

ATTACHMENT 1

**RESOLUTION NO. XXXX-22**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY ADOPTING AN  
ADDENDUM TO THE 2040 GENERAL PLAN ENVIRONMENTAL IMPACT REPORT FOR  
THE DRAFT 2023-2031 HOUSING ELEMENT AMENDMENTS**

**WHEREAS**, by Resolution No. 5549-19, duly adopted by the City Council of Union City on December 10, 2019, there was adopted documents consisting of text, maps, and charts, entitled Union City 2040 General Plan, dated December 10, 2019, which included the reports in support thereof as the General Plan of Union City; and

**WHEREAS**, pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines, an Environmental Impact Report (EIR) (State Clearinghouse No. 2018102057) for the 2040 General Plan was prepared and certified by the City on December 10, 2019;

**WHEREAS**, the Housing Element is a mandatory element of the General Plan required to be updated every eight years; and

**WHEREAS**, the State of California Government Code Section 65588 requires the review and adoption of a Housing Element that may be updated according to the Association of Bay Area Governments Regional Housing Needs Assessment (“RHNA”) planning cycle; and

**WHEREAS**, the City is required to report to the State Department of Housing and Community Development (“HCD”) on how the RHNA can be accommodated within the planning period; and

**WHEREAS**, the City has prepared a draft 2023-2031 Union City Housing Element (“Draft Housing Element”) for the sixth cycle planning period; and

**WHEREAS**, the Draft Housing Element evaluates housing needs and issues in the City for all income levels, and contains goals, policies, objectives, implementation programs, and an inventory of opportunity sites; and

**WHEREAS**, amendments to the General Plan, Zoning Ordinance, and Zoning Map are required to be adopted in advance of certification of the Housing Element in order for the City to accommodate its RHNA by January 31, 2023 of 2,728 housing units, including 1,358 lower-income units; and

**WHEREAS**, amendments to the General Plan (AG-22-003) are proposed for consistency with the Draft Housing Element; and

**WHEREAS**, amendments to Title 18, Zoning, (AT-22-006) are proposed for consistency with the Draft Housing Element; and

**WHEREAS**, amendments to the Zoning Map (A-22-003) are proposed for consistency with the Draft Housing Element; and

**WHEREAS**, the City circulated the Draft Housing Element for a 30-day public review period from June 13, 2022 to July 13, 2022 in compliance with State of California Government Code Section 65583. The Draft Housing Element was available for review on the City's website; and

**WHEREAS**, the Planning Commission reviewed a Staff Report dated July 7, 2022 and the Draft Housing Element and amendments, prior to initial submittal to HCD, at a noticed meeting on June 7, 2022 during the 30-day comment period; and

**WHEREAS**, the public and the Planning Commission had the opportunity to present written and oral comments on the Draft Housing Element and amendments; and

**WHEREAS**, the Draft Housing Element was revised in response to feedback received, posted on the City's website on July 28, 2022, and submitted to HCD for a 90-day review period; and

**WHEREAS**, Section 15164 of the CEQA Guidelines provides that an addendum to a previously adopted environmental impact report or mitigated negative declaration may be prepared if only minor technical changes or additions to the project are necessary or none of the conditions described in CEQA Guidelines Section 15162 calling for the preparation of a subsequent environmental impact report or negative declaration have occurred; and

**WHEREAS**, the City has prepared an Addendum to the 2040 General Plan EIR for the Draft Housing Element amendments ("Addendum"), which determined that none of the conditions described in CEQA Guidelines section 15162 will occur; and

**WHEREAS**, the Addendum was posted to the City's website and referenced in the public notice for the October 20, 2022 Planning Commission public hearing; and

**WHEREAS**, a staff report, dated October 20, 2022 and incorporated herein by reference, described and analyzed the Draft Housing Element amendments and Addendum for the Planning Commission; and

**WHEREAS**, the Planning Commission adopted Resolution 18-22 recommending that the City Council adopt the Addendum, all in compliance with the requirements of CEQA; and

**WHEREAS**, a staff report, dated November 8, 2022 and incorporated herein by reference, described and analyzed the Draft Housing Element amendments and Addendum for the City Council; and

**WHEREAS**, the City Council reviewed the staff report, and the Draft Housing Element amendments and Addendum at a noticed public hearing on November 8, 2022, at which time all interested parties had the opportunity to be heard; and

**WHEREAS**, the Addendum, reflects the City's independent judgment and analysis on the potential for environmental impacts; and

**WHEREAS**, none of the conditions requiring preparation of a subsequent EIR or negative declaration have occurred, and that the changes that are part of the Draft Housing Element amendments identified in the Addendum would not result in any significant impacts not considered under the original 2040 General Plan EIR; and

**WHEREAS** the Addendum is labeled Exhibit A, attached hereto and made a part hereof, is available for review on the City's website at <https://www.unioncity.org/347/Planning-Documents>, and at the Economic and Community Development Department at City Hall during normal business hours. The location and custodian of the Addendum and other documents that constitute the record of proceedings for Draft Housing Element amendments is the City of Union City Economic and Community Development Department, 34009 Alvarado-Niles Road, Union City, CA 94587.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Union City hereby certifies and declares as follows:

- A. The foregoing recitals are true and correct and made a part of this resolution.
- B. The City Council independently reviewed and considered the information contained in the Addendum to the 2040 General Plan Environmental Impact Report, as well as all other information (both written and oral) provided by City staff, City consultants, and the Public to the City Council at its November 8 meeting relating to the Addendum, prior to approving the Draft Housing Element amendments.
- C. The City Council has reviewed and considered the Addendum to the 2040 General Plan Final Environmental Impact Report and finds that none of the conditions requiring preparation of a subsequent EIR or negative declaration have occurred, and that the changes that are part of the project would not result in any significant impacts not considered under the original EIR.
- D. The Addendum to the 2040 General Plan Final Environmental Impact Report is the appropriate CEQA document for the project and has been prepared in compliance with CEQA and the CEQA Guidelines. The Addendum has been prepared as required by law and the document reflects the independent judgement and analysis of the City of Union City, which has exercised overall control and direction of its preparation.

**BE IT FURTHER RESOLVED THAT:** the City Council hereby adopts the Addendum to the 2040 General Plan Environmental Impact Report in compliance with the requirements of CEQA.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Union City at a regular meeting held on the 8<sup>th</sup> day of November 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

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CAROL DUTRA-VERNACI  
Mayor

ATTESTED:

APPROVED AS TO FORM:

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ANNA M. BROWN  
City Clerk

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KRISTOPHER J. KOKOTAYLO  
City Attorney