

**DRAFT RESOLUTION NO. 17-\_\_****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO  
AMENDING THE GENERAL PLAN LAND USE MAP AS SHOWN IN EXHIBIT A**

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**SECTION I: PROJECT DESCRIPTION**

Application No.: GPA-2017-01

Applicant: City of Cupertino

Location: Citywide

APN(s): 326 49 034, 326 49 035, 326 49 039, 357 07 029, 357 06 014, 357 06 019, 326 27 030, 357 09 053, 342 52 006, 342 48 999, and 326 41 115.

**SECTION II: FINDINGS FOR CONDITIONAL USE PERMIT:**

WHEREAS, each mandatory element of the City's General Plan may be amended no more than four times during any calendar year and, subject to that limitation, "an amendment may be made at any time, as determined by the legislative body " (Cal. Gov. Code 65358(b)); and

WHEREAS, California Government Code Section 65358(a) provides that: "If it deems it to be in the public interest, the legislative body may amend all or part of an adopted general plan. An amendment to the general plan shall be initiated in the manner specified by the legislative body"; and

WHEREAS, amendments to the General Plan are made by a resolution of the City Council; and

WHEREAS, corrections are necessary because the General Plan land use map and zoning map must be internally consistent and changes to the zoning map are made by a separate ordinance of the City Council; and

WHEREAS, the proposed amendments to the General Plan land use map will correct inaccuracies in these maps and will not add development capacity or result in a change of land use, development rights, or regulations for any of the affected parcels; and

WHEREAS, the proposed amendments to the General Plan land use map are exempt from the requirements of the California Environmental Quality Act (CEQA) because "it can be seen with a certainty that there is no possibility that the activity in question may have a significant effect on the environment," and are, therefore, not subject to CEQA (CEQA Guidelines § 15061(b)(3)); and

WHEREAS, the Planning Commission held a public hearing on August 8, 2017 and recommended that the City Council approve the amendments to the General Plan land use map; and

WHEREAS, the necessary public notices have been given as required by the procedural ordinances of the City of Cupertino and the Government Code, and the City Council held a public meeting on September 5, 2017 to consider the proposed amendments; and

WHEREAS, the City Council finds that the proposed amendments to the General Plan land Use map will correct inaccuracies in these maps and will not add development capacity or result in a change of land use, development rights, or regulations for any of the affected parcels; and

WHEREAS, the approved amendments are shown within Exhibit "A" attached to this resolution; and

NOW, THEREFORE, BE IT RESOLVED that after careful consideration of the maps, facts, exhibits, testimony and other evidence submitted in this matter, application no. GPA-2017-01 for amendments to the General Plan land use map is hereby approved in substantially the form as shown in Exhibit "A" attached and that the subconclusions upon which the findings and conditions specified in this resolution are based and contained in the Public Hearing record as set forth in the Minutes of City Council, dated September 5, 2017, and are incorporated by reference as though fully set forth herein.

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PASSED AND ADOPTED at a Regular Meeting of the City Council of the City of Cupertino the 5<sup>th</sup> day of September 2017, by the following vote:

Vote:                    Members of the City Council:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

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Grace Schmidt  
City Clerk

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Savita Vaidhyanathan  
Mayor, City of Cupertino

| Map key | APN        | Lot sq. ft. | Current                                   |             | Corrected*                              |                   | Owner                                  | City action/public record                                  |
|---------|------------|-------------|---|-------------|---|-------------------|--|--|
|         |            |             | General Plan Land Use (GPLU)              | Zoning      | General Plan Land Use (GPLU)            | Zoning            |  |  |
| 1       | 326 49 034 | 39,332      | Public Facilities                         | R1-10       | Public Facilities                       | BA                | PG&E                                   | Tract Map 4735   |
| 2       | 326 49 035 | 39,332      | Public Facilities                         | R1-10       | Public Facilities                       | BA                | PG&E                                   | Tract Map 4735   |
| 3       | 326 49 039 | 6,875       | Public Facilities                         | R1-10       | Public Facilities                       | BA                | PG&E                                   | Tract Map 4735   |
| 4       | 357 07 029 | 161,168     | Parks and Open Space                      | R1-7.5      | Parks and Open Space                    | PR                | City of Cupertino (open space)         | Tract Map 5873; City Council reso. 4307                    |
| 5       | 357 06 014 | 138,888     | Parks and Open Space                      | R1-10       | Parks and Open Space                    | PR                | City of Cupertino (McClellan Ranch)    | City Council reso. 823; Santa Clara County Assessor's data |
| 6       | 357 06 019 | 105,636     | Parks and Open Space                      | R1-7.5      | Parks and Open Space                    | PR                | SCVWD                                  | City Council reso. 823; Santa Clara County Assessor's data |
| 7       | 326 27 030 | 28,600      | Parks and Open Space                      | P(R1C)      | Parks and Open Space                    | PR                | City of Cupertino (Mary Ave. Dog Park) | City Council reso. 13-012; ord. 13-2104                    |
| 8       | 357 09 053 | 223,898     | Very Low Density (1/2 acre slope density) | PR          | Parks and Open Space                    | PR                | City of Cupertino                      | City Council reso. 99-186 purchased Stockmeir farm in 1999 |
| 9       | 342 52 006 | 14,578      | Parks and Open Space                      | PR          | Quasi-public/institutional              | P (Institutional) | Roman Catholic Bishop of SJ            | City Council reso. 99-072 vacated roadway easement in 1999 |
| 10      | 342 48 999 |             | Very Low Density (1/2 acre slope density) | P(R1) 0-2)) | Parks and Open Space                    | PR                | City of Cupertino                      | Tract Map 6190   |
| 11      | 326 41 115 | 9,516       | Public Facilities                         | R1-10       | Low Density Residential (1-5 dwellings) | R1-10             | Private owner                          | City Council reso. 12-008; Grant deed document #23244980   |

