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2
3 **RESOLUTION NO. 2015-5**

4 **A RESOLUTION OF THE ALBANY CITY COUNCIL OF THE CITY OF**
5 **ALBANY, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, ADOPTING**
6 **THE INITIAL STUDY-MITIGATED NEGATIVE DECLARATION FOR THE**
7 **2015-2023 ALBANY HOUSING ELEMENT BY THE ALBANY CITY COUNCIL**

8 **WHEREAS**, the City of Albany has prepared a Draft Housing Element for the
9 2015-2023 period in accordance with State Government Code 65580-65589.8; and

10
11 **WHEREAS**, on February 3, 2013 the Albany City Council approved a contract
12 and scope of work for the General Plan Update which included the update and completion
13 of the Housing Element for the 2015-2023 reporting period; and

14
15 **WHEREAS**, the Albany Planning & Zoning Commission held public hearings to
16 discuss the Housing Element on July 23, 2014, September 10, 2014, September 24, 2014,
17 October 8, 2014, and December 10, 2014; and

18
19 **WHEREAS**, a public workshop was held with City staff on July 22, 2014 to
20 discuss the Housing Element; and

21
22 **WHEREAS**, the Albany City Council reviewed a draft of the 2015-2023 Housing
23 Element on October 21, 2014 and acted to send the draft document to the State
24 Department of Housing and Community Development (HCD) for review; and

25
26 **WHEREAS**, adoption of the Housing Element constitutes an amendment to the
27 Albany General Plan and is defined as a "project" under the California Environmental
28 Quality Act (CEQA), which is thus subject to environmental review; and

29

1 **WHEREAS**, the City retained the consulting firm Placeworks to prepare an
2 Initial Study of the proposed 2015-2023 Housing Element; and

3
4 **WHEREAS**, the Initial Study-Mitigated Negative Declaration (IS-MND) was
5 made available to the public on December 9, 2014; and

6
7 **WHEREAS**, on December 9, 2014 and Notice of Public Hearing for the Planning
8 & Zoning Commission and a Notice of Availability for the IS-MND were published in
9 the Contra Costa Times pursuant to Section 65090 and Section 65355 of the California
10 Government Code

11
12 **WHEREAS**, the City provided public notice of the availability of the IS-MND
13 for public review and posted copies of the document on the City of Albany website for
14 over 21 days; and

15
16 **WHEREAS**, two comment letters were received during the comment period from
17 East Bay Municipal Utility District and Alameda County Transportation Commission;
18 and

19
20 **WHEREAS**, prior to the January 7, 2015 hearing, the Planning & Zoning
21 Commission was provided with the complete contents of the Draft Housing Element for
22 the 2015-2023 planning period reflecting edits in response to the comment letter dated
23 December 1, 2014 received from HCD and the draft IS-MND for the Housing Element;
24 and

25
26 **WHEREAS**, on January 7, 2015 the Albany Planning and Zoning Commission
27 held a duly noticed public hearing to receive comments on the Initial Study-Mitigated
28 Negative Declaration (IS-MND) and draft Housing Element for the 2015-2023 planning
29 period;

1 **WHEREAS**, on January 7, 2015 the Albany Planning and Zoning Commission
2 adopted Resolution 2015-01 recommending adoption of the Initial Study-Mitigated
3 Negative Declaration for the 2015-2023 Albany Housing Element by the Albany City
4 Council; and

5
6 **WHEREAS**, on January 7, 2015, the Albany Planning and Zoning Commission
7 adopted Resolution 2015-02 recommending adoption of the 2015-2023 Housing Element
8 by the Albany City Council; and

9
10 **WHEREAS**, a public hearing notice was published in the West County Times
11 and posted in three public places pursuant to California Government Code Section 65090
12 on January 23, 2015 for the public hearing held on February 2, 2015; and

13
14 **WHEREAS**, the City Council held a public hearing and considered all public
15 comments received, the presentation by City staff, the staff report, and all other pertinent
16 documents regarding the proposed request;

17
18 **NOW THEREFORE, BE IT RESOLVED THAT THE ALBANY CITY**
19 **COUNCIL MAKES THE FOLLOWING FINDINGS:**

- 20
21 a. The Planning and Zoning Commission has reviewed the record for the
22 Mitigated Negative Declaration for the Housing Element, including the Initial
23 Study;
- 24 b. The documents and materials that constitute the record of proceedings shall be
25 maintained with the City of Albany Community Development Department,
26 1000 San Pablo Avenue, Albany, CA 94706;
- 27 c. The Mitigated Negative Declaration identifies all potentially significant
28 adverse environmental impacts and feasible mitigation measures that would
29 reduce these impacts to a less-than-significant level. All of the mitigation

1 measures identified in the Mitigated Negative Declaration, including those in
2 the Mitigation Monitoring and Reporting Program, will be adopted as part of
3 the Project. The Commission finds that on the basis of the whole record before
4 it, there is no substantial evidence that the Project, as mitigated in the
5 Mitigated Negative Declaration, will have a significant impact on the
6 environment;

7 d. Any development proposals that would result from implementation of the
8 Housing Element will be evaluated in accordance with Section 15002 (d) of
9 CEQA. Prior to approval of such developments, the City shall conduct
10 project-specific environmental review to determine whether any significant
11 impacts could occur. As appropriate, the City shall require measures to
12 mitigate potential significant impacts;

13 e. The 2015-2023 Housing Element proposes no changes to the Albany General
14 Plan Map or Zoning Map, and proposes no zoning changes which would
15 increase allowable density;

16 f. During the preparation of the Initial Study Checklist, it was determined that
17 adoption of the Housing Element would have no impact or have less-than-
18 significant impact on the following environmental factors: Aesthetics,
19 Agricultural Resources, Biological Resources, Cultural Resources, Geology
20 and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials,
21 Land Use and Planning, Mineral Resources, Noise, Population and Housing,
22 Public Services, Recreation, Transportation/Traffic, Utilities/Service Systems;

23 g. During the preparation of the Initial Study Checklist, it was determined that
24 adoption of the Housing Element could have a potentially significant impact
25 on one or more of the following environmental factors: Air Quality,
26 Hydrology and Water Quality;

27 h. Consistent with CEQA Statutes and CEQA Guidelines, the Mitigated
28 Negative Declaration contains a full and complete explanation as to how the
29 potentially significant impact on these environmental factors are reduced to

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less-than-significant impact levels by the incorporation of the required mitigation measures set forth in the Mitigation Monitoring and Reporting Program attached hereto as Exhibit A and incorporated herein;

- i. The Mitigated Negative Declaration constitutes an adequate, accurate, objective and complete document prepared, published, circulated and reviewed in accordance with the requirements of CEQA and the City CEQA Guidelines;
- j. The Commission has reviewed and considered the information contained within the Mitigated Negative Declaration prior to preparing a recommendation on the Housing Element, and finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the City;
- k. The Commission’s recommendation on the Mitigated Negative Declaration, along with any comments on the document received by the close of the comment period on December 30, 2014, will be forwarded to the Albany City Council.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Albany City Council adopts the Mitigated Negative Declaration for the 2015-2023 Albany Housing Element and the Mitigation Monitoring and Reporting Program contained as Exhibit A.

1 PASSED, APPROVED AND ADOPTED this 2nd day of February 2015 by the
2 following vote:

3

4 AYES- *Council Members: Barnes, McQuaid, Ritchie Mayor Maass*

5

6 NOES-

7

8 ABSENT- *Council Member: Nason*

9

10 ABSTENTION-

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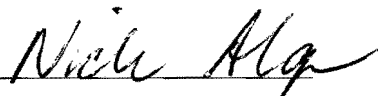
PETER MAASS, MAYOR

15

16 ATTEST:

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Nicole Almaguer, City Clerk

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EXHIBIT A
IS/MND



Prepared by:

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Berkeley, California 94709
510 848 3815
510 848 4315 (f)

December 2014

2015-2023 Housing Element Initial Study

for the City of Albany

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City of Albany
Initial Study Checklist
Housing Element Update (2015-2023)

The proposed Housing Element Update (2015-2023) is a project under the California Environmental Quality Act (CEQA). This Initial Study was prepared by PlaceWorks for the City of Albany (City), Community Development Department, Planning Division. This Initial Study was prepared pursuant to the CEQA (Public Resources Code Sections 21000 et seq.), CEQA Guidelines (Title 14, Section 15000 et seq. of the California Code of Regulations).

1. **Project Title:** City of Albany 2015-2023 Housing Element
2. **Lead Agency Name and Address:** City of Albany
1000 San Pablo Avenue
Albany, CA 94706
3. **Contact Person and Phone Number:** Anne Hersch
City Planner
ahersch@albanyca.org
(510) 528-5765
4. **Project Location:** The regional location of Albany is shown in Figure 1. The proposed Project applies to all lands within the City of Albany (“Albany”). Albany is 1.7 square miles in area.
5. **Project Sponsor’s Name and Address:** City of Albany
1000 San Pablo Avenue
Albany, CA 94706
6. **General Plan Designation:** Citywide (various designations)
7. **Zoning:** Citywide (various districts)
8. **Surrounding Land Uses and Setting:** See pages 5 through 6 of this Initial Study.
9. **Description of Project:** See pages 7 through 11 of this Initial Study.
10. **Other required Approvals:** The Project and environmental review will be adopted and approved by the City of Albany, without oversight or permitting by other agencies. Following City approval, the State Department of Housing and Community Development (HCD) will be asked to certify the City’s Housing Element.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED


The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forestry Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology & Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology & Water Quality |
| <input type="checkbox"/> Land Use | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population & Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities & Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

Determination:

On the basis of this initial evaluation:

- I find that the proposed Project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- I find that, although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the City. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) will be prepared.
- I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.



Signature

Anne Hersch

Printed Name

12/9/14

Date

City Planner

Title

A. OVERVIEW AND BACKGROUND

The City of Albany proposes to adopt an update to the General Plan Housing Element. Adoption of the Housing Element does not constitute approval of the physical construction of any residential units, but rather provides the policy framework under which individual housing projects are allowed. In compliance with CEQA and City of Albany Ordinance #04-09, which requires all development projects to be reviewed under CEQA, this Initial Study/Mitigated Negative Declaration (IS/MND) describes the environmental consequences of the City of Albany 2015-2023 Housing Element, herein referred to as “proposed Project” or “Housing Element.” The City of Albany is the lead agency for review of this Project. This IS/MND is designed to fully inform decision-makers in the City of Albany, other responsible agencies, and the general public of the Project and the potential environmental consequences of approval and implementation.

This Initial Study consists of a depiction of the existing environmental setting, as well as the project description, followed by a description of various environmental effects that may result from the proposed Project. A detailed project description and environmental setting discussion are provided below.

B. LOCATION

As shown in Figure 1, the City of Albany is located on the eastern shoreline of the San Francisco Bay, surrounded by the San Francisco Bay to the west and the Berkeley Hills to the east. It is bordered by Berkeley on the south and east, El Cerrito on the north, and Richmond on the northwest. Albany’s land area is approximately 1.79 square miles, with a population of approximately 18,500, which totals an approximate density of 10,368 persons per square mile, thus, making it one of the highest-density cities in the Bay Area.

Interstate 580 (I-580) and Interstate 80 (I-80) provides north-south access to El Cerrito to the north, and Berkeley to the south. Additionally, San Pablo Avenue provides north-south access between Albany and El Cerrito and Berkeley. East-west access through the City is generally provided via Solano Avenue and Marin Avenue.

C. EXISTING SETTING

As required by State law, the proposed Housing Element has been prepared to ensure that the City fairly accommodates its allocated share of regional housing needs. Albany has analyzed local housing needs and resources, identified specific sites for potential development, and developed policies and implementation programs to meet the housing needs of existing and future residents of all income levels.

Housing Element law requires that each jurisdiction update its Housing Element in accordance with Senate Bill 375 (SB 375) and other relevant statutes. This current Housing Element addresses the 2015-2023 planning period.

- Pursuant to State law, the Housing Element is required to:
- Outline a community’s housing production objectives.
- List policies and implementation programs to achieve local housing goals.
- Examine the need for housing resources in a community, focusing on special needs populations.
- Identify adequate sites for the production of new housing serving various income levels.
- Analyze potential constraints to production.
- Be consistent with other components of the General Plan.

The following provides a description of the existing and surrounding land uses in and around the City of Albany.

1. Existing Land Use

Generally, Albany is comprised of a mix of single-family and multi-family housing, with a small industrial area that runs along I-80 and the Union Pacific Railroad. Albany also has a large waterfront area, comprised of the Golden Gate Fields racetrack and regional open space located at the western edge of the City. In general, Albany is considered “built-out” given that there are very few undeveloped parcels within the city.



Source: City of Albany, October 2014, Albany Housing Element.

Figure 1
Regional Location

2. Surrounding Land Use

In general, areas to the north, east, and south of Albany include a mix of single- and multi-family residential development, along with commercial development primarily concentrated along major thoroughfares such as San Pablo Avenue.

D. PROJECT DESCRIPTION

1. Housing Element

The Housing Element is one of the seven General Plan elements mandated by the State of California and is subject to review by the California Department of Housing and Community Development (HCD). Following its completion, the 2015-2023 Draft Housing Element will be sent to HCD for the mandated statutory review. HCD will evaluate the element on its ability to meet local and regional housing needs, including a share of the housing needs identified in the Regional Housing Needs Allocation (RHNA).

Housing Element Goals

The proposed Project supports the goals and policies of the City's current Housing Element (2007-2014) and provides policies and implementing programs to further the City's housing goals. The proposed Project updates the City's current Housing Element in compliance with Government Code Section 65580 et seq. The policies and housing programs that are intended to guide the City's housing efforts through the 2015-2023 planning period are organized around the following five broad goals:

Goal 1: Housing Conservation: Preserve, maintain, and improve Albany's existing housing stock.

Goal 2: Housing Production: Provide a variety of housing types, densities, designs, and prices which will meet the needs of all economic segments of the community while maintaining and enhancing the character of existing development.

Goal 3: Special Housing Needs: Expand housing opportunities and related supportive services for the elderly, the disabled, the homeless, and other persons with special housing needs.

Goal 4: Reducing Housing Constraints: Reduce constraints that add to the cost of producing and conserving housing in Albany or that create barriers to meeting local housing needs.

Goal 5: Fair Housing: Promote housing opportunities for all persons regardless of age, race, marital status, ancestry, family status (presence of children), disability, national origin, or color.

2. Regional Housing Needs Assessment

California cities are required to provide a wide range of housing options for all income levels. The Association of Bay Area Governments (ABAG), as a regional agency, develops a RHNA based on demographic projection to distribute the regional share of the statewide housing need at different income levels to the cities and counties within the Bay Area. Albany's 2014-2022 RHNA¹ has been determined to be a total of 335 units, and Table 1 shows Albany's allocation distributed among different income levels. The allocation has increased approximately 21 percent relative to 2007-2014.

3. Identification of Housing Sites

The Draft Housing Element discusses how the City will accommodate local housing needs from 2015-2023. The primary strategy involves identifying housing sites in the city where capacity for additional housing is physically available and permitted. California law does not require cities to build housing, but it does require communities to facilitate new housing production to meet the RHNA through appropriate zoning that allows for the development of units. The City must prove that it has provided adequate land by identifying sites that are appropriately zoned for housing, including sites that are zoned densely enough to produce adequate affordable housing, are sufficient in size, and are realistically able to be built on. Sites that were identified in the 2015-2023 Draft Housing Element are located throughout the City, in areas that are currently designated for residential or mixed-use development. As such, no rezoning or increase in allowed density of development is required to meet the City's RHNA. In total, 20 sites are identified as potential housing opportunity sites, as shown in Figure 2. A complete list and description of each site can be found in Table 4-3, Table 4-4, and Table 4-5 of the Draft Housing Element. Table 2 below summarizes the housing opportunities for the 2015-2023 planning period.

