



NOTICE OF PREPARATION
of a Draft Program Environmental Impact Report (EIR) for the
City of Foster City 6th Cycle Housing Element Update, Safety
Element Update, and Associated Zoning Amendments

DATE: January 26, 2022

TO: State Clearinghouse, Responsible Agencies, Trustee Agencies, Federal Agencies, and other Interested Agencies, Interested Parties, and Organizations

SUBJECT: Notice of Preparation (NOP) of a Draft Program Environmental Impact Report (EIR) for the City of Foster City 6th Cycle Housing Element Update, Safety Element Update, and Associated Zoning Amendments and Notice of Public Scoping Meeting (EA2021-0004) and Notice of Public Scoping Meeting

NOP COMMENT PERIOD: January 26, 2022 to February 25, 2022 by 5:00 p.m.

PUBLIC SCOPING MEETING: February 17, 2022 at 7:00 p.m. Zoom Webinar

LEAD AGENCY: City of Foster City Community Development Department
Marlene Subhashini, Community Development Director
610 Foster City Blvd.
Foster City, CA 94404
Phone: (650) 286-3239
Email: msubhashini@fostercity.org

NOTICE IS HEREBY GIVEN THAT The City of Foster City (lead agency) will prepare a Draft Program Environmental Impact Report (EIR) for the proposed City of Foster City 6th Cycle Housing Element Update, Safety Element Update, and Associated Zoning Amendments (collectively referred to as the “proposed project”). The Program EIR will address the environmental impacts associated with the adoption and implementation of the proposed project. This Notice of Preparation (NOP) is being distributed to applicable responsible agencies, trustee agencies, and interested parties as required by the California Environmental Quality Act (CEQA). Interested agencies are requested to comment on the scope and content of the descriptions of the significant environmental issues, mitigation measures (if needed), and reasonable alternatives to be explored in the Program EIR. Information regarding the project description, project location, public outreach process and topics to be addressed in the Program EIR is provided below.

30-DAY NOP COMMENT PERIOD: The City of Foster City solicits comments regarding the scope and content of the Program EIR from all interested parties, responsible agencies, agencies with jurisdiction by law, trustee agencies, and involved agencies. In accordance with the time limits established by CEQA, the NOP public review period will begin on January 26, 2022 and end on February 25, 2022. If no response or request for additional time is received by any Responsible or Trustee Agency by the end of the review period, the Lead Agency may presume that the Responsible Agency or Trustee Agency has no response

to make [CEQA Guidelines Section 15082(b)(2)]. Please send your written/typed comments (including name, affiliation, telephone number, and contact information) by 5:00 p.m. on February 25, 2022 to:

City of Foster City Community Development Department
Marlene Subhashini, Community Development Director
610 Foster City Blvd.
Foster City, CA 94404
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PUBLIC SCOPING MEETING: The City will hold an EIR Public Scoping Meeting to: 1) inform the public and interested agencies about the proposed Project; and 2) solicit public comment on the scope of the environmental issues to be addressed in the Program EIR as well as the range of practicable alternatives to be evaluated. Meeting details are provided below:

Thursday, February 17, 2022 at 7:00 p.m.

Please click the link below to join the webinar:

<https://fostercity-org.zoom.us/j/83998928441>

Or One tap mobile :

US: +16699006833,,83998928441# or +14086380968,,83998928441#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 (669) 900-6833 or +1(408) 638-0968 or +1(346) 248-7799 or +1(253) 215-8782 or
+1(312)626-6799 or +1(646)876-9923 or +1(301)715-8592

Webinar ID: 839 9892 8441

International numbers available: <https://fostercity-org.zoom.us/j/83998928441>

As an alternative, the City will also stream video and audio of the public scoping meeting at the following webpage; however, the link below does not provide the ability to comment during the meeting:
<https://www.fostercity.org/community/page/fctv-live-stream>.

PROJECT-RELATED DOCUMENTS: Foster City's existing General Plan documents (including the 2015-2023 Housing Element and 2016 Local Hazard Mitigation Plan/Safety Element) and materials for the proposed project and Program EIR are available at fostercity.org. More information specific to the Housing Element Update process is available at: <https://www.fostercity.org/commdev/page/housing-element-update-cycle-6>.

PROJECT LOCATION: The City of Foster City is located in central San Mateo County. The City is bordered by San Mateo to the west, Belmont to the southwest and Redwood City to the southeast, with the San Francisco Bay bordering the east and northeast. The General Plan Planning Area is the geographic extent for the environmental analysis, composed of approximately 12,345 acres. California State Route 92, which serves as a major east to west corridor in the Bay Area, intersects Foster City, which includes the western terminal of the San Mateo Bridge. Route 101, a major north-south highway runs along the west side of the City boundary which connects Foster City to San Francisco to the north and San Jose to the south.

