

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 AMEND POLICY CD-
10.4**

Fall 2018 General Plan Amendment Cycle (Cycle 3)

GPT18-002

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 August 22, 2018, the Planning Commission held a public hearing to consider the proposed text amendment to the General Plan pertaining to the amendment of Policy CD-10.4, File No. GPT18-002 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 amendment; 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 September 25, 2018, 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 September 25, 2018 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 an Initial Study/Negative Declaration for an amendment to the Envision San José 2040 General Plan to Delete General Plan Land Use Policy CD-10.4, to revise City Council Policy 6-4; and update Section 23.02.870 and 23.02.1310 of Title 23 (the "Sign Code") of the Municipal Code to Allow Signs on City-owned property, including Billboards, programmable electronic signs, and signs displaying off-site commercial speech, and to make updates or other technical, non-substantive changes, or formatting changes within those sections of Title 23 (Planning File No. PP18-058), and adopted the Negative Declaration by Resolution No. _____; and

WHEREAS, the Council of the City of San José is the decision-making body for the proposed General Plan Amendment.

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

SECTION 1. The Council's determinations regarding General Plan Amendment GPT18-002 is 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 _____, 2018, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

EXHIBIT "A"

File No. GPT18-002. General Plan Policy CD-10.4 is hereby deleted:

~~Policy CD-10.4 Prohibit billboards at Gateway locations and along freeways (including U.S. 101, I-880, I-680, I-280, SR17, SR85, SR237, and SR87) and Grand Boulevards within San Jose.~~

Council District: Citywide.