

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN JOSE AMENDING THE ENVISION SAN JOSE 2040  
GENERAL PLAN PURSUANT TO TITLE 18 OF THE  
SAN JOSE MUNICIPAL CODE TO CLARIFY GENERAL  
PLAN LAND USE DESIGNATIONS ASSOCIATED WITH  
THE VACATION, SALE, OR RELOCATION OF CITY  
RIGHT-OF-WAY AND STATE FREEWAYS AND  
TRANSPORTATION CORRIDORS**

**Fall 2017 General Plan Amendment Cycle (Cycle 3)**

**File No. GPT17-004**

**WHEREAS**, the City Council is authorized by Title 18 of the San José 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 José; and

**WHEREAS**, on November 1, 2011, the City Council adopted the General Plan entitled, "Envision San José 2040 General Plan, San José, California" by Resolution No. 76042, which General Plan has been amended from time to time (hereinafter the "General Plan"); and

**WHEREAS**, in accordance with Title 18 of the San José Municipal Code, all general and specific plan amendment proposals are referred to the Planning Commission of the City of San José for review and recommendation prior to City Council consideration of the amendments; and

**WHEREAS**, on October 11, 2017, the Planning Commission held a public hearing to consider the proposed text amendment to the General Plan pertaining to the clarification of General Plan land use designations associated with the vacation, sale, or relocation of City right-of-way and State freeways and transportation corridors, File No. GPT17-004 specified in Exhibit "A" hereto ("General Plan Text Amendment"), at which hearing

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 General Plan Text Amendment; and

**WHEREAS**, on November 14, 2017, the Council held a duly noticed public hearing; and

**WHEREAS**, copies of the proposed General Plan Text Amendment are on file in the office of the Director of Planning, Building and Code Enforcement of the City, with copies submitted to the City Council for its consideration; and

**WHEREAS**, pursuant to Title 18 of the San José Municipal Code, public notice was given that on November 14, 2017 at 6:00 p.m. in the Council Chambers at City Hall, 200 East Santa Clara Street, San José, California, the Council would hold a public hearing where interested persons could appear, be heard, and present their views with respect to the proposed General Plan Text Amendment (Exhibit "A"); and

**WHEREAS**, prior to making its determination on the General Plan Text Amendment, the Council reviewed and considered the Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041) and Supplemental Environmental Impact Report to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 77617), and Addenda thereto; and

**WHEREAS**, the Council is the decision-making body for the proposed General Plan Text Amendment;

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

**SECTION 1.** The Council's determinations regarding General Plan Text Amendment File No. GPT17-004 are hereby specified and set forth in Exhibit "A," attached hereto and incorporated herein by reference.

**SECTION 2.** This Resolution shall take effect thirty (30) days following the adoption of this Resolution.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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SAM LICCARDO  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk

STATE OF CALIFORNIA                             )  
   ) ss  
COUNTY OF SANTA CLARA                     )

I hereby certify that the amendments to the San José General Plan specified in the attached Exhibit “A” were adopted by the City Council of the City of San José on \_\_\_\_\_, as stated in its Resolution No. \_\_\_\_\_.

Dated: \_\_\_\_\_

\_\_\_\_\_  
TONI J. TABER, CMC  
City Clerk

**EXHIBIT "A"**

**File No. GPT17-004.** Amend General Plan text in Chapter 5, entitled "Interconnected City," "Special Land Use Designations and Overlays" section, following "Area Development Policies," to add the text as follows:

**"City Right-of-Way and State Freeways and Transportation Corridors**

In the event City owned Right-of-Way or State owned freeways or transportation corridors which do not have an underlying land use designation are vacated, sold, or relocated, the land use designation is the designation of the property which bounds the proposed area. If the area is bounded by more than one designation, each designation applies to the centerline of such Right-of-Way, freeway, or transportation corridor."

Citywide. CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041) and Supplemental Environmental Impact Report to the Envision San José General Plan Final Program Environmental Impact Report (Resolution No. 77617), and Addenda thereto.

EXHIBIT A

Fall 2017 General Plan Amendment (Cycle 3)