

RD:VMT
04/18/2006

RESOLUTION NO. 73133

**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**

(Winter 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 March 8, 2006, and continued to March 22, 2006 and April 12, 2006, the Planning Commission held a public hearing to consider the proposed amendments to the General Plan for the Winter 2006 cycle that are listed in Exhibit "A" hereto ("Winter 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 Winter General Plan Amendments; and

WHEREAS, an original copy of the proposed 2006 Winter 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 April 18, 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 Winter 2006 General Plan Amendments; and

WHEREAS, on April 18, 2006, 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 Winter 2006 General Plan Amendments; and

WHEREAS, the Council reviewed and considered the Negative Declarations for Project Nos. GP05-01-01, GP05-03-03, GP05-03-04, GP05-04-05 (with PDC 05-064), GP05-04-06, GP05-04-07, GP05-06-05 (with C 05-121), and Project No. GP05-10-01, prior to making its determinations on the proposed Winter 2006 General Plan Amendments for Project No. GP05-01-01, GP05-03-03, GP05-03-04, GP05-04-05, GP05-04-06, GP05-04-07, GP05-06-05, and Project No. GP05-10-01; 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 Winter 2006 General Plan Amendments are hereby specified and set forth in Exhibit "A" attached hereto and incorporated herein.

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

ADOPTED this 18th day of April, 2006, by the following vote:

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

NOES: NONE

ABSENT: NONE

DISQUALIFIED: NONE

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" were adopted by the City Council of the City of San Jose on April 18, 2006, as stated in its Resolution No. 73133.

Dated: April 18, 2006

LEE PRICE, MMC
City Clerk

EXHIBIT "A" ATTACHED