



NOTICE OF AVAILABILITY OF A DRAFT INITIAL STUDY AND NEGATIVE  
DECLARATION FOR THE CITY OF HERCULES 6<sup>TH</sup> CYCLE (2023-2031) HOUSING  
ELEMENT UPDATE

DATE: August 25, 2022  
TO: Responsible Agencies, Trustee Agencies, and Interested Parties  
FROM: City of Hercules, Lead Agency/Applicant  
CONTACT: Timothy Rood, Community Development Director  
PROJECT: City of Hercules 6<sup>th</sup> (2023-2031) Cycle Housing Element Update

**PROJECT LOCATION:** The City of Hercules 2023-2031 Housing Element applies to all proposed and existing residential and mixed-use zoning districts, as well as to General Plan land use designations that allow residential or mixed-use development within the municipal boundaries of the City of Hercules.

Hercules is located within the West County portion of Contra Costa County, which includes the urbanized shoreline of San Francisco and San Pablo Bays. The City is separated from the remainder of Contra Costa County by the Briones Hills and open space lands. The incorporated City of Pinole is located south of Hercules and the unincorporated community of Rodeo is located north of Hercules.

Most of the City's land area is located east of the I-80 corridor, which runs in a north-south direction through the community. Hercules is predominantly a residential community, with traditional single-family detached dwellings located both east and west of the I-80 corridor. Commercial and retail areas are generally located along Sycamore and Willow Avenues near the eastbound I-80 off-ramp. Industrial and R&D/office uses are concentrated in the northwest portion of Hercules, with light industrial uses dispersed to the east of I-80 along SR 4 and Willow Avenue.

**PROJECT DESCRIPTION:** The proposed Project includes the adoption of the 2023–2031 Housing Element of the Hercules General Plan and implementation of identified programs and polices set forth in the draft Housing Element. The State of California has mandated that all local jurisdictions within the Bay Area have approved updated Housing Elements to reflect current “fair share” housing allocations for each City and County. The State Housing and Community Development Department (HCD) reviews all Housing Elements to determine compliance with State Law governing the content of these Elements.

The Housing Element is one of seven required elements of the General Plan. It addresses existing and future housing needs of persons in all economic segment groups and serves as a tool for decision-makers and the public in understanding and meeting housing needs in Hercules. While

the law does not require local governments to actually construct housing to meet identified needs, it does require that the community address housing needs in its discretionary planning actions by creating opportunities for housing in the land use plan and facilitating housing development through policy.

Housing Elements are legal documents, included within a community’s General Plan, that identify housing related conditions, provide an assessment of housing needs for the next five-year period of time, identify housing resources, identify housing opportunities and constraints, and establish policies, programs, and quantified housing objectives to achieve City housing needs.

Several factors influence the demand for housing in Hercules. The four major needs categories considered in the Housing Element include: 1) housing needs resulting from population growth, both in the City and the surrounding region; 2) housing needs resulting from overcrowding of units; 3) housing needs that result when households are paying more than they can afford for housing; and 4) housing needs of "special needs groups" such as the elderly, large families, female-headed households, households with a physically or developmentally disabled person, farm workers, and the homeless.

The City of Hercules 2023-2031 Housing Element profiles key community demographics and examines the related housing needs of various groups, including owners versus renters, lower-income households, overcrowded households, elderly households, special needs groups, and homeless persons. This information is detailed in the Housing Element.

California housing element law requires that each city and county develop local housing programs designed to meet their “fair share” of housing needs for all income groups, based on projected population growth. The HCD Housing Policy Division develops Regional Housing Needs Assessments (RHNA) for each region of the State represented by councils of governments. The Association of Bay Area Governments (ABAG) determines the housing allocation for each city and county within its six-county jurisdiction. ABAG has assigned Hercules a housing allocation of 995 units for the 2023-2031 planning period. Table 3 (Regional Housing Needs Assessment) identifies the total projected housing needs for the 2023-2031 Housing Element.

