

Planning and Development Department
Land Use Planning Division

NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED CITY OF BERKELEY HOUSING ELEMENT UPDATE

The City of Berkeley has prepared a Draft Environmental Impact Report (EIR) for the City's Housing Element Update ("the project") and is requesting comments on the Draft EIR. The Draft EIR addresses the potential physical environmental effects of the Project for each of the environmental topics outlined in the California Environmental Quality Act (CEQA).

Copies of the Draft EIR are on file at the City's offices located online at:
<https://berkeleyca.gov/construction-development/land-use-development/general-plan-and-area-plans/housing-element-update>.

This notice is being sent to the California State Clearinghouse, Alameda County Clerk, adjacent cities, and other interested parties and individuals who have indicated they would like to review the Draft EIR.

PROJECT TITLE: City of Berkeley 2023-2031 Housing Element Update

PROJECT SPONSOR: City of Berkeley

PROJECT LOCATION: The project, which is an update to the Housing Element of the General Plan, is applicable to the entire City of Berkeley (citywide). The City of Berkeley is located in the East Bay of the San Francisco Bay Area in northern Alameda County. Berkeley is bordered by the cities of Oakland and Emeryville to the south and the city of Albany and the unincorporated community of Kensington to the north, the Berkeley Hills (Contra Costa County) to the east, and the San Francisco Bay to the west. The city encompasses approximately 17.2 square miles (approximately 7.2 of which is underwater in the San Francisco Bay) with a population of approximately 122,580 residents and 51,500 housing units. The city contains a combination of residential, commercial, and industrial development. The regional setting and existing city limits are depicted on Figure 1. Pursuant to Section 15087(c)(6) of the CEQA Guidelines, there are numerous sites on a list enumerated under Section 65962.5 of the Government Code in Berkeley.

PROPOSED PROJECT DESCRIPTION and BACKGROUND: The proposed project consists of a comprehensive update to the Housing Element and related edits to the City's General Plan Land Use Element and Berkeley Municipal Code.

The Housing Element is one of the seven state-mandated elements of the local General Plan and is required to be updated every eight years. The City of Berkeley is preparing the 2023-2031 Housing Element Update to comply with the legal mandate that requires

each local government to identify adequate sites for housing to meet the existing and projected housing needs for varying income-levels in the community. It is intended to provide the city with a comprehensive strategy for promoting the production of safe, decent and affordable housing, and affirmatively furthering fair housing during the housing cycle. The Housing Element Update establishes goals, policies, and actions to address the existing and projected housing needs in Berkeley.

The goals, policies, and actions in the Housing Element are required to meet Berkeley's Regional Housing Needs Assessment (RHNA) allocation. Berkeley's latest RHNA allocation calls for 8,934 new housing units, including 3,854 new units for residents in the low- and very low-income categories. The City must demonstrate to the State Department of Housing and Community Development (HCD) that the City's Housing Element has adequate land capacity and implementing policies to accommodate its RHNA allocation. In addition, HCD recommends that cities identify a "buffer" of 15% to 30% above RHNA for lower- and moderate-income categories. Thus, overall, the City's zoning and other land use regulations must accommodate between approximately 10,275 and 11,615 new units.

The City has determined that rezoning is not needed to meet the RHNA. However, recent development activity suggests current zoning does not deliver the level of deed-restricted affordable housing and economic diversity that the HEU aims to achieve. Therefore, the HEU contains implementation programs and zoning policies to encourage additional housing, particularly affordable housing that supports a diversity of income levels and household types.

The EIR analyzes growth of an estimated 19,098 units over the Housing Element period. The EIR Sites Inventory includes an estimated 4,685 units considered Likely Sites for development, an estimated 2,415 units that are currently in the entitlement and development Pipeline, an estimated 8,053 units included in a number of Opportunity Sites identified by the City, approximately 1,745 units projected to result from rezoning of lower-density districts, and 1,000 units projected to result from rezoning of the Southside Plan Area. This total may not include all potential residential development sites within the City limits, and individual sites may or may not be developed at the allowable densities. The placement and design of buildings on specific sites cannot be determined until the City receives an application for a specific project.

