



SPECIAL MEETING AGENDA

Date: 12/1/2022
Time: 7:00 p.m.
Location: Zoom.us/join – ID# 871 4022 8110 and
City Council Chambers
751 Laurel St., Menlo Park, CA 94025

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

Consistent with Cal. Gov. Code §54953(e), and in light of the declared state of emergency, and maximize public safety while still maintaining transparency and public access, members of the public can listen to the meeting and participate using the following methods.

How to participate in the meeting

- Submit a written comment online up to 1-hour before the meeting start time:
PlanningDept@menlopark.org *
Please include the agenda item number you are commenting on.
- Access the meeting real-time online at:
zoom.us/join – Meeting ID# 871 4022 8110
- Access the meeting real-time via telephone (listen only mode) at:
(669) 900-6833
Regular Meeting ID # 871 4022 8110
Press *9 to raise hand to speak

*Written comments are accepted up to 1 hour before the meeting start time. Written messages are provided to the Planning Commission at the appropriate time in their meeting.

Study Session - Continued

Study session for introduction of changes to the Zoning Ordinance and El Camino Real/Downtown Specific Plan that might be needed to modify residential densities and associated development standards to implement the Housing Element Update. ([Staff Report #22-063-PC](#))

Adjournment

At every regular meeting of the Planning Commission, in addition to the public comment period where the public shall have the right to address the Planning Commission on any matters of public interest not listed on the agenda, members of the public have the right to directly address the Planning Commission on any item listed on the agenda at a time designated by the chair, either before or during the Planning Commission's consideration of the item.

At every special meeting of the Planning Commission, members of the public have the right to directly address the Planning Commission on any item listed on the agenda at a time designated by the chair, either before or during consideration of the item. For appeal hearings, appellant and applicant shall each have 10 minutes for presentations.

If you challenge any of the items listed on this agenda in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Menlo Park at, or before, the public hearing.

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STAFF REPORT

Planning Commission

Meeting Date:

~~4/14/2022~~ 12/01/2022

Staff Report Number:

22-063-PC

Public Hearing and Study Session:

Receive comments on the Draft Subsequent Environmental Impact Report (Draft SEIR) and study session introducing potential Zoning Ordinance and Specific Plan amendments associated with the Housing Element Update project

Recommendation

Staff recommends that the Planning Commission conduct:

- A public hearing to receive public testimony and provide comments on the Draft SEIR; and
- A study session to provide feedback and receive public comments on an introduction of changes to the Zoning Ordinance and El Camino Real/Downtown Specific Plan (Specific Plan) that might be needed to modify residential densities and associated development standards to implement the Housing Element Update.

A public hearing on the Draft SEIR provides an opportunity for the Planning Commission and the public to comment on the completeness and accuracy of the Draft SEIR. A study session provides an opportunity for the Planning Commission and community members to provide comments and ask clarifying questions on the proposed project's details, particularly with regard to proposed modifications to the Zoning Ordinance and Specific Plan development standards. The Draft SEIR public hearing and the study session should be considered as separate items, with comments and clarifying questions used to inform future consideration of the proposed project.

The November 14th meeting will not include any project actions. The City Council will be the final decision-making body for certification of the SEIR; amendments to the General Plan, Zoning Ordinance, and Specific Plan; and rezoning of certain parcels to allow multifamily residential or mixed use developments. The Planning Commission will be required to review and make a recommendation on the various discretionary actions at a future public hearing tentatively scheduled for early January 2023.

Staff recommends the following meeting procedure for the two items, allowing the public and the Planning Commission to focus comments and discussion on the specific project components:

Draft SEIR Public Hearing

- Introduction by project team
- Presentation by City's SEIR consultant
- Public comments on Draft SEIR
- Commissioner questions and comments on Draft SEIR
- Close of public hearing

Study Session

- Introduction by project team
- Public comments on proposed project
- Commissioner questions and comments

Policy Issues

The proposed project would require the following actions:

1. **Environmental Review** to analyze potential environmental impacts and certify the SEIR as legally compliant with CEQA;
2. **General Plan Amendments** to update the Housing and Safety Elements and adopt a new Environmental Justice Element and any corresponding changes to other elements of the General Plan necessary to maintain internal consistency, including an amendment of the General Plan Land Use Designations diagram;
3. **Specific Plan Amendments** to modify residential densities and associated development standards in various subdistricts, and remove the 680-unit cap on residential development;
4. **Zoning Ordinance Amendments** to modify residential densities and associated development standards in the C-1, C-1-A, C-1-C, C-2, C-2-A, C-2-B, C-2-S, C-4, and P zoning districts; remove the minimum lot size requirement for R-3 zoned properties located around downtown; and modify the Affordable Housing Overlay district; and
5. **Rezoning** of certain housing opportunity sites to allow multifamily residential or mixed use developments.

In addition, a fiscal impact analysis (FIA) is being prepared and will be published in the near future to analyze the proposed project and inform reviews by community members, the Planning Commission, and the City Council. The FIA is not subject to specific City action, but will provide additional information for consideration.

After the close of the Draft SEIR public comment period on December 19, 2022, the City and its environmental consultant will review and respond to all substantive comments received in what is referred to as a “Response to Comments” document, which along with the Draft SEIR and any revisions, additions, or clarifications to the Draft SEIR, will constitute the Final SEIR. The City Council is charged with reviewing and certifying the Final SEIR. Certifying the SEIR as legally adequate and adopting findings to comply with CEQA must be completed prior to taking final action on the proposed project. After certifying the Final SEIR, the City Council would then consider and take action on the proposed components of the project. Certifying the SEIR is a separate action and does not automatically mean approval of the project.

Background

State law requires the City to have and maintain a general plan with specific contents in order to provide a vision for the City’s future, and inform local decisions about land use and development, including issues such as circulation, conservation, and safety. The City’s General Plan Land Use and Circulation Elements were most recently updated and adopted in 2016. The City’s Safety Element was updated in 2013 and the Housing Element for the 2015 to 2023 planning period was adopted in 2014.

The City of Menlo Park is currently updating its required General Plan Housing Element and Safety Element, and preparing a new Environmental Justice Element, as well as associated General Plan, Zoning

Ordinance, and Specific Plan amendments. Collectively, these are referred to as the Housing Element Update project.

Purpose of the General Plan Housing Element Update

The Housing Element is one of the state-mandated elements of the General Plan. State law specifically requires the City to update the Housing Element of its General Plan by January 31, 2023, while making any changes to other elements of the General Plan needed to maintain internal consistency and undertaking any related changes to the City's Zoning Ordinance and Specific Plan. In accordance with State law, the eight-year planning period for the updated Housing Element will extend from 2023 to 2031. This is also referred to as the 6th Cycle Housing Element Update.

The City is updating its Housing Element to comply with the requirements of State law by analyzing existing and projected housing needs, and updating goals, policies, objectives, and implementation programs for the preservation, improvement, and development of housing for all income categories. On July 25, 2022, the City submitted a Draft Housing Element to the State Department of Housing and Community Development (HCD), which initiated a 90-day review period for HCD to evaluate the document and return any comments to the City. On October 21, 2022 the City received a letter from HCD with a list of revisions requested in order to comply with State law. The project team is currently reviewing and addressing the comments in preparation for an update on the project to the City Council, tentatively scheduled for December 6.

Regional Housing Needs Allocation

In addition to including goals, policies, and implementation programs concerning housing issues, housing elements must include an inventory or list of housing sites on which housing development is allowed at sufficient densities to accommodate a specific number of units at various levels of affordability. HCD sets a statewide number of units to be developed during the Housing Element planning period and allocates a share to each region of the state based on a variety of factors. In the Bay Area, the Association of Bay Area Governments (ABAG) determines how the regional assignment of housing units is divided among local jurisdictions. This assignment is referred to as the Regional Housing Needs Allocation (RHNA), and the City is required to demonstrate it can meet its RHNA by developing a site inventory in its Housing Element.

The City's current 5th Cycle Housing Element, adopted in 2014, provides sites sufficient to accommodate the 2015 RHNA allocation of 655 units, along with an appropriate "buffer." This means that the current Housing Element identifies enough land zoned at appropriate densities to accommodate the 2015 RHNA allocation. A buffer is necessary to ensure that if one or more of the identified sites are developed at lower densities than projected, or with non-housing uses, there is remaining capacity to provide an ongoing supply of sites for housing during the eight-year planning period of the Housing Element. If there were no buffer and an identified site developed with a non-housing project or at a density less than that anticipated in the Housing Element, then the City could be obliged to identify new sites and amend the Housing Element prior to the end of the cycle. It is considered more efficient and less disruptive to include a buffer amount of housing sites now versus undertaking a process to add more sites later.

The need for a substantial buffer is more important for the new 6th Cycle Housing Element Update because of "no net loss" provisions in the State's Housing Accountability Act. California State Senate Bill 166 (2017) requires that the land inventory and site identification programs in the Housing Element always include sufficient sites to accommodate unmet RHNA. This means that if a site is identified in the Housing Element as having the potential for housing development that could accommodate lower-income units towards meeting the RHNA but is developed with units at a higher income level, or at a lower density, or with non-housing uses, then the locality must either: 1) identify and rezone, if necessary, an adequate substitute site; or 2) demonstrate that the land inventory still contains enough substitute sites. An adequate buffer will help

ensure that the City remains compliant with these provisions without having to identify and rezone sites prior to the end of the planning period.

On December 16, 2021, ABAG adopted the Final RHNA, which distributed the regional housing need of 441,176 units across all local jurisdictions in the Bay Area, divided into different income levels. San Mateo County's 2021 Area Median Income (AMI) for a household of four persons is \$149,600. Income groups include “very low income” (less than 50% of AMI); “low income” (51-80% of AMI); “moderate income” (81-120% of AMI); and “above moderate income” (greater than 120% of AMI). Within the 6th Cycle Housing Element Update, the City is required to plan for its fair share allocation of housing units by income group. Table 1 shows the RHNA breakdown of required units in Menlo Park across the four income categories. The 5th Cycle RHNA and 6th Cycle RHNA with and without a 30 percent buffer are included for comparison.

	Very Low Income (0-50% AMI)	Low Income (51-80% AMI)	Moderate Income (81-120% AMI)	Above Moderate Income (>120% AMI)	Total New Housing Units
5 th Cycle RHNA	233	129	143	150	655
6 th Cycle RHNA without buffer	740	426	496	1,284	2,946
6 th Cycle RHNA with 30% buffer	962 (740+222)	554 (426+128)	645 (496+149)	1,669 (1,284+385)	3,830 (2,946+884)
Note: The California Department of Housing and Community Development recommends a 15-30% buffer of additional housing units above the RHNA. Menlo Park’s 6 th Cycle RHNA is 3,388 (with 15% buffer) to 3,830 (with 30% buffer) total new housing units.					

The total housing units required in the 6th Cycle RHNA are higher than the 5th Cycle RHNA in part because the Bay Area region’s overall allocation of 441,176 units from HCD is more than double the last Housing Element cycle’s allocation, which was approximately 189,000 units.

Based on HCD’s requirements, the City’s 6th Cycle Housing Element must identify housing sites for at least 2,946 units at specified levels of affordability (income limits/groups based on AMI, adjusted annually by HCD) plus a buffer of additional units at appropriate densities. The City will also need to rezone the identified sites, as necessary, to accommodate the new units and amend other elements of the General Plan to ensure that the General Plan as a whole remains consistent with the 6th Cycle Housing Element Update.

Future development on identified sites will be at the discretion of individual property owners and will be largely dependent on market forces and in the case of affordable housing, available funding and/or other incentives.

The Draft SEIR considers potential impacts of the 6th Cycle Housing Element Update as well as the associated Specific Plan, Zoning Ordinance, and General Plan amendments that would occur as part of implementation of the Housing Element.

Purpose of the General Plan Safety Element update

The Safety Element is also a state-mandated component of a General Plan. State law (SB 379) requires that it be updated as needed to address fire risk and climate adaptation and resiliency strategies. The Safety Element focuses on protection of the community from risks associated with climate change, earthquakes, floods, fires, toxic waste, and other hazards. The Safety Element is the means by which the City defines what measures will be undertaken to reduce potential risk of personal injury, property damage, and economic and social dislocation resulting from natural and human-made hazards. The project team is currently preparing a draft Safety Element update, which will be released for public review in the near future.

Purpose of the General Plan Environmental Justice Element

Recent changes in State law (SB 1000) require some jurisdictions to include policies related to environmental justice in their general plans. Accordingly, the City is preparing a new Environmental Justice Element concurrent with the updates to the Housing Element and Safety Element. The purpose of the Environmental Justice Element is to address the unique or compounded health risks in “Disadvantaged Communities” within a jurisdiction. Proposed measures could include, but are not limited to, improving air quality, and promoting public facilities, food access, safe and sanitary homes, and physical activity. In addition, the element will serve to promote civic engagement in the public decision-making process and prioritize improvements and programs that address the needs of these communities. The project team is currently preparing a draft Environmental Justice Element, which will be released for public review in the near future.

Project overview

The project analyzed in the SEIR would include adoption of General Plan amendments that would add or modify goals, objectives, policies, and implementation programs related to housing, safety, and environmental justice that would apply citywide, and would address the maintenance, preservation, improvement, and development of housing in the city. General Plan amendments would also include conforming amendments to other elements of the General Plan that are necessary to ensure internal consistency.

In addition, as discussed above, the Housing Element identifies specific sites appropriate for the development of multifamily housing (in particular affordable units), and the City would rezone those sites and modify associated zoning districts as necessary to demonstrate that the City can meet its RHNA obligation. The list of existing and proposed sites that can accommodate development of multifamily housing includes sites across the city. These proposed sites are listed in Attachment A as “potential housing opportunity sites” for the Housing Element’s housing sites inventory, and represent the land use strategy outlined in the following sections. Locations of the potential housing opportunity sites are shown on the maps in Attachment B.

Pipeline projects

Adoption of the El Camino Real/Downtown Specific Plan in 2012, the fourth cycle RHNA in 2013, the 5th Cycle Housing Element in 2014, and the ConnectMenlo General Plan Update in 2016 enabled opportunities for over 5,000 new housing units in the city. Currently there are seven major residential projects in the “pipeline” as either approved or pending housing developments that would provide approximately 3,650 new units. These units, as well as smaller projects in the city, could potentially count towards Menlo Park’s RHNA requirement because the residential units will be completed after June 30, 2022.

Accessory dwelling units (ADUs)

HCD allows the City to determine an annual ADU production rate based on outcomes from 2018 to 2020. Between 2018 and 2020, Menlo Park produced an average of 10.6 units per year. At that rate, 85 units

could be anticipated during the 6th Cycle Housing Element planning period.

Net RHNA

The City’s RHNA will be met through a combination of strategies including pipeline projects, ADUs, and sites zoned for housing and/or mixed use developments. The latter strategies include existing sites and sites that will be rezoned to allow for residential uses and/or higher density housing. The net RHNA is what the City needs to plan for and is the focus of the land use scenario described in the next section. Table 2 provides a comparison of the total RHNA and the net RHNA, with a breakdown of the remaining number of housing units in each income category. Accounting for approved and pending pipeline projects (3,644 units) and the anticipated ADU production (85 units), the net RHNA (or net new units remaining to meet the City’s RHNA) is 1,490 units affordable to very low, low, and moderate income categories and zero (0) above moderate income, or “market rate,” units.

Table 2: Net RHNA					
	Very low	Low	Moderate	Above moderate	Total new housing units
	0-50% AMI	51-80% AMI	81-120% AMI	>120% AMI	
Sixth cycle RHNA without buffer	740	426	496	1,284	2,946
30% Buffer	222	128	149	385	884
6 th cycle RHNA with 30% buffer	962	554	645	1,669	3,830
6 th cycle RHNA credit					
Pipeline projects	134	230	230	3,050	3,644
Accessory dwelling units	26	25	26	8	85
Credit subtotal	160	255	256	3,061	3,729
Total net new units needed, without buffer considered	580 (740-160)	171 (426-255)	240 (496-256)		991 (580+171+240)
Total net new units needed, with 30% buffer considered	802 (962-160)	299 (554-255)	389 (645-256)		1,490 (802+299+389)

Land use scenario

In addition to the pipeline projects and ADUs described above, the SEIR analyzes up to 4,000 net new housing units to allow the City to flexibly meet its RHNA during the upcoming planning period through any combination of 100 percent affordable housing projects, market-rate housing projects with required below market rate housing, and/or other projects with a mix of affordable and market-rate units to achieve the 1,490 affordable units in the City’s target net RHNA. The housing sites would be geographically dispersed throughout the city, primarily located in City Council Districts 2, 3, 4 and 5, and could be produced through a combination of rezoning and/or updates to the Zoning Ordinance and Specific Plan to increase residential densities and modify other development standards, based on the following general strategies:

- “Re-use” sites from the City’s current 5th Cycle Housing Element that were not developed with housing during the current planning period and allow “by right” development for projects that include at least 20 percent affordable units. Densities would allow at least 30 dwelling units per acre (du/ac) on these sites, and the maximum potential density may increase beyond 30 du/ac as part of additional zoning

refinements.