¹ The RHNA period covers January 1, 2014 to October 31, 2022, but the "planning period" is 2015-2023. Cities are expected to meet their 2014-2022 needs during a time period that includes 2014 and extends until January 31, 2023.

TABLE 1 REGIONAL HOUSING NEEDS ALLOCATION (RHNA) FOR ALBANY, 2015-2023

Income Category	Projected Need (Dwelling Units)	Percent of Total
Very Low (0-50% of AMI) ^a	80	23.9%
Low (51-80% of AMI)	53	15.8%
Moderate (81-120% of AMI)	57	17.0%
Above Moderate (over 120% of AMI)	145	43.3%
Total Units	335	100%

a. The Area Median Income (AMI) is used by the U.S. Department of Housing and Urban Development (HUD) and is updated annually to measure incomes in a region. Source: Association of Bay Area Governments, 2014.

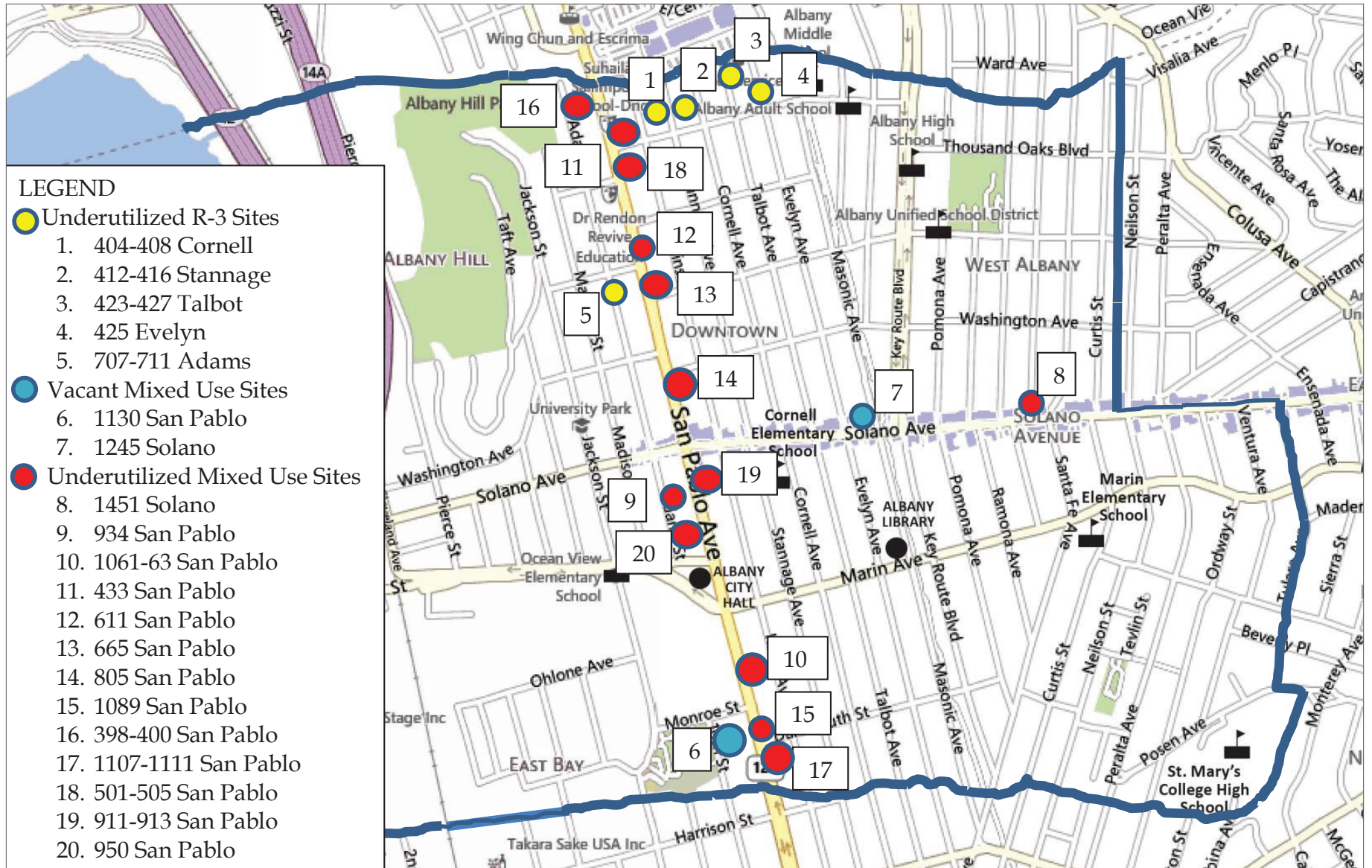
As shown in Table 2, the identified sites would allow the City to meet its RHNA with a total capacity of 448 units, resulting in a surplus of 123 units above the RHNA.

TABLE 2 SUMMARY OF HOUSING OPPORTUNITIES

	Densities Greater Than 20 Units Per Acre or Otherwise Anticipated to be Affordable	Densities Less Than 20 Units/ Acre or Otherwise Anticipated at Market Rate	Total
Single-Family Infill	0	8	8
Vacant R-2	0	2	2
Underutilized R-3 sites (net increase)	36	0	36
Vacant sites zoned for mixed use	5	175	180
Underutilized sites zoned for mixed use	190	0	190
Second units	4	28	32
Total	235	213	448
RHNA: Low/Very Low	(133)	--	(325) ^a
RHNA: Moderate/Above Moderate*	--	(192)	
Balance	+102	+21	+123

a. Adjusted to subtract ten units already approved (see Table 4-1 and 4-2 of the Draft Housing Element). Source: Barry Miller Consulting, 2014.

The following is a brief description of the Housing Opportunity Sites, organized by current status (vacant or underutilized) and the Zoning District that the properties lie within. Additionally, second units are discussed at the end of this section. For full descriptions of the housing opportunity sites, please refer to Tables 4-3, 4-4, and 4-5 of the Draft Housing Element.



Source: City of Albany, October 2014, Albany Housing Element.

Figure 2
Housing Opportunity Sites

Vacant Sites Zoned for Housing

The supply of vacant residentially zoned sites in Albany is limited. However, seven sites were identified having an R-1 (single family) residential zoning that are currently vacant. The following seven parcels are estimated to have the capacity for seven new housing units.

APN 66-2793-18-3, between 739 and 745 Madison (2,500 SF)
APN 66-2753-6-3 between 895 and 889 Hillside Avenue (4,800 SF)
APN 66-2751-16 between 840 and 846 Hillside Ave (3,600 SF)
APN 66-2751-12-1 between 830 and 840 Hillside Ave (5,600 SF)
APN 66-2751-5-13 between 716 and 796 Hillside Ave (5,400 SF)
APN 66-2753-31 between 705 and 715 Hillside Ave (6,100 SF)
APN 065-2463-066 1196 Curtis St. (8,176 sq. ft.)

Since these parcels are zoned for single family residential use and located on a hillside, they are assumed to meet the above moderate income needs. Additionally, there is a developed 8,000 square foot lot at 1197 Curtis Street (APN 65-2412-39) which has the potential to be subdivided and support one additional unit. This means that there is the potential for eight new units on lots zoned for single family use (R-1 zoning district) in Albany.

Additionally, there is one 2,500 square foot Residential Medium Density (R-2 zoning district) property at 910 Adams Avenue (APN 66-2722-7) which has the capacity for two moderate income units.

Underutilized Sites Zoned for Multi-Family Residential Use

The Residential High Density (R-3) zoning district permits residential densities of up to 63 units per acre. This level of density has a greater likelihood to allow for affordable units due to economies of scale. The R-3 zone contains a mix of large multi-family buildings, small multi-family buildings, two- to four-plexes, flats, and individual single family homes. There are a number of underutilized properties in this district with the capacity for higher density development. These sites are shown as Site 1 through Site 5 on Figure 2.

In 2008, an application to replace two 1930s-era single family rental homes at 423 and 427 Talbot Avenue (two 5,000 SF lots in the R-3 zone) with 12 multi-family units was approved. Since the owner of the site elected not to pursue the approved development, and the entitlements subsequently expired, the site still appears in Figure 2 as a housing opportunity site. As shown in Figure 2, there are three other R-3 sites in this area which have the potential for redevelopment. These four sites have the potential to allow for the development of 29 units. Additionally, the property at 707-711 Adams could be redeveloped to support seven multi-family units.

Vacant Sites Zoned for Mixed Use

As seen in Figure 2, there are two vacant mixed use sites identified as Housing Opportunity Sites; 1130 San Pablo Avenue (Site 6) and 1245 Solano (Site 7). 1130 San Pablo Avenue is currently proposed for a 175-unit market rate senior housing development. 1245 Solano is estimated to have capacity for five units, making the total capacity of these two sites 180 units.

Underutilized Sites Zoned for Mixed use

Most of Albany's higher-density housing potential is contained on underutilized sites already zoned for mixed use, as shown in Figure 2 on Sites 8 through 20. Please note that because the RHNA increased this planning period, this Housing Element added three new Housing Opportunity Sites to its 2015-2023 inventory that were not included in the 2007-2014 Housing Element. The three additional sites are already zoned for mixed use development, and no rezoning of these sites would be required. The Sites are shown in Figure 2 as Site 18, 19, and 20, and collectively add approximately 61 residential units of capacity to the opportunity sites inventory. While many of these properties could potentially be redeveloped with higher value land uses, since zoning allows the properties to be developed with projects that are 100 percent commercial, the City has focused this inventory on those that present the most evident and immediate opportunities for housing. Based on prior development activity, the expectation on the housing opportunity sites is that most, if not all, of the sites will develop with housing or with mixed use projects that include housing above ground floor commercial uses.

The City of Albany has estimated development capacity based on “realistic potential” rather than the “absolute potential” allowed by zoning. “Realistic potential” reflects the densities of recently developed projects along the corridor and is therefore a conservative estimate.

Second Units

Government Code Section 65583.1(a) allows a city or county to account for second units in its calculation of housing opportunities. Despite the fact that additional capacity exists, based on historical development trends with respect to second units, 32 second units are assumed during the 2015-2023 planning period.

Summary of Housing Opportunities

Table 4 shows the capacity of each of the Housing Opportunity Sites in tabular form and Table 5 summarizes the land available to accommodate new housing, including a summary of the number of units that could be reasonably accommodated under each zoning classification.

E. GENERAL PLAN CONSISTENCY

In accordance with State law, the Housing Element must be consistent and compatible with other General Plan elements. The Draft Housing Element builds upon the other elements in the current Albany General Plan and is consistent with its goals and policies. A comprehensive update to the City’s General Plan is currently in progress and is expected to be adopted in 2015. However, because State housing law requires that cities and counties update their housing elements on a fixed cycle, Albany’s Housing Element must be completed before the General Plan update. The City will continue to maintain consistency between the General Plan elements by ensuring that proposed changes in one element are reflected in other elements through amendments of the General Plan.

F. EXISTING ZONING AND GENERAL PLAN

While the housing inventory sites, as listed in Tables 4-3, 4-4, and 4-5 of the Draft Housing Element, fall within a variety of zones and General Plan land use designations, all of the sites are currently zoned to allow residential development.

G. POTENTIAL PHYSICAL CHANGES

Altogether, the proposed Project does not include actions that could directly or indirectly result in substantial physical changes to the environment. The proposed Project would enable the City of Albany to meet its housing needs, including the facilitation of future development to meet the needs of at-risk populations by providing housing types designed for these groups.

Environmental factors, such as topography, soils, landslides and seismic hazards, and noise, are potential constraints to housing development. However, most of the housing sites identified by the City are not expected to be affected by such constraints. The current General Plan has taken these factors into account by establishing policies and land use designations for residential and mixed use development. Where development is planned, any site constraints that remain can be mitigated through appropriate design and environmental planning.

The potential future housing that could occur under the proposed Project would not increase overall development potential in Albany. Instead, the Housing Element identifies sites that can accommodate housing under existing zoning and land use regulations at development intensities that have already been analyzed and approved in the General Plan Environmental Impact Report (EIR).

The Housing Element is a policy-level regulatory document that establishes goals and policies that guide development. It does not include any site-specific designs or project proposals, nor does it grant any entitlements for development; therefore, the proposed Project does not directly result in development in and of itself. When specific implementing programs and development projects are identified, the program and/or development applications for such individual projects, as required, would be submitted separately to the City for review. All such development is required to be analyzed for conformance with the General Plan, Zoning Code, and other applicable federal, State, and local requirements; comply with the applicable requirements of CEQA; and obtain all necessary clearances and permits.

ENVIRONMENTAL CHECKLIST

I. AESTHETICS

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION:

a) Would the project have a substantial adverse effect on a scenic vista?

The City of Albany General Plan identifies views of the San Francisco Bay, Albany Hill, and the Berkeley Hills as visual resources that provide respite from the urban form of the city. The General Plan encourages protection of these views from public viewpoints.²

From public viewpoints, views looking toward the San Francisco Bay, Albany Hill, or the Berkeley Hills are intermittently available throughout Albany. From the crest of Albany Hill, these views are largely unobstructed. From Albany's flatlands, public viewpoints are partially or completely blocked by existing development and vegetation.

The proposed Housing Element identifies Housing Opportunity Sites located on urban flatlands within the City of Albany. Additionally the proposed Housing Element identifies vacant sites zoned for housing on vacant sites on hillsides. The sites would be required to conform to regulations pertaining to existing residential densities, building scale, and architectural design as required by General Plan Policies LU 1.1 and LU 4.3. Additionally, the housing sites identified in the Housing Element would be subject to Design Review by the City's Planning and Zoning Commission, per Municipal Code Section 20.100.050. Design review would require new buildings to complement the surrounding urban development, which, in this case, includes residential, commercial, and institutional uses.^{3,4} Therefore, from either the crest of Albany Hill or the flatlands, newly constructed units would be similar, with regard to intensity and density, with surrounding urban development.

Long-range views from public viewpoints throughout Albany are already partially or completely blocked by existing development and vegetation. Additionally, potential future project's conformance to the City's height and setback requirements would result in structures that would not impede views of scenic vistas and would be consistent with their surroundings. Therefore, views would not be adversely affected from implementation of the proposed Housing Element, and, as such, the proposed Housing Element would result in a *less-than-significant* impact to scenic vistas.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State scenic highway?

The California Scenic Highway Program, maintained by the California Department of Transportation (Caltrans), protects Officially Designated State Scenic Highway corridors from changes that would diminish the aesthetic value of lands adjacent to the highways. According to the California Scenic Highway Program, there are no Officially Designated

² City of Albany, 1992, *City of Albany General Plan 1990-2020*, page 38.

³ City of Albany, April 2009, *Design Guidelines for Residential Additions and New Homes*.

⁴ City of Albany, January 1993, *San Pablo Avenue Design Guidelines*.

or Eligible State Scenic Highway sections within the City of Albany.⁵ Therefore, the proposed Project would have *no impact* on scenic resources from within view of a State scenic highway.

c) *Would the project substantially degrade the existing visual character or quality of the site and its surroundings?*

The Housing Element identifies sites that, if developed, could affect the visual character of the City of Albany. The Land Use Element of the City of Albany General Plan defines the positive elements of Albany's character as significant views, natural features, and common architectural styles. The majority of the identified Housing Sites in the proposed Housing Element are infill projects on land that has already been disturbed with development and other human uses. Therefore, these sites are unlikely to adversely affect significant views or natural features.

Future development of vacant and underutilized multi-family infill sites would result in higher density development than currently exists. These sites are suited for higher density development because they are located in the R-3, Residential High Density Zone, and would be consistent with the requirements of that zone. Therefore, increases in density at the R-3 District infill sites would not adversely affect the visual character or quality of the site and its surroundings because these changes were anticipated by the City in the General Plan. The associated impact at these sites would be *less than significant*.