In conjunction with the Housing Element Update, the City anticipates amendments to the General Plan including revising the Land Use Element to maintain consistency with the updated Housing Element. The Land Use Element revisions are to ensure consistency among all General Plan Elements upon implementation of the updated Housing Element.

More information about the proposed project can be found on the City's website:
<https://www.cityofberkeley.info/housingelement/>

PUBLIC COMMENT PERIOD: The Draft EIR will be available for public comment for a 45-day review period as specified by CEQA Guidelines Section 15105. The purpose of this comment period is to allow the public and reviewing agencies an opportunity to consider the content of the Draft EIR and the potential environmental impacts that may result from project implementation.

Comments pertaining to the impact analysis, criteria and thresholds, mitigation measures, and alternatives presented in the Draft EIR will be considered by the City during preparation of the Final EIR. The Final EIR will include copies of comments and the City's responses to comments pertaining to the environmental analysis provided in the Draft EIR. The public comment period for the Draft EIR will begin on August 30, 2022 and end on **October 17, 2022** (a 45-day public review period). Comments may be submitted by mail or email by 5:00 p.m. on **October 17, 2022**. Please include the name of the contact person and contact information for your agency, and direct your comments to:

Mail: Justin Horner, Associate Planner, Land Use Planning Division, 1947 Center Street, 2nd Floor, Berkeley, CA 94704

Email: JHorner@cityofberkeley.info

PUBLIC HEARING: The City of Berkeley Planning Commission is anticipated to take public comments and consider the Draft EIR at their regularly scheduled meeting on **Wednesday, September 7, 2022**. The meeting will start at **7:00 PM** and be held via video and teleconference only. Interested parties should check the Planning Commission website for information on how to join the meeting and to confirm the meeting date, time, and agenda:

https://www.cityofberkeley.info/Clerk/Commissions/Commissions_Planning_Commission_Homepage.aspx

POTENTIAL ENVIRONMENTAL EFFECTS: Approval of the proposed Housing Element Update would not approve any physical development (e.g., construction of housing or infrastructure). However, the EIR will assume that such actions are reasonably foreseeable future outcomes of the Housing Element Update. As such, the Draft EIR evaluates the potential physical environmental impacts that could result from future actions for implementing the policies proposed under the Housing Element Update at a programmatic level, in accordance with CEQA Guidelines Section 15168.

The Draft EIR found that the proposed would have no physical environmental impacts related to agriculture and forestry resources and mineral resources. Impacts related to biological resources, energy, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, population and housing, public services, recreation, transportation, and utilities and service systems would be less than significant. Impacts related to air quality, geology and soils, and tribal cultural resources would be significant but mitigable to less than significant. Impacts to historical resources, construction noise, wildfire, and cumulative cultural resources, construction noise, and wildfire impacts would be significant and unavoidable.



Justin Horner, Associate Planner
Date of Distribution: August 30, 2022
Attachments: Figure 1: City of Berkeley Location Map

Figure 1 City of Berkeley Location Map



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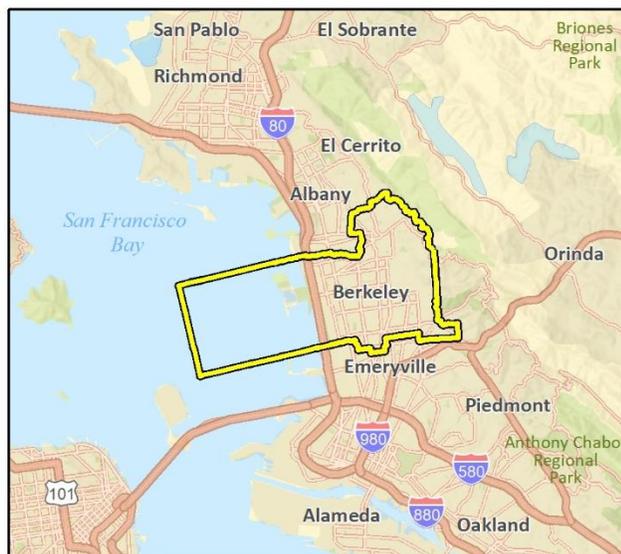


Fig. 1 Regional Location