

# Addendum to the Union City 2040 General Plan Environmental Impact Report (State Clearinghouse No. 2018102057) for the Sixth Cycle (2023-2031) Housing Element and Safety Element Update

## 1 INTRODUCTION

### 1.1 BACKGROUND

In November 2019, the City of Union City (City) certified the Final Environmental Impact Report (EIR) (State Clearinghouse No. 2018102057) for the Union City 2040 General Plan (2040 General Plan). Pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code (PRC) § 21000, et seq.), the EIR for the 2040 General Plan (General Plan EIR) evaluated the potential environmental impacts that would result from the 2040 General Plan update.

The City is currently in the process of updating the Housing Element for the 2023 to 2031 planning period, as well as the Safety Element. State law requires each city and county to adopt a general plan containing at least eight mandatory elements, including a Housing Element and Safety Element. The Housing Element is the only element that is required by law to be updated every eight years and must be reviewed by the State Department of Housing and Community Development (HCD). This Housing Element is an update of the City's previous housing element, which was adopted by the City Council on January 27, 2015. This update will cover the 2023-2031 planning period, from January 31, 2023, to January 31, 2031.

Housing element law requires local governments to adequately plan to meet the existing and projected housing needs of all economic segments of the community, including their share of the regional housing need. Housing element law is the State's primary market-based strategy to increase housing supply, choice, and affordability. The law recognizes that in order for the private for-profit and non-profit sectors to adequately address housing needs and demand, local governments must adopt land use plans and regulatory requirements that provide opportunities for, and do not unduly constrain, housing development.

An important part of State housing element law is the determination of the City's ability to accommodate forecasted housing demand for all income levels, known as the Regional Housing Needs Allocation (RHNA). The RHNA quantifies the need for housing in each region statewide and is determined by HCD. The Association of Bay Area Governments (ABAG) is responsible for allocating the RHNA to each city and county in its region, which includes the City of Oakley. On December 16, 2021, ABAG adopted the 2023-2031 RHNA Plan. Through the RHNA Plan, ABAG allocates a "fair share" by income category based on projected housing needs for each jurisdiction. Each jurisdiction is required to report to HCD on how the fair share allocation can be accommodated within the planning period. It should be noted that the RHNA projection period is June 30, 2022 – December 31, 2030, which differs slightly from the Housing Element planning period of January 31, 2023 – January 31, 2031. The allocations are intended to be used by jurisdictions when updating their housing elements as the basis for assuring that adequate sites and zoning are available to accommodate at least the number of units allocated.

Table 1 shows the RHNA assigned to the City for the 2023-2031 Housing Element. As shown in the table, ABAG allocated 2,728 new housing units to the City, which includes 862 very low-, 496 low-, 382 moderate-, and 998 above moderate-income units. State law also requires the City to identify the projected need for extremely low-income

housing. The City assumes that 50 percent of the very low-income housing need is equal to the extremely low-income housing need<sup>1</sup>.

**Table 1: Regional Housing Needs Allocation, Union City 2023-2031**

	Very-Low-Income Units	Low-Income Units	Moderate-Income Units	Above-Moderate-Income Units	Total
2023-2031 RHNA	862	496	382	988	2,728
Percent of Total	32%	18%	14%	36%	100%

Source: Association of Bay Area Governments. 2021. Final Regional Housing Needs Allocation (RHNA) Plan: San Francisco Bay Area, 2023-2031 (Adopted December 2021).

The Safety Element is being updated pursuant to Senate Bill (SB) 379 and SB 1035, along with Assembly Bill (AB) 747 and SB 99. SB 379 and SB 1035 require cities and counties to conduct a climate change vulnerability assessment and to integrate climate adaptation and resiliency strategies into their general plan safety elements. AB 747 requires that local jurisdictions update their local hazard mitigation plan or safety element to identify evacuation routes and their capacity, safety, and viability under a range of emergency scenarios. SB 99 requires that local jurisdictions review and update their safety element as necessary to identify residential developments in any hazard area identified in the safety element that do not have at least two emergency evacuation routes.

As the lead agency under CEQA, the City has prepared this Addendum in accordance with State CEQA Guidelines Section 15164 to evaluate whether the proposed project's effects were adequately examined in the previous environmental analysis in the General Plan EIR or whether any changes trigger supplemental or subsequent review under State CEQA Guidelines Section 15162 or 15163. This Addendum considers whether the environmental conditions that exist today have changed such that new or substantially more severe environmental impacts would occur compared to that evaluated in the General Plan EIR. As described below, no changes associated with the proposed project, and no changes in circumstances, trigger subsequent or supplemental review.

## 1.2 PREVIOUS ENVIRONMENTAL ANALYSES

The environmental process for the General Plan involved the preparation of the following documents that are relevant to the consideration of the proposed project.

- ▶ Draft EIR for the Union City 2040 General Plan, June 2019;
- ▶ Final EIR for the Union City 2040 General Plan, November 2019;
- ▶ Mitigation Monitoring and Reporting Program for the Union City 2040 General Plan EIR, November 2019;
- ▶ Addendum to the Union City 2040 General Plan for the Sixth Cycle (2023-2031) Draft Housing Element Related Amendments to the Union City 2040 General Plan and Zoning Ordinance, November 2022.