- Increase the permitted densities for sites within the Specific Plan area to allow at least 30 du/ac at the base level density and potential increases to the maximum bonus level density. The existing residential cap of 680 units would also be removed to allow for greater development potential in the Specific Plan area.
- Modify the affordable housing overlay (AHO; Menlo Park Municipal Code Chapter 16.98) to allow up to 100 du/ac for 100 percent affordable housing developments (meaning 100 percent of units would be available to low and very low-income residents) and a potential increase in densities for mixed-income developments where the percentage of affordable housing exceeds the City's Below Market Rate (BMR) requirement.
- Modify certain retail/commercial zoning districts to allow for residential uses and add or change other development standards to encourage the production of mixed-use developments (specifically in the C-1, C-1-A, C-1-C, C-2, C-2-A, C-2-B, C-2-S, C-4, and P zoning districts).
- Remove the 10,000 square-foot minimum lot size requirement for R-3 zoned properties located around downtown, which would allow all R-3 sites a density of up to 30 du/ac.

Zoning modifications to achieve the increased densities (such as floor area ratio, height, and/or others) may be refined based on additional public input and analysis and, in combination with the actions described above, would result in a theoretical capacity for housing production greater than the 4,000 net new housing units studied in the SEIR. However, 4,000 housing units represents a conservatively large “umbrella” of study for the purposes of environmental review and exceeds the amount of residential development anticipated over the eight-year planning period from 2023 to 2031. Further discussion on the proposed Zoning Ordinance and Specific Plan amendments is included in the study session section below.

CEQA review

A Draft SEIR evaluates potential environmental impacts that could result from implementation of the proposed project. Under CEQA, a significant environmental effect is a potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. Potential environmental impacts under CEQA are only related to the physical environment, and do not evaluate potential social or economic effects of the proposed project. Each potential impact is determined based on criteria of significance, which are thresholds set by the CEQA Guidelines and applicable City policies to determine whether an impact is potentially significant.

As stated in the CEQA Guidelines, an EIR is an informational document that is intended to provide the City, responsible and trustee agencies, other public agencies, and community members with detailed information about the potential environmental effects that could result from implementing the proposed project, examine and implement mitigation measures to reduce or avoid potentially significant physical environmental impacts if the proposed project is approved, and consider feasible alternatives to the proposed project, including a required No Project Alternative. Members of the Planning Commission were previously provided a copy of the Draft SEIR for the proposed project, which was released on November 4, 2022. The Draft SEIR is included through the hyperlink in Attachment C.

The SEIR is a Subsequent EIR to the City's 2016 General Plan EIR (State Clearinghouse Number 2015062054). The SEIR relies on and incorporates information contained in the 2016 General Plan Final EIR where that information remains relevant, and provides additional information and analysis where warranted. The SEIR is a Program EIR, as provided for in CEQA Guidelines Section 15168, studying the

programs and policies in the Housing Element Update but not specific housing development projects – which are not known at this time. Future discretionary actions that would be facilitated by the project’s adoption, such as the development of housing, would require additional assessment to determine consistency with the analysis and mitigation measures in the SEIR. Future discretionary projects would be subject to the mitigation measures and the performance criteria established in the SEIR, or as determined in a subsequent environmental document if it is found that future actions could result in environmental impacts not foreseen in the SEIR.

The November 14, 2022 Planning Commission meeting falls within the Draft SEIR comment period, which ends on Monday, December 19, 2022 and serves as a public hearing to receive comments from interested persons and the Planning Commission on the Draft SEIR. The CEQA process recognizes that a Draft SEIR may require corrections, modifications, and/or clarifications after release and review by responsible agencies and community members. As a result, comments are solicited on the substantive analysis provided in the Draft SEIR. Oral comments received during the public hearing and written comments received during the Draft SEIR comment period will be considered while preparing the Final SEIR for the proposed project. Responses to substantive comments on the Draft SEIR will be included in the Final SEIR.

Prior to development of the Draft SEIR, and in accordance with CEQA Guidelines, a Notice of Preparation (NOP) was released on December 23, 2021, beginning the SEIR process. The NOP is included via hyperlink in Attachment D. Following release of the NOP, the Planning Commission conducted a scoping session on January 24, 2022, to provide an opportunity early in the environmental review process for the Planning Commission and interested persons to provide comments and suggestions on the scope and content of the SEIR. That input was considered in preparing the Draft SEIR.

Analysis

Draft SEIR

Most potential CEQA topic areas were included in the Draft SEIR, including the following:

- Aesthetics
- Air quality
- Biological resources
- Cultural resources
- Energy
- Geology and paleontological resources
- Greenhouse gas emissions
- Hazards and hazardous materials
- Hydrology and water quality
- Land use and planning
- Noise and vibration
- Population and housing
- Public services and recreation
- Transportation
- Tribal cultural resources
- Utilities and service systems
- Wildfire

Section 15128 of the CEQA Guidelines states that “an EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR.” Implementation of the project would not result in significant environmental impacts on agricultural and forestry resources or mineral resources. These issues are not analyzed in the Draft SEIR.

Impact analysis

For each of the analyzed topic areas, the Draft SEIR describes the existing conditions (including regulatory and environmental settings) and analyzes potential environmental impacts (noting the thresholds of significance and applicable methods of analysis for each topic). Impacts are considered both for the project individually, as well as cumulatively for the project in combination with other reasonably foreseeable probable future projects and cumulative growth. In addition to the 4,000 net new units studied in the SEIR based on proposed modifications to the Zoning Ordinance and Specific Plan, the SEIR also includes an update of the cumulative growth projections from the City’s 2016 General Plan EIR and assumes that an additional 299 housing units could be developed through the year 2040 because of the land use strategies described earlier in this report. These additional units are considered as part of the cumulative impact analyses for each topic area.

The Draft SEIR identifies and classifies the potential environmental impacts as:

- No Impact (NI)
- Less than Significant (LTS)
- Significant (S)
- Potentially Significant (PS)

Where a significant or potentially significant impact is identified, mitigation measures are considered to reduce, eliminate, or avoid the adverse effects. If a mitigation measure can reduce an impact below the threshold of significance, the impact is considered less than significant with mitigation. If a mitigation measure cannot reduce, eliminate, or avoid an impact, or reduce the impact below the threshold of significance, it is considered a significant and unavoidable impact. The following determinations are then applied to the impact:

- Less than Significant with Mitigation (LTS/M)
- Significant and Unavoidable (SU)

The Draft SEIR prepared for the project identifies less than significant effects and effects that can be mitigated to a less-than-significant level in all topic areas except air quality, cultural resources, and transportation. The Draft SEIR finds that impacts related to air quality, cultural resources, and transportation would be significant and unavoidable even with mitigation. The project would result in potentially significant impacts related to biological resources, geology and paleontological resources, greenhouse gas emissions, hazards and hazardous materials, land use and planning, and noise and vibration, but these impacts would be reduced to a less-than-significant level with implementation of identified mitigation measures. Impacts related to aesthetics, energy, hydrology and water quality, population and housing, public services and recreation, utilities and service systems, and wildfire would be less than significant and thus do not require the SEIR to identify mitigation measures. Attachment E includes Table 2-5 from the executive summary of the Draft SEIR for all impact areas and mitigation measures. A more detailed analysis of the proposed project’s impacts and associated mitigation measures by topic area, is provided in the Draft SEIR. Interested parties are encouraged to review specific topics of interest in the full Draft SEIR (hyperlinked in

Attachment C). Links to individual appendices and additional related documents are on the City-maintained project webpage (hyperlinked in Attachment F).

Significant and unavoidable impacts

While identified impacts for most topic areas can be mitigated to a less than significant level with mitigation measures, impacts related to air quality, cultural resources, and transportation remain significant and unavoidable even with the application of mitigation measures. CEQA Guidelines Section 15126.2(c) requires SEIRs to include a discussion of the significant environmental effects that cannot be avoided if the proposed project is implemented. More detailed analysis for each impact and associated mitigation measures (which should be applied even if unable to fully reduce the impact to less than significant) are included in the air quality (Chapter 4.2), cultural resources (Chapter 4.4), and transportation (Chapter 4.14) sections of the Draft SEIR.

Air quality impacts

Impact AQ-2: Projects that could be developed under the Housing Element Update project would result in criteria air pollutant emissions from construction (e.g., construction equipment exhaust and fugitive dust from earthmoving) and operations (e.g., landscape maintenance and painting). These emissions cannot be quantified without specific details about future potential developments, such as construction schedules and equipment that would be needed to construct buildings. Despite Mitigation Measure AQ-2, which would require each residential development project that exceeds screening sizes in the Bay Area Air Quality Management District's (BAAQMD's) CEQA Air Quality Guidelines to prepare a quantitative analysis and implement emission reduction measures if necessary, individual large projects with substantial ground disturbance, compressed construction schedules, or other distinctive circumstances may exceed emissions significance thresholds. Due to the uncertainty and lack of detail about specific developments that may result from implementation of the Housing Element Update, at this time criteria pollutant emissions from construction and operation of subsequent projects are conservatively deemed significant and unavoidable even with mitigation.

Cultural resources impacts

Impact CR-1: Housing development that may occur under the Housing Element Update could result in the demolition or significant alteration of historical resources, which would be considered a substantial adverse change in the significance of the resources. Mitigation Measures CR-1a through CR-1c would require the identification and documentation of historical resources, but the mitigations would not fully reduce adverse changes to a less than significant level if the resources were permanently lost. As a result, the impact would be significant and unavoidable with mitigation.

Impact CR-4: Future development under the Housing Element Update, as well as other development within the city, could potentially impact architectural historic resources. The cumulative effect of future development would be the continued loss of significant architectural historic resources. Potential future development beyond the Housing Element Update increases the likelihood that additional architectural historic resources could be lost. The loss of these resources would result in a significant impact and impacts associated with the Housing Element Update would be cumulatively considerable. Mitigation Measures CR-1a through CR-1c would reduce the severity of the impact, but the cumulative effect would remain significant and unavoidable.

Transportation impacts

Impact TRANS-1: The ConnectMenlo EIR found that development potential under ConnectMenlo would generate new bicyclists and pedestrians, and that implementation of ConnectMenlo and other City standards and regulations would provide for an integrated network of bicycle and pedestrian facilities.

However, since much of the anticipated development under ConnectMenlo would occur in the Bayfront area, including properties that are not adequately connected to the pedestrian and bicycle network citywide and properties that lack continuous sidewalks, the ConnectMenlo EIR found that implementation of ConnectMenlo would not provide adequate bicycle or pedestrian facilities. Mitigation Measure TRANS-6a was provided to update the City's transportation impact fee (TIF) to secure a funding mechanism for future bicycle and pedestrian improvements to mitigate impacts from future projects. However, the required nexus study had not yet been prepared and the City could not guarantee the improvements, so the impact was considered significant and unavoidable. Subsequently, the City's TIF program was updated and approved by the City Council and the Transportation Master Plan was approved on November 17, 2020. However, the identified bicycle and pedestrian improvements would not be fully funded by the TIF and the ConnectMenlo impact would remain. While most of the Housing Element Update's potential units would be developed south of US-101, the units located north of US-101 would contribute to the impact identified in the ConnectMenlo EIR and it would remain significant and unavoidable.

Impact TRANS-2: For the Housing Element Update project, the City's Transportation Impact Analysis (TIA) Guidelines adopted in June 2020 and updated in January 2021 do not outline any thresholds for a program-level analysis. For the Housing Element Update SEIR, the Housing Element Update is assumed to generate a significant vehicle miles travelled (VMT) impact if buildout of the Housing Element Update would cause the citywide average residential VMT per capita to increase beyond the existing baseline citywide average VMT per capita. The citywide travel demand forecast model, using 2021 as the base year for analysis, estimated the citywide average residential VMT as 12.18 home-based VMT per capita (person). With the addition of the Housing Element Update, the average citywide home-based VMT is estimated to fall to 11.74 per capita, and thus the impact would be less than significant. This likely is because many of the Housing Element Update units would be located within close proximity to the Menlo Park Caltrain station, and/or could take advantage of the complementary land uses in the downtown area to reduce vehicular trips and vehicular trip length, both of which reduce VMT.

However, future individual development projects allowed by the Housing Element Update that are subject to additional review may require a separate, project-specific VMT analysis. (Certain residential development projects are exempt from the City's TIA Guidelines and are able to "screen out of" a VMT analysis, such as those with fewer than 100 vehicle trips per day, projects located in a low VMT area, and others as described on page 4.14-22 of the Draft SEIR.) For applicable projects, the project-specific VMT analysis, which would be based on characteristics of each proposed project and its location, may result in a project exceeding the VMT significance threshold criteria of achieving 15 percent below the regional average VMT per capita indicated in the City's TIA Guidelines, particularly for housing sites that have limited access to transit. For this reason, the impact of the Housing Element Update is conservatively considered potentially significant, requiring mitigation. Despite Mitigation Measure TRANS-2, which would implement VMT reduction measures such as transportation demand management (TDM), the effectiveness of those measures cannot be determined to reduce an individual project's VMT impact to a less than significant level without knowing the specific characteristics of a project. As a result, the impact is conservatively considered significant and unavoidable with mitigation.

Impact TRANS-5: As outlined in the discussion for Impact TRANS-1, the ConnectMenlo Final EIR identified significant and unavoidable impacts for pedestrian, bicycle, and transit facilities due to the lack of funding for necessary improvements, an impact that would also occur with the Housing Element Update. Under cumulative conditions, the city would experience growth associated with ConnectMenlo and the Housing Element Update that is above and beyond the ConnectMenlo housing totals. No additional funding for necessary transportation improvements has been identified, and therefore the cumulative impact on pedestrian, bicycle, and transit facilities would also be significant and unavoidable.

Impact TRANS-6: Although the citywide residential VMT per capita under cumulative plus Housing Element Update scenario would be lower than the 2021 baseline, and therefore, the Housing Element Update program would generate a less than significant cumulative VMT impact, as discussed under Impact TRANS-2, the SEIR also considers the potential for impacts associated with individual future developments allowed by the Housing Element Update. Not all future individual development proposals under the Housing Element Update would be able to screen out of a VMT analysis. Those that could not be screened out would require a separate project-specific VMT analysis once the project characteristics and location are known. The results of that analysis could exceed the VMT criteria. For this reason, the cumulative impact of the Housing Element Update is conservatively considered potentially significant. As with Impact TRANS-2, Mitigation Measure TRANS-2 cannot be determined to reduce future individual projects' VMT to a less than significant level, and the impact would conservatively remain cumulatively significant and unavoidable with mitigation.

Project alternatives

The CEQA Guidelines require study of a reasonable range of alternatives to the proposed project. A "reasonable range" includes alternatives that could feasibly attain most of the project's basic objectives, while avoiding or substantially lessening any of the significantly adverse environmental effects of the project. A SEIR does not need to consider every conceivable alternative to a project, but it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. Section 15126.6(e) of the State CEQA Guidelines requires the evaluation of a No Project Alternative. Other alternatives may be considered during preparation of the SEIR that will comply with the State CEQA Guidelines.

The Draft SEIR alternatives analysis focuses on potential alternatives to reduce and/or eliminate the significant and unavoidable impacts associated with transportation. Potential alternatives that might reduce impacts related to air quality and cultural resources were not considered because they were deemed to run counter to the objectives of the Housing Element Update because they would substantially reduce or restrict potential housing developments. The Draft SEIR includes the two alternatives listed below. For a summary and list of the alternatives considered but rejected, please review Chapter 5: Alternatives in the Draft SEIR.

