

**DRAFT
NEGATIVE DECLARATION**

The Director of Planning, Building and Code Enforcement has reviewed the proposed project described below to determine whether it could have a significant effect on the environment as a result of project completion. "Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

NAME OF PROJECT: San José Sign Code Update

PROJECT FILE NUMBER: PP13-067

PROJECT DESCRIPTION: The proposed project is a revision of the City's Sign Ordinance. The Sign Ordinance regulates all Signs on private property that are erected, constructed or applied or painted on buildings within the City. The Sign requirements are contained in Title 23 of the San José Municipal Code. Following is a summary of the proposed changes to the Sign Ordinance:

First Phase Ordinance Revisions

Revise Commercial and Industrial Zoning Districts and the Neighborhood Business Districts' Sign regulations:

1) Shopping center corner and Roof Signs.

- Allow large Shopping Center Sites that have at least five hundred thousand (500,000) square feet of building floor area and that are located outside of a Special Sign Zone to have up to either two (2) single-sided Signs or one (1) double-sided Sign that are either Roof Signs or a newly created category that is a "shopping center corner" Sign to be located on a stand-alone corner building.
- The corner building shall be part of the Shopping Center Site under a single Development Permit and have a building floor area of at least fifteen thousand (15,000) square feet.
- The parcel on which the corner building is situated shall be located at the intersection of a City Connector Street, Local Connector Street, Main Street, Grand Boulevard, Expressway or Freeway, as defined and amended in the City's General Plan or within one hundred (100) feet of the public or private right-of-way of such an intersection.
- Either one such Sign may be a double-sided Sign with a Sign Area of up to two hundred (200) square feet per side or two (2) such Signs may be single-sided Signs with a Sign Area of up to two hundred (200) square feet per side.
- Such Signs and supporting structures shall not project more than forty (40) feet above grade.
- Such Signs shall not be Programmable Electronic Signs.

Revise Residential Zoning Districts' Sign regulations:

- 1) Allow Signs to be illuminated subject to specific regulations.
- 2) For multi-family residential developments which have at least one hundred (100) residential units allow:
 - Flexibility in Sign Area and setbacks for Attached and Free-standing Signs
 - Awning Signs subject to specific regulations.

Citywide Amendments

- 1) Remove regulations requiring a Master Sign Program.
- 2) Sign Variance for Historic Resources:
 - Allow flexibility in placement of Signs on historic buildings that are listed or eligible to be listed on the City of San José's Historic Resource Inventory through a Sign Variance and Exception process.
 - The granting of the variance shall not impair the integrity and character of the historic resource.
- 3) Comprehensive legal review of the Sign Ordinance to provide clarification and consistency by revising, addition or deleting of sections and chapter of the Sign Ordinance.
- 4) Make other general related non-substantive, clerical, typographic, or technical modifications.

PROJECT LOCATION & ASSESSORS PARCEL NO.: Citywide/Numerous APNs

COUNCIL DISTRICT: Citywide

APPLICANT CONTACT INFORMATION: City of San José, Department of Planning, Building and Code Enforcement, Contact person: Jenny Nusbaum (408) 535-7872

FINDING

The Director of Planning, Building & Code Enforcement finds the project described above will not have a significant effect on the environment in that the attached initial study identifies no potentially significant effects on the environment.

NO MITIGATION MEASURES ARE REQUIRED

- I. AESTHETICS** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- II. AGRICULTURE RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- III. AIR QUALITY** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- IV. BIOLOGICAL RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- V. CULTURAL RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.

- VI. GEOLOGY AND SOILS** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- VII. HAZARDS AND HAZARDOUS MATERIALS** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- VIII. HYDROLOGY AND WATER QUALITY** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- IX. LAND USE AND PLANNING** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- X. MINERAL RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XI. NOISE** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XII. POPULATION AND HOUSING** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XIII. PUBLIC SERVICES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XIV. RECREATION** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XV. TRANSPORTATION / TRAFFIC** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XVI. UTILITIES AND SERVICE SYSTEMS** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XVII. MANDATORY FINDINGS OF SIGNIFICANCE** – The project will not substantially reduce the habitat of a fish or wildlife species, be cumulatively considerable, or have a substantial adverse effect on human beings, therefore no mitigation is required.

PUBLIC REVIEW PERIOD

Before 5:00 p.m. on August 22, 2013, any person may:

1. Review the Draft Negative Declaration (ND) as an informational document only; or
2. Submit written comments regarding the information, analysis, and mitigation measures in the Draft ND. Before the ND is adopted, Planning staff will prepare written responses to any comments, and revise the Draft ND, if necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final ND.

Joseph Horwedel, Director
Planning, Building and Code Enforcement



Circulated on: August 2, 2013

John Randson
Deputy

INITIAL STUDY

PROJECT FILE NO.: PP13-067

PROJECT DESCRIPTION: The proposed project is a revision of the City's Sign Ordinance. The Sign Ordinance regulates all Signs on private property that are erected, constructed, or applied or painted on buildings within the City. The Sign requirements are contained in Title 23 of the San José Municipal Code. This Initial Study covers all of the proposed amendments listed below:

First Phase Ordinance Revisions

Revise Commercial and Industrial Zoning Districts and the Neighborhood Business Districts' Sign regulations:

1) Shopping center corner and Roof Signs.

- Allow large Shopping Center Sites that that have at least five hundred thousand (500,000) square feet of building floor area and that are located outside of a Special Sign Zone to have up to either two (2) single-sided Signs or one (1) double-sided Sign that are either Roof Signs or a newly created category that is a "shopping center corner" Sign to be located on a stand-alone corner building.
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Revise Residential Zoning Districts' Sign regulations:

- 1) Allow Signs to be illuminated subject to specific regulations
- 2) For multi-family residential developments which have at least one hundred (100) residential units allow:
 - Flexibility in Sign Area and setbacks for Attached and Free-standing Signs
 - Awning Signs subject to specific regulations.

