

Amendments to the 2010 Housing Element; part of the Town's 2010 – 2030 General Plan.

PROJECT DESCRIPTION

Amendments to the 2010 Housing Element necessary to comply with State housing element law and to gain “certification” from State Department of Housing Community Development. This includes the addition of nine units at Site #4 (School Street Plaza), 7 units at Site #5 (Fair Anselm), and 3 units at Site #6 (Eastside Commercial).

DETERMINATION

On April 4, 2012, the Town of Fairfax adopted a Mitigated Negative Declaration (MND) for the Town's 2010 – 2030 General Plan, including the 2010 Housing Element (State Clearinghouse No. 2012032010).

This Addendum to the MND is being prepared pursuant to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines, which allows for the lead agency to prepare an addendum to an adopted negative declaration if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred. Pursuant to CEQA Section 15162, no subsequent negative declaration shall be prepared for the project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project that will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

potentially significant effects on the environment because all the changes will have equivalent or lesser traffic impact than what was originally analyzed. Since the traffic volumes will be less or identical, the traffic, air quality and GHG impacts will remain less than significant.

FINDINGS

1. *The Town performed environmental review and adopted a Mitigated Negative Declaration for the original 2010 – 2030 General Plan, including the 2010 Housing Element, pursuant to the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq. (“CEQA”), and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, et seq.).*
2. *For this addendum to the MND, staff analyzed the proposed amendments to the 2010 Housing Element to determine if any impacts would result from the minor changes to the number of affordable housing units and to the intensity of land uses. Pursuant to CEQA Guidelines Section 15162, a new negative declaration or mitigated negative declaration is not required to amend the 2010 Housing Element because:*
 - a. *The changes to the original 2010 Housing Element are minor and do not involve any new significant environmental effects and the original Mitigated Negative Declaration previously identified no significant effects as mitigated. The proposed changes to the 2010 Housing Element would add a minor number of affordable housing units and change the intensity of certain land uses. These changes do not involve any new significant environmental effects because they will cause equivalent or lesser traffic volumes than originally analyzed, which means the impacts to traffic, air quality and GHG emissions will remain less than significant. Moreover, the proposed amendments to the*

... the addendum to the Mitigated Negative Declaration rejects the independent judgment and analysis of the Town of Fairfax.

PUBLIC REVIEW DISTRIBUTION

Pursuant to Section 15164(c) of the CEQA Guidelines, an addendum does not require circulation for public review. The original adopted Mitigated Negative Declaration is attached.

Copies of this Addendum, the original Mitigated Negative Declaration, and the original Initial Study may be obtained at the Department of Planning and Building Services, Town of Fairfax, 142 Bolinas Road 94930.

Date

James Moore

Director of Planning
and Building Services

Attachments:

Adopted Mitigated Negative Declaration