

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE ADOPTING AN ADDENDUM TO THE DOWNTOWN STRATEGY 2040 FINAL ENVIRONMENTAL IMPACT REPORT AND THE ENVISION SAN JOSE 2040 GENERAL PLAN FINAL ENVIRONMENTAL IMPACT REPORT, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED

WHEREAS, the City of San José (“City”) acting as lead agency under the California Environmental Quality Act of 1970, together with state and local guidelines implementing said Act, all as amended to date (collectively “CEQA”), prepared, completed, and adopted the Final Environmental Impact Reports (“Final EIRs”) for the Downtown Strategy 2040 and Envision San José 2040 General Plan, which analyzed the environmental impacts of the Downtown Strategy 2040 focused on revitalizing the Downtown area and expanding its core through increased density and growth into adjacent areas, and the environmental effects of citywide policies and the development of new housing and employment opportunities projected through the year 2040; and

WHEREAS, on December 18, 2018, and November 1, 2011, respectively, the City Council adopted Resolution Nos. 78942 and 76041, certifying the Downtown Strategy 2040 and Envision San José 2040 General Plan Final EIRs, and on December 15, 2015, adopted Resolution No. 77617 certifying the Supplemental Environmental Impact Report for the Envision San José 2040 General Plan, pursuant to the provisions of CEQA; and

WHEREAS, prior to the adoption of this Resolution, the Director of Planning, Building and code Enforcement of the City of San José prepared an Addendum to the Downtown Strategy 2040 and Envision San José 2040 General Plan Final EIRs under Planning File No. PP25-005, all in accordance with CEQA (“Addendum”); and

WHEREAS, the proposed amendments to San José Municipal Code Sections 13.48.020 and 13.48.240 analyzed under the Addendum include adding definitions for “detrimental”, “historic integrity” and “substantial alteration”, clarifying definitions for “historic district” and “landmark”, clarifying the application of historic preservation permit findings, and adding permit findings to allow the City Council to make certain overriding findings by resolution when work is detrimental to a landmark or property in a historic district (“Project”); and

WHEREAS, as further described in the Addendum, the implementation of the Project would not result in any new significant effects on the environment beyond those already identified in the previously approved Downtown Strategy 2040 and Envision San José 2040 General Plan Final EIRs; and

WHEREAS, policies in the Downtown Strategy 2040 and Envision San Jose 2040 General Plan call for evaluating buildings over or near 50 years of age prior to demolition or substantial alteration on a case-by-case basis, and implementation of the general plan policies and existing regulations, including application of the California Historic Building Code, the City’s environmental and design review processes, will serve to reduce impacts to historical resources; and

WHEREAS, the City Council has reviewed and considered the Addendum and intends to take action on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, the Downtown Strategy 2040 Final EIR and the Envision San José 2040 General Plan Final EIR and the Addendum thereto for the Project are on file in the Office of the Director of Planning, Building and Code Enforcement located at 200 East Santa Clara Street, 3rd Floor Tower, San José, California, 95113, and are available for inspection by any interested person at that location and on the Department of Planning,

Building and Code Enforcement website, and are, by this reference, incorporated into this Resolution as if fully set for herein;

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

THAT THE CITY COUNCIL does hereby make the following findings: (1) it has independently reviewed and analyzed the Downtown Strategy 2040 FEIR and the Envision San José 2040 General Plan Final EIR, as modified by the Addendum, as well as other information in the record and has considered the information contained therein, prior to acting upon or approving the Project, (2) the Addendum modifying the Downtown Strategy 2040 Final EIR and the Envision San José 2040 General Plan Final EIR prepared for the Project has been completed in compliance with CEQA and is consistent with state and local guidelines implementing CEQA, and (3) the Addendum modifying the Downtown Strategy 2040 Final EIR and the Envision San José 2040 General Plan Final EIR represents the independent judgment and analysis of the City of San José, as lead agency for the Project. The City Council designates the Director of Planning, Building and Code Enforcement at the Director's Office at 200 East Santa Clara Street, 3rd Floor Tower, San José, California, 95113, as the custodian of documents and records of proceedings on which this decision is based.

THAT THE CITY COUNCIL does hereby find that based upon the entire record of proceedings before it and all information received that there is no substantial evidence that the Project will have any new significant effects on the environment and does hereby adopt the Addendum prepared for the Project (File No. PP25-005). The Downtown Strategy 2040 Final EIR and the Envision San José 2040 General Plan Final EIR and the Addendum are: (1) on file in the Office of the Director of Planning, Building and Code Enforcement, located at 200 East Santa Clara Street, 3rd Floor Tower, San José,

California, 95113, and on the Department of Planning, Building and Code Enforcement's website, and (2) available for inspection by any interested person.

ADOPTED this _____ day of _____, 2025, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, MMC
City Clerk