

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING SECTION 23.04.038 OF CHAPTER 23.04 AND SECTION 23.04.124 OF CHAPTER 23.04 OF TITLE 23 OF THE SAN JOSE MUNICIPAL CODE TO MODIFY PERMIT PROVISIONS FOR SUPERGRAPHIC SIGNS IN THE DOWNTOWN SIGN ZONE AND THE NORTH SAN JOSE SIGNAGE AREA, AND TO MAKE OTHER NONSUBSTANTIVE, MINISTERIAL, TECHNICAL, OR TYPOGRAPHICAL CHANGES

WHEREAS, pursuant to the provisions and requirements of the California Environmental Quality Act of 1970, together with related State CEQA Guidelines and Title 21 of the San José Municipal Code (collectively, "CEQA"), the City of San José has determined that this Ordinance is pursuant to, in furtherance of and within the scope of the previously approved program evaluated in the Final Program Environmental Impact Report for the Envision San José 2040 General Plan (the "FEIR"), for which findings were adopted by City Council through its Resolution No. 76041 on November 1, 2011, and Supplemental Environmental Impact Report (the "SEIR"), through Resolution No. 77617, adopted by City Council on December 15, 2015, and Addenda thereto, and does not involve new significant effects beyond those analyzed in the FEIR and SEIR; and

WHEREAS, the City Council of the City of San José is the decision-making body for this Ordinance; and

WHEREAS, this Council of the City of San José has considered and approves the information contained in the FEIR, as supplemented and addenda thereto, and related City Council Resolution Nos. 76041 and 77617 and the determination of consistency therewith prior to taking any approval actions on this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. Section 23.04.038 of Chapter 23.04 of Title 23 of the San José Municipal Code is amended to read as follows:

23.04.038 Supergraphic Signs

~~One (1)~~ Supergraphic Sign~~s~~ may be allowed within the North San José Signage Area subject to the following criteria and conditions:

A. On a Building that has no residential use and a Building Height, as defined in Section 17.82.210 of this Code, of at least one hundred (100) feet or on a Parking Garage with three (3) or more parking levels above grade, one (1) Supergraphic Sign per Building is permitted subject to the following:

1. No Supergraphic Sign shall cover any portion of a window or door; and
2. ~~Any No~~ Supergraphic Sign shall be displayed for ~~no~~ more than one hundred twenty (120) consecutive days and no Building shall display a Supergraphic Sign for more than one hundred twenty (120) days in a calendar year.

B. On a Building with no residential use ~~and a Building Height of at least one hundred twenty-five (125) feet in connection with no more than forty (40) Large Events per calendar year,~~ no more than to two (2) Supergraphic Signs are permitted per Building in connection with Large Events, subject to all of the following:

1. A Supergraphic Sign shall be displayed only during a Large Event and for a period ~~of fourteen (14) up to seventy-five (75)~~ additional days before and/or after the Large Event, ~~but no more than a total of fourteen (14) days plus the period of the Large Event~~ The Supergraphic Sign shall be promptly

removed at the end of the Large Event plus ~~fourteen (14)~~ seventy-five (75) day period, ~~and no.~~ No Building shall be allowed to display a Supergraphic Sign under this subsection B. for more than ~~thirty (30)~~ one hundred eighty (180) days total in a calendar year.

2. No Supergraphic Sign shall ~~cover any portion of a window or door that is located~~ be displayed at a height less than ~~seventy-five (75)~~ forty (40) feet above grade.
3. One additional flat-mounted Supergraphic sign attached to the roof of a Building shall be allowed.
4. No Supergraphic Sign shall obstruct Fire Department aerial access as required by California Fire Code Section D105 with local amendments.

C. All Supergraphic Signs shall conform to all of the following:

1. No Supergraphic Sign shall be located on an Historic Landmark Building;
2. A Supergraphic Sign shall be located on no more than one (1) Building Facade and the Sign Area shall not exceed the area of the Building Facade on which it is located, except that such Sign may be located on two (2) Building Facades provided the total Sign Area is not greater than would otherwise be allowed on the larger of the two (2) Building Facades;
3. A Supergraphic Sign may consist of non-contiguous segments;
4. No Supergraphic Sign shall be externally illuminated;

5. Except as provided in subsection (B)(3), no ~~No~~ Supergraphic Sign shall be a Roof sign;
 6. A Supergraphic Sign shall comply with all life safety requirements, including but not limited to all requirements of Titles 17 and 24 of this Code;
 7. A Supergraphic Sign shall be maintained in good condition at all times and the Sign surface shall be free of dirt, rips and tears;
 8. A Supergraphic Sign shall not reduce otherwise allowable Sign Area for a Building or Parcel;
 9. A Supergraphic Sign shall be in conformance with any requirements applicable under state or federal law or regulations including but not limited to height, separation, or other location requirements;
 10. A Supergraphic Sign authorized by subsection A. shall not be displayed on a Building concurrent with the display of a Supergraphic Sign authorized by subsection B.; and
 11. In lieu of the requirements of Section 23.02.960, Supergraphic Signs are encouraged to have a translucent background, but may have an opaque background.
- D. Notwithstanding the provisions of Section 23.02.1300 C. of this Code, a Supergraphic Sign shall require approval of an Administrative Permit.