Citywide Amendments

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- 2) Sign Variance for Historic Resources:
 - Allow flexibility in placement of Signs on historic buildings that are listed or eligible to be listed on the City of San José's Historic Resource Inventory through a Sign Variance and Exception process.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
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- The granting of the variance shall not impair the integrity and character of the historic resource.
- 3) Comprehensive legal review of the Sign Ordinance to provide clarification and consistency by revising, addition or deleting of sections and chapter of the Sign Ordinance.
- 4) Make other general related non-substantive, clerical, typographic, or technical modifications.

PROJECT LOCATION AND ASSESSOR’S PARCEL NUMBER(s): Citywide

EXISTING GENERAL PLAN DESIGNATION: Citywide

EXISTING ZONING: Citywide

EXISTING LAND USE: Citywide

SURROUNDING LAND USES / GENERAL PLAN / ZONING:

North: N/A South: N/A
 East: N/A West: N/A

PROJECT APPLICANT’S NAME AND ADDRESS:

LEAD AGENCY CONTACT INFORMATION: City of San José, Planning Division, PBCE

OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED: N/A

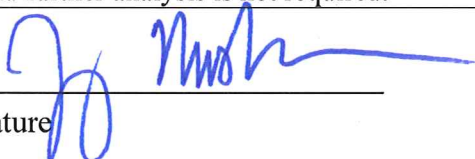
DETERMINATION

On the basis of this initial study:

<input checked="" type="checkbox"/>	I find the proposed project could not have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the project proponent has agreed to revise the project to avoid any significant effect. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find the proposed project could have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.
<input type="checkbox"/>	I find the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated impact” on the environment, but at least one effect has been (1) adequately analyzed in a previous document pursuant to applicable legal standards, and (2) addressed by mitigation measures based on the previous analysis as described in the attached sheets/initial study. An EIR is required that analyzes only the effects that were not adequately addressed in a previous document.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, no further environmental analysis is required because all potentially significant effects have been (1) adequately analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION , including revisions or mitigation measures that are included in the project, and further analysis is not required.

August 1, 2013

 Date



 Signature

Name of Preparer: Jenny Nusbaum

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
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I. AESTHETICS - Would the project:

a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
b) Substantially damage scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2
e) Increase the amount of shading on public open space (e.g., parks, plazas, and/or school yards)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2

FINDINGS: Less than Significant Impact

The proposed project includes Sign regulations that will affect the visual character of the City. These regulations have been structured to control the size, placement, and type of signage in a manner that prevents Sign clutter and visual blight, with provision for more intense signage in the urban core and less intense signage in the areas of the City that are suburban or rural in character.

The City’s Sign Code allows a variety of Sign types to be used subject to specific criteria; however Roof Signs or signs that are partially located at or above the tops of roofs are currently not allowed for all uses. This project proposes signs at or above the tops of roofs for buildings located on Shopping Center Sites that have floor areas of at least five hundred thousand (500,000) square feet and are located in urbanized areas of the City and outside a Special Sign Zone. Specifically, the Sign would be located on a corner building that is part of the applicable Shopping Center Site and where the corner building is located at the intersection of two public streets as described above in the project description subject to specific regulations on the size, location, and height of the Sign.

The project also proposes an increase to the allowable signage and the types of Signs for residential developments that have at least one hundred (100) residential units that are located in urbanized areas of the City.

This proposed additional allowable signage may be illuminated. However, the sites in which the signage could be located are in urbanized areas of the City that already have substantial illumination and the potential net additional illumination on eligible signage on these sites would contribute very minimally to the overall illumination on the subject sites.

Based on measures incorporated into the Sign regulations to protect sensitive uses and avoid visual blight and clutter, less than significant impacts would occur as a result of the proposed ordinance revisions.

MITIGATION MEASURES: None required.

II. AGRICULTURE AND FOREST RESOURCES - Would the project:

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4
c) Conflict with existing zoning for, or cause rezoning of, forest land [as defined in PRC Section 12220(g)], timberland, (as defined by PRC Section 4526), or timberland zoned Timberland Production [as defined by GC Section 51104(g)]?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4

FINDINGS: No Impact

The project site is not located in an area identified as prime farmland, nor is the site being used for or zoned for agricultural use. Therefore, the proposed project will not result in a significant impact on the City’s or Region’s agricultural resources.

The proposed Sign Ordinance amendments would affect only the size, type, number and placement of Signs within the City limits of San José and would not otherwise change the City’s regulations regarding the development of vacant land. The size and type of signage allow by the Sign Ordinance is based on Zoning Districts to ensure that appropriate signage is provided for the full range of land uses, including urban and rural land uses within San José. The proposed changes in Sign regulations will not result in the conversion of prime farmland or in any environmental impact on agricultural land.

The City of San José does not contain any forest lands or timberlands suitable for timber production nor are there any areas of the zoned Timberland Production. The project site is outside of any timberland areas, and will therefore not result in a significant impact from the loss forest lands or timberlands.

MITIGATION MEASURES: None Required.

III. AIR QUALITY - Would the project:

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,14
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,14
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,14
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,14
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,14

FINDINGS: Less than Significant Impact.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
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The City of San José uses the threshold of significance established by the Bay Area Air Quality Management District (BAAQMD) to assess air quality impacts. Based on the BAAQMD threshold of significance, projects that generate fewer than 2,000 vehicle trips per day are not considered major air pollutant contributors and do not require a technical air quality study. The proposed ordinance amendment is a revision to the Sign code that only affects Signs, including their height, size and location, and will not result in 2,000 new vehicle trips. The Signs would be intended to attract pedestrians and vehicles that are already passing by the subject sites to stop at these sites. Minimally additional pollutant emissions could be generated by the restarting of vehicles that could stop at the sites as a result of the proposed signage and minimal potentially increased traffic to the sites could result where the proposed additional signage could be permitted. However, because the criteria for eligibility are so selective, the signage that would attract vehicular traffic would be located only on a few parcels throughout the entire City. For these reasons, impacts to air quality would be less than significant.

MITIGATION MEASURES: None Required.

IV. BIOLOGICAL RESOURCES - Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,10
b) Have a substantial adverse effect on any aquatic, wetland, or riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,6,10
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,6
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,10
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,11
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2

FINDINGS: Less than Significant Impact.

