

APPENDIX A:
COMMENT LETTERS





Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

July 18, 2016

RECEIVED

JUL 25 2016

Deanna Chow
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

CITY OF MENLO PARK
BUILDING

Subject: ConnectMenlo: General Plan Land Use & Circulation Elements and M-2 Area Zoning Update
SCH#: 2015062054

Dear Deanna Chow:

The enclosed comment (s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on July 15, 2016. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2015062054) when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

A01-01

Document Details Report
State Clearinghouse Data Base

SCH# 2015062054
Project Title ConnectMenlo: General Plan Land Use & Circulation Elements and M-2 Area Zoning Update
Lead Agency Menlo Park, City of

Type EIR Draft EIR
Description The proposed land use and circulation elements replace the City's existing Land Use and Circulation Elements, which were last comprehensively update din 1994. The proposed Land Use and Circulation Elements are intended to guide development and conservation in Menlo Park through the 2040 buildout horizon of this General Plan. These two elements are central components of the general plan because they describe which land uses should be allowed in the city, where those land uses should be located, how those land uses may be accessed and connected, and how development of those uses should be managed so as to minimize impacts and maximize benefits to the city and its residents. The land use element frames the type and scale of potential development that may occur over the next 24 years, particularly in the Bayfront Area. The Circulation Element addresses transportation issues throughout the city. Both updated elements have been written to be consistent with the other General Plan Elements and the 2012 El Camino Real/Downtown Specific Plan.

Lead Agency Contact

Name Deanna Chow
Agency City of Menlo Park
Phone 650-330-6733 **Fax**
email
Address 701 Laurel Street
City Menlo Park **State** CA **Zip** 94025

Project Location

County San Mateo
City Menlo Park
Region
Lat / Long 37° 27' 10" N / 122° 11' 0" W
Cross Streets Citywide
Parcel No. various
Township

Range **Section** **Base**

Proximity to:

Highways I-280, US 101, SR-84
Airports Palo Alto
Railways CalTrain, UPRR
Waterways San Francisco Bay, San Francisquito Creek, Ravenswood
Schools MPCSD, Belle Haven
Land Use citywide

Project Issues Air Quality; Archaeologic-Historic; Biological Resources; Coastal Zone; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects; Other Issues; Aesthetic/Visual

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 3; Cal Fire; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 4; Department of Housing and Community Development; Regional Water Quality Control Board, Region 2; Native American Heritage Commission; Public Utilities Commission

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 4
 P.O. BOX 23660
 OAKLAND, CA 94623-0660
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 TTY 711
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07/15/2016 E

July 15, 2016

Governor's Office of Planning & Research

Jul 18 2016

SMGen085
SCH#2015062054**STATE CLEARINGHOUSE**

Ms. Deanna Chow
 City of Menlo Park
 701 Laurel Street
 Menlo Park, CA 94025

Dear Ms. Chow:

ConnectMenlo – Draft Environmental Impact Report

Thank you for continuing to include the California Department of Transportation (Caltrans) in the environmental review process for the ConnectMenlo (Plan). Caltrans new mission, vision, and goals signal a modernization of our approach to the State Transportation Network (STN), in which we seek to reduce statewide vehicle-miles-traveled (VMT) and increase non-auto modes of active transportation by 2020. Caltrans targets are to triple bicycle, and double pedestrian and transit. These targets support the Metropolitan Transportation Commission's (MTC) Sustainable Communities Strategy, which promotes the increase of non-auto mode shares by ten percentage points and a decrease in automobile VMT per capita by ten percent. Our Notice of Preparation letter dated July 20, 2015 is incorporated by reference. Future comments may be forthcoming pending final review.

Project Understanding

The proposed Plan is an update to the Land Use and Circulation Elements to the City of Menlo Park's (City) General Plan and a zoning change to the M-2 Area. The City is located at the southern edge of San Mateo County. It is generally bounded by San Francisco Bay; the cities of East Palo Alto and Palo Alto and Stanford University to the southeast; Atherton, unincorporated North Fair Oaks, and Redwood City to the northwest. The City is accessed by Interstate (I)-280, US-101, Caltrain, and State Route (SR) 84. The M-2 Area contains major regional transportation links, including SRs 84, 114, and 109, and the Dumbarton Bridge. The proposed updates frame the type and scale of potential development that may occur over the next 20 years and their potential impact to the local, regional and state transportation system.

Project of Statewide, Regional, or Areawide Significance

Since this project has the potential for causing significant effects, e.g., traffic, extending beyond

Ms. Deanna Chow, City of Menlo Park
July 15, 2016
Page 2

the City limits, it meets the criteria of a Project of Statewide, Regional, or Areawide Significance as stated in the *2016 California Environmental Quality Act (CEQA) Statutes and Guidelines*, under section 15206 on pages 224 to 225. The Plan should be submitted also to the appropriate metropolitan area council of governments for review and comment.

Mitigation

The Transportation and Circulation section states that segments the following State Routes of Regional Significance would continue to operate at below their level-of-service (LOS) threshold under 2040 Plus Project conditions:

- SR 84 (Bayfront Expressway) from US 101 to Willow Road.
- SR 84 (Bayfront Expressway) from Willow Road to University Avenue.
- SR 84 (Bayfront Expressway) from University Avenue to the Alameda County line.
- SR 109 (University Avenue) from SR 84 to Kavanaugh Drive.
- SR 114 (Willow Road) from US 101 to SR 84.
- US 101 from Whipple Avenue to Santa Clara County Line.

The proposed Land Use plan should consider restricting the magnitude of future development in the City in order to reduce future VMT demand on the STN.

The City as Lead Agency is responsible for pursuing options that would ensure that the Plan traffic impacts are mitigated to a less than significant level. Specifically, mitigation measures, policies, and goals that include the requirements of Responsible Agencies such as Caltrans are fully enforceable through permit conditions, agreements or other legally-binding instruments under the City's control. We look forward to hearing from the City and its collaboration with San Mateo County Transportation Authority and Caltrans to ensure adequate mitigation funding.

Please also identify traffic impact fees to be used for project mitigation. Development plans should require traffic impact fees based on projected traffic and / or based on associated cost estimates for public transportation facilities necessitated by development. Please refer to the California Office of Planning and Research (OPR) *2003 General Plan Guidelines*, page 163, which can be accessed on-line at the following website:
<http://www.opr.ca.gov/index.php?a=planning/gpg.html>.

Scheduling and costs associated with planned improvements on State right-of-way should be listed, in addition to identifying viable funding sources correlated to the pace of improvements for roadway improvements, if any.

This information should also be presented in the Mitigation Monitoring and Reporting Plan of the environmental document. Caltrans also encourages the City to contribute to a multi-modal fee program to plan for further growth by improving transit and regional transportation. Contributions would be used to help fund regional transportation programs that improve the STN and improve mobility.

Ms. Deanna Chow, City of Menlo Park
July 15, 2016
Page 3

Should you have any questions regarding this letter, please contact Keith Wayne at 510-286-5737 or keith_wayne@dot.ca.gov.

Sincerely,



PATRICIA MAURICE
District Branch Chief
Local Development - Intergovernmental Review

c: Scott Morgan, State Clearinghouse

**Document Details Report
State Clearinghouse Data Base**

Date Received 06/01/2016 *Start of Review* 06/01/2016 *End of Review* 07/15/2016



CITY OF EAST PALO ALTO
OFFICE OF THE CITY MANAGER
2415 UNIVERSITY AVENUE
EAST PALO ALTO, CA 94303

June 22, 2016

Alex D. McIntyre
City Manager
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Re: Facebook Expansion DEIR and General Plan Land Use Update DEIR

Dear Alex:

I am writing to request the extension of the public comment period for 15 days for both the Facebook Expansion Project Draft Environmental Impact Report (DEIR) and the General Plan Land Use Update DEIR. The City of East Palo Alto recognizes that both these projects are of critical importance to the City of Menlo Park. The combined changes proposed are significant, with 3.4 million square feet of new commercial space, 600 hotel rooms, and 4,500 new residential units. The combined changes reflect approximately a 30% increase in citywide housing units and a 40% increase in citywide office/R&D space. The magnitude of the changes, the fact that they all occur on the eastern side of Highway 101 along East Palo Alto's borders, and the release of both the documents at the same time warrant an additional 15 days for the review of the DEIRs.

A01-1

Therefore, I respectfully request that the City of Menlo Park extend the Public Comment Period on the Facebook Expansion DEIR and the General Plan Update DEIR by 15 days, to July 25th and July 29th, respectively.

We appreciate the opportunity to review and comment on these projects and plans and to continue to work collaboratively with our neighbors. If you have any questions you can call me anytime or contact Sean Charpentier, the Assistant City Manager, at (650)833-8946 or scharpentier@cityofepa.org.

Sincerely,

Carlos Martínez
City Manager
(650) 853-3194

Cc:
Kyle Perata, Senior Planner, Menlo Park
Deanna Chow, Principal Planner, Menlo Park
East Palo Alto City Council



City of East Palo Alto

Office of the Mayor

June 30, 2016

Richard Cline
 Honorable Mayor
 City of Menlo Park
 701 Laurel Street
 Menlo Park, CA 94025

Subject: Facebook Expansion DEIR and General Plan Land Use Update DEIR

Dear Mayor Cline:

I am writing to reiterate our earlier request for a 15-day extension in the public comment period for the Facebook DEIR and General Plan Update DEIR. The magnitude of the changes, the fact that they all occur on the eastern side of Highway 101 along East Palo Alto's borders, and the release of both documents at the same time warrant an additional 15 days for the review of the DEIRs.

I have attached our original request, and the City of Menlo Park's response to our request. I appreciate that on June 20, 2016, the Planning Commission decided not to extend the comment period, but that decision was made prior to the receipt of our request on June 22, 2016.

Furthermore, the noticing for the availability of the Facebook DEIR violated CEQA Section 15087(a), which states that "notice shall be mailed to the last known name and address of all organizations and individuals who have previously requested such notice in writing." Our response to the Facebook Notice of Preparation (NOP) requested that a notice be sent to Sean Charpentier, our Assistant City Manager. See attached response to the NOP.

The City of Menlo Park mailed a Notice of Availability and a CD for the General Plan Update DEIR, but we did not receive one for the Facebook DEIR. I have attached the NOA and the envelope received for the General Plan DEIR. Please note that the CD sent for the General Plan DEIR was blank.

Therefore, I respectfully request that the City of Menlo Park extend the Public Comment Period on the Facebook DEIR and the General Plan Update DEIR by 15 days, to July 25th and July 29th, respectively.

A03-1

We appreciate the opportunity to review and comment on these projects and plans and to continue working collaboratively with our neighbors. If you have any questions you can call me anytime or contact Carlos Martinez, the City Manager, at (650) 799-4772 or cmartinez@cityofepa.org.

Yours truly,



Donna Rutherford
East Palo Alto Mayor
drutherford@cityofepa.org

cc: Menlo Park City Council
East Palo Alto City Council
Alex D. McIntyre, Menlo Park City Manager

Attachments:

1. 6/28/16- Menlo Park Response Letter to Original Request
2. East Palo Alto Request for 15-day extension
3. East Palo Response to the NOP
4. Menlo Park Notice for General Plan DEIR



City Manager's Office

June 28, 2016

Mr. Carlos Martinez
City Manager
City of East Palo Alto
2415 University Avenue
East Palo Alto, CA 94303

RE: Request to extend draft EIRs public comment period

Dear Mr. Martinez,

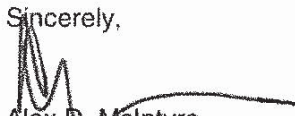
The City of Menlo Park has received your request to extend the Draft EIR public comment periods for the Facebook Campus Expansion Project and the ConnectMenlo General Plan Update. As you may be aware the review schedules for both projects, including the Draft EIR 45-day review periods, have been known and publically available since the City Council's approval of the project schedule for the Facebook Campus Expansion project on November 17, 2015 and of the ConnectMenlo General Plan Update on February 9, 2016.

In accordance with those schedules, the Planning Commission reviewed the Draft EIR for the Facebook Campus Expansion Project on Monday, June 20, 2016. During the public hearing, the Planning Commission discussed whether the project contained unusual circumstances that warranted extending the Draft EIR review period. The Commission did not find that there were circumstances that warranted extending the review period of the Draft EIR for the Facebook Campus Expansion Project.

The Planning Commission was scheduled to review the ConnectMenlo General Plan Update Draft EIR at the meeting on June 20, but that item was continued to the July 11, 2016 Planning Commission meeting with a special start time of 6:00 p.m. Thank you for your interest in these projects.

We are happy to forward your comment letter for the Planning Commission to consider as part of its review of the ConnectMenlo General Plan Update Draft EIR on Monday, July 11, 2016.

Sincerely,



Alex D. McIntyre
City Manager



CITY OF EAST PALO ALTO
OFFICE OF THE CITY MANAGER
2415 UNIVERSITY AVENUE
EAST PALO ALTO, CA 94303

June 22, 2016

Alex D. McIntyre
City Manager
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Re: Facebook Expansion DEIR and General Plan Land Use Update DEIR

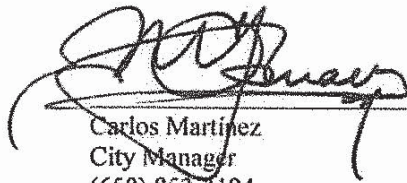
Dear Alex:

I am writing to request the extension of the public comment period for 15 days for both the Facebook Expansion Project Draft Environmental Impact Report (DEIR) and the General Plan Land Use Update DEIR. The City of East Palo Alto recognizes that both these projects are of critical importance to the City of Menlo Park. The combined changes proposed are significant, with 3.4 million square feet of new commercial space, 600 hotel rooms, and 4,500 new residential units. The combined changes reflect approximately a 30% increase in citywide housing units and a 40% increase in citywide office/R&D space. The magnitude of the changes, the fact that they all occur on the eastern side of Highway 101 along East Palo Alto's borders, and the release of both the documents at the same time warrant an additional 15 days for the review of the DEIRs.

Therefore, I respectfully request that the City of Menlo Park extend the Public Comment Period on the Facebook Expansion DEIR and the General Plan Update DEIR by 15 days, to July 25th and July 29th, respectively.

We appreciate the opportunity to review and comment on these projects and plans and to continue to work collaboratively with our neighbors. If you have any questions you can call me anytime or contact Sean Charpentier, the Assistant City Manager, at (650)833-8946 or scharpentier@cityofepa.org.

Sincerely,



Carlos Martinez
City Manager
(650) 853-3194

Cc:
Kyle Perata, Senior Planner, Menlo Park
Deanna Chow, Principal Planner, Menlo Park
East Palo Alto City Council

Community Development Dep

JUN 8 2016

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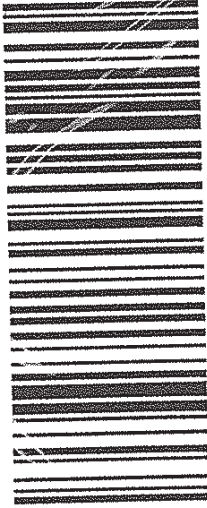
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Date Printed 6/1/2016

Shipped From:
CITY OF MENLO PARK
701 LAUREL STREET
MENLO PARK, CA 94025

Sent By: JOHN MCGIRR
Phone#: (650)330-6644
wgt(lbs): 0
Reference: PLANNING
Reference 2:

Ship To Company:

CITY OF EAST PALO ALTO
1960 TATE STREET
EAST PALO ALTO, CA 94303
SEAN CHARPENTIER

Service: **GROUND**

Sort Code: **SJC**

Special Services:
Signature Required



**NOTICE OF AVAILABILITY OF THE
DRAFT ENVIRONMENTAL IMPACT REPORT
and
NOTICE OF PUBLIC HEARING
CITY OF MENLO PARK PLANNING COMMISSION**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Menlo Park, California is scheduled to review the following item:

Draft Environmental Impact Report (EIR) for ConnectMenlo: General Plan Land Use and Circulation Elements and M-2 Area Zoning Update

General Plan Amendment, Zoning Ordinance Amendment, Rezoning, Environmental Review/City of Menlo Park:

The City is proposing to update the Land Use and Circulation Elements of the General Plan, including revised goals, policies and programs, the establishment of new land use designations, and the creation of a new street classification system. The General Plan Update seeks to create a live/work/play environment that fosters economic growth, increased sustainability, improved transportation options and mobility, while preserving the existing residential neighborhood character and quality of life enjoyed today. The proposed land use changes in the M-2 Area (which is primarily the existing industrial and business parks located between Bayfront Expressway and Highway 101) could result in an increase in development potential above what would be allowed under the current General Plan, as follows:

- Up to 2.3 million square feet of non-residential space
- Up to 400 hotel rooms, and
- Up to 4,500 residential units

This additional development combined with the development potential under the current General Plan, would result in up to 4.1 million square feet of non-residential development and up to 5,500 residential units in the City. As part of the General Plan Update, the General Plan land use designation of a majority of the properties in the M-2 Area would be amended to reflect one of the new land use designations of Office, Life Science and Mixed-Use Residential. No other land use changes are anticipated outside of the M-2 Area as part of the proposed project.