Future development on the vacant and underutilized mixed use sites would be consistent with the existing visual character of San Pablo Avenue and Solano Avenue, which includes multi-family residential mixed-use development. As required by the City's design review process, new development proposed on Solano Avenue would be of similar size and massing as other recent developments in the neighborhood. Housing Opportunity Sites on San Pablo Avenue would be consistent with the existing visual character of San Pablo Avenue, which includes multi-family residential mixed-use development. Existing zoning standards would ensure that potential development permitted under the proposed Housing Element would be consistent with the existing visual character of San Pablo Avenue and Solano Avenue. This would be a *less-than-significant* impact.

Future development of second units that could occur under the proposed Housing Element would be in accordance with the policies set forth in the City of Albany General Plan. New housing units would maintain design consistency in surrounding neighborhoods under Policy LU 4.3, which acts to establish criteria for new buildings to preserve architectural design, appropriate building scale, and orientation to the street. Despite implementation of the proposed Housing Element, Albany's natural features would be maintained under Policy CROS 4.3, which works to preserve trees and other vegetation by requiring an inventory of significant site vegetation prior to development application review. Therefore, a *less-than-significant* impact would occur.

Overall, the proposed Housing Element would have a *less-than-significant* impact on the existing visual character and quality of the housing sites and their surroundings.

d) *Would the project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?*

Potential future development that could occur following adoption of the proposed Housing Element could result in increased light and glare. Newly constructed units could employ exterior nighttime lighting that may cast light on adjacent properties, or result in glare from building materials or surfaces that reflect light to neighboring properties or properties at higher elevations with views of the site. However, regulations in the Albany Municipal Code including Section 20.36.020.C, require that all exterior lighting, reflective surfaces, or any other sources of natural or artificial illumination, including security lighting be designed, located, fitted, aimed, and maintained in a manner that minimizes and/or avoids glare on any public right-of-way or on any other parcel. Additionally, exterior lighting originating on any property may not exceed a maximum of 0.5 horizontal footcandles when measured with a standard light meter at a distance of twenty-five (25) feet beyond the property lines of the originating property. These provisions would minimize light and glare impacts associated with the proposed Project to a *less-than-significant* level.

⁵ California Department of Transportation website, California Scenic Highway Mapping System, http://www.dot.ca.gov/hq/LandArch/scenic_highways/, accessed November 4, 2014.

II. AGRICULTURE AND FORESTRY RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or of conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

a-e) There are no officially designated agricultural, forest, or timberland resources in or around Albany; therefore, *no impact* would occur in this respect.^{6,7}

III. AIR QUALITY

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project area is in non-attainment under applicable federal or State ambient air quality standards (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

⁶ California Department of Conservation, 2012, Alameda County Important Farmland 2012 (Map), <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2012/ala12.pdf>, accessed on November 4, 2014.

⁷ California Department of Forestry and Fire Protection, The Management Landscape Map, <http://frap.fire.ca.gov/data/frapgismaps/pdfs/landscapesmap.pdf>, accessed November 11, 2014.

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

The City of Albany is within the San Francisco Bay Air Basin (SFBAAB) which is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). The SFBAAB is a nonattainment area for ozone (O₃) and fine inhalable particulate matter (PM_{2.5}) under the state and federal ambient air quality standards (AAQS) and coarse inhalable particulate matter (PM₁₀) under the state AAQS. The air basin is in attainment for carbon monoxide (CO), nitrogen dioxide (NO₂), and sulfur dioxide (SO₂).⁸

a) *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

An air quality plan describes air pollution control strategies to be implemented by a city, county, or region classified as a nonattainment area. The main purpose of an air quality plan is to bring the area into compliance with the requirements of federal and State air quality standards. A consistency determination plays an important role in local agency project review by linking local planning and individual projects to the BAAQMD’s 2010 Bay Area Clean Air Plan.⁹ Projects are consistent with BAAQMD’s 2010 Bay Area Clean Air Plan if they are consistent with the existing land use plans used to forecast emissions. When assessing air quality impacts for consistency with the 2010 Bay Area Clean Air Plan, BAAQMD requires a plan to plan to plan comparison, which looks at the potential impacts of buildout of the existing General Plan versus potential impacts associated with buildout of the proposed Housing Element. In general, zoning changes, specific plans, general plan amendments and similar land use plan changes that do not increase dwelling unit density, vehicle trips, or increase vehicle miles traveled (VMT) are deemed to be consistent with the BAAQMD 2010 Bay Area Clean Air Plan.

Population/Employment and Trip Forecasts

The proposed Project is an Update to the General Plan Housing Element. Adoption of the Housing Element does not constitute approval of the physical construction of any residential/commercial units, but rather provides the policy program under which individual housing projects are allowed. Land use designations vary because the project encompasses various parts of the City, including a wide variety of neighborhoods. Table 3 compares potential vehicle trips associated with the development potential allowed in the current General Plan for the Project sites versus the proposed Project. Note that no rezoning or General Plan redesignation is proposed in conjunction with adoption of the Housing Element (see also section XVI, *Transportation and Traffic*, for details regarding trip generation associated with the Project).

As shown in Table 3, the total number of trips generated by the proposed Project would result in a decrease in trips per service population. Additionally, the proposed Project would enable the City to meet its 2014 – 2022 Regional Housing Needs Allocation (RHNA). As the housing assessment in the RHNA is determined by the Association of Bay Area Governments (ABAG), the proposed Project would accommodate increases in population based on ABAG’s demographic projections. The Project would be consistent with the Bay Area 2010 Clean Air Plan because it is based on demographic projections for the City that form the basis of the regional emissions inventories for the SFBAAB. The Project would also be consistent with BAAQMD’s thresholds of significance for plans as increase in total number of trips is less than projected service population increase. Therefore, impacts would be *less than significant*.

⁸ California Air Resources Board (CARB). 2014a, June. Area Designations: Activities and Maps. <http://www.arb.ca.gov/desig/adm/adm.htm>.

⁹ Bay Area Air Quality Management District (BAAQMD), 2012. Bay Area 2010 Clean Air Plan. <http://www.baaqmd.gov/Divisions/Planning-and-Research/Plans/Clean-Air-Plans.aspx>.

TABLE 3 TRIP GENERATION PER POPULATION – COMMERCIAL DEVELOPMENT VERSUS PROPOSED PROJECT

	Potential Capacity with 100% Commercial Development on Sites in SPC and SC Districts	Potential Capacity with 100% Housing	Difference	Percent Change
Population ^a	491	1,006	515	105%
Employment ^b	1,808	200	-1,608	-89%
Total Service Population ^c	2,299	1,206	-1,093	-48%
Trips ^d	24,463	4,672	-19,791	-81%
Trips per Service Population	10.64	3.87	-6.77	-64%

a. As discussed above, these numbers use the theoretical maximum capacity which is why these numbers differ from those found throughout the document. This allows for a conservative analysis of Air Quality impacts. The existing plan and the proposed Project population are based on an average of 2.49 persons per household for the City of Albany, based on the 2010 Census.

b. Existing and projected employee assumptions based on 300 square feet per employee for retail.

c. Service population is the sum of people who live or work within the 20 affected areas.

d. ITE Trip Generation Manual 9th Edition, 2012.

b) Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Construction Impacts

Air pollution emissions associated with the Project could occur over the short-term for demolition, site preparation, and construction activities. Air quality impacts may occur during the site preparation and construction activities of individual projects as anticipated under the 2015-2023 Housing Element. Major sources of emissions during this phase include exhaust emissions generated during demolition of an existing structure, site preparation, and subsequent structure erection, and fugitive dust generated as a result of soil disturbances. The proposed Project would result in changes at the policy level and does not include specific development proposals. The Housing Element establishes programs for facilitating housing development pursuant to adopted land use plans. Thus, the proposed Project would not directly result in any construction-related criteria air pollutant emissions. However, General Plan Policy CROS-04 requires the City of Albany to continue to cooperate in local, subregional and regional efforts to implement the *2010 Bay Area Clean Air Plan* and meet State AAQS.

BAAQMD recommends the implementation of all Basic Construction Measures as mitigation for dust and exhaust construction impacts. Therefore, construction-related impacts to any air quality standard due to the proposed Project with mitigation would be *less than significant* with incorporation of **Mitigation Measure AIR-1**.

Mitigation Measure AIR-1: Applicants for future development project shall require the project contractor to implement the following BAAQMD Basic Control Measures:

Water all active construction areas at least twice daily, or as often as needed to control dust emissions. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.

Apply water twice daily or as often as necessary, to control dust, or apply (non-toxic) soil stabilizers on, or pave all unpaved access roads, parking areas, and staging areas at construction sites.

Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).

Sweep daily (with water sweepers using reclaimed water if possible), or as often as needed, all paved access roads, parking areas and staging areas at the construction site to control dust.

Sweep public streets daily (with water sweepers using reclaimed water if possible) in the vicinity of the Project site, or as often as needed, to keep streets free of visible soil material.

Hydroseed or apply non-toxic soil stabilizers to inactive construction areas.

Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.).

Limit vehicle traffic speeds on unpaved roads to 15 mph.

Replant vegetation in disturbed areas as quickly as possible.

Install sandbags or other erosion control measures to prevent silt runoff from public roadways

Operational Impacts

Development facilitated by the Housing Element program has the potential to result in criteria air pollutant emissions due to new vehicle trips, use of equipment, and natural gas generation from the long-term operation of the potential additional units. The proposed Project does not include specific development proposals and would result in overall consistency between the City's General Plan land use designations and zoning and its Housing Element. Thus, the proposed Project would not directly result in any criteria air pollutant emissions. However, any future developments would be subject to CEQA review on a project-by-project basis. Therefore, operational phase-related impacts to any air quality standard due to the proposed Project would be *less than significant*.

c) *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or State ambient air quality standards (including releasing emissions which exceed quantitative Standards for ozone precursors)?*

The SFBAAB is a nonattainment area for O₃, PM_{2.5}, and PM₁₀.¹⁰ New development would generate pollutant emissions due to new vehicle trips, use of equipment, and off-site power and natural gas generation. Future projects would be subject to CEQA review and would determine whether emissions would be in excess of State or federal AAQS. Additionally, any new development would be required to comply with BAAQMD regulations to mitigate or prevent the generation of criteria pollutant emissions. The proposed Project would result in changes at the policy level and does not include specific development proposals. Thus, the proposed Project would not directly result in any criteria air pollutant emissions. Impacts to air quality from implementation of the proposed Project would be *less than significant*.

d) *Would the project expose sensitive receptors to substantial pollutant concentrations?*

Localized Construction Emissions

Sensitive receptors in the vicinity of the housing opportunity sites could be affected by demolition and construction. The potential construction of additional housing units could lead to fugitive emissions and toxic air contaminants (TACs) affecting adjacent sensitive land uses. The proposed Project would result in changes at the policy level and does not include specific development proposals. Thus, the proposed Project would not directly result in any construction-related criteria air pollutant emissions. Air quality analyses would be completed on a site-specific basis to determine whether emissions from proposed development would expose sensitive receptors to substantial pollutant concentrations during construction. The impacts of localized construction emissions due to the proposed Project would be *less than significant*.

Carbon Monoxide Hotspots

With the turnover of older vehicles, introduction of cleaner fuels, and implementation of control technology, the SFBAAB is in attainment of the California and National AAQS, and carbon monoxide (CO) concentrations in the SFBAAB have steadily declined. Because CO concentrations have improved, intersection volumes during the peak hour in the SFBAAB would not typically reach the level required to result in a CO hotspot.¹¹ *No impact* would occur.

¹⁰ Bay Area Air Quality Management District. 2013. Air Quality Standards and Attainment Status. April, http://hank.baaqmd.gov/pln/air_quality/ambient_air_quality.htm. Access January 2014.

¹¹ Bay Area Air Quality Management District (BAAQMD), 2011 (Revised). California Environmental Quality Act Air Quality Guidelines.

Off-Site Community Risk and Hazards

Sensitive receptors in the vicinity of the housing opportunity sites could be affected by demolition and construction. The majority of the housing opportunity sites are located in existing neighborhoods where there are no identified sensitive receptors; however, exceptions to this are Housing Site #1, #3, and #4. Housing Site #1, #3, and #4 are fairly close to Albany Middle School, on Brighton Avenue. Construction activities associated these sites would have the potential to expose children, elderly patrons, and other recreational users of the park, to air pollution. Developments at Housing Site #1, #3, and #4 would be subject to CEQA review on a project-by-project basis, and impacts would be disclosed and mitigated. Therefore, the impact would be *less than significant*.

On-Site Community Risk and Hazards

TAC sources within the City of Albany include: stationary sources permitted by BAAQMD, railroads, roadways with more than 10,000 annual average daily traffic (AADT), and highways or freeways. Figure 3 identifies potential major sources within 1,000 feet of the housing opportunity sites. Stationary sources in Albany were identified using BAAQMD's Stationary Source Screening Analysis Tool. Figure 3 identifies approximately 16 potential stationary sources in or near the City of Albany housing opportunity sites. Of these sources, approximately seven are dry cleaners, four are gas stations, four are auto body repair and refinishing facilities, and one emergency diesel generator.

High-volume roadways with over 10,000 vehicles per day were also mapped. A total of five high volume roadways were identified within 1,000 feet of the housing opportunity sites including San Pablo Avenue, Marin Avenue, Solano Avenue, Key Route Boulevard, Buchanan Street, and Fairmont Avenue. Figure 3 also identifies a 500-foot buffer around high-volume roadways. Because these are screening distances, refined analysis of the effects from many of the high volume roadways would likely show much lower potential TAC exposure and smaller buffer zones. A refined analysis or site-specific health risk assessment should be conducted for all new sensitive sources that are sited within the buffer zone to determine the actual health impact. As appropriate, this would apply not only to development on the housing sites, but also to emergency shelters developed in the CMX zone, which is close to Interstate 80 and UP Railroad. Housing Element programs allow emergency shelters "by right" use in this zone, as well as in the SPC zone.

Rail lines with diesel locomotives represent an additional source of TACs. According to the Metropolitan Transportation Commission's (MTC)/Association of Bay Area Government's (ABAG) *Plan Bay Area*, the recommended setback distance from railroads to sensitive receptors is 200 feet.¹² In the City of Albany, the Union Pacific Railroad is located over 2,000 feet away from the housing opportunity sites. Therefore, TAC emissions from the Union Pacific Railroad would be less than significant, and generally do not require further evaluation. As noted above, emergency shelters in the CMX zone could require subsequent evaluation if proximate to the UP Railroad.

Figure 3 identifies several major areas of the City that have the potential to expose sensitive receptors to substantial pollutant concentrations within 1,000 feet of the sources identified. Future residential development permitted under the proposed Project is proximate to these areas and would require subsequent analysis in this regard. With implementation of **Mitigation Measure AIR-2**, placement of sensitive receptors proximate to major sources of air pollution would be required to mitigate to achieve BAAQMD's performance standards and to satisfy California Air Resources Board (CARB) recommendations. Therefore, impacts under the proposed Project would be *less than significant with mitigation incorporated*.

Mitigation Measure AIR-2: Project applicants proposing residential development, including emergency shelters, within 1,000 feet of major sources of TACs, as mapped in Figure 3, *Sources of Toxic Air Contaminants in Proximity to Housing Opportunity Sites*, shall submit a Health Risk Assessment (HRA) prepared in accordance with the latest State Office of Environmental Health Hazard Assessment (OEHHA) and BAAQMD guidance. For projects where the incremental cancer risk exceeds ten in one million, PM_{2.5} concentrations exceed 0.3 µg/m³, or the appropriate non-cancer hazard index exceeds 1.0, the HRA shall identify appropriate actions to reduce potential cancer and non-cancer risks to acceptable levels per OEHHA and BAAQMD guidance, such as the installation of Minimum Efficiency Rating Value (MERV) filters into the heating, ventilation, and air conditioning (HVAC) system of residences and locating air intakes away from emission sources.