The proposed Ordinance amendment is a revision to the City’s Sign regulations and only affects the development standards for Signs including their height, size, location, lighting, and materials. As the City continues to urbanize, ambient light levels including those typically generated by buildings on a large Shopping Center Site that could support a Sign at or above the top of a building on such a Site, and those typically generated by an incidental amount of additional allowable illuminated free-standing or attached signage on residential properties with at least 100 units are such that light emitted or reflected by such a Sign will have a less than significant effect upon biological resources within the urbanized areas in which they could be permitted.

MITIGATION MEASURES: None Required.

V. CULTURAL RESOURCES - Would the project:

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
a) Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,7
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,8
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,8
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,8

FINDINGS: No Impact

The proposed Sign Ordinance amendments affect only the size, type, number and placement of Signs within the City limits of San José and will not impact paleontological or archaeological resources. The project proposes to allow flexibility in the placement of attached Signs on historic buildings through a Sign Variance process. This process would ensure that the Signs encourage the preservation of historic buildings and features, because the City’s development review process includes discretionary review of Signs associated with a historic landmark to ensure that signage conforms to the *Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation* and does not diminish the significance of an historic resource.

MITIGATION MEASURES: None Required.

VI. GEOLOGY AND SOILS - Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
1) Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,5,24
2) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,5,24
3) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,5,24
4) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,5,24
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,5,24
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,5,24
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,5,24
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,5,24

FINDINGS: No Impact

This proposed Sign Ordinance amendment applies only to Signs, including their height, size, number and location, and will not alter building regulations. Signs implemented pursuant to this Ordinance will be erected in conformance with Uniform Building Code Guidelines for Seismic Zone 4 to avoid or minimize potential damage from seismic shaking

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and liquefaction on the site. All development located in a Geologic Hazard Zone will be required to conform to the Geologic Hazards Ordinance.

MITIGATION MEASURES: None Required.

VII. GREENHOUSE GAS EMISSIONS - Would the project:

Setting

Various gases in the earth’s atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the earth’s surface temperature. Solar radiation enters the atmosphere from space and a portion of the radiation is absorbed by the earth’s surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower frequency infrared radiation. Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, this radiation that otherwise would have escaped back into space is retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect, or climate change, are carbon dioxide (CO2), methane (CH4), ozone (O3), water vapor, nitrous oxide (N2O), and chlorofluorocarbons (CFCs). Human-caused emissions of these GHGs in excess of natural ambient concentrations are responsible for enhancing the greenhouse effect.

The City of San José adopted the Envision San José 2040 General Plan in November 2011. As part of the General Plan update, the City adopted a Greenhouse Gas Reduction Strategy in accordance with the BAAQMD CEQA Guidelines and CEQA Guidelines Section 15183.5. The GHG Strategy identifies policies and measures to reduce greenhouse gas generation within the City.

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,14
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,14
(Note: Greenhouse gas(es) include, but are not limited to, carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride)					

FINDINGS: Less than Significant Impact.

The proposed ordinance amendment is a revision to the Sign code that only affects Signs, including their height, size and location, and will not result in a significant number of new vehicle trips. The Signs would be intended to attract pedestrians and vehicles that are already passing by the subject sites to stop at these sites. A minimal amount of additional greenhouse gas emissions could be generated by the restarting of vehicles that could stop at the sites as a result of the proposed signage and by the minimal potentially increased traffic to the sites that could result where the proposed additional signage could be permitted. However, because the criteria for eligibility are so selective, the signage that would attract vehicular traffic would be located only on a small fraction of parcels throughout the entire City. For these reasons, impacts to greenhouse gas emissions would be less than significant. The project will not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases, because the proposed project is consistent with the City’s 2040 General Plan that includes implementation of a GHG Reduction Strategy.

MITIGATION MEASURES: None Required.

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VIII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,12
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

FINDINGS: No Impact.

The proposed project is a revision to the Sign Ordinance and affects only the development standards for Signs, including their height, size, number and placement. The proposed Ordinance will not interfere with any emergency response plan or emergency evacuation plan, will not create any potential health hazard or expose people to existing sources of health hazard.

MITIGATION MEASURES: None Required.

IX. HYDROLOGY AND WATER QUALITY - Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,15
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
c) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on-or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,17
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,9
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,9
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
j) Be subject to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

FINDINGS: Less than Significant Impact.

The proposed Ordinance is an amendment to the City’s Sign regulations and affects only the development standards for Signs, including the size, number, type and placement of Signs. This Ordinance will not expose people to flooding hazards, seiches, tsunamis or mudflows and will not impede flood flows. Erection of Signs pursuant to this ordinance would not affect groundwater and would not significantly change drainage patterns and would result in only very minor soil disturbance or displacement.

MITIGATION MEASURES: None Required.

X. LAND USE AND PLANNING - Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2

FINDINGS: Projects that have the potential to physically divide an established community include new freeways and highways, major arterials streets, and railroad lines. The proposed project will not physically divide an established community, and the project is consistent with the site’s General Plan Land Use designation.

The proposed modifications to the Sign Ordinance are applicable Citywide and are not site-specific. The proposed revisions are consistent with the purpose of the Sign Ordinance, which is to prevent blight and visual clutter. They have been designed to achieve General Plan goals for vibrant urban development and attractive streetscapes free of excessive clutter. Each Sign permit will be required to conform to the regulations of the revised Sign Ordinance as identified for specific Zoning categories. In conforming to these regulations, each Sign will further the objectives of the Zoning Ordinance and the General Plan. Generally, Signs do not disrupt or divide the physical arrangement of established communities given their scale and size; therefore the proposed amendment will not disrupt or divide the physical arrangement of an established community. Generally, permanent Signs allowed pursuant to the proposed

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
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Sign Ordinance are located on developed sites and are not expected to conflict any applicable habitat conservation plan.

MITIGATION MEASURES: None Required.

XI. MINERAL RESOURCES - Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,23
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,23

FINDINGS: No Impact.

The proposed Ordinance is an amendment to the City’s Sign regulations and affects only the development standards for signs, including the size, number, type and placement of signs and would not affect mineral resources.

MITIGATION MEASURES: None Required.

