

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE ADOPTING THE NORTH OF STATE ROUTE 237 SIGN ORDINANCE AMENDMENT ADDENDUM TO THE ALVISO MASTER PLAN ENVIRONMENTAL IMPACT REPORT, ENVISION SAN JOSE 2040 GENERAL PLAN ENVIRONMENTAL IMPACT REPORT, ENVISION SAN JOSE 2040 GENERAL PLAN SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT, AND ADDENDA THERETO, 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 a Final Environmental Impact Report for the Alviso Master Plan: A Specific Plan for the Alviso Community (“Alviso Master Plan EIR”), which analyzed the environmental impacts for the Alviso Community and associated amendments to the San José 2020 General Plan on approximately 10,730 acres located in the northernmost portion of San José adjacent to San Francisco Bay, generally bounded by San Francisco Bay to the north, Coyote Creek to the east, Route 237 to the south, and the Guadalupe River to the west; and

**WHEREAS**, the Planning Commission of the City of San José certified said Alviso Master Plan EIR, which certification was not appealed; and

**WHEREAS**, in connection with the adoption of a resolution approving said Alviso Master Plan (Planning File No. PP99-09-156), the City Council adopted Resolution No. 68577 on December 7, 1998, setting forth certain findings pertaining to the Alviso

Master Plan EIR and adopting a mitigation monitoring and reporting program, all pursuant to the provisions of CEQA; and

**WHEREAS**, the City prepared, completed, and adopted in accordance with CEQA the Final Program Environmental Impact Report for the Envision San José 2040 General Plan (“General Plan FPEIR”), which analyzed the environmental impacts set forth from the land use and development assumptions of the Envision San José 2040 General Plan; and

**WHEREAS**, the Planning Commission of the City certified said General Plan FPEIR, which certification was not appealed; and

**WHEREAS**, in connection with the adoption of a resolution approving said Envision San José 2040 General Plan (Planning File No. PP09-011), the City Council adopted Resolution No. 76041 on November 1, 2011, setting forth certain findings pertaining to the General Plan FPEIR and adopting a mitigation monitoring and reporting program, all pursuant to the provisions of CEQA; and

**WHEREAS**, subsequent to said actions on the General Plan FPEIR, the City prepared, completed, and adopted in accordance with CEQA the Supplemental EIR for the Envision San José 2040 General Plan, Greenhouse Gas Reduction Strategy (Planning File No. PP15-060) (“General Plan SEIR”); and

**WHEREAS**, the Planning Commission of the City of San José certified said General Plan SEIR, which certification was not appealed; and

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**WHEREAS**, the City Council adopted Resolution No. 77617 on December 15, 2015 setting forth certain findings pertaining to the General Plan SEIR, all pursuant to the provisions of CEQA; and

**WHEREAS**, prior to the adoption of this Resolution, the Planning Director of the City of San José prepared and approved an Addendum to the Alviso Master Plan EIR, the General Plan FPEIR, and General Plan SEIR and Addenda thereto, for the North of State Route 237 Alviso Sign Code Amendment under Planning File No. PP18-084 (the “Addendum”), all in accordance with CEQA; and

**WHEREAS**, the North of State Route 237 Alviso Sign Code Amendment (the “Project”) analyzed the proposed City-initiated amendments to Title 23 of the San José Municipal Code (the “Sign Code”) to allow freeway-facing Business Center Signs within the extents of Alviso Master Plan Area Boundary. The proposed actions include an ordinance amending the Sign Code to: (i) amend Chapter 23.04, Part 1, Commercial and Industrial Zoning Districts and Neighborhood Business Districts, to amend Section 23.04.036, “Business Center Signs,” to allow freeway facing on-site signs for sites located within the Alviso Master Plan Area, that are developed with office or research and development uses; and (ii) make other non-substantive, ministerial, technical, or typographical changes to various Sections of said Chapter 23.04 of the Sign Code; and

**WHEREAS**, as further described in the Addendum, the implementation of the Project would not result in new significant effects on the environment beyond those already identified in the previously approved Alviso Master Plan EIR, General Plan FPEIR and General Plan SEIR, and Addenda thereto, nor will the Project result in an increase in the severity of significant effects identified in the Alviso Master Plan EIR, General Plan FPEIR and General Plan SEIR, and Addenda thereto and identified mitigation

measures, as amended, would continue to reduce each of those significant effects to a less-than significant level; and

**WHEREAS**, the City of San José is the lead agency on the Project, and the City Council is the decision-making body for the proposed approval to undertake the Project; and

**WHEREAS**, the City Council has reviewed and considered the Alviso Master Plan EIR, General Plan FPEIR and General Plan SEIR, and the Addendum for the Project and intends to take action on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

**WHEREAS**, the Alviso Master Plan EIR, General Plan FPEIR and General Plan SEIR, and the Addendum thereto for the Project are on file in the Office of the Director of Planning, located at 200 East Santa Clara Street, 3rd Floor Tower, San José California, 95113, are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth 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 Alviso Master Plan EIR, the General Plan FPEIR, General Plan SEIR, and Addended thereto, as all 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 Alviso Master Plan EIR, and General Plan FPEIR and General Plan SEIR 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 Alviso

Master Plan EIR, and General Plan FPEIR and General Plan SEIR 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 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 a significant effect on the environment and does hereby adopt the Addendum prepared for the Project (Planning File No. PP18-084). The Addendum to the Alviso Master Plan EIR, General Plan FPEIR and General Plan SEIR is: (1) on file in the Office of the Director of Planning, located at 200 East Santa Clara Street, 3rd Floor Tower, San José, California, 95113, and (2) available for inspection by any interested person.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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SAM LICCARDO  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk