

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE ADOPTING AN ADDENDUM TO THE ENVISION SAN JOSE 2040 GENERAL PLAN FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT, SUPPLEMENTAL PROGRAM ENVIRONMENTAL IMPACT REPORT – GREENHOUSE GAS EMISSION ANALYSIS, SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT – 2023-2031 HOUSING ELEMENT UPDATE AND ADDENDA THERETO, PREPARED FOR AMENDMENTS TO TITLE 19 AND TITLE 20 OF THE SAN JOSE MUNICIPAL CODE ANALYZING ZONING CODE UPDATES IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the City of San José (“City”), acting as lead agency under the California Environmental Quality Act (“CEQA”), certified the Envision San José 2040 Final Program Environmental Impact Report (Resolution No. 76041), Supplemental Program Environmental Impact Report – Greenhouse Gas Emission Analysis (Resolution No. 77617), Supplemental Environmental Impact Report – 2023-2031 Housing Element Update (Resolution No. RES2023-262) and Addenda thereto (“prior Environmental Impact Reports”); and

WHEREAS, the City’s Sixth Housing Element Cycle (2023-2031) identified the adoption and implementation of a streamlined ministerial process as a strategy (Strategy P-7) to facilitate the development of housing; this strategy would facilitate housing developments that meet specific objective standards without the requirement of a discretionary permit or a public hearing, and qualify for a CEQA ministerial exemption under the CEQA Guidelines Section 15268; and

WHEREAS, the City prepared an ordinance amending Title 19 of the San José Municipal Code by adding a new Chapter 19.11, and amending Title 20 of the San José Municipal Code by amending Part 8, adding a new Part 9, and adding a new Part 9.5 to Chapter

20.30; amending Sections 20.80.300 and 20.80.450 of Chapter 20.80, amending Sections 20.100.610, 20.100.1030, and 20.100.1040 of Chapter 20.100; amending Section 20.200.675 of Chapter 20.200; adding a new Section 20.200.165 to Chapter 20.200; adding a new Section 20.200.445 to Chapter 20.200, amending Sections 20.200.1010, 20.200.1030, and 20.200.1265 of Chapter 20.200, amending Table 20-50 of Section 20.30.100 of Chapter 20.30; amending Part 2.75 and 2.76 of Chapter 20.80 by amending Section 20.80.176, adding Section 20.80.177, and amending Section 20.80.185; amending Chapter 20.190; amending Chapter 20.195; amending Table 20-90 of Section 20.40.100 of Chapter 20.40, amending Table 20-110 of Section 20.50.100 of Chapter 20.50, amending Table 29-138 of Section 20.55.203 of Chapter 20.55, amending Table 20-140 of Section 20.70.100 of Chapter 20.70, amending Section 20.80.600 of Chapter 20.80; amending Section 20.80.900 of Chapter 20.80; amending Section 20.30.400 of Chapter 20.30, amending Section 20.40.400 of Chapter 20.40, amending Section 20.50.270 of Chapter 20.50, amending Section 20.55.101 of Chapter 20.55; amending Section 20.55.104 of Chapter 20.55; and amending Section 20.100.860 of Chapter 20.100 (Planning File No. PP25-001) (“Zoning Code Updates”); and

WHEREAS, the Zoning Code Updates Ordinance created a streamlined review process for housing developments city wide on existing sites that allow for such development and operating in compliance with the San José Municipal Code; and

WHEREAS, the City’s Director of Planning, Building and Code Enforcement prepared an Addendum to the prior Environmental Impact Reports, pursuant to CEQA Guidelines Section 15164, to make minor modifications and allow a streamlined ministerial process within various sections of the San José Municipal Code through the Zoning Code Updates (the “Addendum”); and

WHEREAS, the Addendum analyzes the proposed modifications of adding a streamlined ministerial process through the Zoning Code Updates (the “Project”) and

demonstrates that the potential environmental impacts associated with the proposed modifications would be within the scope of impacts already evaluated in the prior Environmental Impact Reports; and

WHEREAS, a subsequent or supplemental Environmental Impact Report is not required for the Project because the revisions are limited to minor, technical updates and implementation of the revisions do not constitute substantial changes that would result in new significant environmental effects or a substantial increase in the severity of previously identified impacts; and

WHEREAS, the City Council has reviewed and considered the prior Environmental Impact Reports and intends to take action on the Project in compliance with CEQA; and

WHEREAS, the prior Environmental Impact Reports and the Addendum 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 (www.sanjoseca.gov/Planning);

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

- A. The foregoing recitals, the prior Environmental Impact Reports, and the Addendum, thereto, are hereby incorporated by reference as if fully set forth in the body of this Resolution.

- B. The City Council hereby makes the following findings: (1) it has independently reviewed and analyzed the prior Environmental Impact Reports 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 has been completed in compliance with CEQA and is consistent with state and local guidelines implementing CEQA; and (3) the 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.
- C. The City Council hereby finds 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. ER25-220). The prior Environmental Impact Reports 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