1. **No Project Alternative:** This alternative assumes that the proposed Housing Element Update would not be adopted and that the goals and policies within the existing Housing Element would remain unchanged. An update of the General Plan's Safety Element, preparation and adoption of a new Environmental Justice Element, and conforming amendments to other elements of the General Plan would not occur under this alternative. Housing opportunity sites and land use strategy sites proposed as part of the Housing Element Update to meet the requirements of State law, such as rezoning, increased densities, and/or updates to the Zoning Ordinance and Specific Plan, would not occur under this alternative. However, approved and pending development and continued ADU development would be assumed to proceed under this alternative. In addition, residential development within the city would continue to be directed and governed in the manner that it is currently pursuant to the City's General Plan, Zoning Ordinance, and Specific Plan in their present form.
2. **Low VMT Area Alternative:** This alternative would concentrate all residential zoning density increases associated with the proposed Housing Element Update to areas of the city that lie within a designated Priority Development Area (PDA), along with adjoining areas of the city that have been identified as generating low VMT (as shown in Attachment G). Generally, these areas are close to quality transit facilities and already are developed at relatively high densities. By concentrating all Housing Element Update development within the low VMT area, the City could potentially meet its RHNA obligations and

also reduce the adverse VMT impacts of the project.

Table 5-2 from the Draft SEIR (Attachment H) contains a comparison of the impacts of the Housing Element Update project to the project alternatives. The No Project Alternative and the Low VMT Area Alternative both would be environmentally superior alternatives with the fewest environmental impacts; however, the No Project Alternative could result in the need to develop housing further from the city, and could thus contribute to greater regional impacts related to air quality, greenhouse gas emissions, and VMT. Regardless, the No Project Alternative would not meet any of the basic objectives of the project, nor is it legally feasible to adopt and implement because of the State's RHNA requirement. State CEQA Guidelines Section 15126.6(e)(2) states that when the No Project Alternative is identified as the environmentally superior alternative, the SEIR must also identify an environmentally superior alternative from among the other alternatives. Therefore, the Low VMT Area Alternative would be the environmentally superior alternative for the purpose of this analysis.

Under the Low VMT Area Alternative, significant and unavoidable impacts TRANS-2 and TRANS-6 would no longer occur, but the other significant and unavoidable impacts described earlier in this report would remain. While the Low VMT Alternative would potentially reduce VMT based on the alternative's location within a PDA and low VMT area, impacts related to aesthetics, land use, noise, public services, utilities, and transportation infrastructure would be more severe than the Housing Element Update as proposed because it would concentrate more intensive housing development in that portion of the city. While it cannot be stated with certainty whether these effects would be significantly adverse and unavoidable, the overall effect would be greater than the Housing Element Update as currently proposed, which would tend to distribute these effects over a broader area.

SEIR next steps

The comment period for the Draft SEIR is open through December 19, 2022. After the Draft SEIR comment period ends, the environmental consultant will review and respond to all substantive comments received in what is referred to as a "Response to Comments" document or Final SEIR. The Final SEIR will be circulated a minimum of 10 days prior to the Planning Commission's review and recommendation on the Final SEIR and associated actions, to allow for public review and comments prior to the public hearings by the Planning Commission and City Council. The SEIR must be certified by the City Council before final actions can be taken on the proposed project. Certification of the Final SEIR does not require that the City Council approve the project.

Study session

For a general overview of the Housing Element Update project, please see the Background section of this staff report. The following sections provide an introduction to potential modifications to the Zoning Ordinance and Specific Plan that could provide the capacity for up to 4,000 net new housing units on housing opportunity sites and in zoning districts identified in Chapter 7: Site Inventory and Analysis of the draft Housing Element (hyperlinked in Attachment I). The proposed zoning modifications are also outlined in the Land Use Strategies section of this report.

Introduction to proposed Specific Plan changes

In the Specific Plan area, the densities of certain zoning subdistricts are proposed to be modified with a minimum permitted density of 30 dwelling units per acre (du/ac) or more, which HCD has deemed appropriate to accommodate housing for lower income households. The density increases would assist the City in demonstrating zoning capacity to meet its 6th Cycle RHNA with a buffer (as described earlier in this report). The permitted base and bonus floor area ratios (FAR) and heights may also be increased to correspond with the increased densities. The intent of the increased FARs and heights would be to make

residential development at the increased densities feasible in the Specific Plan area (Program H4.L of the draft Housing Element), and to promote a variety of unit sizes including those designed for larger families (Program H3.L of the draft Housing Element). Table 3 shows the existing and proposed residential densities in du/ac for the applicable Specific Plan subdistricts. A map and table of the subdistricts and their existing densities and FARs is included as Attachment J.

Subdistrict	Existing Base Density	Proposed Base Density	Existing Bonus Density	Proposed Bonus Density
Downtown (D)	25	40	40	60
Downtown Adjacent (DA)	18.5	30	25	50
El Camino Real North-East (ECR NE)	25	30	40	50
El Camino Real North-East Low Density (ECR NE-L)	20	30	30	40
El Camino Real North-West (ECR NW)	25	30	40	50
Station Area East (SA E)	50	50	60	80
Station Area West (SA W)	50	50	60	80
El Camino Real South-West (ECR SW)	25	30	40	50

Note: Density, FAR, and height would remain as-is for the ECR SE and ECR NE-R subdistricts.

As an example of potential modifications to zoning standards of the Specific Plan subdistricts above, staff has prepared examples for two of the subdistricts, Downtown and El Camino Real North-East Low Density, which are described in the following sections.

Downtown subdistrict

For the Downtown subdistrict, the project team proposes to maintain the existing base FAR of 2.00 and the public benefit bonus FAR of 2.25. In this subdistrict, the focus would remain on keeping retail uses at the ground floor and the opportunity for other non-residential uses throughout new developments to promote a vibrant downtown for existing and new residents. To encourage more residential development, units with higher bedroom counts for larger families, and more for-sale units, an increase in FAR tentatively called the “step up” base and public benefit bonus FAR would be offered to developers who provide between 50 percent and 65 percent of the overall building FAR toward residential uses and one of the following options: a) a minimum 50 percent of units with two or more bedrooms including 5 percent of units with three or more bedrooms, or b) all for-sale units. The step up base FAR would be 2.40 and the step up public benefit bonus FAR would be 3.00. An average residential net unit size for buildings using the step up FAR would be approximately 1,000 square feet; otherwise unit sizes may vary. The maximum building height would increase from 38 feet to 50 feet for buildings with 20 to 40 du/ac and 60 feet for buildings with 40 to 80 du/ac. The height of a building façade along public rights of way and other public spaces would increase from 30 feet to 38 feet for buildings with 20 to 40 du/ac. This approach would allow taller residential or mixed use buildings than currently exist in the Downtown subdistrict, but preserve a stepback in height to reduce the massing of new buildings. Table 4 compares the existing and proposed FAR and heights for the Downtown subdistrict.

Table 4: Select Existing and Proposed Development Standards for Downtown Subdistrict		
Development Standard	Existing	Proposed
Maximum Base FAR	2.00	2.00
Maximum Public Benefit Bonus FAR	2.25	2.25
Maximum Step Up Base FAR	N/A	2.40*
Maximum Step Up Public Benefit Bonus FAR	N/A	3.00*
Base Residential Density	25 du/ac	20 du/ac min. / 40 du/ac max.
Public Benefit Bonus Residential Density	40 du/ac	20 du/ac min. / 60 du/ac max.
Maximum Building Height	38 ft	50-60 ft**
Maximum Public Façade Height	30 ft	38 ft
<p>*Step up FAR would be available to developments that provide between 50 percent and 65 percent of the overall building FAR toward residential uses and one of the following options: a) a minimum 50 percent of units with two or more bedrooms including 5 percent of units with three or more bedrooms, or b) all for-sale units. **The maximum height for buildings with a residential density of 20 to 40 du/ac would be 50 feet. For buildings with a density over 40 du/ac, 60 feet would be the maximum.</p>		

El Camino Real North-East Low Density subdistrict

For the El Camino Real North-East Low Density subdistrict, the project team proposes to maintain the existing base FAR of 0.75 and the public benefit bonus FAR of 1.10. However, a step up base FAR of 1.25 and a step up public benefit bonus FAR of 1.55 would be available to developments that meet similar residential FAR and unit type requirements as described for the Downtown subdistrict. An average residential net unit size for buildings using the step up FAR would be approximately 1,000 square feet; otherwise unit sizes may vary. The maximum height for developments that include 20 to 30 du/ac would increase from 38 feet to 40 feet for buildings with flat roofs or 44 feet for buildings with pitched roofs of 3:12 or greater. Buildings with residential densities greater than 30 du/ac would be permitted heights up to 50 feet for flat roofs or 54 feet for pitched roofs of 3:12 or greater. The height of building façades on all sides would remain at the current 30 feet to provide a more gradual transition to the small-scale commercial and lower-density residential development typical at the periphery of the El Camino Real North-East Low Density subdistrict. Table 5 compares the existing and proposed FAR and heights for the El Camino Real North-East Low Density subdistrict.

Table 5: Select Existing and Proposed Development Standards for El Camino Real North-East Low Density Subdistrict		
Development Standard	Existing	Proposed
Maximum Base FAR	0.75	0.75
Maximum Public Benefit Bonus FAR	1.10	1.10
Maximum Step Up Base FAR	N/A	1.25*
Maximum Step Up Public Benefit Bonus FAR	N/A	1.55*
Base Residential Density	20 du/ac	20 du/ac min. / 30 du/ac max.
Public Benefit Bonus Residential Density	30 du/ac	20 du/ac min. / 40 du/ac max.
Maximum Building Height	38 ft	40-54 ft**

Maximum Public Façade Height	30 ft	30 ft
*Step up FAR would be available to developments that provide more than 50 percent of the overall building FAR toward residential uses and one of the following options: a) a minimum 50 percent of units with two or more bedrooms including 5 percent of units with three or more bedrooms, or b) all for-sale units. **The maximum height for developments that include 20 to 30 du/ac would be 40 feet for buildings with flat roofs or 44 feet for buildings with pitched roofs of 3:12 or greater. Buildings with residential densities greater than 30 du/ac would be permitted heights up to 50 feet for flat roofs or 54 feet for pitched roofs of 3:12 or greater.		

Other Specific Plan subdistricts

The project team will utilize feedback from the Planning Commission study session to revise development standards for the Downtown and El Camino Real North-East Low Density subdistricts, as necessary, and develop new standards for the remaining six subdistricts in Table 3. In general, it is anticipated that the Station Area East and Station Area West subdistricts may offer proportionally larger step up base and public benefit bonus FARs and taller heights than the Downtown subdistrict, given the proposed densities between 60 and 80 du/ac for those districts. The El Camino Real North-East, El Camino Real North-West, and El Camino Real South-West subdistricts would likely have step up base and public benefit bonus FARs and heights similar to the El Camino Real North-East Low Density subdistrict, since they would also have densities between 30 and 40 du/ac.

Specific Plan-wide changes

In addition to modifying the zoning standards of certain subdistricts, the following changes would be made across the entire Specific Plan:

- The limit of 680 new residential units in the Specific Plan area would be removed, and Chapter G: Implementation of the Specific Plan would be updated accordingly.
- For all of the Specific Plan subdistricts, a minimum density of 20 du/ac would be established to set a common floor for the amount of housing to be developed on any site.
- Finally, the minimum parking rate for residential uses in the Specific Plan area would potentially be removed or reduced from the current requirement of one space per unit, and a new maximum parking rate per unit would be established. The project team is refining the proposed rates for future discussion.

Other considerations for sites near major transit stops

When considering proposed changes to the Specific Plan densities and heights, it should be noted that a recent State housing law, AB 1763, would allow projects that are 100 percent affordable to low and very low income residents and sited within one-half mile of a major transit stop to have unlimited density and a height increase of up to three stories or 33 feet. The Menlo Park Caltrain station is considered a major transit stop and future projects meeting the necessary criteria could utilize these provisions and exceed the proposed maximum density and height for an applicable site.

Another State housing law, AB 2097, was recently signed by Governor Newsom and would generally prohibit local jurisdictions from imposing any minimum automobile parking requirement on any residential, commercial, or other development project located within one-half mile of major transit stops, except in special circumstances that would require written findings and evidence of substantial negative impacts from a lack of parking for a project. For developments that are eligible and choose to utilize the provisions of AB 2097, no parking would be required.

Introduction to proposed Zoning Ordinance changes

As described in Chapter 7 of the draft Housing Element and outlined in the Land Use Strategies section of this report, the City is pursuing opportunities for additional housing by modifying the zoning standards of the zoning districts in which the 69 sites listed in the draft Housing Element housing inventory are located. In particular, a land use strategy was included to modify the Zoning Ordinance to permit residential and mixed

use developments in certain zoning districts that currently primarily or exclusively allow for commercial development. (One of the zoning districts included in this strategy, C-2-S, does allow mixed-use development, but at a density less than 30 du/ac.) The commercial zoning districts would be modified to allow residential uses with densities up to 30 du/ac, either through redevelopment of the entire site or through “carveouts” intended to maintain existing commercial buildings while adding new housing on vacant spaces or large surface parking areas on a site.

Commercial zoning districts

Table 6 lists the commercial zoning districts that may be modified, their current residential densities (if any), and proposed residential densities. The C-2-B district, a mixed use zoning district that allows residential development up to 30 du/ac, is provided in italics for reference.

Table 6: Commercial Districts Existing and Proposed Residential Densities (in du/ac)		
District	Existing Density	Proposed Density
Administrative and Professional, Restrictive (C-1)	N/A	30
Administrative and Professional (C-1-A)	N/A	30
Administrative, Professional and Research, Restrictive (C-1-C)	N/A	30
Neighborhood Shopping (C-2)	N/A	30
Neighborhood Shopping, Restrictive (C-2-A)	N/A	30
<i>Neighborhood Mixed Use, Restrictive (C-2-B)</i>	30	30
Neighborhood Commercial, Special (C-2-S)	18.5	30
General Commercial (C-4)	N/A	30
Parking (P)	N/A	30

As mentioned, the C-2-B district does allow residential development at 30 du/ac and its basic zoning regulations for residential or mixed use development are as follows:

- The FAR for multiple dwelling units shall increase on an even gradient up to 0.90 for 30 du/ac;
- The FAR for mixed residential and commercial developments shall not exceed 1.00; and
- Height of structures shall not exceed 30 feet, except for a mixed use structure, which shall not exceed 40 feet.

Although specific zoning standards related to FAR and height have not been set for the commercial districts, in general, staff believes that the standards of the C-2-B district are an appropriate starting point to develop residential zoning regulations for the other districts.

Affordable Housing Overlay zone

The existing Affordable Housing Overlay (AHO) zone (Chapter 16.98 of the Zoning Ordinance, hyperlink Attachment K) was originally created by the City to encourage the development of affordable units for low, very low, and extremely low income households at greater percentages than permitted by the State’s density bonus law (hyperlink Attachment L) by allowing more generous density bonuses. The AHO currently applies to properties in the Specific Plan area and certain properties zoned R-4-S (AHO).

The original state density bonus law went into effect in 1979 and permitted a maximum bonus of 35 percent for developments with:

- 11 percent or more of the total units for very low income households; or

- 20 percent or more of the total units for low income households; or
- 40 percent or more of the total units for moderate income households.

For comparison, the AHO offers a maximum bonus of up to 60 percent for developments with:

- 12 percent or more of the total units for very low income households; or
- 21 percent or more of the total units for low income households; and
- At least 25 percent of units must be very low and/or extremely low income units, or at least 15 percent of units must be extremely low income units.

A more detailed explanation of the requirements and additional qualifications is provided in Chapter 16.98.020 of the Zoning Ordinance.

In 2021, the state density bonus law was modified (AB 2345) to offer density increases up to 50 percent and enhanced incentives for developments with:

- 15 percent or more of the total units for very low income households; or
- 24 percent or more of the total units for low income households; or
- 44 percent or more of the total units for moderate income households.

For developments that are 100 percent affordable to low and very low income households, the state density bonus law offers density increases up to 80 percent per AB 1763 (2019). If a project is within one half mile of a major transit stop, AB 1763 also eliminates restrictions on density and allows a height increase of up to three stories or 33 feet.

As a result, in some cases the City's AHO is no longer as competitive with the state density bonus law in generating potential affordable units and consequently, developers may find the State's density bonus law more attractive. Projects that utilize the state density bonus law can request up to four concessions, depending on the percentage of affordable units in the proposed development, and can also ask for waivers of development standards, such as setbacks or open space requirements, in order to achieve the permitted density. The City's AHO provides flexibility for proposed developments that offer affordable units, but also sets more specific zoning standards to address façade heights, setbacks, and other site factors.

