



SARATOGA

California

Community Development Department

13777 Fruitvale Avenue

Saratoga, CA 95070

408.868.1222

NOTICE OF PREPARATION

of a Draft Program Environmental Impact Report (EIR) for the
City of Saratoga 6th Cycle Housing Element Update,
Safety Element Update, 2040 General Plan Update and Associated Rezonings

DATE: February 28, 2022

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

SUBJECT: Notice of Preparation (NOP) of a Draft Program Environmental Impact Report (EIR) for the City of Saratoga 6th Cycle Housing Element Update, Safety Element Update, 2040 General Plan Update, and Associated Rezonings and Notice of Public Scoping Meeting

NOP COMMENT PERIOD: February 28, 2022 to March 30, 2022 by 5:00 p.m.

PUBLIC SCOPING MEETING: March 21, 2022, at 6:00 p.m. Zoom Webinar

LEAD AGENCY: City of Saratoga Community Development Department
Debbie Pedro, AICP, Community Development Director
13777 Fruitvale Avenue
Saratoga, CA 95070
Phone: (408) 868-1231
Email: dpedro@saratoga.ca.us

NOTICE IS HEREBY GIVEN THAT The City of Saratoga (lead agency) will prepare a Draft Program Environmental Impact Report (EIR) for the proposed City of Saratoga 6th Cycle Housing Element Update, Safety Element Update, 2040 General Plan Update, and Associated Rezonings (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 Saratoga 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 February 28, 2022 and end on March 30, 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

Notice of Preparation

City of Saratoga 6th Cycle Housing Element Update, Safety Element Update, 2040 General Plan Update, and Associated Rezonings EIR

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 March 30, 2022 to:

City of Saratoga Community Development Department
Debbie Pedro, AICP, Community Development Director
13777 Fruitvale Avenue
Saratoga, CA 95070
Phone: (408) 868-1231
Email: dpedro@saratoga.ca.us

PUBLIC SCOPING MEETING: The City will hold a 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. The date, time and place of the meeting is as follows:

Monday, March 21, 2022 at 6:00 p.m.

Use the following information to join the meeting using Zoom or by calling in:

Webinar URL: <https://us02web.zoom.us/j/87442325794>

Call In: 1.408.638.0968 or 1.669.900.6833

Webinar ID: 874 4232 5794

PROJECT-RELATED DOCUMENTS: Saratoga's existing General Plan documents (including the 2015-2023 Housing Element and 2013 Safety Element) and materials for the 2040 General Plan Update are available at www.saratoga.ca.us/gp. More information specific to the Housing Element Update process is available at www.saratoga.ca.us/housing.

PROJECT LOCATION: The City of Saratoga is located in northwestern Santa Clara County. The City is bordered by San Jose to the north and northwest, Campbell to the east, Monte Sereno to the southeast, and the Fremont Older Open Space Preserve and unincorporated county lands to the west. The General Plan Planning Area is the geographic extent for the environmental analysis, composed of approximately 9,016 acres (approximately 7,201 acres within City limits and 1,815 acres within the City's Sphere of Influence).

California State Route 85 (SR-85) intersects the northeast corner of the City and connects Saratoga to the rest of the San Francisco Bay Area to the north and U.S. Route 101, a major north-south highway, to the east. In addition, State Route 9 (SR-9) intersects the southern portion of the city and provides connections to State/regional parks and Santa Cruz to the south.

The City Boundaries and regional location of Saratoga are shown in **Attachment 2**.

PROJECT BACKGROUND: The City of Saratoga's comprehensive General Plan establishes a consistent direction for future development and contains elements covering State-mandated topics. The Saratoga General Plan Elements are: Land Use, Circulation & Scenic Highways, Housing, Open Space & Conservation, Noise, and Safety. The City of Saratoga adopted its General Plan in 1983 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).

In addition to the General Plan, the City of Saratoga has adopted the Hillside Specific Plan in 1994, the Village Specific Plan in 1988, and Area Plans in 1988. These plans provide area-specific guidance for future development and work concurrently with the goals and policies of the General Plan. In 2016, the Saratoga City Council determined that the Village Specific Plan had served its useful life, and that future policy guiding

land use, development, and building modifications in the village should be incorporated into the General Plan.

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 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 facing legal challenges.

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.
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 (see Table 1).

Along with the amount of RHNA units assigned to the City, the City needs to provide a buffer (extra housing sites) to ensure there is capacity to ensure an ongoing supply of sites 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.

The need for a substantial 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 below also includes the proposed number of housing units with a buffer.

