



COMMUNITY DEVELOPMENT PLANNING DIVISION

PUBLIC NOTICE OF AVAILABILITY NEGATIVE DECLARATION

Document Type: Negative Declaration		Date: February 13, 2014
Project Title: Housing Element (2015-2023) Update and Implementation		
Project Location (Specific): Citywide		
Project Location (City): Menlo Park		Project Location (County): San Mateo
<p>Description of Project:</p> <p>Housing Element Update (2015–2023) The proposed Housing Element includes updated policies and programs that are intended to guide the City's housing efforts through the 2015–2023 Regional Housing Needs Allocation (RHNA) planning period for compliance with State law.</p> <p>Zoning Ordinance Amendment (Housing Element Implementation) Under the proposed Project, the City would implement several programs identified in the current Housing Element. Programs include ordinance amendments related to the following:</p> <ol style="list-style-type: none"> 1) <u>Emergency Shelter for the Homeless Overlay Zone</u>: For compliance with Senate Bill 2, the City must rezone to allow an emergency shelter for the homeless in at least one zone without a conditional use permit or any other discretionary process. The definition of Emergency Shelter is “housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.” The proposed Zoning Ordinance amendment would 1) create an overlay zone where emergency shelters, up to a maximum of 16 beds in totality throughout the City, would be a permitted use and 2) establish written and objective performance standards as part of the overlay zone in the Zoning Ordinance. 2) <u>Zone for Transitional and Supportive Housing and Residential Care Facilities</u>: To comply with SB 2, the Housing Element must demonstrate that transitional and supportive housing are permitted as a residential use and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. Similarly, residential care facilities must also be treated as a residential use. The proposed Zoning Ordinance amendment would include modifications to the definition of “dwelling” to include transitional and supportive housing and residential care facilities. 3) <u>Procedures for Reasonable Accommodation</u>: A series of federal and state laws (Federal Fair Housing Amendments Act of 1988, California’s Fair Employment and Housing Act, and the State’s Housing Element law) have been enacted to prohibit policies that act as a barrier to individuals with disabilities who are seeking housing. The proposed Zoning Ordinance amendment includes the establishment of procedures for seeking reasonable accommodation for individuals with disabilities to ensure equal access to housing. 		

4) Secondary Dwelling Units and Accessory Buildings/Structures: The proposed approach would include modifications to Chapter 16.79 (Secondary Dwelling Units) and Chapter 16.68 (Accessory Buildings and/or Structures) and would be two-pronged, including modifications to the existing secondary dwelling unit ordinance to allow for the conversion of legally permitted and constructed accessory buildings (meeting certain criteria) into secondary dwelling units while simultaneously amending the accessory building/structure language to more clearly distinguish how and where an accessory building or structure could be used. The proposed Zoning Ordinance amendment could result in modifications to the development regulations, including setbacks, wall and overall height, floor area, daylight plane, and parking. Additionally, a reduction in the minimum lot area threshold (from 6,000 sf to 5,750 sf) for when a use permit is required for a secondary dwelling unit would be included in the proposed Zoning Ordinance amendment.

Lead Agency: City of Menlo Park

Lead Agency Contact Person: Deanna Chow
Telephone No.: (650) 330-6733

ADDRESSES WHERE DOCUMENT MAY BE OBTAINED & REVIEWED

Obtained and Reviewed:

City of Menlo Park
 Planning Division
 701 Laurel Street
 Menlo Park, California

Reviewed:

Menlo Park Library
 Library Reference Desk
 800 Alma Street
 Menlo Park, California

Public Review Period: Begins: Thursday, February 13, 2014
 Ends: Friday, March 14, 2014 at 5:00 p.m.

Public Hearing (Planning Commission)

 Date & Time: Monday, March 17, 2014 at
 7:00 p.m.
 Location: Menlo Park Council Chambers
 701 Laurel Street, Menlo Park

Public Hearing (City Council - tentative)

 Date & Time: Tuesday, April 1, 2014 at 7:00 p.m.
 Location: Menlo Park Council Chambers
 701 Laurel Street, Menlo Park

Anyone interested in this matter is invited to comment on the document by written response or by personal appearance at the public hearing. Information regarding availability of the document and the public hearing(s) may be obtained from the Planning Division at (650) 330-6702.



Deanna Chow, Senior Planner



COMMUNITY DEVELOPMENT PLANNING DIVISION

NEGATIVE DECLARATION

INTRODUCTION

This Negative Declaration has been prepared in accordance with the California Environmental Quality Act (CEQA) of 1970 and its applicable Guidelines, as amended. It is an informational document prepared to inform the decision-makers and the general public of the potential environmental effects associated with the proposed project at 2900 Sand Hill Road.

The City of Menlo Park will use this Negative Declaration in its decision making process on the proposed project.

