

March 22, 2004

Attachment #2  
Initial Study

**C i t y o f B e r k e l e y**

**E N V I R O N M E N T A L I N I T I A L S T U D Y**

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1. Project Title:

UNIVERSITY AVE. STRATEGIC PLAN IMPLEMENTATION: ZONING AMENDMENTS

2. Lead Agency Name and Address:

City of Berkeley Planning and Development Dept.

2118 Milvia St. Third Floor

Berkeley, CA, 94704

3. Contact Person and Phone Number:

Janet Homrighausen, Senior Planner, (510) 981-7484

4. Project Location:

Text amendments are proposed to apply to properties with Commercial zoning designations within the University Avenue Strategic Plan area, which is the area bounded by Interstate 80, Delaware St., Sacramento St., Hearst Ave., Oxford St., Allston Way, and the I-80 Frontage Road. Map amendments are proposed to apply to Commercial zoned parcels within areas designated in the UASP as University Avenue Nodes, and in areas designated in the UASP as University Ave. Mixed-use with frontage on University Avenue, between Third St. and Martin Luther King, Jr. Way.

5. Project Sponsor's Name and Address:

City of Berkeley – same address as above.

6. General Plan Designation:

Avenue Commercial, Commercial/mixed use, Institutional, Recreational, and Industrial.

7. Zoning:

C-1 General Commercial and C-W West Berkeley Commercial.

8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

The project consists of zoning amendments to implement the University Avenue Strategic Plan. The proposed zoning amendments include

- 1.) Establish minimum and maximum height standards to implement University Ave. Strategic Plan Policy Strategy 6A, Fourth bullet (UASP page 34).
- 2.) Add building setback standards for parcels on the north side of University Ave., to preserve solar access to neighboring parcels, per Policy 8 Strategy A, General Design Guidelines, topic "Integration", subtopic "Solar Orientation" (UASP page 92).
- 3.) Add building setback standards for parcels on the south side of University Ave. to preserve privacy for neighboring parcels to the south, per Policy 8 Strategy A, Design Guidelines topic "Integration", subtopic "Privacy" (UASP page 92).
- 4.) Add zoning new provisions to require that development conform to the urban design standards and guidelines contained in the University Ave. Strategic Plan
- 5.) Modify Floor Area Ratio Standards.
- 6.) Make changes to the Permitted Uses (UASP pages 33 and 34)
- 7.) Add requirements for ground floor uses in mixed-use projects to implement University Ave. Strategic Plan Policy Strategy 6A, Second bullet, (UASP page 34) and to clarify what uses qualify as ground floor uses in mixed-use projects.
- 8.) Amend the Zoning map to include overlay designations of University Avenue Mixed Use and University Avenue Node between Third Street and Martin Luther King Jr. Way per the University Ave. Strategic Plan.

This Initial Study is "tiered" off the City of Berkeley General Plan EIR, certified December 18, 2001. The potential impacts of actions taken to implement the University Avenue Strategic Plan were addressed at a programmatic level of analysis in the General Plan EIR. The Berkeley City Council incorporated the University Avenue Strategic Plan into the General Plan as an amendment (Berkeley City Council Resolution No. 61,533-N.S., April 23, 2002).

The Initial Study examines potential impacts at a level appropriate for zoning amendments, to supplement the program level determination of the General Plan EIR. Specific impacts that would occur due to future developments will be addressed in project-specific CEQA review.

The proposed zoning changes will have the following effects. Item 1 above will reduce maximum potential building heights in some cases and leave maximum potential building heights unchanged in some cases, depending on whether a site is in a designated "node" or not. Items 2 and 3 will have the effect of reducing the building envelope, and allowable building size, due to increased setback standards. Item 4 will result in improved functional and aesthetic qualities of new development. Item 5 provides the opportunity to comply with State law regarding accommodating the City's regional fair share of housing, and contributes to development standards that emphasize more intensive development at Nodes defined in the UASP. Item 6 reduces allowed automobile related uses, consistent with UASP Goal 4 and stated intention in the UASP on pages 33 and 34. Item 7 will assist the City to achieve a mix of uses on University Avenue as described in the policy discussion contained in the

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University Ave. Specific Plan, but will not affect the size or intensity of development. Item 8 defines the applicability of development standards as shown in the University Avenue Strategic Plan depiction of Node and Avenue Mixed Use areas on pages 30 and 31.

