

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 RELATING TO THE PROTECTION OF EXISTING MOBILEHOME PARK RESIDENTS

**May 2017 General Plan Amendment Cycle (Cycle 2)
File No. GPT15-006**

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 January 13, 2016, the Planning Commission held a public hearing to consider the proposed text amendment to the General Plan pertaining to the protection of existing mobilehome park residents, File No. GPT15-006 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

May 2017 General Plan Amendment (Cycle 2)
File No. GPT15-006

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Council Agenda: 5-16-17
Item No.: 10.1

DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.

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, pursuant to Title 18 of the San Jose Municipal Code, public notice was given that on February 9, 2016, at 1:30pm 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 Amendment, which hearing was continued to February 23, 2016 at 1:30 p.m., at which time it was deferred to a time uncertain and the General Plan Amendment to be re-noticed and heard at a later date; and

WHEREAS, the General Plan Amendment was re-noticed to heard on April 11, 2017 at 1:30 pm, at which time it was further deferred to May 16, 2017 at 1:30 pm; and

WHEREAS, on May 16, 2017 at 1:30 pm and continued to 6:00 pm, 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 General Plan Amendment; and

WHEREAS, copies of the proposed General Plan 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

City Attorney (#88625)

WHEREAS, prior to making its determination on the General Plan Amendment, the Council reviewed and considered the following environmental document for the General Plan Text Amendment: Exemption for File No. GPT15-006 pursuant to CEQA

Guidelines Section 15061(b)(3) because the amendments provide additional policies and regulation for processes already authorized by State law and thus have no potential for causing a significant effect on the environment; 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 AS FOLLOWS:

SECTION 1. The Council's determination regarding General Plan Amendment File No. GPT15-006 is 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 _16_ day of ___May_____, 2017, 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 Jose General Plan specified in the attached Exhibit A were adopted by the City Council of the City of San Jose on _____, as stated in its Resolution No. _____.

Dated: _____

TONI J. TABER, CMC
City Clerk

EXHIBIT “A”

GPT15-006. Various amendments of the General Plan text as follows:

1. Amend General Plan text in Chapter 4, entitled “Quality of Life,” “Housing” section as follows:

a. Policies “Housing – Social Equity and Diversity” are hereby amended as follows:

1) Policy H-1.1 is hereby amended in its entirety to read as follows:

“H-1.1 Through the development of new housing and the preservation and rehabilitation of existing housing, facilitate the creation of economically, culturally, and demographically diverse and integrated communities.”

2) Policy H-1.11 is hereby added to read as follows:

“H-1.11 Preserve existing mobilehome parks throughout the City in order to reduce and avoid the displacement of long-term residents, particularly senior citizens, the disabled, low-income persons, and families with school-age children, who may be required to move from the community due to a shortage of replacement mobilehome housing, and to maintain a variety of individual choices of tenure, type, price, and location of housing.”

b. Actions “Housing – Social Equity and Diversity” are hereby amended as follows:

1) Action H-1.11 is hereby renumbered as Action H-1.12.

2) Action H-1.12 is hereby renumbered to Action H-1.13.

3) Action H-1.13 is hereby renumbered to Action H-1.14.

4) Action H-1.14 is hereby renumbered to Action H-1.15.

5) Action H-1.15 is hereby renumbered to Action H-1.16.

6) Action H-1.16 is hereby renumbered to Action H-1.17.

7) Action H-1.17 is hereby renumbered to Action H-1.18.

8) Action H-1.18 is hereby renumbered to Action H-1.19.

9) Action H-1.20 is hereby added to read as follows:

“H-1.20 Encourage all proposed conversions of mobilehome parks to other uses to include mitigation measures that provide displaced residents with housing options that are affordable once any short-term subsidy has elapsed.”

2. Amend General Plan text in Chapter 6, entitled “Land Use and Transportation,” “Growth Areas” section, Goal LU-2 “Growth Areas” in its entirety to read as follows:

“Goal LU-2 – Growth Areas

Focus new growth into identified Growth Areas to preserve and protect the quality of existing neighborhoods, including mobilehome parks, while establishing new mixed use neighborhoods with a compact and dense form that is attractive to the City’s projected demographics i.e., a young and senior population, and that supports walking, provides opportunities to incorporate retail and other services in a mixed-use format, and facilitates transit use.”

3. Amend General Plan text in Chapter 7, entitled “Implementation,” “Urban Village Planning” section, “Policies – Urban Village Planning” as follows:

- a. Policy IP-5.1, Section 2 is hereby amended in its entirety to read as follows:

“2. Urban Village Boundaries and Land Uses: Identify potential adjustments to the identified Urban Village Boundaries and potential modifications to the Land Use / Transportation Diagram as necessary to best utilize existing land use growth capacity, address neighborhood context, and promote economic development through the identification of optimal sites for retail and other employment uses. Provide adequate job growth capacity for retail, office and other employment uses to accommodate both the existing levels of activity plus the planned amount of growth for each job type category. Identify and designate existing land uses, including but not limited to residential uses such as existing

mobilehome parks, within the Urban Village Area boundaries, which should be retained rather than made available for redevelopment. Match the planned land uses for any areas within the Urban Village Area which have already been addressed through an overlapping Urban Village plan.”

- b. Policy IP-5.4 is hereby amended in its entirety to read as follows:

“IP-5.4 – Urban Village Planning Prepare and implement Urban Village Plans carefully, with sensitivity to concerns of the surrounding community, residents, and property owners and developers who propose redevelopment of properties within the Urban Village areas. Proceed generally in the order of the following timeline, although some steps may be taken concurrently:”

1. City Council approves commencement of the Plan growth Horizon which includes the Urban Village Area during a Major General Plan Review. Completing Urban Village Plans for Urban Villages within the current Horizon is of greatest priority, but it is possible to prepare an Urban Village Plan for an Urban Village in an upcoming Horizon.
2. The City completes preparation of and Council reviews an Urban Village Plan.
3. The City or private property owners initiate rezoning for specific properties within the Urban Village as needed to implement the Urban Village Plan. Because most Urban Village sites initially have commercial zoning, rezoning will be necessary to provide for redevelopment and intensification with residential or residential mixed use projects on those sites.
4. Private property owners or developers propose individual site designs and building architecture to be reviewed and determined through a Development Permit application and review process.”

- c. Policy IP-5.7 is hereby amended in its entirety to read as follows:

“Carefully consider the best land uses and urban design standards for properties located along an Urban Village periphery to minimize potential land use conflicts with adjacent properties. In particular, address interfaces with established Residential Neighborhood areas including mobilehome parks.”

Citywide.

CEQA: File No. PP10-068. Not a Project. General Procedure and Policy-making: Code or Policy change that involves no changes in the physical environment and exempt pursuant to Section 15061(b)(3) because these changes provide additional policies and regulation for processes already authorized by State law and thus have no potential for causing a significant effect on the environment.

Recommendation: Director of Planning, Building and Code Enforcement and Planning Commission recommend approval of File No. GPT15-006 (1/13/2016) (6-0-0-1; Yob abstained).

Council Action: .