The City Boundaries and regional location of Foster City are shown in **Figure 1-1**.

PROJECT BACKGROUND: The City of Foster City's comprehensive General Plan establishes a consistent direction for future development and contains elements covering State-mandated topics. The Foster City General Plan Elements are: Land Use and Circulation, Housing, Parks and Open Space, Noise, Local Hazard Mitigation Plan & Safety, and Conservation. The City of Foster City adopted its General Plan elements at various times and has updated one or two elements at a time based on State requirements. In accordance with State law, the new planning period, also known as the "6th Cycle", for the updated Housing Element will extend from January 31, 2023 to January 31, 2031. Revision of the Housing Element also

triggers review and update of the Safety Element (SB 1035, 2018). Through this update process, the City may need to amend other elements to ensure internal consistency between the various General Plan elements.

KEY COMPONENTS OF HOUSING ELEMENT: Through the Housing Element update process, the City is required to demonstrate that it has the regulatory and land use policies to accommodate its assigned Regional Housing Needs Allocation (RHNA). Local governments are not required to build the housing; rather, the actual development of housing is anticipated to be constructed by developers. However, the Housing Element is required to identify potential sites where housing can be accommodated to meet all the income levels of a jurisdiction's RHNA. Identification of potential sites and related site housing capacity does not guarantee that construction will occur on that site. If there are insufficient sites and capacity to meet the RHNA allocation, the Housing Element is required to identify a rezoning program to accommodate the required capacity. If there is insufficient infrastructure capacity to support the RHNA allocation, the Housing Element is required to include a program that ensures access and availability to infrastructure. If the City does not identify capacity for its RHNA allocation, the City could be deemed out of compliance and risk losing important sources of funding currently provided by the State as well as face legal challenges including loss of local control.

The Key Components of the housing element are:

1. Housing Needs Assessment: Examine demographic, employment, and housing trends and conditions and identify existing and projected housing needs of the community, with attention paid to special housing needs (e.g., large families, persons with disabilities).
2. Evaluation of Past Performance: Review the prior Housing Element to measure progress in implementing policies and programs.
3. Housing Sites Inventory: Identify locations of available sites for housing development or redevelopment to ensure there is enough land zoned for housing to meet the future need at all income levels and potentially rezone areas, if necessary.
4. Affirmatively Furthering Fair Housing (AFFH): Facilitate deliberate action to explicitly address, combat, and relieve disparities resulting from past patterns of segregation to foster more inclusive communities, in compliance with Assembly Bill 686 (2018).
5. Community Engagement: Implement a robust community engagement program, reaching out to all economic segments of the community plus traditionally underrepresented groups.
6. Constraints Analysis: Analyze and recommend remedies for existing and potential governmental and nongovernmental barriers to housing development.
7. Policies and Programs: Establish policies and programs to be carried out during the 2023-2031 planning period to fulfill the identified housing needs.

REGIONAL HOUSING NEEDS ALLOCATION (RHNA): In addition to including goals, policies, and implementation strategies regarding housing, housing elements must include a list of housing sites that can accommodate the amount of housing units assigned to the City by the Association of Bay Area Governments (ABAG). This assignment is referred to as a RHNA. Along with the amount of RHNA units currently assigned to the City (see Table 1), the City needs to provide a buffer (extra housing sites) to ensure there is capacity to ensure an ongoing supply of sites at each income level for housing during the eight-year-cycle of the Housing Element. Without the buffer, the City could be obliged to identify new sites and amend the Housing Element prior to the end of the cycle if an identified site were developed with a non-housing project or developed at a density less than that anticipated in the Housing Element or developed at affordability levels higher than that anticipated in the Housing Element.

The need for a buffer is even more important during this cycle because of new rules in the Housing Accountability Act's "no net loss" provisions. SB 166 (2017) requires that the land inventory and site identification programs in the Housing Element always include sufficient sites to accommodate the unmet RHNA. This means that if a site identified in the Element as having the potential for housing development to accommodate the lower-income portion of the RHNA is actually developed for a higher income level, the locality must either: 1) identify and rezone, if necessary, an adequate substitute site; or 2) demonstrate that

the land inventory already contains an adequate substitute site. An adequate buffer will be critical to ensuring that the City remains compliant with the requirements.