**Table 1  
Regional Housing Needs Assessment**

<b>Income Category</b>	<b>% of County AMI</b>	<b>2023-2031 RHNA Allocation Number of Units</b>	<b>Percentage of Units</b>
Extremely Low	0-50%	0	0%
Very Low	30-50%	344	34.6%
Low	51-80%	198	19.9%
Moderate	81-120%	126	12.6%
Above Moderate	120% +	327	32.9%
<b>Total</b>		<b>995</b>	<b>100%</b>

*Source: ABAG, 6<sup>th</sup> Cycle RHNA Allocation 2022*

The proposed Housing Element identifies housing opportunity sites to accommodate the City's fair share of regional housing needs for the 2023-2031 planning period to help meet the RHNA. These sites are depicted on Exhibit 3 (Housing Opportunity Sites). The City of Hercules has already met about 35 percent of its total RHNA goal with its units constructed or in the pipeline. The Hercules 2023-2031 Housing Element provides an inventory of vacant properties within the City, most of which are located within various planned development areas such as Central Hercules Plan and the Waterfront District Master Plan. The properties were all previously approved for high-density or mixed-used residential development or with pending projects. However, due to economic downturn, these approved projects have not moved forward, and therefore the sites remain available for future development. All of the housing sites are either approved by the City of Hercules or are currently being considered for approval, generally within large residential or mixed-use districts or specific plan areas. No rezoning or amendments to any applicable area plan or regulating code are proposed as part of this project.

**POTENTIALLY SIGNIFICANT ENVIRONMENTAL EFFECTS:** The City of Hercules finds that find that the proposed project **could not** have any new and significant effects on the environment that were not previously identified and addressed in the earlier environmental analyses.

Earlier analyses may be used where, pursuant to tiering, a program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration [Reference CEQA Guideline Section 15063 (c)(3)(d)]. There may be sites in the City of Hercules that are included on the Government Code Section 65962.5 (Cortese List) regarding the presence of hazardous materials.

Portions of the environmental analysis for this Initial Study refer to information contained in one or more of the EIRs listed below. The draft Housing Element does not propose any General Plan or Specific Plan land use changes or any rezoning of properties. The City of Hercules proposes to meet its RHNA through existing General Plan land use and zoning designations. The following environmental review documents reflect these existing designations and/or zoning in their respective analyses.

- City of Hercules General Plan Land Use and Circulation Elements Update and Redevelopment Plan Amendments, Environmental Impact Report, SCH# 1995033027, certified on June 9, 1995.
- Hercules New Town Center EIR, SCH# 2007062002, certified on February 10, 2009.
- Hercules Update 2009 Redevelopment Plan EIR, SCH # 2008112040, certified on May 26, 2009.
- Hercules Bayfront Project EIR, SCH # 2009112058, certified on October 11, 2011.

These documents are incorporated herein by reference and are available for public review at the Hercules Planning Department, 111 Civic Drive, Hercules, during normal business hours. They are also posted on the City's website at the following internet address:  
<https://www.ci.hercules.ca.us>.

**PUBLIC REVIEW PERIOD:** The 30-day public review period for the Draft Initial Study and Negative Declaration will commence on August 31, 2022, and end on September 30, 2022, for interested individuals and public agencies to submit written comments on the document. Any written comments on the Draft EIR must be received at the below address within the public review period. The Draft EIR is available in digital format online at:

<https://www.ci.hercules.ca.us/government/community-development/general-plan/housing-element-update>

Paper copies of the Draft Initial Study and Negative Declaration will be available at Hercules City Clerk, 111 Civic Dr, Hercules, CA 94547, and the Hercules Library, 109 Civic Dr, Hercules, CA 94547.

**WRITTEN COMMENTS:** Please submit written or email comments to:

Timothy Rood, Community Development Director  
City of Hercules Community Development Department  
111 Civic Drive  
Hercules, California 94547  
[trood@ci.hercules.ca.us](mailto:trood@ci.hercules.ca.us)

**PUBLIC MEETING:** Time will be allotted during the regular City of Hercules Planning Commission on a date that is to be announced following the comment period, for the public and interested parties to submit spoken, comments on the Draft Initial Study and Negative Declaration. A virtual option will also be provided as a courtesy for those who would prefer to view, listen to, or provide comments remotely for the meeting. Please be advised that while City staff will make every effort to facilitate virtual participation in the meeting, the City cannot guarantee that the public's access to teleconferencing technology will be uninterrupted, and Hercules technical difficulties may occur from time to time.