



# General Plan Amendment Application

Planning, Building and Code Enforcement

Staff will assign FILE #

**INSTRUCTIONS.** As directed by a City Planner, use this form to apply for an amendment to the Envision San José 2040 General Plan found at [www.envisionsj2040.org](http://www.envisionsj2040.org), such as changing the land use designation of a property. See page 4 for information on the amendment process.

**FEES.** Initial fees are due when you file the application. Fees cover:

- Application review
- Environmental evaluation by Planning staff

Additional hourly and referral fees will apply if review by other departments is needed. For current fees, see:

[www.sanjoseca.gov/PlanningFees](http://www.sanjoseca.gov/PlanningFees)

**APPOINTMENT REQUIRED.** Submit the application package in person at the Planning and Development Services Offices, 3rd floor, City Hall. Schedule your required appointment at [www.sanjoseca.gov/PlanningAppointments](http://www.sanjoseca.gov/PlanningAppointments) or call 408-535-3555.

**ADVICE & QUESTIONS.** You are advised to speak with a City planner before beginning this application and to get answers to any questions. Visit [www.sanjoseca.gov/planning](http://www.sanjoseca.gov/planning) for phone service hours and call 408-535-3555.

**APPLICATION PACKAGE.** Provide this original, wet-signed form (no photocopy) plus:

- Fee Payment
  - Make checks payable to: City of San José
  - Or pay online with a credit card: [www.sjpermits.org](http://www.sjpermits.org)
- 2 sets of the following documents:
  - a. Legal description of the property.
  - b. Vicinity Map - Outline site in center of map; show names of streets surrounding the site; label all land uses within 500 feet of the site. Place North arrow at top of map.
- A USB or CD containing electronic copy of application package.

Use the computer-fillable form at [www.sanjoseca.gov/PlanningApplications](http://www.sanjoseca.gov/PlanningApplications) or print clearly using ink.

**1. TYPE OF AMENDMENT YOU ARE REQUESTING** CHECK ALL THAT APPLY

**DIAGRAM AMENDMENT**

- LAND USE/TRANSPORTATION DIAGRAM
- TRANSPORTATION NETWORK DIAGRAM

**TEXT AMENDMENT** AT RIGHT, ENTER THE GENERAL PLAN PAGE NUMBER OF THE TEXT

PAGE #

AMEND TEXT OF SPECIFIC PLAN OR URBAN VILLAGE PLAN NAME OF PLAN:

AMEND TEXT OF POLICY NAME OF POLICY:

AMEND TEXT OF CHAPTER # AND NAME OF CHAPTER:

AMEND TEXT OF APPENDIX # AND NAME OF APPENDIX:

**IF PROPOSING A TEXT AMENDMENT:** Use this space to enter the existing General Plan text and show the proposed modification. Use ~~strikeout~~ to show proposed removal of text and use underline to show proposed new text. ATTACH A SEPARATE SHEET IF NECESSARY.

continued>

**OFFICE USE ONLY**

INTAKE DATE:	BY:	PAID: \$
COMMENTS:		

**2. SITE INFORMATION**

ASSESSOR'S PARCEL NUMBER(S) FIND AT [WWW.SCCASSESSOR.ORG](http://WWW.SCCASSESSOR.ORG):

PROJECT ADDRESS OR LOCATION:

PARCEL SIZE GROSS ACRES:

ZONING:

COUNCIL DISTRICT:

GENERAL PLAN DESIGNATION - CURRENT:

SEE GENERAL PLAN LAND USE MAP AT [WWW.SANJOSECA.GOV/GPDESIGNATION](http://WWW.SANJOSECA.GOV/GPDESIGNATION)

GENERAL PLAN DESIGNATION - PROPOSED:

**3. PROJECT DESCRIPTION**

	EXISTING	TO BE DEMOLISHED	PROPOSED
RESIDENTIAL USES IF ANY:	# UNITS:	# UNITS:	# UNITS:
NONRESIDENTIAL USES IF ANY:	SQ. FT. :	SQ. FT. :	SQ. FT. :

**4. CONTACT INFORMATION**

APPLICANT NAME:

NAME OF FIRM IF APPLICABLE:

APPLICANT MAILING ADDRESS:

APPLICANT PHONE:

EMAIL:

APPLICANT'S REPRESENTATIVE IF ANY:

REPRESENTATIVE MAILING ADDRESS:

REPRESENTATIVE PHONE:

EMAIL:

**5. APPLICANT DISCLOSURE STATEMENT**

I declare, under penalty of perjury, that the statements furnished in this application and in documents pertaining to the environmental information of the proposed amendment are complete, true, and correct to the best of my/our knowledge. If any of the facts represented here change, it is my responsibility to inform the City of San José.

● SIGNATURE OF APPLICANT

DATE [MM/DD/YYYY]

PRINT NAME

**IMPORTANT:** Submit this form with original wet signatures (not a photocopy) to the City.

Electronic signatures are accepted only if consistent with City Administrative Policy Manual [Section 1.7.11](#).

Please refer to this section for allowable electronic signatures for Development Services applications.