XII. NOISE - Would the project result in:

a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,13,18
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

FINDINGS: No Impact

The proposed Ordinance is an amendment to the City’s Sign regulations and affects only the development standards for Signs, including the size, number, type and placement of Signs and would not affect ambient noise levels Citywide.

MITIGATION MEASURES: None Required.

XIII. POPULATION AND HOUSING - Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
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<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
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b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

FINDINGS: No Impact

The proposed Ordinance is an amendment to the City’s Sign regulations and affects only the development standards for Signs, including the size, number, type and placement of Signs and would not induce population growth or displace housing or residents.

MITIGATION MEASURES: None Required.

XIV. PUBLIC SERVICES

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2

FINDINGS: No Impact

The proposed Ordinance is an amendment to the City’s Sign regulations and affects only the development standards for Signs, including the size, number, type and placement of Signs and would not increase the demand of urban services. Signage implemented pursuant to the Sign Ordinance is generally focused in commercial, high-density residential, and industrial areas in urbanized areas of San José where services are available.

MITIGATION MEASURES: None Required.

XIV. RECREATION

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2

FINDINGS: No Impact

The proposed Ordinance is an amendment to the City’s Sign regulations and affects only the development standards for Signs, including the size, number, type and placement of Signs. This ordinance does not propose new recreational facilities or increase the demand for park facilities.

MITIGATION MEASURES: None Required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
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XV. TRANSPORTATION / TRAFFIC - Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,19
b) Cause the level of service at any local intersection to degrade from an acceptable LOS D or better under to an unacceptable LOS E or F under project conditions; or cause an increase in critical delay of 4.0 or more seconds and an increase in the critical demand to capacity ratio (V/C) of 0.010 or more at a City intersection that is projected to operate at LOS E or F under project conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,19
c) Cause an increase of one percent or more of the capacity at a freeway segment that is projected to operate at LOS F under project conditions; or cause a freeway segment to deteriorate from LOS E or better to LOS F?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,19
d) Substantially impede the operation of a transit system as a result of congestion?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,19
e) Create an operational safety hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,19
f) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,19
g) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,19
h) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,20
i) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,18

FINDINGS: Less than Significant.

The proposed Ordinance is an amendment to the City’s Sign regulations and affects only the development standards for Signs, including their size, number, type and placement and will not result in a significant increase in vehicular trips. Existing operational requirements for Programmable Electronic Signs ensure that these signs do not result in unsafe levels of driver distraction.

MITIGATION MEASURES: None Required.

XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,15
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,21
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,17

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,22
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,21
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,21
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,21

FINDINGS: Less than significant impact.

The proposed Ordinance is an amendment to the city's Sign regulations and affects only the development standards for Signs, including their size, number, type and placement and will not result in impacts to water or wastewater treatment or solid waste. This ordinance would not result in significant increases in wastewater treatment, storm water runoff, or in the demand for water resources or waste disposal.

MITIGATION MEASURES: None Required.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to (1) degrade the quality of the environment, (2) substantially reduce the habitat of a fish or wildlife species, (3) cause a fish or wildlife population to drop below self-sustaining levels, (4) threaten to eliminate a plant or animal community, (5) reduce the number or restrict the range of a rare or endangered plant or animal, or (6) eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,10
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,16
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

FINDINGS: Less than Significant Impact.

As discussed in the previous sections, the proposed project would not result in any potentially significant environmental impact.

MITIGATION MEASURES: None Required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
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CHECKLIST REFERENCES

1. Environmental Clearance Application – File No. PP13-067
2. Envision San José 2040 General Plan
3. USDA, Soil Conservation Service, Soil Survey of SC County, August 1968
4. USDA, Soil Conservation Service, Important Farmlands of SC County map, June 1979
5. State of California’s Geo-Hazard maps / Alquist Priolo Fault maps
6. Riparian Corridor Policy Study 1994
7. San José Historic Resources Inventory
8. City of San José Archeological Sensitivity Maps
9. FEMA Flood Insurance Rate Map, Santa Clara County, 1986
10. California Department of Fish & Game, California Natural Diversity Database, 2001
11. City of San José Heritage Tree Survey Report
12. California Environmental Protection Agency Hazardous Waste and Substances Sites List, 1998
13. City of San José Noise Exposure Map for the 2020 General Plan
14. BAAQMD CEQA Guidelines, Bay Area Air Quality Management District. April 1996, revised 1999.
15. San Francisco Bay Regional Water Quality Control Board 1995 Basin Plan
16. Final Environmental Impact Report, City of San José, SJ 2020 General Plan
17. Santa Clara Valley Water District
18. City of San José Title 20 Zoning Ordinance
19. San José Department of Public Works
20. San José Fire Department
21. San José Environmental Services Department
22. San José Water Company, Great Oaks Water Company
23. California Division of Mines and Geology
24. Cooper Clark, San José Geotechnical Information Maps, July 1974

ADDENDUM TO A NEGATIVE DECLARATION

Pursuant to Section 15164 of the CEQA Guidelines, the City of San José has prepared an Addendum to a Negative Declaration (ND) adopted for a previous project. Because minor changes made to the project described below do not raise important new issues about the effects on the environment, this project is adequately covered by this Addendum to the Negative Declaration from the previous project.

PROJECT DESCRIPTION AND LOCATION

File No. PP13-083. Title 23 of the San José Municipal Code (Sign Code) regulates all Signs on private property that are erected, constructed or applied or painted on buildings within the City of San José. The proposed project is a revision of the City's Sign Code amending various sections. The scope of this Addendum is described below.