Concurrent with the General Plan Update, to implement the new land use designations, the City is also proposing the M-2 Area Zoning Update. Proposed changes to the Zoning Ordinance include the creation of three new zoning districts in the M-2 Area for consistency with the proposed General Plan Update. The proposed districts include the Office (O), Life Science (LS) and Residential-Mixed Use (R-MU) designations, and each zoning district includes development regulations, design standards, and green and sustainable building requirements. Provisions for community amenities in exchange for increased development potential (floor area ratio up to 200%) and/or height (up to 120 feet) are also being considered. Where General Plan land use designation amendments are proposed, the properties would also be rezoned for consistency between the land use designation and zoning. In addition, changes to the C-2-B zoning district to allow for residential uses and modifications to streamline the hazardous materials review process are being proposed. A Draft Environmental Impact Report has been prepared to analyze the potential environmental impacts of the proposed project. In addition, a Fiscal Impact Analysis (FIA) is being prepared for the proposed project.

The Draft EIR prepared for the project identifies less than significant effects in the following categories: Aesthetics, Geology, Soils and Seismicity, Hydrology and Water Quality, and Public Services and Recreation. The Draft EIR identifies potentially significant environmental effects that can be mitigated to a less than significant level in the following categories: Biological Resources, Cultural Resources, Hazards and Hazardous Materials, Land Use Planning, Noise, and Utilities and Service Systems. The Draft EIR identifies potentially

significant environmental effects that are significant and unavoidable in the following categories: Air Quality, Greenhouse Gas Emissions, Population and Housing, and Transportation and Circulation.

The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed hazardous material sites are present at the location. The project area does contain a hazardous waste site included in a list prepared under Section 65962.5 of the Government Code.

Copies of the Draft EIR will be on file for review at the City Main Library (800 Alma Street), Belle Haven Branch Library (413 Ivy Drive), Onetta Harris Community Center (100 Terminal Avenue) and Community Development Department (701 Laurel Street) in Menlo Park, CA 94025, as well as on the ConnectMenlo website at www.menlopark.org/connectmenlo, as of Wednesday, June 1, 2016. The review period for the Draft EIR has been set from Wednesday, June 1, 2016 through Friday, July 15, 2016. Written comments should be submitted to Deanna Chow via email at connectmenlo@menlopark.org or at the Community Development Department (701 Laurel Street, Menlo Park) no later than 5:00 p.m., Friday, July 15, 2016.

NOTICE IS HEREBY FURTHER GIVEN that the Planning Commission will hold a public hearing to provide comments and receive public comments on the Draft EIR in the Council Chambers of the City of Menlo Park, located at 701 Laurel Street, Menlo Park, California, on Monday, June 20, 2016 at 7:00 p.m. or as near as possible thereafter, at which time and place interested persons may appear and be heard thereon. If you challenge this item 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 during the public review period for the Draft EIR or at, or prior to, the public hearing.

Documents related to these items may be inspected by the public on weekdays between the hours of 7:30 a.m. and 5:30 p.m. Monday through Thursday and 8:00 a.m. to 5:00 p.m. on Friday, with alternate Fridays closed, at the Community Development Department, 701 Laurel Street, Menlo Park.

Please call Deanna Chow, Principal Planner, if there are any questions or comments on this item, at 650-330-6733 or by e-mail at connectmenlo@menlopark.org. Up-to-date information on the project can be found on the project webpage: www.menlopark.org/connectmenlo. To receive future email bulletins on the project, please subscribe to the project page.

Si usted necesita más información sobre este proyecto, por favor llame al 650-330-6702, y pregunte por un asistente que hable español.

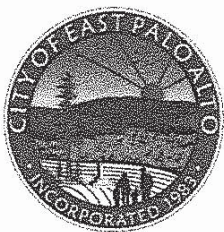
DATED: May 26, 2016
PUBLISHED: June 1, 2016

Deanna Chow, Principal Planner

If there are any questions, please call the Planning Division at (650) 330-6702.



City of Meriden - DEIR
Connecticut Memo P 1a
June 1, 2015



City of East Palo Alto

Office of the City Manager

July 20, 2015

Deanna Chow, Senior Planner
 City of Menlo Park
 Community Development Department,
 Planning Division
 701 Laurel Street
 Menlo Park, CA 94025
dmchow@menlopark.org
connectmenlo@menlopark.org
 Phone: (650) 330-6733
 Fax: (650) 327-1653

Kyle Perata, Associate Planner
 City of Menlo Park
 Community Development Department,
 Planning Division
 701 Laurel Street
 Menlo Park, CA 94025
ktperata@menlopark.org
 Phone: (650) 330-6721
 Fax: (650) 327-1653

RE: Notice of Preparation of the Environmental Impact Report for the (1) Facebook Campus Expansion Project, and (2) Menlo Park General Plan and M-2 Area Zoning Update

Dear Mr. Perata and Ms. Chow:

Thank you for the opportunity to review and comment on the NOP for the Facebook Campus Expansion Project and the Menlo Park General Plan and M-2 Area Zoning Update ("General Plan Update"). The City of East Palo Alto appreciates its working relationship with the City of Menlo Park regarding this and other projects that impact both cities.

The City of East Palo Alto has reviewed the Notice of Preparation for the Facebook Campus Expansion Project and the General Plan update. The City has combined its responses because they both focus on the same area, and the impacts are related.

Comments for Both the General Plan Update and the Facebook Campus Expansion Project

Traffic

First, East Palo Alto is a city that is severely impacted by regional cut through traffic. The Ravenswood/4 Corners TOD Specific Plan Alternatives Analysis Memo identified 84% of the traffic on University Avenue as "cut through traffic" that neither originates nor ends in East Palo Alto. The type and intensity of development envisioned in both the Facebook Expansion Project and the General Plan Update (collectively, the "Projects") is likely to attract employees from both the East Bay and cities along the U.S. Highway 101 corridor. To adequately analyze the potential impact of the Facebook Campus Expansion Project and the development envisioned in the General Plan Update, please add the following intersections to the Transportation Impact Analysis (TIA):

1. University Avenue and State Highway 84/Bayfront Expressway
2. University Avenue and Adams Drive
3. University Avenue and O'Brien Drive
4. University Avenue and Kavanaugh Drive
5. University Avenue and Purdue Avenue
6. University Avenue and Bay Road
7. Newbridge Street and Willow Road
8. University Avenue and Runnymede Street
9. University Avenue and Bell Street
10. East Bayshore Road and Holland Street
11. Saratoga Avenue and Newbridge Street
12. University Avenue and Donohoe Street
13. University Avenue/Hwy 101 NB on-off ramp.
14. University Avenue/Hwy 101 SB on-off ramp.
15. University Avenue and Woodland Avenue.

Additionally, the original Facebook Campus Project in 2011 relied on an innovative Transportation Demand Management (TDM) policy to manage trips. Both the Project and the General Plan Update should include a detailed summary on the efficacy of the TDMs used for the 2011 Facebook Campus Project.

Office Space Density (Square Foot Per Employee)

Second, social media companies typically have office space densities twice those of standard office uses. Such companies are often extremely efficient in their use of office space, having office space densities of approximately 150 square feet of office space for each employee, whereas normal office activities assume twice as much density (300 square feet per employee). Given the prominence of Facebook and Facebook's purchase of the ProLogis, Inc.'s 21-building Menlo Science & Technology Park, adding to its 200-acre Bay Area portfolio, traffic studies should reflect the higher densities of 150 square feet per employee associated with social media firms.

Housing Affordability and Availability

Third, the City of East Palo Alto has significant concerns about the "growth-inducing impacts"¹ of the Projects, and in particular, how development under both projects will impact housing affordability and availability in East Palo Alto. Notably, this is a concern that Menlo Park shares for its own residents. See NOP for General Plan, dated June 18, 2015 ("housing that complements local job opportunities with affordability that limits displacement of current residents").

Menlo Park has an exceptionally high jobs-housing ratio and exceptionally high housing prices. Menlo Park's jobs/housing ratio is 1.96, Palo Alto's is 3.13, and the City of East Palo Alto is 0.38. See Table 1 below. This jobs-housing imbalance, which would be exacerbated by development levels proposed under both Projects, could mean (1) a significant increase in

¹ CEQA Guidelines § 15126(d) (EIR must analyze growth-inducing impacts).

housing demand (indirect impact), and (2) an accompanying increase in new housing construction (direct physical impact) to accommodate that new demand caused by an increase in the number of new employees arising from the greater density proposed under both Projects. The City of East Palo Alto is deeply concerned about these spillover impacts and how they could affect its residents given the City's proximity to the Projects' area.

Table 1: Jobs Housing Ratio

	Jobs to Housing Ratio
Menlo Park	1.96
East Palo Alto	0.38
Palo Alto	3.13

Source: Lauren Hepler, Silicon Valley Business Journal, February 28, 2014; March 3, 2014.

The high jobs-housing ratio indicates that the City of Menlo Park needs to build a substantial amount of new housing units already to provide sufficient housing for employees who work in Menlo Park. The Facebook Campus Expansion Project and the General Plan Update will further and severely exacerbate the existing housing crisis, which is caused by cities not developing sufficient housing concomitant with the approval of development projects that increase the demand for such housing.

The City of East Palo Alto provides a significant amount of the housing stock in Silicon Valley. East Palo Alto has more housing units than jobs, the lowest market rate prices in the region, and approximately 30% (or 2,405 of 7,759 units) of the total housing units are currently non-exempt-registered in the Rent Stabilization Program. East Palo Alto is an island of affordable housing surrounded by several of the most expensive housing markets in the nation. The City is concerned that the new development proposed under both Projects might exacerbate the existing housing crisis in East Palo Alto by displacing current residents and/or causing the City to have to provide additional units without sufficient resources to adequately address the need.

Please provide an analysis of how both the Facebook Campus Expansion Project and the General Plan Update will impact the jobs-housing ratio in Menlo Park, and analyze or provide information on the impact on housing prices and the potential displacement of East Palo Alto residents. The following information should be provided and analyzed.

- The net number of new market rate and affordable units permitted and constructed in the last 10 years in Menlo Park, and since the original Facebook Campus received its Certificate of Occupancy.
- The current jobs-housing ratio and the projected future jobs-housing ratio for both the Facebook Campus Expansion Project and for the General Plan Update.
- An analysis of the impact the Facebook Campus Expansion Project and the General Plan Update will have on housing prices and potentially displacement of the City of East Palo Alto residents.
- An analysis of where it is anticipated that the new employees will live, based on ZIP code level data from the existing Facebook campus.

Other

Fourth, clarify the relationship between the Facebook Campus Expansion Project and the General Plan Update. Is the proposed hotel being analyzed in both? Are the net trips from the Facebook Campus Expansion Project included in the traffic model for the General Plan Update?

Finally, please include the following individuals in all notices related to this project and the General Plan Update:

1. Sean Charpentier, Assistant City Manager, City of East Palo Alto, 1960 Tate Street, East Palo Alto, CA 94303; scharpentier@cityofepa.org.
2. Brent Butler, Planning Manager, East Palo Alto Planning Division, 1960 Tate Street, East Palo Alto, CA 94303; bbutler@cityofepa.org.

Comments Specific to the Facebook Expansion Project EIR

First, the impact analysis should analyze the significant increase of employees on the site. The project description identifies the two new buildings totaling 967,000 square feet for a net increase of approximately 127,000 square feet. There are 1,690 existing parking spaces and the project will add 3,800 parking spaces, which would be a net increase of 2,110 parking spaces.

As noted above, the new uses have a much higher employee density, and the traffic impact analysis should reflect the higher intensity of use. These traffic numbers should also be included in the General Plan Program EIR analysis to get a complete understanding of the traffic numbers.

The impacts should be analyzed on the net impact of replacing what are largely low density industrial buildings with buildings with social media employees at 150 square feet per employee.

Second, the Facebook Expansion Project will bring a substantial number of new employees and visitors, including the 200 room hotel, to an area prone to flooding; thus, substantially increasing the demand for life safety services. Please explain how Facebook is planning to improve existing levees and flood protection systems to mitigate the potential threat of flooding due to tidal flooding, including the effects of Sea Level Rise.

Comments Specific to the General Plan Update

First, based on the Draft M-2 Area Maximum Potential Development map, it appears that the proposal is to maintain the lower density industrial uses on the south side of O'Brien Drive. There is a single family residential neighborhood along Kavanaugh Drive. The City supports maintaining the existing lower density uses along the southern side of O'Brien Drive so as to provide a transition from the higher density uses to the lower density neighborhoods.

Second, the City supports the strong emphasis on separated bike paths and trails. Please explore options to connect the terminus of Ralmar Avenue to the proposed bike path along O'Brien Avenue. This would provide a trail/bike connection between Cesar Chavez Academy and Costaña School on the east side of University Avenue. With a trail connection between Ralmar

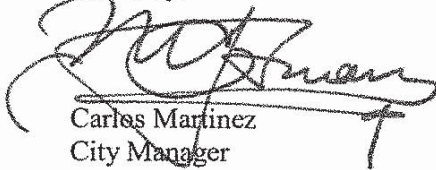
Avenue and O'Brien Drive, and the build out of the trails envisioned in the RBD/4 Corners TOD Specific Plan, students from Cesar Chavez Academy would be able to access Cooley Landing entirely via path and trail.

Third, the General Plan Update shows a series of potential transit stops. The General Plan Update EIR should analyze the option of having a multimodal rail/bus rapid transit station/center at University Avenue.

Thank you for the opportunity to comment on the Notice of Preparations for the Facebook Campus Expansion and the Menlo Park General Plan and M-2 Area Zoning Update. The City of East Palo Alto looks forward to continuing our collaborative relationship with the City of Menlo Park.

For more information or questions regarding this letter, please contact Sean Charpentier, Assistant City Manager, at (650) 853-3150.

Sincerely,


Carlos Martinez
City Manager

7/20/15



PLANNING & COMMUNITY ENVIRONMENT

CITY OF PALO ALTO 250 Hamilton Avenue, 5th Floor Palo Alto, CA 94301 650.329.2441

July 6, 2016

Ms. Deanna Chow Principal Planner Planning Division City of Menlo Park 701 Laurel Street Menlo Park CA 94025

RE: City of Palo Alto Comment Letter for Draft Environmental Impact Report on the ConnectMenlo: General Plan Land Use & Circulation Elements and M-2 Area Zoning update (Clearing House No. 2015062054)

Dear Ms. Chow,

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report (DEIR) for the ConnectMenlo: General Plan Land Use & Circulation Elements and M-2 Area Zoning update (Clearing House No. 2015062054) Project (Project). Recognizing our many shared interests, the City of Palo Alto offers the following comments on the DEIR.

A04-1

1. Population and Housing.

- i. Overall, the Palo Alto Planning & Transportation Commission was complementary of the City of Menlo Park for proposing housing in excess of ABAG's projections and seeking to address the region's housing crisis. Any such forward-looking plan must adequately address the infrastructure and programmatic requirements that would follow from the additional housing.
ii. Significant Cumulative Impact. (pg. 4.11-16-20). Implementation of the project would result in an increase of 5, 500 new residential units and the plan also notes that there will be more employees than residents by 2040 with implementation of the project. Without a sustainable TDM program, the impact on both residents and employees could be significant.
iii. The Draft EIR projects a substantial daytime population (i.e. employment) in addition to an increase in resident population in the City of Menlo Park in the year 2040. However, the impacts of the daytime population change are not addressed specifically in the DEIR. Please discuss potential impacts on public safety, utilities and other relevant topics.