## 1.3 CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES REGARDING AN ADDENDUM TO AN ENVIRONMENTAL IMPACT REPORT

Altered conditions, changes, or additions to the description of a project that occur after certification of an EIR may require additional analysis under CEQA. The legal principles that guide decisions regarding whether additional environmental documentation is required are provided in the State CEQA Guidelines, which establish three mechanisms to address these changes: 1) a subsequent environmental impact report (SEIR), 2) a Supplement to an EIR, or 3) an Addendum to an EIR.

<sup>1</sup> A total of 50 percent very low-income units would equate to a projected need for 431 extremely low-income housing units.

Section 15162 of the State CEQA Guidelines describes the conditions under which a SEIR would be prepared. In summary, when an EIR has been certified for a project, no Subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
  - (A) The project will have one or more significant effects not discussed in the previous EIR;
  - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or
  - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Section 15163 of the State CEQA Guidelines states that a lead agency may choose to prepare a supplement to an EIR rather than a Subsequent EIR if:

- (1) any of the conditions described above for Section 15162 would require the preparation of a SEIR; and
- (2) only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

Under Section 15164, an addendum is appropriate where a previously certified EIR has been prepared and some changes or revisions to the project are proposed, or the circumstances surrounding the project have changed, but none of the changes or revisions would result in significant new or substantially more severe environmental impacts, consistent with CEQA Section 21166 and State CEQA Guidelines Sections 15162, 15163, 15164, and 15168.

Based on the criteria above and the results of the following EIR conformity evaluation, the City has determined that an addendum to the General Plan EIR is the appropriate CEQA document. The EIR conformity evaluation is intended to review relevant environmental topic areas for any changes in circumstances or the substantial new information as defined under State CEQA Guidelines Section 15162 (stated above), as compared to the environmental impacts identified in the certified EIR prepared for the General Plan.

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## 2 PROJECT DESCRIPTION

### 2.1 PROJECT OVERVIEW

#### SAFETY ELEMENT

Regarding the Safety Element, the City developed a supplemental vulnerability assessment, conducted an evacuation route analysis, and developed a set of goals, policies, and implementation programs to address climate adaptation and resilience. The supplemental vulnerability assessment is a tailored update to Section 10.8, "Climate Change" of the Hazards and Public Safety Chapter of the City's General Plan Update 2019 Background Report. It follows guidance from the California Adaptation Planning Guide (APG) to allow the City to assess locally specific climate risks. Future projections of climate hazards including extreme heat, wildfire, sea level rise, extreme precipitation and flooding, and drought were determined as part of the supplemental vulnerability assessment using Cal-Adapt, an interactive tool that helps users assess their climate risk, along with other tools. The findings of the supplemental vulnerability assessment were then used to inform the goal, policies, and implementation programs that were updated in the Safety Element. The updated Safety Element policies and programs focus on: consideration of climate change impacts and adaptation in long-range planning decisions; collaboration with community organizations, neighboring jurisdictions, and regional agencies in support of adaptive efforts and reducing climate impacts; promoting community awareness and public education for improving climate resilience; protecting vulnerable population from climate impacts; prioritizing climate adaption through use of natural infrastructure; and updating and implementing the City's Climate Action Plan.

Pursuant to SB 99, the City conducted analysis to identify residential developments in any hazard area identified in the safety element that do not have at least two emergency evacuation routes. The identification of residential developments considered vulnerable due to limited accessibility (i.e., less than two points of access) were summarized in Appendix A, *Senate Bill 99 Evacuation Route Analysis* to the Safety Element update. The findings of this analysis were then used to inform a new implementation program included in the Safety Element update. The new program ensures that the next update of the City's Comprehensive Emergency Management Plan (CEMP) (which addresses how the City will effectively prepare for, respond to, recover from, and mitigate against all hazards) includes capacity-based analysis of its evacuation network, consistent with the statutory requirements of AB 747. Additionally, this program ensures that the City addresses evacuation of existing residential developments within hazard areas with limited accessibility (i.e., less than two points of access) consistent with SB 99.

#### 2023- 2031 HOUSING ELEMENT

In accordance with State law, the City has prepared the 2023-2031 Housing Element to ensure that the City grows in a manner that meets the housing needs of residents. As part of this update, the City is obligated under State law to develop an inventory of vacant and underutilized land suitable for residential development that can accommodate the 2,728 housing units allocated through the RHNA, which includes a total of 1,358 lower-income units (includes very low- and low-income units). The City has created significant new housing capacity through the recent 2040 General Plan Update and the Station District Specific Plan, which was adopted in October 2022. The City also rezoned several sites in late 2022 to increase capacity in the lower-incomes sites inventory. All of these actions taken together have helped to ensure that the City has adequate housing capacity to meet the RHNA for this Housing Element planning period.

Table 2 provides a summary of the City's ability to meet the 2023-2031 RHNA. Based on the housing units in approved projects, capacity on vacant and underutilized sites, and projection of ADUs, the City has a surplus of 183

lower-income units, 674 moderate-income units, and 93 above moderate-income units. These sites are mapped and shown below in Figure 1.

**Table 2: Sites Inventory Capacity Summary, Union City (2023-2031)**

	Lower <sup>1</sup>	Moderate	Above-Moderate	Total
<b>Regional Housing Needs Allocation</b>	<b>1,358</b>	<b>382</b>	<b>988</b>	<b>2,728</b>
Approved Projects	202	440	849	1,491
Station District Specific Plan Sites	668	570	200	1,438
Citywide Vacant Sites	0	6	25	31
Citywide Underutilized Sites	627	18	0	645
Accessory Dwelling Units (ADUs)	44	22	7	73
<b>Total Capacity</b>	<b>1,541</b>	<b>1,056</b>	<b>1,081</b>	<b>3,678</b>
Surplus (+)	183	674	93	950

<sup>1</sup> Lower-income includes extremely low-, very low-, and low-income households.