Table 1 City of Saratoga RHNA and Proposed Housing Units Across Income Categories

INCOME LEVEL	RHNA	PROPOSED
Very-Low-Income (0-50 percent of AMI) *	454	504
Low-income (50-80 percent of AMI)	261	309
Moderate-income (80-120 percent of AMI)	278	317
Above moderate-income (120 percent or more of AMI)	719	777
TOTAL	1,712	1,907

*Area Median Income

PROPOSED 6TH CYCLE HOUSING ELEMENT UPDATE: The City will be adopting a new Housing Element to comply with all requirements of State law. This will include all the components noted above. As required by State law, the proposed housing sites inventory includes 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 to satisfy legal requirements, the City has conducted several study sessions with the public to identify parcels in the City where housing sites could potentially be located. These parcels are spread throughout the City and are identified in Attachment 1 and shown in Attachment 2. The proposed project also includes changes to the General Plan Land Use Element and the City’s zoning code necessary to implement the Housing Element.

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 wildfire and 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 years. (SB 1035, 2018).

2040 GENERAL PLAN UPDATE: In addition to the 6th Cycle Housing Element and Safety Element, the City of Saratoga is updating the Land Use, Open Space & Conservation, and Circulation & Scenic Highways Elements to reflect current conditions, amend inconsistencies, and achieve compliance with current state laws and applicable regional policies (known collectively as the “2040 General Plan Update”). No changes are proposed to the Noise Element or to the currently adopted land uses except as necessary to implement the Housing Element.

As part of the update process, the recently adopted goals and policies for the Saratoga Village Specific Plan will be incorporated into the Land Use Element and the existing Village Plan (May 1988, modified April 2010) will be rescinded.

PROGRAM EIR ANALYSIS: The City of Saratoga, as the Lead Agency, will prepare a Program EIR for the proposed project. These actions are subject to CEQA review and the Program EIR will be prepared in accordance with CEQA, implementing the CEQA Guidelines, relevant case law, and City procedures. 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, such as specific infrastructure or development projects.

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 Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services, Recreation, and Utilities
- Transportation
- Tribal Cultural Resources
- Wildfire

The Program EIR will also discuss the cumulative impacts of the proposed 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 proposed 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 proposed project. 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 parties that have submitted their names and email or mailing addresses will be notified throughout the CEQA review process.

A copy of the NOP (in full color) can be found on the City website at www.saratoga.ca.us/gp_or_housing, and it is available on file at the City of Saratoga Planning Department (13777 Fruitvale Avenue, Saratoga, CA 95070).

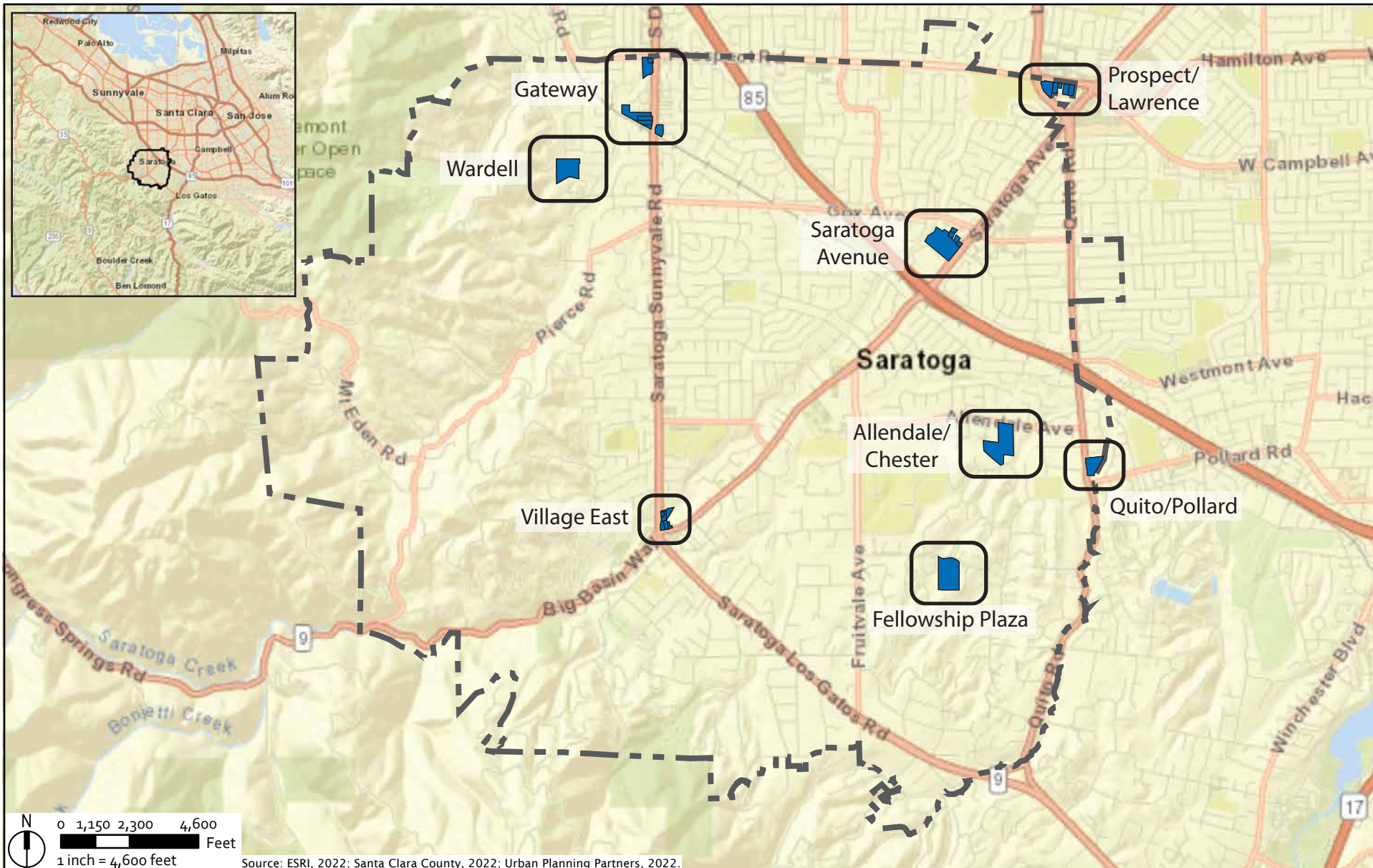
Attachments:

- Attachment 1, Proposed Housing Opportunity Sites
- Attachment 2, Diagram Showing Location of Proposed Housing Opportunity Sites

Attachment 1

Proposed Housing Opportunity Sites

Areas	Assessor Parcel		Parcel Size (Gross Acres)	Lot Square Footage	Existing Use/Vacancy	Units Planned by Total		
	Number	Site Address/Intersection				City	Units	
Saratoga Ave.	38906017	13025 Saratoga Ave.	9.76	426,024	Vacant		293	
Saratoga Ave.	38906007	12961 Village Dr.	0.45	19,643	Office Building		14	
Saratoga Ave.	38906006	12943 Village Dr.	0.38	16,587	Vacant		11	
Saratoga Ave.	38906008	Village Dr.	0.49	21,389	Vacant		15	
Saratoga Ave.	38906016	12989 Saratoga Ave.	0.37	16,151	Vacant		11	
Gateway S.	36612066	12361 Saratoga Sunnyvale Rd.	0.32	13,968	Commercial Building		10	
Gateway S.	36612065	12341 Saratoga Sunnyvale Rd.	0.94	41,031	Funeral Home		28	
Gateway S.	36612054	12333 Saratoga Sunnyvale Rd.	1.01	44,087	Commercial Building		30	
Gateway S.	36612072	12299 Saratoga Sunnyvale Rd.	3.08	134,442	Storage		92	
Gateway S.	38653031	12312 Saratoga Sunnyvale Rd.	1.23	53,690	Office Building		37	
Gateway N.	36622022	12029 Saratoga Sunnyvale Rd.	2.54	110,871	Commercial Center		38	
Gateway N.	36622023	12015 Saratoga Sunnyvale Rd.	0.38	16,587	Gas Station		6	
Village East	39727028	14320 Saratoga Sunnyvale	0.46	20,079	Commercial Center		14	
Village East	39727029	20440 Arbeleche Ln.	0.83	36,230	Multi-Family		25	
Village East	39727001	Arbeleche Ln. (city parcel)	0.28	12,222	Parking Lot (City)		8	
Village East	39731020	14395 Saratoga Ave	0.49	21,389	Office Building		15	
Village East	39731011	14375 Saratoga Ave.	0.56	24,444	Office Building		17	
Village East	39731008	14363 Saratoga Ave.	0.28	12,222	Office Building		8	
Prospect/Lawrence	38610043	18562 Prospect Rd.	2.14	93,411	Commercial Center		171	
Prospect/Lawrence	38610004	18560 Prospect Rd.	0.87	37,976	Carwash		70	
Prospect/Lawrence	38610055	18522 Prospect Rd.	0.3	13,095	Auto Repair		24	
Prospect/Lawrence	38610006	18506 Prospect Rd.	0.94	41,031	Auto Parts		75	
Prospect/Lawrence	38610007	18480 Prospect Rd.	0.87	37,976	Commercial Building		70	
Fellowship Plaza	39712016	14500 Fruitvale Ave.	10.47	457,016	Senior Housing		80	
Wardell	36614041	20851 Wardell Road	7.35	320,828	Vacant		10	
Allendale/Chester	39701071	14001 Chester Ave.	12.13	529,475	Agriculture		24	
Quito/Pollard	40322016	14076 Quito Road	3.56	155,394	Vacant		10	
							1,206	1,206



City of Saratoga Boundary