Revise Commercial and Industrial Zoning Districts' and the Neighborhood Business Districts' Sign regulations:

Modify the scope of the project to allow an increase in the number and size of Signs for Shopping Center Sites that have at least five hundred thousand (500,000) square feet of building floor area and are located outside a Special Sign Zone as described below:

- Attached Signs: Buildings with a building footprint of at least three hundred thousand (300,000) square feet and which have a second-story interior tenant space with at least sixty five thousand (65,000) square feet of contiguous retail space may be allowed additional Attached Signs beyond those currently allowed in the Sign Code in conformance with the following provisions:
 - The second-story interior tenant space shall not have direct exterior access and shall have Occupancy Frontage(s).
 - One (1) Attached Sign per Occupancy Frontage may be allowed up to a maximum of two (2) additional Attached Signs per building.
 - Each Sign shall not exceed one (1) square foot per two (2) linear feet of Occupancy Frontage.
 - The aggregate Sign Area of all such Signs shall not exceed two hundred (200) square feet.
 - Such Signs shall not reduce the otherwise allowable signage for the Shopping Center Site.
- Shopping Center Corner Buildings: Minor modifications to the scope of the initial project would allow the following:
 - Revise the building floor area to be at least fourteen thousand two hundred and fifty (14,250) square feet within a defined corner area at the intersection of two major public streets.
 - Such Signs and supporting structures shall not project more than fifty (50) feet above grade.

Revise Residential Zoning Districts' Sign regulations:

This Addendum clarifies the following:

- 1) The scope of the project would allow illumination in residential zoning districts subject to specific criteria including but not limited to conformance with the Envision San José 2040 General Plan Goals and Policies related to protection of riparian corridors.
- 2) For multi-family residential developments that have at least one hundred (100) residential units the proposed ordinance may allow one (1) Attached Sign and one (1) Free-standing Sign consisting of no more than thirty two (32) square feet of Sign Area for each such Sign, and the height of the Attached

Sign shall be no higher than thirty (30) feet above grade. The project also proposes a reduced front setback of seven (7) feet for the Free-standing Sign.

The environmental impacts for the proposed amendments are a minor modification to the previous Negative Declaration and are analyzed as part of this Addendum.

CERTIFICATION

The environmental impacts of this project were addressed by an Initial Study and documented by a Negative Declaration for the Sign Code Update, File No PP13-067. Specifically, the following impacts were reviewed and found to be adequately considered:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Traffic and Circulation | <input checked="" type="checkbox"/> Soils and Geology | <input checked="" type="checkbox"/> Noise |
| <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Hazardous Materials | <input checked="" type="checkbox"/> Land Use |
| <input checked="" type="checkbox"/> Public Services | <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Agriculture |
| <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Population and Housing | <input type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> Flooding | <input checked="" type="checkbox"/> Utilities | <input type="checkbox"/> Facilities and Services |
| <input checked="" type="checkbox"/> Water Quality | <input checked="" type="checkbox"/> Recreation | <input type="checkbox"/> |

ANALYSIS:

The proposed project would amend the City’s Sign Code as described above in the project description. The environmental impacts for a broad range of Sign Code amendments were covered by the Negative Declaration (ND), File No PP13-067. The original Negative Declaration (ND) was prepared for the following Sign Code amendments:

- 1) Allow large Shopping Center Sites in non-residential Zoning Districts to have up to two (2) additional non-programmable Attached Signs in areas of the subject sites adjacent to intersections of major public streets. Such a Sign may be double-sided with a Sign Area of up to two hundred (200) square feet per side or two (2) such Signs may be single-sided Signs with a Sign Area of up to two hundred (200) square feet per side;
- 2) Allow Signs in Residential Zoning Districts to be illuminated subject to specific criteria in the Sign Code; allow Awning Signs subject to specific criteria in the Sign Code; and allow multi-family residential developments that have at least one hundred (100) residential units a slightly greater maximum allowable cumulative amount of Sign Area and slightly lesser setbacks for Attached and Free-standing Signs;
- 3) Allow deletion of regulations requiring a Master Sign Program;
- 4) Allow flexibility in the placement of Signs on historic buildings through a Sign Variance and Exception process;
- 5) Allow a comprehensive legal review of the Sign Code to provide clarification and consistency by revising, adding or deleting sections and chapters of the Sign Code; and
- 6) To make related non-substantive, clerical, typographic, or technical modifications.

Amendments described above under ‘project description and location’ are minor modifications or additions to the previous project description and are discussed below. The Addendum clarifies the scope of the project further. One of the clarifications is that the intent of the project is to allow additional signage in residential areas and that illumination of Signs in residential zoning districts would be subject to specific criteria such as conformance to the Riparian Corridor Goals and Policies of the Envision San José 2040 General Plan (the General Plan).

The Sign Code controls the placement, size, quantity and operational parameters of individual Signs. The regulations are proposed in such a manner that they prevent Sign clutter and visual blight, by providing for more intense signage in the urban core and less intense signage in the areas of the City that are suburban or rural in character. These amendments include Sign regulations that have the

possibility that they will affect the visual character of the City, and are therefore being analyzed for potential environmental impacts.

Shopping Center Sites with at least Five Hundred Thousand (500,000) Square Feet of Building Floor Area and Located Outside of a Special Sign Zone

The architectural and site design of a typical Shopping Center Site, such as that which was analyzed in the Initial Study and this Addendum, would include at least one large building with surrounding pad buildings. The buildings are typically one to three stories in height, although some of them might have some portions that are taller for massing and visual interest. Because such large Shopping Center Sites typically have multiple buildings, a larger aggregate floor area and multiple retail tenant spaces, the Sign Code has provisions for such Shopping Center Sites for signage to meet each tenant's needs.

The Sign Code has specific regulations for the quantity and size of Signs, and allows a variety of Sign types to be used for a single tenant space or building subject to specific criteria. The Sign Code allows for different types of signage including one of the most common and popular types of Sign, the "Attached Sign." Attached Signs are typically located on a building, parallel to the building façade. Larger buildings located in a Shopping Center Site may have multiple tenants including interior commercial tenants with no exterior frontage or access. The Sign Code allows a specific number of Signs for such interior tenants subject to specific regulations.

1) Signage for second-story tenants with no exterior access:

For individual tenant spaces that have direct exterior access from a building, the Sign Code regulates the size, quantity and allowable location on a building for Attached Signs based on the Occupancy Frontage¹ of the tenant space. The Sign regulations also provide exceptions to the maximum quantity of Signs otherwise allowed by allowing additional Attached Signs and additional square feet for such Signs based on the size of the building, tenant space, and the type of use. The Sign Code currently allows one Attached Sign per Occupancy Frontage for a retail tenant space located exclusively on a second floor that has an Occupancy Frontage and direct exterior access. The allowance for the size of such Signs is half the ground-level Occupancy Frontage allowance. This approach generally works for tenants that occupy spaces that have an exterior ground-floor or second-story Occupancy Frontage and direct exterior access or for tenants that occupy spaces on multiple floors.

