

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Alameda

From: (Public Agency): William Gilchrist, Director
Planning & Building Department
250 Frank H. Ogawa Plaza, Oakland, CA 94612

(Address)

Project Title: Oakland 2045 General Plan Update: 2023-2031 Housing Element Adoption

Project Applicant: City of Oakland

Project Location - Specific:

citywide

Project Location - City: Oakland Project Location - County: Alameda

Description of Nature, Purpose and Beneficiaries of Project:

See attached.

ENDORSED
FILED
ALAMEDA COUNTY

FEB 22 2023

MELISSA WILK, County Clerk
By Deputy

Name of Public Agency Approving Project: City of Oakland

Name of Person or Agency Carrying Out Project: William Gilchrist, Director Planning & Building Department

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
Categorical Exemption. State type and section number:
Statutory Exemptions. State code number: 15283 (Housing Needs Allocation), 15262 (Feasibility and Planning Studies)

Reasons why project is exempt:

See attached.

Lead Agency
Contact Person: Lakshmi Rajagopalan, Planner IV, Planning & Building Area Code/Telephone/Extension: 510-238-6751

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Date: 12/19/2023 Title: DIRECTOR

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:



CITY OF OAKLAND

Bureau of Planning

250 Frank H. Ogawa Plaza, Suite 3315, Oakland, California, 94612-2032

NOTICE OF EXEMPTION (NOE) ATTACHMENT OAKLAND 2045 GENERAL PLAN UPDATE: 2023-2031 HOUSING ELEMENT ADOPTION

NATURE, PURPOSE, AND BENEFICIARIES OF THE PROJECT:

The Housing Element is one of the required elements of the General Plan; and serves as an eight-year blueprint and framework to meet the housing needs of all people within the community at all economic levels, including low-income households and households with special needs.

The 2023-2031 Housing Element presents goals, policies, and actions to affirmatively further fair housing for all Oaklanders by addressing Oakland's need for more affordable homes, promoting integrated and vibrant communities, expanding housing options in more affluent neighborhoods, and reinvesting in less affluent neighborhoods. The 2023-2031 Housing Element takes significant action to address urgent community needs, including protecting Oakland residents from displacement, improving Oakland's existing housing stock, expanding affordable housing opportunities, expanding resources for the unhoused, and promoting neighborhood stability and health.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The adoption of the 2023-2031 Housing Element is exempt from the California Environmental Quality Act (CEQA) for the following reasons, each as a separate and independent basis: (1) it can be seen with certainty that there is no possibility that adoption of the 2023-2031 Housing Element may have a significant effect on the environment (the "common sense" exemption, CEQA Guidelines Section 15061(b)(3)), because the 2023-2031 Housing Element involves policies, programs, and actions to meet the City's regional housing needs allocation that either would not cause a significant effect on the environment or incorporates ongoing, existing actions being taken by the City; (2) the 2023-2031 Housing Element is a planning document that serves to implement the City of Oakland's regional housing needs allocation by identifying sites available for construction of housing under existing zoning (CEQA Guidelines Section 15283 and California Government Code Section 65584(g)); (3) the 2023-2031 Housing Element is a planning study containing actions that will require independent review, environmental determination, and adoption by the Oakland City Council prior to their implementation (CEQA Guidelines Section 15262 and California Public Resources Code Sections 21102 and 21150); and (4) the 2023-2031 Housing Element seeks to assure the protection of the environment by reducing greenhouse gas emissions per capita in the City through infill development, which is consistent with research, local and regional planning on the most impactful measures local governments can take in response to climate change (CEQA Guidelines Section 15308).

In addition, the Sites Inventory included in the 2023-2031 Housing Element to demonstrate the City's ability to accommodate Oakland's RHNA is consistent with the development standards provided in previous planning documents, for each of which an EIR was prepared and certified, including: (a) 1998 Land Use and Transportation Element EIR (Resolution No. 74129 C.M.S.); (b) 1998 and 2006 Estuary Policy Plan EIRs (Resolution Nos. 75037 C.M.S. and 79982 C.M.S.) and 2013 Central Estuary Area Plan Supplemental EIR (Resolution No. 84442 C.M.S.); (c) 2014 West Oakland Specific Plan (Resolution No. 85108 C.M.S.); (d) 2014 Broadway Valdez District Specific Plan (Resolution No. 85065 C.M.S.); (e) 2014 Lake Merritt Station Area Plan (Resolution No. 85276 C.M.S.); and (f) 2015 Coliseum Area Specific Plan (Resolution No. 85491 C.M.S.).