A04-2

A04-3

A04-4



CityOfPaloAlto.org

2. *Transportation and Circulation.* Review of this section raised the following concerns.

i. The intersection of Sand Hill Road/El Camino Real/Palo Alto Avenue is located within the City of Palo Alto, just over its border with Menlo Park, and compromises the intersection of two major and minor arterial roads. Please evaluate potential impacts on this intersection in the EIR.

A04-5

ii. Figure 4.13-7 shows intersection #57, Woodland Avenue and University operating at LOS E in the a.m. and p.m. peak hour. Observations of this intersection during peak periods suggest differently, and additional data should be collected. Vehicle queues on University Avenue in the eastbound direction approaching the intersection extend well into Palo Alto and occasionally to Downtown Palo Alto, with demand exceeding the capacity of the intersection. Capacity of this intersection is constrained by signal operations that do not optimize throughput demand approaches. While these factors are unique to this intersection, they should be included, along with any unique characteristics affecting capacity, in all transportation evaluation conditions. The estimated level of service is not representative of actual conditions, and the proposed project may result in a significant impact oot this intersection if baseline conditions were more accurately represented.

A04-6

iii. In the 2040 Plus Project and 2040 No Project conditions, LOS in the AM/ PM peak hour at Woodland Avenue and University Avenue improves the current existing condition without increases in capacity at the intersection. Please include discussion on the methodology and rationale for this change. The City of Palo Alto believes the model may be reassigning trips to other roadway segments due to the operation of the intersection, which is unlikely to occur as University Avenue is a significant regional segment which provides direct access to destinations which are less accessible from other roadway segments.

A04-7

iv. The existing bicycle network shown in Figure 3.3-2 is incomplete and is missing a number of class 1, 2, and 3 segments in Palo Alto that directly connect to the City of Menlo Park's bike network. For example, the connection between Bryant Street and Willow Road. These connections are critical to a system suitable for local residents to use to commute to work and shop by bicycle. Please refer to the latest version of VTA's *Clara Valley Bikeways Map* for bike network information in Palo Alto.

A04-8

v. Transit.

a. The EIR notes that the project would generate a substantial increase in transit riders. It also notes that Menlo Park will update the existing program to guarantee funding for operation of a City-sponsored service that is necessary for

A04-9

future projects. This raises the question of how this issue will be dealt with regionally in terms of available transit seats and local responsibility. The EIR concludes that the impact on transit riders would remain significant unavoidable because the City cannot guarantee capacity improvements at this time. However, based on the size of the increase in households and employees, additional mitigation may be possible by working with other transit providers and taking a coordinated approach as mitigation.

A04-9
(cont.)

- b. While the DEIR addresses Caltrain in the Existing Transit Facilities section (pg. 4.13-15) there is not further discussion of the impacts of the project on Caltrain service or how the projected growth in transit ridership could affect service to the rest of the region, including the need for additional capacity, the location of stops and scheduling. There is also mention of the 2015 Draft of the Land Element of support for high-speed rail. The impact of the project on planned high-speed rail facilities and services should be addressed.

A04-10

3. *Utility and Service Systems.*

- i. UTIL-13. The energy consumption analysis includes analysis of a variety of programs to reduce energy consumption and included a discussion about how infill development focuses activity in areas of existing infrastructure and services, as well as reducing energy expended by transportation (pg. 4.14-76-81). It is also noted that PG&E continues to expand its renewable energy portfolio. However, in addition to reducing consumption, requirements for new commercial development to include solar panels or other means of supplementing energy sources should be considered as part of mitigation to insure that reduce the impact of the project on energy resources remains less than significant.

A04-11

Thank you again for giving Palo Alto the opportunity to comment on the DEIR for ConnectMenlo. If you have any questions regarding our comments please do not hesitate to contact me or Meg Monroe at Margaret.Monroe@cityofpaloalto.org.

Sincerely,



Hillary Gitelman
Director of Planning and Community Environment

CC Palo Alto Planning and Transportation Commission
James Keene, City Manager
Jonathan Lait, Assistant Director of Planning and Community Environment
Meg Monroe/File

July 11, 2016

To: Menlo Park City Council and Planning Commission
From: Housing Commission
Re: Facebook Expansion Comments

Dear Mayor Kline, Mayor Pro Tem Keith, the City Council of the City of Menlo Park, Chair Strehl, Vice Chair Combs and the Planning Commissioners of the City of Menlo Park

The Housing Commission appreciates that Facebook has been a leader partnering with housing developers to ensure affordable units are being built as opposed to having in lieu fees sit in the BMR fund.

Working closely with developers to fund actual projects has benefits, but it also presents unique challenges.

Such partnerships often favor developers with established ties, and traditional finance structures rather than encouraging innovative new models of affordable housing. Established partnerships also mean that higher-risk, higher-reward projects may be delayed due to faster, less controversial developments. For example, if in lieu fees were given, the City would be better positioned to purchase land along the El Camino corridor and build affordable housing downtown. Building affordable housing along the corridor may be a more complex project to manage, but it would promote more equitable placement of affordable housing throughout the City and provide huge environmental advantages.

June 29, 2016 was a Special Housing Commission Meeting to hear the details of the Facebook Expansion Project, the Draft EIR, Displacement Analysis and to make a recommendation to the Planning Commission and Council on the Below Market Term Sheet for Facebook Expansion Project at 301-309 Constitution Drive. One of the longer serving Commissioners noted that this meeting, with 26 residents, was the most well attended meeting in her tenure. Housing is vitally important to Menlo Park residents.

Although it's understood the housing crisis we're facing is regional, the Facebook Expansion project has the potential to make an impact on the housing jobs imbalance with innovative projects within the City.

The projections in the current Displacement Analysis demand for 10 units in Belle Haven doesn't accurately reflect the direct and indirect impacts of 6,500 additional employees on the single-family housing stock. Clearly, the study would have distinctly different results if the General Plan had been factored in.

A05-1

The Housing Commission makes the following recommendations:

- The Displacement Analysis be conducted using projected data
- Facebook expansion taxes, use city portion of tax revenue towards affordable housing appropriately placed throughout the City
- Approval of the 15 day extension for Both the Facebook EIR and the General Plan EIR requested by many Menlo Park residents and also by our neighbor the City of East Palo Alto

**A05-1
(cont.)**

Thank you so much for your time and attention. It is vital that Menlo Park have more housing, housing that is affordable to many and appropriately placed throughout the City of Menlo Park.

Sincerely,

Michele Tate
Chair, Housing Commission



San Francisco
Water Power Sewer
Operator of the Hetch Hetchy Regional Water System

525 Golden Gate Avenue, 13th Floor
San Francisco, CA 94102
T 415.554.3155
F 415.554.3161
TTY 415.554.3488

July 15, 2016

Ms. Deanna Chow, Principal Planner
Community Development Department
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Sent via email to: connectmenlo@menlopark.org

Re: "ConnectMenlo: General Plan Land Use and Circulation
Elements and M-2 Area Zoning Update" and related Draft
Environmental Impact Report (DEIR)

Dear Ms. Chow:

Thank you for the notice of availability and for this opportunity to comment on the "ConnectMenlo: General Plan Land Use and Circulation Elements and M-2 Area Zoning Update" (ConnectMenlo) and the related Draft Environmental Impact Report (DEIR). On behalf of the San Francisco Public Utilities Commission (SFPUC), we provide the following general comments below and specific comments in the attached table.

Background

The San Francisco Public Utilities Commission (SFPUC) manages 63,000 acres of watershed land and 210 miles of pipeline right-of-way (ROW) in three Bay Area counties that are part of the Hetch Hetchy Regional Water System providing water to approximately 2.6 million people. The SFPUC monitors and protects its lands by reviewing proposed projects and activities (that may affect SFPUC lands and infrastructure) for consistency with SFPUC policies and plans.

The City and County of San Francisco (San Francisco), through the SFPUC, owns approximately 25 acres of real property **in fee** in Menlo Park (San Francisco Property) which crosses as a 60-foot wide ROW on the west side of Menlo Park and as an 80-foot wide ROW on the east side of Menlo Park. Of those 25 acres, approximately 8 acres of San Francisco Property are located within the Bayfront Area of Menlo Park that is currently zoned as M-2 General Industrial. The San Francisco Property could potentially be impacted by future

- Edwin M. Lee
Mayor
- Francesca Vietor
President
- Anson Moran
Vice President
- Ann Moller Caen
Commissioner
- Vince Courtney
Commissioner
- Ike Kwon
Commissioner
- Harlan L. Kelly, Jr.
General Manager

A06-1



July 15, 2016

Page 2

ConnectMenlo Update and Draft Environmental Impact Report (DEIR)

projects identified in the ConnectMenlo update. The San Francisco Property's primary purpose is to serve as a utility corridor which is improved by three large subsurface water transmission lines and other appurtenances, linking the Hetch Hetchy and local reservoirs to the Bay Area via the Hetch Hetchy Regional Water System.

A06-1
(cont.)**ConnectMenlo Comments**

The SFPUC has policies that limit third-party uses and improvements on San Francisco Property. Please see the attached Interim Water Pipeline ROW Use Policy and Integrated Vegetation Management Policy for more information about restrictions on the ROW. The SFPUC would like to underscore that the San Francisco Property may not be used to fulfill "...another jurisdiction's open space, setback, parking, or third-party development requirements..." This prohibition also includes emergency vehicle access requirements. In addition, any proposed use or improvement on the SFPUC ROW must: 1.) comply with current SFPUC policies; 2.) be vetted through the SFPUC's Project Review process (see below for more information); and 3.) be formally authorized by the SFPUC.

To the west of Willow Road, along the SFPUC ROW between Willow Road and O'Brien Drive, there is a section designating a new connection called a "paseo." Per the General Plan, a paseo is a linear park designed to be a pedestrian and bike path for "safe and convenient multi-modal activity" which Menlo Park intends to acquire through "access easements." It should be noted that the designated area is currently leased and licensed out to several of the surrounding businesses for parking, landscaping and storage. Also, the SFPUC would not sell easements for park purposes, and an "access" agreement would not suffice. Menlo Park would have to seek a revocable license for the entire area it intends to convert to a paseo, approval for which is at the SFPUC's sole discretion. In addition, the SFPUC would only permit a bike path if it is operated as part of a multi-jurisdictional trail or plan.

A06-2

In addition to the paseo, it appears that there is also a new connection proposed for a public street to the west of Willow Road along the SFPUC ROW between Willow Road and O'Brien Drive. This public street appears to encroach into the SFPUC ROW. It should be noted that the designated area is also owned in-fee by the SFPUC and is currently leased to the surrounding businesses for parking and landscaping. The SFPUC specifically disallows the use of our ROW as part of a transit-oriented development plan, dedicated rapid transit lane, or transit corridor. Thus, this proposed use is unlikely to be approved by the SFPUC.

DEIR Comments

Please see the attached table for specific SFPUC comments about the DEIR.

A06-3

July 15, 2016

ConnectMenlo Update and Draft Environmental Impact Report (DEIR)

Page 3

SFPUC Project Review Process

Proposed projects and other activities on any San Francisco Property must undergo the Project Review Process if the project will include: construction; digging or earth moving; clearing; installation; the use of hazardous materials; other disturbance to watershed and ROW resources; or the issuance of new or revised leases, licenses and permits. This review is done by the SFPUC's Project Review Committee (Committee).

The Project Review Committee is a multidisciplinary team with expertise in natural resources management, environmental regulatory compliance, engineering, water quality and real estate. Projects and activities are reviewed by the Committee for:

1. Conformity with the Alameda and Peninsula Watershed Management Plans;
2. Consistency with our Environmental Stewardship Policy, Real Estate Guidelines, Interim ROW Use Policy and other policies and best management practices; and
3. Compliance with the California Environmental Quality Act (CEQA) and environmental regulations including mitigation, monitoring and reporting plans.

In reviewing a proposed project, the Project Review Committee may conclude that modifications or avoidance and minimization measures are necessary. Large and/or complex projects may require several project review sessions to review the project at significant planning and design stages.

Please notify all property owners and/or developers that, to the extent their proposals will involve the development or use of the San Francisco Property, such proposals are first subject to the SFPUC's Project Review Process. The proposal must first be vetted in Project Review, and then the project sponsor must receive authorization from the SFPUC pursuant to a final executed lease or revocable license before they can use or make any changes to the SFPUC ROW. To initiate the Project Review process, a project sponsor must download and fill out a Project Review application at <http://www.sfwater.org/ProjectReview> and return the completed application to Jonathan S. Mendoza at jsmendoza@sfwater.org.

If you have any questions or need further information, please contact Jonathan S. Mendoza, Land and Resources Planner, in the SFPUC's Natural Resources and Lands Management Division at jsmendoza@sfwater.org.

Sincerely,



Tim Ramirez, Division Manager
Natural Resources and Lands Management

**A06-3
(cont.)**

- Attachments: 1.) Table 1. Connect Menlo Draft Environmental Impact Report (DEIR) - SFPUC Comments
2.) SFPUC Interim Water Pipeline ROW Use Policy
3.) ROW Integrated Vegetation Management Policy

C: *SFPUC / Natural Resources and Lands Management Division (NRLMD):*

Tim Ramirez, Division Manager
Ellen Natesan, Planning and Regulatory Compliance Manager
Joe Naras, Peninsula Watershed Manager
Jane Herman, ROW Manager
Joanne Wilson, Senior Land and Resources Planner
Jonathan Mendoza, Land and Resources Planner

SFPUC / Real Estate Services (RES):

Rosanna Russell, Real Estate Director
Dina Brasil, Principal Administrative Analyst
Christopher Wong, Principal Administrative Analyst
Janice Levy, Administrative Analyst

SFPUC / Water Supply and Treatment Division (WSTD):

Chris Nelson, Division Manager
Jonathan Chow, Principal Engineer
Stacie Feng, Associate Engineer
Tracy Leung, Associate Engineer

SFPUC / Bureau of Environmental Management (BEM)

Irina Torrey, Bureau Manager
Sally Morgan, Environmental Planner

¹ SFPUC Real Estate Guidelines, Section 2 – Land Use.

Table 1. ConnectMenlo Draft Environmental Impact Report (DEIR) - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
1	39	2.6 Significant Impacts and Mitigation Measures	Mitigation Measure LU-2	Table 2-1 Summary of Impacts and Mitigation Measures	This mitigation measure should include conformance with local, non-Menlo Park policies when applicable (such as the SFPUC's policies for projects proposed on San Francisco Property).
2	61	3.3.2 Local Setting - 3.3.2.3 Bayfront Area	N/A	N/A	This section should include a description of the SFPUC's right of way (ROW) as part of the existing land uses and development.
3	362-365	4.9 Land Use and Planning - 4.9.1.1 Regulatory Framework - Regional Regulations	N/A	N/A	The SFPUC owns in-free parcels within the Bayfront Area of Menlo Park. These parcels are governed by SFPUC policies and the ConnectMenlo Plan has identified the SFPUC ROW as a potential paseo and connector street. Therefore, the SFPUC policies are relevant to the local regulatory framework and should be listed and discussed in the EIR. This section should include a discussion of proposals with relation to and conformance to the SFPUC's "Interim Water Pipeline ROW Use Policy" and "Integrated Vegetation Management Policy.
4	369	4.9 Land Use and Planning - 4.9.1.2 Existing Conditions	N/A	N/A	This section should include a description of the SFPUC's right of way (ROW) as part of the existing land uses and development.

