



Legislation Text

File #: 22-762, Version: 1

Resolution making findings and recommending that the City Council certify the Environmental Impact Report, including adoption of the Statement of Overriding Considerations, for the 2040 General Plan Update, Climate Action Plan Update and Zoning Ordinance Update.

WHEREAS, in 2019 the City Council of the City of South San Francisco initiated a comprehensive update to the General Plan, including preparation of the 2040 General Plan Update, preparation of the Climate Action Plan Update, and preparation of the Zoning Ordinance Update (“Project”); and

WHEREAS, the City of South San Francisco (“City”) determined that the Project requires review pursuant to the California Environmental Quality Act and the City prepared a Program Environmental Impact Report (“EIR”) to evaluate the potential environmental effects of the Project, potential alternatives to the Project, and recommended mitigation measures for the potentially significant environmental impacts of the Project; and

WHEREAS, the City issued a Notice of Preparation (NOP) regarding the EIR seeking public agency review and comment on February 3, 2021 for the period of February 3, 2021 through March 22, 2021 and held a scoping meeting on February 17, 2021 and a revised NOP was circulated for the period of January 14, 2022 through February 28, 2022 and held a scoping meeting on January 31, 2022 to receive comments on topics and issues, which should be evaluated in the Draft EIR; and

WHEREAS, the Draft 2040 General Plan Update and Climate Action Plan Update were published for public review and comment on March 1, 2022 and public comments have been received and incorporated into the Final 2040 General Plan Update and Climate Action Plan Update; and

WHEREAS, the Draft Zoning Ordinance Update was published for public review and comment on June 8, 2022 and public comments have been received and incorporated into the Final Zoning Ordinance Update; and

WHEREAS, a Draft Environmental Impact Report (DEIR) was prepared to evaluate the Project and the DEIR was published on June 24, 2022 for public review and comment; and

WHEREAS, the City distributed a Notice of Availability for the DEIR (State Clearinghouse #2021020064) on June 24, 2022 to begin a 46 day review and comment period ending on August 9, 2022 followed by distribution to the State Clearinghouse for State Agency review, to local, and regional agencies; and

WHEREAS, the Planning Commission held a public hearing on July 7, 2022 to receive public comments on the DEIR; and

WHEREAS, following the conclusion of the public review period of the DEIR, a Final EIR (“FEIR”) was prepared which includes response to comments on the DEIR and revisions to the DEIR in response to comments resulting from the public process and as a result of editorial review; and

WHEREAS, the assessment in the FEIR concludes that the revisions do not alter the conclusions of the DEIR

and do not trigger the thresholds for recirculation set forth in section 15088.5 of the CEQA Guidelines; and

WHEREAS, the Planning Commission has reviewed and carefully considered the information in the DEIR and FEIR (collectively, “EIR”) at a duly noticed public hearing on the 2040 General Plan Update on September 15, 2022 to receive public comments on the Project and the EIR, and to consider whether the EIR complies with the requirements of the California Environmental Quality Act; and

WHEREAS, the Planning Commission reviewed all evidence presented both orally and in writing and considered in light of public comments and testimony the information in the EIR for adequacy, completeness and compliance with CEQA and State CEQA Guidelines.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED that based on the entirety of the record before it, which includes without limitation, the California Environmental Quality Act, Public Resources Code §21000, et seq. (“CEQA”) and the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the South San Francisco General Plan and General Plan Environmental Impact Report; the South San Francisco Municipal Code; the South San Francisco 2040 General Plan Update; the South San Francisco Zoning Ordinance Update; the South San Francisco Climate Action Plan Update; and the Draft and Final EIR prepared for the 2040 General Plan Update and all appendices thereto; all reports, minutes, and public testimony submitted as part of the Planning Commission’s study sessions on July 7, 2022; all reports, minutes, and public testimony submitted as part of the Planning Commission’s duly noticed September 15, 2022 meeting; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Planning Commission of the City of South San Francisco based on substantial evidence in the record hereby finds as follows:

SECTION 1. FINDINGS

A. General Findings:

1. The foregoing recitals are true and correct and made a part of this Resolution.
2. The EIR for the 2040 General Plan Update, Climate Action Plan Update and Zoning Ordinance Update, as well as the Exhibits attached to this Resolution, including the CEQA Findings of Fact, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program (Exhibit A), the Response to Comments and Final EIR (Exhibit B) and the Draft EIR (Exhibit C), are each incorporated by reference and made a part of this Resolution, as if set forth fully herein.
3. The documents and other material constituting the record for these proceedings are located at the Planning Division for the City of South San Francisco, 315 Maple Avenue, South San Francisco, CA 94080, and in the custody of the Chief Planner.
4. The Planning Commission has independently reviewed and analyzed the EIR and other information in the record and has considered the information contained therein, including, without limitation, all written comments received on the Project and its environmental review, whether during or outside of the public comment periods, and all oral comments received at the public meetings and public hearings on the Project and its various environmental documents, and the EIR represents the independent judgment and analysis of the City, as lead agency.
5. Changes or alternatives have been required of the Project, or incorporated into the Project, and such

changes or alternatives avoid or substantially lessen, to the extent feasible, the significant environmental effects identified in the EIR.

6. There is no new information which was not known and could not have been known with the exercise of reasonable diligence, which shows (A) that the Project may have one or more significant effects not discussed in the EIR; or (B) that mitigation measures or alternatives which are considerably different from those analyzed in the EIR would avoid or substantially lessen the Project's significant effects on the environment, but the City declines to implement the mitigation measure or alternative (no such mitigation measures or alternatives have been identified).
7. Based on the Planning Commission's independent judgement and analysis, the Planning Commission makes the findings regarding the Project's significant impacts and project alternatives set forth in Exhibit A, attached hereto and incorporated by reference. The purpose of findings is to satisfy the requirements of Section 21081 of the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., and Sections 15091, 15092, and 15093 of the CEQA Guidelines, 14 Cal. Code Regs. Sections 15000 et seq., associated with adoption of the 2040 General Plan Update, Climate Action Plan Update and Zoning Ordinance Update.

BE IT FURTHER RESOLVED that the Planning Commission of the City of South San Francisco hereby recommends that the City Council make and adopt the CEQA Findings of Fact and Statement of Overriding Considerations, attached as Exhibit A, and certify EIR22-0005 for the 2040 General Plan Update, Climate Action Plan Update and Zoning Ordinance Update.

BE IT FURTHER RESOLVED that the resolution shall become effective immediately upon its passage and adoption.