According to data from the Alameda County Transportation Commission (ACTC), the City of Oakland, along with the Cities of Berkeley and Emeryville, has the lowest per capita rate of vehicle miles traveled (VMT) in the county (13.2, 11.4, and 10.3 respectively in 2020, compared to a county average of 19.4 and nine-county regional average of 19.8), meaning that individuals who live in Oakland on average drive substantially less than individuals living in other cities in the county and region, and therefore have a significantly reduced carbon footprint. Research findings from the study led by Chris Jones at the University of California, Berkeley (coolclimate.berkeley.edu), also note that the single most impactful method available to the City of Oakland to reduce greenhouse gas emissions from local policies is through urban infill development, findings which have been affirmed in other studies, including as summarized in an October 2020 report prepared by Smart Growth America and Transportation for America entitled, “Driving Down Emissions: Transportation, Land Use, and Climate Change.

In addition, the City of Oakland 2030 Equitable Climate Action Plan (ECAP) sets the City’s roadmap to reducing Oakland’s local climate emissions a minimum of fifty-six percent (56%) from 2005 levels by 2030. To that end, the ECAP Action TLU-1 calls for the General Plan, upon its next update, to align with the City’s greenhouse gas (GHG) reduction, adaptation, resilience, and equity goals.

The Plan Bay Area 2050 – the Bay Area region’s long-range strategic plan for transportation, housing, the economy, and the environment also identifies substantial portions of Oakland as areas in which the region must focus housing development (“Priority Development Areas”), and acknowledges that building housing within cities with low per capita rates of vehicle miles traveled is critical to reducing the region’s transportation related greenhouse gas emissions, and includes housing strategies to allow for a greater mix of housing densities within without Priority Development Areas, select Transit-Rich Areas, and select High-Resource Areas (Action H3), and to construct additional housing to ensure homes for all (Action H4).

Finally, the 2022 California Air Resources Board (CARB) Scoping Plan for Achieving Carbon Neutrality, Appendix D (Local Actions) and Appendix E (Sustainable and Equitable Communities) explains that reducing VMT, including by encouraging future housing production and multi-use development in infill locations and other areas in ways that make future trip origins and destinations closer together and create more viable environments for transit, walking, and biking, is necessary and must be accelerated for the State of California to achieve long-term carbon neutrality goals.

*ENVIRONMENTAL DECLARATION

(CALIFORNIA FISH AND GAME CODE SECTION 711.4)

LEAD AGENCY NAME AND ADDRESS

City of Oakland
250 Frank H. Ogawa Plaza
Suite 3315
Oakland CA 94612

FOR COUNTY CLERK USE ONLY

**ENDORSED
FILED
ALAMEDA COUNTY**

FEB 22 2023

MELISSA WILK, County Clerk
By M. [Signature] Deputy

FILE NO: 23-042

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:

(PLEASE MARK ONLY ONE CLASSIFICATION)

1. NOTICE OF EXEMPTION / STATEMENT OF EXEMPTION

A - STATUTORILY OR CATEGORICALLY EXEMPT

\$ 50.00 - COUNTY CLERK HANDLING FEE

2. NOTICE OF DETERMINATION (NOD)

A - NEGATIVE DECLARATION (OR MITIGATED NEG. DEC.)

\$ 2,480.25 - STATE FILING FEE

\$ 50.00 - COUNTY CLERK HANDLING FEE

B - ENVIRONMENTAL IMPACT REPORT (EIR)

\$ 3,445.25 - STATE FILING FEE

\$ 50.00 - COUNTY CLERK HANDLING FEE

3. OTHER: _____

A COPY OF THIS FORM MUST BE COMPLETED AND SUBMITTED WITH EACH COPY OF AN ENVIRONMENTAL DECLARATION BEING FILED WITH THE ALAMEDA COUNTY CLERK.

BY MAIL FILINGS:

PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND TWO (2) SELF-ADDRESSED ENVELOPES.

IN PERSON FILINGS:

PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND ONE (1) SELF-ADDRESSED ENVELOPES.

ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING.

FEES ARE EFFECTIVE JANUARY 1, 2021

MAKE CHECKS PAYABLE TO: ALAMEDA COUNTY CLERK