

# PRESERVATION ACTION COUNCIL OF SAN JOSE

*Dedicated to Preserving San Jose's Architectural Heritage*

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July 24, 2020

Transmitted via e-mail

City of San Jose  
Department of Planning, Building & Code Enforcement  
Attn: Ranu Aggarwal, Environmental Project Manager  
200 E Santa Clara Street, 3rd Floor Tower  
San Jose, CA 95113  
Ranu.Aggarwal@sanjoseca.gov

## **EIR Scoping Input for PP20-004 and ER20-054 (Sign Code Amendments)**

Dear Ms. Aggarwal,

The Preservation Action Council of San Jose (PAC\*sj) submits the following comments regarding the EIR Notice of Preparation for *Amendments to Title 23 of the San Jose Municipal Code for Signs, Including Billboards, Programmable Electronic Signs, and Signs Displaying Off-Site Commercial Speech, On Non City Owned Sites* (PP20-004 and ER20-054).

- As currently proposed, the scope of the project EIR does not include an analysis of potential effects on historic and cultural resources. This is an absolutely essential component of an EIR and its omission from this project would be of grave concern.
- Appropriate EIR analysis of potential effects on historic and cultural resources should include information on the locations of proposed signage relative to City-designated Historic Districts and Conservation Areas, properties on the San Jose Historic Resources Inventory, City Landmarks and Candidate City Landmarks, and properties listed in the California Register of Historical Resources and the National Register of Historic Places. We note that at least three identified freeway-facing parcels included in the Downtown area map (Attachment A-2 of the NOP) are immediately adjacent to the Market-Almaden Conservation Area, and seven are in close proximity to the River Street Historic District. The visibility of potential sign installations from

these and other designated historic areas should be addressed with sight-line studies or proposed buffer areas.

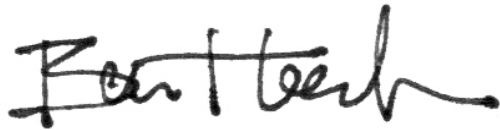
- The level of detail provided in the NOP map attachments is woefully inadequate for meaningful analysis, and we expect the EIR itself to provide parcel-specific location information for all potential signage locations, including both freeway-facing freestanding billboards and building-mounted signs.
- We believe the proposed 4:1 replacement ratio between new digital billboards and removed static billboards is arbitrary and lacking in any qualitative or quantitative analysis. The EIR should address the logic of any proposed replacement ratios, acknowledging that new digital billboards are likely to be far larger in size, taller in height, brighter, more energy-consuming, more conspicuous, and ultimately more “blighting” an element of the visual environment than the static billboards proposed for replacement.
- Likewise, a clear prioritization matrix must be defined for the removal of static billboards and should not be left solely to the discretion of the billboard companies. To our knowledge, there is no public-facing inventory of existing static billboards in the City. Providing this information to the public, preferably through a GIS interface, would allow for meaningful discussion about which static billboards are of highest priority for removal. It is also unclear what the financial implications of this proposal would be to owners of current static billboard sites, and whether the loss of this income stream in some circumstances might have unintended negative consequences in terms of neighborhood disinvestment.
- We also note with grave concern the potential unintended impacts of concentrating digital signage along freeways that disproportionately burden underserved and disadvantaged residential neighborhoods (historic or otherwise) with air and noise pollution, physical barriers, and other adverse affects. This pervasive inequity would only be perpetuated by the addition of digital freeway signage visible from residential properties, and we strongly encourage meaningful residential buffer zones—not just exemptions based solely on parcel-specific land-use designations—in any potential amendments to the current Sign Code.
- The NOP does not state whether building-mounted digital signage in Downtown and North San Jose would be subject to the same replacement ratios as freeway-facing billboards. Likewise, it is unclear what distinction is intended between “allowing” freeway-facing signs and “considering” building-mounted signage. Without clear definitions of the potential locations, sizes, and quantities of building-mounted signs in these designated areas, we do not see how the EIR can meaningfully address their potential environmental impacts, either singularly or cumulatively.
- Given the specific characteristics of modern digital signage, we do not believe that the Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation, nor Chapter 13.48, “Historic Preservation,” of Title 13 of the Municipal Code, are alone sufficient guidelines for the appropriate placement of digital signage on or adjacent to historic resources. We strongly

insist that either a categorical exclusion for historic resources and/or specific and detailed design guidelines be developed and incorporated into this EIR analysis.

- We likewise fear that allowing building-mounted digital signage may create an unintended incentive for the removal and replacement of historic signage from existing buildings, which should be strongly discouraged.

While the above comments are focused on potential impacts to historic and cultural resources, PAC\*SJ also shares many of the same concerns expressed by others about the potentially dire aesthetic, environmental, and safety issues posed by digital signage in general. We are therefore supportive of the current 35-year billboard ban and generally opposed to these amendments as proposed. Nevertheless, we welcome the opportunity to comment on the scope of this EIR and look forward to our concerns being meaningfully addressed.

Sincerely,

A handwritten signature in black ink that reads "Ben Leech". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Ben Leech  
Executive Director  
Preservation Action Council of San Jose