To assist the City in meeting its RHNA and creating a more robust AHO (draft Housing Element Program H4.D), application of the AHO would be expanded to include all 6th Cycle RHNA housing opportunity sites, in addition to the current sites and Specific Plan Area. Whereas the AHO is currently designed to work alone as an alternative to the state density bonus, the AHO would be modified to work in combination with the updated state density bonus law on a site, if a developer desired to apply both. The AHO density bonus for any applicable site would be set at 55 du/ac minus the base density of the underlying zoning for the site, which would have the following effect:

- For developments that qualify for the updated maximum state density bonus of 50 percent, the combined AHO and state density bonuses would yield a development with a total density of up to 83 du/ac.
- For 100 percent affordable developments that qualify for the updated state density bonus of 80 percent, the combined AHO and state density bonuses would yield a development with a total density of up to 99 du/ac.

The income categories and affordable unit percentages for developments that would be eligible to use the AHO would be updated to reflect the changes in the 2021 state density bonus law, but would generally focus on providing bonuses for including low, very low, and extremely low income units on a sliding scale,

similar to the current AHO. Table 7 provides an example of how the updated AHO would apply for a theoretical 100 percent affordable development on a one-acre C-1 zoned parcel with an 80 percent state density bonus.

Table 7: Example AHO Application to C-1 Zoned Parcel with 80 Percent State Density Bonus

Acres	Max Density	Max Base Units	AHO Density Bonus	AHO Bonus Units	Base Units + AHO Bonus Units	80% State Density Bonus Units	Total Units	Total Density
(A)	(B)	A*B=(C)	55-B=(D)	A*D=(E)	C+E=(F)	F*.80=(G)	F+G=(H)	H/A=(I)
1.0	30 du/ac	30 units	25 du/ac	25 units	55 units	44 units	99 units	99 du/ac

Other zoning ordinance modifications

In addition to modifying the commercial and mixed use zoning districts as described above, the following changes would be made to the Zoning Ordinance:

- The 10,000 square-foot minimum lot size requirement for R-3 zoned properties located around downtown would be removed, and all R-3 sites would be able to develop at a density of up to 30 du/ac.
- An overlay district would be developed for “carveout” development on certain housing opportunity sites included in the City’s 6th Cycle RHNA housing inventory. The intent of the overlay would be to allow housing development of one or two acres that could be located anywhere on the applicable parcels.

Planning Commission considerations

The following key topics are provided by staff for the Planning Commission’s consideration. The Commission should use the study session as an opportunity to review the proposed zoning changes, receive public comment, and ask clarifying questions.

- Zoning standards for proposed Specific Plan subdistricts
- Reduced parking minimums and a new parking maximum in the Specific Plan area
- Use of C-2-B zoning standards as model to develop modified commercial districts’ standards
- AHO modifications to achieve increased densities for affordable housing

Next Steps

Following feedback from the Planning Commission, staff will further develop the proposed Zoning Ordinance and Specific Plan area modifications and create detailed ordinances, which would be reviewed at future Planning Commission and City Council meetings tentatively planned for January 2023.

Correspondence

As of the writing of this report, staff has not received any correspondence on the Draft SEIR or the study session items. All substantive comments received on the Draft SEIR during the 45-day public review period will be included and addressed as part of the Final SEIR.

Impact on City Resources

As part of the fiscal year 2020-21 budget, the City Council appropriated \$1.5 million from the general fund to support the Housing Element Update (including preparation of the SEIR), which is a City Council priority.

Environmental Review

A Draft SEIR has been prepared for the Housing Element Update project. Following the close of the 45-day comment period, the project team will consider and respond to substantive comments received on the Draft SEIR and compile a response to comments document. Repeated comments may be addressed with one main response, and portions of the SEIR may be revised in ~~strike through~~ (deleted text) and underline (new text) format, as needed. Once the responses and revisions are complete, the Final SEIR will be released, consisting of the response to comments document and the Draft SEIR. The Final SEIR will be considered by the City Council for certification in compliance with CEQA, with the Planning Commission providing a recommendation prior to the final project actions.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper.

Attachments

- A. Housing opportunity sites list
- B. Housing opportunity sites map
- C. Hyperlink Draft SEIR: <https://menlopark.gov/files/sharedassets/public/community-development/documents/projects/housing-element-update/menlo-park-housing-element-update-draft-seir.pdf>
- D. Hyperlink Notice of Preparation: <https://menlopark.gov/files/sharedassets/public/community-development/documents/projects/housing-element-update/housing-element-update-nop.pdf>
- E. Summary of impacts and mitigation measures table
- F. Hyperlink Project web page: <https://menlopark.gov/housingelement>
- G. Low VMT area alternative map
- H. Alternative impact summary and comparison table
- I. Hyperlink Draft Housing Element: <https://menlopark.gov/files/sharedassets/public/community-development/documents/projects/housing-element-update/menlo-park-2023-2031-housing-element-primary-hcd-review-draft.pdf>
- J. Map and table of Specific Plan subdistrict FARs and densities
- K. Hyperlink Zoning Ordinance Chapter 16.98: Affordable Housing Overlay: <https://www.codepublishing.com/CA/MenloPark/#!/MenloPark16/MenloPark1698.html#16.98>
- L. Hyperlink state density bonus law: https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=65915

Report prepared by:
Tom Smith, Principal Planner

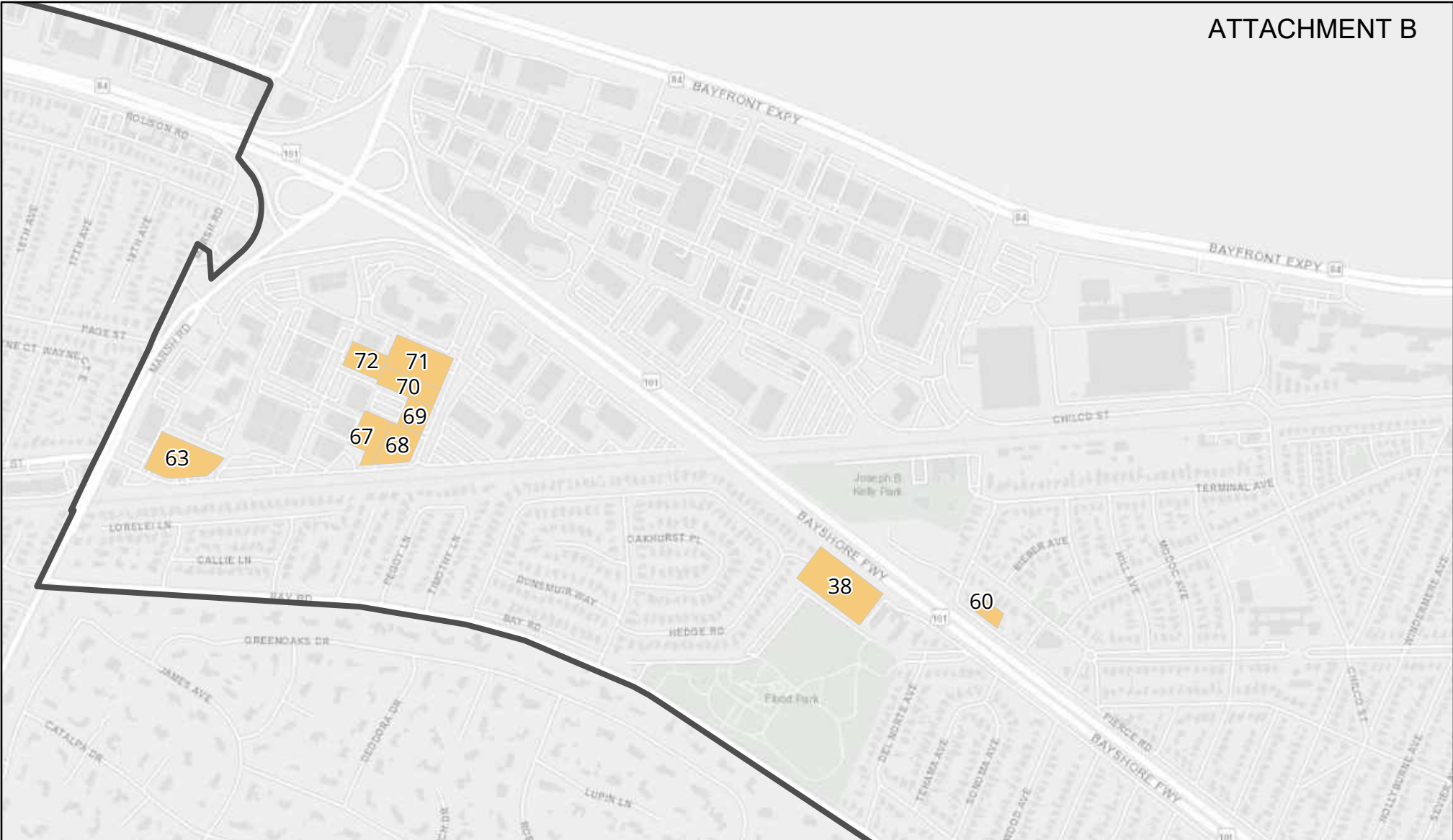
Report reviewed by:
Corinna Sandmeier, Acting Principal Planner
Ed Shaffer, Assistant City Attorney
Deanna Chow, Assistant Community Development Director

Figure 3. Potential Housing Opportunity Sites List

Housing Opportunity Sites List			
Site Label	Address	Assessor's Parcel Number(s)	Zoning District
1	525 El Camino Real	071332130	SP-ECR-D: SW
2(R)	1620 El Camino Real	060344250; 060344240	SP-ECR-D: NE-L
3	2500 Sand Hill Road	074270240; 074270250	C-1-C
4	2400-2498 Sand Hill Road	074270280; 074270260; 074270170	C-1-C
5(R)	1100 Alma Street	061412440; 061412430	SP-ECR-D: SA E
6	900 Santa Cruz Avenue	071084220; 071084200; 071084090; 071084110; 071084100	SP-ECR-D: DA
7	728 Willow Avenue	062202050; 062202060; 062202210; 062202060	C-4
8	906 Willow Road	062211170; 062211180; 062211050	C-4; R-3
9	Between Chestnut and Curtis	071284100; 071284080	SP-ECR-D: D
10	Between Crane and Chestnut	071283140; 071283050	SP-ECR-D: D
11	325 Sharon Park Drive	074283100; 074283090; 074283040	C-2
12	345 Middlefield Road	062421070; 062390700	P-F
13(C)	1105 Valparaiso Avenue	071071070	R-E
14	Lot between El Camino Real and Chestnut on west side of Santa Cruz	071102400	SP-ECR-D: D
15	Lot between University and Crane on west side of Santa Cruz	071092290	SP-ECR-D: D
16	Lot between Evelyn and Crane	071281160	SP-ECR-D: D
17	Lot between Curtis and Doyle	071285160	SP-ECR-D: D
18	Lot behind Draeger's	071273160	SP-ECR-D: D
19	Lot off Oak Grove	071094180	SP-ECR-D: D
20	275 Middlefield Road	062422120	C-1
21	350 Sharon Park Drive	074281110; 074281120	R-3-A(X)
22	85 Willow Road	062422080	C-1
23	200 Middlefield Road	062271540	C-1
24	250 Middlefield Road	062271010	C-1
25	8 Homewood Place	062421010	C-1
26	401 Burgess Road	062390170	C-1-A
27	570 Willow Road	062370420	C-4
28	2200 Sand Hill Road	074283070	C-1(X)
29	445 Burgess Drive	062390200	C-1-A
30	720 Menlo Avenue	071284110	SP-ECR-D: D
31	800 Oak Grove Avenue	071091520	SP-ECR-D: DA
32	930 Santa Cruz Avenue	071084140	SP-ECR-D: DA
33	1008 University Drive	071274140	SP-ECR-D: DA
34	707 Menlo Road	071288610	SP-ECR-D: DA
35	1300 University Drive	071091310	SP-ECR-D: DA
36	1377 El Camino Real	071103490	SP-ECR-D: ECR NW
37	801-877 El Camino Real	071331180	SP-ECR-D: ECR SW
38	300 Sheridan Drive	055303110	R-1-U
39(C)	2250 Avy Avenue	074351100	R-1-S
40(C)	2650 Sand Hill Road	074260740	R-1-S
41	431 Burgess Drive	062390190	C-1-A
42	425 Burgess Drive	062390180	C-1-A
43(R)	1133-1159 El Camino Real	071102130	SP-ECR-D: SA W
44(R)	1436 El Camino Real	061422350	SP-ECR-D: ECR NE
46(R)	796 Live Oak Avenue	071288560	R-3 near SP-ECR/D
47	555 Willow Road	062285300	R-3
48(R)	700 El Camino Real	071333200	SP-ECR-D: ECR SE
49	2700-2770 Sand Hill Road	074260750	C-1-A

Housing Opportunity Sites List

Site Label	Address	Assessor's Parcel Number(s)	Zoning District
50	600 Sharon Park Drive	074282070; 074282090	R-3-A(X)
51	959 El Camino Real	071288570	SP-ECR-D
52	1246 El Camino Real	061430070	SP-ECR-D
53(R)	1189 El Camino Real	071102350	SP-ECR-D
54(R)	607 Menlo Avenue	071288190	SP-ECR-D
55(R)	1161 El Camino Real	071102390	SP-ECR-D
56(R)	1179 El Camino Real	071102370	SP-ECR-D
57	761 El Camino Real	071332080	SP-ECR-D
58	751 El Camino Real	071332090	SP-ECR-D
59(R)	905 El Camino Real	071288580	SP-ECR-D
60	335 Pierce Road	062013170	R3
61(R)	610 Santa Cruz Avenue	071102140	SP-ECR-D
62(R)	550 Ravenswood Avenue	061412160	SP-ECR-D
63	3875 Bohannon Drive	055251120	O
64	795 Willow Road	062470060	PF
67	3905 Bohannon Drive	055253140	O
68	3925 Bohannon Drive	055253150	O
69	4005 Bohannon Drive	055253240	O
70	4025 Bohannon Drive	055253190	O
71	4055 Campbell Avenue	055253030	O
72	4060 Campbell Avenue	055253200	O

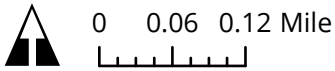
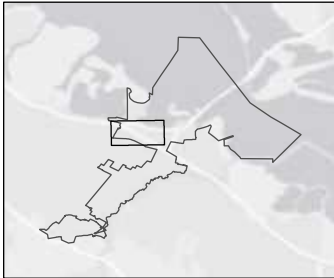


Site Selection

Marsh and US-101

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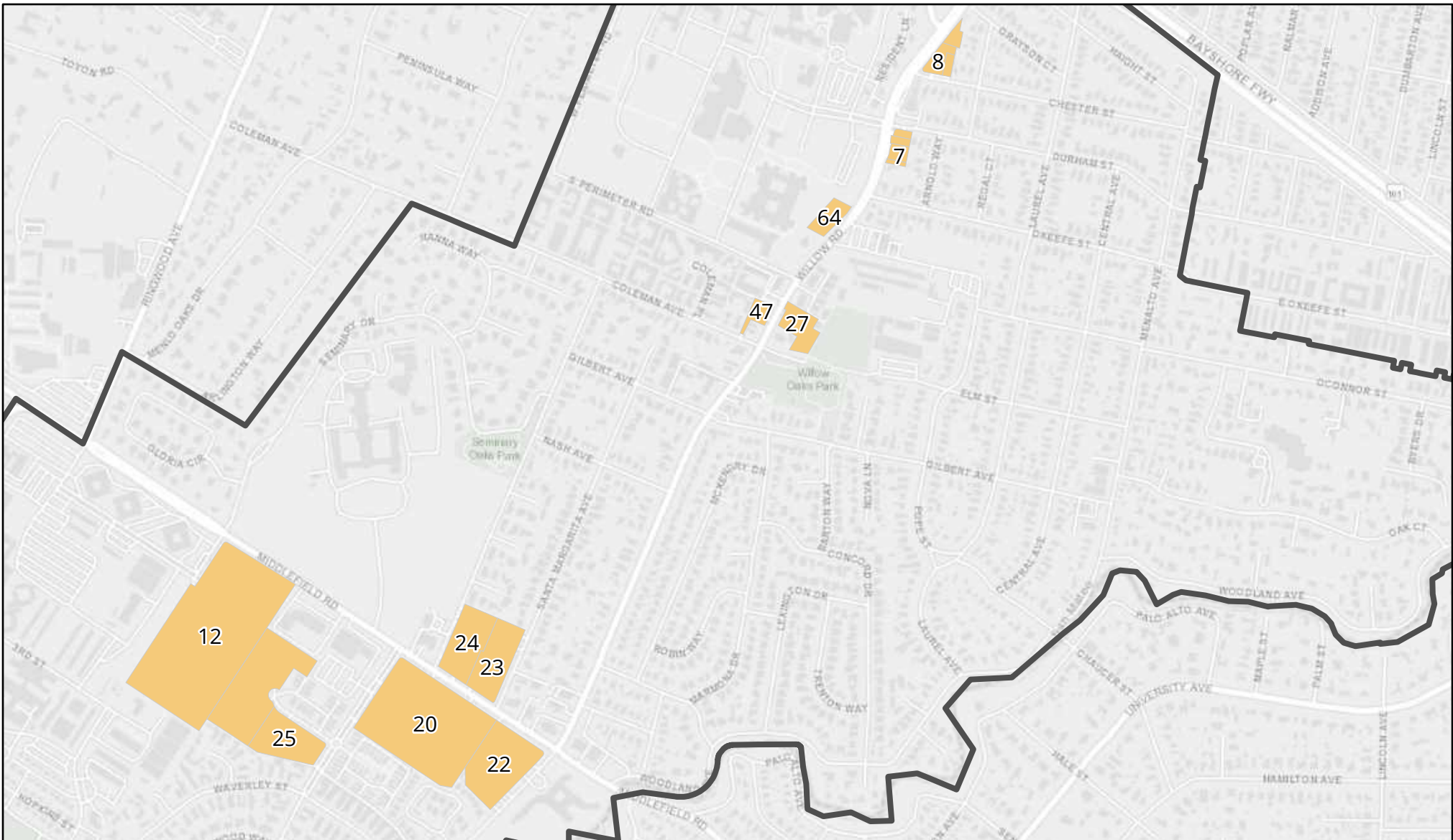
- City Boundary
- Opportunity Sites





