



**City of Santa Clara
PLANNING COMMISSION**

PROCEDURAL ITEMS

DATE, TIME, and LOCATION OF MEETINGS

The City of Santa Clara Planning Commission holds its regular meetings generally on the second (2nd) and fourth (4th) Wednesdays of the month, with some exceptions, at 7:00 p.m. in the Council Chambers, City Hall, 1500 Warburton Avenue. Please refer to the schedule of meetings available in the Planning Division office and as provided in the City calendar. From time to time the Commission may hold a study session on special items.

SUBMITTAL OF MATERIALS/AVAILABILITY OF STAFF REPORTS

Interested parties may submit materials for the Commission's consideration. Materials submitted by Thursday at 5:00 p.m. of the week prior to the meeting can be included in the Commissioners' packets. Materials received late or at the public hearing may not be considered due to time constraints, unless special circumstances apply. Staff reports for items being heard by the Planning Commission are available the week of the meeting at the Planning Division Office located in the West Wing of City Hall. The Division's hours are 8:00 a.m. to 5:00 p.m., Monday – Friday; please phone (408) 615-2450 for more information.

STATUS OF PLANNING COMMISSION ACTIONS

Recommendations to the City Council:

The Commission's decisions on rezoning, pre-zoning and subdivision applications, Ordinance amendments and certain other items are recommendations to the City Council, which will hold public hearings on these items, normally 13 days following the Planning Commission's decision.

Decisions final at the Planning Commission hearing:

Decisions by the Commission on use permits, variances and other applications that are final at the Planning Commission hearing are administrative decisions. However, an administrative decision by the Planning Commission:

1. may be appealed to the City Council by the applicant(s) or opponent(s) of the item by filing a written appeal at the Office of the City Clerk [City Hall, 1500 Warburton Avenue (East Wing)] **within seven (7) calendar days of the action**, or
2. may be appealed by the City Council on its own motion. City Zoning Ordinance Article 54

JUDICIAL REVIEW/STATUTE OF LIMITATIONS

Administrative decisions granting, denying or revoking an application for a permit, license, or other entitlement are subject to a ninety (90) calendar day statute of limitations for judicial review pursuant to California Code of Civil Procedures Sec. 1094.6 (City Ord. No.1630). For purposes of commencement of the ninety- (90) calendar day statute of limitations, an administrative decision by the Planning Commission is final at the time it is announced. If the decision is continued to a later time upon the close of the

Planning Commission hearing on the matter, the date, time, and place of the announcement of the decision shall be provided at this hearing.

SCOPE OF CHALLENGE TO A PLANNING COMMISSION DECISION

If you challenge land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to the public hearing. (California Government Code Sec.65009)

HEARING PROCEDURES

Public hearings are conducted by the Chair in accordance with the following procedures:

- a) The Chair of the Commission directs all activity during the hearings. All comments shall be addressed to the Commission.
- b) Any item on this agenda may be continued to a subsequent hearing.
- c) Applicants will be allotted up to ten (10) minutes to present and justify proposals, following staff presentation of the item; other speakers will be given up to four (4) minutes; the applicant is allotted up to five (5) minutes for rebuttal of comments.
- d) No additional comments will be accepted upon the close of the public hearing, although the Commission reserves the right to direct questions to any speaker on any matter.
- e) Special procedures/time limits may be applied to any items as prescribed by the Chair.
- f) Appeal of Commission actions must be filed in writing within seven (7) calendar days.

ORAL PETITIONS and ANNOUNCEMENTS

(15 minutes maximum)

Members of the public are provided with an opportunity to address the Commission on unagendized items within the jurisdiction of the Commission. Each speaker may be allotted up to 4 minutes. The law does not permit agency action on or extended discussion of any item not on the agenda except under special circumstances. Matters may be agendized for a subsequent meeting.

AMERICANS WITH DISABILITIES ACT (ADA)

In accordance with the Americans with Disabilities Act of 1990, the City of Santa Clara will ensure that all existing facilities will be made accessible to the maximum extent feasible. Reasonable modifications in policies, procedures and/or practices will be made as necessary to ensure full and equal access for all individuals with a disability. Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should contact the City's ADA office at (408) 615-3000 to discuss meeting accessibility. In order to allow participation by such individuals, please do not wear scented products to meetings at City facilities. For individuals with a Hearing Impairment, the Council Chambers has a headset system, which allows one to hear more clearly from any seat in the room. Ask a City staff member for details.