In order to address situations where multiple individual businesses (typically with smaller retail spaces) are located within a building with a common entrance and with no exterior Occupancy Frontage, such as in large buildings located on a Shopping Center Site, the current regulations allow additional Attached Signs subject to specific regulations for maximum allowable Sign Area and number of Signs. The allowable Sign Area and number of additional Attached Signs are based on the size of the building rather than the number of tenant spaces.

This project proposes that second-story retail tenant spaces that have no direct exterior building access may be allowed additional Attached Signs subject to specific provisions. Currently, the Sign Code has specific allowances and regulations for Attached Signs on buildings with a floor area of at least three hundred thousand (300,000) square feet that are located on a large Shopping Center Site. Subject to specific provisions, this project proposes to allow additional Attached Signs cumulatively totaling up to two hundred (200) square feet in size for second-floor retail tenant spaces with at least sixty five thousand (65,000) square feet of contiguous floor area and no exterior access that are located in such a building on a large Shopping Center Site.

2) Shopping Center Corner Buildings:

¹ Occupancy frontage is defined as the length of that portion of a building occupied exclusively by an individual tenant or owner and abutting a parking lot or a public right-of-way including, but not limited to, a street, plaza or alley

The revised project proposes minor modifications to the scope of the Shopping Center Corner Signs that may be attached at or above the roof level of a portion of a building within a corner area of a Shopping Center Site. The corner area would be defined as an area that is within three hundred (300) linear feet of two (2) intersecting lot lines that abut two (2) intersecting public streets (as referenced in the Initial Study and Negative Declaration). The building(s) situated within this corner area would have an aggregate floor area of at least fourteen thousand two hundred and fifty (14,250) square feet instead of the previous proposed minimum floor area of fifteen thousand (15,000) square feet.

The project also proposes to increase the maximum allowable height of the Shopping Center Corner Signs and supporting structures by up to ten (10) feet to a maximum allowable height of fifty (50) feet above grade. This change in height would allow Signs to align better with the maximum allowable height of buildings in many Commercial Zoning Districts. These changes to the floor area and height are incrementally minor in proportion to the amount and intensity of signage that is currently allowed on such large Shopping Center Sites that are located in existing highly developed areas of the City, and is consistent with the analysis in the original Negative Declaration and does not create any additional environmental impacts.

Residential Zoning District

The current Sign regulations allow multi-family residential developments with at least one hundred (100) residential units to have either one (1) Attached Sign or one (1) Free-standing Sign. This Addendum provides clarification that the project proposal is to allow such developments to have both one (1) Attached Sign and one (1) Free-standing Sign. The project proposes to allow no more than thirty two (32) square feet of Sign Area for each such Sign, and the height of the Attached Sign shall be no greater than thirty (30) feet above grade. The project also proposes a reduced front setback of seven (7) feet for the Free-standing Sign.

The current Sign Code provides, as an option, for Signs to be illuminated, except in certain zoning districts or certain circumstances such as in residential zones or when a project is in close proximity to a residential use.

This Addendum clarifies that the intent of the proposed project is to potentially allow illumination of Signs in residential zoning districts in conformance with the General Plan Goals and Policies related to the protection of Riparian Corridors.

Privately-initiated development proposals, including newly proposed signage, are subject to the City's permitting processes to address conformance with the Zoning Code, Envision San José 2040 General Plan (the General Plan) and other applicable codes, policies, and guidelines including the "Outdoor Lighting on Private Developments", City Council Policy Number 4-3 (City Council Lighting Policy) and General Plan Goals and Policies related to the protection of riparian corridors (including but not limited to Riparian Corridors Goal ER-2 and Policy ER-2.2 ensuring a 100-foot setback from riparian habitat where required; and Urban Natural Interface-Goal ER-6 and Policy ER-6.3 that requires minimum impacts of urbanization on natural landscape by maintaining reasonable setback and buffers from sensitive habitat and use of low-glare lighting.

The Envision San José 2040 Final Environmental Impact Report (FEIR) concluded that although development or redevelopment in conformance with the General Plan could contribute to new sources of light and glare, when such development is constructed in conformance with adopted City of San José regulations such as the City Council Lighting Policy, and General Plan Goals and Policies such as but not limited to Riparian Corridors Goal ER-2 and Policy ER-2.3 that new developments be designed such that they protect adjacent riparian corridors from encroachment of lighting into the riparian zones; Urban Natural Interface-Goal ER-6 and Policy ER-6.3 that requires minimum impacts of urbanization on natural landscape by maintaining reasonable setback and buffers from sensitive

habitat and use of low-glare lighting, such development would avoid significant light and glare impacts.

Generally, permanent Signs that are allowed pursuant to the Sign Code are on developed sites that have typically gone through the City's permitting process. Each Sign is required to conform to the regulations of the Sign, Zoning and Building Codes, and such a Sign typically requires discretionary approval by the City of a Development Permit or Permit Adjustment per provisions in the Sign Code and the Zoning Code. Site-specific environmental review under CEQA is completed through this discretionary permitting process.

The Goals and Policies of the General Plan encourage a more vibrant and urbanized city with emphasis on economic growth and higher density developments that directly affect the look and feel of neighborhoods and growth centers. Some of these Goals and Policies such as those related to community design, land use and environment are intended to ensure that through the development review process new projects are reviewed in compliance with CEQA, are built in a manner that is sensitive to surrounding environmental situations, and conform to applicable adopted City regulations.

The previous project analyzed that the environmental impacts of allowing various types of Signs citywide would result in a less than significant impact to the environment and would not cause visual clutter or blight. This project's proposed scope, with existing regulations, would ensure that proposed signage would not cause visual clutter or blight and that environmental impacts would be less than significant.