Source: Ascent 2022

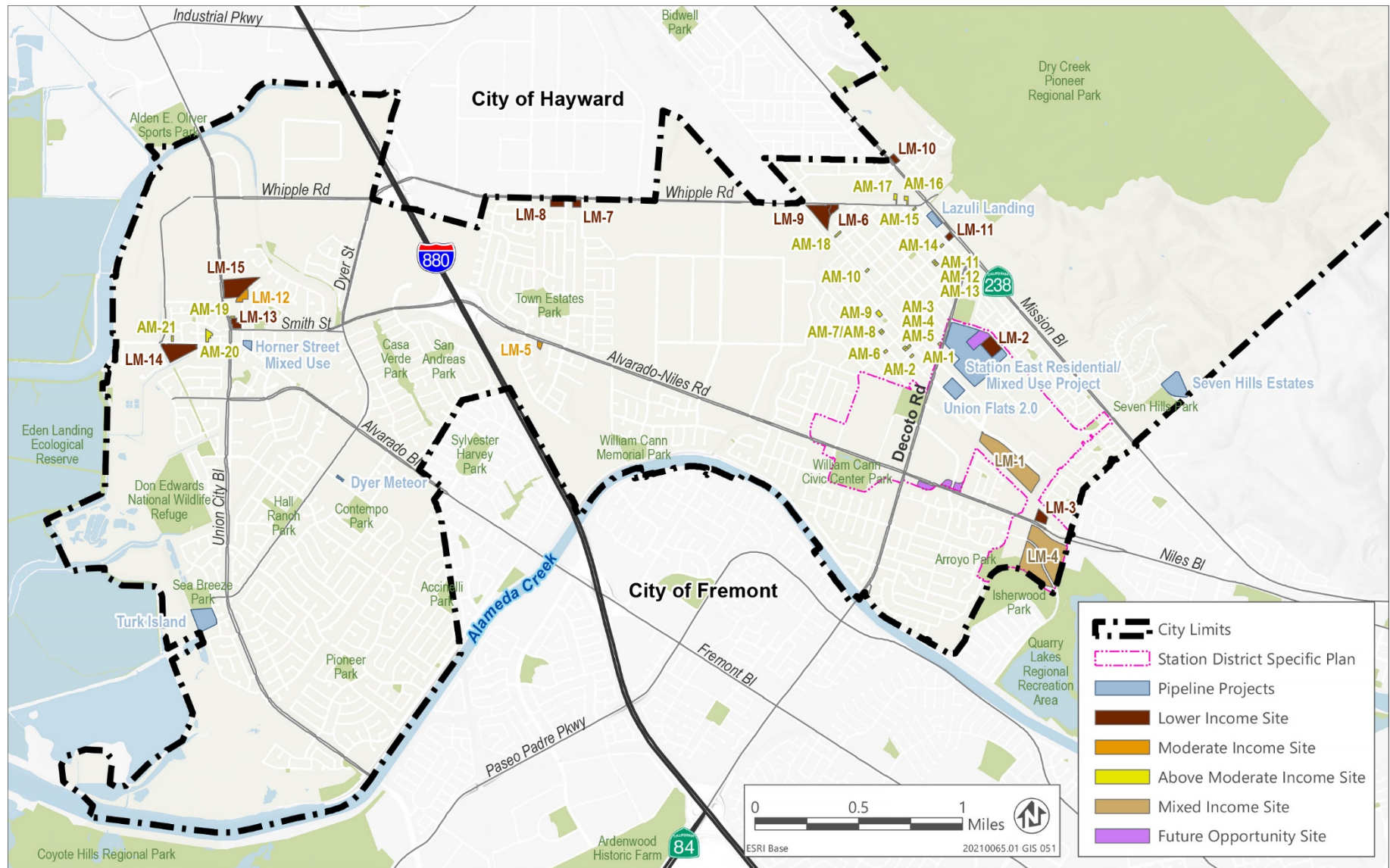
The City also developed a set of goals, policies, and implementation programs for the maintenance, improvement, and development of housing. The focus of the goals, policies, and programs in this Housing Element is to meet the housing needs of all income groups while preserving and enhancing existing neighborhoods, creating standards for high quality housing, removing impediments to housing growth, and reducing living expenses that are indirectly related to housing, such as transportation costs and energy costs.

This Housing Element includes eight goal statements:

- ▶ **Goal HE-1: Housing Production.** Provide opportunities for and facilitate the development of a broad range of housing types to meet the needs of all Union City residents.
- ▶ **Goal HE-2: Affordable Housing Production.** To assist in the production of affordable housing to meet the needs of lower-income residents.
- ▶ **Goal HE-3: Housing Preservation.** To preserve and maintain existing housing to promote continued housing affordability and stability.
- ▶ **Goal HE-4: Housing Services and Assistance.** To assist Union City households in obtaining and maintaining adequate housing.
- ▶ **Goal HE-5: Neighborhood Preservation.** To maintain healthy neighborhoods by improving the condition of the existing housing stock and the integrity of residential neighborhoods.
- ▶ **Goal HE-6: Fair and Equal Housing Opportunity.** To ensure fair and equal opportunity to secure safe, sanitary, and affordable housing for everyone in the community.
- ▶ **Goal HE-7: Special Needs.** Provide a range of housing services to meet the needs of special needs groups within Union City.
- ▶ **HE-8: Energy Conservation and Sustainability.** Encourage sustainability practices in all new and existing housing through green building, achieving residential energy efficiency, and promotion and education.

