9/2022

RECOMMENDATION

Set a General Plan Annual Review hearing for the afternoon of December 13, 2022, to consider City-initiated General Plan amendments.

OUTCOME

The proposed General Plan hearing will allow the processing of City-initiated General Plan text amendments that have completed environmental clearance and are ready for a public hearing by the City Council as part of the General Plan Annual Review process.

BACKGROUND

Consistent with state law, the City Council may consider City-initiated General Plan land use and/or text amendments up to four times per year. Policy IP-3.1 of the Envision San José 2040 General Plan requires staff to hold one Annual Review hearing for the Planning Commission and the City Council to review and consider privately proposed amendments to the General Plan. The proposed hearing for the afternoon of December 13, 2022 would include the consideration of City-initiated General Plan amendments that will be ready for Council review in December and will commence the second General Plan hearing this calendar year.

ANALYSIS

In the interest of bringing two City-initiated General Plan text amendments for City Council consideration, the Planning staff requests that the hearing commences on December 13, 2022, in the afternoon.

The first proposed text amendment is to remove the commercial space requirement for 100% deed-restricted affordable housing development projects. Currently, commercial space is required for housing projects on non-residential land use designations when housing is allowed as part of mixed-use development, except where General Plan policies H-2.9 and IP-5.12 exempt affordable housing from this requirement. This text amendment will remove the commercial space requirement for all affordable housing projects citywide.

The other proposed text amendment requires that all privately-initiated proposals for a General Plan Amendment include a development permit application so the Planning Commission and the City Council can consider both applications at the same time. This will provide a more specific analysis of the environmental impacts under the California Environmental Quality Act (CEQA), reflecting recent state law changes that allow for permit streamlining, and will provide more certainty to the City Council and community on the proposed project that would result from a General Plan land use amendment.

PUBLIC OUTREACH

This item does not meet any of the criteria under Council Policy 6-30 for public outreach. Staff will follow Council Policy 6-30: Public Outreach Policy for the individual General Plan amendments.

The public can obtain information and the status of the amendments on the Planning Division's website, which contains information on the General Plan, each proposed amendment, staff reports, and hearing dates. In addition, assigned Planning staff are available to respond to questions.

COORDINATION

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

/s/

CHRIS BURTON, DIRECTOR

Planning, Building, and Code Enforcement

For questions please contact, Michael Brilliot, Deputy Director, at 408-535-7831.