Projection: NAD83 StatePlane
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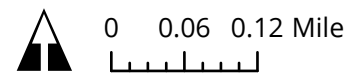
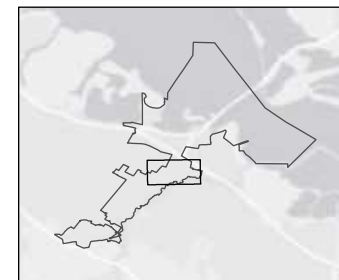


Figure 4. Potential Housing Opportunity Sites Maps



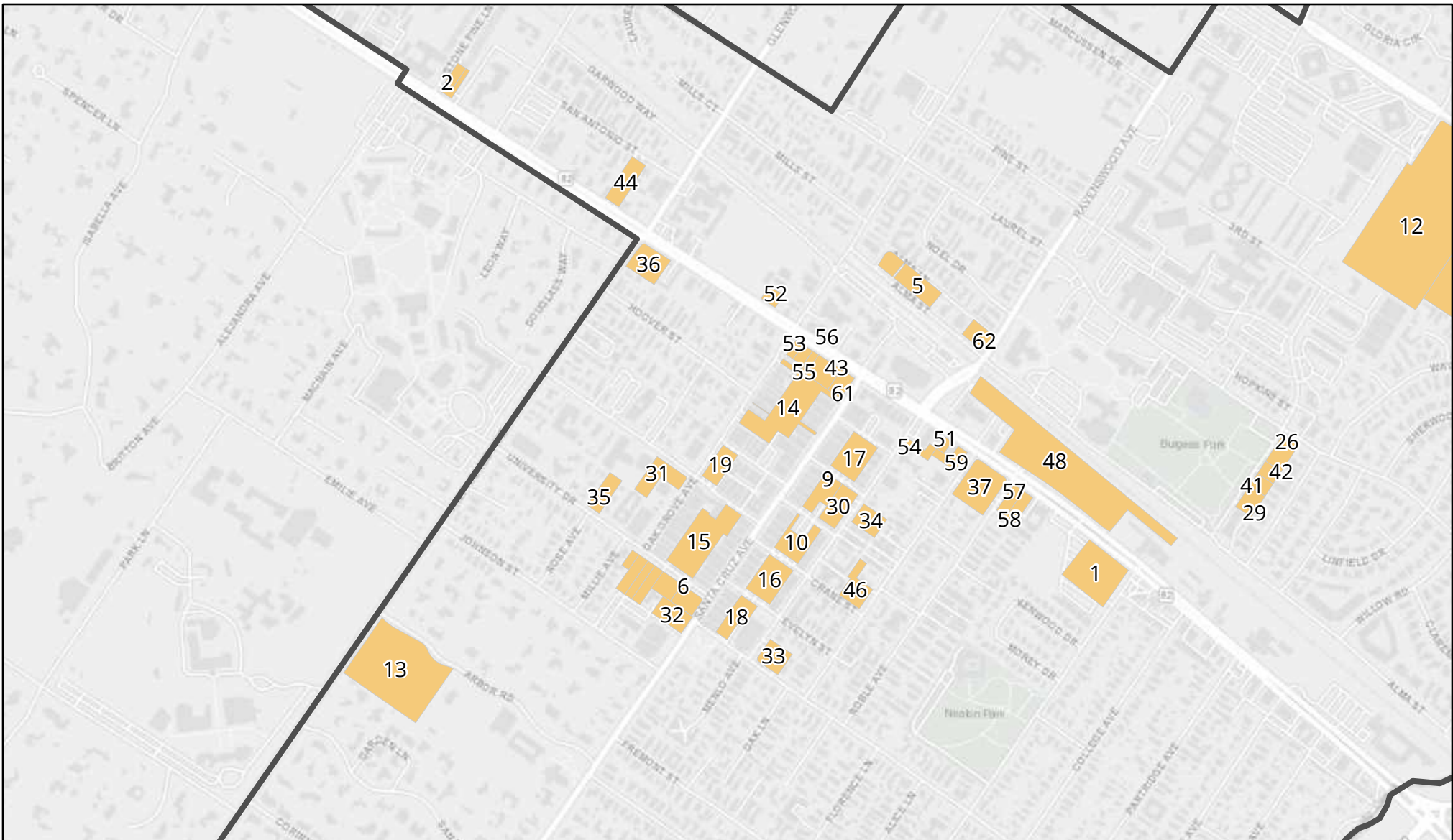
Site Selection

-  City Boundary
-  Opportunity Sites



Projection: NAD83 StatePlane California III FIPS0403 (USFeet)



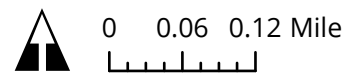
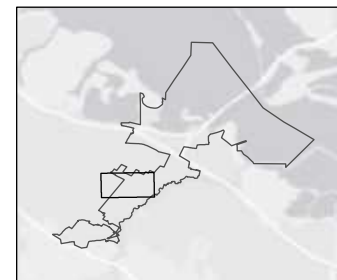


Site Selection

Downtown

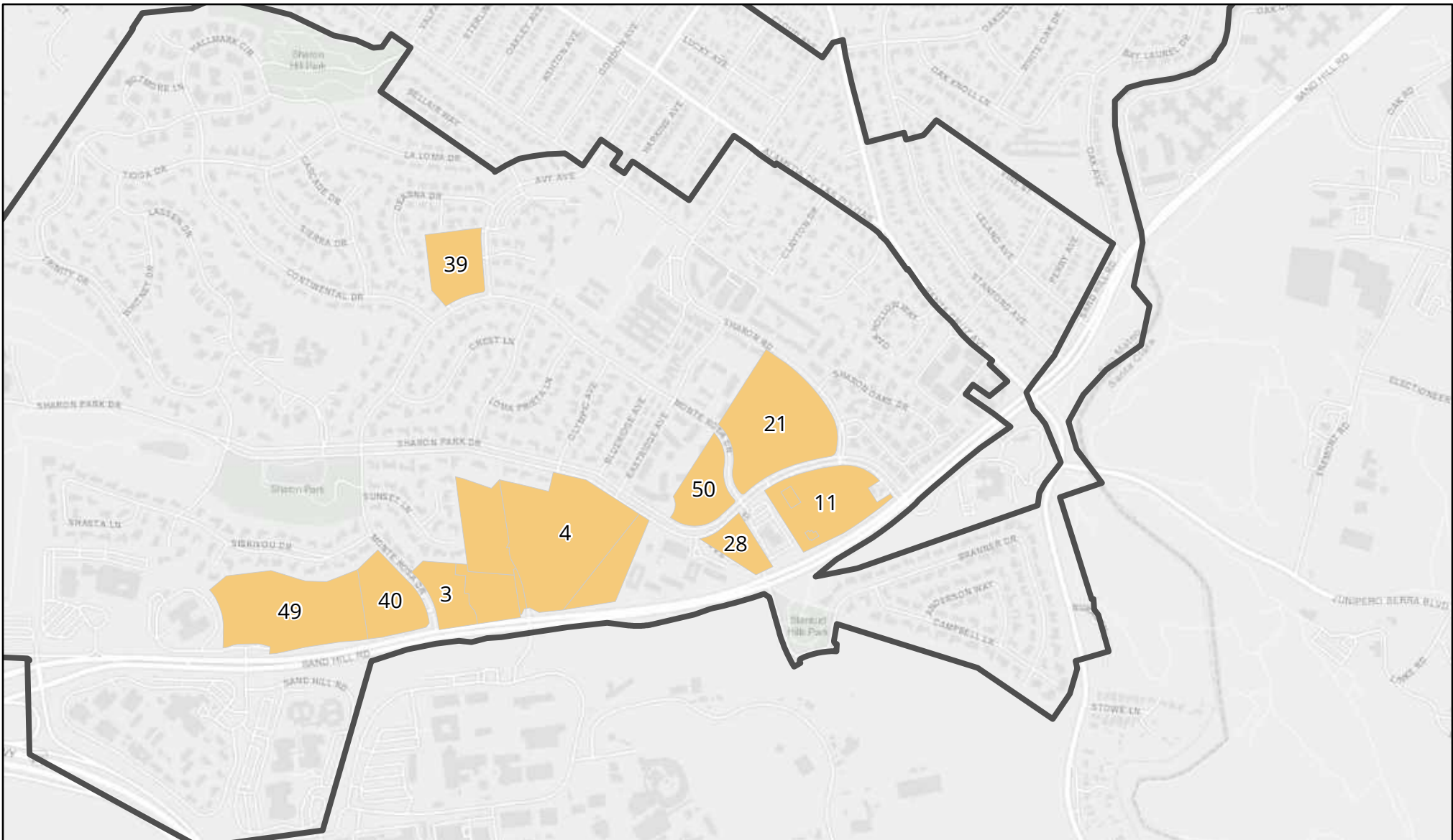
Page 3 of 4

- City Boundary
- Opportunity Sites



Projection: NAD83 StatePlane California III FIPS0403 (USFeet)





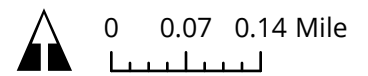
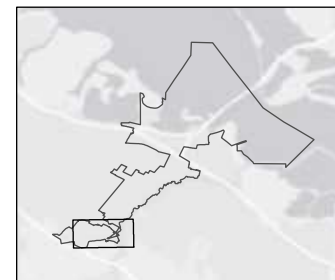


Site Selection

Sharon Heights

Page 4 of 4

-  City Boundary
-  Opportunity Sites



Projection: NAD83 StatePlane California III FIPS0403 (USFeet)



**TABLE 2-5
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE CITY OF MENLO PARK HOUSING ELEMENT UPDATE**

Impacts	Mitigation Measures	Significance after Mitigation
4.1. Aesthetics		
Impact AES-1: Implementation of the HEU would not have a substantial adverse effect on a scenic vista.	None required	Less than Significant Impact
Impact AES-2: Implementation of the HEU would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.	None required	Less than Significant Impact
Impact AES-3: Implementation of the HEU would not substantially degrade the existing visual character or quality of public views of the site and its surroundings or conflict with applicable zoning and other regulations governing scenic quality.	None available	Less than Significant Impact
Impact AES-4: Implementation of the HEU would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.	None required	Less than Significant Impact
Impact AES-5: Implementation of the HEU would not combine with other past, present, and reasonably foreseeable projects to result in significant cumulative impacts with respect to aesthetics.	None required	Less than Significant Impact
4.2 Air Quality		
Impact AQ-1: Implementation of the HEU would not conflict with or obstruct implementation of the applicable air quality plan.	None required	Less than Significant Impact
Impact AQ-2: Implementation of the HEU would result in a cumulatively considerable net increase of criteria air pollutants for which the project region is in non-attainment under an applicable federal or state ambient air quality standard.	<p>Mitigation Measure AQ-2: Emission Reduction Measures.</p> <p>The following mitigation measures are recommended to reduce criteria air pollutant emissions from multifamily housing developments under the HEU.</p> <ul style="list-style-type: none"> a) [AQ-2b1 from <i>ConnectMenlo</i> with clarifying amendments]: As part of the City's development approval process, the City shall require applicants for future development projects to comply with the current Bay Area Air Quality Management District's basic control measures for reducing construction emissions of PM₁₀ (Table 8-18-2, Basic Construction Mitigation Measures Recommended for All Proposed Projects, of the BAAQMD CEQA Guidelines). b) [AQ-2b2 from <i>ConnectMenlo</i> EIR with clarifying amendments]: Prior to issuance of building permits, development project applicants that are subject to CEQA and exceed the screening sizes in the BAAQMD's CEQA Guidelines shall prepare and submit to the City of Menlo Park a technical assessment evaluating potential project construction-related air quality impacts. The evaluation shall be prepared in conformance with the BAAQMD methodology in assessing air quality impacts. If construction-related criteria 	Significant and Unavoidable Impact, with Mitigation

TABLE 2-5 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE CITY OF MENLO PARK HOUSING ELEMENT UPDATE

Impacts	Mitigation Measures	Significance after Mitigation
	<p>air pollutants are determined to have the potential to exceed the BAAQMD thresholds of significance, as identified in the BAAQMD CEQA Guidelines, the City of Menlo Park shall require that applicants for new development projects incorporate <u>emission reduction</u> mitigation measures to reduce air pollutant emissions during construction activities to below these thresholds of significance (see for example e.g., Table 8-28-3, Additional Construction Mitigation Measures Recommended for Projects with Construction Emissions Above the Threshold of the BAAQMD CEQA Guidelines, or applicable construction mitigation measures subsequently approved by BAAQMD).³ These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City's Building Division and/or Planning Division</p> <p>c) In the event that a project-specific analysis finds that the project could result in significant construction criteria air pollutant emissions that exceed significance thresholds, the project sponsor shall implement the following emission reduction measures to the degree necessary to reduce the impact to less than significance thresholds, and shall implement other feasible measures as needed to reduce the impact to less than the significance thresholds.</p> <ol style="list-style-type: none"> 1. Diesel off-road equipment shall have engines that meet the Tier 4 Final off-road emission standards, as certified by CARB, as required to reduce the emissions to less than the thresholds of significance shown in Table 2-1 of the BAAQMD CEQA Guidelines (BAAQMD, 2017b). This requirement shall be verified through submittal of an equipment inventory that includes the following information: (1) Type of Equipment, (2) Engine Year and Age, (3) Number of Years Since Rebuild of Engine (if applicable), (4) Type of Fuel Used, (5) Engine HP, (6) Verified Diesel Emission Control Strategy (VDECS) information if applicable and other related equipment data. A Certification Statement is also required to be made by the Contractor for documentation of compliance and for future review by the BAAQMD as necessary. The Certification Statement must state that the Contractor agrees to compliance and acknowledges that a violation of this requirement shall constitute a material breach of contract. <p>The City may waive the equipment requirement above only under the following unusual circumstances: if a particular piece of off-road equipment with Tier 4 Final standards is technically not feasible or not commercially available; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or there is a compelling emergency need to use other alternate off-road equipment. If the City grants the waiver, the contractor shall use the next cleanest piece of off-road equipment available.</p> <ol style="list-style-type: none"> 2. The project sponsor shall require the idling time for off-road and on-road equipment be limited to no more than 2 minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, 	

³ Table 8-3 was previously numbered at Table 8-2 in BAAQMD's 2011 guidance document, as recorded in the *ConnectMenlo* EIR.