Under each goal statement, the element sets out policies that guide the City toward reaching its goals. Implementation programs are listed at the end of each goal section and describe the proposed action, the City departments with primary responsibility for carrying out the program, the timeframe for accomplishing the program, and the program objectives.

Figure 1: Sites Inventory Map, Union City, December 2022



Source: Union City and Ascent, December 2022.

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State law requires the City to identify quantified objectives for the maintenance, preservation, and construction of housing from 2023-2031. These objectives set a target goal for the City based on needs, resources, and constraints. The quantified objectives are based largely upon implementation programs that have measurable outcomes. However, the Housing Element contains several policies and implementation programs essential to meeting the City's housing needs that reduce barriers and create opportunities for affordable housing but are more qualitative and difficult to quantify. The quantified objectives are shown below in Table 3.

**Table 3: Summary of 2023-2031 Quantified Objectives, Union City (2023-2031)**

Program Types	Extremely Low-Income	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Total
New Construction <sup>1</sup>	431	431	496	382	988	2,728
Rehabilitation <sup>2</sup>		50	150			200
Preservation (At Risk Housing) <sup>3</sup>		103	103			206
Rental Assistance (Section 8 and Local Rental Assistance Programs) <sup>4</sup>	300	300	300			900
Homeowner Assistance <sup>5</sup>			15			15

Notes:

<sup>1</sup>New Construction objective is equal to the RHNA

<sup>2</sup>See Program HE-5.A

<sup>3</sup>There are 206 assisted units considered "at risk" of converting to market rate. See Program HE-3.A

<sup>4</sup>See Programs HE-4.B and HE-4.D.

<sup>5</sup>See Program HE-4.A

## 2.2 PROJECT LOCATION

Union City is located in southern Alameda County on the east side of the San Francisco Bay. Union City is bounded by the City of Hayward to the north and west, the City of Fremont to the south, and unincorporated lands of Alameda County to the east. Union City encompasses approximately 18 square miles (11,520 acres).

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### 3 EIR CONFORMITY EVALUATION

As described in the Introduction, the purpose of this EIR conformity evaluation is to review environmental topic areas included in Appendix G of the State CEQA Guidelines for any changes in circumstances or the substantial new information as defined under State CEQA Guidelines Section 15162 (stated above), as compared to the environmental impacts identified in the certified EIR prepared for the 2040 General Plan. The proposed project consists of updates to the Safety and Housing Elements of the Union City 2040 General Plan, as described in Section 2. Updates to the Safety and Housing Elements do not include any actions that would result in ground disturbing activity or a physical impact on the environment that was not already analyzed in the 2040 General Plan EIR (2019). Implementation of the project would be subject to the Mitigation Monitoring and Reporting Program adopted as part of the Final EIR in November 2019. As discussed below the project would not result in any new impacts or severity of impacts previously identified, therefore the project would not require amending the adopted Mitigation Monitoring and Reporting Program. The following discussion contains an analysis of the potential project impacts in relation to impacts identified in the approved 2040 General Plan EIR.

- ▶ **Aesthetics.** The General Plan EIR anticipated that development under the 2040 General Plan would have significant and unavoidable impacts on the visual resources in some areas of the city, specifically those with a view of the hillside area, marshlands along the bay, or other open space areas and in the existing urbanized areas of the city. The project would amend General Plan policies in a manner that would not result in physical changes to the environment, and adoption of these updated General Plan elements would not include any development proposals that would result in physical changes to the existing visual character in Union City or conflict with zoning or other regulations adopted to protect scenic quality or include new sources of light and glare. Future development would continue to comply with General Plan policies and would be reviewed through the City's development standards (e.g., Municipal Code and design review process), entitlement process and the CEQA process to ensure consistency with all relevant federal and State policies and related to aesthetic resources. Similar to the conclusion identified in the November 2022 "Addendum to the Union City 2040 General Plan for the Sixth Cycle (2023-2031) Draft Housing Element Related Amendments to the Union City 2040 General Plan and Zoning Ordinance," the project would not result in visual impacts that would be more severe than the significant and unavoidable impacts identified in the General Plan EIR. No substantial changes in circumstances have occurred, nor has any new information of substantial importance been identified requiring new analysis or verification. Aesthetic impacts would not be more severe than identified in the General Plan EIR, and there would be no new impacts beyond those evaluated in the EIR.
- ▶ **Agriculture/Forestry.** While no areas of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance occur within Union City, the 2040 General Plan designates agricultural land uses in the southwest corner of the city, and throughout much of the hillside area east of State Route 238. The project would amend General Plan policies in a manner that would not result in physical changes to the environment, and adoption of these updated General Plan elements would not include any development proposals that would result in physical changes that would affect the land use pattern of the city or result in any physical change to the environment. The policy framework proposed by the project would not result in any new physical impacts on the environment not disclosed in the EIR prepared for the 2040 General Plan. Therefore, the project would not result in any new or more severe significant impacts beyond what was evaluated in the General Plan EIR.
- ▶ **Air Quality.** The General Plan EIR found that implementation of the 2040 General Plan would be consistent with the Bay Area Air Quality Management District (BAAQMD) 2017 Clean Air Plan. In addition, the rate of increase for vehicle miles travelled (VMT) during buildout of the 2040 General Plan would not exceed the rate of service population increase associated with the 2040 General Plan. The EIR indicated that there would be less than significant impacts related to the following: additional sources of toxic air contaminants exposed during buildout of the 2040 General Plan, generation of air pollutants during construction, and the introduction of new odor-generating land uses. The project includes updates to the General Plan Housing Element and Safety Element policy framework. New and updated policies would not result in physical effects to the environment, and the