A06-4

A06-5

A06-6

A06-7

Table 1. ConnectMenlo Draft Environmental Impact Report (DEIR) - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
5	374-383	4.9.3 Impact Discussion	LU-2 Implementation of the proposed project would not conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.	N/A	The SFPUC owns in-fee parcels within the Bayfront Area of Menlo Park. These parcels are governed by SFPUC policies and the ConnectMenlo Plan has identified the SFPUC ROW as a potential paseo and connector street. Therefore, the SFPUC policies are relevant to the local regulatory framework and should be listed and discussed in the EIR. This section should include a discussion of proposals with relation to and conformance to the SFPUC's "Interim Water Pipeline ROW Use Policy" and "Integrated Vegetation Management Policy."
6	384-385	4.9.4 Cumulative Impacts	LU-4 Implementation of the proposed project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to land use and planning.	N/A	The SFPUC owns in-fee parcels within the Bayfront Area of Menlo Park. These parcels are governed by SFPUC policies and the ConnectMenlo Plan has identified the SFPUC ROW as a potential paseo and connector street. Therefore, the SFPUC policies are relevant to the local regulatory framework and should be listed and discussed in the EIR. This section should include a discussion of proposals with relation to and conformance to the SFPUC's "Interim Water Pipeline ROW Use Policy" and "Integrated Vegetation Management Policy."

A06-8

A06-9

Table 1. ConnectMenlo Draft Environmental Impact Report (DEIR) - SFPUC Comments

Comment Number	PDF Document Page Number	Section Number and Title	Beginning Text of Paragraph	Table or Figure Number	Comment
7	599	4.14.11 Utilities and Service Systems - Environmental Setting - Regulatory Framework - Existing Conditions	The major water supply source for both the MPMWD and the Cal Water BGD is the San Francisco Regional Water System (RWS), operated by the SFPUC, under the 2009...	N/A	Change text to "The major water supply source for both the MPMWD and the Cal Water BGD is the San Francisco <i>Hetch Hetchy</i> Regional Water System (RWS), operated by the SFPUC, under the 2009..."

A06-10



Hetch Hetchy Regional Water System

Services of the San Francisco Public Utilities Commission

SFPUC Interim Water Pipeline Right of Way Use Policy for San Mateo, Santa Clara, and Alameda Counties

Approved January 13, 2015

by

SFPUC Resolution No. 15-0014

as an amendment to the SFPUC Real Estate Guidelines

SFPUC Water Pipeline Right of Way Use Policy for San Mateo, Santa Clara, and Alameda Counties

As part of its utility system, the San Francisco Public Utilities Commission (SFPUC) operates and maintains hundreds of miles of water pipelines. The SFPUC provides for public use on its water pipeline property or right of way (ROW) throughout Alameda, Santa Clara, and San Mateo counties consistent with our existing plans and policies. The following controls will help inform how and in which instances the ROW can serve the needs of third parties—including public agencies, private parties, nonprofit organizations, and developers—seeking to provide recreational and other use opportunities to local communities.

Primarily, SFPUC land is used to deliver high quality, efficient and reliable water, power, and sewer services in a manner that is inclusive of environmental and community interests, and that sustains the resources entrusted to our care. The SFPUC's utmost priority is maintaining the safety and security of the pipelines that run underneath the ROW.

Through our formal Project Review and Land Use Application and Project Review process, we may permit a secondary use on the ROW if it benefits the SFPUC, is consistent with our mission and policies, and does not in any way interfere with, endanger, or damage the SFPUC's current or future operations, security or facilities.¹ No secondary use of SFPUC land is permitted without the SFPUC's consent.

These controls rely on and reference several existing SFPUC policies, which should be read when noted in the document. Being mindful of these policies while planning a proposed use and submitting an application will ease the process for both the applicant and the SFPUC. These controls are subject to change over time and additional requirements and restrictions may apply depending on the project.

The SFPUC typically issues five-year revocable licenses for use of our property, with a form of rent and insurance required upon signing.²

Note: The project proponent is referred to as the "Applicant" until the license agreement is signed, at which point the project proponent is referred to as the "Licensee."

¹ SFPUC Guidelines for the Real Estate Services Division, Section 2.0.

² SFPUC Guidelines for the Real Estate Services Division, Section 3.3.

I. *Land Use, Structures, and Compliance with Law*

The following tenets govern the specifics of land use, structures, and accessibility for a project. Each proposal will still be subject to SFPUC approval on a case-by-case basis.

- A. SFPUC Policies. The Applicant's proposed use must conform to policies approved by the SFPUC's Commission, such as the SFPUC's Land Use Framework (<http://sfwater.org/index.aspx?page=586>).
- B. Americans with Disabilities Act Compliance. The Applicant must demonstrate that a Certified Access Specialist (CASp) has reviewed and approved its design and plans to confirm that they meet all applicable accessibility requirements.
- C. Environmental Regulations. The SFPUC's issuance of a revocable license for use of the ROW is subject to compliance with the California Environmental Quality Act (CEQA). The Applicant is responsible for assessing the potential environmental impacts under CEQA of its proposed use of the ROW. The SFPUC must be named as a Responsible Agency on any CEQA document prepared for the License Area. In addition, the Applicant shall provide to SFPUC a copy of the approved CEQA document prepared by the Applicant, the certification date, and documentation of the formal approval and adoption of CEQA findings by the CEQA lead agency. The SFPUC will not issue a license for the use of the ROW until CEQA review and approval is complete.
- D. Crossover and Other Reserved Rights. For a ROW parcel that bisects a third party's land, the Applicant's proposed use must not inhibit that party's ability to cross the ROW. The Applicant must demonstrate any adjoining owner with crossover or other reserved rights approves of the proposed recreational use and that the use does not impinge on any reserved rights.
- E. Width. The License Area must span the entire width of the ROW.
 - *For example, the SFPUC will not allow a 10-foot wide trail license on a ROW parcel that is 60 feet wide.*
- F. Structures. Structures on the ROW are generally prohibited. The Licensee shall not construct or place any structure or improvement in, on, under or about the entire License Area that requires excavation, bored footings or concrete pads that are greater than six inches deep.
 - i. Structures such as benches and picnic tables that require shallow (four to six inches deep) cement pads or footings are generally permitted on the ROW. No such structure may be placed directly on top of a pipeline or within 20 feet of the edge of a pipeline.
 - ii. The SFPUC will determine the permitted weight of structures on a case-by-case basis.

- *When the SFPUC performs maintenance on its pipelines, structures of significant weight and/or those that require footings deeper than six inches are very difficult and time-consuming to move and can pose a safety hazard to the pipelines. The longer it takes the SFPUC to reach the pipeline in an emergency, the more damage that can occur.*

- G. Paving Materials. Permitted trails or walkways should be paved with materials that both reduce erosion and stormwater runoff (e.g., permeable pavers).
- H. License Area Boundary Marking. The License Area's boundaries should be clearly marked by landscaping or fencing, with the aim to prevent encroachments.
- I. Fences and Gates. Any fence along the ROW boundary must be of chain-link or wooden construction with viewing access to the ROW. The fence must include a gate that allows SFPUC access to the ROW.³ Any gate must be of chain-link construction and at least 12 feet wide with a minimum 6-foot vertical clearance.

II. ***Types of Recreational Use***

Based on our past experience and research, the SFPUC will allow simple parks without play structures, community gardens and limited trails.

- A. Fulfilling an Open Space Requirement. An applicant may not use the ROW to fulfill a development's open space, setback, emergency access or other requirements.⁴ In cases where a public agency has received consideration for use of SFPUC land from a third party, such as a developer, the SFPUC may allow such recreational use if the public agency applicant pays full Fair Market Rent.
- B. Trail Segments. At this time, the SFPUC will consider trail proposals when a multi-jurisdictional entity presents a plan to incorporate specific ROW parcels into a fully connected trail. Licensed trail segments next to unlicensed parcels may create a trail corridor that poses liability to the SFPUC. The SFPUC will only consider trail proposals where the trail would not continue onto, or encourage entry onto, another ROW parcel without a trail and the trail otherwise meet all SFPUC license requirements.

III. ***Utilities***

- A. Costs. The Licensee is responsible for all costs associated with use of utilities on the License Area.

³ SFPUC Right of Way Requirements.

⁴ SFPUC Guidelines for the Real Estate Services Division, Section 2.0.

- B. **Placement.** No utilities may be installed on the ROW running parallel to the SFPUC's pipelines, above or below grade.⁵ With SFPUC approval, utilities may run perpendicular to the pipelines.
- C. **Lights.** The Licensee shall not install any light fixtures on the ROW that require electrical conduits running parallel to the pipelines. With SFPUC approval, conduits may run perpendicular to and/or across the pipelines.
- Any lighting shall have shielding to prevent spill over onto adjacent properties.
- D. **Electricity.** Licensees shall purchase all electricity from the SFPUC at the SFPUC's prevailing rates for comparable types of electrical load, so long as such electricity is reasonably available for the Licensee's needs.

IV. Vegetation

- A. The Applicant shall refer to the SFPUC Integrated Vegetation Management Policy for the *minimum* requirements concerning types of vegetation and planting. (<http://www.sfwater.org/index.aspx?page=431>.) The Licensee is responsible for all vegetation maintenance and removal.
- B. The Applicant shall submit a Planting Plan as part of its application.

(Community garden applicants should refer to Section VII.C for separate instructions.)

- i. The Planting Plan should include a layout of vegetation placement (grouped by hydrozone) and sources of irrigation, as well as a list of intended types of vegetation. The SFPUC will provide an area drawing including pipelines and facilities upon request.
- ii. The Applicant shall also identify the nursery(ies) supplying plant stock and provide evidence that each nursery supplier uses techniques to reduce the risk of plant pathogens, such as *Phytophthora ramorum*.

V. Measures to Promote Water Efficiency⁶

- A. The Licensee shall maintain landscaping to ensure water use efficiency.
- B. The Licensee shall choose and arrange plants in a manner best suited to the site's climate, soil, sun exposure, wildfire susceptibility and other factors. Plants with similar water needs must be grouped within an area controlled by a single irrigation valve

⁵ SFPUC Land Engineering Requirements.

⁶ SFPUC Rules and Regulations Governing Water Service to Customers, Section F.

- C. Turf is not allowed on slopes greater than 25 percent.
- D. The SFPUC encourages the use of local native plant species in order to reduce water use and promote wildlife habitat.
- E. Recycled Water. Irrigation systems shall use recycled water if recycled water meeting all public health codes and standards is available and will be available for the foreseeable future.
- F. Irrigation Water Runoff Prevention. For landscaped areas of any size, water runoff leaving the landscaped area due to low head drainage, overspray, broken irrigation hardware, or other similar conditions where water flows onto adjacent property, walks, roadways, parking lots, structures, or non-irrigated areas, is prohibited.

VI. Other Requirements

- A. Financial Stability. The SFPUC requires municipalities or other established organizations with a stable fiscal history as Licensees.
 - i. Applicants must also demonstrate sufficient financial backing to pay rent, maintain the License Area, and fulfill other license obligations over the license term.
- B. Smaller, community-based organizations without 501(c)(3) classifications must partner with a 501(c)(3) classified organization or any other entity through which it can secure funding for the License Area over the license term. Maintenance. The Licensee must maintain the License Area in a clean and slightly condition at its sole cost.⁷ Maintenance includes, but is not limited to, regular weed abatement, mowing, and removing graffiti, dumping, and trash.
- C. Mitigation and Restoration. The Licensee will be responsible, at its sole cost, for removing and replacing any recreational improvements in order to accommodate planned or emergency maintenance, repairs, replacements, or projects done by or on behalf of the SFPUC. If the Licensee refuses to remove its improvements, SFPUC will remove the improvements at the Licensee's sole expense without any obligation to replace them.
- D. Encroachments. The Licensee will be solely responsible for removing any encroachments on the License Area. An encroachment is any improvement on SFPUC property not approved by the SFPUC. Please read the SFPUC ROW Encroachment Policy for specific requirements. If the Licensee fails to remove encroachments, the SFPUC will remove them at Licensee's sole expense. The Licensee must regularly patrol the License Area to spot encroachments and remove them at an early stage.

⁷ SFPUC Framework for Land Management and Use.

- E. Point of Contact. The Licensee will identify a point of contact (name, position title, phone number, and address) to serve as the liaison between the Licensee, the local community, and the SFPUC regarding the License Agreement and the License Area. In the event that the point of contact changes, the Licensee shall immediately provide the SFPUC with the new contact information. Once the License Term commences, the point of contact shall inform local community members to direct any maintenance requests to him or her. In the event that local community members contact the SFPUC with such requests, the SFPUC will redirect any requests or complaints to the point of contact.
- F. Community Outreach.
- i. Following an initial intake conversation with the SFPUC, the Applicant shall provide a Community Outreach Plan for SFPUC approval. This Plan shall include the following information:
 1. Identification of key stakeholders to whom the Applicant will contact and/or ask for input, along with their contact information;
 2. A description of the Applicant's outreach strategy, tactics, and materials
 3. A timeline of outreach (emails/letters mailing date, meetings, etc.); and
 4. A description of how the Applicant will incorporate feedback into its proposal.
 - ii. The Applicant shall conduct outreach for the project at its sole cost and shall keep the SFPUC apprised of any issues arising during outreach.
 - iii. During outreach, the Applicant shall indicate that it in no way represents the SFPUC.
- G. Signage. The SFPUC will provide, at Licensee's cost, a small sign featuring the SFPUC logo and text indicating SFPUC ownership of the License Area at each entrance. In addition, the Licensee will install, at its sole cost, an accompanying sign at each entrance to the License Area notifying visitors to contact the organization's point of contact and provide a current telephone number in case the visitors have any issues. The SFPUC must approve the design and placement of the Licensee's sign.

VII. Community Gardens

The following requirements also apply to community garden sites. As with all projects, the details of the operation of a particular community garden are approved on a case-by-case basis.

- A. The Applicant must demonstrate stable funding. The Applicant must provide information about grants received, pending grants, and any ongoing foundational support.
- B. The Applicant must have an established history and experience in managing urban agriculture or community gardening projects. Alternatively, the Applicant may demonstrate a formal partnership with an organization or agency with an established history and experience in managing urban agriculture or community gardening projects
- C. During the Project Review process, the Applicant shall submit a Community Garden Planting Plan that depicts the proposed License Area with individual plot and planter box placements, landscaping, and a general list of crops that may be grown in the garden.
- D. The Applicant shall designate a Garden Manager to oversee day-to-day needs and serve as a liaison between the SFPUC and garden plot holders. The Garden Manager may be distinct from the point of contact, see Section VI.E.
- E. The Licensee must ensure that the Garden Manager informs plot holders about the potential for and responsibilities related to SFPUC repairs or emergency maintenance on the License Area. In such circumstances, the SFPUC is not liable for the removal and replacement of any features on the License Area or the costs associated with such removal and replacement.
- F. The Licensee must conduct all gardening within planter boxes with attached bottoms that allow for easy removal without damaging the crops.



**Hetch Hetchy
Regional Water System**

Services of the San Francisco Public Utilities Commission

**AMENDMENT TO THE
RIGHT OF WAY INTEGRATED VEGETATION MANAGEMENT POLICY**

Approved January 13, 2015

by

SFPUC Resolution No. 15-0014

12.000 RIGHT OF WAY INTEGRATED VEGETATION MANAGEMENT POLICY

12.001 General

The San Francisco Public Utilities Commission (“SFPUC”) is responsible for the delivery of potable water and the collection and treatment of wastewater for some 800,000 customers within the City of San Francisco; it is also responsible for the delivery of potable water to 26 other water retailers with a customer base of 1.8 million. **The following policy is established to manage vegetation on the transmission, distribution and collection systems within the SFPUC Right of Way (“ROW”) so that it does not pose a threat or hazard to the system’s integrity and infrastructure or impede utility maintenance and operations.**

The existence of large woody vegetation¹, hereinafter referred to as vegetation, and water transmission lines within the ROW are not compatible and, in fact, are mutually exclusive uses of the same space. Roots can impact transmission pipelines by causing corrosion. The existence of trees and other vegetation directly adjacent to pipelines makes emergency and annual maintenance very difficult, hazardous, and expensive, and increases concerns for public safety. The risk of fire within the ROW is always a concern and the reduction of fire ladder fuels within these corridors is another reason to modify the vegetation mosaic. In addition to managing vegetation in a timely manner to prevent any disruption in utility service, the SFPUC also manages vegetation on its ROW to comply with local fire ordinances enacted to protect public safety.

One of the other objectives of this policy is to reduce and eliminate as much as practicable the use of herbicides on vegetation within the ROW and to implement integrated pest management (IPM).