¹² Metropolitan Transportation Commission's (MTC)/Association of Bay Area Government's (ABAG). 2013. *Plan Bay Area*. Draft EIR. Air Quality.



Source: Esri, 2014; Bay Area Air Quality Management District, 2014 (sources verified using Google Maps); PlaceWorks, 2014.

Figure 3
Sources of Toxic Air Contaminants in Proximity to Housing Opportunity Sites

e) *Would the project create objectionable odors affecting a substantial number of people?*

Land uses that are sources of objectionable odors that may affect substantial numbers of people include wastewater treatment facilities, landfills, refineries, chemical manufacturing facilities, feed lots, and dairies. The proposed Project would not directly create objectionable odors and would not result in an impact. It is unlikely that any future residential development proposed would create objectionable odors; however, future projects would be subject to CEQA review. In addition, BAAQMD controls emissions of odorous substances through implementation of BAAQMD Regulation 7, *Odorous Substances*, which places general limitations on odorous substances and specific emission limitations on certain odorous compounds. Therefore, implementation of the proposed Project would not create odors and *no impact* would occur.

IV. BIOLOGICAL RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

a-d)

The Housing Opportunity Sites identified by the Housing Element are largely urbanized under existing conditions. There are no identified habitat areas or special-status species known in the City of Albany. While the Draft Housing Element itself only identifies housing sites, each potential housing site anticipated for future development under implementation of the proposed Project would be subject to project-level environmental review to ensure that biological resources are conserved to the maximum extent practicable. Since project-level review would be required, the proposed Housing Element itself would have a *less-than-significant* impact to biological resources.

e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

The City of Albany General Plan includes policies pertaining to the conservation of biological resources. Policies CROS 3.1 and 3.2 apply to development around Albany Hill, and Policies CROS 4.3 and 4.5 promote tree preservation and require measures to preserve trees during site design and construction. Several of the vacant sites zoned for housing are located near Albany Hill and Policies CROS 3.1 and 3.2 would serve to minimize potential impacts in that area which could result from the future potential development of housing on those sites. Policies CROS 4.3 and 4.5 would apply to all of the potential development permitted under the proposed Housing Element. Additionally Section 20.48, Removal of Trees, of the Albany Municipal Code, is applicable to the potential development of most of the vacant sites zoned for housing near Albany Hill. Implementation of the proposed Housing Element would not override any tree preservation measures, or any other policies related to demolition or construction required by the City of Albany. Therefore, a *less-than-significant* impact would occur.

f) *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or State habitat conservation plan?*

The sites identified in the proposed Housing Element are located within an urban area that is not subject to any provisions of an adopted Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP), or other approved local, regional, or State habitat conservation plans. Moreover, there is not an adopted HCP, NCCP or other approved local, regional or State habitat conservation plan that covers the city of Albany. There would be *no impact*.

V. CULTURAL RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION:

a) *Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?*

The only building in the City of Albany that is listed on the National Register of Historic Places (NRHP) is the Peterson House at 1124 Talbot Street.¹³ This site is not identified as a potential site for development of housing in the proposed Housing Element. Therefore, the proposed Project would not directly affect this resource. The associated impact would be *less than significant*.

b-d) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? Disturb any human remains, including those interred outside of formal cemeteries?*

Archaeological resources, such as bone artifacts found below the soil surface, could potentially be found during demolition or construction of new housing units permitted under the proposed Project. Four prehistoric sites have been previously identified in the City of Albany (primarily in the Albany Hill area).¹⁴ Additionally, large parts of the City have yet to be surveyed for archeological resources. The City of Albany General Plan includes Goal CROS-4, which calls for the City to maintain and improve the quality of cultural resources. The Housing Opportunity Sites; however, are located on

¹³ National Park Service, National Park Service website, National Register of Historic Places, <http://www.nps.gov/nr/research/>, accessed November 5, 2014.

¹⁴ City of Albany, General Plan 1990-2010 EIR, page 21.

infill parcels which have largely been previously developed. Since prior development activities were likely to have located archeological resources if they had existed, it is unlikely that development of the Housing Opportunity Sites would unearth new archeological resources. Moreover, project-specific environmental review would serve to minimize potential impacts to archeological resources to the maximum extent practicable.

Paleontological resources such as subsurface fossils, could potentially be found during demolition or construction of the housing sites. However, similar to the case for archeological resources, it is unlikely that paleontological resources would be found on sites with previous development and project-specific environmental review would serve to minimize potential impacts to paleontological resources to the maximum extent practicable.

Human remains, such as those interred outside of formal cemeteries, would also likely have been found during prior development activities.

Nevertheless, in the case that archaeological, paleontological, or human remains are found during demolition or construction, the City of Albany has regulations in place to preserve such resources. The following mitigation measures included in the General Plan EIR Archaeological and Historical Resource section would apply.

Mitigation Measure 3: Identify significant archaeological sites and preserve intact wherever feasible.

Mitigation Measure 4: If archaeological resources are encountered during site preparation or construction, activity should cease until the affected cultural groups have been contacted, the resources are evaluated by a qualified archeologist, and the archeologist has made recommendations concerning treatment and disposition of the resources.

Mitigation Measure 5: Initiate an individual project review program as part of the City’s development review process to determine whether a development project will adversely affect recorded cultural resources or whether there is the potential for unrecorded resources.

The City of Albany has policies and mitigation measures to protect cultural resources that might be uncovered during demolition or construction of the housing sites. Additionally, each potential future housing development would be subject to project-level CEQA review, which would further protect cultural resources. Therefore, the Housing Element would have a *less-than-significant* impact on cultural resources.

VI. GEOLOGY AND SOILS

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: <ul style="list-style-type: none"> i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides, mudslides or other similar hazards? 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2010), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

a-d)

The risk of seismic groundshaking, rupture, landslides, lateral spreading, liquefaction, and erosion is a concern throughout the Bay Area. The City of Albany lies between two major geologic lines of movement in the San Francisco Bay Area; the San Andreas Fault and the Hayward Fault. Albany is closer to the Hayward Fault, which is approximately one mile east of Albany’s eastern city limit. There is a potential seismic safety risk from the proximity of these two faults; however, the California Geological Survey does not consider the City of Albany to be located within an Earthquake Fault Zone.¹⁵

Albany is built on Franciscan bedrock, which is overlain by unconsolidated sediment of varying ages and, in many places, by artificial fill. The only two landslides mapped within Albany are small slides that flank the northeastern side of Albany Hill. The predominant soil in Albany is Millsholm silt loam, and it is characterized by low plasticity, medium to rapid runoff, medium to high permeability, and a low shrink-swell potential.¹⁶

Any new development within the City of Albany would expose more people to seismic risks. To minimize those risks, all new development would be required by the State to adhere to the 2013 California Building Standards Code. Additionally, the City of Albany General Plan 1990-2010 includes a policy that addresses potential impacts associated with geology and soils:

Policy CHS-1.6: Require review of the Environmental Hazards Map at the time a development is proposed. Assure implementation of appropriate mitigation measures if hazards are identified.

In addition, the General Plan EIR includes mitigation measures to address seismic impacts.

General Plan EIR Soils and Geology Mitigation Measures

Mitigation Measure 1: Maintain and improve an earthquake emergency disaster plan that provides for effective local emergency relief without assistance from outside agencies for a period of at least three days.

Mitigation Measure 2: Design and construct critical facilities such as schools, police stations and fire stations to resist the effects of a Maximum Credible Earthquake (MCE) of 7.5 Richter magnitude, so that they can remain safe and operational during an earthquake emergency.

Mitigation Measure 3: Strengthen all critical facilities that do not meet the MCE 7.3 criterion above.

¹⁵ State of California Department of Conservation, Alquist-Priolo Earthquake Fault Zones, Regional Geologic Hazards and Mapping Program, <http://www.consrv.ca.gov/cgs/rghm/ap/Pages/affected.aspx>, accessed November 5, 2014.

¹⁶ City of Albany, 1992, *City of Albany General Plan 1990-2020 EIR*, page 18.

Mitigation Measure 4: Require geologic investigations before construction of any new critical facilities.

Mitigation Measure 5: Strengthen certain existing residential buildings such as apartment buildings, hotels/motels, retirement or nursing homes, to meet the MCE criterion.

General Plan EIR Public Safety Mitigation Measures

Mitigation Measure 6: Adhere to existing emergency preparedness plan that coordinates local relief efforts with region-wide efforts.

Mitigation Measure 7: Evaluate the potential for seismically-induced ground failures and presence of expansive soils in all major new building sites.

Chapter 23 of the Albany Municipal Code, the Grading Ordinance, regulates work on private property. The Grading Ordinance states that no person shall do or cause any grading on private property without first having obtained a permit.

As demonstrated above, the City of Albany has an extensive regulatory framework to protect against geology and soils hazards. As a part of the development review process for potential future housing projects allowed under the proposed Project, adherence to Policy CHS-1.6 would serve to ensure that hazards are identified. Additionally, further environmental review at the project-level would be required pursuant to CEQA and potential impacts would be required to be mitigated to the maximum extent feasible. Therefore, adoption of the Housing Element would have a *less-than-significant* impact on geology and soils.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?

The City utilizes an existing municipal sewer system. Alternative wastewater disposal systems are not necessary. Therefore, *no impact* would occur.

VII. GREENHOUSE GAS EMISSIONS

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION:

a) Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?

The proposed Project would result in changes at the policy level and does not include specific development proposals. Implementation of the proposed Project would result in consistency between the City’s Housing Element and General Plan land use and zoning designations. The Housing Element establishes City direction for facilitating housing development pursuant to adopted land use plans. Development facilitated by the Housing Element programs has the potential to result in GHG emissions due to new vehicle trips, use of stationary equipment, natural gas use, and indirect emissions from use of electricity, water demand and wastewater treatment, and solid waste disposal. Further, the total number of trips generated under the proposed Project would be less than the trips generated would be less than if all Housing Opportunity Sites were redeveloped with 100 percent commercial uses, as shown in Table 3.. Thus, mobile-source GHG emissions for the proposed Project would be less compared to the existing conditions. Any future developments would

be subject to CEQA review on a project-by-project basis, and impacts would be disclosed and mitigated as feasible. These future developments would be subject to measures within City's Climate Action Plan in addition to statewide measures to reduce GHG emissions. Therefore, impacts to GHG emissions due to the proposed Project would be *less than significant*.

b) Conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs?

The City of Albany has adopted a Climate Action Plan that identifies strategies to reduce energy, water use, and other measures that also reduce GHG emissions.¹⁷ Other applicable plans adopted for the purpose of reducing GHG emissions include CARB's *2008 Scoping Plan* and the Association of Bay Area Government's (ABAG) *Plan Bay Area*. A consistency analysis with these plans is presented below.

CARB Scoping Plan

In accordance with Assembly Bill 32 (AB 32), CARB developed the *2008 Scoping Plan* to outline the state's strategy to achieve 1990 level emissions by year 2020. To estimate the reductions necessary, CARB projected statewide 2020 business as usual (BAU) GHG emissions and identified that the state as a whole would be required to reduce GHG emissions by 28.5 percent from year 2020 BAU to achieve the targets of AB 32.¹⁸ Since release of the *2008 Scoping Plan*, CARB has updated the 2020 GHG BAU forecast to reflect GHG emissions in light of the economic downturn and measures not previously considered in the 2008 Scoping Plan baseline inventory. The revised BAU 2020 forecast shows that the state would have to reduce GHG emissions by 21.6 percent from BAU without Pavley and the 33 percent RPS, or 15.7 percent from the adjusted baseline (i.e., with Pavley and 33 percent RPS).¹⁹

Since adoption of the *2008 Scoping Plan*, State agencies have adopted programs identified in the plan, and the legislature has passed additional legislation to achieve the GHG reduction targets. Statewide strategies to reduce GHG emissions include the low carbon fuel standard (LCFS), California Appliance Energy Efficiency regulations, California Building Standards (i.e., CALGreen and the 2013 Building and Energy Efficiency Standards), 33 percent renewable portfolio standard (RPS), and changes in the corporate average fuel economy standards (e.g., Pavley I and California Advanced Clean Cars [Pavley II]). The proposed Project would not obstruct implementation of the CARB *2008 Scoping Plan*. Additionally, as discussed below, the City has adopted a Climate Action Plan that would support the statewide measures to reduce GHG emissions. Therefore, *no impacts* would occur.

ABAG Plan Bay Area

ABAG *Plan Bay Area* is a regional growth management strategy that targets per capita GHG reduction from passenger vehicles and light duty trucks in the Bay Area region.²⁰ *Plan Bay Area* incorporates local land use projections and circulation networks in General Plans of cities and counties. The projected regional development pattern, including location of land uses and residential densities included in local General Plans, when integrated with the proposed regional transportation network identified in the *Plan Bay Area*, would reduce per capita vehicular travel-related GHG emissions and achieve the subregional GHG reduction per capita targets for the ABAG region. Overall, well over two-thirds of all regional growth by 2040 is allocated within planned development areas (PDAs).²¹ PDAs are transit-oriented, infill development opportunity areas within existing communities that are expected to host the majority of future development. The San Pablo & Solano Mixed Use Neighborhood PDA is within the City and the proposed Project is consistent with the growth vision for this PDA.²² The proposed Project would enable the City to meet its 2014 - 2022 RHNA. As the housing assessment in the RHNA is determined by ABAG, the proposed Project would accommodate increases in population based on ABAG's demographic projections. The Project would be consistent with the *Plan Bay Area* because it is based on demographic projections for the City that form the basis of the *Plan Bay Area*. Therefore, *no impact* would occur.

¹⁷ City of Albany. 2010, April. Albany Climate Action Plan.

¹⁸ California Air Resources Board (CARB). 2008, October. Climate Change Proposed Scoping Plan, a Framework for Change.

¹⁹ California Air Resources Board (CARB). 2012. Status of Scoping Plan Recommended Measures.

http://www.arb.ca.gov/cc/scopingplan/status_of_scoping_plan_measures.pdf.

²⁰ Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG). 2013, July 18. Plan Bay Area: Strategy for a Sustainable Region.

²¹ Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG), 2013, *Final Plan Bay Area, Strategy for a Sustainable Region*.

²² Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG), 2013, *Bay Area Priority Development Areas*, <http://geocommons.com/maps/141979>.

City of Albany Climate Action Plan

The City of Albany adopted its Climate Action Plan (CAP) in April 2010.²³ It implements goals and objectives that would assure compliance with the GHG reduction strategies identified by CARB in the *2008 Scoping Plan*.

In 2007, the City adopted a Green Building Ordinance, which requires commercial and residential construction and renovations to be constructed in compliance with Leadership in Energy and Environmental Design (LEED) and Green-Point Rated certification systems. The City has added a number of local incentives to the checklists, such as extra points for projects which accommodate electric vehicles or additional street trees. The green building guidelines are an important part of the City's Climate Action Plan implementation and help support achievement of the State greenhouse gas reduction goals under AB 32. The following objectives and measures from the CAP are applicable to future residential development constructed in accordance with the Housing Element:

- **Objective BE-3: Require Energy Performance In New Construction**
 - Measure BE 3.1:** Require new construction to comply with energy efficiency standards contained within the Green Building Code.
 - Measure BE 3.2:** Require that all new multi-tenant buildings be sub-metered to allow each tenant the ability to monitor their own energy and water consumption.
- **Objective WC-2: Conserve Water in New Construction/Landscapes**
 - Measure WC 2.1:** Require new construction and major remodels to achieve indoor water efficiency 20% above the California Building Standards Code.
 - Measure WC 2.2:** Require new landscape projects to reduce outdoor potable water use by 50%.

The following Policy and Implementation Programs in the Housing Element are consistent with the City's CAP.