updates to these General Plan elements would not include or otherwise result in development projects that could result in physical effects to the environment. Implementation of the project would not increase development beyond that which was planned for and analyzed in the General Plan EIR. The project would not result in physical changes affecting implementation of air quality plans, increases in criteria air pollutants, exposure to pollutant concentrations, or result in exposure of other emissions, such as odors. Applicable projects under the 2040 General Plan would continue to implement General Plan EIR Mitigation Measure AQ-1, which requires Health Risks Assessments to reduce impacts related to community health risk. No substantial changes in circumstances have occurred, nor has any new information of substantial importance been identified requiring new analysis or verification. With the project's approval, no new or more severe significant impacts related to air quality would occur beyond what was previously analyzed in the General Plan EIR.

- ▶ **Biological Resources.** As described in the General Plan EIR, there are a variety of vegetation communities in Union City. Areas that may provide habitat for special-status species are primarily located in the open space and undeveloped hillside area of the City and the marshes and wetlands adjacent to the Bay in the western part of the City (Union City 2019). The General Plan EIR found that implementation of the 2040 General Plan development pursuant to other local and regional planning efforts within the greater cumulative impact area (adjoining cities such as Fremont and Alameda County) could result in regional impacts on special-status species, riparian, wetland, or other sensitive natural communities, as well as wildlife movement. The 2040 General Plan sets forth goals and policies for surveys and required actions to be taken if biological resources have potential to be impacted by development. The project would amend General Plan policies in a manner that would not result in physical changes to the environment, and adoption of these updated General Plan elements would not include any development proposals or land use designation changes that would directly result in construction and operation of facilities that would impact biological resources beyond what was evaluated in the General Plan EIR. There have been no substantial changes in the circumstances in the city with regard to biological resources that would warrant changes to the EIR. The policy framework proposed by the project would not result in any new physical impacts. Therefore, the project would not result in any new or more severe significant impacts beyond what was evaluated in the General Plan EIR.
- ▶ **Cultural Resources.** Based on CEQA Guidelines Section 15064.5, the 2040 General Plan — and future development activities facilitated by the plan — would have a significant impact on historical cultural resources if it would cause a substantial adverse change in the significance of a historical cultural resource. The General Plan EIR found that development under the proposed 2040 General Plan could affect known or unknown historical and/or archaeological resources. Goals, policies, and implementation programs contained in the Resource Conservation element of the 2040 General Plan would reduce the potential for cultural resources to be adversely impact from development. In addition, the implementation of Mitigation Measure CR-1 would reduce impacts to historical and unique archeological resources to a less than significant level by including an implementation program in the 2040 General Plan requiring cultural resource studies for projects within the city and implementation of further requirements to avoid or reduce impacts to such resources on a project by-project basis. Moreover, the 2040 General Plan requires compliance with existing regulations relating to the treatment of human remains should ground-disturbing activities associated with development result in damage to or destruction of human burials. The project would amend General Plan policies in a manner that would not result in physical changes to the environment, and adoption of these updated General Plan elements would not include any development proposals or land use designation changes that would directly result in construction and operation of facilities that would impact cultural resources beyond what was evaluated in the General Plan EIR. Future development under the 2040 General Plan would continue to comply with the required policies and procedures from the 2040 General Plan and General Plan EIR and would not result in any additional ground disturbance beyond what was previously analyzed. Therefore, the project would not result in any new or more severe significant impacts beyond what was evaluated in the General Plan EIR.
- ▶ **Energy.** The General Plan EIR indicated that the 2040 General Plan would not result in potentially significant environmental impacts related to consumption of energy and conflicts with applicable plans. The development and population growth facilitated by the 2040 General Plan would result in overall consumption of energy beyond existing conditions. However, the 2040 General Plan is based on a land-use strategy that promotes greater overall

energy efficiency in community and municipal operations. The 2040 General Plan policies and implementation programs would ensure that development under the 2040 General Plan would comply with existing energy efficiency regulations and would encourage new development to take advantage of voluntary energy efficiency programs. The project would amend General Plan policies in a manner that would not result in physical changes to the environment, and adoption of these updated General Plan elements would not include any development proposals or land use designation changes that would substantially alter energy demand and use beyond what was evaluated in the General Plan EIR. Therefore, no substantial changes in circumstances have occurred, nor has any new information of substantial importance been identified requiring new analysis or verification. With the project's approval, the impact on energy resources would not be more severe than the impact identified in the General Plan EIR, and there would be no new impacts beyond what was evaluated in the EIR.

