

Recommended Revisions to the Draft Negative Declaration of Environmental Significance prepared for the Danville 2014-2022 Housing Element

Revision 1 - Page 21 of Initial Study

In response to letter dated December 10, 2014 from Homira Shafaq, Senior Engineer Contra Costa County Flood Control District & Water Conservation District, amend the first paragraph of narrative in Section IX. Hydrology and Water Quality to read as follows (text insert shown as underlined text):

Hydrology and Water Quality Setting: The drainage patterns in Danville are dictated by Mt. Diablo to the northeast and the East Bay Hills to the west. The Town is mostly within the San Ramon Creek watershed division of the Walnut Creek watershed. East of Crow Canyon Road, parts of Danville are also in the Upper Alameda Creek watershed. As such, limited areas within the Town have are located in areas designated by the Federal Emergency Management Agency (FEMA) as 100-year and 500-year flood hazard areas (e.g., Green Valley Creek has known inadequate reaches).

Revision 2 - Pages 21-22 of Initial Study

In response to the Homira Shafaq letter on behalf of the CCCFC&WCD, amend the third paragraph contained in the subsection labeled "Hydrology and Water Quality Impact Discussion" in Section IX. Hydrology and Water Quality to read as follows (text insert shown as underlined text):

IX.(c).-(f). *Less than Significant Impact*: The housing sites identified in the Housing Element to support future residential development were previously evaluated as part of the 2030 General Plan EIR. There are no new land use designations that were not previously anticipated and addressed through that EIR. Furthermore, all future development proposed would be subject to local and state regulations governing erosion control, surface runoff and flooding. Subsequent CEQA documents prepared for development projects should require payment of drainage area fees within formed CCCFC&WCD drainage areas as mitigation measures for the creation of any new impervious surfaces created within Drainage Area 10, 37A, and 101A in accordance to Flood Control Ordinance Numbers 92-52, 85-41, and 88-36, respectively. In addition, as determined necessary on a project by project review, subsequent project environmental review should include a study of the adequacy and stability of drainage facilities potentially impacted by proposed new development to determine if local drainage design criteria are met, with potential impacts and appropriate mitigation measures developed through the project-specific CEQA documents. The Housing Element does not introduce any policies or programs that would interfere or otherwise conflict with adopted flood control, drainage, and stormwater runoff strategies. Therefore, potential impacts due to the alteration of drainage and contribution of stormwater would be insignificant.

Revision 3 - Page 32 of Initial Study

In response to the November 24, 2014 email from Russell Leavitt of the CCCSD, amend Page 32 Section XVII Utilities and Service Systems Section of the Draft Negative Declaration to read as follows (text inserts shown as underlined text and deleted text shown as ~~strikeout~~ text):

Danville is served by the Central Contra Costa Sanitary District (CCCSD), a special district that collects and cleans an average of 33.8 million gallons per day (mgd) (average dry weather flow) ~~45 million gallons of wastewater per day (MGD)~~ for approximately ~~462,000~~471,000 residents and 3,000 businesses in a ~~146~~144 square mile area of central Contra Costa County. ~~At~~According to CCCSD, at 2030 General Plan build-out, the Town's wastewater treatment needs can be adequately accommodated within CCCSD's 53.8 mgd effluent discharge limit, consistent with the ~~The 2010 CCCSD Collection System Master Plan Update identifies only one major, Danville-area sewer improvement project: the San Ramon Interceptor Schedule C - Phase 2 project, a 36-inch diameter parallel pipe in the Iron Horse Trail, from north of Norris Canyon Road in San Ramon to St. James Ct. in Danville. This project is included in CCCSD Capital Improvement Plan for future construction.~~

Recommended Revisions to the Draft Danville 2014-2022 Housing Element

Revision 1 - Page 3

To reflect the full range of public outreach effort made prior to the Planning Commission public hearing of December 17, 2014, amend the first paragraph in Section I under Subsection D - Public Participation of the Draft Housing Element to read as follows (text inserts shown as underlined text and deleted text shown as ~~strikeout~~ text):

In preparation of the Draft Danville 2014-2022 Housing Element, the public was provided an opportunity to review and comment on the draft document and the associated environmental documents.~~Town's housing goals, policies and implementation strategies. A study session for the Planning Commission was conducted to discuss housing needs and community concerns and to discuss goals, quantified objectives, policies and implementation strategies. Notice regarding the opportunity to review of the study session~~Notice of the availability of the Draft Danville 2014-2022 Housing Element for review and the intent to adopt a Negative Declaration of Environmental Significance for the policy document was posted on the Town's website ~~and, posted at community locations, posted by the Contra Costa County Clerk, and published in the San Ramon Valley Times on November 10, 2014.~~

Revision 2 - Pages 4-5

In response to the December 10, 2014 email from Contra Costa LAFCO's Executive Director Lou Ann Texeira, amend the first paragraph in Section I under Subsection E - Relationship to General Plan to read as follows (text insert shown as underlined text):

The Danville 2014-2022 Housing Element is a required component of the Danville General Plan. The Town of Danville adopted its current General Plan in March 2013 (i.e., the Danville 2030 General Plan). The Town will ensure consistency between the 2014-2022 Housing Element and the Danville General Plan through the Housing Element update process and any subsequent update or amendment of the 2030 Plan. As determined necessary, and consistent with SB 244 (Wolk, 2011), the Town will amend the land use element of the Danville 2030 General Plan to indicate that a determination has been made that there are no unincorporated disadvantaged communities (DUCs) present in Danville's Planning Area as depicted in the general plan. If the 2030 Plan is amended during the planning period covered by the 2014-2022 Housing Element, the Town will make conforming amendments to the Housing Element, and/or consider whether the amendments under consideration to the 2030 Plan would impede the Town's ability to meet its RHNA.