Section 15162 of the State CEQA Guidelines is found to be applicable to this project in that no substantial changes creating additional environmental impacts or requiring new mitigation measures are proposed nor has any substantial change occurred with respect to the circumstances under which the project is proposed. Therefore, the City finds that pursuant to CEQA Section 15162, no new effects will occur and no new mitigation measures would be required as a result of the project and pursuant to CEQA Section 15164 (b), an Addendum is prepared. In conformance with CEQA, the Director of Planning has determined that a substantial revision to the project has not been made, and no further environmental review or mitigation is required under CEQA.

Dipa Chundur
Project Manager

Joseph Horwedel, Director
Planning, Building and Code Enforcement

10/11/2013
Date

John Davidson
Deputy

ADDENDUM TO A NEGATIVE DECLARATION

Pursuant to Section 15164 of the CEQA Guidelines, the City of San Jose has prepared an Addendum to a Negative Declaration (ND) adopted for a previous project. Because minor changes made to the project described below do not raise important new issues about the effects on the environment, this project is adequately covered by this Addendum to the Negative Declaration from the previous project.

PROJECT DESCRIPTION AND LOCATION

File No. PP14-007. Title 23 of the San Jose Municipal Code (Sign Ordinance) regulates all signs on private property that are erected, constructed or applied or painted on buildings within the City. The proposed project is a revision of the City's Sign Ordinance amending various sections.

Revise Commercial and Industrial Zoning Districts and Neighborhood Business District Sign regulations:

Minor modifications to the scope of the initial project would allow the following minor change to the location of an Attached Sign on a building façade.

- Attached Signs: For high-rise buildings located in an employment growth areas as designated in the Envision San Jose 2040 General Plan's 'Planned Growth Areas Diagram' shall have the allowable Attached Signs to be located no higher than the ninth floor of a building, provided the building has a total building floor area of one hundred thousand (100,000) square feet or more and such building is at least one hundred (100) feet in height above grade.

Revise Open Space, Agricultural and Residential Zoning Districts Sign regulations:

This Addendum clarifies the following:

- Residential Developments: For multi-family residential developments that have at least one hundred (100) residential units the proposed ordinance may allow up to two (2) signs (either Attached or Free-standing Sign) per Street Frontage with no increase in allowed sign area.
- Window Signs: Allow Window Signs subject to specific regulations and in conformance to existing Sign Code regulations in Section 23.02.1060.

The environmental impacts for the proposed amendments are a minor modification to the previous Negative Declaration and Addendum and are further analyzed as part of this new Addendum.

CERTIFICATION

The environmental impacts of this project were addressed by an Initial Study and documented by a Negative Declaration (ND) for the Sign Ordinance Update, File No. PP13-067 and addendum thereof, File No PP13-083. Specifically, the following impacts were reviewed and found to be adequately considered:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Traffic and Circulation | <input checked="" type="checkbox"/> Soils and Geology | <input checked="" type="checkbox"/> Noise |
| <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Hazardous Materials | <input checked="" type="checkbox"/> Land Use |
| <input checked="" type="checkbox"/> Public Services | <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Agriculture |
| <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Population and Housing | <input type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> Flooding | <input checked="" type="checkbox"/> Utilities | <input type="checkbox"/> Facilities and Services |
| <input checked="" type="checkbox"/> Water Quality | <input checked="" type="checkbox"/> Recreation | <input type="checkbox"/> |

BACKGROUND: The original ND and addendum was prepared for the following Sign Code amendments.

- 1) Commercial and Industrial Zoning Districts and the Neighborhood Business Districts: Allow large Shopping Center Sites that have at least five hundred thousand (500,000) square feet of building floor area and are located outside a Special Sign Zone to have:
 - a) Up to two (2) additional non-programmable Attached Signs on Corner Buildings with a total building floor area to be at least fourteen thousand two hundred and fifty (14,250) square feet and situated within a defined corner area at the intersection of two major public streets. Such a Sign may be double-sided with a Sign Area of up to two hundred (200) square feet per side or two (2) such Signs may be single-sided Signs with a Sign Area of up to two hundred (200) square feet per side and Such Signs and supporting structures shall not project more than fifty (50) feet above grade;
 - b) Additional Attached Signs for buildings with a building footprint of at least three hundred thousand (300,000) square feet and which have a second-story interior tenant space with at least sixty five thousand (65,000) square feet of contiguous retail space subject to specific regulations. Such second-story interior tenant space shall not have direct exterior access and shall have Occupancy Frontage(s). Allow one (1) Attached Sign per Occupancy Frontage up to a maximum of two (2) additional Attached Signs per building. Each such Sign shall not exceed one (1) square foot per two (2) linear feet of Occupancy Frontage. The aggregate Sign Area of all such Signs shall not exceed two hundred (200) square feet. Such Signs shall not reduce the otherwise allowable signage for the Shopping Center Site.
- 2) Signage within Open Space, Agricultural, and Residential Districts: Allow Signs in Residential Zoning Districts to be illuminated subject to specific criteria including but not limited to conformance with the Envision San José 2040 General Plan Goals and Policies related to protection of riparian corridors; allow Awning Signs subject to specific criteria in the Sign Code; and allow multi-family residential developments that have at least one hundred (100) residential units to have one (1) Attached Sign and one (1) Free-standing Sign consisting of no more than thirty two (32) square feet of Sign Area for each such Sign, and the height of the Attached Sign shall be no higher than thirty (30) feet above grade. The project also proposes a reduced front setback of seven (7) feet for the Free-standing Sign.
- 3) Citywide Regulations: Allow deletion of regulations requiring a Master Sign Program; and allow flexibility in the placement of Signs on historic buildings through a Sign Variance and Exception process;
- 4) Allow a comprehensive legal review of the Sign Code to provide clarification and consistency by revising, adding or deleting sections and chapters of the Sign Code; and
- 5) To make related non-substantive, clerical, typographic, or technical modifications.

ANALYSIS:

The environmental impacts for a broad range of Sign Ordinance amendments were covered by the ND, File No PP13-067 and addendum thereto, File No PP13-083 as described under 'background' section above. Amendments described under 'project description and location' are minor modifications or additions and are discussed below. The Addendum clarifies the scope of the project further.