- ▶ **Geology/Soils.** The General Plan EIR analyzed the potential impacts of development facilitated by the 2040 General Plan. The 2040 General Plan includes goals and policies in the Safety Element to minimize the risks associated with geologic and soil hazards. Implementation of these policies, in addition to compliance with applicable laws and regulations, would minimize the potential for erosion and loss of topsoil (Union City 2019). Chapter 15.85 of the Union City Municipal Code also contains erosion control requirements that include slope protection and dust control. Additionally, growth and development facilitated by the 2040 General Plan would occur in the urbanized areas of Union City west of State Route 238, which is relatively flat with low potential for soil erosion. Development facilitated by the 2040 General Plan may result in the construction of structures on expansive soils, which could create a substantial risk to life or property (Union City 2019a). However, development would be required to comply with the California Building Code, which would ensure that expansive soils are remediated or that foundations and structures are engineered to withstand the forces of expansive soil. The implementation of Mitigation Measure GEO-1 would reduce impacts to paleontological resources to a less than significant level by including an implementation program requiring paleontological resource studies for projects in high sensitivity geological units within Union City and implementation of further requirements to avoid or reduce impacts to such resources on a project-by-project basis. The project would amend General Plan policies in a manner that would not result in physical changes to the environment, and adoption of these updated General Plan elements would not include any development proposals or land use designation changes that would directly result in construction and operation of facilities that would impact geology and soil resources beyond what was evaluated in the General Plan EIR. The policy framework proposed by the project would not result in any new physical impacts on the environment not disclosed in the EIR prepared for the 2040 General Plan. Therefore, the project would not result in any new or more severe significant impacts beyond what was evaluated in the General Plan EIR.
- ▶ **Greenhouse Gas Emissions.** The General Plan EIR indicated that there would be significant and unavoidable impacts associated with development facilitated by the 2040 General Plan and the overall generation of greenhouse gas emissions (GHG). Emissions facilitated through the 2040 General Plan would exceed the 2040 efficiency threshold of 1.12 metric tons of carbon dioxide equivalent (MT CO<sub>2e</sub>) per service population per year. Likewise, construction activities associated with buildout of the 2040 General Plan would generate temporary short-term GHG emissions primarily due to the operation of construction equipment and worker and hauling trips. Mitigation Measure GHG-1 from the General Plan EIR requires updating the City's CAP to reflect the most recent GHG reduction regulations and establish a Citywide GHG reduction target. The project would amend General Plan policies in a manner that would not result in physical changes to the environment, and adoption of these updated General Plan elements would not include any development proposals or land use designation changes that would directly result in construction and operation of facilities that would result in GHG emissions or conflicts with adopted climate action plans beyond what was evaluated in the General Plan EIR. Proposed policies would increase safety and climate resiliency in Union City. There has been no change in the circumstances in the city with regard to GHG emissions that would warrant changes to the EIR. With the project's approval, the impact on GHG emissions would not be more severe than the impact identified in the General Plan EIR, and there would be no new impacts beyond what the EIR evaluated.
- ▶ **Hazards and Hazardous Materials.** The General Plan EIR indicated that there would be less than significant impacts resulting from: the routine transport, use, or disposal of hazardous materials; reasonably foreseeable

upset and accident conditions involving the release of hazardous materials into the environment; the emission or handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; and being located on a site included on a list of hazardous materials sites and, as a result, creating a significant hazard to the public or the environment. There are no airports within two miles of Union City, and the city is not within the influence area of an airport. The General Plan EIR also determined that there would be less than significant impacts related to hazards from wildfires because the 2040 General Plan policies address maintaining a Local Hazard Mitigation Plan along with emergency access implementation. The project would amend General Plan policies in a manner that would not result in physical changes to the environment, and adoption of these updated General Plan elements would not include any development proposals or land use designation changes that would directly result in construction and operation of facilities that result in hazards beyond what was evaluated in the General Plan EIR. The Safety Element Update would address hazard impacts as it includes goals and policies to address climate adaptation and resilience, such as wildfire, sea level rise, and extreme precipitation and flooding. A new program in the Safety Element Update would ensure that the next update of the City's Comprehensive Emergency Management Plan includes capacity-based analysis of its evacuation network and that the City addresses evacuation of existing residential developments within hazard areas with limited accessibility. There has been no change in the circumstances in the city with regard to hazardous materials that would warrant changes to the EIR. No substantial changes in circumstances have occurred, nor has any new information of substantial importance been identified requiring new analysis or verification. With the project's approval, the impact on hazards and exposure to hazardous materials would not be more severe than the impact identified in the General Plan EIR, and there would be no new impacts beyond what the EIR evaluated.