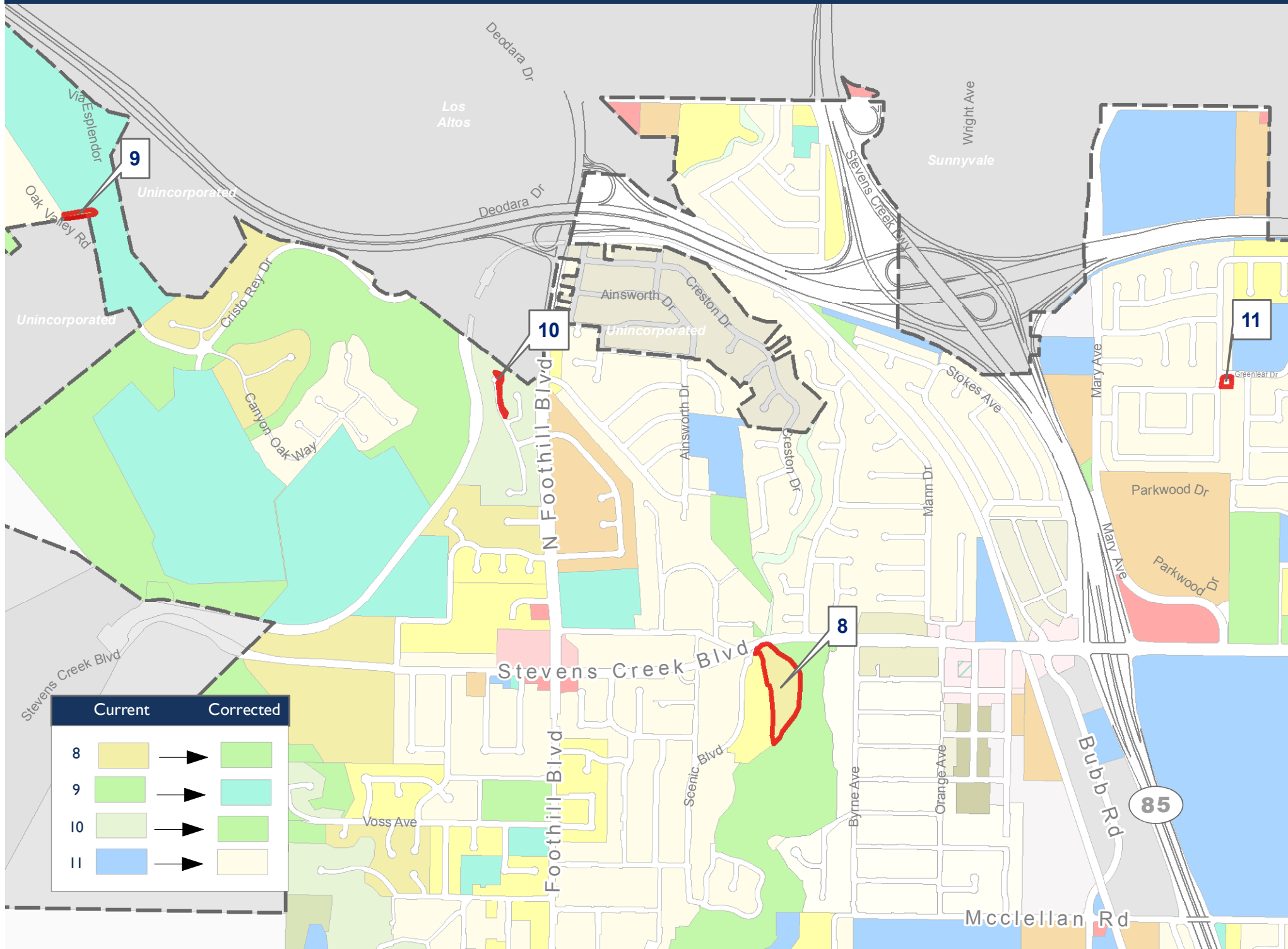
\* The corrected designation is highlighted in gray

**Zoning abbreviations key:**

BA: Public building  
BQ: Quasi-public building  
OS/PR: Open space/Public park/recreational zone  
P: Planned development  
R1: Single family residential

# Exhibit A of Attachment A and B

# General Plan Corrections



# Cupertino Zoning Corrections