This Initial Study does not address specific physical impacts of future development proposals, which cannot be anticipated. Additional CEQA analysis will be conducted for specific development projects as part of the City's development review process.

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MAP FIGURE 1

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Source: City of Berkeley Land Use Planning Division



9: Surrounding Land uses and Setting:

The neighboring uses west of San Pablo Ave. include a mix of residential, commercial, and industrial uses. The areas surrounding the University Ave. corridor between San Pablo Ave. and Shattuck Ave. are largely residential neighborhoods. East of Shattuck, the neighboring uses include commercial uses to the south (Downtown), the University to the east, and residential uses to the north.

10. Other public agencies whose approval is required:

None.

INITIAL STUDY CHECKLIST

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agriculture Resources              | <input type="checkbox"/> Air Quality            |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology /Soils         |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality          | <input type="checkbox"/> Land Use / Planning    |
| <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population / Housing   |
| <input type="checkbox"/> Public Services               | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems   | <input type="checkbox"/> Mandatory Findings of Significance |   |

DETERMINATION

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	<input checked="" type="checkbox"/>
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I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	<input type="checkbox"/>
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	<input type="checkbox"/>
I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	<input type="checkbox"/>
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	<input type="checkbox"/>



Land Use Planning Manager

MAR 22, 2004

Date

Initial Study prepared by: Janet Homrighausen, AICP  
Land Use Planning Division  
2118 Milvia Street Third Floor  
Berkeley CA 94704

Check List

I. AESTHETICS -- Would the project<sup>1</sup>:

- a) Have a substantial adverse effect on a scenic vista?

The changes contemplated in the proposed zoning amendments are consistent with the City of Berkeley General Plan. Impacts related to scenic vistas were addressed in the General Plan EIR. CEQA review for individual projects will address the particular potential for a specific project to impact a scenic vista. (Reference: Report to Planning Commission dated Feb. 11, 2004, Ref. 1, 4, 5, 6).

- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

There are no State Scenic Highways within the City of Berkeley, therefore the project will have no effect. [Ref. 3]

- c) Substantially degrade the existing visual character or quality of the site and its surroundings?

As noted in the project description, the proposed zoning amendments include requirements that projects conform to the design standards and guidelines of the University Avenue Strategic Plan, thus ensuring the new development will be compatible with, and will not degrade, the existing visual character or quality. (Ref. 5)

- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

The zoning changes do not change any lighting standard, and thus will have no impact upon sources of light or glare. [Ref. 5]

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<sup>1</sup> The headers of column check boxes are defined as follows: PSI : Potentially Significant Impact, <SWM : Less Than Significant With Mitigation, LS : Less Than Significant Impact, ⊙ : No Impact

**II. AGRICULTURE RESOURCES:** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- c) Involves other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

Comment to sections a through c: This is not applicable, according to the *Adopted General Plan* (2001-2002) there is no significant agricultural resources in Berkeley. None is shown in that document's Existing Land Use map and the Land Use Diagram. Further, the *Land Management Element* states that "Agriculture in Berkeley is limited to personal and community gardens." [Ref 1]

**III. AIR QUALITY --** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?
- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- d) Expose sensitive receptors to substantial pollutant concentrations?

- e) Create objectionable odors affecting a substantial number of people?

Comment to Sections a through e: The changes contemplated in the proposed zoning amendments are consistent with the City of Berkeley General Plan, whose air quality impacts were addressed in the General Plan EIR. The proposed amendments will not increase pollutants due to an increase in pollutant-generating land uses, odor-generating land uses, or pollutants due to vehicle exhaust or other sources of air pollution due to transportation. [Ref.1, 5, 6]

**IV. BIOLOGICAL RESOURCES -- Would the project:**

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?
- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Comment to Sections a through f: The proposed zoning amendments are consistent with the City of Berkeley General Plan. Impacts related to biological systems were addressed in the General Plan EIR. [Ref. 1, 5, 6]

**V. CULTURAL RESOURCES -- Would the project:**

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?
- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
- d) Disturb any human remains, including those interred outside of formal cemeteries?