- ▶ **Hydrology/Water Quality.** The General Plan EIR indicated that development facilitated by the 2040 General Plan could potentially result in violation of water quality standards or waste discharge requirements, depletion of groundwater supplies or interference with groundwater recharge, and increased risk of pollutant release in flood hazard areas. Compliance with applicable laws and regulations and implementation of goals and policies from the Safety Element, Public Facilities and Services Element, Resource Conservation Element, and Special Areas Element of the 2040 General Plan would reduce hydrology/water quality impacts associated with new development to the maximum extent practicable. The 2040 General Plan facilitates development within urbanized areas of the city, primarily as infill and redevelopment. Wetlands, streams, and rivers do not occur on parcels that have previously or are currently developed and that may be redeveloped. The project would amend General Plan policies in a manner that would not result in physical changes to the environment, and adoption of these updated General Plan elements would not include any development proposals or land use designation changes that would directly result in construction and operation of facilities that result in hydrology or water quality impacts beyond what was evaluated in the General Plan EIR. There has been no change in the circumstances in the city with regard to hydrology and water quality that would warrant changes to the EIR. Therefore, the project would not result in any new or more severe significant impacts beyond what was evaluated in the General Plan EIR.
- ▶ **Land Use and Planning.** The General Plan EIR determined that the 2040 General Plan would have less than significant impacts on land use and planning. Implementation of the 2040 General Plan would provide for orderly development in Union City. Because the majority of new development in existing neighborhoods would occur within existing subdivisions or other approved project areas, implementation of the 2040 General Plan would not physically divide an existing established community. The project would amend General Plan policies in a manner that would not result in physical changes to the environment, and adoption of these updated General Plan elements would not include any development proposals or land use designation changes that would directly result in construction and operation of facilities that result in land use or planning impacts beyond what was evaluated in the General Plan EIR. Rezoning of Housing Element sites was evaluated in the November 2022 "Addendum to the Union City 2040 General Plan for the Sixth Cycle (2023-2031) Draft Housing Element Related Amendments to the Union City 2040 General Plan and Zoning Ordinance," ; land use changes and rezoning would not occur as part of the proposed project. There has been no change in the circumstances in the city with regard to land use that would warrant changes to the EIR. No substantial changes in circumstances have

occurred, nor has any new information of substantial importance been identified requiring new analysis or verification. With the project's approval, the impact on land uses would not be more severe than the impact identified in the General Plan EIR, and there would be no new impacts beyond what was evaluated in the EIR.

- ▶ **Mineral Resources.** While development on areas containing mineral resources could result in the permanent loss of those minerals, the General Plan EIR determined that there would be no impact because mining does not occur in Union City and there is only one hillside area with known mineral resources. The 2040 General Plan would not facilitate new or additional development within the area of the mineral deposit. The proposed project would not propose a change in land use designations in the hillside area where there are mineral resources. Therefore, the project would not result in new or more severe significant impacts beyond what was evaluated in the General Plan EIR.
- ▶ **Noise.** The General Plan EIR indicated that there would be significant and unavoidable impacts related to development projected under the 2040 General Plan and the temporary generation of increased noise levels and groundborne vibrations during construction. Mitigation Measure N-1 Construction Noise Reduction was included in the General Plan EIR analysis to reduce construction noise to the extent feasible and would continue to apply to subsequent development. The project would amend General Plan policies in a manner that would not result in physical changes to the environment, and adoption of these updated General Plan elements would not include any development proposals or land use designation changes that would directly result in construction and operation of facilities that would generate noise. Therefore, implementation of the project would not increase development beyond that which was planned for and analyzed in the General Plan EIR. There has been no change in the circumstances in the City with regard to noise that would warrant changes to the EIR. No substantial changes in circumstances have occurred, nor has any new information of substantial importance been identified requiring new analysis or verification. With the project's approval, the impact on noise and vibration would not be more severe than the impact identified in the General Plan EIR, and there would be no new impacts beyond what the EIR evaluated.
- ▶ **Population and Housing.** The General Plan EIR indicated that implementation of the 2040 General Plan would facilitate the construction of new housing in the city which would increase the City's population over time. However, the General Plan EIR determined that the 2040 General Plan accommodates and plans for population growth and includes policies to manage new development. The General Plan EIR indicated that implementation of the 2040 General Plan would not result in the displacement of substantial numbers of persons or housing and concluded the impact to be less than significant. In accordance with State law and local housing requirements, the purpose of the Housing Element in a local General Plan is to identify and analyze existing and projected housing needs in order to preserve, improve, and develop housing for all economic segments of the community, consistent with the RHNA requirements. The General Plan EIR evaluated the 2015-2023 Housing Element, certified by HCD on February 19, 2015. At the time the EIR was prepared for the 2040 General Plan, no substantive changes were being proposed to the Housing Element as part of its incorporation into the 2040 General Plan. Since adoption of the 2040 General Plan in 2019 the City has rezoned sites to increase residential capacity to meet the projected need identified in the RHNA and in 2022 adopted an addendum to the General Plan EIR that concluded the rezone would not result in new significant impacts beyond what was evaluated in the General Plan EIR. The project includes General Plan updates that would assist the City in meeting housing goals, but would not result in increased development or ground disturbing activities. The project would amend General Plan policies and does not include any development proposals or land use designation changes that would directly result in growth or removal of existing housing beyond what was evaluated in the General Plan EIR, but would further housing goals of Union City. With the project's approval, the impact on population and housing would not be more severe than the impact identified in the General Plan EIR, and there would be no new impacts beyond what the EIR evaluated.
- ▶ **Public Services and Recreation.** The General Plan EIR indicated that there would be less than significant impacts related to the construction of fire and police protection facilities, school facilities, libraries, and park facilities. The General Plan EIR found that development facilitated by the 2040 General Plan would increase the overall population in Union City, which would generate additional need for fire protection and police protection services.

With an increase in the population, there would be a subsequent increase in the population of school-aged children in the city, increasing demand for school services and potentially creating the need for new school facilities. The increase in population from implementing the 2040 General Plan would further increase the demand for library services and potentially the need for new library facilities in addition to increased demand for parks with the potential need for new park facilities. The project would amend General Plan policies in a manner that would not result in physical changes to the environment, and adoption of these updated General Plan elements would not include any development proposals or land use designation changes that would directly result in growth that could impact public services beyond what was evaluated in the General Plan EIR. There has been no change in the circumstances in the city with regard to public services that would warrant changes to the EIR. No substantial changes in circumstances have occurred, nor has any new information of substantial importance been identified requiring new analysis or verification. With the project's approval, the impact on public services would not be more severe than the impact identified in the General Plan EIR, and there would be no new impacts beyond what the EIR evaluated.