12.002 Woody Vegetation Management

1.0 Vegetation of any size or species will not be allowed to grow within certain critical portions of the ROW, pumping stations or other facilities as determined by a SFPUC qualified professional, and generally in accordance with the following guidelines.

1.1 Emergency Removal

SFPUC Management reserves the right to remove any vegetation without prior public notification that has been assessed by a SFPUC qualified professional as an immediate threat to transmission lines or other utility infrastructure, human life and property due to acts of God, insects, disease, or natural mortality.

1.2 Priority Removal

Vegetation that is within 15 feet of the edge of any pipe will be removed and the vegetative debris will be cut into short lengths and chipped whenever possible. Chips will be spread upon the site where the vegetation was removed. Material that cannot be chipped will be hauled away to a proper disposal site.

¹ Woody vegetation is defined as all brush, tree and ornamental shrub species planted in (or naturally occurring in) the native soil having a woody stem that at maturity exceeds 3 inches in diameter.

If vegetation along the ROW is grouped in contiguous stands², or populations, a systematic and staggered removal of that vegetation will be undertaken to replicate a natural appearance. Initial removal³ will be vegetation immediately above or within 15 feet of the pipeline edges; secondary vegetation⁴ within 15 to 25 feet from pipelines will then be removed.

1.3 Standard Removal

Vegetation that is more than 25 feet from the edge of a pipeline and up to the boundary of the ROW will be assessed by a SFPUC qualified professional for its age and condition, fire risk, and potential impact to the pipelines. Based on this assessment, the vegetation will be removed or retained.

1.4 Removal Standards

Each Operating Division will develop its own set of guidelines or follow established requirements in accordance with local needs.

2.0 All stems of vegetation will be cut flush with the ground and where deemed necessary or appropriate, roots will be removed. All trees identified for removal will be clearly marked with paint and/or a numbered aluminum tag.

3.0 Sprouting species of vegetation will be treated with herbicides where practicable, adhering to provisions of Chapter 3 of the San Francisco Environment Code.

4.0 Erosion control measures, where needed, will be completed before the work crew or contractors leave the work site or before October 15 of the calendar year.

5.0 Department personnel will remove in a timely manner any and all material that has been cut for maintenance purposes within any stream channel.

6.0 All vegetation removal work and consultation on vegetation retention will be reviewed and supervised by a SFPUC qualified professional. All vegetation removal work and/or treatment will be made on a case-by-case basis by a SFPUC qualified professional.

7.0 Notification process for areas of significant resource impact that are beyond regular and ongoing maintenance:

7.1 County/City Notification – The individual Operating Division will have sent to the affected county/city a map showing the sections of the ROW which will be worked, a written description of the work to be done, the appropriate removal time for the work crews, and a contact person for more information. This should be done approximately 10 days prior to start of work. Each Operating Division will develop its own set of guidelines in accordance with local need.

² A stand is defined as a community of trees possessing sufficient uniformity in composition, structure, age, arrangement, or condition to be distinguishable from adjacent forest communities to form a management unit.

³ Initial removal is defined as the vegetation removed during the base year or first year of cutting.

⁴ Secondary vegetation is defined as the vegetative growth during the second year following the base year for cutting.

7.2 Public Notification – The Operating Division will have notices posted at areas where the vegetation is to be removed with the same information as above also approximately 10 days prior to removal. Notices will also be sent to all property owners within 300 feet of the removal site. Posted notices will be 11- by 17-inches in size on colored paper and will be put up at each end of the project area and at crossover points through the ROW. Questions and complaints from the public will be handled through a designated contact person. Each Operating Division will develop its own set of guidelines in accordance with local needs.

12.003 Annual Grass and Weed Management

Annual grasses and weeds will be mowed, disked, sprayed or mulched along the ROW as appropriate to reduce vegetation and potential fire danger annually. This treatment should be completed before July 30 of each year. This date is targeted to allow the grasses, forbs and weeds to reach maturity and facilitate control for the season.

12.004 Segments of ROW that are covered by Agricultural deed rights

The only vegetation that may be planted within the ROW on those segments where an adjacent owner has Deeded Agricultural Rights will be: non-woody herbaceous plants such as grasses, flowers, bulbs, or vegetables.

12.005 Segments of ROW that are managed and maintained under a Lease or License

Special allowance may be made for these types of areas, as the vegetation will be maintained by the licensed user as per agreement with the City, and not allowed to grow unchecked. Only shallow rooted plants may be planted directly above the pipelines.

Within the above segments, the cost of vegetation maintenance and removal will be borne by the tenant or licensee exclusively. In a like fashion, when new vegetative encroachments are discovered they will be assessed by a SFPUC qualified professional on a case-by-case basis and either be permitted or proposed for removal.

The following is a guideline for the size at maturity of plants (small trees, shrubs, and groundcover) that may be permitted to be used as landscape materials. Note: All distance measurements are for mature trees and plants measured from the edge of the drip-line to the edge of the pipeline.

- Plants that may be permitted to be planted directly above existing and future pipelines: shallow rooted plants such as ground cover, grasses, flowers, and very low growing plants that grow to a maximum of one foot in height at maturity.
- Plants that may be permitted to be planted 15–25 feet from the edge of existing and future pipelines: shrubs and plants that grow to a maximum of five feet in height at maturity.
- Plants that may be permitted to be planted 25 feet or more from the edge of existing and future pipelines: small trees or shrubs that grow to a maximum of twenty feet in height and fifteen feet in canopy width.

Trees and plants that exceed the maximum height and size limit (described above) may be permitted within a leased or licensed area provided they are in containers and are above ground. Container load and placement location(s) are subject to review and approval by the SFPUC.

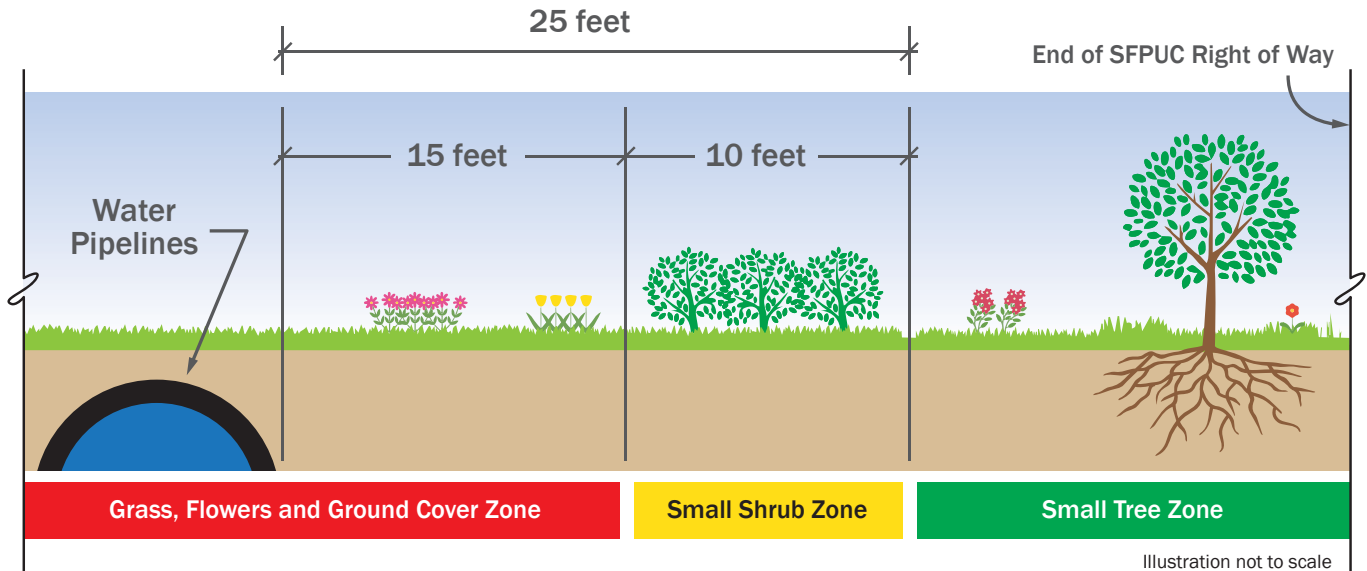
Low water use plant species are encouraged and invasive plant species are not allowed.

All appurtenances, vaults, and facility infrastructure must remain visible and accessible at all times. All determinations of species acceptability will be made by a SFPUC qualified professional.

The above policy is for general application and for internal administration purposes only and may not be relied upon by any third party for any reason whatsoever. The SFPUC reserves the right at its sole discretion, to establish stricter policies in any particular situation and to revise and update the above policy at any time.

San Francisco Public Utilities Commission (SFPUC)

Right Of Way (ROW) Landscape Vegetation Guidelines



The following vegetation types are permitted on the ROW within the appropriate zones.

Plantings that may be permitted directly above existing and future pipelines:

Ground cover, grasses, flowers, and very low growing plants that reach no more than one foot in height at maturity.



Plantings that may be permitted 15–25 feet from the edge of existing and future pipelines:

Shrubs and plants that grow no more than five feet tall in height at maturity.



Plantings that may be permitted 25 feet or more from the edge of existing and future pipelines:

Small trees or shrubs that grow to a maximum of twenty feet in height and fifteen feet in canopy width or less.



July 22, 2016

Deanna Chow, Principal Planner
City of Menlo Park
Planning Division
701 Laurel Street
Menlo Park CA 94025

Re: Health System Comments on Menlo Park’s Draft Environmental Impact Report for
General Plan Update

Dear Ms. Chow,

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for Menlo Park’s Draft General Plan Update. As you know, the San Mateo County Health System has participated in the public input process, sharing policies that support health and equity. Many of our original concerns about the health impacts of the General Plan on low-income people persist and are reflected in the DEIR. Our concerns fall into three areas we are tasked with addressing through our Strategic Plan: Healthy Housing, Healthy Neighborhoods and Healthy Economy.¹ We request that you address the health concerns listed below in the Plan’s Environmental Impact Report.

A07-1

Healthy Housing

Get Healthy Objective: All residents have stable and affordable housing

The DEIR does not adequately describe the impacts of plan implementation on housing affordability and displacement risk to Menlo Park residents or the regional impact on low-income residents adjacent to the plan area. Residents in Menlo Park and nearby communities face indirect displacement as a result of rising costs and greater investment in the rezoned M-2 area. Limited housing affordability and displacement are risk factors for serious physical and emotional health concerns.² It is our belief that these risks are not represented adequately in the DEIR. Please update the analysis in the following ways:

A07-2

- Include socio-economic projections for residents who will be accommodated by development in the high density residential and residential mixed use zones and compare this information with data on residents in the nearby Belle Haven neighborhood. Where there is disparity between demographics of potential new residents and current residents, there is a risk of indirect displacement and severe impacts on residents and neighboring communities through rising rents and increased property values. The guiding principles for the Draft General Plan establish a goal to “limit displacement of current residents.”³ We applaud you for establishing this goal but see insufficient policies to help achieve this goal in the draft plan. Without robust policies to limit displacement, it is unlikely “the proposed project would not displace substantial numbers of people”⁴ through indirect displacement. Without mitigation measures for displacement, impact POP-3 should reflect a significant impact.

¹ http://www.gethealthysmc.org/sites/main/files/file-attachments/get_healthy_smc_strategic_plan_2015-2020_final.pdf
² <http://barhii.org/wp-content/uploads/2016/02/BARHII-displacement-brief.pdf>
³ Guiding Principles, <http://menlopark.org/DocumentCenter/View/6160>
⁴ DEIR 4.11-20, POP-3



SECTION TITLE: SUBJECT ##

- Incorporate analysis of the impacts of new workers who may be employed in the plan's extensive proposed commercial space. The growth of the employee population given the new commercial space in the plan is projected to be 72%.⁵ Please describe how these employees will be accommodated without inducing "substantial population growth...directly...by proposing new homes and businesses".⁶
- The DEIR projects a greater number of new employees than new residents. These employees will likely look to neighboring communities for housing accommodation when faced with unaffordable or insufficient housing in Menlo Park. Please explain the impact of new employees on surrounding communities. The DEIR claims the "implementation of the proposed project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere,"⁷ however displacing workers into neighboring communities may necessitate housing construction elsewhere. Please incorporate this regional housing impact. Include a particular focus on the possible impacts to rents and property values in lower income East Palo Alto and North Fair Oaks.

A07-3

A07-4

Healthy Economy

Get Healthy Objective: People have the ability to increase household income and build financial security; people have access to high-quality education and well-paying job opportunities

The DEIR is missing an analysis of the economic impacts on local residents of plan implementation. The economic effects of project buildout on local wages, cost of living and property values are important dimensions and should be included in the DEIR.

- Please include projections for wages indexed to the type of commercial developments allowed in the new zoned Bayside areas, including all induced jobs that will result as an effect of direct job creation. Research shows that "for each job created in the high-tech sector, approximately 4.3 jobs are created...in other local goods and services sectors".⁸ Many of these jobs are low-wage service sector jobs. The DEIR should include an analysis of direct jobs and induced jobs categorized by high-, medium- and low-wage and the analysis should include the impacts of these workers on the local economy and cost of living.
- To support the guiding principle of limiting displacement of current residents, policies to ensure local hire of local low income Menlo Park residents should be included in the General Plan. These can be listed as mitigation measures in the DEIR.

A07-5

Healthy Neighborhoods

Get Healthy Objective: Everyone has access to efficient and affordable public transportation and safe walking and biking conditions that connect housing, jobs and other necessities

Active transportation, transit investment and transportation demand management (TDM) strategies are mitigation measures for many environmental impacts found in the DEIR. These strategies should be analyzed and included in the in the DEIR in the following ways:

A07-6

⁵ DEIR, 4.11-17

⁶ DEIR, 4.11-5, POP-1

⁷ DEIR 4.11-20, POP-3

⁸ Bay Area Council, http://www.bayareacouncil.org/community_engagement/new-study-for-every-new-high-tech-job-four-more-created/

SECTION TITLE: SUBJECT ##

- The mitigation for traffic impacts identified in TRANS-1A⁹ includes widening roadway segments to add travel lanes. Road widening induces travel demand,¹⁰ increasing VMT and emissions and has a negative impact on health –increased pollution, climate change, asthma and respiratory disease, to name a few. This may be an inappropriate mitigation.
- In the Transportation chapter, TRANS 1-B describes multiple roadway engineering improvements as mitigations for increased delay to peak hour motor vehicle traffic.¹¹ Improvements to active transportation infrastructure such as pedestrian, cycling and transit facilities are not currently listed among these and should be included as opportunities to reduce motor vehicle traffic.
- In the Air Quality chapter, impact AQ-5 identifies a significant impact through pollutant emissions associated with implementation of the General Plan.¹² The associated mitigation measures focus on site design interventions to lessen air quality effects on population health, however, efforts to minimize emissions through reducing VMT are healthier long range strategies. Please include mitigation measures focused on active transportation investment as well.

A07-7

A07-8

A07-9

Healthy Schools

Get Healthy Objective: All students have access to high-quality education that equips them for career success, in environments that promote health; Children’s education is continuous, consistent, and not disrupted by unstable housing conditions.

Buildout of the Draft General Plan will lead to an increase in residents in Menlo Park. This increase points to a need for additional educational facilities to accommodate new residents’ children. However, the public services section of the DEIR indicates that “implementation of the proposed project would not result in the need for new or physically altered school facilities”.¹³ Though school impact fees may constitute an acceptable mitigation, please include the need for new schools as a significant impact and list impact fees as a mitigation strategy. It is misleading to state that the project would not result in the need for new school facilities. The document itself indicates a need for new facilities in 1)the school capacity analyses,¹⁴ 2)the Hazardous Materials section which reads “buildout under the proposed project would result in increased population levels and could result in the need for additional school facilities”¹⁵ and 3)the interview with the Menlo Park Community Services Department which “indicated that additional child care programs [and] after school programs...would be needed.”¹⁶

A07-10

Construction of ample facilities to educate children is an important consideration to ensure the health of children in the Menlo Park community for years to come. Please update the DEIR to reflect this change.

