

Date: October 4, 2023

To: Matt Diaz, Advanced Planning Manager, City of Stockton

Subject: Housing Element and Safety Element: CEQA Guidelines Section 15183 Compliance
Memorandum

Introduction

The purpose of this memorandum is to document compliance with the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15183 for the Housing Element and Safety Element Project.

Project Description

The proposed project is an update to the Housing Element and Safety Element, both State-mandated elements of the General Plan. The overall purpose of the Housing Element is to identify current and projected housing needs; show locations where housing can be built; and set goals, policies, and programs to meet the community's housing needs. The foundation of the Housing Element is the Regional Housing Needs Allocation (RHNA), which is 12,673 units, which includes 1,232 extremely low-income units, 1,233 very low-income units, 1,548 low-income units, 2,572 moderate-income units, and 6,088 above moderate-income units. The city has identified sufficient sites with adequate development capacity to accommodate these new housing units in each category under existing land use designations and zoning, with surplus units in all categories.

State law requires that the Housing Element identify adequate sites that exist within the Land Use Element of the General Plan for housing by including an inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, including analysis of the development capacity that can realistically be achieved for each site. The purpose of the Sites Inventory is to evaluate whether there are sufficient sites with appropriate zoning to meet the RHNA. The sites analysis is based on the City's current land use designations and zoning districts. The City's Sites Inventory for future housing identifies vacant housing sites, approved projects, and projected accessory dwelling units, throughout the City that could be developed with more than 22,000 new housing units, which exceeds the RHNA assigned to the City under existing conditions. The development capacity of each of the identified sites is based on land use and zoning densities currently in place. No land use redesignations or rezonings are necessary to meet the RHNA, and no redesignation or rezoning would occur as part of the adoption of the proposed Housing Element.

Every general plan in California must address natural and human-made hazards and dangers, and identify the potential risk of death, injuries, property damage, and economic and social dislocation from fires, floods, earthquakes, and other events. Public safety and emergency response are top priorities in Stockton, but not just in relation to widespread events. The focus of the Safety Element is on improving public safety and reducing the risk of hazards. The Safety Element is organized around four key goals that represent the priorities of the Stockton community:

GOAL SAF-1: SAFE COMMUNITY: Create a safe and welcoming environment in all areas of the city at all times of day.

GOAL SAF-2: HAZARD PROTECTION: Protect residents and businesses from natural and human-caused hazards.

GOAL SAF-3: CLEAN WATER: Sustain clean and adequate water supplies.

GOAL SAF-4: CLEAN AIR: Improve local air quality.

Each of these goals has associated policies and actions to meet these goals. None of the goals or actions would result in changes to land uses or development that was not already included in the General Plan and analyzed in the General Plan EIR.

Project Compliance with CEQA Section 15183

CEQA Guidelines Section 15183 mandates that projects, which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects, which are peculiar to the project or its site. This process allows for streamlining CEQA compliance for qualifying projects and reduces the need to prepare repetitive environmental studies. In fact, evaluation under CEQA Guidelines Section 15183 is compelled by subsection (i) which states, “Where the prior EIR relied upon by the lead agency was prepared for a general plan or community plan that meets the requirements of this section, any rezoning action consistent with the general plan or community plan shall be treated as a project subject to this section.”

The General Plan is the foundation development policy document for the City of Stockton. It defines the framework by which the physical, economic, and human resources of the City are to be managed and used over time. The General Plan acts to clarify and articulate the intentions of the City with respect to the rights and expectations of the public, property owners, and prospective investors and business interests. The General Plan informs these citizens of the goals, objectives, policies, and standards for development of the City and the responsibilities of all sectors in meeting these.

Ordinarily, as a policy document, the Housing Element would not result in physical changes to the environment but rather encourage the provision of affordable housing within the housing development projected within the existing land use designations in the Land Use Element of the General Plan.

In accordance with CEQA Guidelines Section 15183, the Project would not require additional environmental review because the following findings can be made:

1. The project is consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified. As noted above, the Sites Inventory identified capacity for 22,435 units, which exceeds the City’s RHNA by 9,762.
2. There are no project specific effects that are peculiar to the project or its site, and which the general plan update EIR failed to analyze as a significant impact.

The General Plan EIR found that implementation of the General Plan could result in significant impacts associated with aesthetics, conversion of agricultural land to non-agricultural use, air quality/greenhouse gas emissions, biological resources, noise, growth inducement, and traffic impacts; however, mitigation measures specified within the 2040 General Plan EIR have been

identified to mitigate such impacts to the extent feasible. Because the proposed Project would not change and land use designations from those analyzed in the EIR, the proposed Project's impacts related to these topics would not differ from those identified in the General Plan EIR.

3. There are no environmental effects related to the Project that would result in potentially significant off-site and/or cumulative impacts that were not identified in the General Plan EIR.

The proposed Project would be consistent with the General Plan designations and zoning and classifications that were considered in the 2040 General Plan and analyzed in the General Plan EIR. The 2040 General Plan assumed development of the Project site. The General Plan EIR has considered the incremental impacts of the proposed Project and the proposed Project would apply the 2040 General Plan EIR policies and mitigation measures as applicable. With the implementation of the 2040 General Plan EIR policies and mitigation measures, the proposed Project would not generate potentially significant off-site or cumulative impacts that have not been previously identified and analyzed in the 2040 General Plan EIR.

4. There is no substantial new information that was not known at the time the General Plan EIR was certified that indicates more severe impacts than discussed in the EIR. No new information has been identified which would result in determination of a more severe impact that had been anticipated by the General Plan EIR. Where impacts have been identified, the 2040 General Plan EIR incorporates policies and mitigation measures to reduce such impacts, where feasible.
5. The project will undertake feasible mitigation measures specified in the General Plan EIR. When applicable, subsequent development after Project approval would implement feasible mitigation measures and policies as specified in the 2040 General Plan EIR. These mitigation measures and policies would be implemented by the Project through project design, compliance with regulations and ordinances.

Conclusion

The proposed Project has been reviewed in compliance with CEQA guidelines and requirements. Pursuant to CEQA Guidelines Section 15183, the proposed Project is consistent with and is covered by the City of Stockton 2040 General Plan EIR. The Project, as is, would not require further documentation to be prepared under CEQA.