

RD:VMT
12/12/2006

RESOLUTION NO. 73581

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE
SPECIFYING THE COUNCIL'S DETERMINATIONS ON PROPOSED
AMENDMENTS TO THE SAN JOSE 2020 GENERAL PLAN
PURSUANT TO TITLE 18 OF THE SAN JOSE MUNICIPAL CODE**

(Fall 2006 General Plan Amendments)

WHEREAS, the City Council is authorized by Title 18 of the San Jose Municipal Code and state law to adopt and, from time to time, amend the General Plan governing the physical development of the City of San Jose; and

WHEREAS, on August 16, 1994, the City Council adopted the General Plan entitled, "SAN JOSE 2020 GENERAL PLAN, San Jose, California," dated March, 1994, by Resolution No. 65460, which has since been amended by the Council; and

WHEREAS, the original copy of the General Plan and all amendments thereto (hereinafter collectively the "General Plan") are on file in the office of the Director of the Department of Planning, Building and Code Enforcement; and

WHEREAS, in accordance with Title 18 of the San Jose Municipal Code, all General Plan amendment proposals are referred to the Planning Commission of the City of San Jose for review and recommendation prior to City Council consideration of the amendments; and

WHEREAS, on October 25, 2006, continued to November 8, and continued to November 13, 2006, the Planning Commission held a public hearing to consider the proposed amendments to the General Plan for the Fall 2006 cycle that is listed in Exhibit "A" hereto ("Fall 2006 General Plan Amendments"), at which interested persons were given

the opportunity to appear and present their views with respect to said proposed amendments; and

WHEREAS, at the conclusion of the public hearing, the Planning Commission transmitted its recommendations to the City Council on the proposed 2006 Fall General Plan Amendments; and

WHEREAS, an original copy of the proposed 2006 Fall General Plan Amendments is on file in the office of the Director of Planning, Building and Code Enforcement of the City, with a copy submitted to the City Council for its consideration; and

WHEREAS, pursuant to Title 18 of the San Jose Municipal Code, public notice was given that on November 14, 2006, at 7:00 p.m. continued to December 5, 2006, at 7:00 p.m. and continued to December 12, 2006 at 7:00 p.m. in the Council Chambers at City Hall, 200 East Santa Clara Street, San Jose, California, the Council would hold a public hearing where interested persons could appear, be heard, and present their views with respect to the proposed Fall 2006 General Plan Amendments; and

WHEREAS, on November 14, 2006, at 7:00 p.m. continued to December 5, 2006, at 7:00 p.m. and continued to December 12, 2006 at 7:00 p.m. the Council held a duly noticed public hearing and gave all persons full opportunity to be heard and to present their views with respect to the proposed Fall 2006 General Plan Amendments; and

WHEREAS, the Council reviewed and considered the Negative Declarations for Project Nos. GP06-07-05 (with CC06-058), GP05-02-06, GP06-04-04, GP05-03-08, and GP06-04-03, prior to making its determination on the proposed Fall 2006 General Plan

Amendments for Project Nos. GP06-07-05, GP05-02-06, GP06-04-04, GP05-03-08, and GP06-04-03; and

WHEREAS, the Council reviewed and considered those certain Environmental Impact Reports for Project Nos. GP06-T-05, GP06-T-06, GP06-04-02, and GP06-03-01; prior to the Council's determination on the proposed Fall 2006 General Plan Amendments for Project Nos. GP06-T-05, GP06-T-06, GP06-04-02, and GP06-03-01; and

WHEREAS, the Council is the decision-making body for all of the proposed General Plan amendments.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN JOSE AS FOLLOWS:

SECTION 1. The Council's determinations regarding the Fall 2006 General Plan Amendments are hereby specified and set forth in Exhibit "A" attached hereto and incorporated herein.

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SECTION 2. This Resolution and the Council’s determinations on each of the Fall 2006 General Plan Amendments specified in Exhibit “A” shall take effect thirty (30) days following the adoption of this Resolution.

ADOPTED this 12th day of December, 2006, by the following vote:

AYES:	CAMPOS, CHAVEZ, CHIRCO, CORTESE, LeZOTTE, NGUYEN, PYLE, REED, WILLIAMS; GONZALES GONZALES
NOES:	NONE
ABSENT:	NONE
DISQUALIFIED:	NONE
VACANT	DISTRICT 6

RON GONZALES
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk

STATE OF CALIFORNIA)
) ss
COUNTY OF SANTA CLARA)

I hereby certify that the amendments to the San Jose General Plan specified in the attached Exhibit "A" was adopted by the City Council of the City of San Jose on December 12, 2006, as stated in its Resolution No. 73581.

Dated: December 13, 2006

LEE PRICE, MMC
City Clerk

EXHIBIT “A” ATTACHED

