

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 CHANGE THE LAND USE  
DESIGNATION IN THE LAND USE/TRANSPORTATION  
DIAGRAM TO DOWNTOWN FOR THE SITE AT 120 NORTH  
4TH STREET AND TO EXPAND THE DOWNTOWN  
GROWTH AREA BOUNDARY TO INCLUDE THE 120  
NORTH 4TH STREET SITE**

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

**File No. GP16-013**

**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 November 15, 2017 and continued to December 6, 2017, the Planning Commission held a public hearing to consider the proposed amendment to the General Plan, File No. GP16-013, specified in Exhibit "A" hereto ("General Plan 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 Amendment; and

**WHEREAS**, on December 12, 2017, the Council held a duly noticed public hearing; and

**WHEREAS**, a copy of the proposed General Plan Amendment is 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 December 12, 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 Amendment (Exhibit "A"); and

**WHEREAS**, prior to making its determination on the General Plan Amendment, the Council reviewed and considered the Fourth Street and St. John General Plan Amendment and Rezoning Initial Study/Negative Declaration (File Nos. GP16-013 and C17-032), for this Amendment and on December 12, 2017 adopted Resolution No. \_\_\_\_\_ adopting the Negative Declaration; and

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

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

**SECTION 1.** The Council's determinations regarding General Plan Amendment File No. GP16-013 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:

\_\_\_\_\_  
SAM LICCARDO  
Mayor

ATTEST:

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

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. GP16-013.** The Land Use/Transportation Diagram of the Envision San Jose 2040 General Plan ("Diagram") is hereby amended as follows:

1. The land use designations in the Diagram for the 1.06 gross acre site located at the northeast corner of East Saint John Street and North 4th Street (120 N. 4th Street) are hereby amended from "Residential Neighborhood" and "Transit Residential" to "Downtown".
2. The Downtown Growth Area boundary in the Diagram is hereby amended to include the 1.06 gross acre site located at the northeast corner of East Saint John Street and North 4th Street (120 N. 4th Street).

Council District: 3.

## EXHIBIT A

Fall 2017 General Plan Amendment (Cycle 3)  
GP16-013