- **Policy 1.7 Reducing Home Energy Costs.** Encourage the weatherization of existing homes, the use of energy-efficient appliances, and the development of renewable energy systems to reduce energy costs and thereby provide more disposable income for housing.

Implementation Programs

- **Program 1.A: Code Enforcement.** Maintain building and housing code enforcement programs. Enforcement of planning and building codes is important to protect Albany's housing stock and ensure the health and safety of those who live in the city. Typical code enforcement actions relate to life safety and public health violations, unpermitted construction, and deteriorated buildings. Code enforcement is performed on a complaint basis, with staff responding to public inquiries as needed.
- **Program 1.E: Weatherization Program.** Continue the partnership with the cities of Berkeley and Emeryville to provide weatherization assistance to low income Albany households. The cities of Albany, Berkeley, and Emeryville have partnered to carry out a federally funded weatherization program benefiting low income households. The Berkeley Energy Office administers the program. It provides free attic insulation, weather-stripping, water-efficient showerheads, heater duct insulation, high efficiency lighting, window repairs and replacement, furnace repairs, water heater blankets, ceiling fans, energy efficient appliances, and other improvements which reduce home energy costs. Participants must meet specific income criteria to ensure that the program benefits low income households.

Therefore, the proposed Project is consistent with the Building and Energy Objectives and Measures in the City of Albany CAP and impacts would be *less than significant*.

²³ City of Albany. 2010, April. Albany Climate Action Plan.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION:

a,c)

No significant new use of hazardous materials is contemplated under the proposed Housing Element. New development would primarily be residential, although it could include mixed-use projects with retail, restaurant or office space. Hazardous materials involved in the long-term use of residential units would be limited to common household materials such as gasoline, batteries, and household cleaning solutions. Hazardous materials used during the construction phase of potential future projects allowed under the proposed Project would be limited to gasoline, diesel fuel, lubricating oil, grease, hydraulic oil, solvents, caulking, and paint. Additionally, all development constructed under the Housing Element would be required to comply with local, State and federal regulations pertaining to the storage, use, transportation and disposal of hazardous materials. All potential subsequent housing projects, including mixed-use projects with retail, restaurant, or office space would be subject to project-level CEQA review to ensure that these projects would not create a significant impact to the environment regarding the use of hazardous materials. Therefore, a *less-than-significant* impact would occur.

b) *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

The use of hazardous materials in the construction of housing developed under this Housing Element may expose the public to the release of hazardous materials under reasonably foreseeable accident conditions. However, construction activities would be regulated by applicable federal, State and local agencies that require Best Management Practices (BMPs) to avoid and contain hazardous material spills. Adherence to applicable laws and regulations would reduce this potential impact to a *less-than-significant* level.

d) *Would the project be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?*

None of the sites identified in the proposed Housing Element, including the three new sites, are located on the list of hazardous materials prepared pursuant to Government Code 65962.5.²⁴ Site 18 at 501-505 San Pablo was previously identified as a Leaking Underground Storage Tank (LIST) site, but the site has been fully remediated and is considered a closed case.²⁵ The City is also committed, through General Plan Policy CHS-3.1 to evaluate and map the presence of hazardous materials at any development or redevelopment sites filled prior to 1974, or sites historically devoted to uses which may have involved hazardous wastes. However, adherence to goals and policies in the General Plan including Goal CHS 3, which calls for the City to reduce the exposure of present and future Albany residents and workers to hazardous materials, would reduce risks to the maximum extent practicable. As a result, implementation of this Housing Element would not create a significant hazard to the public or the environment in this respect. A *less-than-significant* impact would result.

e) *For a project within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people living or working in the project area?*

The planning area is not located within an airport land use plan and there are not any public airports or public use airports within two miles of the city. Therefore, implementation of the proposed Housing Element would have *no impact* in this respect.

f) *For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?*

The planning area is not located within the vicinity of a private airstrip. Therefore, *no impact* would occur.

g) *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Albany's Emergency Operations Center (EOC) is the primary location for internal, operational, planning and logistical activities in the event of a localized or regional disaster impacting Albany.²⁶ To ensure the City's emergency response preparedness, the City's General Plan includes multiple policies pertaining to adequate emergency response. General Plan Policy CHS 2.2 calls for the City to update and revise the Multihazard Functional Plan as appropriate, and list community and business resources that could provide emergency resource materials such as equipment or food. Policy CHS 2.1 directs the City to continue to develop a city-wide disaster preparedness program to organize and train residents and area employees to assist in an emergency; Policy CHS 2.3 calls for the development of an emergency operations center at the Library/Community Center on Marin Avenue; and Policies CHS 2.4 and 2.5 work to ensure that police and fire departments maintain current levels of service throughout Albany. Adoption of the proposed Housing Element would not impair or interfere with either the Multihazard Functional Plan or the General Plan. Therefore, this would be a *less-than-significant* impact.

²⁴ California Department of Toxic Substances Control's website, <http://www.envirostor.dtsc.ca.gov/public/>, accessed on November 5, 2014.

²⁵ California State Water Resources Control Board GeoTracker Database, <http://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=501+san+pablo+ave+albany%2C+ca>, accessed on December 1, 2014.

²⁶ City of Albany, City of Albany website, <http://www.albanyca.org/index.aspx?page=486>, accessed November 5, 2014.

b) *Would the project expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

The City of Albany is an urban area without any significant wildlands. The Albany Hill area is considered a wildland by the City of Albany General Plan 1990-2010; however, the Housing Element Opportunity Sites are not located there. Most of the vacant sites zoned for single family residential uses are near Albany Hill; however, project-level review for development of these parcels would be required to undergo separate project-level review wherein the potential for these projects to expose people or structures to a significant risk of loss, injury, or death involving wildland fires would be assessed and mitigated to the extent feasible. The Alameda County map of Fire Hazard Severity Zones produced by California Department of Forestry and Fire Protection (CAL FIRE) confirms that there are no areas in Albany located within a Fire Hazard Severity Zone.²⁷ Therefore, the likelihood of a wildland fire to occur in the city is low. This would be a *less-than-significant* impact.

IX. HYDROLOGY AND WATER QUALITY

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a significant lowering of the local groundwater table level?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

²⁷ CAL FIRE website, http://www.fire.ca.gov/fire_prevention/fhsz_maps_alameda.php, accessed November 5, 2014.

DISCUSSION:

a) *Would the project violate any water quality standards or waste discharge requirements?*

Water quality in surface and groundwater bodies is regulated by the State and Regional Water Quality Control Boards (RWQCBs). The San Francisco Bay RWQCB is responsible for implementation of State and federal water quality protection guidelines in the vicinity of the Plan Area. The RWQCB implements the Water Quality Control Plan (Basin Plan), a master policy document for managing water quality issues in the region.²⁸

Runoff water quality is regulated by the federal National Pollution Discharge Eliminating System (NPDES) Nonpoint Source Program (established through the Clean Water Act). The NPDES program objective is to control and reduce pollutants entering water bodies from nonpoint discharges. The program is administered by the California RWQCBs. The city of Albany is under the jurisdiction of the San Francisco Bay RWQCB.²⁹

The City of Albany is a partner in the Alameda County Clean Water Program (ACCWP) and the City also implements an Urban Runoff Program. These programs maintain compliance with the NPDES Storm Water Discharge Permit and promote stormwater pollution prevention within that context. Under the terms of the NPDES permit, only identified project sites that would create or replace greater than 10,000 square feet of impervious surface would be required to meet all the terms of the permit. Although the details of how much impervious surface will be created on any of the Housing Opportunity Sites are not known at this time, the Housing Opportunity Sites greater than 10,000 square feet include site 3, 6, 8, 10, 11, 13, 14, 16, 17, 18, 19, and 20. If these sites would create or replace greater than 10,000 square feet of impervious surface, they would be required to meet the following list of requirements to comply with the NPDES permit (including but not limited to):³⁰

Numeric Sizing Criteria for Pollutant Removal Treatment Systems;
Operation and Maintenance of Treatment Measures; and
Limitation on Increase of Peak Storm Water Runoff Discharge Rates.

The ACCWP (2005) countywide Hydrograph Modification Management Plan (HMMP) applies to new development or redevelopment projects that would create or replace one acre or more of impervious surface. The HMMP standard is intended to ensure that new projects in Alameda County, including those within the City of Albany, do not increase erosion. Under the HMMP, applicable sites would be required to obtain coverage under the Construction General Permit (CGP) for Discharges of Storm Water Associated with Construction Activity. For projects that qualify for coverage, the CGP has provisions requiring stormwater management during both the construction and operational periods.

The City of Albany's General Plan EIR prescribes several mitigation measures intended to prevent adverse impacts related to water quality and waste discharge. These measures are as follows:

General Plan EIR Hydrology, Water Quality and Erosion Mitigation Measures

Mitigation Measure 1: Continue regulation of construction practices to reduce erosion and urban runoff.

Mitigation Measure 2: Encourage the use of native landscaping which reduces the need for fertilizer and pesticides.

Mitigation Measure 3: Support a program of street plantings to reduce the amount of runoff entering surface waterways.

Mitigation Measure 4: Evaluate construction projects for water quality impacts.

²⁸ California Regional Water Quality Control Board, San Francisco Bay Region, 2013, San Francisco Bay Basin (Region 2), Water Quality Control Plan (Basin Plan).

²⁹ California Regional Water Quality Control Board, San Francisco Bay Region, 2013, San Francisco Bay Basin (Region 2), Water Quality Control Plan (Basin Plan)

³⁰ City of Albany, *University Village at San Pablo Avenue EIR*, page 215.

Mitigation Measure 5: Oversee disposal of toxics from businesses and publicize hazardous dumping into domestic water systems.

As described above, there is a strict regulatory framework that applies to water quality standards and waste discharge requirements in the City of Albany. Demolition and construction on the proposed housing sites permitted under the proposed Project would be required to comply with the Basin Plan, ACCWP, HMMP and the City of Albany General Plan EIR mitigation measures in addition to undergoing subsequent project-level review pursuant to CEQA. Therefore, impacts to water quality standards and waste discharge requirements under the proposed Housing Element would be *less than significant*.

b) *Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?*

Potential future development under the proposed Project would have a significant environmental impact if it would result in a net deficit in aquifer volume or lowering of the local groundwater table level. Other physical changes that could occur as a result of implementing the Housing Element would occur within the existing urbanized environment in areas where existing development occurs and would not interfere with groundwater recharge. The Housing Element only identifies sites that have previously been zoned for residential or mixed use and would not result in any new development potential in the City beyond what is currently accounted for in the General Plan. No additional water demand would occur. Therefore, potential impacts to groundwater supplies and groundwater recharge would be *less than significant*.

c) *Would the project substantially alter the existing drainage pattern of the site, including through the alteration of the course of a stream or river in a manner that would result in substantial erosion or siltation on- or off-site?*

The proposed Housing Element identifies sites that if developed, could potentially alter existing drainage patterns that would result in erosion or siltation. To prevent impacts resulting from potential drainage alteration, the regulatory framework incorporated into the City's General Plan and General Plan EIR addresses the protection of watercourses and erosion prevention. Further, potential future development as a result of the proposed Project would occur within the urbanized environment and would not involve the direct modification of any watercourse. If unforeseen excessive grading or excavation are required, then pursuant to the State Water Quality Control Board (SWQCB) Construction General Permit, a Stormwater Pollution Prevention Plan (SWPPP) would be required to be prepared and implemented for the qualifying projects under the proposed Project, which would ensure that erosion, siltation, and flooding is prevented to the maximum extent practicable during construction. Additionally, future development on the sites identified in the proposed Housing Element would undergo project-level CEQA review to address the potential for alteration of the existing drainage patterns at the sites. Therefore, a *less-than-significant* impact would result.

d) *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*

The five creeks that run through the City of Albany are Cerrito, Cordonices, Marin, Middle, and Village Creeks. Cerrito Creek runs along the northern boundary of the City of Albany and the southern boundary of the City of El Cerrito, the majority of the creek is open (day-lighted), with few culverted sections. Cerrito Creek runs in proximity to Housing Opportunity Site 1, with one residential parcel between the site and the creek itself. The separation between Housing Opportunity Site 1 and the creek would make alteration of the creek or flooding resulting from the increased rate or amount of surface runoff, unlikely to occur. Marin and Village creeks are predominantly culverted creeks that run underground through southern portions of Albany.

While due to the largely urbanized character of the potential housing sites, residential development with the potential to substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site is unlikely, subsequent project-level environmental review processes would ensure that this issue is evaluated and mitigated to the extent feasible. Therefore, implementation of the proposed Housing Element would result in a *less-than-significant* impact to existing drainage patterns.

e) *Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

Adoption of the Housing Element alone would not result in the development of residential units; however, development as a result of implementation of the Housing Element could result in physical changes that could occur which could increase impervious surfaces that could create or contribute to runoff water that would exceed the City's stormwater drainage systems. However, the type of anticipated development associated with the Housing Element would primarily be restricted to the existing urbanized environment in areas where residential uses are currently allowed. The impacts related to stormwater drainage runoff would be *less than significant*. Also, see section IX.c and IX.d above.

f) *Would the project otherwise substantially degrade water quality?*

A principal source of water pollutants is stormwater runoff containing petrochemicals and heavy metals from parking lots and roadways. Given the proposed Project would not create such surfaces or directly increase vehicular use of existing parking lots and roadways, implementation of the proposed Project would not contribute to these types of water pollutants. As discussed under IX.c and IX.d, where excessive construction related grading or excavation is required, pursuant to the SWQCB Construction General Permit, a SWPPP would be required to be prepared and implemented for the qualifying projects under the proposed Project, which would reduce polluted runoff to the maximum extent practicable during construction phases. As a result of these policies and subsequent project-level review, the proposed Housing Element would have a *less-than-significant* impact on water quality.

g-h) *Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?*

Under the proposed Housing Element, the structures developed would be residential units, as well as some commercial space as part of potential mixed-use developments. The federal Flood Insurance Rate Map for Alameda County shows the potential for 100-year flood hazards along the banks of Cerrito Creek at the northern boundary of Albany, along the banks of Cordonices Creek at the southern boundary of Albany, and along shoreline of the San Francisco Bay.³¹

The 100-year flooding hazard area resulting from Cerrito Creek includes the Albany side of the creek from San Pablo Avenue to the Creek's outlet into the San Francisco Bay. The flooding hazard area reaches the residential and commercial development on the northwest side of Albany Hill, Interstate 80, light industrial uses west of Interstate 80, Interstate 580, and Hoffman Boulevard. None of the identified Housing Opportunity Sites in the proposed Housing Element would be impacted by 100-year flood hazard area resulting from Cerrito Creek. Therefore, there would be no impact resulting from flooding of Cerrito Creek.

The 100-year flood hazard area for Cordonices Creek includes the portion of Albany from Interstate 80 to the eastern boundary of the City, and continues into the City of Berkeley. Flooding in this area could impact Housing Opportunity Site 17; the southern portion of which is within the 100-year hazard zone as indicated by maps produced by the Federal Emergency Management Agency (FEMA).³² However, adoption of the proposed Housing Element alone would not result in physical development, but rather, it identifies sites available for residential development. Although potential residential development resulting from implementation of the proposed Housing Element could allow housing on this site which is within the 100-year hazard zone, future projects would be subject to project-level environmental review, pursuant to CEQA, to further identify specific potential impacts on a more detailed level. Therefore, potential impacts due to structures in a 100 year floodplain would be *less than significant* with incorporation of **Mitigation Measure HYDRO-1**.

Mitigation Measure HYDRO-1: The project applicant for potential development of opportunity Site 17 (1107-1111 San Pablo Ave) shall retain a qualified engineering or surveying professional to prepare a determination, including appropriate site plan sheet, of the precise location of the 100-year special flood hazard area boundaries for creeks in the vicinity of the project site. Based on this determination, if the project encroaches into the floodplain, consistent with the City of Albany Flood Damage Prevention Regulations, the applicant shall obtain a flood zone permit. The applicant shall comply with all requirements of the flood zone permit as imposed by the City.