⁹ DEIR 4.13-62, TRANS-1A

¹⁰ Victoria Transport Policy Institute, “Generated Traffic and Induced Travel” <http://www.vtpi.org/gentraf.pdf>

¹¹ DEIR 4.13-70, TRANS-1B

¹² DEIR 4.2-52, AQ-4

¹³ DEIR 4.12.4.3, PS-8

¹⁴ DEIR 4.12-28 through 4.12-34

¹⁵ DEIR 4.7-24, HAZ-3

¹⁶ DEIR 4.12-24, PS-6

SECTION TITLE: SUBJECT ##

Thank you for the opportunity to comment on the Draft Environmental Impact Report. We look forward to reviewing Menlo Park's incorporated changes to help make the city a healthier, more equitable community for all residents.

Sincerely,

A handwritten signature in blue ink, appearing to read "Shireen Malekafzali". The signature is fluid and cursive, with a large initial "S" and "M".

Shireen Malekafzali
Senior Manager for Policy, Planning and Equity

DEPARTMENT OF TRANSPORTATION

DISTRICT 4
P.O. BOX 23660
OAKLAND, CA 94623-0660
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CITY OF MENLO PARK
BUILDING

SMGen085
SCH#2015062054

July 15, 2016

Ms. Deanna Chow
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Dear Ms. Chow:

ConnectMenlo – Draft Environmental Impact Report

Thank you for continuing to include the California Department of Transportation (Caltrans) in the environmental review process for the ConnectMenlo (Plan). Caltrans new mission, vision, and goals signal a modernization of our approach to the State Transportation Network (STN), in which we seek to reduce statewide vehicle-miles-traveled (VMT) and increase non-auto modes of active transportation by 2020. Caltrans targets are to triple bicycle, and double pedestrian and transit. These targets support the Metropolitan Transportation Commission’s (MTC) Sustainable Communities Strategy, which promotes the increase of non-auto mode shares by ten percentage points and a decrease in automobile VMT per capita by ten percent. Our Notice of Preparation letter dated July 20, 2015 is incorporated by reference. Future comments may be forthcoming pending final review.

A08-1

Project Understanding

The proposed Plan is an update to the Land Use and Circulation Elements to the City of Menlo Park's (City) General Plan and a zoning change to the M-2 Area. The City is located at the southern edge of San Mateo County. It is generally bounded by San Francisco Bay; the cities of East Palo Alto and Palo Alto and Stanford University to the southeast; Atherton, unincorporated North Fair Oaks, and Redwood City to the northwest. The City is accessed by Interstate (I)-280, US-101, Caltrain, and State Route (SR) 84. The M-2 Area contains major regional transportation links, including SRs 84, 114, and 109, and the Dumbarton Bridge. The proposed updates frame the type and scale of potential development that may occur over the next 20 years and their potential impact to the local, regional and state transportation system.

Project of Statewide, Regional, or Areawide Significance

Since this project has the potential for causing significant effects, e.g., traffic, extending beyond

A08-2

the City limits, it meets the criteria of a Project of Statewide, Regional, or Areawide Significance as stated in the *2016 California Environmental Quality Act (CEQA) Statutes and Guidelines*, under section 15206 on pages 224 to 225. The Plan should be submitted also to the appropriate metropolitan area council of governments for review and comment.

**A08-2
(cont.)**

Mitigation

The Transportation and Circulation section states that segments the following State Routes of Regional Significance would continue to operate at below their level-of-service (LOS) threshold under 2040 Plus Project conditions:

- SR 84 (Bayfront Expressway) from US 101 to Willow Road.
- SR 84 (Bayfront Expressway) from Willow Road to University Avenue.
- SR 84 (Bayfront Expressway) from University Avenue to the Alameda County line.
- SR 109 (University Avenue) from SR 84 to Kavanaugh Drive.
- SR 114 (Willow Road) from US 101 to SR 84.
- US 101 from Whipple Avenue to Santa Clara County Line.

The proposed Land Use plan should consider restricting the magnitude of future development in the City in order to reduce future VMT demand on the STN.

The City as Lead Agency is responsible for pursuing options that would ensure that the Plan traffic impacts are mitigated to a less than significant level. Specifically, mitigation measures, policies, and goals that include the requirements of Responsible Agencies such as Caltrans are fully enforceable through permit conditions, agreements or other legally-binding instruments under the City's control. We look forward to hearing from the City and its collaboration with San Mateo County Transportation Authority and Caltrans to ensure adequate mitigation funding.

A08-3

Please also identify traffic impact fees to be used for project mitigation. Development plans should require traffic impact fees based on projected traffic and / or based on associated cost estimates for public transportation facilities necessitated by development. Please refer to the California Office of Planning and Research (OPR) *2003 General Plan Guidelines*, page 163, which can be accessed on-line at the following website:
<http://www.opr.ca.gov/index.php?a=planning/gpg.html>.

Scheduling and costs associated with planned improvements on State right-of-way should be listed, in addition to identifying viable funding sources correlated to the pace of improvements for roadway improvements, if any.

This information should also be presented in the Mitigation Monitoring and Reporting Plan of the environmental document. Caltrans also encourages the City to contribute to a multi-modal fee program to plan for further growth by improving transit and regional transportation. Contributions would be used to help fund regional transportation programs that improve the STN and improve mobility.

Ms. Deanna Chow, City of Menlo Park
July 15, 2016
Page 3

Should you have any questions regarding this letter, please contact Keith Wayne at 510-286-5737 or keith_wayne@dot.ca.gov.

Sincerely,



PATRICIA MAURICE
District Branch Chief
Local Development - Intergovernmental Review

c: Scott Morgan, State Clearinghouse



July 29, 2016

City of Menlo Park
Community Development Department
701 Laurel Street
Menlo Park, CA 94025

Attention: Deanna Chow

Subject: General Plan Land Use and Circulation Elements and M-2 Area Zoning Update

Dear Ms. Chow:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the General Plan Land Use and Circulation Elements update and associated Draft EIR. We have the following comments.

A09-1

Transportation Analysis – Relationship to Santa Clara County Congestion Management Program

As the Congestion Management Agency for Santa Clara County, VTA recommended in our comments on the Notice of Preparation (NOP) that the City should include an analysis of the effects of the General Plan Update on key roadway segments in the Santa Clara County CMP near the San Mateo County border, such as US 101 and I-280. It appears from VTA’s review of the Draft EIR that the analysis only included freeway segments within San Mateo County, under the Routes of Regional Significance analysis. This analysis noted that six “...Routes of Regional Significance would continue to operate at or below their level-of-service threshold under 2040 Plus Project conditions, and project traffic would be anticipated to exceed the allowable 1 percent threshold for triggering significant impacts”; one of these six routes was US 101 from Whipple Avenue to the Santa Clara County Line.

A09-2

Given that the City’s EIR analysis found that the project would cause a significant impact to the segment of US 101 just north of the Santa Clara County line, VTA reiterates our request for the City to analyze key roadway segments in the Santa Clara County CMP, such as US 101 in Palo Alto.

VTA supports the City’s General Plan Policy CIRC-2.15: “Regional Transportation Improvements. Work with neighboring jurisdictions and appropriate agencies to coordinate transportation planning efforts and to identify and secure adequate funding for regional transportation improvements to improve transportation options and reduce congestion in Menlo Park and adjacent communities.” If the City’s analysis of CMP roadway segments in Santa Clara County finds that the project would cause a significant impact according to the Santa Clara County CMP level of service standard, VTA recommends that the City implement a framework for new development to contribute to regional transportation improvements, such as Express

A09-3

City of Menlo Park
July 29, 2016
Page 2

Lanes (High-Occupancy Toll/HOT Lanes) on US 101 in Santa Clara and San Mateo Counties, Caltrain improvements, and other regional transportation initiatives.

A09-3
(cont.)

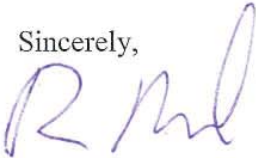
General Plan Update – Regional Transportation Improvement Policies

In VTA's comments on the NOP, we noted that "The General Plan update needs to take into consideration that express lanes are planned to be constructed and implemented in Santa Clara and San Mateo Counties. Express lane projects are included in the RTP (RTPID #240741 and #240742) and the General Plan update should not preclude these projects." It is our understanding that the draft updated General Plan does not contain any policies or text acknowledging the Express Lanes projects. VTA reiterates our request for the City to add such language to the draft updated General Plan.

A09-4

Thank you for the opportunity to review this project. If you have any questions, please call me at (408) 321-5784.

Sincerely,



Roy Molseed
Senior Environmental Planner

cc: Patricia Maurice, Caltrans
Brian Ashurst, Caltrans

MP1501



100 Years of Service

Menlo Park Fire Protection District

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August 1, 2016

Deanna Chow
Planning Division
City of Menlo Park
701 Laurel Street
Menlo Park CA 94025
(dmchow@menlopark.org)

Re: Comments on ConnectMenlo General Plan Update and M-2 Rezoning EIR

Dear Ms. Chow:

We appreciate the opportunity to provide comments on the Environmental Impact Report (EIR) for the ConnectMenlo General Plan Update and M-2 Rezoning Project (“General Plan”). As the fire and emergency services provider in the City of Menlo Park (“City”), it is critical that the impacts of the General Plan and M-2 Rezoning on the Menlo Park Fire Protection District (“Fire District”) be properly analyzed and mitigated.

The General Plan and M-2 Rezoning includes a significant increase in the amount and density of development in the City. The proposed Plan will lead to a substantial increase in the number of structures, building height and service population that the Fire District serves. The increased development and service population will be concentrated in the East of 101 area.

“The proposed project includes a net increase in new development east of Highway 101 within the Bayfront Area of approximately:

- 1. This maximum potential development would consist of approximately 2.1 million additional square feet of nonresidential building space and 4,500 additional multifamily dwelling units beyond what is already realistically achievable under the current Menlo Park General Plan Land Use Element. About 1.4 million square feet of the added nonresidential development would be concentrated in the area between Willow Road and University Avenue (primarily for new and expanded life sciences uses). About 2,000 of the additional dwelling units would be located in that same area, with another 1,000 units in the Jefferson Drive area, and 1,500 units on the Facebook East campus.*

The nonresidential development would also include ground floor retail in a number of locations and roughly 500,000 square feet for three hotels with 200 rooms each, one in the Haven area, one in the Jefferson Drive area, and one on the Facebook West campus. In addition to the potential buildout of the Project, development capacity currently exists in the M-2 Area based on the current 1994 General Plan Land Use Element and existing zoning. This current buildout potential, estimated at 1.8 million square feet of nonresidential uses, will be included in the No Project Alternative required to be characterized in conjunction with analysis of the Project. Therefore, the theoretical potential maximum buildout in the M-2 Area, combining development capacities under the No Project condition plus the Project, would be about 3.9 million square feet of nonresidential development beyond what currently exists on the ground.

A10-1

As discussed in the Fire District Standards of Coverage Assessment completed last year, the Fire District faces significant challenges for providing services East of 101 due to congestion and limited access on three critical primary emergency access routes that cross Highway 101 to this area, (Marsh Road, Willow Road and University Avenue in East Palo Alto) as well as other primary response routes within Belle Haven, M2 and adjacent East Palo Alto.

A10-2

The additional development in the M-2 area authorized under the General Plan will cause significant impacts on the Fire District that will require additional apparatus and personnel be added to Fire Station 77 located in Belle Haven on the edge of M-2 on Chilco Street. The Fire Station is 20 years old and in excellent condition but it cannot accommodate additional personnel or equipment. The District recently determined the location was strategic but the Station will need to be completely replaced to serve new development.

A10-3

Many of these concerns were described in the Fire District's letter to the City on the Notice of Preparation dated July 20, 2015 ("District NOP letter"). For the most part, the EIR does not address the issues and concerns raised in the District NOP letter.

Under section 2.5 - Areas of Concern:

The City issued an NOP on June 18, 2015. The scoping period for this EIR was between June 18 and July 20, 2015, during which interested agencies and the public could submit comments about the proposed project. The City also held a public scoping meeting on September 21, 2015. During this time the City received 22 comment letters from ten agencies and service providers, and eight organizations and members of the public, which are included as Appendix A of this Draft EIR.

The following is a discussion of issues that are likely to be of particular concern to agencies and interested members of the public during the environmental review process. While every concern applicable to the CEQA process is addressed in this Draft EIR, this list is not necessarily exhaustive, but rather attempts to capture those concerns that are likely to generate the greatest interest based on the input received during the scoping process.

A10-4

- *Aesthetic: impacts from increased height, sources of light and glare*
- *Affordable Housing: availability of affordable housing stock*
- *Air Quality: operational and construction, health risk due to close proximity to major roadways*
- *Approved Projects: cumulative impacts from Facebook Campus Expansion Project*
- *Biological Resources: wetlands, human-wildlife interface*
- *Climate Adaptation: flood risk along Bayfront due to projected future sea level rise*
- **Public Services: impacts from population growth on schools and fire services**
- *Utilities and Service Systems: Water quality, hydrology, storm water runoff*
- *Vehicular Circulation: traffic impact, parking demand, safe pedestrian access, bicycle safety connections*

The EIR does properly and adequately perform the analysis for impacts to the Fire District and require mitigation measures as mandated under CEQA. But the EIR analysis also misstates critical facts about the Fire District's existing conditions and future plans. As a result, the EIR improperly finds the impacts on the Fire District are less than significant and no mitigation is required.

A10-5

However, the impacts of the General Plan itself and its cumulative impact will be significant and require mitigation, including the payment of impact fees. The cumulative impact is due to the combination of the General Plan and other proposed increased development under the East Palo Alto General Plan Update, the Facebook Campus Expansion and Downtown Specific Plan in Menlo Park, and the North Fair Oaks Community Plan in the County of San Mateo. The main comments of the Fire District are: (1) the EIR concludes that the impacts on the Fire District will be less than significant due to the adoption of a fire and emergency services impact fee.

A10-6

The adoption of the impact fee must be required as an adopted program or a mitigation measure in order to support the conclusion that the impact on District capital improvement projects is less than significant. If not, the impact to the Fire District will have to be identified as significant and unavoidable in the EIR; (2) the significant and unavoidable traffic impacts identified in the EIR will have a significant adverse impact on emergency access routes which need to be properly analyzed and mitigated; and (3) the General Plan should require that water storage, not wells, be a high priority in order to ensure adequate emergency fire flow..

1. Impact on Emergency and Fire Services Requires Adoption of Impact Fee

The EIR concludes that the General Plan’s project and cumulative impact to emergency and fire services will be less than significant based on the imposition of an emergency and fire services impact fee. However, there is no General Plan policy or mitigation measure that requires the City to adopt a fire services impact fee to be imposed on new development. The only policy cited by the EIR is Program LU-1.E which only requires that the City “pursue” adoption of development impact fees.

A10-6

This program does not require the City to adopt an emergency and fire services impact fee. Therefore, the General Plan policies and programs as currently written should be revised to require the City to adopt the emergency and fire services impact fee approved by the Fire District Board. Alternatively, the adoption of the impact fee should be required as a mitigation measure in the EIR. This is critically important due to recent developments regarding the Fire District’s fee.

The impact fee has been adopted by the Fire District Board and submitted to all cities and the County of San Mateo for adoption. Communications from Menlo Park to the Fire District have indicated that the impact fee may not be adopted. Therefore, the conclusion in the EIR that the impact on Fire District capital improvement projects is less than significant cannot be assured. So, either the adoption of the impact fee must be mandated, or the EIR should be revised and recirculated to identify the impact on fire services as significant and unavoidable.

2. Impacts on Emergency Access Routes are Significant and Require Mitigation

The EIR does not properly analyze and mitigate the significant impacts on emergency access routes from the severe traffic impacts that will result from the General Plan. The EIR identifies numerous significant and unavoidable impacts on roadways that are critical emergency service routes for the Fire District. The EIR concludes that these impacts cannot be mitigated.

Yet, despite these significant and unavoidable roadway impacts, the EIR concludes that the effect of the General Plan on emergency access routes is less than significant. These conclusions are contradictory and dangerous.. Therefore, the less than significant conclusion regarding emergency access routes is incorrect and is not supported by substantial evidence.

