

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 ADOPT THE STEVENS CREEK URBAN VILLAGE PLAN AND ASSOCIATED GENERAL PLAN AMENDMENT

May 2017 General Plan Amendment Cycle (Cycle 2)

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 November 1, 2011, the City Council adopted the General Plan entitled, "Envision San Jose 2040 General Plan, San Jose, 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 Jose Municipal Code, all general and specific 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 May 24, 2017, the Planning Commission held a public hearing that was continued to June 14, 2017, to consider the following proposed Stevens Creek Urban Village Plan, and associated General Plan Amendments, at which hearing interested persons were given the opportunity to appear and present their views with respect to said proposed plans and amendments:

- A. The Stevens Creek Urban Village Plan, attached hereto and incorporated herein by reference as Exhibit "A" ("Stevens Creek Urban Village Plan"); and
- B. General Plan Amendments associated with the Stevens Creek Urban Village Plan, File No. GP17-009 specified in Exhibit "B" hereto ("General Plan Amendment GP17-009") (hereinafter collectively referred to as "General Plan Amendments"); and
- C. Text revisions to the Stevens Creek Urban Village Plan, attached hereto and incorporated herein by reference as Exhibit "C" ("Stevens Creek Urban Village Plan – Text Revisions"); and

WHEREAS, at the conclusion of the public hearing, the Planning Commission transmitted its recommendations to the City Council on the proposed General Plan Amendments; and

WHEREAS, on June 27, 2017, the Council held a duly noticed public hearing; and

WHEREAS, copies of the proposed General Plan Amendments 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 Jose Municipal Code, public notice was given that on June 27, 2017 at 6:00 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 General Plan Amendments; and

WHEREAS, prior to making its determination on the General Plan Amendments, the Council reviewed and considered the Determination of Consistency with the Envision San

José 2040 General Plan Environmental Impact Report (certified by Resolution No. 76041), and Supplemental Environmental Impact Report to the Envision San José 2040 General Plan EIR (certified by Resolution No. 77617); and

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

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

SECTION 1. The Council's determinations regarding the Stevens Creek Urban Village Plan and General Plan Amendment GP17-009 are specified and set forth in Exhibits "A," "B", and "C" respectively, 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 _____, 2017, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

RD:VMT:JMD
04/28/2017

TONI J. TABER, CMC
City Clerk

EXHIBIT "A"

Stevens Creek Urban Village Plan

Council District 1.

CEQA: Determination of Consistency with the Final Program EIR for the Envision San José 2040 General Plan (Resolution No. 76041) and the Envision San José 2040 General Plan Supplemental EIR (Resolution No. 77617).

EXHIBIT "B"

GP17-009. A General Plan Amendment to modify the Stevens Creek Urban Village boundary and changes to designations on the Land Use/Transportation Diagram on properties within the boundaries of the Urban Village Plan area as shown on the Stevens Creek Urban Village land use map.

Council District 1.

CEQA: Determination of Consistency with the Final Program EIR for the Envision San José 2040 General Plan (Resolution No. 76041) and the Envision San José 2040 General Plan Supplemental EIR (Resolution No. 77617).

EXHIBIT "C"

Stevens Creek Urban Village Plan – Text Revisions

Council District 1.

CEQA: Determination of Consistency with the Final Program EIR for the Envision San José 2040 General Plan (Resolution No. 76041) and the Envision San José 2040 General Plan Supplemental EIR (Resolution No. 77617).

Chapter 3 - Land Use: Policy LU-1.7: ~~For a period of up to 12 months following the adoption date of this Urban Village Plan, p~~ Planned development zonings and discretionary development permits that are applying under the “Signature Project” policy, as defined in the Envision San Jose 2040 General Plan may continue to move forward as such, and will not be required to be in conformance with this Urban Village Plan. All of the “Pipeline” applications benefiting from this policy must have been submitted to the City, including full payment of initial application fees, prior to adoption of this Urban Village ~~Plan and their review must be completed within this same 12-month period.~~

Chapter 3- Land Use: Define the term Commercial Use as follows:

- Commercial uses include, but are not limited to, retail, office, service, hotel, public eating establishment, and entertainment.

Urban Design Chapter: Building Form: Setback & Stepbacks Standard #3: move this standard to a guideline:

- For buildings next to existing nonresidential uses, stories above four stories or 45 feet must stepback so as not to intercept a 45-degree daylight plane inclined inward from the building edge.

Chapter 4 - Urban Design: Building Form: Add a standard as follows:

- Architectural projections and roof top equipment, such as elevator shafts and stair wells, may extend up to 10 feet above the maximum height limit.