³¹ Federal Emergency Management Agency, Flood Insurance Rate Map, Alameda County California and Incorporated Areas, Panel 18 of 725.

³² Federal Emergency Management Agency, Flood Insurance Rate Map, Alameda County California and Incorporated Areas, Panel 18 of 725.

These recommendations and requirements are to be implemented in the planning and construction of the proposed project to assure that the project will not impede or redirect flood flows, or present a significant risk of flood-related loss to people or structures.

i) *Would the project expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?*

According to dam inundation maps prepared by the California Emergency Management Agency (CalEMA,2007) Housing Opportunity Sites 1, 2, 3, 4, and 16 are within areas identified as having the potential to be inundated in the event of a failure of the San Pablo/Clearwell dam. However, as discussed above, adoption of the proposed Housing Element alone would not result in physical development, but identifies sites available for residential development. Although potential residential development as a result of implementation of the proposed Housing Element could place housing within this dam inundation zone, future projects would be subject to site-specific project-level environmental review to further identify specific potential impacts. Therefore, potential impacts due to dam inundation would be *less than significant* with incorporation of **Mitigation Measure HYDRO-2**.

Mitigation Measure HYDRO-2: The project applicant(s) for potential development of Opportunity Sites 1, 2, 3, 4, and 16 shall retain a qualified engineering or surveying professional to prepare a determination, including appropriate site plan sheet, of the precise location of the dam inundation flood hazard area boundaries that could affect these sites. Based on this determination, the applicant(s) shall incorporate appropriate design features to minimize or eliminate the risk of potential flooding in the event of dam failure. Any potential design features identified must be reviewed and approved by the City prior to construction and would be required to comply with all other applicable development regulations.

j) *Would the project be inundated by seiche, tsunami, or mudflow?*

The setting of the City of Albany on lowlands, near the San Francisco Bay, creates a potential for coastal flooding hazards, including tsunami or seiche. Maps produced by CalEMA show that although there is potential for a tsunami or a seiche to impact the City of Albany, impacts would be limited to the immediate shoreline area, west of Interstate 80.³³ Neither tsunamis nor seiches would affect more inland areas of the City.

Mudflows would not likely affect the Housing Opportunity Sites since none are located at the base of unstable hillsides. Since the City of Albany is protected from tsunami, seiche, and mudflow, and potential future projects allowed under the proposed Project would be subject to project-level environmental review pursuant to CEQA, this impact would be *less than significant*.

X. LAND USE AND PLANNING

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

³³ California Emergency Management Agency, 2009, Tsunami Inundation Map For Emergency Planning, Richmond Quadrangle.

DISCUSSION:

a) Would the project physically divide an established community?

The Housing Opportunity Sites identified in the proposed Housing Element are currently designated to allow for residential development and would not require any zoning amendments or amendments to the General Plan Land Use Map. Sites 1-5 are zoned for Residential High Density. Sites 6 and 9-20 are zoned San Pablo Commercial (SPC). Sites 7 and 8 are both zoned as Solano Commercial (SC). Additionally, a portion of site 19 and all of site 20 are designated as being covered by a Commercial Node Overlay District. The Commercial Node Overlay District is intended to be applied to limited areas for the purposes of intensifying retail, commercial and mixed use activities around major intersections; reinforcing existing and developing concentrations of pedestrian-oriented uses; and defining the major commercial areas in Albany through distinctive design standards for specific locations.³⁴

The General Plan designates sites 1-5 as Residential High Density. Site 6 is designated as Residential Commercial. Site 7 and 8 are designated as Community Commercial, which accommodates residential land uses. Sites 9-12 and 14, 15, and 17-20 are designated as General Commercial which also can accommodate residential land uses. Site 13 has a split designation where 10,000 square feet of the site are designated General Commercial and 15,000 square feet of the site are designated Residential High Density. Site 16 has a General Plan Land Use Designation of Planned Residential- Commercial. The Second Units would be developed under a residential designation in the R-1 zone. Therefore, according to the City of Albany’s General Plan designations and the Zoning Ordinance, the residential and mixed uses in the proposed Housing Element would be appropriately located, and would not physically divide an established community. This would be a *less-than-significant* impact.

b) Would the project conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

The proposed Project would be consistent with the City’s General Plan in terms of type and density of land use. The implementation of the Housing Element would not require land use changes since the designations for the proposed Housing Opportunity Sites allow residential uses. Additionally, no part of the proposed Project would conflict with any of the provisions of the City’s Climate Action Plan (CAP) or any other applicable land use plan adopted for the purpose of avoiding or mitigating an environmental effect.

Since the proposed Housing Element would not conflict with any applicable land use plan, this would be a *less-than-significant* impact.

c) Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?

As previously stated in subsection V.f, the Housing Opportunity Sites identified in the proposed Housing Element are located within an urban area that is not subject to any provisions of an adopted HCP or NCCP, or other approved local, regional, or State habitat conservation plans. Therefore, there would be *no impact* in this respect.

XI. MINERAL RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

³⁴ City of Albany, Albany Municipal Code, Section 20.12.080(B.2).

DISCUSSION:

a-b)

None of the Housing Opportunity Sites are in an area of known mineral resources identified in the General Plan. There would be *no impact*.

XII. NOISE

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

a-b)

New housing units anticipated to be developed under the proposed Housing Element could result in exposure of persons to noise levels in excess of local standards, as well as potential groundborne vibration or groundborne noise levels. Housing units resulting from the proposed Housing Element could potentially be exposed to noise pollution from additional vehicular traffic on busy roadways, and from the Bay Area Rapid Transit (BART) rail system. In addition, emergency shelters would be permitted by right in the CMX zone, which is close to the UP Railroad and Interstate 80.

Construction-period noise associated with new development would include noise generated from demolition of existing development and construction of new residential or mixed-use development. This noise, although bothersome to existing residences and businesses, would be a temporary impact. Construction and demolition are defined in the City of Albany Noise Ordinance (Ord. #91-08, §1) as a special provision. The Ordinance requires that all construction and demolition activities must be permitted by the City of Albany. Construction and demolition activities must be restricted from weekday and Saturday hours between 6:00 p.m. and 8:00 a.m., or 6:00 p.m. and 10:00 a.m. on Sundays or legal holidays such that the sound can be heard across a real property line, except for emergency work of public service utilities. The Ordinance requires that all construction equipment shall be equipped with appropriate and properly-maintained sound muffling equipment that is used at all times such equipment is in operation. Additionally, the City of Albany Director of Public Works may impose additional restrictions on construction activity if such activity is determined to be creating a noise disturbance. All construction and demolition activities resulting from the proposed Housing Element

would be required to comply with the City's Noise Ordinance, and this would be reviewed and mitigated in subsequent project-level review. Therefore a less-than-significant impact would result.

Some housing sites would be located on already busy thoroughfares such as San Pablo Avenue, Solano Avenue, and close to the BART rail system. However, noise levels from increased vehicular traffic could be mitigated to acceptable levels through project-level design improvements such as double paned windows, soft floor coverings, and sound transmission reduction materials for walls, which would diffuse interior noise levels from street traffic. Further, all potential development pursued under the proposed Project would be subject to the oversight and review processes and standards that are envisioned by the General Plan, established within the Zoning Code, and/or otherwise required by the State and federal regulations. Applicable General Plan policies include:

CHS 4.1 Require preparation of an acoustical report for any project which would be exposed to noise levels in excess of those shown as "normally acceptable" in Figure 3 and Table 1 and as generally identified on the Noise Contours Map.

CHS 4.2 Require mitigation measures for new residential, transient lodging, motel/hotel, school, library, church and hospital development to reduce noise exposure to "normally acceptable" levels.

CHS 4.3 Require post-construction monitoring and sign-off by an acoustical engineer to ensure that City guidelines have been achieved whenever mitigation measure to achieve conformance with the criteria in Figure 3 and Table 1 are imposed.

CHS 4.4 Require mitigation measures be incorporated into and an acoustical report be prepared for projects that would cause the following criteria to be exceeded or would have the potential for creating significant community annoyance:

- 1) the L_{dn} in existing residential areas to exceed an L_{dn} of 60 dB minimum;
- 2) the L_{dn} in existing residential areas to increase by 3 dB or more if the L_{dn} currently exceeds 60 dB; or
- 3) noise levels that would be expected to create significant adverse community response.

CHS 4.5 Work with Caltrans to evaluate and develop information on opportunities for improved noise insulation that could be given to residents wishing to reduce the noise levels at their homes.

CHS 5.1 Develop a program to measure noise impacts along the BART corridor and develop a program to reduce identified noise problems.

The General Plan EIR includes the following mitigation measures in the Noise section:

EIR Noise Mitigation 1: Plan land use policies compatible with existing development patterns so that existing and projected noise levels do not interfere with a proposed activity.

EIR Noise Mitigation 2: Revise the City's noise ordinance to include specific and measurable noise standards and establish more restrictive quiet hours.

EIR Noise Mitigation 3: Develop specific noise standards for the BART corridor and programs to reduce the noise impacts of BART.

EIR Noise Mitigation 4: Develop specific noise standards and restrictive hours of operation for businesses which are adjacent to residential areas along San Pablo, Solano and Kains Avenues and Adams, Cleveland and Pierce Street.

EIR Noise Mitigation 5: Develop a residential noise insulation retrofit package to be given to residents impacted by existing adverse noise levels.

EIR Noise Mitigation 6: Adopt as a long term goal the lowering of an acceptable exterior noise level for residential uses to an L_{dn} of 55 dBA, wherever feasible.

In combination, the policies, mitigation measures of the General Plan EIR related to noise, requirements of the Noise Ordinance, and project-level review and design improvements, would act to directly or indirectly limit the exposure of persons to or generation of noise levels that would potentially result from implementation of the proposed Housing Element. Consequently, this would be a *less-than-significant* impact.

c) *Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*

Potential impacts from future residential development would stem mainly from the addition of vehicles along roadways in the City. However, no additional vehicles are anticipated under the proposed Project beyond what was previously analyzed under the current General Plan. The type of development envisioned under the proposed Project would be compatible with nearby residential land uses and are either already developed and/or in close proximity to existing residential and residential-serving development. Because residential uses are not typically associated with high levels of stationary noise generation and would be largely developed and near other residential uses, it is unlikely that any developments subsequent to future development under the proposed Project would directly contribute to greater increase in ambient noise levels in their surrounding areas. Therefore, the impact would be a *less than significant*.

d) *Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

New dwelling units anticipated to be developed under the Housing Element Update have the potential to increase temporary or periodic ambient noise levels above current levels during construction. As discussed in a-b above, compliance with existing General Plan policies, mitigation measures of the General Plan EIR regarding noise, and requirements of the Noise Ordinance have been adopted to reduce noise impacts associated with new development. With these mitigation measures in place, in addition to potential future additional mitigation measures resulting from subsequent project-level environmental review, adoption of the Housing Element Update would result in a *less-than-significant* impact regarding substantial temporary or periodic increases in ambient noise levels in the project vicinity.

e-f) *For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

Albany is not located within the boundaries of an airport land use plan and there are no private airstrips in or around the City. The closest airport is Oakland International airport, which is located approximately 10.5 miles south of the Albany City limit. The San Francisco International Airport is located even further from Albany, approximately 18 miles southwest of the City. Noise associated with aircraft from either airport is audible within Albany; however, the City is not located within the 55 dBA CNEL noise contours of either Oakland or San Francisco International Airports.^{35,36} Therefore, implementation of the proposed Housing Element would not expose people within the planning area to high levels of airport-related noise. There would be *no impact*.

XIII. POPULATION AND HOUSING

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

³⁵ Alameda County Community Development Agency, December 2010, Oakland International Airport Land Use Compatibility Plan, page 71.

³⁶ City/County Association of Governments of San Mateo County, July 2012, Comprehensive Airport land Use Compatibility Plan for the Environs of San Francisco International Airport, page D-15.

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

a) Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The proposed Project would be considered to result in a substantial and unplanned level of growth if estimated buildout exceeded local and regional growth projections (e.g. by proposing new homes or businesses). By definition, the Housing Element is intended to facilitate the production of housing in the City and remove impediments to housing construction. Implementation of the proposed Project would not result in any additional housing beyond what was considered in the current General Plan and thus would not directly induce substantial population growth. Additionally, the proposed Project would not extend roads or other infrastructure, and thus would not indirectly induce substantial population growth. Therefore, the proposed Project would have a *less-than-significant* effect with respect to population growth inducement.

b-c) Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Because the proposed Project in no way increases the restrictiveness of the existing zoning on any of the proposed housing sites, nothing in the proposed Housing Element would serve to displace housing or people. Newly added Housing Sites 20 includes existing residential units in its southwest corner---but the boundaries of the site have been drawn to exclude these units and encompass only the commercially developed portion of the property. Another of the new housing sites (Site 19) includes two single family rental homes, but the number of replacement units on this site (at least 16) far exceeds the number of units displaced.

The proposed Project prescribes standards, but does not mandate the exact use of the land. Therefore, market conditions and a variety of other factors will be the primary determinates of the increase or decrease in the number of housing units and residents in Albany. Consequently, impacts with respect to displacing housing units or residents would be *less than significant*.

XIV. PUBLIC SERVICES

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v. Libraries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services?

The primary purpose of a public services impact analysis is to examine the impacts associated with physical improvements to public service facilities required to maintain acceptable service ratios, response times or other performance objectives. Public service facilities typically need improvements (i.e. construction of new, renovation or expansion of existing) as demand for services increases. Increased demand is typically driven by increases in population. The proposed Project would have a significant environmental impact if it would exceed the ability of public service providers to adequately serve the residents of the City, thereby requiring construction of new facilities or modification of existing facilities. As discussed in Section XIII, Population and Housing, above, the proposed Project would not directly or indirectly result in significant population growth. The proposed Project does not include the construction of any new public service facilities or expansion of existing facilities. Further, the proposed Housing Element only identifies sites suitable for residential development that have previously been zoned to allow for residential use. Anticipated residential development under implementation of the proposed Housing Element would also be subject to project-level environmental review to identify potential impacts to public services related to specific developments. Therefore, adoption of the proposed Housing Element alone would not result in any direct physical impacts to public services; thus, *no impact* would occur.

XV. RECREATION

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?

Parks and recreational facilities in the city of Albany are guided by the City’s 2004 Parks, Recreation and Open Space Master Plan. The Parks, Recreation and Open Space Master Plan includes Policy 1.1, which requires the City to maintain levels of service for parkland, as identified in that document. The proposed Housing Element is not changing any General Plan designations, nor is it changing existing zoning designations to allow for this growth. Moreover, as discussed

above in section XIII, Population and Housing, the proposed Project would not have a significant impact with respect to substantial unplanned population growth. Therefore, this impact would be *less than significant*.

b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

There are no recreational facilities, or construction or expansion of recreational facilities planned as part of the proposed Housing Element. There would be *no impact* in this respect.

XVI. TRANSPORTATION/TRAFFIC

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION:

a) *Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?*

The City's General Plan includes goals and policies to reduce reliance on the automobile. These policies include enhancing pedestrian and bicycle facilities and to support transit service. In addition, the City of Albany adopted an Active Transportation Plan in 2012, including bicycle and pedestrian circulation policies. The City is also in the process of updating its General Plan to guide planning policy decisions through 2035. It is not expected that major land use changes will be proposed through the General Plan update.

The City of Albany General Plan Circulation Element establishes the following general goals for implementation of the Circulation Element:

- Goal CIRC 1: Preserve the character of residential areas near and on arterial streets.