TABLE 2-5 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE CITY OF MENLO PARK HOUSING ELEMENT UPDATE

Impacts	Mitigation Measures	Significance after Mitigation
	<p>Chinese) in designated queuing areas and at the construction site to remind operators of the 2-minute idling limit.</p> <p>d) [AQ-2a from <i>ConnectMenlo</i> EIR with clarifying amendments]: Prior to issuance of building permits, development project applicants that are subject to CEQA and exceed the screening sizes in the Bay Area Air Quality Management District's (BAAQMD) CEQA Guidelines shall prepare and submit to the City of Menlo Park a technical assessment evaluating potential project operation-phase-related air quality impacts. The evaluation shall be prepared in conformance with the BAAQMD methodology in assessing air quality impacts. If operational-related criteria air pollutants are determined to have the potential to exceed the BAAQMD thresholds of significance, as identified in BAAQMD's CEQA Guidelines, the City of Menlo Park Community Development Department shall require that applicants for new development projects incorporate <u>emission reduction</u> mitigation measures to reduce air pollutant emissions during operational activities <u>to below the thresholds of significance</u>.</p>	
<p>Impact AQ-3: Implementation of the HEU would not expose sensitive receptors to substantial pollutant concentrations.</p>	<p>Mitigation Measure AQ-3: Health Risk Reduction Measures.</p> <p>a) [AQ-3b from <i>ConnectMenlo</i> with amendments]: Applicants for residential and other sensitive land use projects (e.g., hospitals, nursing homes, day care centers) in Menlo Park within 1,000 feet of a major sources of toxic air contaminants (TACs) (e.g., warehouses, industrial areas, freeways, and roadways with traffic volumes over 10,000 vehicle per day), as measured from the property line of the project to the property line of the source/edge of the nearest travel lane, shall submit a health risk assessment (HRA) to the City of Menlo Park prior to future discretionary Project approval. The HRA shall be prepared in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment (OEHHA) and the Bay Area Air Quality Management District. The latest OEHHA guidelines shall be used for the analysis, including age sensitivity factors, breathing rates, and body weights appropriate for children ages 0 to 16 years. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E⁻⁰⁶), PM_{2.5} concentrations exceed 0.3 µg/m³, or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level (i.e., below ten in one million or a hazard index of 1.0), including appropriate enforcement mechanisms. Measures to reduce risk may include but are not limited to:</p> <ul style="list-style-type: none"> • Air intakes located away from high volume roadways and/or truck loading zones. • Heating, ventilation, and air conditioning systems of the buildings provided with appropriately sized maximum efficiency rating value (MERV) filters. <p>Measures identified in the HRA shall be included in the environmental document and/or incorporated into the site development plan as a component of the proposed project. The air intake design and MERV filter requirements shall be noted and/or reflected on all building plans submitted to the City and shall be verified by the City's Building Division and/or Planning Division.</p>	<p>Less than Significant Impact, with Mitigation</p>

TABLE 2-5 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE CITY OF MENLO PARK HOUSING ELEMENT UPDATE

Impacts	Mitigation Measures	Significance after Mitigation
	<p>Project sponsors proposing multifamily development projects within 1,000 feet of sensitive receptors, including residences, schools, day care centers, and hospitals, shall prepare a project-level health risk assessment at the time the project is proposed. In lieu of a project-level health risk assessment, a comparison of the project with other similar-sized projects located a similar distance from receptors where a quantitative analysis has been conducted and were found to not exceed the BAAQMD health risk thresholds can be used to demonstrate less than significant health risk impacts.</p> <p>In the event that a project-level health risk assessment finds that the project could result in health risks that exceed significance thresholds, the project sponsor shall implement the clean construction equipment requirement of Mitigation Measure AQ-2(c) to the degree necessary to reduce the impact to less than significance thresholds, and shall implement other feasible measures as needed to reduce the impact to less than the significant thresholds.</p>	
<p>Impact AQ-4: Implementation of the HEU would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.</p>	<p>None required.</p>	<p>Less than Significant Impact</p>
<p>Impact AQ-5: Implementation of the HEU, in conjunction with cumulative sources, would not result in exposure of sensitive receptors to a cumulatively considerable increase in levels of fine particulate matter (PM_{2.5}) and TACs under cumulative conditions.</p>	<p>None required.</p>	<p>Less than Significant Impact</p>
<p>Impact AQ-6: Implementation of the HEU, when combined with other past, present, or reasonably foreseeable projects, would not combine with other sources of odors that would adversely affect a substantial number of people.</p>	<p>None required.</p>	<p>Less than Significant Impact</p>
<p>4.3 Biological Resources</p>		
<p>Impact BIO-1: Implementation of the HEU would not 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 Wildlife or the U.S. Fish and Wildlife Service.</p>	<p>Mitigation Measure BIO-1: Project-Specific Baseline Biological Resources Assessments.</p> <p>Prior to individual project approval, the City shall require project applicants to prepare and submit project-specific baseline biological resources assessments on sites containing natural habitat with features such as mature and native trees or unused structures that could support special-status species and other sensitive biological resources, and common birds protected under Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGF). The baseline biological resources assessment shall be prepared by a qualified biologist. The biological resource assessment shall provide a determination on whether any sensitive biological resources are present on the property, including jurisdictional wetlands and waters, essential habitat for special-status species, and sensitive natural communities. If sensitive biological resources are determined to be present, appropriate measures, such as preconstruction surveys, establishing no-disturbance zones during construction, and applying bird-safe building design practices and materials, shall be developed by the qualified biologist to provide adequate avoidance</p>	<p>Less than Significant Impact, with Mitigation</p>

**TABLE 2-5 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE CITY OF MENLO PARK HOUSING ELEMENT UPDATE**

Impacts	Mitigation Measures	Significance after Mitigation
	or compensatory mitigation if avoidance is infeasible. Where jurisdictional waters or federally and/or State-listed special-status species would be affected, appropriate authorizations shall be obtained by the project applicant, and evidence of such authorization provided to the City prior to issuance of grading or other construction permits. An independent peer review of the adequacy of the biological resource assessment may be required by the City, if necessary, to confirm its adequacy.	
Impact BIO-2: Implementation of the HEU would not 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 Wildlife or US Fish and Wildlife Service.	Implement Mitigation Measure BIO-1.	Less than Significant Impact, with Mitigation
Impact BIO-3: Implementation of the HEU would not 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.	Implement Mitigation Measure BIO-1.	Less than Significant Impact, with Mitigation
Impact BIO-4: Implementation of the HEU would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory corridors, or impede the use of native wildlife nursery sites.	Implement Mitigation Measure BIO-1.	Less than Significant Impact, with Mitigation
Impact BIO-5: Implementation of the HEU would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	None required.	Less than Significant Impact
Impact BIO-6: Implementation of the HEU in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to biological resources.	Implement Mitigation Measure BIO-1.	Less than Significant Impact, with Mitigation
4.4 Cultural Resources		
Impact CR-1: Implementation of the HEU could cause a substantial adverse change in the significance of an architectural historic resource pursuant to CEQA Guidelines Section 15064.5.	<p>Mitigation Measure CR-1a: Identify Architectural Historic Resources.</p> <p>Prior to any demolition work or significant alterations to any building or structure that is 45 years old or older, the City shall ensure that a qualified architectural historian who meets the Secretary of the Interior’s Professional Qualification Standards evaluate the building or structure for eligibility for listing in the National Register, California Register, and for local eligibility.</p> <p>Mitigation Measure CR-1b: Identify Character-Defining Features.</p> <p>Prior to any demolition work or significant alterations initiated at a known historical resource or a resource identified via implementation of Mitigation Measure CR-1a, the City shall ensure that a qualified architectural historian who meets the Secretary of the Interior’s Professional Qualification Standards identifies character-defining features of each historical resource. Despite being presumed or having been previously determined eligible</p>	Significant and Unavoidable Impact, with Mitigation

TABLE 2-5 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE CITY OF MENLO PARK HOUSING ELEMENT UPDATE

Impacts	Mitigation Measures	Significance after Mitigation
	<p>for listing in the National Register and/or California Register, character-defining features of the historical resources that would be demolished or may be significantly altered may not have been explicitly or adequately identified. According to guidance from the National Park Service, a historical resource “must retain... the essential physical features [i.e., character-defining features] that enable it to convey its historic identity. The essential physical features are those features that define both <i>why</i> a property is significant...and <i>when</i> it was significant” (National Park Service, 1997). The identification of character-defining features is necessary for complete documentation of each historical resource as well as appropriate public interpretation and salvage plans.</p> <p>Mitigation Measure CR-1c: Document Architectural Historic Resources Prior to Demolition or Alteration.</p> <p>Prior to any demolition work or significant alterations initiated of a known historical resource or a resource identified via implementation of Mitigation Measures CR-1a, the City shall ensure that a qualified architectural historian who meets the Secretary of the Interior’s Professional Qualification Standards thoroughly documents each building and associated landscaping and setting. Documentation shall include still photography and a written documentary record of the building to the National Park Service’s standards of the Historic American Buildings Survey (HABS) or the Historic American Engineering Record (HAER), including accurate scaled mapping and architectural descriptions. If available, scaled architectural plans will also be included. Photos include large-format (4”x5”) black-and-white negatives and 8”x10” enlargements. Digital photography may be substituted for large-format negative photography if archived locally. The record shall be accompanied by a report containing site-specific history and appropriate contextual information. This information shall be gathered through site-specific and comparative archival research and oral history collection as appropriate. Copies of the records shall be submitted to the Northwest Information Center at Sonoma State University.</p>	
<p>Impact CR-2: Implementation of the HEU would not cause a substantial adverse change in the significance of an archaeological historical resource or a unique archaeological resource pursuant to CEQA Guidelines Section 15064.5.</p>	<p>Mitigation Measure CR-2a. Cultural Resources Study Requirements.</p> <p>The City shall ensure that a cultural resources records search is performed at the Northwest Information Center (NWIC) of the California Historical Resources Information System for the project area for multi-family development projects arising from the HEU that require ground disturbance (i.e., excavation, trenching, grading, etc.). To receive project approval, an archaeologist meeting the U.S. Secretary of the Interior’s Standards (SOIS) for Archeology must review the results and identify if the project would potentially impact cultural resources. If the archaeologist determines that known cultural resources or potential archaeologically sensitive areas may be impacted by the project, a pedestrian survey must be conducted under the supervision of a SOIS-qualified archaeologist of all accessible portions of the project area, if one has not been completed within the previous five years. Additional research, including subsurface testing, monitoring during construction, and/or a cultural resources awareness training may be required to identify, evaluate, and mitigate impacts to cultural resources, as recommended by the SOIS-qualified archaeologist. If avoidance is not feasible, the City shall consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) to be affiliated with Menlo Park for the purposes of tribal consultation under Chapter 905, California Statutes of 2004 (if the resource is pre-contact or indigenous) to determine treatment measures to avoid, minimize, or mitigate any potential impacts to the resource pursuant to PRC Section 21083.2 and CEQA Guidelines Section 15126.4. This shall</p>	<p>Less than Significant Impact, with Mitigation</p>

**TABLE 2-5 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE CITY OF MENLO PARK HOUSING ELEMENT UPDATE**

Impacts	Mitigation Measures	Significance after Mitigation
	<p>include documentation of the resource and may include data recovery (according to PRC Section 21083.2), if deemed appropriate, or other actions such as treating the resource with culturally appropriate dignity and protecting the cultural character and integrity of the resource (according to PRC Section 21084.3). A cultural report detailing the results of the research shall be prepared and submitted for review by the City and a final draft shall be submitted to the NWIC. Once the report has been approved by the City, the City may issue appropriate permits.</p> <p>Mitigation Measure CR-2b. Inadvertent Discovery of Cultural Resources.</p> <p>If pre-contact or historic-era archaeological resources are encountered during project construction and implementation, the project applicant shall halt all construction activities within 100 feet and notify the City. Pre-contact archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil ("midden") containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-era materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. An archaeologist meeting the U.S. Secretary of the Interior's Standards (SOIS) for Archeology shall inspect the findings and work shall be stopped within 100 feet of the potential archaeological resource until the material is either determined by the archaeologist to not be an archaeological resource or appropriate treatment has been enacted, with appropriate consultation, as needed.</p> <p>If the City determines that the resource qualifies as a historical resource or a unique archaeological resource (as defined pursuant to the CEQA Guidelines) and that the project has potential to damage or destroy the resource, mitigation shall be implemented in accordance with PRC Section 21083.2 and CEQA Guidelines Section 15126.4, with a preference for preservation in place. If preservation in place is feasible, this may be accomplished through one of the following means: (1) siting improvements to completely avoid the archaeological resource; (2) incorporating the resource into a park or dedicated open space, by deeding the resource into a permanent conservation easement; (3) capping and covering the resource before building the project on the resource site after the resource has been thoroughly studied by a SOIS qualified archaeologist and a report written on the findings.</p> <p>If preservation in place is not feasible, the City shall consult with California Native American tribes identified by the Native American Heritage Commissions (NAHC) to be affiliated with Menlo Park for the purposes of tribal consultation under Chapter 905, California Statutes of 2004 (if the resource is pre-contact or indigenous) to determine treatment measures to avoid, minimize, or mitigate any potential impacts to the resource pursuant to PRC Section 21083.2, and CEQA Guidelines Section 15126.4. This shall include documentation of the resource and may include data recovery (according to PRC Section 21083.2), if deemed appropriate by the archaeologist, in consultation with the City, or other actions such as treating the resource with culturally appropriate dignity and protecting the cultural character and integrity of the resource (according to PRC Section 21084.3).</p>	

TABLE 2-5 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE CITY OF MENLO PARK HOUSING ELEMENT UPDATE

Impacts	Mitigation Measures	Significance after Mitigation
<p>Impact CR-3: Implementation of the HEU could disturb human remains, including those interred outside of formal cemeteries.</p>	<p>Mitigation Measure CR-3. Inadvertent Discovery of Human Remains.</p> <p>Procedures of conduct following the discovery of human remains have been mandated by Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98 and the California Code of Regulations Section 15064.5 (CEQA). According to the provisions in CEQA, if human remains are encountered, the project applicant shall ensure that all work in the immediate vicinity of the discovery shall cease and necessary steps are taken to ensure the integrity of the immediate area. The San Mateo County Coroner shall be notified immediately. The Coroner shall then determine whether the remains are Native American. If the Coroner determines the remains are Native American, the Coroner shall notify the NAHC within 24 hours, who will, in turn, notify the person the NAHC identifies as the Most Likely Descendant (MLD) of any human remains. Further actions shall be determined, in part, by the desires of the MLD. The MLD has 48 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery. If the MLD does not make recommendations within 48 hours, the landowner shall, with appropriate dignity, reinter the remains in an area of the property secure from further disturbance.</p>	<p>Less than Significant Impact, with Mitigation</p>
<p>Impact CR-4: Implementation of the HEU, in combination with past, present and reasonably foreseeable projects, would result in a significant cumulative impact with respect to historic architectural resources (<i>Significant and Unavoidable Impact, with Mitigation</i>), and less than significant cumulative impacts for archaeological resources and human remains.</p>	<p>Mitigation Measures: Implement Mitigation Measures CR-1a, CR-1b, CR-1c.</p> <p>Mitigation Measure: Implement Mitigation Measures CR-1a, CR-1b, CR-1c, CR-2a, CR-2b, CR-3.</p>	<p>Significant and Unavoidable Cumulative Impact, with Mitigation (historic architectural resources); and Less than Significant Cumulative Impacts (archaeological resources and human remains)</p>
<p>4.5 Energy</p>		
<p>Impact EN-1: Implementation of the HEU would not result in wasteful, inefficient, or unnecessary consumption of energy resources during project construction and operation.</p>	<p>None required.</p>	<p>Less than Significant Impact</p>
<p>Impact EN-2: Implementation of the HEU would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.</p>	<p>None required.</p>	<p>Less than Significant Impact</p>
<p>Impact EN-3: Implementation of the HEU, in conjunction with cumulative development in the City, would not result in energy use that would be considered wasteful and unnecessary, or conflict with or obstruct a state or local plan for renewable energy or energy efficiency under cumulative conditions.</p>	<p>None required.</p>	<p>Less than Significant Impact</p>
<p>4.6 Geology, Soils, and Paleontological Resources</p>		
<p>Impact GEO-1: The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong ground shaking or seismically induced ground failure, including landslides, liquefaction, and lateral spreading.</p>	<p>None required.</p>	<p>Less than Significant Impact</p>