The EIR cites some proposed policies which may address impacts on emergency access routes. These include equipping signals with preemptive devices and providing “additional funding to support adequate emergency services” through impact fees (pp. 4.13-80 – 4.13-81). However, preemptive devices, while helpful, do not address gridlock situations where emergency vehicles have no passable route and the District already updated its pre-emption system and all traffic signals in this area. As stated above, additional funding to address this problem is not available due to the uncertainty of the City’s adoption of the fire services impact fee.

A10-7

Overall, increased congestion on critical primary emergency access routes will adversely affect response times for emergency vehicles placing life and property in danger. The EIR must identify this impact as significant and it should acknowledge that only two fire Stations are located on the east side of Highway 101, one in East Palo Alto and one in east Menlo Park (Belle Haven and M2). Each Fire Station contains a fire engine and is staffed by three fire personnel.

The City should consider and consult with the Fire District on feasible mitigation measures to address the impacts of development under the General Plan on primary emergency access routes. For example, changes in street design and potential new alternative emergency response routes are mitigation measures that the City should consider.

**A10-7
(cont.)**

3. Significant Impacts of Water Supply on Fire Services

The EIR does not properly disclose or analyze the impacts of inadequate water storage on emergency fire flow needs. The municipal water supply augments fire hydrants used by the Fire District during emergencies. The greatest weakness of the water system is adequate storage and a modern infrastructure needed to support the planned growth.

A10-8

The General Plan says “A Water Supply Assessment will be developed as part of the EIR to determine which, if any, strategies may be needed to ensure adequate water supply for anticipated development.” The Fire District would be happy to assist in this process.

4. Hazardous Materials.

Page 4.7-3

California Uniform Fire Code: Hazardous Material Management Plans and Inventory Statements.

A10-9

Page 4.7-5

California Fire Code

Part 9 of the CBC CCR Title 24 contains the California Fire Code (CFC). The CFC adopts by reference the 2012 International Fire Code (ICF) with necessary State amendments. Updated every three years, the CFC includes provisions and standards for emergency planning and preparedness, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations and distribution. Similar to the CBC, the CFC is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions.

Typical fire safety requirements include: installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards and general safety practices, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildlife hazard areas. Operational permits are issued for the storage, use and handling of hazardous materials within the Menlo Park Fire Protection District.

A10-10

Part 9 of the CBC CCR Title 24 contains the California Fire Code (CFC). The CFC adopts by reference the 2012 International Fire Code (ICF) with necessary State amendments. Updated every three years, the CFC includes provisions and standards for emergency planning and preparedness, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations and distribution. Similar to the CBC, the CFC is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions. Typical fire safety requirements include: installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards and general safety practices, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildlife hazard areas. Operational permits are issued for the storage, use and handling of hazardous materials within the Menlo Park Fire Protection District.

Menlo Park Fire Protection District Operations

In 2015, the Fire District responded to 8547 emergency incidents, up 4%, or 324 calls for service from 2014 and up 15%, or 1272 calls for service from 2010. Of those 8547 calls for service, 5532, or 64% were for emergency medical incidents and 2%, or 187 were for fire responses.

In 2015, a total of 3334 calls for service or 39% of the Fire District’s emergency activity occurred (See attachment) on the eastern side of Highway 101. Collectively, both Fire Stations 77 and 2, which daily cover and back each other up, responded to 77 fires and 2430 emergency medical incidents, essentially 41 – 44% of these types of emergency incidents occurred in the much smaller and denser eastern side of the Fire District that is now proposed for additional and substantial growth.

As stated in the Fire Districts Standards of Cover Report (SOC), but unfortunately not reported in the General Plan EIR, the Fire District’s ability to provide essential emergency services to the eastern side of Highway 101 will be “strained” by the proposed additional development which will create a “tipping point” for our agency to adequately protect what essentially is a service island, or more clearly put, an already hard to serve area that is currently the busiest in the Fire District.

The Fire District uses a move and cover deployment model which simply means that if both Station 77 and 2 are on an emergency incident, or out of their response area for training or other reasons, another fire unit is dispatched to move and cover the eastern side of Highway 101 from the western side of the Highway. Depending upon the time of day, other activity and day of the week, coverage and response can be both extended and significantly delayed. Additional impacts from more development will only further exacerbate this unacceptable condition.

While emergency medical incidents typically only require one unit (fire engine), expanded incidents like vehicle accidents and fires can require from 4 to 7 emergency apparatus. Automatic aid from neighboring agencies can be helpful for expanded incidents, or move and cover, but those agencies have their own residents to serve and emergencies. They will provide resources as able, but with even longer response times from further away depending upon location, available units, activity and other events. Automatic aid cannot be relied upon to provide needed fire services for new increased development within the Fire District’s jurisdiction.

That also includes different types of equipment like an aerial ladder truck, a rescue squad and a heavy rescue based upon an increased floor area ratio (FAR) and building height of over three stories. Additional personnel and apparatus are needed to create an “effective fire force” to meet the future demands for service based upon the proposed growth in the updated Menlo Park General Plan update, Facebook proposals and East Palo Alto’s recently drafted General Plan.

4.12.1.1 – Environmental Setting – Existing Conditions

The EIR tries to distort that the “proposed project” has limited, or no financial responsibility for a fire facility because it attempts to use the Fire District’s own visionary methodology and budget practices against it. *“As stated in the FY 2015/16 MPFPD Budget, the MPFPD has capital improvement plans in place to expand its facilities to accommodate future demand, including Fire Station 77, which pre-dates the proposed project. Therefore, the proposed project does not in and of itself require this expansion”.*

This statement is incorrect. The budget does not address the specific improvements and expansion needed to address the impacts of the General Plan and other proposed new development in the Fire District’s jurisdiction. The growth projections in the District-adopted Impact Fee Nexus Study (“Nexus Study”) include the projections under the General Plan. The Nexus Study allocated 50% of the Fire Station 77 expansion costs and 100% of the

A10-11

A10-12

new ladder truck and apparatus and equipment needed for a new squad to the improvements needed to service new development (See Tables 1 and 3 of Nexus Study). The EIR needs to be revised to reflect the correct information contained in the Nexus Study.

A10-12
(cont.)

Not mentioned in the EIR is the important fact that the Fire District has a land lease with the City for Station 77 for 55 years, of which 20 has already gone by. The District has offered to purchase the property at market value every year for the last three years. The District has offered to include a right of first refusal clause in the agreement. Despite the City agreement to sell the adjacent property to a school, the District has not been successful in getting the City to agree to sell the Station property to the District.

The District has simultaneously attempted to extend the land lease for over two years. With 35 years remaining on the land lease the District is requesting an extension in line with the life span of a new facility, or for 70 years.

These issues are relevant to our response based upon how the General Plan attempts to frame the Fire District's intentions and plans. The Fire District has made its primary commitment to serving the residents of Belle Haven and we believe we can adequately serve the proposed project (Belle Haven and M2) from this strategic location.

A10-13

That said, the Fire District has Fire Stations that are over 60 years old and in need of replacement. We would not propose enlarging, or a new facility, in a 20 year old building if it wasn't for the significant impacts being proposed under the General Plan update and other proposed development, including the Facebook West Campus expansion plans. Nor would we look at other locations if we had received a different reception from the City.

4.12.1.2 – Impact Discussion

PS-1 "Implementation of the proposed project would not result in the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives".

This statement is incorrect. The City of Menlo Park increased the FAR and lifted the building height cap from three stories starting with the Gateway project. The General Plan update only further increases that growth, density and height. This area is already currently in the middle of a building boom with project after project involving roadwork, underground work, demolition and significant amounts of re-construction and new more dense development.

The Fire District's need to enlarge, rebuild or even build a new facility should not be dictated by an EIR which has erroneous and incomplete information and appears to be attempting to put narrow environmental issues ahead of our ability to provide adequate public safety services for this project and the community..

A10-14

The conclusion that the impact of the General Plan on fire services is less than significant is wrong because it is based on incomplete and inaccurate information and analysis. As stated above in Section 1, the conclusion is based on the payment of the fire services impact fee - "payment of impact fees would ensure that the adoption of the proposed project would result in *less-than-significant* impacts" (p. 4.12-12).

The assumed payment of the fee cannot be supported without a General Plan policy or mitigation measure requiring the fee payment. The analysis is incomplete because it fails to address impacts due to increased service population and building heights resulting from development allowed under the General Plan. The General Plan will result in an increase in service population of at least 11,570 residents and 5,500 employees due to changes in the M-2 zoning (EIR, Project Description, Section 3.7.2.2). The EIR fails to analyze the impacts on fire services of this large increase in service population.

PS-2" Implementation of the proposed project, in combination with past, present and reasonably foreseeable projects, **would result** in less-than- significant cumulative impacts with respect to **fire protection services**".

PS-4" Implementation of the proposed project, in combination with past, present and reasonably foreseeable projects, **would not result** in less- than-significant cumulative impacts with respect to **police services**".

A10-15

There seems to be some disparity between the Cities Police Department and the Fire District according to the report. The Fire District, like the Cities Police Department, has identified that it would need more personnel and apparatus to adequately serve the eastern side, or hard to serve portion of the District based upon the growth proposed in the General Plan update. We completely agree with the City and Police Department on this point and would expect to not be treated differently.

The EIR should identify the number of additional fire safety personnel needed to serve this new population and maintain the current Fire District standard of .87 fire safety personnel per 1,000 service. The increase in number of fire safety personnel due to the Project is at least 12. The impacts of this increase in fire safety personnel will include expansion of Fire Stations to house new crews, which would likely occur at Station 77. The increase in permitted building height will require the addition of an aerial ladder truck east of 101 which cannot be accommodated in Station 77 as currently configured. So, the Project causes all of these impacts, including the need to rebuild and expand Fire Station 77, which must be mitigated. The EIR fails to analyze these impacts and require mitigation.

A10-16

4.12-7 – Capital Improvements:

The EIR states that the Fire District has an unfunded amount for capital improvement projects of \$29 Million which will be met, in part, by the imposition of a fire services impact fee on new development. The EIR states the City adoption of the impact fee under the Fire District Board approved Fee Study "is anticipated prior to the approval of the proposed project [and] all new development applicants in the MPFPD service area will be required to pay applicable impact fees." However, per the Fire District Board approved 2016 Fee Study the Fire District has \$82,089,500 of capital purchases over the next 20 years*, not \$29 million. As of June 30, 2016 the Fire District's reserve balance available to fund these capital expenditures is only \$26,085,000.

A10-17

The assumption that the impact fee will be adopted and paid is unfounded given the lack of a mandatory General Plan policy or mitigation measure (see discussion above in Section 1).

*Per table 2 and 3 of the 2016 Fee Study. Costs are based on 2016 dollars and exclude annual inflation, escalation costs and amounts paid after February 2016.

Table 3
Capital Improvements Needed to Service New Development and Cost Allocations
2016 Fire Protection Fee Nexus Study - MPFPD

Facilities	Net Cost to District	Percent of Cost Allocated to New Development	Cost Allocated to New Development	Remaining Portion to be Offset by Other Funding Sources
Admin. & Fire Prevention	\$0	0%	\$0	\$0
Station 1 & Training Facility	\$13,003,500	0%	\$0	\$13,003,500
Station 2	\$4,363,400	0%	\$0	\$4,363,400
Station 3	\$6,292,800	0%	\$0	\$6,292,800
Station 4	\$10,068,500	50%	\$5,034,250	\$5,034,250
Station 5	\$6,292,800	0%	\$0	\$6,292,800
Station 6	\$9,600,000	0%	\$0	\$9,600,000
Station 77	\$10,068,500	50%	\$5,034,250	\$5,034,250
Station 77 Ancillary Bldgs	\$1,000,000	0%	\$0	\$1,000,000
Subtotal	\$60,689,500	17%	\$10,068,500	\$50,621,000

Apparatus & Equipment (# of items)

Fire Engine (14)	\$8,330,000	0%	\$0	\$8,330,000
Ladder Truck (3)	\$5,100,000	0%	\$0	\$5,100,000
Ladder Truck (1)	\$1,700,000	100%	\$1,700,000	\$0
Squad (1)	\$300,000	100%	\$300,000	\$0
Patrol Pumper (4)	\$780,000	0%	\$0	\$780,000
BC Command Vehicle (3)	\$330,000	0%	\$0	\$330,000
Airboat (2)	\$160,000	0%	\$0	\$160,000
Other Vehicles and Equipment	\$4,700,000	0%	\$0	\$4,700,000
Subtotal	\$21,400,000	9%	\$2,000,000	\$19,400,000

Grand Total **\$82,089,500** **15%** **\$12,068,500** **\$70,021,000**

(#) Indicates the quantity to be purchased over the next 20 years which includes replacement per the District's replacement schedule.

Source: Menlo Park Fire Protection District

A10-17
(cont.)

Table 2
2015-2035 Capital Improvement Plan Summary - 2015 Dollars
2016 Fire Protection Fee Nexus Study - MPFPD

Facility	Capital Improvement Plan Summary- 2015 Forecasted Expenditures								
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-25	2025-30	2030-35	Total
Buildings									
Admin. & Fire Prevention	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Station 1 & Training Facility	\$0	\$75,000	\$250,000	\$3,000,000	\$5,000,000	\$4,678,472	\$0	\$0	\$13,003,500
Station 2	\$4,363,422	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$4,363,400
Station 3	\$0	\$0	\$0	\$0	\$0	\$0	\$1,000,000	\$5,292,842	\$6,292,800
Station 4	\$0	\$0	\$0	\$0	\$75,000	\$9,993,548	\$0	\$0	\$10,068,500
Station 5	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$6,292,842	\$6,292,800
Station 6	\$1,500,000	\$3,300,000	\$3,300,000	\$1,500,000	\$0	\$0	\$0	\$0	\$9,600,000
Station 77	\$0	\$0	\$0	\$0	\$0	\$0	\$10,068,548	\$0	\$10,068,500
Station 77 Ancillary Bldgs	\$0	\$0	\$0	\$0	\$0	\$0	\$1,000,000	\$0	\$1,000,000
Subtotal	\$5,863,422	\$3,375,000	\$3,550,000	\$4,500,000	\$5,075,000	\$14,672,020	\$12,068,548	\$11,585,684	\$60,689,500
Apparatus									
Fire Engine	\$595,000	\$0	\$1,190,000	\$1,190,000	\$0	\$1,190,000	\$2,975,000	\$1,190,000	\$8,330,000
Ladder Truck	\$0	\$0	\$0	\$1,700,000	\$0	\$0	\$0	\$3,400,000	\$5,100,000
Ladder Truck (New)	\$0	\$0	\$0	\$1,700,000	\$0	\$0	\$0	\$0	\$1,700,000
Squad (New)	\$0	\$0	\$0	\$0	\$0	\$0	\$300,000	\$0	\$300,000
Patrol Pumper	\$190,000	\$0	\$0	\$200,000	\$0	\$0	\$0	\$390,000	\$780,000
BC Command Vehicle	\$0	\$0	\$0	\$110,000	\$0	\$0	\$110,000	\$110,000	\$330,000
Airboat	\$0	\$0	\$0	\$0	\$80,000	\$0	\$0	\$80,000	\$160,000
Other Vehicles and Equip.	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$1,000,000	\$1,400,000	\$1,300,000	\$4,700,000
Subtotal	\$985,000	\$200,000	\$1,390,000	\$5,100,000	\$280,000	\$2,190,000	\$4,785,000	\$6,470,000	\$21,400,000
Grand Total	\$6,848,422	\$3,575,000	\$4,940,000	\$9,600,000	\$5,355,000	\$16,862,020	\$16,853,548	\$18,055,684	\$82,089,500

Source: Menlo Park Fire Protection District.

4.12-8 - Impact Discussion.

The impact also includes more operational permits, hazardous materials permits and management, annual inspections, construction permits and inspections. The fee schedule is primarily for the cost recovery of the construction services only, of which higher demand requires staff, equipment and facilities. Therefore impact fees are needed for the impact to general Fire District operations.

A10-18

4.12-12 – 4.12.-13

The EIR improperly analyzes the cumulative impact of the Project. The conclusion that the cumulative impact is less than significant is wrong because it is based on incomplete and inaccurate information and analysis. The cumulative analysis is incorrect because it does not include all the proposed future development within the Fire District's jurisdiction outside the City. In particular, the EIR does not consider the significant future development planned under the General Plan Update and Ravenswood and 4 Corners Project in the City of East Palo Alto, and the North Fair Oaks Community Plan in the County of San Mateo.