- Goal CIRC 2: Protect residential neighborhoods from excessive parking demands.
- Goal CIRC 3: Maintain adequate circulation throughout the City and improve the parking capacity on Solano and San Pablo Avenues.
- Goal CIRC 4: Support public transit and other means to reduce reliance on the automobile as the primary means of transportation.
- Goal CIRC 5: Ensure that the I-80 reconstruction project meets the City's goals for improved earthquake safety on the Buchanan/I-80/580 interchange and the Buchanan Street overpass, improved automobile safety of the interchange, improved pedestrian and bicycle safety of the interchange, and improved access to the Albany Waterfront.
- Goal CIRC 6: Improve and enhance the City's bicycle route and path system. The Circulation Element contains 26 specific policies that are intended to achieve these goals. The Element also includes maps illustrating peak hour roadway congestion and the Circulation Plan Map.

The General Plan includes the following circulation policies that are applicable to implementation of the proposed Housing Element:

- Policy CIRC 2.3: Evaluate the impacts of overflow parking from the University Village on adjacent streets and private parking areas. Consider more stringent parking regulations plus agreement with the University of California to provide more on-site parking or take steps to limit car ownership by residents.
- Policy CIRC 3.1: Monitor critical intersections (e.g., such as Buchanan/Jackson, Buchanan/San Pablo, Solano/San Pablo, Marin/Santa Fe, Marin/Key Route) for indications of necessary traffic improvements. Develop specific improvement plans to reduce impacts of increased traffic and incorporate into the City's Capital Improvements Plan.
- Policy CIRC 3.2: Conduct more detailed studies to address the traffic effects and needed improvements associated with specific development proposals.
- Policy CIRC 4.3: Continue to work with the City's Trip Reduction Ordinance and continue to develop programs and incentives for the use of carpools, staggered work hours, bicycling, walking and the increased use of public transit for community residents and employees in the community.
- Policy CIRC 4.7: Assure that sidewalks, pathways, and trails used by pedestrians are safe and provide unhindered access for all.

The City of Albany Active Transportation Plan includes the following goals:

- Goal 1: Safety - Improve safety for those that choose to walk and bike.
- Goal 2: Accessibility - Provide the citizens of Albany with a citywide network of trails and routes that are accessible to a wide variety of users including pedestrians, bicyclists, and the physically disabled.
- Goal 3: Connectivity - Develop bicycling and walking networks that meet the needs of all bicyclists and pedestrians, help reduce vehicle trips, link residential neighborhoods with regional destinations, and make walking and biking realistic ways to travel throughout the City and region.
- Goal 4: Public Health - Increase frequency and types of walking and bicycling trips in Albany to promote public health and improve the environment.
- Goal 5: Other - Maximize funding available to multi-modal projects, plans, and programs that support this Plan.

Although the City does not currently have specific standards of significance to measure the effectiveness of its transportation system, the regulatory framework provided above confirms that the City has an established vision of what its circulation system should look like and how it should work.

The project consists of updating the General Plan Housing Element. Adoption of the Housing Element provides the policy program under which individual housing projects are allowed. Adoption of the updated Housing Element does not entail any rezoning or redesignation of properties.

To estimate the amount of vehicular traffic associated with redevelopment of the opportunity sites with the realistic housing capacities enumerated in the Housing Element update, a trip generation estimate was prepared. Estimates are provided for weekday AM and PM peak hour periods when traffic volumes on roadways are typically at their highest.

Vehicle trips were calculated using trip generation rates obtained from the current 9th Edition of the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, as presented in Table 4. Existing trip generation for each parcel shown in Table 5 is based on the land use types and quantities and the trip generation rates for each use. Trip generation associated with development on the opportunity sites is estimated in Table 6. Neither existing nor potential trip generation rates account for the use of public transit, or include biking or walking reductions in vehicle trips, which would require site-specific traffic counts and/or traffic modeling.

The existing condition estimate for the sites is 4,620 daily trips, which includes 262 trips occurring during AM peak hour and 547 in the PM peak hour. The estimated potential trip generation for future development of the 20 sites is 4,672 daily trips, which includes 210 AM peak hour trips and 402 PM peak hour trips. There would be a slight increase of daily trips (52 daily trips), which represents a very small fraction of the approximately 23,000 average daily vehicle trips along San Pablo Avenue in Albany reported by Caltrans in its most recent traffic counts for the area in 2011.³⁷ AM peak hour trips would be reduced from 262 under existing conditions to 210 under future conditions. PM peak hour trips would be reduced from 547 to 402 under the proposed plan. Environmental review at the project level would assess each of the housing opportunity sites for any circulation impacts. Consequently, this would be a *less-than-significant* impact.

b) Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

The Alameda County Congestion Management Program (CMP) of the Alameda County Congestion Management Agency (ACCMA) requires each jurisdiction to identify existing and future transportation facilities that would operate below an acceptable service level and provide mitigation where future growth would degrade that service level on local and regional roadways and transit systems. The CMP designates a roadway system for which all routes are required to maintain a LOS standard of E, except for those areas designated as “infill opportunity zones.”³⁸ Within the City of Albany, the CMP-designated roadway system includes San Pablo Avenue.

As discussed above, development of the opportunity sites would result in a decrease in trip generation compared to existing conditions. Although there is potential for a localized increase in vehicular traffic in the vicinity of housing site 6 (1130 San Pablo Avenue) near southern City limits, the necessary environmental review for this parcel has been done and the City has adopted a resolution including a Statement of Overriding Considerations to significant effects to certain segments of the CMP roadway network. Since this issue has been reviewed previously and mitigation measures prescribed, it need not be reviewed again in this Initial Study. Consequently, this would be a *less-than-significant* impact.

c) Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

The planning area is not located in the vicinity of an airport and, as such, would have *no impact* on air traffic patterns.

d) Would the project substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?

As part of the development review process for proposed development, City staff reviews roadway and intersection design for conformance with standard engineering practices to avoid hazards due to design features, in addition to potential conflicts with incompatible uses. These issues are also addressed during project-specific environmental review. Therefore, the implementation of the proposed Housing Element would result in a *less-than-significant* impact.

e) Would the project result in inadequate emergency access?

As part of the development review process for proposed development, City staff reviews road configuration and access points for conformance with standard engineering practices to ensure that emergency access routes are established. Therefore, the implementation of the proposed Housing Element would result in a *less-than-significant* impact.

³⁷ Caltrans, 2010 Traffic Counts, <http://traffic-counts.dot.ca.gov/2010all/Route118-133.html>, accessed on January 27, 2014.

³⁸ Alameda County Congestion Management Agency, 2009 Congestion Management Program, page viii.

TABLE 4 TRIP GENERATION RATES

Land Use	ITE Land Use Code	Unit ^b	Daily	Trip Generation Rates ^a					
				AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Single Family Residential	210	DU	9.52	0.19	0.56	0.75	0.63	0.37	1.00
Apartment	220	DU	6.65	0.10	0.41	0.51	0.39	0.21	0.60
Condominium/Townhouse	230	DU	5.81	0.07	0.37	0.44	0.35	0.17	0.52
Senior Housing	252	DU	3.44	0.07	0.13	0.20	0.14	0.12	0.25
Retail (Shopping Center)	820	TSF	42.7	0.60	0.36	0.96	1.78	1.93	3.71
Bank	912	TSF	148.15	6.89	5.19	12.08	12.15	12.15	24.30
Auto Sales (Rental Car) ²	1588	TSF	32.3	1.44	0.48	1.92	1.05	1.57	2.62
Tire Store	848	TSF	24.87	1.82	1.07	2.89	1.78	2.37	4.15
Office	710	TSF	11.03	1.37	0.19	1.56	0.25	1.24	1.49
Quality Restaurant	931	TSF	89.95	0.27	0.54	0.81	5.02	2.47	7.49
High Turnover Sit-Down Restaurant	932	TSF	127.15	5.95	4.86	10.81	5.91	3.94	9.85
Car Wash	0	TSF	339	7.0	7.0	14.0	7.0	7.0	14.0

a. Rates for Peak Hour of adjacent streets.
b. DU= Dwelling Units; TSF = Thousand Square Feet.
Source: ITE 2012.

TABLE 5 ESTIMATED TRIP GENERATION FOR OPPORTUNITY SITES – POTENTIAL WITH EXISTING USES

Site	Address	Existing Use	Intensity	Unit	Daily	AM Peak Hour			PM Peak Hour		
						In	Out	Total	In	Out	Total
1	404-408 Cornell	Single Family Homes	2	DU	19	0	1	1	1	1	2
2	412-416 Stannage	Single Family Homes	2	DU	19	0	1	1	1	1	2
3	423-427 Talbot	Single Family Homes	2	DU	19	0	1	1	1	1	2
4	425 Evelyn	Rental Fourplex	4	DU	27	0	2	2	2	1	3
5	707-711 Adams	Parking	0	-	0	0	0	0	0	0	0
6	1130 San Pablo Ave	Vacant Land	0	-	0	0	0	0	0	0	0
7	1245 Solano Ave	Vacant Land	0	-	0	0	0	0	0	0	0
8	1451 Solano Ave	Bank	5.0	TSF	741	34	26	60	61	61	122
9	934 San Pablo Ave	Parking		-	0	0	0	0	0	0	0
10	1061-1063 San Pablo Ave	Car Rental	2.0	TSF	65	3	1	4	2	3	5
11	433 San Pablo Ave	Auto Service and Parking	8.6	TSF	214	16	9	25	15	20	35
12	611 San Pablo Ave	Concrete Pad and Workshop	1.2	TSF	13	2	0	2	0	1	1
13	665 San Pablo Ave	Restaurant and Related Parking	5.5	TSF	495	1	3	4	28	14	42
14	805 San Pablo Ave	Bank	7.3	TSF	1,081	50	38	88	89	89	178
15	1089 San Pablo Ave	Vacant Shop and Rental Space	1.4	TSF	15	2	0	2	0	2	2
16	398-400 San Pablo Ave	Car Wash	2.0	TSF	339	7	7	14	7	7	14
		Dry Cleaners	3.0	TSF	128	2	1	3	5	6	11
17	1107-1111 San Pablo Ave	Auto Repair	2.0	TSF	50	4	2	6	4	5	9
		Restaurant	2.0	TSF	254	12	10	22	12	8	20
18	501-505 San Pablo	General Commercial	7.5	TSF	320	5	3	8	13	14	27
19	911-913 San Pablo	General Commercial	4.9	TSF	208	3	2	5	9	9	18
		SFDU	2	DU	19	0	1	1	1	1	2
20	950 San Pablo Ave	General Commercial	13.9	TSF	594	8	5	13	25	27	52
Total					4,620	149	113	262	276	271	547

TABLE 6 ESTIMATED TRIP GENERATION FOR OPPORTUNITY SITES – POTENTIAL WITH FUTURE USES

Site	Address	Future Land Use	Capacity	Unit	ITE LU CODE	Daily	AM Peak Hour			PM Peak Hour		
							In	Out	Total	In	Out	Total
1	404-408 Cornell	High-Density Residential	8	DU	220	53	1	3	4	3	2	5
2	412-416 Stannage	High-Density Residential	6	DU	220	40	1	2	3	2	1	3
3	423-427 Talbot	High-Density Residential	10	DU	220	67	1	4	5	4	2	6
4	425 Evelyn	High-Density Residential	5	DU	220	33	1	2	3	2	1	3
5	707-711 Adams	High-Density Residential	7	DU	220	47	1	3	4	3	1	4
6	1130 San Pablo Ave	Senior Housing	175	DU	252	602	12	23	35	25	21	46
		Commercial	15.9	TSF	820	679	10	6	16	28	31	59
7	1245 Solano Ave	Senior Housing	5	DU	252	17	0	1	1	1	1	2
		Commercial	1.0	TSF	820	43	1	0	1	2	2	4
8	1451 Solano Ave	High-Density Residential	9.0	DU	220	60	1	4	5	4	2	6
		Commercial	2.2	TSF	820	94	1	1	2	4	4	8
9	934 San Pablo Ave	High-Density Residential	11.0	DU	220	73	1	5	6	4	2	6
		Commercial	1.3	TSF	820	56	1	0	1	2	3	5
10	1061-1063 San Pablo Ave	High-Density Residential	11.0	DU	220	73	1	5	6	4	2	6
		Commercial	2.5	TSF	820	107	2	1	3	4	5	9
11	433 San Pablo Ave	High-Density Residential	21.0	DU	220	140	2	9	11	8	4	12
		Commercial	4.9	TSF	820	209	3	2	5	9	9	18
12	611 San Pablo Ave	High-Density Residential	4.0	DU	220	27	0	2	2	2	1	3
		Commercial	0.8	TSF	820	34	0	0	0	1	2	3
13	665 San Pablo Ave	High-Density Residential	18.0	DU	220	120	2	7	9	7	4	11
		Commercial	4.2	TSF	820	179	3	2	5	7	8	15

TABLE 6 ESTIMATED TRIP GENERATION FOR OPPORTUNITY SITES – POTENTIAL WITH FUTURE USES

Site	Address	Future Land Use	Capacity	Unit	ITE LU CODE	Daily	AM Peak Hour			PM Peak Hour		
							In	Out	Total	In	Out	Total
14	805 San Pablo Ave	High-Density Residential	14.0	DU	220	93	1	6	7	5	3	8
		Commercial	3.3	TSF	820	141	2	1	3	6	6	12
15	1089 San Pablo Ave	High-Density Residential	3.0	DU	220	20	0	1	1	1	1	2
		Commercial	0.8	TSF	820	34	0	0	0	1	2	3
16	398-400 San Pablo Ave	High-Density Residential	23.0	DU	220	153	2	9	11	9	5	14
		Commercial	5.3	TSF	820	226	3	2	5	9	10	19
17	1107-1111 San Pablo Ave	High-Density Residential	13.0	DU	220	86	1	5	6	5	3	8
		Commercial	3.1	TSF	820	132	2	1	3	6	6	12
18	501-505 San Pablo Ave	High Density Residential	15	DU	220	100	2	6	8	6	3	9
		Commercial	3.3	TSF	820	141	2	1	3	6	6	12
19	911-913 San Pablo Ave	High Density Residential	16	DU	220	106	2	7	9	6	3	9
		Commercial	4.4	TSF	820	188	3	2	5	8	8	16
20	950 San Pablo Ave	High Density Residential	30	DU	220	200	3	12	15	12	6	18
		Commercial	7.0	TSF	820	299	4	3	7	12	14	26
Total (Future)						4,672	72	138	210	218	184	402

f) *Would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?*

Under the proposed Housing Element, there would be no alteration of roadways or interference with the roadway system. The proposed Housing Element would not prevent planned transportation improvements and it would be consistent with local and regional policies and programs that support public transit, bicycle, and pedestrian facilities. Therefore, the proposed Housing Element would result in a *less-than-significant* impact to adopted policies, plans, or programs supporting alternative transportation.

XVII. UTILITIES AND SERVICE SYSTEMS

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION:

a) *Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*

The proposed Project would not increase development potential beyond what was anticipated in the current General Plan. Therefore, construction and operation resulting from potential future development that could occur under the proposed Project would have a *less-than-significant* impact with regard to the wastewater treatment requirements.

b) *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

Potential future development allowed under the proposed Housing Element would connect to existing water and wastewater infrastructure and it is anticipated that these pipelines would have sufficient capacity to support the increased water and wastewater flows. Additionally, individual residential and mixed use projects permitted as a result of the proposed Project would be subject to separate project-level review, in accordance with the CEQA statute, wherein the development's impact on wastewater treatment facilities would be assessed on a more detailed level and mitigated as feasible. Therefore, this impact would be *less than significant*.

c) *Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

As discussed above, in Section IX, Hydrology, potential new housing allowed under the proposed Housing Element would result in an increase in impervious surfaces. This potential additional impervious area would increase the amount of stormwater runoff in Albany. However, since the Housing Opportunity Sites are considered infill development and the level of growth, with respect to housing units, would be consistent with regional projections, the capacity for adequate storm water infrastructure at these sites is already in place.