8. INDEMNIFICATION AGREEMENT

Applicant submitted an application to the City of San José Planning Division on (enter date): \_\_\_\_\_ for the following General Plan Amendment concerning [enter property address]: \_\_\_\_\_

(the "Project").

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Applicant hereby expressly agrees in connection with the processing of Applicant's Project application(s) to each and every one of the following terms and conditions:

- 1. Applicant agrees, as part of and in connection with each and any of the application(s), to defend, indemnify, and hold harmless the City of San José ("City") and its officers, contractors, consultants, attorneys, employees and agents from any and all claim(s), action(s), or proceeding(s) (collectively referred to as "proceeding") brought against City or its officers, contractors, consultants, attorneys, employees, or agents to challenge, attack, set aside, void, or annul:
  - a. Any approvals issued in connection with any of the above described applications by City; and/or
  - b. Any action taken to provide related environmental clearance under the California Environmental Quality Act of 1970, as amended by City's advisory agencies, boards or commissions; appeals boards or commissions; Planning Commission, or City Council.

Applicant's indemnification includes, but is not limited to, damages, fees and/or costs awarded against or incurred by City, and costs of suit, claim or litigation, including without limitation attorneys' fees and other costs, liabilities and expenses incurred in connection with such proceeding, whether incurred by Applicant, City, and/or parties initiating or involved in such proceeding.
- 2. Applicant agrees to indemnify City for all of City's costs, fees, and damages incurred in enforcing the indemnification provisions of this Agreement.
- 3. Applicant agrees to defend, indemnify and hold harmless City, its officers, contractors, consultants, attorneys, employees and agents from and for all costs and fees incurred in additional investigation or study of, or for

- supplementing, redrafting, revising, or amending, any document (such as an environmental impact report, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding, and if Applicant desires to pursue such City approvals and/or clearances, after initiation of the proceeding and that are conditioned on the approval of these documents.
- 4. In the event that Applicant is required to defend City in connection with such proceeding, City shall have and retain the right to approve:
  - a. The counsel to so defend City; and
  - b. All significant decisions concerning the manner in which the defense is conducted; and
  - c. Any and all settlements, which approval shall not be unreasonably withheld.
- 5. City shall also have and retain the right to not participate in the defense, except that City agrees to reasonably cooperate with Applicant in the defense of the proceeding. If City chooses to have counsel of its own defend any proceeding where Applicant has already retained counsel to defend City in such matters, the fees and expenses of the additional counsel selected by City shall be paid by City. Notwithstanding the immediately preceding sentence, if City's Attorney's Office participates in the defense, all City Attorney fees and costs shall be paid by Applicant.
- 6. Applicant's defense and indemnification of City set forth herein shall remain in full force and effect throughout all stages of litigation including any and all appeals of any lower court judgments rendered in the proceeding.

**After review and consideration of all of the foregoing terms and conditions, Applicant, by signature below, hereby agrees to be bound by and to fully and timely comply with all of the foregoing terms and conditions.**

• APPLICANT WET SIGNATURE

DATE [MM/DD/YYYY]

PRINT NAME

TITLE, IF ANY

IMPORTANT: Submit this form with original wet signatures (not a photocopy) to the City.

Electronic signatures are only accepted if consistent with City Administrative Policy Manual Section 1.7.11. on the City Website. Please refer to this policy for allowable electronic signatures for Development Services applications.

**KEY STEPS OF THE GENERAL PLAN AMENDMENT PROCESS**

The [Envision San José 2040 General Plan](#) is the adopted blueprint and land use policy that directs physical development of the City of San José. Maps that outline designations in the General Plan and that are helpful to applicants include:

**General Plan Land Use Map**

[www.sanjoseca.gov/GPdesignation](http://www.sanjoseca.gov/GPdesignation)

**Planned Growth Areas Map:**

[www.sanjoseca.gov/home/showdocument?id=22559](http://www.sanjoseca.gov/home/showdocument?id=22559)

**Annual Review and Amendments.** Once a year, the Planning Commission and City Council hold hearings to consider proposals to amend the General Plan. As shown on the flow chart, several steps are required prior to the hearings. For amendment application due dates, view the Amendments and Annual Review webpage at [www.envisionsj2040.org](http://www.envisionsj2040.org).

**Environmental Evaluation.** The California Environmental Quality Act (CEQA) requires that General Plan amendments undergo environmental review, and environmental certification is required in order for the City Council to consider an amendment request. Please submit your application well in advance of the hearing date so that the environmental review can be completed in time.

**Evaluation Criteria.** Criteria that City staff use to evaluate the appropriateness of a proposed amendment include:

- The proposal must be consistent with General Plan major strategies, goals, and policies. See the [General Plan’s Table of Contents](#) to find these items.
- The proposal must be compatible with surrounding land uses.
- Staff will also consider the proposal's impact on City services, including police, fire, park, library, sewer and transportation services.

**Summary of Process Steps:**



**Questions?**

Speak with a planner at 408-535-3555.  
 Visit [www.sanjoseca.gov/planning](http://www.sanjoseca.gov/planning)  
 for phone service hours.