Table 1 City of Foster City RHNA

INCOME LEVEL	RHNA
Very-Low-Income (0-50 percent of AMI) *	520
Low-income (50-80 percent of AMI)	299
Moderate-income (80-120 percent of AMI)	300
Above moderate-income (120 percent or more of AMI)	777
TOTAL	1,896

*Area Median Income

PROPOSED HOUSING SITES INVENTORY: The Housing Element Update will include a housing sites inventory with sufficient existing and new housing sites at appropriate densities to meet the City’s RHNA requirement plus a buffer. To determine where these potential housing sites will be and what densities will be required, the City will seek community input and feedback by engaging with the community online and at public meetings/study sessions to identify parcels in the City where housing sites could potentially be located. In addition to these sites, the City anticipates accessory dwelling units spread throughout the City.

SAFETY ELEMENT: The goal of the Safety Element is to reduce the negative impacts caused by natural phenomena such as fires, floods, droughts, earthquakes, and landslides. This goal is achieved by identifying policies and programs that reduce the risks faced by residents. In recent years, State requirements have expanded the Safety Element’s scope to include climate change vulnerability and adaptation and greater attention to evacuation routes. Jurisdictions are required to complete a vulnerability assessment, develop adaptation and resilience goals, policies, and objectives, and develop a set of feasible implementation measures addressing climate change adaptation and resiliency (SB 379, 2015). Jurisdictions must review and update these portions of the Safety Element upon each revision of the Housing Element or Local Hazard Mitigation Plan (LHMP), but not less than once every eight (8) years. (SB 1035, 2018).

PROGRAM EIR ANALYSIS: The City of Foster City, as the Lead Agency, will prepare a Program EIR for the proposed project in accordance with CEQA, implementing the CEQA Guidelines, relevant case law, and City procedures. The Foster City 6th Cycle Housing Element Update, Safety Element Update, and Associated Zoning Amendments is considered a “project” under CEQA and is therefore subject to CEQA review. As policy documents, the proposed project provides guidance and sets standards for several areas of mandatory environmental review for later “projects” that would be undertaken by local government and the private sector.

The Program EIR will evaluate potential environmental impacts associated with adoption and implementation of the proposed project. The Program EIR will disclose potential impacts of the proposed project, propose mitigation measures to avoid and/or reduce impacts deemed potentially significant, identify reasonable alternatives, and compare the environmental impacts of the alternatives to the proposed project’s impacts. Pursuant to Section 15063(a) of the CEQA Guidelines, no Initial Study will be prepared. The Program EIR will evaluate the full range of environmental issues contemplated under CEQA and the CEQA Guidelines.

At this time, it is anticipated that the following issues/technical sections will be addressed in the EIR:

- Aesthetics
- Air Quality
- Energy
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Land Use and Planning

- Noise
- Population and Housing
- Public Services, Recreation, and Utilities
- Transportation

The Project, as currently understood, does not have the potential for significant impacts on the following environmental factors, and, as a result, these environmental factors will receive limited analysis in this EIR:

- Biological Resources
- Cultural Resources
- Geology and Soils
- Hydrology and Water Quality
- Mineral Resources
- Tribal Cultural Resources

The Program EIR will also discuss the cumulative impacts of the project in combination with other closely related past, present, and reasonably foreseeable probable future projects in the vicinity.

The Program EIR will describe and evaluate the comparative merits of a reasonable range of alternatives to the project that could reasonably accomplish most of the basic project objectives and could avoid or substantially lessen one or more of the significant impacts. The Program EIR will also analyze the “No Project Alternative” and will identify the environmentally superior alternative. The Program EIR will briefly describe and explain any alternatives that were eliminated from detailed consideration. The alternatives to be analyzed will be developed during the environmental review process and will consider input received during the public scoping process.