This Addendum allows 1) Flexibility in location of Attached Signs on high-rise buildings located in an employment growth areas as designated in the Envision San Jose 2040 General Plan's 'Planned Growth Areas Diagram' in the Commercial / Industrial / Neighborhood Business Districts; 2) Provides further clarifications that for residential developments that have at least one hundred (100) residential units the intent of the project is to allow up to two (2) signs (either Attached or Free-standing) Signs per Street Frontage and that this Addendum does not increase the sign area that was already analyzed; and 3) Other minor modifications to the Residential Zoning District would allow Window Signs subject to specific regulations and in conformance to existing Sign Code regulations in Section 23.02.1060.

The Sign Ordinance controls the placement, size, quantity and operational parameters of individual signs. The regulations are proposed in such a manner that they prevent sign clutter and visual blight, by providing for more intense signage in the urban core and less intense signage in the areas of the City that are suburban or rural in character. These amendments include sign regulations that have the possibility that they will affect the visual character of the City, and are therefore being analyzed for potential environmental impacts.

Commercial and Industrial Zoning Districts' and the Neighborhood Business Districts':

Attached Signs on Buildings in Employment Growth Areas:

The Sign Code has specific regulations for the quantity, size, and location of Signs, and allows a variety of Sign types to be used for a single business or building subject to specific criteria. The current Sign Code has regulations tailored to the characteristics of the "Commercial and Industrial Zoning Districts and Neighborhood Business Districts" Section and allows for different types of Signs to cater to the needs of diverse business establishments. One of the most common types of Sign is the "Attached Sign," which is typically located on a building, parallel to the building façade. The Sign Code also allows other signage types, including Skyline Signs which is a type of Attached Sign on taller buildings subject to specific regulations.

The current Sign Code regulations generally allow Attached Signs to be located no higher than the finished floor elevation of the fourth floor of a building. However, one of the existing exceptions allows such Signs to be located higher on a building or structure when such building or structure is either located in a Neighborhood Business District or is an Assembly Use or Service Station. Another one of the exceptions restricts such Attached Signs to be no higher than the third floor of a building when such building is less than eighty (80) feet in height and has a Skyline Sign.

The General Plan has identified designated growth areas on the General Plan's "Planned Growth Area Diagram," including Employment Areas and Transit Employment Centers. The goals and policies of the General Plan support intensification of these growth areas through higher density and taller buildings to promote jobs and economic growth. Buildings located in these areas are typically mid-rise or high-rise buildings. Recent building activities have seen an increase in higher density development with many high-rise buildings that include tall structures or structures over a one-to-three story base or podium. Previously, the Sign Code regulations were amended to allow such high-rise buildings to have additional signage in the form of Skyline Signs or Roof Signs.

In keeping with economic and business trends, and also to encourage distinctive and aesthetic architectural designs, the project proposal is to allow buildings situated within identified employment growth areas as described above to have Attached Signs to be placed no higher than the finished floor elevation of the ninth floor of a building subject to specific regulations including requiring the buildings to be at least one hundred (100) feet in height above grade and with a total building floor area of at least one hundred thousand (100,000) square feet.

This project's proposed regulations are a minor modification to the previous project in that the scope of this project is to allow flexibility in the location of the sign on high-rise buildings over a certain height as described above and doesn't increase the allowed sign area. The project's proposed regulations ensure that the proposed signage would not cause visual clutter or blight and impacts would be less than significant. This change would provide an opportunity for businesses to advertise themselves and potentially attract more companies to designated employment growth areas.

Open Space, Agricultural and Residential Zoning Districts

Residential Developments: The current Sign regulations allow multi-family residential developments with at least one hundred (100) residential units to have either one (1) Attached Sign or one (1) Free-

standing Sign per public Street Frontage. The previous ND and Addendum as described above allows two (2) Signs (one (1) Attached and one (1) Free-standing Sign). This Addendum provides further clarification that the project proposal would still maintain the number of Signs (up to (2) Signs per Street Frontage) allowed but would allow the flexibility of having either an Attached or a Free-standing Sign.

Window Signs: The current Sign Code regulations allow Window Signs in addition to other allowable signage and do not reduce overall signage allowance. The proposed project would allow residential Parcels and non-residential Parcels with at least two hundred (200) linear feet of Street Frontage to have Window Signs subject to specific regulations that are consistent with regulations in other zoning districts. These proposed minor changes are consistent with the previously adopted ND as addended in that the allowable signage and sign regulations are consistent with those allowed in other Zoning Districts and the deregulation of these Window Signs are similar in character to Awning Signs as analyzed in the previous ND as addended.

The Sign Code regulations currently provide for different types of signage within the urbanized areas of the City, subject to specific regulations to ensure that signage does not cause any significant visual or aesthetic impacts. The Goals and Policies of the General Plan encourage a more vibrant and urbanized city with emphasis on economic growth and higher density developments that directly affect the look and feel of neighborhoods and growth centers. Some of these Goals and Policies such as those related to community design, land use and environment are intended to ensure that through the development review process new projects are reviewed in compliance with CEQA, are built in a manner that is sensitive to surrounding environmental situations, and conform to applicable adopted City regulations.

The previous project analyzed that the environmental impacts of allowing various types of Signs citywide would result in a less than significant impact to the environment and would not cause visual clutter or blight. This project's proposed scope, with existing regulations, would ensure that proposed signage would not cause visual clutter or blight and that environmental impacts would be less than significant.

Section 15162 of the State CEQA Guidelines is found to be applicable to this project in that no substantial changes creating additional environmental impacts or requiring new mitigation measures are proposed nor has any substantial change occurred with respect to the circumstances under which the project is proposed. Therefore, the City finds that pursuant to CEQA Section 15162, no new effects will occur and no new mitigation measures would be required as a result of the project and pursuant to CEQA Section 15164 (b), an Addendum is prepared. In conformance with CEQA, the Director of Planning has determined that a substantial revision to the project has not been made, and no further environmental review or mitigation is required under CEQA.

Dipa Chundur
Project Manager

David Sykes, INTERIM DIRECTOR
Planning, Building and Code Enforcement

2/14/2014
Date

John D. Sykes
Deputy