



CITY CLERK

CITY OF SAN JOSÉ, CALIFORNIA

Office of the City Clerk
801 North First Street, Room 116
San José, California 95110
Telephone (408) 277-4424
FAX (408) 277-3285

STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA)
CITY OF SAN JOSE)

I, Deanna J. Santana, Acting City Clerk & Ex-Officio Clerk of the Council of and for the City of San Jose, in said County of Santa Clara, and State of California, do hereby certify that "**Ordinance No. 27077**", the original copy of which is attached hereto, was passed for publication of title on the **17th day of February, 2004**, was published in accordance with the provisions of the Charter of the City of San Jose, and was given final reading and adopted on the **2nd day of March, 2004**, by the following vote:

AYES: CAMPOS, CHAVEZ, CHIRCO, CORTESE, DANDO,
 LeZOTTE, REED, WILLIAMS, YEAGER; GONZALES

NOES: NONE

ABSENT: GREGORY

DISQUALIFIED: NONE

VACANT: NONE

Said ordinance is effective as of **April 2, 2004**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of San Jose, this **3rd day of March, 2004**.

(SEAL) Deanna J. Santana
DEANNA J. SANTANA
ACTING CITY CLERK & EX-OFFICIO
CLERK OF THE CITY COUNCIL

ORDINANCE NO. 27077

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING
SECTIONS 20.100.130 AND 20.100.140 OF CHAPTER
20.100 OF TITLE 20 OF THE SAN JOSE MUNICIPAL
CODE TO CLARIFY THE PROCESS OF CONCURRENT
FILING AND PROCESSING OF PLANNED
DEVELOPMENT REZONING AND PLANNED
DEVELOPMENT PERMIT APPLICATIONS**

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

SECTION 1. Section 20.100.130 of Chapter 20.100 of Title 20 of the San Jose Municipal Code is hereby amended to read in its entirety as follows:

20.100.130 Concurrent Filing

- A. An application for a Permit pursuant to this Chapter may be filed and processed concurrently with either:
1. A petition to rezone the property that is the subject of the application; or
 2. A petition to prezone and annex the subject property to the City; or
 3. Other Development Permits or approvals required by this Title.
- B. When any application is filed concurrently pursuant to this Chapter, the applicant shall sign a statement acknowledging that the application shall not be deemed complete and eligible for hearing until either:
1. The adoption date of the ordinance that rezones the property that is the subject of the application; or
 2. The later effective date of:
 - a. An ordinance that prezones the subject property; and
 - b. A reorganization that annexes the subject property to the City.
- C. Any approval governed by this Title may be approved after final adoption of an ordinance rezoning the property, but shall not be effective unless and until the

referendum period has expired without challenge for the ordinance rezoning the property.

SECTION 2. Section 20.100.140 of Chapter 20.100 of Title 20 of the San Jose Municipal Code is hereby amended to read in its entirety as follows:

20.100.140 Concurrent Review

- A. Whenever applications for the same site have been filed for one or more Development Permits or approvals required by this Title, such Development Permit or approvals may be reviewed and acted on in a unified process. Tree Removal Permits governed by Chapter 13.32 of Title 13 of the San Jose Municipal Code may be included in the unified process.
- B. The unified process shall use the procedures required for the highest level Permit or approval. Permits and approvals are ranked as follows with the highest level Permit or approval listed first: Rezoning, Conditional Use Permit; Planned Development Permit; Special Use Permit; Site Development Permit; Single Family House Permit-Director's Decision; Development Exception; Development Variance; Sidewalk Café Permit; Tree Removal Permit; Single Family House Permit-Administrative Decision.
- C. The hearing body shall make the findings, if any, applicable to each Permit or approval.

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PASSED FOR PUBLICATION of title this 17th day of February, 2004, by the following vote:

AYES: CAMPOS, CHAVEZ, CHIRCO, CORTESE, GREGORY,
LeZOTTE, REED, WILLIAMS, YEAGER, DANDO

NOES: NONE

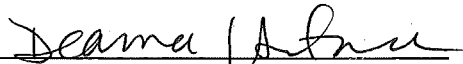
ABSENT: GONZALES

DISQUALIFIED: NONE



PAT DANDO
Vice Mayor

ATTEST:



DEANNA J. SANTANA
Acting City Clerk

SAN JOSE POST-RECORD

~ SINCE 1910 ~

90 N. First Street, Suite 100, San Jose, California 95113-1225
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BILL CARTER
SAN JOSE CITY CLERK
801 N FIRST ST
SAN JOSE, CA 95110

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California)
County of Santa Clara) ss

Notice Type: GORSJ SAN JOSE ORDINANCE (1 PUB)

Ad Description: ORDINANCE #27077

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RECEIVED
San Jose City Clerk

2004 FEB 27 A 10: 52

SJ#: 641015

ORDINANCE NO. 27077
AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING SECTIONS 20.100.130 AND 20.100.140 OF CHAPTER 20.100 OF TITLE 20 OF THE SAN JOSE MUNICIPAL CODE TO CLARIFY THE PROCESS OF CONCURRENT FILING AND PROCESSING OF PLANNED DEVELOPMENT REZONING AND PLANNED DEVELOPMENT PERMIT APPLICATIONS PASSED FOR PUBLICATION OF TITLE this 17th day of February, 2004, by the following vote:
AYES: Campos, Chavez, Chirco, Cortese, Gregory, LeZotte, Reed, Williams, Yeager, Dando
NOES: None
ABSENT: Gonzales
DISQUALIFIED: None
PAT DANDO, Vice Mayor
Attest:
DEANNA J. SANTANA
Acting City Clerk
02/24/04

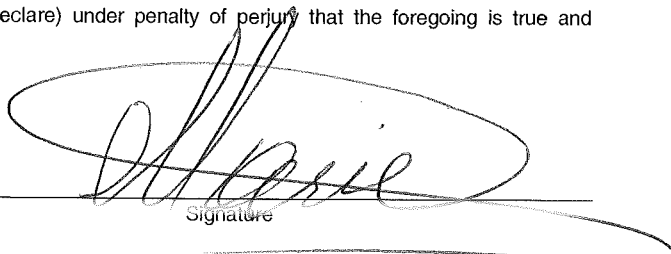
SJ-641015#

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the SAN JOSE POST-RECORD, a newspaper published in the English language in the City of San Jose, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of Santa Clara, State of California, under date of February 3, 1922, Case No. 27,844. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

02/24/04

Executed on: 02/24/2004
At Los Angeles, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.


Signature