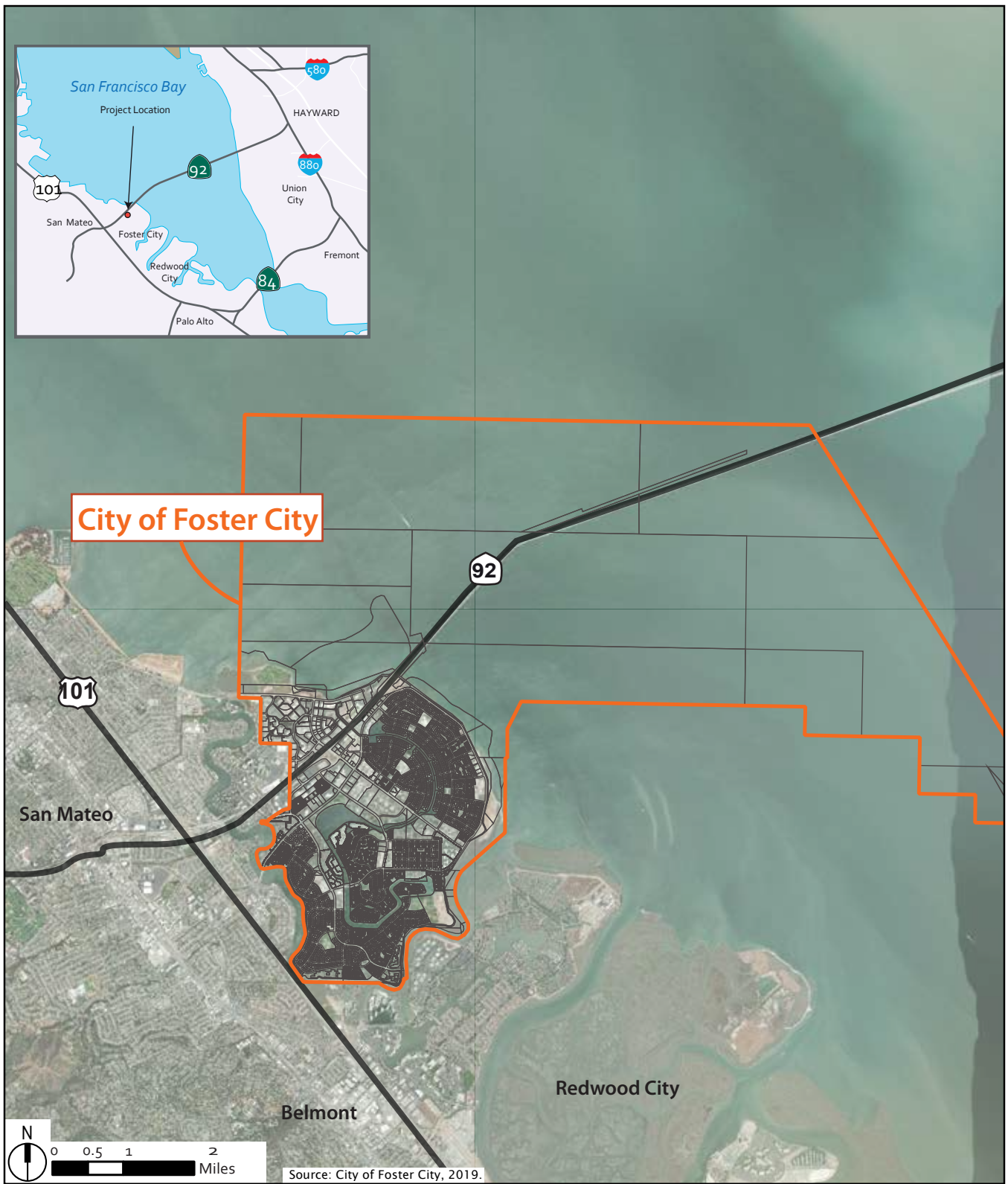
THE PURPOSE OF THIS NOTICE: In accordance with the State CEQA Guidelines (14 California Code of Regulations [CCR] Section 15082), the City has prepared this NOP to inform agencies and interested parties that an EIR will be prepared for the Foster City 6th Cycle Housing Element Update, Safety Element Update, and Associated Zoning Amendments. The purpose of an NOP is to provide sufficient information about the proposed project to allow agencies and interested parties the opportunity to provide a meaningful response related to the scope and content of the EIR, including mitigation measures that should be considered and alternatives that should be addressed (State CEQA Guidelines 14 CCR Section 15082[b]).

ENVIRONMENTAL REVIEW PROCESS: Following completion of the 30-day NOP public review period, the City will incorporate relevant information into the Draft Program EIR, including results of public scoping and technical studies. Subsequently, the Draft Program EIR will be circulated for public review and comment for a 45-day public review period. The City requests that any potential Responsible or Trustee Agency responding to this notice do so in a manner consistent with CEQA Guidelines Section 15082(b). All interested parties that have submitted their names and email or mailing addresses will be notified throughout the CEQA review process.

A copy of the NOP can be found on the project website at www.fostercity.org and on file at the City of Foster City Community Development Department (610 Foster City Blvd., Foster City, CA 94404). If you wish to be placed on the mailing list or need additional information, please contact Marlene Subhashini, Community Development Director, City of Foster City, at (650) 286-3239 or msubhashini@fostercity.org.

Attachments:

Figure 1-1, Regional Location



- Foster City Limit
- Foster City city parcels
- Water bodies

Figure 1-1
Regional Location