

City of San José, California

COUNCIL POLICY

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EFFECTIVE DATE November 25, 1975	REVISED DATE	
APPROVED BY COUNCIL ACTION		November 25, 1975

BACKGROUND

It is the established policy of the City of San José to seek the annexation of all unincorporated lands within the City's Urban Service Area, as defined in the Urban Development Policy. The requirement for property owners to file prezoning petitions in conjunction with annexation proceedings may hinder the success of the City's annexation program in that some such owners may be reluctant to incur the expense of the City's application filing fees.

PURPOSE

It is the purpose of this policy to encourage the annexation of unincorporated territory into the City of San José by providing a regular program for the prezoning of certain properties without a requirement for the payment of application filing fees by the property owner.

POLICY

It is the policy of the Council of the City of San José that:

1. The Council will initiate prezoning proceedings for the following properties included in an annexation petition:
 - a. Property being considered for annexation which is planned for public use by the State or Federal Government or any political subdivision thereof.
 - b. Property which is included in an annexation petition and which is included therein for the sole purpose of defining a more rational boundary of the City and not for immediate development to an urban use.
 - c. Property being considered for annexation on which urban development exists and on which development or redevelopment to a higher-intensity use is anticipated.
 - d. Small properties being considered for annexation on which minimal urban development is proposed and for which the imposition of prezoning and related fees would constitute a hardship for the property owner.
2. The initiation of prezoning proceedings by the City Council will be to a zoning district conforming to the General Plan; provided, however, that the A-Agricultural District shall be considered conforming to any land use designation on the General Plan.
3. In proceedings undertaken pursuant to this policy, it shall be the responsibility of the property owner to provide the following:
 - a. A metes and bounds legal description of the property to be prezoned.
 - b. An Application for Environmental Clearance, if environmental review of the prezoning is necessary under the provisions of the California Environmental Quality Act.

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- c. Certification from the appropriate school district(s) for prezonings to residential zoning district in conformance to the provisions of Measure "B", as the same may be amended or supplemented.