



Legislation Text

File #: 15-002, **Version:** 1

RESOLUTION Adopting a Negative Declaration for the 2015-2023 Housing Element Update of the San Leandro General Plan in Compliance with the California Environmental Quality Act (CEQA)

WHEREAS, the City of San Leandro has completed a draft update of its General Plan Housing Element, dated December 2014, available for review at the Community Development Department in City Hall and Main Library during normal business hours, and incorporated herein by reference; and

WHEREAS, the Housing Element update is defined as a “project” under the California Environmental Quality Act and is thus subject to environmental review; and

WHEREAS, the updated Housing Element proposes no significant changes to the City’s General Plan land use or transportation maps because the updated Housing Element demonstrates that the City can accommodate its Regional Housing Needs Allocation (RHNA) without rezoning properties or increasing currently allowable densities; and

WHEREAS, the City completed an Initial Study and determined that the proposed Housing Element update has no potential for significant environmental impacts. Consistent with CEQA Guidelines section 15074(e), the Initial Study considered whether the Housing Element update would result in a safety hazard or noise problem and determined that it would not; and

WHEREAS, CEQA does not require a detailed evaluation of all projects that could conceivably be developed consistent with Housing Element policies. The updated Housing Element proposes no changes to General Plan land use designations or densities, as analyzed in the 2002 General Plan and related EIR. If and when specific housing developments are proposed, CEQA requires the City to conduct project- and site-specific environmental review for subsequent projects; and

WHEREAS, based on the Initial Study, the City prepared a draft Negative Declaration dated November 17, 2014 (Exhibit A, incorporated herein by reference) and circulated the Initial Study-Negative Declaration (IS-ND) for the required 30 days, from November 18 to December 17, 2014; and

WHEREAS, the City provided public notice of the availability of the IS-ND for public review and posted copies of the document on its website for 30 days; and

WHEREAS, the City received one comment on the draft IS-ND, dated December 10, 2014 from East Bay Municipal Utility District (EBMUD) noting that future developers should coordinate with the District to determine water service requirements. The comment letter is attached as Exhibit B and incorporated herein by reference, and raised no substantive issues regarding the adequacy of the draft IS-ND; and

WHEREAS, a staff report dated December 18, 2014 and incorporated herein by reference, analyzed the IS-ND and the Housing Element update for the Planning Commission; and

WHEREAS, the Planning Commission considered the draft IS-ND and the Housing Element update at a public hearing on December 18, 2014, at which time all interested parties had the opportunity to be heard; and

WHEREAS, the Planning Commission considered the IS-ND, the comment letter, the staff report and all testimony received, and adopted Resolution No. 2014-07 recommending that the City Council adopt the IS-ND, which resolution is attached as Exhibit C and incorporated herein by reference; and

WHEREAS, a staff report dated January 20, 2015 and incorporated herein by reference, analyzed the IS-ND and the Housing Element update for the City Council; and

WHEREAS, the City Council considered the draft IS-ND and the Housing Element update at a public hearing on January 20, 2015, at which time all interested parties had the opportunity to be heard; and

WHEREAS, the City Council considered the IS-ND, the comment letter received, the Planning Commission recommendation, the staff report and all testimony prior to taking action on the Housing Element update; and

WHEREAS, the location and custodian of the documents or other material which constitutes the record of proceedings upon which the decision is based is the City of San Leandro Community Development Department, San Leandro City Hall, 835 East 14th Street, San Leandro, CA 94577.

NOW, THEREFORE, BE IT RESOLVED that the above recitals are true and correct and made a part of this resolution.

BE IT FURTHER RESOLVED that the City Council adopts the IS-ND attached as Exhibit A based on the following findings.

1. The City Council considered the draft IS-ND and the comment letter received during the public review period prior to taking action on the proposed Housing Element update.
2. On the basis of the whole record before it (including the initial study and comments received), there is no substantial evidence that the Housing Element update will have a significant effect on the environment.
3. The Housing Element update will not result in a safety hazard or noise problem for future residents of the potential housing development sites identified in the update.