The conclusion of this Negative Declaration is that the proposed project would not generate any significant direct or primary physical impacts on the environment.

PROJECT DESCRIPTION AND LOCATION

City of Menlo Park Housing Element Update, Zoning Ordinance Amendment, Environmental Review: The proposed Housing Element provides an update to the goals, policies and implementation programs of the City's adopted Housing Element. The proposed Zoning Ordinance amendments would implement specific programs in the current Housing Element (2007-2014), some of which are required for compliance with State law.

The components of the project are as follows:

Housing Element Update (2015–2023)

The proposed Housing Element includes updated policies and programs that are intended to guide the City's housing efforts through the 2015–2023 Regional Housing Needs Allocation (RHNA) planning period for compliance with State law.

Zoning Ordinance Amendment (Housing Element Implementation)

Under the proposed Project, the City would implement several programs identified in the current Housing Element. Programs include ordinance amendments related to the following:

- 1) Emergency Shelter for the Homeless Overlay Zone: For compliance with Senate Bill 2, the City must rezone to allow an emergency shelter for the homeless in at least one zone without a conditional use permit or any other discretionary process. The definition of Emergency Shelter is "housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay." The proposed Zoning Ordinance amendment would 1) create an overlay zone where emergency shelters, up to a maximum of 16 beds in totality throughout the City, would be a permitted use and 2) establish written and objective performance standards as part of the overlay zone in the Zoning Ordinance.
- 2) Zone for Transitional and Supportive Housing and Residential Care Facilities: To comply with SB 2, the Housing Element must demonstrate that transitional and supportive housing are permitted as a residential use and only subject to those restrictions that apply to other

residential dwellings of the same type in the same zone. Similarly, residential care facilities must also be treated as a residential use. The proposed Zoning Ordinance amendment would include modifications to the definition of “dwelling” to include transitional and supportive housing and residential care facilities.

- 3) Procedures for Reasonable Accommodation: A series of federal and state laws (Federal Fair Housing Amendments Act of 1988, California’s Fair Employment and Housing Act, and the State’s Housing Element law) have been enacted to prohibit policies that act as a barrier to individuals with disabilities who are seeking housing. The proposed Zoning Ordinance amendment includes the establishment of procedures for seeking reasonable accommodation for individuals with disabilities to ensure equal access to housing.
- 4) Secondary Dwelling Units and Accessory Buildings/Structures: The proposed approach would include modifications to Chapter 16.79 (Secondary Dwelling Units) and Chapter 16.68 (Accessory Buildings and/or Structures) and would be two-pronged, including modifications to the existing secondary dwelling unit ordinance to allow for the conversion of legally permitted and constructed accessory buildings (meeting certain criteria) into secondary dwelling units while simultaneously amending the accessory building/structure language to more clearly distinguish how and where an accessory building or structure could be used. The proposed Zoning Ordinance amendment could result in modifications to the development regulations, including setbacks, wall and overall height, floor area, daylight plane, and parking. Additionally, a reduction in the minimum lot area threshold (from 6,000 sf to 5,750 sf) for when a use permit is required for a secondary dwelling unit would be included in the proposed Zoning Ordinance amendment.

FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

The Planning Division has reviewed the Initial Study for the project and finds the following:

1. The project will not generate significant adverse effects on the water or air quality, greenhouse gases, or increase noise levels substantially.
2. The project will not have any significant adverse impacts on the flora or fauna of the area.
3. The project will not significantly degrade the aesthetic quality of the area.
4. The project will not have any significant adverse impacts on traffic, land use, population and housing, public services, and infrastructure.
5. In addition, the project will not:
 - a. Create impacts that have the potential to significantly degrade the quality of the environment.
 - b. Create significant impacts that achieve short-term, to the disadvantage of long-term, environmental goals.
 - c. Create impacts that are individually limited, but cumulatively considerable to a significant degree.
 - d. Create environmental effects that will cause significant adverse effects on human beings, either directly or indirectly.

It may, therefore, be determined that the potential environmental impact of the project will be less than significant.

INITIAL STUDY

A copy of the Initial Study on which the findings for a Negative Declaration has been based is available at the Community Development Department, Main Library or online at http://www.menlopark.org/projects/comdev_heu.htm and http://www.menlopark.org/city_notices.html.

REVIEW PERIOD:

The review period is from **February 13, 2014** through **March 14, 2014**. All written comments regarding this Negative Declaration must be received by the City of Menlo Park Planning Division, 701 Laurel Street, Menlo Park, California 94025, no later than 5:00 P.M., Friday, March 14, 2014.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

This Negative Declaration has been prepared in accordance with the California Environmental Quality Act of 1970 and its applicable guidelines, as amended.

CONTACT PERSON: DEANNA CHOW – (650) 330-6733



Deanna Chow, Senior Planner