Comment on items a through d: The project is confined to the zoning changes contemplated for implementation of the University Ave. Strategic Plan. The proposed zoning changes do not regulate or have an indirect effect on how historical, archaeological, paleontological, or geologic, features, or human remains, would be evaluated or treated. The proposed zoning amendments are consistent with the City of Berkeley General Plan. Impacts related to cultural resources were addressed in the General Plan EIR. Specific projects that may involve potential impacts to such resources will be evaluated in separate CEQA review. [Ref.1, 5, 6]



VI. GEOLOGY AND SOILS -- Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
  - ii) Strong seismic ground shaking?
  - iii) Seismic-related ground failure, including liquefaction?
  - iv) Landslides?
- b) Result in substantial soil erosion or the loss of topsoil?
- c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?
- d) Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

Comment on items (a) through (d): The proposed zoning amendments are consistent with the City of Berkeley General Plan. Impacts related to geologic impacts were addressed in the General Plan EIR. Actual projects will have subsequent CEQA evaluation. Specific projects that may involve potential impacts to will be evaluated in separate CEQA review. [Ref. 1. 6]

Comment on item (e): Not Applicable. The city is served by a wastewater sewer line. The proposed zoning amendments will not increase the amount of development that can be approved above the amount possible under the current zoning provisions.

VII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

Comment to items e) and f) Not applicable; the closest airport (either public or private) is Oakland International which is approximately 7.5 miles from Berkeley. [Ref 2.]

- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

[Ref. ]

- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Comment on items (a) through (d) and (g) and (h): The changes in the zoning development standards are consistent with the City of Berkeley General Plan. Impacts related to hazards were addressed in the General Plan EIR. The zoning changes do not in themselves cause any physical changes to the environment. Actual projects will have subsequent CEQA evaluation to address potential project-specific hazards. [Ref. 1,6]

**VIII. HYDROLOGY AND WATER QUALITY -- Would the project:**

- a) Violate any water quality standards or waste discharge requirements?
- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?
- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- f) Otherwise substantially degrade water quality?

- g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- j) Inundation by seiche, tsunami, or mudflow?

Comment on items (a) through (i): The changes in the zoning development standards are consistent with the City of Berkeley General Plan. Impacts related to water quality, groundwater, and water-related hazards were addressed in the General Plan EIR. The zoning changes do not in themselves cause any physical changes to the environment. Actual projects will have CEQA review of their particular impacts. [Ref 1,6]

**IX. LAND USE AND PLANNING - Would the project:**

- a) Physically divide an established community?

The proposed zoning changes will not result in any structures or other physical obstacles that would divide an established community. The zoning changes do not in themselves cause any physical changes to the environment. Actual projects will have CEQA review of their particular impacts. [Ref 5]

- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

The proposed zoning changes are consistent with the City of Berkeley General Plan and were addressed in the General Plan EIR. There are no impacts related to conflict with applicable plans. The proposed changes will implement the General Plan and the University Avenue Strategic Plan, and are consistent with applicable plans. [Ref 1,5, 6]

- c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

There is no habitat conservation plan or natural community conservation plan in effect in the area addressed by the proposed zoning changes, and thus the project will not conflict with any such plans. [Ref. 1,5, 6]

**X. MINERAL RESOURCES -- Would the project:**

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Comment on a and b above: Impacts on mineral resources were addressed in the General Plan EIR. No mineral resources are identified in the area covered by the University Ave. Strategic Plan, so no loss of availability will occur due to the proposed zoning changes. [Ref 1, 5, 6]

**XI. NOISE -- Would the project result in:**

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Comments to Items (a) through (d): The proposed zoning amendments are consistent with the City of Berkeley General Plan. Impacts related to noise were addressed in the General Plan EIR. The project will not result in any change in potentially allowable land uses that would create or exacerbate noise compatibility conflict or any of the noise effects discussed in items (a) through (d), or in any physical activity that will generate noise. Noise impacts related to individual development projects within the area covered by the proposed zoning changes will be addressed in project-specific CEQA review. [Ref 1, 5, 6]

Comment to Items (e) and (f), Not applicable; the closest airport is Oakland International which is approximately 7.5 miles from Berkeley. [Ref. 2]

