



## Legislation Text

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**File #:** 23-194, **Version:** 1

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Resolution making findings and determining that the environmental effects of the proposed 543 residential housing units located at 7 South Linden Avenue is consistent with the adopted 2040 General Plan EIR and would not necessitate the need for preparing a subsequent environmental document pursuant to the criteria of CEQA Guidelines Sections 15162 and 15168, and is eligible for streamlining per CEQA Guidelines Section 15183.

WHEREAS, Essex Property Trust, Inc. (“Applicant”) has proposed to construct 543 rental housing units on an existing developed 4.22 acre site located at 7 South Linden Avenue (APN 014-074-010) collectively referred to as (“Project Site”); and,

WHEREAS, the proposed Project is located within the T5 Corridor zoning district; and

WHEREAS, the applicant seeks approval of a Design Review (DR22-0007) and Transportation Demand Management Plan (TDM22-0002) for the Project (P22-0024); and

WHEREAS, approval of the applicant’s proposal is considered a “project” for purposes of the California Environmental Quality Act (Public Resources Code §§21000, et seq.) (“CEQA”); and

WHEREAS, the City Council certified the 2040 General Plan Environmental Impact Report (“EIR”) (State Clearinghouse #2021020064) on October 12, 2022 in accordance with the provisions of CEQA and the CEQA Guidelines, which analyzed the potential environmental impacts of the development; and

WHEREAS, the City and applicant prepared an environmental checklist for the Project pursuant to CEQA Guidelines Section 15168(c)(4). Such environmental checklist concluded that per CEQA Guidelines Section 15168 and CEQA Guidelines 15162, the Project is within the scope of the General Plan EIR and development of the Project does not require the preparation of an additional environmental document; and

WHEREAS, CEQA Guidelines section 15183 provides that projects consistent with the development density established by existing zoning policies or community plan for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project- specific significant effects that are peculiar to the project or its site. The environmental checklist also demonstrates that the proposed project qualifies for streamlining under CEQA Guidelines Section 15183 as there are no project-specific significant effects which are peculiar to the project or its site; and

WHEREAS, on March 16, 2023, the Planning Commission for the City of South San Francisco held a lawfully

noticed public hearing to solicit public comment and consider the proposed entitlements and environmental effects of the Project and take public testimony; and

WHEREAS, the Planning Commission exercised its independent judgment and analysis, and considered all reports, recommendations, and testimony before making a determination on the Project.

NOW, THEREFORE, BE IT 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 EIR; the 7 South Linden Environmental Checklist, all site plans, and all reports, minutes, and public testimony submitted as part of the Planning Commission’s duly noticed March 16, 2023 meeting; and any other evidence (within the meaning of Public Resources Code Sections 21080(e) and 21082.2), the Planning Commission of the City of South San Francisco 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. **Exhibit A** attached to this Resolution, The Project Environmental Checklist for 7 South Linden Avenue, is 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, Tony Rozzi.

### **B. CEQA Findings**

1. For the reasons stated in this Resolution, there is not substantial evidence in the record to support a fair argument that approval of the Project will result, as contemplated in CEQA Guidelines Section 15162, in significant environmental effects beyond those adequately evaluated and addressed by the General Plan EIR nor are there new or alternative mitigation measures that the applicant declines to impose. Therefore, the Project is within the scope of the General Plan EIR and may be used for this later activity pursuant to CEQA Guidelines Section 15168 because the Project is a subsequent project within the scope of the Project Description as analyzed in the Program EIR for the 2040 General Plan. All applicable regulations and mitigation measures (**Exhibit B**) identified in the General Plan EIR will be applied to the Project or otherwise made conditions of approval of the Project.
2. For the reasons stated in this Resolution, the proposed Project is consistent with the development

density established by existing zoning, community plan, or general plan policies for which an EIR was certified and therefore, the Project does not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. The environmental checklist demonstrates that the proposed project qualifies for streamlining under CEQA Guidelines Section 15183, as there are no project-specific significant effects which are peculiar to the project or its site.

## **SECTION 2**      **DETERMINATION**

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of South San Francisco hereby makes the findings contained in this Resolution and determines that the environmental effects of the proposed Project were sufficiently analyzed under the General Plan EIR (EIR) pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15162 and 15168 and no additional environmental review is required. Additionally, the Planning Commission determines that the proposed project qualifies for streamlining under CEQA Guidelines Section 15183, as there are no project-specific significant effects which are peculiar to the project or its site.

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

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