

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

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE ADOPTING THE DIRIDON STATION AREA PLAN AMENDMENT ADDENDUM TO THE DOWNTOWN STRATEGY 2040 FINAL ENVIRONMENTAL IMPACT REPORT, AS ADDED, FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**WHEREAS**, prior to the adoption of this Resolution, the Director of Planning, Building and Code Enforcement of the City of San José prepared an Initial Study and an Addendum for the Diridon Station Area Plan Amendment, Planning File Nos. PP19-082 and GP20-007 (the “Initial Study/Addendum”), 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 Diridon Station Area Plan Amendment (the “Project”) analyzed under the Initial Study/Addendum consists of the General Plan Amendment amending the “Planned Job Capacity and Housing Growth Areas by Horizon” table in Appendix 5, the Land Use/Transportation Diagram showing land use designations on certain properties within the boundaries of the Diridon Station Area Plan (sometimes referred herein as “Plan”) and transportation street typology designations, expanding the Diridon Station Area Plan Boundary, and the Diridon Station Area Plan, which includes other text amendments and amendments to diagrams for the Diridon Station Area Plan to reflect the updates to the Plan including the addition of equity as a critical component, increases in maximum building height limits, transportation network changes, changes to parks and open space and infrastructure in the Plan areas, updated design guidelines, implementing of Climate Smart San José and updated GHG Reduction Strategy and Parking strategy, and aligning the amended Diridon Station Area Plan to the City’s Downtown Strategy 2040; and

**WHEREAS**, the Initial Study/Addendum concluded that implementation of the Diridon Station Area Plan Amendment would not result in substantial changes due to any new impacts not considered in the prior certified Downtown Strategy 2040 Final Environmental Impact Report (Resolution No. 78942), and all addenda thereto; and

**WHEREAS**, the Initial Study/Addendum concluded that implementation of the Diridon Station Area Plan Amendment would not result in substantial increase in the severity of previously identified significant effects in the prior certified Downtown Strategy 2040 Final Environmental Impact Report; and

**WHEREAS**, the Initial Study/Addendum concluded that implementation of the Diridon Station Area Plan Amendment would not result in substantial changes with respect to circumstances that will require major revisions to the prior certified Downtown Strategy 2040 Final Environmental Impact Report; and

**WHEREAS**, the Initial Study/Addendum concluded that implementation of the Diridon Station Area Plan Amendment would not affect one or more significant effects discussed in the prior certified Downtown Strategy 2040 Final Environmental Impact Report due to substantial new information or information of substantial importance, and

**WHEREAS**, the Initial Study/Addendum concluded that implementation of the Diridon Station Area Plan Amendment would not affect one or more significant effects previously examined that will be substantially more severe than those disclosed in the prior certified Downtown Strategy 2040 Final Environmental Impact Report; 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/Addendum 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/Addendum for the Project and the Downtown Strategy 2040 Final Environmental Impact Report 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, are available for inspection by any interested person at that location and on the Department of Planning, Building, and Code Enforcement's website 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/Addendum 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/Addendum 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/Addendum 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 effect on the environment and does hereby adopt the Addendum prepared for the Project (Planning File Nos. PP19-082 and GP20-007). The Initial Study/Addendum is: (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 is posted to the Department of Planning, Building, and Code Enforcement's website and (2) available for inspection by any interested person.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2021, 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