

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

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE ADOPTING A NEGATIVE DECLARATION FOR AN AMENDMENT TO THE ENVISION SAN JOSE 2040 GENERAL PLAN TO DELETE GENERAL PLAN LAND USE POLICY CD10.4, REVISIONS TO CITY COUNCIL POLICY 6-4, AND AMENDMENTS TO SECTIONS 23.02.870 AND 23.02.1310 OF TITLE 23 (THE SIGN CODE) OF THE MUNICIPAL CODE TO ALLOW CONSIDERATION OF SIGNS ON CITY-OWNED PROPERTY, INCLUDING BILLBOARDS, PROGRAMMABLE ELECTRONIC SIGNS, AND SIGNS DISPLAYING OFF-SITE COMMERCIAL SPEECH, AND TO MAKE UPDATES OR OTHER TECHNICAL, NON-SUBSTANTIVE CHANGES, OR FORMATTING CHANGES WITHIN THOSE SECTIONS OF TITLE 23, FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED**

**WHEREAS**, prior to the adoption of this Resolution, the Planning Director of the City of San José prepared an Initial Study and approved for circulation a Negative Declaration for a General Plan Text Amendment, revisions to City Council Policy 6-4, and amendments to the San José Municipal Code Sections 23.02.870 and 23.02.1310 of Title 23 (the “Sign Code”) for Signs on City-Owned Sites, Including Billboards, Programmable Electronic Signs and Signs Displaying Off-site Commercial Speech, under Planning File No. PP18-058 (the “Initial Study/Negative Declaration”), all in accordance with the requirements of the California Environmental Quality Act of 1970, together with state and local guidelines implementing said Act, all as amended to date (collectively “CEQA”); and

**WHEREAS**, the allowing of off-site signs on City-owned land (the “Project”) analyzed under the Initial Study/Negative Declaration consists of an amendment to the Envision

San José 2040 General Plan to delete General Plan Policy CD10.4, revise City Council Policy 6-4, and update Sections 23.02.870 and 23.02.1310 of Title 23 of the Municipal Code to allow signs on City-owned property including Billboards, Programmable Electronic Signs, and signs displaying off-site commercial speech, and to make updates or other technical, non-substantive changes, or formatting changes within those Sections of Title 23; and

**WHEREAS**, the Initial Study/Negative Declaration concluded that implementation of the Project would not result in any significant effects on the environment; 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 Initial Study/Negative Declaration for the Project and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

**WHEREAS**, the Initial Study/Negative Declaration 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 Initial Study/Negative Declaration and other

information in the record and has considered the information contained therein, prior to acting upon or approving the Project, (2) the Initial Study/Negative Declaration prepared for the Project has been completed in compliance with CEQA and is consistent with state and local guidelines implementing CEQA, and (3) the Initial Study/Negative Declaration 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, Tower, 3rd Floor, 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 Negative Declaration prepared for the Project (File No. PP18-058). The Initial Study/Negative Declaration 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 \_\_\_\_\_, 2018, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

---

SAM LICCARDO  
Mayor

ATTEST:

---

TONI J. TABER, CMC  
City Clerk