~~E. This Section 23.04.038 shall expire and be of no force or effect on or after January 1, 2023, unless otherwise extended, shortened, or revised by the City Council.~~

SECTION 2. Section 23.04.124 of Chapter 23.04 of Title 23 of the San José Municipal Code is amended to read as follows:

23.04.124 Supergraphic Signs

- A. One (1) Supergraphic Sign may be allowed on a Building that has no residential use and a Building Height, as defined in Section 17.82.210 of this Code, of at least one hundred (100) feet or on a Parking Garage with three (3) or more parking levels above grade, subject to the following:
1. No Supergraphic Sign shall cover any portion of a window or door; and
 2. ~~Any~~ No Supergraphic Sign shall be displayed for ~~no~~ more than one hundred twenty (120) consecutive days and no Building shall display a Supergraphic Sign for more than one hundred twenty (120) days in a calendar year.
- B. On a Building with no residential use, no more than two (2) Supergraphic Signs are allowed per Building in connection with Large Events~~One (1) Supergraphic Sign may be allowed on a Building with no residential use and a Building Height of at least one hundred twenty-five (125) feet in connection with no more than forty (40) large events per calendar year~~, subject to all of the following:
1. A Supergraphic Sign shall be displayed only during a Large Event and for a period ~~of fourteen (14) up to seventy-five (75)~~ additional days before and/or after the Large Event, ~~but no more than a total of fourteen (14) days plus the period of the Large Event, shall be promptly removed at the end of the Large Event plus fourteen (14) day period, and no~~ No Building shall be

allowed to display a Supergraphic Sign under this subsection B. for more than ~~thirty (30)~~ one hundred eighty (180) days total in a calendar year.

2. No Supergraphic Sign shall ~~cover any portion of a window or door that is located~~ be displayed at a height less than ~~seventy-five~~ forty (40) feet above grade.

3. One additional flat-mounted Supergraphic Sign attached to the roof of a Building shall be allowed.

4. No Supergraphic Sign shall obstruct Fire Department aerial access as required by California Fire Code Section D105 with local amendments.

C. All Supergraphic Signs shall conform to all of the following:

1. No Supergraphic Sign shall be located on an Historic Landmark Building;

2. A Supergraphic Sign shall be located on no more than one (1) Building Facade and the Sign Area shall not exceed the area of the Building Facade on which it is located, except that such Sign may be located on two (2) Building Facades provided the total Sign Area is not greater than would otherwise be allowed on the larger of the two Building Facades;

3. A Supergraphic Sign may consist of non-contiguous segments;

4. No Supergraphic Sign shall be externally illuminated;

5. Except as provided in subsection (B)(3), no ~~No~~ Supergraphic Sign shall be a Roof sign;

6. A Supergraphic Sign shall comply with all life safety requirements, including but not limited to all requirements of Titles 17 and 24 of this Code;
 7. A Supergraphic Sign shall be maintained in good condition at all times and the Sign surface shall be free of dirt, rips and tears;
 8. A Supergraphic Sign shall not reduce otherwise allowable Sign Area for a Building or Parcel;
 9. A Supergraphic Sign shall be in conformance with any requirements applicable under state or federal law or regulations including but not limited to height, separation, or other location requirements;
 10. A Supergraphic Sign authorized by subsection A. shall not be displayed on a Building concurrent with the display of a Supergraphic Sign authorized by subsection B.; and
 11. In lieu of the requirements of Section 23.02.960, Supergraphic Signs are encouraged to have a translucent background, but may have an opaque background.
- D. Notwithstanding the provisions of Section 23.02.1300 C. of this Code, a Supergraphic Sign shall require approval of an Administrative Permit.

~~E. This Section 23.04.124 shall expire and be of no force or effect on or after January 1, 2023, unless otherwise extended, shortened, or revised by the City Council.~~

PASSED FOR PUBLICATION of title this _____ day of _____, 2025, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, MMC
City Clerk