**XII. POPULATION AND HOUSING -- Would the project:**

- a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Comment on items a through c: The proposed zoning changes are consistent with the City of Berkeley General Plan. Impacts related to population and housing were addressed in the General Plan EIR. [Ref. 1, 5,6]



XIII. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection? [ ] [ ] [ ] [x]

Provided by City of Berkeley

Police protection? [ ] [ ] [ ] [x]

Provided by City of Berkeley

Schools? [ ] [ ] [ ] [x]

Provided by Berkeley Unified School District

Parks? [ ] [ ] [ ] [x]

Provided by City of Berkeley

Other public facilities? [ ] [ ] [ ] [x]

Provided by City of Berkeley

Comment on XIII (a): The area where the zoning changes are proposed is an existing urbanized area which has a complete range of the services named above. The proposed zoning amendments are consistent with the City of Berkeley General Plan. Impacts related to services were addressed in the General Plan EIR. The proposed zoning amendments will not increase the amount or intensity of potential development above the amount analyzed as part of the City of Berkeley General Plan EIR, and so they will not have a potential adverse impact on public services. [Ref 1, 5, 6 ]

XIV. RECREATION

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? [ ] [ ] [ ] [x]

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? [ ] [ ] [ ] [x]

Comment on XIV (a) and (b): The proposed zoning amendments are consistent with the City of Berkeley General Plan. Impacts related to recreation were addressed in the General Plan EIR.

The proposed amendments will not increase the amount or intensity of potential development, or number of residents, above the levels analyzed in the General Plan EIR [Ref 1, 5, 6]

**XV. TRANSPORTATION/TRAFFIC -- Would the project:**

- a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?
  
- b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
  
- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
  
- Not applicable; the closest airport is Oakland International which is approximately 7.5 miles from Berkeley. [Ref. 2]
  
- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
  
- e) Result in inadequate emergency access?
  
- f) Result in inadequate parking capacity?
  
- g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Comment on Section XV (a), (b), and (d) through (g): The proposed zoning amendments are consistent with the City of Berkeley General Plan. Impacts related to transportation were addressed in the General Plan EIR. The proposed zoning amendments will not increase the amount or intensity of potential development, or number of residents, above the levels analyzed in the General Plan EIR, and so they will not have a potential adverse impact on transportation,

traffic hazards, emergency access, parking, or ability to implement adopted alternative transportation policies, plans, or programs. [Ref 1,5,6]

**XVI. UTILITIES AND SERVICE SYSTEMS – Would the project:**

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?
- e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- g) Comply with federal, state, and local statutes and regulations related to solid waste?

Comment on Section XVI (a) through (g): The proposed zoning amendments are consistent with the City of Berkeley General Plan. Impacts related to utilities and service systems were addressed in the General Plan EIR. They will not increase the amount or intensity of potential development, or number of residents over the levels analyzed in the General Plan EIR, and so they will not have a potential adverse impact the services and service impacts discussed above. [Ref 1,5,6]

**XVII. MANDATORY FINDINGS OF SIGNIFICANCE --**

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Does the project have impacts that are individually limited, but cumulatively considerable? (Cumulatively considerable) means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? Impact Mitigation Impact   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**18. SOURCE REFERENCES**

1. General Plan, City of Berkeley, Adopted 2001-2002
2. California Division of Aeronautics "California Airport Data".
3. The California Department of Transportation, *The California Scenic Highway System: a List of Eligible and Officially Designated Routes*.
4. Report to the Planning Commission on the University Ave. Strategic Plan dated Feb. 11, 2004.
5. University Avenue Strategic Plan, adopted November 1996
6. City of Berkeley General Plan EIR, SCH# 2000102107, certified by the Berkeley City Council December 18, 2001

**City of Berkeley**

ENVIRONMENTAL INITIAL STUDY

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Appendix A

INSTRUCTIONS FOR THE EVALUATION OF ENVIRONMENTAL IMPACTS:2

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e. g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e. g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).

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<sup>2</sup>These are the instructions attached to the Suggested Initial Study form in the State CEQA Guidelines.

5. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated”, describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
7. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
8. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
9. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

