

RD:VMT
06/06/2007

RESOLUTION NO. 73811

**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**

(May 2007 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 April 25, 2007, continued to May 2, 2007, the Planning Commission held a public hearing to consider the proposed amendments to the General Plan for the May 2007 cycle that are listed in Exhibit "A" hereto ("May 2007 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 2007 May General Plan Amendments; and

WHEREAS, an original copy of the proposed 2007 May 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 May 15, 2007, at 7:00 p.m., continued to May 22, 2007, at 7:00 p.m., and continued to June 5, 2007 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 May 2007 General Plan Amendments; and

WHEREAS, on May 15, at 7:00 p.m., continued to May 22, 2007, at 7:00 p.m., and continued to June 5, 2007, 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 May 2007 General Plan Amendments; and

WHEREAS, the Council reviewed and considered the Negative Declaration for Project No. GP06-06-02 prior to making its determination on the proposed May 2007 General Plan Amendment for Project No. GP06-06-02, and

WHEREAS, the Council reviewed and considered those certain Environmental Impact Reports for Project Nos. GP06-T-04 (associated with H06-027), GP06-T-01 (associated with PDC06-130), GP07-T-01, and GP07-T-02; prior to the Council's determination on the proposed Spring 2007 General Plan Amendments for Project Nos. GP06-T-04 (associated with H06-027), GP06-T-01 (associated with PDC06-130), GP07-T-01, and GP07-T-02; 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 May 2007 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 May 2007 General Plan Amendments specified in Exhibit "A" shall take effect thirty (30) days following the adoption of this Resolution.

EXHIBIT "A" ATTACHED