**TABLE 2-5 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE CITY OF MENLO PARK HOUSING ELEMENT UPDATE**

Impacts	Mitigation Measures	Significance after Mitigation
Impact GEO-2: The project would not result in substantial soil erosion or the loss of topsoil.	None required.	Less than Significant Impact
Impact GEO-3: The project would not 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 onsite or offsite landslide, lateral spreading, subsidence (i.e., settlement), liquefaction, or collapse.	None required.	Less than Significant Impact
Impact GEO-4: The project would not be located on expansive soil creating direct or indirect substantial risks to life or property.	None required.	Less than Significant Impact
Impact GEO-5: The project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	Mitigation Measure GEO-5, Discovery of Paleontological Resources In the event that fossils or fossil bearing deposits are discovered during ground disturbing activities, excavations within a 50-foot radius of the find shall be temporarily halted or diverted. Ground disturbance work shall cease until a City-approved qualified paleontologist determines whether the resource requires further study. The paleontologist shall document the discovery as needed in accordance with Society of Vertebrate Paleontology standards (Society of Vertebrate Paleontology 2010), evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction activities are allowed to resume at the location of the find. If avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery. The excavation plan shall be submitted to the City of Menlo Park for review and approval prior to implementation, and all construction activity shall adhere to the recommendations in the excavation plan.	Less than Significant Impact, with Mitigation
Impact GEO-6: Implementation of the HEU, when combined with other past, present, or reasonably foreseeable projects, would not contribute considerably to cumulative impacts relative to geology and paleontological resources.	Mitigation Measure: Implement Mitigation Measure GEO-5.	Less than Significant Impact, with Mitigation
4.7 Greenhouse Gas Emissions		
Impact GHG-1: Implementation of the HEU would not generate greenhouse gas emissions, either directly or indirectly, that would have a significant impact on the environment.	Mitigation Measure GHG-1a: Enforce No Natural Gas Requirement. Subsequent housing development projects proposed under the HEU shall not be eligible for exceptions from the “all electric” requirement in the City’s Reach Codes. Mitigation Measure GHG-1b: Enforce EV Charging Requirements in CALGreen Tier 2. Subsequent housing development projects proposed under the HEU shall comply with EV charging requirements in the most recently adopted version of CALGreen Tier 2 at the time that a building permit application is filed.	Less than Significant Impact, with Mitigation
Impact GHG-2: Implementation of the HEU would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	Mitigation: Implement Mitigation Measures GHG-1a and GHG-1b.	Less than Significant Impact, with Mitigation

TABLE 2-5 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE CITY OF MENLO PARK HOUSING ELEMENT UPDATE

Impacts	Mitigation Measures	Significance after Mitigation
4.8 Hazards and Hazardous Materials		
Impact HAZ-1: Implementation of the HEU would not create a significant hazard to the public or the environment through the routine transport, use, disposal, or accidental release of hazardous materials.	None required.	Less than Significant Impact
Impact HAZ-2: Implementation of the HEU would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	None required.	Less than Significant Impact
Impact HAZ-3: Implementation of the HEU could result in development projects being located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment.	<p>Mitigation Measure HAZ-3a: Environmental Site Management Plan</p> <p>Project applicants shall ensure that construction at the sites with known contamination are conducted under a project-specific Environmental Site Management Plan (ESMP) that is prepared by qualified personnel in consultation with the RWQCB or the DTSC, as appropriate. The purpose of the ESMP is to protect construction workers, the general public, the environment, and future site occupants from subsurface hazardous materials previously identified at the site and to address the possibility of encountering unknown contamination or hazards in the subsurface. The ESMP shall summarize soil and groundwater analytical data collected on the project site during past investigations; identify management options for excavated soil and groundwater, if contaminated media are encountered during deep excavations; and identify monitoring, irrigation, or other wells requiring proper abandonment in compliance with local, State, and federal laws, policies, and regulations.</p> <p>The ESMP shall include measures for identifying, testing, and managing soil and groundwater suspected of or known to contain hazardous materials. The ESMP shall:</p> <ol style="list-style-type: none"> 1) Provide procedures for evaluating, handling, storing, testing, and disposing of soil and groundwater during project excavation and dewatering activities, respectively; 2) Describe required worker health and safety provisions for all workers potentially exposed to hazardous materials in accordance with State and federal worker safety regulations; and; 3) Designate personnel responsible for implementation of the ESMP. <p>Mitigation Measure HAZ-3b: Vapor Intrusion Assessment</p> <p>Project applicants shall ensure that a vapor intrusion assessment is performed by a licensed environmental professional for sites with potential residual contamination in soil, soil gas, or groundwater that are planned for redevelopment with an overlying occupied building. If the results of the vapor intrusion assessment indicate the potential for significant vapor intrusion into an occupied building, project design shall include vapor controls or source removal, as appropriate, in accordance with regulatory agency requirements. Soil vapor controls could include vapor barriers, passive venting, and/or active venting. The vapor intrusion assessment and associated vapor controls or source removal can be incorporated into the ESMP (Mitigation Measure HAZ-3a).</p>	Less than Significant Impact, with Mitigation

**TABLE 2-5 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE CITY OF MENLO PARK HOUSING ELEMENT UPDATE**

Impacts	Mitigation Measures	Significance after Mitigation
Impact HAZ-4: Implementation of the HEU would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	None required.	Less than Significant Impact
Impact 4.8-4: Implementation of the HEU would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	None required.	Less than Significant Impact
Impact HAZ-5: Implementation of the HEU, when combined with other past, present, or reasonably foreseeable projects, would not contribute considerably to cumulative impacts relative to hazards and hazardous materials.	Implement Mitigation Measures HAZ-3a and HAZ-3b.	Less than Significant Impact
4.9 Hydrology and Water Quality		
Impact HYDRO-1: Implementation of the HEU would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.	None required.	Less than Significant Impact
Impact HYDRO-2: Implementation of the HEU would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable management of the groundwater basin.	None required.	Less than Significant Impact
Impact HYDRO-3: Implementation of the HEU would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i) result in substantial erosion or siltation on- or offsite; ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; iii) 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; or iv) impede or redirect flood flows.	None required.	Less than Significant Impact
Impact HYDRO-4: Implementation of the HEU in a flood zone, tsunami hazard area, or dam inundation zone would not risk release of pollutants due to project inundation.	None required.	Less than Significant Impact
Impact HYDRO-5: Implementation of the HEU would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.	None required.	Less than Significant Impact
Impact HYDRO-6: Implementation of the HEU, in combination with past, present, and reasonably foreseeable future development, would result in a less than significant cumulative impact with respect to hydrology and water quality.	None required.	Less than Significant Impact

TABLE 2-5 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE CITY OF MENLO PARK HOUSING ELEMENT UPDATE

Impacts	Mitigation Measures	Significance after Mitigation
4.10 Land Use and Planning		
Impact LU-1: Implementation of the HEU would not physically divide an established community.	None required.	Less than Significant Impact
Impact LU-2: Implementation of the HEU would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.	Mitigation Measure LU-2: Demonstrate consistency with the applicable goals, policies, and programs in the General Plan and the supporting Zoning standards. Prior to individual project approval, as part of the project application process, future development in Menlo Park shall be required to demonstrate consistency with the applicable goals, policies, and programs in the General Plan and the supporting Zoning standards to the satisfaction of the City of Menlo Park's Community Development Department. A future project is consistent with the General Plan and Zoning standards if, considering all its aspects, it will further the goals, policies, and programs of the General Plan and supporting Zoning standards and not obstruct their attainment.	Less than Significant Impact, with Mitigation
Impact LU-3: Implementation of the HEU would not combine with other past, present, and reasonably foreseeable projects to result in significant cumulative impacts with respect to land use and planning.	None required.	Less than Significant Impact
4.11 Noise and Vibration		
Impact NOI-1: Construction activities associated with implementation of the HEU would not result in generation of a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	Mitigation Measure NOI-1: Construction Noise Control. Project applicants shall minimize the exposure of nearby properties to excessive noise levels from construction-related activity through CEQA review, conditions of approval, and/or enforcement of the City's Noise Ordinance. Prior to issuance of demolition, grading, and/or building permits for development projects, a note shall be provided on development plans indicating that during on-going grading, demolition, and construction, the property owner/developer shall be responsible for requiring contractors to implement the following measures to limit construction-related noise: <ul style="list-style-type: none"> • Demonstrate that any construction activities taking place outside daytime construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday shall comply with the 60 dBA Leq limit during the hours of 7:00 a.m. to 8:00 a.m. and the 50 dBA Leq limit during the hours of 6:00 a.m. to 7:00 a.m. In addition, the property owner/developer shall demonstrate that individual pieces of equipment proposed for use will not exceed the limit (85 dBA Leq at 50 feet) for powered equipment noise and that combined construction noise will not result in a 10 dBA increase over the ambient noise level at nearby sensitive receptors. Activities that would produce noise above applicable daytime or nighttime limits shall be scheduled only during normal construction hours. If it is concluded that a particular piece of equipment will not meet the requirements of this mitigation measure, that equipment shall not be used outside the daytime construction hours. • Verify construction activities are conducted at adequate distances or otherwise shielded with sound barriers, as determined through analysis, from noise-sensitive receptors when working outside the daytime construction hours of 8:00 a.m. to 6:00 p.m. Monday through Friday, and verify compliance with the Menlo Park Municipal Code through measurement. 	Less than Significant Impact

**TABLE 2-5 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE CITY OF MENLO PARK HOUSING ELEMENT UPDATE**

Impacts	Mitigation Measures	Significance after Mitigation
	<ul style="list-style-type: none"> • All internal combustion engines on construction equipment and trucks are fitted with properly maintained mufflers, air intake silencers, and/or engine shrouds that are no less effective than as originally equipped by the manufacturer. • Stationary equipment such as generators and air compressors shall be located as far as feasible from nearby noise-sensitive uses. • Stockpiling is located as far as feasible from nearby noise-sensitive receptors. • Limit unnecessary engine idling to the extent feasible. • Limit the use of public address systems. • Construction traffic shall be limited to the haul routes established by the City of Menlo Park. • Additional controls, as warranted, may include but are not limited to: <ul style="list-style-type: none"> – Upgraded construction equipment mufflers (e.g., improved mufflers, intake silencers, ducts, engine enclosures, acoustically attenuating shields, shrouds) on equipment and trucks used for project construction. – Equipment staging plans (e.g., locating stationary equipment at adequate distances). – Limitations on equipment and truck idling. – Shielding sensitive receptors with sound barriers to comply with the Menlo Park Municipal Code. 	
<p>Impact NOI-2: Stationary noise sources from development within the HEU area would not result in a substantial permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.</p>	<p>None required.</p>	<p>Less than Significant Impact</p>
<p>Impact NOI-3: Implementation of the HEU would not result in generation of excessive groundborne vibration or groundborne noise levels.</p>	<p>None required.</p>	<p>Less than Significant Impact</p>
<p>Impact NOI-4: Transportation increases along roadways under the HEU would not result in a substantial permanent increase in ambient noise levels in the project vicinity above baseline levels without the project.</p>	<p>None required.</p>	<p>Less than Significant Impact</p>
<p>Impact NOI-5: Implementation of the HEU would not expose people residing or working in the project area to excessive noise levels due to being located within the vicinity of a private airstrip or an airport land use plan or within two miles of a public airport or public use airport.</p>	<p>None required.</p>	<p>Less than Significant Impact</p>

TABLE 2-5 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE CITY OF MENLO PARK HOUSING ELEMENT UPDATE

Impacts	Mitigation Measures	Significance after Mitigation
Impact NOI-6: Construction activities associated with implementation of the HEU, when combined with other past, present, or reasonably foreseeable projects, would not result in generation of a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	Implement Mitigation Measure NOI-1.	Less than Significant Impact, with Mitigation
Impact NOI-7: Stationary noise sources from development within the HEU area, when combined with other past, present, or reasonably foreseeable projects, would not result in a substantial permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	None required.	Less than Significant Impact
Impact NOI-8: Construction activities associated with implementation of the HEU, when combined with other past, present, or reasonably foreseeable projects, would not result in exposure of persons to or generation of excessive ground borne vibration levels.	None required.	Less than Significant Impact
Impact NOI-9: Transportation activities under the HEU, when combined with other past, present, or reasonably foreseeable projects, would not result in a substantial permanent increase in ambient noise levels in the project vicinity above baseline levels without the project and cumulative development.	None required.	Less than Significant Impact
4.12 Population and Housing		
Impact PH-1: Implementation of the HEU would not induce substantial unplanned 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).	None required.	Less than Significant Impact
Impact PH-2: Implementation of the HEU would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.	None required.	Less than Significant Impact
Impact PH-3: Implementation of the HEU would not combine with other past, present, and reasonably foreseeable projects to create a significant impact to population and housing.	None required.	Less than Significant Impact

**TABLE 2-5 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE CITY OF MENLO PARK HOUSING ELEMENT UPDATE**

Impacts	Mitigation Measures	Significance after Mitigation
4.13 Public Services and Recreation		
Impact PS-1: Implementation of the HEU would not result in an increase in demand for fire protection and emergency medical response services that would require new or physically altered fire protection facilities in order to maintain acceptable service ratios, response times, or other performance objectives, construction of which could have significant physical environmental impacts.	None required.	Less than Significant Impact
Impact PS-2: Implementation of the HEU would not result in an increase in demand for police protection services that would require new or physically altered police facilities in order to maintain acceptable service ratios, response times, or other performance objectives, construction of which could have significant physical environmental impacts.	None required.	Less than Significant Impact
Impact PS-3: Implementation of the HEU would not result in an increase in new students for public schools at a level that would require new or physically altered school facilities in order to maintain acceptable service ratios or other performance objectives, construction of which would have significant physical environmental impacts.	None required.	Less than Significant Impact
Impact PS-4: Implementation of the HEU would not 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.	None required.	Less than Significant Impact
Impact PS-5: Implementation of the HEU would not result in substantial adverse impacts associated with the provision of or the need for new or physically altered library facilities.	None required.	Less than Significant Impact
Impact PS-6: The HEU, combined with cumulative development in the vicinity and Citywide, would not result in an adverse cumulative increase in demand for public services that would require new or physically altered governmental or park facilities, construction of which could have significant physical environmental impacts.	None required.	Less than Significant Impact
4.14 Transportation		
Impact TRANS-1: Implementation of The HEU would conflict with an applicable program, plan, ordinance, or policy establishing measures of effectiveness for the performance of addressing the circulation system, including transit, bicycle, and pedestrian facilities.	None feasible (bicycle and pedestrian facilities). None required (transit facilities).	Significant and Unavoidable Impact (bicycle and pedestrian facilities) Less than Significant Impact (transit facilities)