The City of Albany maintains its own system of storm drains, underground pipes and local channels, which eventually flow directly, without treatment, into San Francisco Bay. Albany's storm drains flow through Cerrito, Middle, Marin, Village, and Cordornices Creeks, and the City is responsible for maintenance of these facilities. As required by the ACCWP, regular inspections and cleaning of stormwater infrastructure is required. The 2005 Multiple Service Review (MSR), produced by the Alameda County LAFCO, reports that the condition of Albany's storm water system needs some creek restoration and continued maintenance, but there is no stated need for additional storm water facilities to accommodate future projected demand.³⁹ The MSR confirms that Albany is in compliance with the best management practices (BMPs) required by the ACCWP and states that the challenges faced by the Albany Environmental Resources Department regarding effective storm water services include the reduction of winter flooding in some areas and funding capital improvements.⁴⁰ Additionally, individual residential and mixed use projects allowed under the proposed Project would be subject to separate project-level environmental review, in accordance with the CEQA statute, wherein the development's impact on new storm water drainage facilities would be assessed on a more detailed level and mitigated as feasible. Therefore, this would be a *less-than-significant* impact.

d) *Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

EBMUD provides water service to the city of Albany. EBMUD's 2013 Water Supply Availability and Deficiency Report for 2013 states that, in the near term, current demand does not require the need for additional supplemental water. However, in the long term, with no new supplemental supplies and 15 percent rationing, the district will be unable to meet demands during droughts.⁴¹

Since EBMUD has over 3,000 customers, the district is required to produce an Urban Water Management Plan (UWMP). According to EBMUD's 2010 UWMP, water demand projections are based on the 2040 Demand Study (Demand Study), which was completed in 2009. Additionally, the 2040 Demand Study relied on the adopted General Plans of the cities and counties in the EBMUD service area and on a series of meetings with local planning agencies regarding the timing and direction of future development in their respective communities. This means that instead of reflecting the highest potential water demands, the demand projections reflect current planning policy by land use agencies. The UWMP plan does show that under drought conditions supplemental supplies would be necessary in the future; however, under normal conditions no new supplemental water supplies would be necessary through 2040.⁴² Since EBMUD would have sufficient water supplies to serve new development resulting from the proposed Housing Element during normal years, and a generally-accepted water supply during multiple-year drought years with rationing, the impact to water supply would be *less than significant*.

e) *Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Wastewater service in Albany is provided by EBMUD, the City of Albany, and the City of Berkeley. The majority of the wastewater collection infrastructure is provided by the City of Albany; however, the City of Berkeley provides 1,100 perimeter connections in Oakland and Albany. According to the 2005 MSR, the City of Albany has replaced over half of its original wastewater collection system; however, some remaining portions are old, fragile, and largely in need of replace-

³⁹ Alameda County Local Agency Formation Commission, November 2005, Final Municipal Service Review Volume II-Utility Services, page 195.

⁴⁰ Alameda County Local Agency Formation Commission, November 2005, Final Municipal Service Review Volume II-Utility Services, page 203.

⁴¹ EBMUD, April 23, 2013, Water Supply Availability and Deficiency Report for 2013, page 5.

⁴² EBMUD, 2010, Urban Water Management Plan, Table 4-3, Page 4-9.

ment. Overall, the 2005 MSR states that the City of Albany has offered concrete indication of improvement to the integrity of its wastewater collection system.⁴³

EBMUD provides Albany with wastewater treatment and disposal services. The 2005 MSR reports that between 2005 and 2015, EBMUD is expecting a 10 percent population increase within its service area. EBMUD has substantial excess treatment and disposal capacity and projected growth would not eliminate this excess capacity.⁴⁴

EBMUD and the City of Albany have existing capacity to meet projected wastewater service demands in addition to their existing commitments. Consequently, the impact to wastewater treatment capacity would be *less than significant*.

f) *Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*

Solid waste collection and hauling in the City of Albany is provided by Waste Management, Inc. (WMI). WMI hauls solid waste from Albany to three different landfills located throughout the Bay Area. These landfills are described below:^{45,46}

Altamont Landfill in Livermore is a solid waste landfill in active operation. As of August 22, 2005, this landfill had a remaining capacity of 45,720,000 cubic yards. The landfill is permitted for a total capacity of 62,000,000 cubic yards, and a maximum of 11,150 tons can be accepted per day. The estimated closure year for the Altamont Landfill is 2025.⁴⁷

Vasco Road Landfill in Livermore is a solid waste landfill in active operation. As of July 31, 2014, this landfill had a remaining capacity of 7,959,079 cubic yards. The landfill is permitted for a total capacity of 32,970,000 cubic yards, and a maximum of 2,250 tons can be accepted per day. The estimated closure date for the Vasco Road Landfill is December 31, 2022.⁴⁸

Redwood Landfill is located in the City of Novato, in Marin County. This is a solid waste landfill in active operation. As of December 18, 2008, this landfill had a remaining capacity of 26,000,000 cubic yards. The landfill is permitted for a total capacity of 19,100,000 cubic yards, and a maximum of 2,300 tons can be accepted per day. The estimated closure date for the Redwood Landfill is July 1, 2024.⁴⁹

All three landfills identified above have remaining capacity to serve the City of Albany throughout the duration of the 2015-2023 planning period. Therefore, implementation of the Housing Element would have a *less-than-significant* impact on permitted landfill capacity.

g) *Would the project comply with federal, State, and local statutes and regulations related to solid waste?*

The proposed Project would have no direct effect on the solid waste disposal and recycling system of Albany as it would not permit, nor does it propose development that would result in a substantial or unplanned increase to population or solid waste generation. Any future development would be required to comply with federal and State laws regulating solid waste disposal, including Assembly Bill 939, involving solid waste diversion rates. Since adoption of the proposed Housing Element alone would not result in the construction of any housing units, there would be a *less-than-significant* impact.

⁴³ Alameda County Local Agency Formation Commission, November 2005, Final Municipal Service Review Volume II-Utility Services, page 142.

⁴⁴ Alameda County Local Agency Formation Commission, November 2005, Final Municipal Service Review Volume II-Utility Services, page 128.

⁴⁵ Alameda County Local Agency Formation Commission, November 2005, Final Municipal Service Review Volume II-Utility Services, page 217.

⁴⁶ Historically, WMI also hauled waste to the West Contra Costa Landfill in the City of Richmond; however, this landfill has reached capacity and is no longer accepting additional waste inputs.

⁴⁷ CalRecycle website, <http://www1.calrecycle.ca.gov/SWFacilities/Directory/01-AA-0009/Detail/>, accessed November 10, 2014.

⁴⁸ CalRecycle website, <http://www1.calrecycle.ca.gov/SWFacilities/Directory/01-AA-0010/Detail/>, accessed November 10, 2014.

⁴⁹ CalRecycle website, <http://www1.calrecycle.ca.gov/SWFacilities/Directory/21-AA-0001/Detail/>, accessed November 10, 2014.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION:

a) *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

The City of Albany is an urbanized environment. The City does not have significant biological resources, including fish, wildlife species, or rare or endangered plants. By allowing infill development, the proposed Housing Element would direct population density to already urbanized areas, thereby protecting significant biological resources in undeveloped areas. Therefore, this would be a *less-than-significant* impact.

b) *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

The proposed Housing Element identifies Housing Opportunity Sites at the northern border of Albany, near the southern City limit of El Cerrito. In the future, the City of El Cerrito may plan for new development at its southern limits. The increase in traffic from clustered development in that area could contribute to a cumulatively considerable traffic impact, which would be determined and mitigated under project-level environmental review. Similarly, the Housing Opportunity Sites on San Pablo Avenue near the northern limits of the City of Berkeley could contribute to a cumulatively considerable traffic impact; however, these impacts would be mitigated to the extent feasible through project-level review. Therefore, this impact would be *less than significant*.

c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

The proposed Housing Element identifies Housing Opportunity Sites in areas of heavy traffic that would potentially be subject to poor air quality and noise. Project-level environmental review would be necessary to analyze the building design of individual development projects to ensure that indoor air quality and noise standards are met. The City of Albany’s General Plan Policy CHS 4.4 would require an acoustical study if the L_{dn} in existing residential areas exceeds 60 dB. Therefore, these impacts would be *less than significant*.

TABLE 7 MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Implementing Party	Monitoring Party	Monitoring Frequency/Timing
Air Quality			
AIR-1			
Applicants for future development project shall require the project contractor to implement the following BAAQMD Basic Control Measures:			
<ul style="list-style-type: none"> ▪ Water all active construction areas at least twice daily, or as often as needed to control dust emissions. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible. ▪ Apply water twice daily or as often as necessary, to control dust, or apply (non-toxic) soil stabilizers on, or pave all unpaved access roads, parking areas, and staging areas at construction sites. ▪ Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer). ▪ Sweep daily (with water sweepers using reclaimed water if possible), or as often as needed, all paved access roads, parking areas and staging areas at the construction site to control dust. ▪ Sweep public streets daily (with water sweepers using reclaimed water if possible) in the vicinity of the Project site, or as often as needed, to keep streets free of visible soil material. ▪ Hydroseed or apply non-toxic soil stabilizers to inactive construction areas. ▪ Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.). ▪ Limit vehicle traffic speeds on unpaved roads to 15 mph. ▪ Replant vegetation in disturbed areas as quickly as possible. ▪ Install sandbags or other erosion control measures to prevent silt runoff from public roadways 	Project Applicant	City of Albany Planning & Building Department	Prior to issuance of building permit
AIR-2			
Project applicants proposing residential development, including emergency shelters, within 1,000 feet of major sources of TACs, as mapped in Figure 3, <i>Sources of Toxic Air Contaminants in Proximity to Housing Opportunity Sites</i> , shall submit a Health Risk Assessment (HRA) prepared in accordance with the latest State Office of Environmental Health Hazard Assessment (OEHHA) and BAAQMD guidance. For	Project Applicant	City of Albany Planning & Building Department	Prior to issuance of Building Permit

TABLE 7 MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Implementing Party	Monitoring Party	Monitoring Frequency/Timing
<p>projects where the incremental cancer risk exceeds ten in one million, PM_{2.5} concentrations exceed 0.3 µg/m³, or the appropriate non-cancer hazard index exceeds 1.0, the HRA shall identify appropriate actions to reduce potential cancer and non-cancer risks to acceptable levels per OEHHA and BAAQMD guidance, such as the installation of Minimum Efficiency Rating Value (MERV) filters into the heating, ventilation, and air conditioning (HVAC) system of residences and locating air intakes away from emission sources.</p>			
Hydrology and Water Quality			
HYDRO-1			
<p>The project applicant for potential development of opportunity Site 17 (1107-1111 San Pablo Ave) shall retain a qualified engineering or surveying professional to prepare a determination, including appropriate site plan sheet, of the precise location of the 100-year special flood hazard area boundaries for creeks in the vicinity of the project site. Based on this determination, if the project encroaches into the floodplain, consistent with the City of Albany Flood Damage Prevention Regulations, the applicant shall obtain a flood zone permit. The applicant shall comply with all requirements of the flood zone permit as imposed by the City. These recommendations and requirements are to be implemented in the planning and construction of the proposed project to assure that the project will not impede or redirect flood flows, or present a significant risk of flood-related loss to people or structures.</p>	Project Applicant	City of Albany Planning & Building Department	Prior to issuance of Building Permit
HYDRO-2			
<p>The project applicant(s) for potential development of Opportunity Sites 1, 2, 3, 4, and 16 shall retain a qualified engineering or surveying professional to prepare a determination, including appropriate site plan sheet, of the precise location of the dam inundation flood hazard area boundaries that could affect these sites. Based on this determination, the applicant(s) shall incorporate appropriate design features to minimize or eliminate the risk of potential flooding in the event of dam failure. Any potential design features identified must be reviewed and approved by the City prior to construction and would be required to comply with all other applicable development regulations.</p>	Project Applicant	City of Albany Planning & Building Department	Prior to issuance of Building Permit

GLOSSARY

ABAG	Association of Bay Area Governments
ACCOMA	Alameda County Congestion Management Agency
ACCWP	Alameda County Clean Water Plan
AMI	Area Median Income
BAAQMD	Bay Area Air Quality Management District
BART	Bay Area Rapid Transit
BPM	Best Management Practices
Caltrans	California Department of Transportation
CAP	City of Albany Climate Action Plan
CEQA	California Environmental Quality Act
CGP	Construction General Permit
CMP	Congestion Management Plan
CRHR	California Register of Historic Places
EBMUD	East Bay Municipal Utility District
HMMP	Hydrograph Modification Management Plan
HUD	U.S. Department of Housing and Urban Development
MCE	Maximum Credible Earth Quake
NPDES	National Pollution Discharge Elimination System
NRHP	National Register of Historic Places
PM ₁₀	Particulate matter less than 10 and more than 2.5 microns in diameter
PM _{2.5}	Particulate matter of a diameter less than 2.5 microns
R-3	High Density Residential (City of Albany General Plan Designation)
RHNA	Regional Housing Needs Allocation
RWQCB	Regional Water Quality Control Board
SC	Solano Commercial (City of Albany General Plan Designation)
SPC	San Pablo Commercial (City of Albany General Plan Designation)
TAC	Toxic Air Contaminants
TCM	Transportation Control Measures
UWMP	Urban Water Management Plan
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compounds
WMI	Waste Management, Inc.

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EXHIBIT B
ADDENDUM WITH CHANGES

ATTACHMENT 7: ADDENDUM TO INITIAL STUDY FOR ALBANY 2015-2023 HOUSING ELEMENT

The following changes are incorporated in the Initial Study for the 2015-2023 Albany Housing Element:

Page 2 The signature of the City Planner, along with printed name (Anne Hersch), date (November 29, 2014), and title (City Planner) has been added.

Page 10 In the discussion of potential aesthetic impacts, in the second paragraph under lettered item “a” (effects on scenic vistas), the second and third sentences are edited as follows:

“The best view opportunities are on the waterfront, as views from publicly accessible locations on Albany Hill and in other parts of the City are ~~From the crest of Albany Hill, these views are largely unobstructed. From Albany’s flatlands, public viewpoints are partially or completely~~ obscured ~~blocked~~ by existing development and vegetation.”

Page 11 In the discussion of potential aesthetic impacts, in the third paragraph under lettered item “c” (existing visual character or quality), the third and fourth sentences are edited as follows:

“Development of Housing Opportunity Sites on San Pablo Avenue would intensify the level of development by adding taller and bulkier buildings on as many as 12 sites over time ~~be consistent with the existing visual character of San Pablo Avenue, which includes multi-family residential mixed use development.~~ Existing zoning standards would ensure that potential development permitted under the proposed Housing Element would be consistent with the existing visual character of multi-family and mixed use projects on San Pablo Avenue and Solano Avenue.”

Page 11 In the discussion of potential aesthetic impacts, the fifth (final) paragraph under lettered item “c” (existing visual character or quality) is edited as follows:

“Overall, the proposed Housing Element would not substantially degrade the visual character of the city or ~~have a less than significant impact on the existing visual character and quality of~~ the housing sites and their surroundings and would have a less than significant aesthetic impact.”

Page 26 Under lettered item “g” (Emergency Operations Plan), the first part of the fifth sentence is deleted as follows:

~~“Policy CHS-2.3 calls for the development of an emergency operations center at the Library/Community Center on Marin Avenue, and Policies CHS-2.4 and 2.5 work to ensure that police and fire departments maintain current levels of service throughout Albany.”~~

Page 34 In the first full paragraph on the page, the second sentence is edited to delete the word “increased” as follows:

However, noise levels from ~~increased~~ vehicle traffic could be mitigated to acceptable levels through project-level design improvements such as double paned windows, soft floor coverings, and sound transmission reduction materials for walls, which would diffuse interior noise levels from street traffic.