

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.

PROJECT NAME: Leo Recycling Project

PROJECT FILE NUMBER: SPA15-016-02

PROJECT DESCRIPTION: A Special Use Permit Amendment request for the continued operation of an existing recycling processing facility to allow increasing the amount of materials processed and minor operational modifications, within an existing 50,000 square feet building on a 2.5-gross acre site

PROJECT LOCATION: 215 Leo Avenue (north side of Leo Avenue, approximately 540 feet west of South 7th Street) in the City of San José

ASSESSORS PARCEL NO.: 477-24-049

COUNCIL DISTRICT: 7

APPLICANT CONTACT INFORMATION: Rick Mauck (Rick Mauck Professional Consulting), 1741 Santa Cruz Avenue, Santa Clara, California, 95051; Tel: 408-393-4071

FINDING

The Director of Planning, Building and Code Enforcement finds the project described above would not have a significant effect on the environment. The attached Initial Study identifies **no** potentially significant effects on the environment, as further clarified in the list below:

MITIGATION MEASURES INCLUDED IN THE PROJECT TO REDUCE POTENTIALLY SIGNIFICANT EFFECTS TO A LESS THAN SIGNIFICANT LEVEL

- A. **AESTHETICS** – The project would not have a significant impact on this resource, therefore no mitigation is required.
- B. **AGRICULTURE AND FORESTRY RESOURCES** – The project would not have a significant impact on this resource, therefore no mitigation is required.

- C. **AIR QUALITY**- The project would not have a significant impact on this resource, therefore no mitigation is required.
- D. **BIOLOGICAL RESOURCES** - The project would not have a significant impact on this resource, therefore no mitigation is required.
- E. **CULTURAL RESOURCES**- The project would not have a significant impact on this resource, therefore no mitigation is required.
- F. **ENERGY** – The project would not have a significant impact on this resource, therefore no mitigation is required.
- G. **GEOLOGY AND SOILS** – The project would not have a significant impact on this resource, therefore no mitigation is required.
- H. **GREENHOUSE GAS EMISSIONS**- The project would not have a significant impact on this resource, therefore no mitigation is required.
- I. **HAZARDS AND HAZARDOUS MATERIALS**- The project would not have a significant impact on this resource, therefore no mitigation is required.
- J. **HYDROLOGY AND WATER QUALITY** - The project would not have a significant impact on this resource, therefore no mitigation is required.
- K. **LAND USE AND PLANNING** – The project would not have a significant impact on this resource, therefore no mitigation is required.
- L. **MINERAL RESOURCES** – The project would not have a significant impact on this resource, therefore no mitigation is required.
- M. **NOISE** – The project would not have a significant impact on this resource, therefore no mitigation is required.
- N. **POPULATION AND HOUSING** – The project would not have a significant impact on this resource, therefore no mitigation is required.
- O. **PUBLIC SERVICES** – The project would not have a significant impact on this resource, therefore no mitigation is required.
- P. **RECREATION** – The project would not have a significant impact on this resource, therefore no mitigation is required.
- Q. **TRANSPORTATION / TRAFFIC** – The project would not have a significant impact on this resource, therefore no mitigation is required.
- R. **TRIBAL CULTURAL RESOURCES** - The project would not have a significant impact on this resource, therefore no mitigation is required.
- S. **UTILITIES AND SERVICE SYSTEMS** – The project would not have a significant impact on this resource, therefore no mitigation is required.

T. WILDFIRE – The project would not have a significant impact on this resource, therefore no mitigation is required.

U. MANDATORY FINDINGS OF SIGNIFICANCE

Cumulative impacts would be less than significant. The proposed Project would implement the identified mitigation measures and would have either have no impacts or less-than-significant impacts on air quality, biological resources, noise, and transportation. Therefore, the proposed Project would not contribute to any cumulative impact for these resources. The Project would not cause changes in the environment that have any potential to cause substantial adverse direct or indirect effects on human beings.

PUBLIC REVIEW PERIOD

Before 5:00 p.m. on **Monday December 6, 2021** any person may:

1. Review the Draft Negative Declaration (ND) as an informational document only; or
2. Submit written comments regarding the information and analysis 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.

Christopher Burton, Director
Planning, Building and Code Enforcement

11/2/2021

Date

Deputy

SANHITA GHOSAL
Environmental Project Manager

Circulation period: **November 5, 2021 to December 6, 2021.**