TABLE 2-5 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE CITY OF MENLO PARK HOUSING ELEMENT UPDATE

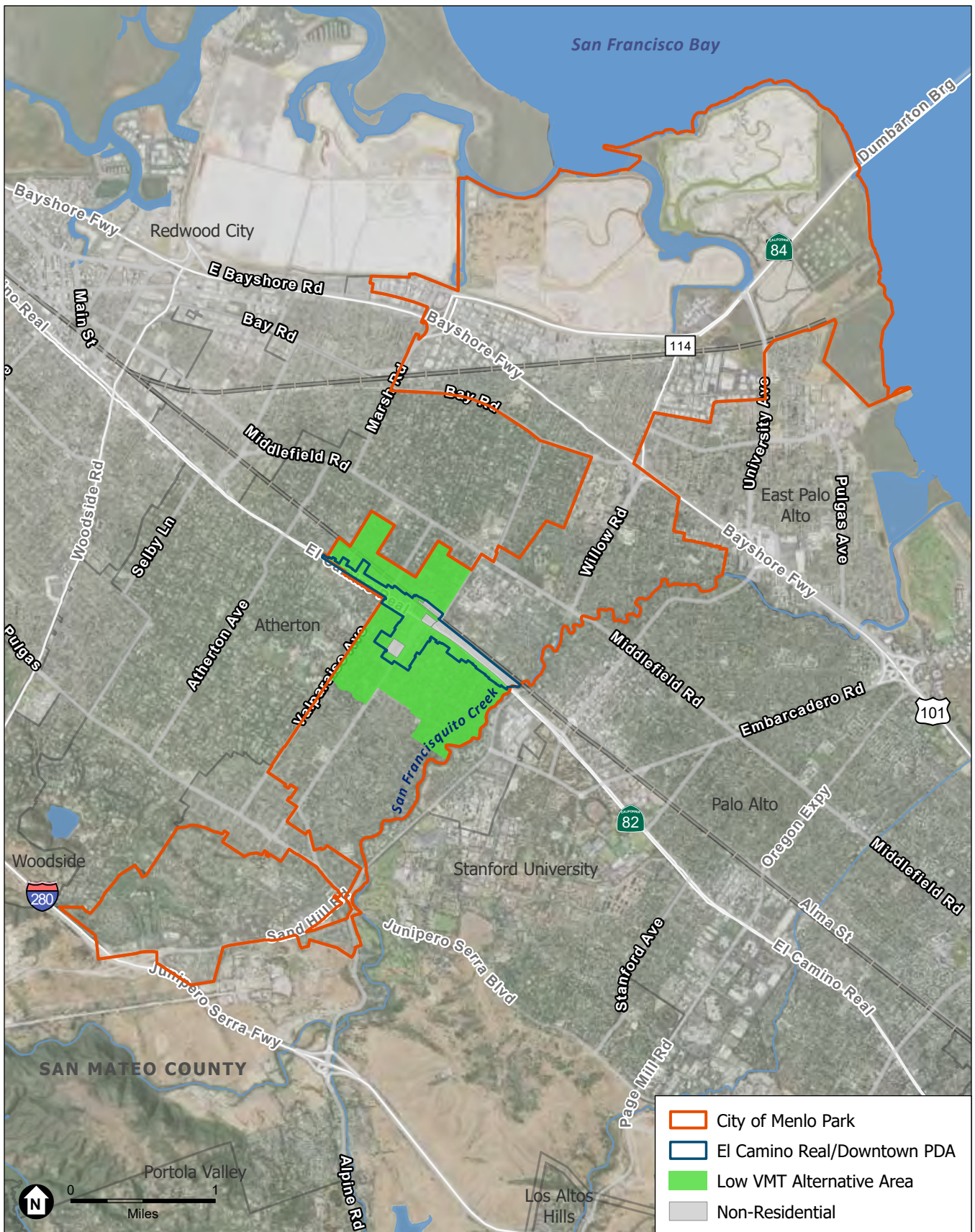
Impacts	Mitigation Measures	Significance after Mitigation
<p>Impact TRANS-2: Implementation of the HEU would exceed an applicable VMT threshold of significance.</p>	<p>Mitigation Measure TRANS-2: Implement VMT Reduction Measures.</p> <p>Individual multifamily housing development proposals that do not screen out from VMT impact analysis shall provide a quantitative VMT analysis using the methods outlined by the City's most recent VMT guidelines. Projects that result in a significant impact shall include travel demand management measures and/or physical measures (i.e. improving multimodal transportation network, improving street connectivity) to reduce VMT, including but not limited to the measures below, which have been identified as potentially VMT reducing in the California Air Pollution Control Officers Association (CAPCOA) Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity (December 2021). Potential VMT reduction estimates are included below, but detailed requirements, calculation steps, and limitations are described in the CAPCOA Handbook. Additional measures may be proposed by individual projects and/or required by City staff to achieve the necessary VMT reductions or to meet applicable TDM reduction requirements.</p> <ul style="list-style-type: none"> • Unbundle parking costs (i.e. sell or lease parking separately from the housing unit). Effectiveness: up to 15.7 percent reduction in GHG from VMT per the CAPCOA Handbook. • Provide car-sharing, bike sharing, or scooter sharing programs. Effectiveness: 0.15 – 0.18 percent reduction in GHG from VMT for car share, 0.02 – 0.06 percent for bike share, and 0.07 percent for scooter share, per the CAPCOA Handbook. The higher car share and bike share values are for electric car and bike share programs. • Subsidize transit passes for residents of affordable housing. Effectiveness: up to 5.5 percent reduction in GHG from VMT per the CAPCOA Handbook. 	<p>Significant and Unavoidable Impact, with Mitigation</p>
<p>Impact TRANS-3: Implementation of the HEU would not result in designs for on-site circulation, access, and parking areas that fail to meet City or industry standard design guidelines.</p>	<p>None required.</p>	<p>Less than Significant Impact</p>
<p>Impact TRANS-4: Implementation of the HEU would not result in inadequate emergency access to development sites.</p>	<p>None required.</p>	<p>Less than Significant Impact</p>
<p>Impact TRANS-5: Implementation of the HEU, in combination with cumulative development, would conflict with an applicable program, plan, ordinance, or policy establishing measures of effectiveness for the performance of addressing the circulation system, including transit, bicycle, and pedestrian facilities.</p>	<p>None feasible (bicycle and pedestrian facilities). None required (transit facilities).</p>	<p>Significant and Unavoidable Impact (bicycle and pedestrian facilities) Less than Significant Impact (transit facilities)</p>
<p>Impact TRANS-6: Implementation of the HEU, in combination with cumulative development, would exceed an applicable VMT threshold of significance.</p>	<p>Implement Mitigation Measure TRANS-2.</p>	<p>Significant and Unavoidable Impact, with Mitigation</p>
<p>Impact TRANS-7: Implementation of the HEU, in combination with cumulative development, would not result in designs for on-site circulation, access, and parking areas that fail to meet City or industry standard design guidelines.</p>	<p>None required.</p>	<p>Less than Significant Impact</p>

TABLE 2-5 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE CITY OF MENLO PARK HOUSING ELEMENT UPDATE

Impacts	Mitigation Measures	Significance after Mitigation
Impact TRANS-8: Implementation of the HEU, in combination with cumulative development, would not result in inadequate emergency access to development sites.	None required.	Less than Significant Impact
4.15 Tribal Cultural Resources		
Impact TCR-1: Implementation of the HEU would not cause a substantial adverse change to previously unknown archaeological resources that are also tribal cultural resources, as defined in Public Resources Code Section 21074(a).	Implement Mitigation Measures CR-2a, CR-2b, and CR-3.	Less than Significant Impact, with Mitigation
Impact TCR-2: Implementation of the HEU, in combination with other cumulative projects, would not cause a substantial adverse change to previously unknown archaeological resources that are also tribal cultural resources, as defined in Public Resources Code Section 21074(a).	Implement Mitigation Measures CR-2a, CR-2b, and CR-3.	Less than Significant Impact, with Mitigation
4.16 Utilities and Service Systems		
Impact UT-1: Implementation of the HEU would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which would cause significant environmental effects.	None required.	Less than Significant Impact
Impact UT-2: Implementation of the HEU would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.	None required.	Less than Significant Impact
Impact UT-3: Implementation of the HEU would not result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments.	None required.	Less than Significant Impact
Impact UT-4: Implementation of the HEU would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.	None required.	Less than Significant Impact
Impact UT-5: Implementation of the HEU would comply with federal, state, and local management and reduction statutes and regulations related to solid waste.	None required.	Less than Significant Impact

TABLE 2-5 (CONTINUED)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE CITY OF MENLO PARK HOUSING ELEMENT UPDATE

Impacts	Mitigation Measures	Significance after Mitigation
Impact UT-6: Implementation of the HEU, in combination with past, present, existing, approved, pending, and reasonably foreseeable future projects in the vicinity, would not contribute considerably to cumulative impacts on utilities and service systems.	None required.	Less than Significant Impact
4.17 Wildfire		
Impact WILD-1: Implementation of the HEU would not substantially impair an adopted emergency response plan or emergency evacuation plan.	None required.	Less than Significant Impact
Impact WILD-2: Implementation of the HEU would not exacerbate wildfire risks due to slope, prevailing winds, and other factors, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.	None required.	Less than Significant Impact
Impact WILD-3: Implementation of the HEU would not require the installation or maintenance of infrastructure such as roads, fuel breaks, emergency water sources, power lines or other utilities that could exacerbate fire risk or that could result in temporary or ongoing impacts to the environment.	None required.	Less than Significant Impact
Impact WILD-4: Implementation of the HEU would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.	None required.	Less than Significant Impact
Impact WILD-5: Implementation of the HEU, when combined with other past, present, or reasonably foreseeable projects, would/would not result in a cumulative impact related to wildfire.	None required.	Less than Significant Impact



SOURCE: Esri, 2022; City of Menlo Park, 2022; M-Group, 2022; ESA, 2022

Menlo Park Housing Element Update EIR

Figure 5-1
Alternative 2: Low VMT Area Alternative

5.4.2 Overall Comparison of the Alternatives

The analysis of the alternatives is summarized in **Table 5-2**. Overall, this table shows that one alternative performs better or worse than the other in reducing or avoiding the proposed HEU impacts.

TABLE 5-2
ALTERNATIVE IMPACT SUMMARY AND COMPARISON

Impact	HEU	Alternative 1: No Project	Alternative 2: Low VMT Area Alternative
Aesthetics	Less than Significant	Less than Significant ↓	Less than Significant ↑
Air Quality	Significant and Unavoidable	Less than Significant ↑/↓	Significant and Unavoidable ↑/↓
Biological Resources	Less than Significant	Less than Significant ↓	Less than Significant ↓
Cultural Resources	Significant and Unavoidable	Significant and Unavoidable ↓	Significant and Unavoidable ↓
Energy	Less than Significant	Less than Significant ↓	Less than Significant ↓
Geology & Paleontological Resources	Less than Significant	Less than Significant ↓	Less than Significant ↓
Greenhouse Gas Emissions	Less than Significant	Less than Significant ↓	Less than Significant ↓
Hazards and Hazardous Materials	Less than Significant	Less than Significant ↓	Less than Significant ↑/↓
Hydrology and Water Quality	Less than Significant	Less than Significant ↓	Less than Significant ↓
Land Use and Planning	Less than Significant	Significant and Unavoidable ↑	Less than Significant ↑/↓
Noise	Less than Significant	Less than Significant ↓	Less than Significant ↑/↓
Population and Housing	Less than Significant	Significant and Unavoidable ↑	Less than Significant ↑/↓
Public Services and Recreation	Less than Significant	Less than Significant ↓	Less than Significant ↑
Transportation	Significant and Unavoidable	Less than Significant ↑/↓	Less than Significant ↓
Tribal Cultural Resources	Less than Significant	Less than Significant ↓	Less than Significant ↓
Utilities and Service Systems	Less than Significant	Less than Significant ↓	Less than Significant ↑
Wildfire	Less than Significant	Less than Significant ↓	Less than Significant ↓

MENLO PARK EL CAMINO REAL AND DOWNTOWN SPECIFIC PLAN

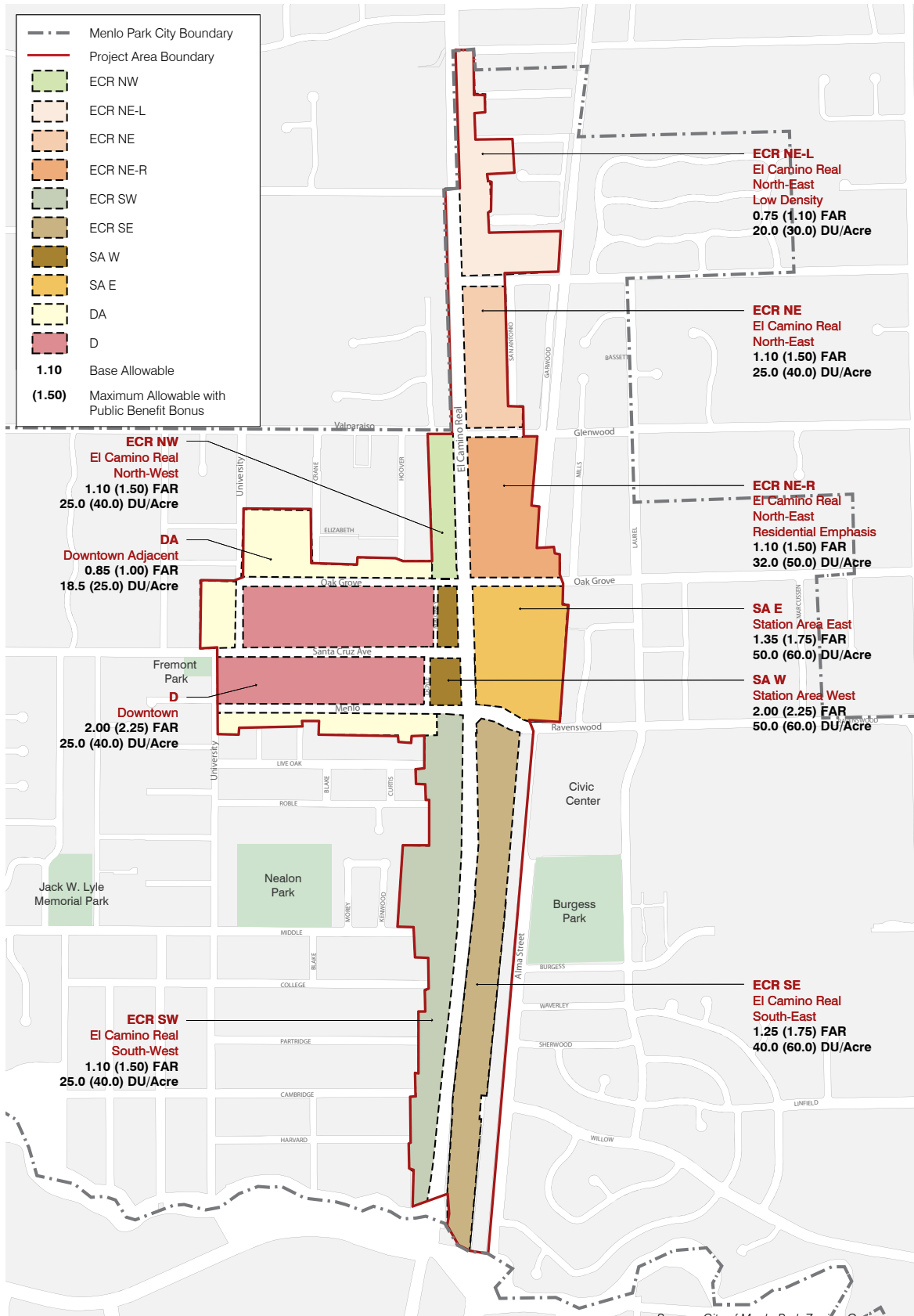


Figure E2. Development Intensity / Density

Development Standards								
				DEVELOPMENT INTENSITY			BUILDING HEIGHTS	
AREA				LAND USE	FAR*	DU/ACRE	HEIGHT MAX.	FAÇADE HEIGHT MAX.
					X(Y) = Base Allowable (Max. Allowable with Public Benefit Bonus)			
El Camino Real	El Camino Real North	ECR NW	El Camino Real North-West	Mixed Use/ Residential	1.10 (1.50)	25.0 (40.0)	38'	38'
		ECR NE-L	El Camino Real North-East - Low Density	Mixed Use	0.75 (1.10)	20.0 (30.0)	38'	30'
		ECR NE	El Camino Real North-East	Mixed Use	1.10 (1.50)	25.0 (40.0)	38' (Public Benefit Bonus - 48')	38'
		ECR NE-R	El Camino Real North-East - Residential Emphasis	Mixed Use/ Residential	1.10 (1.50)	32.0 (50.0)	38' (Public Benefit Bonus - 48')	38'
	El Camino Real South	ECR SW	El Camino Real South-West	Mixed Use & Mixed Use/ Residential	1.10 (1.50)	25.0 (40.0)	38'	30'
		ECR SE	El Camino Real South-East	Mixed Use & Mixed Use/ Residential	1.25 (1.75)	40.0 (60.0)	60'	38'
Station	SA W	Station Area West	Retail/ Mixed Use & Main Street Overlay	2.00 (2.25)	50.0 (60.0)	48'	38'	
	SA E	Station Area East	Retail/ Mixed Use & Main Street Overlay	1.35 (1.75)	50.0 (60.0)	60' (Alma Street - 48')	38'	
Downtown	DA	Downtown Adjacent	Office/ Residential	0.85 (1.00)	18.5 (25.0)	38'	30'	
	D	Downtown Santa Cruz Avenue	Retail/ Mixed Use & Main Street Overlay	2.00 (2.25)	25.0 (40.0)	38'	30'	

*Specific Plan limits the amount of general office allowed and the amount of medical office, based on community concerns, to the following:
 Office, General (inclusive of Medical and Dental Offices) - shall not exceed one half of the base FAR or public benefit bonus FAR
 Office, Medical and Dental - shall not exceed one third of the base FAR or public benefit bonus FAR (in the ECR districts, this is additionally limited to an absolute maximum of 33,333 square feet per development project)
 FAR and DU/acre include both Base and Public Benefit Bonus standards, discussed in Section E.3.1 "Development Intensity".

Table E2. Development Standards by Zoning Districts