Revision 3 - Page 27

To clarify the opportunity available under current zoning regulations regarding the provision of farm worker housing for seasonal workers in agricultural districts, amend the second paragraph in Section II under Subsection C - Special Needs Groups - 6. Agricultural Workers to read as follows (text inserts shown as underlined text and deleted text shown as ~~strikeout~~ text):

According to the 2012 Agricultural Census, 2,049 workers were employed on farms in Contra Costa County, with a reported 89 migrant workers. The majority of the farmworker population in the unincorporated areas consists of resident-households requiring permanent affordable housing rather than migratory workers with seasonal housing needs. Currently, the Danville Municipal Code permits farm worker housing for seasonal workers in the agricultural districts (A-2 and A-4) subject to approval of a land use permit. ~~Contra Costa County's agricultural land is predominately located in far East Contra Costa County. Contra Costa County indicates in its draft Housing Element that it is proceeding with a zoning text amendment (in response to the latest provisions of the State Employee Housing Act with respect to farm labor housing) that will remove the requirement to secure a land use permit for farmworker housing in agricultural zoning districts (i.e., changing that activity to a by-right use in those districts). This action would likely take a significant amount of pressure off of the housing needs for agricultural workers in the long run.~~

Revision 4 - Pages 55 and 56

To provide clarity for an entry in HCD's Attachment 2: Completeness Checklist, amend Tables 24a and 24b to indicate that a mobile home may be used for residential use wherever a manufactured home may be used.

Revision 5 - Pages 73-74

In response to the November 24, 2014 email from Russell Leavitt, Engineering Assistant III of the Central Contra Costa Sanitary District (CCCSD), amend Pages 73-74 Wastewater Section of the Draft Housing Element to read as follows (text inserts shown as underlined text and deleted text shown as ~~strikeout~~ text):

The population of the service area is approximately ~~455,000~~471,000. ~~From April 2007 through December 2010, the maximum daily influent flow rate was 141 million gallons per day (MGD) and~~In 2013, the wastewater treatment plant's average daily dry weather flow rate was 38.735.8 MGD. Both rates are~~This rate is well within the then-permitted 53.8 MGD average dry weather flow limit and 250 MGD peak wet weather design flow, as provided~~allowed for by Order No. R2-2012-0016 issued by the SF Bay Region of the California Regional Quality Control Board and by National Pollutant Discharge Elimination System (NPDES) Permit No. CA0037648. CCCSD has indicated it will be able to serve the planned growth provided through the Danville 2030 General Plan and the 2014-2022 Housing Element.

Revision 6 - Page 89

To provide clarity for an entry in the Housing and Community Development Department's (HCD's) Attachment 2: Completeness Checklist (that must accompany the submittal of the Draft Housing Element to HCD), add as a new footnote for Table 33 the following (text insert shown as underlined text):

The affordability of the seven very low income units is assured through deed restriction (30 year term). The five cited low income units are detached second dwelling units whose size (ranging from 320 square feet to 811 square feet) qualifies them for the affordable "by-design" designation for one- or two-person low income households. The two cited moderate income units are detached second dwelling units whose size (ranging 1,002 square feet and 1,250 square feet) qualifies them for the affordable "by-design" designation for one-, two- or three-person moderate income households.

Revision 7 - Page 127

Re-number Programs listed under Policy 3.1 (the Draft Housing Element has two entries labeled Program 3.1.5).

Revision 8 - Page 127

To address the requirements established by California Health & Safety Code §17021.6, add new Program 3.1.7 under Policy 3.1 to assure Danville's Municipal Code is consistent with the intent and requirements of §17021.6 as far as the requirement that, under specified conditions, farmworker housing be allowed as an by-right use in agricultural land use districts. The new program language shall read as follows (text inserts shown as underlined text):

3.1.7. Monitor the need for farmworker housing in Danville and, if and when such need is documented to be present and where it is determined Danville is required to take action in light of the intent and requirements of California Health & Safety Code §17021.6, initiate a zoning text amendment to amend the existing A-2 and/or A-4 zoning regulations to allow farmworker employee housing as a use by right as set forth by the minimum requirements of §17021.6

Revision 9 - Page 128

To more clearly reflect the Town's commitment to address the intent and requirements of SB 2 as relates provision of at-right zoning for emergency shelters, add a new program under Policy 3.2 as follows (text inserts shown as underlined text):

3.2.3. Monitor and, if appropriate, amend the current regulations pertaining to emergency shelters (amended in 2014 by way of approval of LEG 13-02) relative their effectiveness to meet the intent of Policy 3.2 and the intent and requirements of SB 2 approved by the state in 2007.