- ▶ **Transportation and Traffic.** The General Plan EIR indicated that the 2040 General Plan would be inconsistent with CEQA Guidelines Section 15064.3, subdivision (B) and have significant and unavoidable impacts on Vehicle Miles Travelled (VMT) in Union City. New development would also have significant and unavoidable impacts on traffic on roadways in and surrounding the city. Additionally, the General Plan EIR indicated that the 2040 General Plan would have less than significant impacts related to the provision of emergency access, as well as conflicts with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, and the performance or safety of such facilities. The project would amend General Plan policies in a manner that would not result in physical changes to the environment, and adoption of these updated General Plan elements would not include any development proposals or land use designation changes that would directly result in construction and operation of facilities that would generate traffic or otherwise result in increased VMT. Therefore, implementation of the project would not increase development beyond that which was planned for and analyzed in the General Plan EIR that could result in new or increased VMT, bicycle, pedestrian, safety, or transit impacts, and the project would not result in any new trips on area roadways or changes to the Draft EIR's analysis and conclusion related to hazardous design features, inadequate emergency access, or conflicts with a program, plan, ordinance or policy addressing the circulation system. No substantial changes in circumstances have occurred, nor has any new information of substantial importance been identified requiring new analysis or verification. With the project's approval, the impact on transportation would not be more severe than the impact identified in the General Plan EIR. There would be no new impacts beyond what was evaluated in the EIR.
- ▶ **Tribal Cultural Resources.** The General Plan EIR indicated that development projected by General Plan 2040 would have less than significant impacts related to tribal cultural resources (TCR). The General Plan EIR anticipates some development projects that may involve excavation, which would have the potential to impact previously unidentified tribal cultural resources. Effects on tribal cultural resources can only be known once a specific project has been proposed because the effects are highly dependent on the individual project site conditions, and the characteristics of the proposed activity, including but not limited to the level of ground disturbance associated with construction activities. In accordance with Assembly Bill (AB) 52 and Senate Bill (SB) 18, Union City prepared and mailed letters to local Native American contacts informing them of the General Plan 2040 on October 8, 2018. None of the tribes contacted responded to request consultation. Also, in accordance with SB 18, the City mailed notices to tribes in September 2022 regarding the housing-related zoning changes and General Plan amendments approved by the City in 2022 and also mailed SB 18-related notices to tribes in October 2022 regarding the currently proposed Housing and Safety Element Updates. The project would amend General Plan policies in a manner that would not result in physical changes to the environment, and adoption of these updated General Plan elements would not include any development proposals or land use designation changes that would directly result in construction and operation of facilities that result in TCR impacts beyond what would already occur under the General Plan EIR. Impacts would be of similar type and severity as what was evaluated in the General Plan EIR. No substantial changes in circumstances have occurred, nor has any new information of substantial importance been identified requiring new analysis or verification.



- ▶ **Utilities and Service Systems.** The General Plan EIR determined that there would be less than significant impacts related to wastewater treatment, new or expanded utility infrastructure, wastewater generation, water supply, solid waste generation, and demand for utility services. The project would amend General Plan policies in a manner that would not result in physical changes to the environment, and adoption of these updated General Plan elements would not include any development proposals or land use designation changes that would directly result in growth that could impact utility services or a substantial increase in severity of impacts than were addressed in the General Plan EIR. Therefore, the project would not result in a need for additional utilities. Impacts would be of similar type and severity as what was evaluated in the General Plan EIR. No substantial changes in circumstances have occurred, nor has any new information of substantial importance been identified requiring new analysis or verification.
- ▶ **Wildfire.** Wildfire risk in Union City is limited to the hillside area east of State Route 238 because this area is undeveloped and contains large tracts of vegetation cover that can act as fire fuel. The General Plan EIR concluded that the impact related to wildland fires under the 2040 General Plan would be less than significant. The project would amend General Plan policies in a manner that would not result in physical changes to the environment, and adoption of these updated General Plan elements would not include any development proposals or land use designation changes that would directly result increased potential for wildfire impacts. Updates to the project Safety Element would improve evacuation preparedness in Union City. No substantial changes in circumstances have occurred and no new or more severe significant impacts related to wildfire risk would occur beyond what was previously analyzed in the General Plan EIR.

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## 4 LIST OF PREPARERS AND PERSONS CONSULTED

### 4.1 LIST OF PREPARERS

#### City Staff

Carmela Campbell..... Economic and Community Development Director  
Derek Farmer..... Planning Manager  
Francisco Gomez..... Housing & Community Development Manager  
Coleman Frick..... Senior Planner

#### Ascent Environmental

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Chelsey Payne, AICP ..... Urban Design and Planning Director  
Heidi Gen Kuong, AICP ..... Project Manager  
Kari Zajac..... Environmental Planner

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## 5 REFERENCES

Association of Bay Area Governments. 2022 (March). *Final Regional Housing Needs Allocation (RHNA) Plan: San Francisco Bay Area, 2023-2031*. Available: <https://abag.ca.gov/tools-resources/digital-library/finalrhnaallocationreport2023-2031-approved0pdf>. Accessed: September 2022.

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