The EIR fails to consider the substantial increase in service population within the District's jurisdiction caused by the combination of development within the City and these other jurisdictions. In order to properly analyze the cumulative impacts, the EIR must calculate the increase in service population and identify the number of additional fire safety personnel needed to serve this new population and maintain the current Fire District standard of .87 fire safety personnel per 1,000 service population.

The substantial increase in service population will result in the need to hire new fire safety personnel, which, in turn, will create the need to expand Fire Stations to house new crews, and other impacts. The cumulative development is also defective because it contains the same flaw of relying on the payment of fire services impact fees to support the less than significant conclusion. As discussed in detail above, the payment of the fee cannot be supported without a General Plan policy or mitigation measure requiring the fee payment. Therefore, the EIR needs to be revised to properly analyze the significant cumulative impacts and include mitigation measures to address those impacts.

A10-19

5. General Comments on EIR

The Fire District has the following general comments on the EIR:

Policy CIRC-1.6: Emergency Response Routes:

These routes have already been adopted by the Fire Board. We would be happy to discuss them with our law enforcement partners but our deployment models, unit configurations and staffing models are dramatically different. There is a significant difference between a police vehicle and a ladder truck when it comes to size, weight, maneuverability, strategic positioning and purpose. The EIR should properly address this.

A10-20

Policy CIRC-2.14: Impacts of New Development::

The Fire District should be consulted on any roadway modifications, specifically if it slows or impacts response times. Fire Engines are 9.5 ft. wide from mirror to mirror and the Ladder Truck is 10 ft. wide from mirror to mirror. Roadways should not be smaller than 10 ft. per lane and fire equipment can be damaged by certain control devices.

A10-21

Policy CIRC-3.3: Emerging Transportation Technology:

The Fire District is already using traffic pre-emption technology. It is helpful unless traffic congestion is at grid-lock conditions. We support any new traffic signals being paid for by the project or General Plan update..

A10-22

The Fire District recently received authorization from the Federal Aviation Administration (FAA) to fly Drones and is planning to use them operating out of a proposed Aerial Port from Fire Station 77. They will travel over the Dumbarton Rail Line and major roadways for primary and first response within three years to gain situational awareness over certain types of emergencies.

Policy S-1.38: Fire Resistant Design:

The Fire District supports fire resistant design including early detection and suppression using sprinkler systems.

A10-23

6. Comments on General Plan Goals, Policies and Programs

The Fire District staff has worked with the City staff on goals, policies and programs in the General Plan to address impacts on emergency and fire services. However, some of these policies and programs still need to be revised to address Fire District concerns. The Fire District asks that the Council direct City staff to work with the Fire District to address these issues. Revisions to General Plan policies may address some of the EIR issues raised in this letter. Policies with enforceable mandates may be the basis for finding an impact less than significant in lieu of adopting a mitigation measure.

HAZ-2 Implementation of the proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

A10-24

HYDRO-9 Implementation of the proposed project would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of a levee or dam break or flooding as a result of sea level rise

The Fire District is not the development and planning arm of the City but it is responsible for emergency response and consequence management. The decision to re-zone areas to combine high density residential occupancies is of significant concern to the Fire District, especially in a flood inundation zone and on Haven Avenue where one side of the street is actually in Redwood City.

7. Conclusion

The continued provision of a high level of fire and emergency services for the new development proposed under the General Plan is a goal that the Fire District and the City should share. Therefore, the impacts of new development on the Fire District must be completely addressed. The Fire District appreciates the City's consideration of these EIR comments on this important project. The Fire District, as a fellow public agency and a responsible agency under CEQA, looks forward to working with the City to ensure that the impacts on the Fire District are fully addressed and mitigated in the EIR.

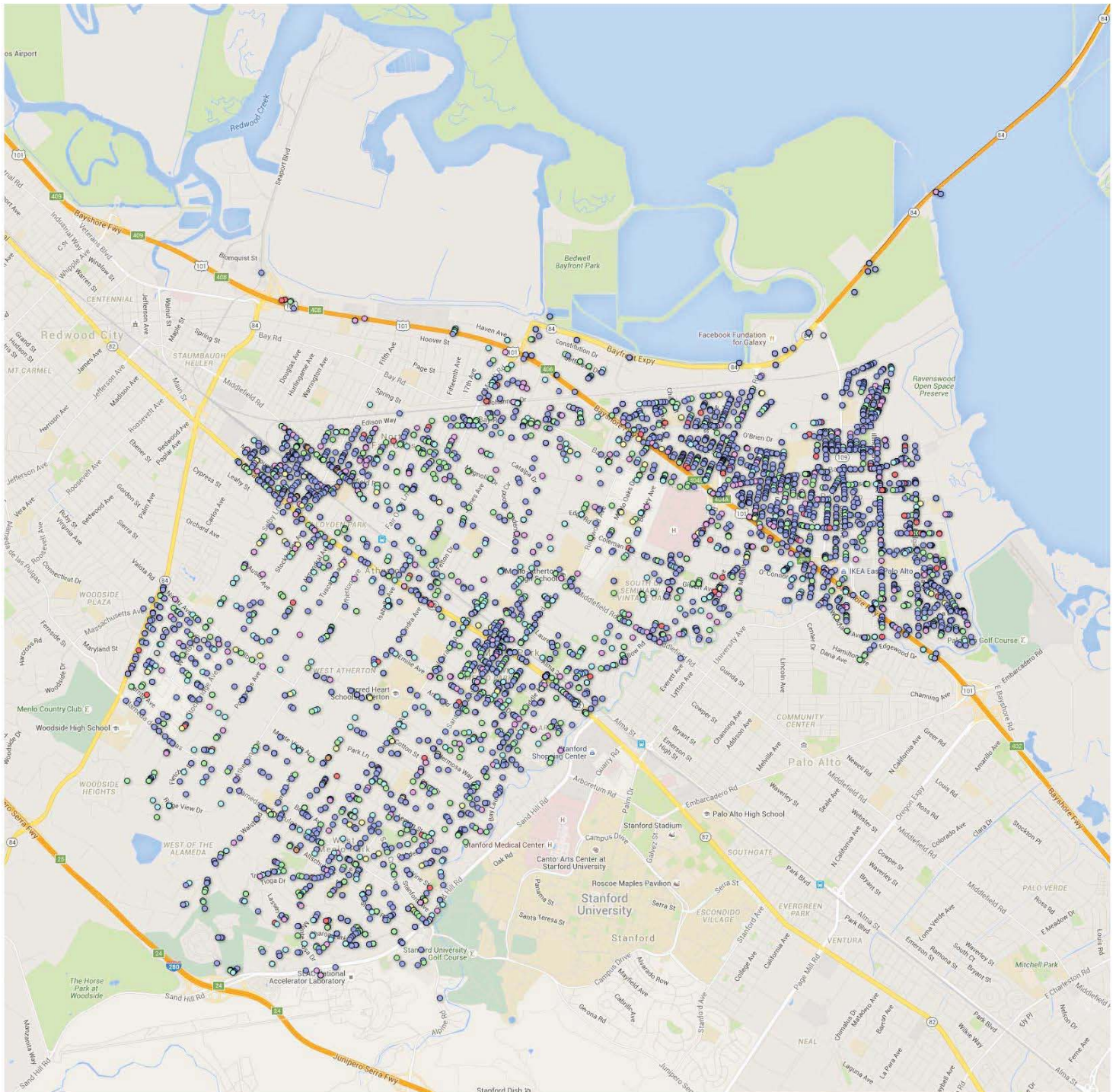
A10-25










Sincerely,

Harold Schapelhouman, Fire Chief

cc: Mayor and Honorable Member of City Council, Fire Board, Staff and file

8,547 Calls in 2015 Menlo Park Fire Protection District



- | | | |
|---|--|--|
|  187 Fires |  143 Hazardous Conditions |  39 Special Incident Types |
|  1,036 Service Calls |  805 False Alarms |  1 Severe Weather / 10 Overpressure Ruptures |
|  5,532 EMS Calls |  769 Good Intent Calls |  25 Undefined |

August 1, 2016

To: Menlo Park City Council and Planning Commission
From: Menlo Park Housing Commission
Re: Connect Menlo General Plan and M-2 Zoning Update Draft
Environmental Impact Report

Dear Mayor Kline, Mayor Pro Tem Keith, the City Council of the City of Menlo Park:

Please accept this letter as the Menlo Park Housing Commission’s comments regarding the General Plan and M-2 Zoning Update Draft Environmental Impact Report. We appreciate the opportunity to comment.

We are excited the M-2 and Belle Haven are the hub of economic growth for the City of Menlo Park. We are especially excited that the City is in a position to not only integrate affordable housing throughout Menlo Park, but also set unprecedented, positive affordable housing policies. As you know, there is much happening right now: the Facebook Expansion project, the General Plan update, the proposal to increase/institute commercial linkage/housing impact fees. These multiple initiatives will have a great impact on the Belle Haven community and the City at-large and therefore need to all be considered in tandem carefully.

A11-1

PRIMARY ASK: General Plan & Nexus Study Approval BEFORE Facebook Expansion Project Approval

While not directly related to the General Plan DEIR, we respectfully request that the City delay consideration of the Facebook Expansion Project at 301-309 Constitution Drive until AFTER the General Plan and Nexus Study have been carefully evaluated and approved. As such an integral piece of the plan area, we feel very strongly that approving it prior is putting the “cart before the horse.” While we understand the housing crisis is regional, the Facebook Expansion project has the potential to further exacerbate the housing jobs imbalance within Menlo Park. We therefore feel it is premature to evaluate this project before fully understanding what changes the area will see once the General Plan and Nexus Studies are discussed, revised, and approved.

A11-2

As an example, should the ability to site 4,500 more units not be ultimately included in the final General Plan, approval of the Facebook Expansion with a projected 6,500-employee increase may make little sense.

General Plan DEIR Comments

A11-3

We ask that the Council and Commission consider the importance of dispersing affordable housing throughout the entire City, not just in the Belle Haven area. It is critical that housing be built along El Camino where denser development is appropriate. It will mitigate the traffic problems, ameliorate the jobs/housing balance and is also the right thing to do to keep the City diverse and healthy. We think that this should be included as a consideration in the EIR.

A11-3

It is our understanding from the General Plan DEIR that the plan is to produce 4,500 units of housing, 15% of which will be affordable. But, there are no guarantees that this housing will be built or that 15% will be affordable. We would like to see a guaranteed minimum number of the proposed 4,500 housing units are actually built. Currently 15% (675 units) are slated to be affordable, we would like to see more than 15% with the majority of those units integrated to provide multi-income communities not absorbed in solely BMR housing developments.

A11-4

Impact fees, Facebook Expansion revenues, the City's current BMR funds, other local and State funding streams, and pursuing new affordable housing developer partnerships, can be used to ensure this happens. We encourage you to make sure developers understand affordable housing development is non-negotiable. If there is no required affordable housing overlay, it will very likely not happen. Again, we encourage you to consider requiring a guaranteed number of affordable housing units be built in the Belle Haven/M-2 and throughout the City of Menlo Park as a consideration in the EIR.

A11-5

We also understand that development in the General Plan will be incremental. We therefore feel it is important to consider staging development to ensure commercial and residential are built in tandem. Without staging, the City could easily end up with commercial development too far ahead of housing to relieve the jobs housing imbalance. This is something we would like to see examined in the final EIR.

A11-6

By prioritizing affordable housing units throughout the City we can mitigate some traffic impacts. Data obtained by Caltrans' 2013 California Household Travel Survey shows lower income households drive 50% less primarily relying on public transportation especially when living 1/2 mile or less of Transit Oriented Development. Higher income residents living within a 1/4 mile of transit drive twice as much and own twice as many cars as low income households within the same radius. We ask that this also be considered in the final EIR.

A11-7

As a matter of policy, we would like local preferences to insure that a high percentage of new affordable housing units built in Menlo Park go to existing Menlo Park residents. We would also like to see subsequent City Housing NOFA language revised to encourage new affordable housing developers to pursue development opportunities in Menlo Park.

A11-8

Other Related Recommendations

A11-9

We support the Nexus Study proposals to increase the commercial linkage fee and institute a residential impact fee. We feel that the impending development in the M-2 area will not be impacted by these increases, if done per the recommendations of the study. We also feel strongly that a portion of the Facebook Expansion tax revenues be dedicated towards affordable housing development in the City. Without these sources of funds, we can't do meaningful affordable housing development in Menlo Park, both in the M-2 area and throughout the City. Please note that by increasing our local affordable funding resources, we will greatly increase our ability to secure State and Federal housing funding dollars so that we can actually get units built.

**A11-9
(cont.)**

If the council passes the commercial linkage fee increase and implementation of a residential impact fee, we ask that these fees be assessed on projects that are beginning the development process. We understand that it may appear to be unfair to assess this fee on projects almost through the pipeline, but we would like to catch projects in the discretionary and building permit stage.

Thank you for your consideration.

Sincerely,

Michele Tate
Menlo Park Housing Commission Chair



City of East Palo Alto
Office of the Mayor

August 1, 2016

Deanna Chow, Principal Planner
Community Development Department
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Subject: Menlo Park General Plan EIR DEIR (Connect Menlo)

Dear Deanna Chow:

This letter and its attachments are provided in response to the Notice of Availability for Public Review of the Draft Environmental Impact Report prepared for the Menlo Park General Plan DEIR (Connect Menlo). Thank you for the opportunity to comment on the DEIR, as well as extending the comment period to August 1, 2016 at 5:30PM. The impacts of this project are critical to East Palo Alto due to its proximity and scale. As indicated in this letter with its attachments, including letters from Richards, Watson, & Gershon (attachment 1) and Krupka Consulting (attachment 2); the DEIR raises a variety of serious legal, public policy and technical questions.

I want to emphasize that East Palo Alto values its relationship with its neighbor, and we hope to continue to work cooperatively on the many issues common to both of our communities. We are accordingly prepared to work hard to resolve our concerns through good faith negotiations with Menlo Park. In light of that prospect, East Palo Alto reserves the right to modify the enclosed comments by a further letter. If you have any questions, please call Guido F. Persicone, Planning Manager at 650-853-3195 or email him at gpersicone@cityofepa.org.

A12-1

Yours truly,

Donna Rutherford,
East Palo Alto Mayor
drutherford@cityofepa.org

cc: East Palo Alto City Council
Menlo Park City Council
Alex D. McIntyre, Menlo Park City Manager

Attachments:

1. Comment Letter from Richards, Watson, and Gershon
2. Comment Letter Paul Krupka
3. Comment Letter (Inconsistencies between Connect Menlo and the Facebook EIR)



RICHARDS | WATSON | GERSHON

ATTORNEYS AT LAW – A PROFESSIONAL CORPORATION

355 South Grand Avenue, 40th Floor, Los Angeles, California 90071-3101
Telephone 213.626.8484 Facsimile 213.626.0078

July 28, 2016

David M. Snow
dsnow@rwglaw.com

VIA U.S. MAIL AND ELECTRONIC MAIL

Sean Charpentier, Assistant City Manager
Guido Persicone, AICP, Planning Manager
City of East Palo Alto
1960 Tate Street
East Palo Alto, CA 94303

Re: Review of City of Menlo Park Environmental Impact Report for General Plan
Land Use and Circulation Element Updates (ConnectMenlo)

Dear Mr. Charpentier and Mr. Persicone,

Richards, Watson & Gershon (“RWG”) is pleased to assist the City of East Palo Alto in reviewing the Environmental Impact Report for City of Menlo Park’s proposed updates to the Land Use and Circulation Elements of the General Plan, also referred to as ConnectMenlo.

In reviewing the EIR, we have a number of concerns regarding the document’s accuracy and adequacy, which are set forth in the table attached to this letter. We believe that before the City of Menlo Park could certify the EIR substantial revisions are necessary and recirculation of a revised Draft EIR for further public review and comment is required.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

David M. Snow

cc: Valerie Armento, Interim City Attorney

A12-2

City of East Palo Alto

Comments on Menlo Park General Plan Draft EIR

Draft EIR Section	Page Number	Comment	
Project Description	3-30	<p>The Project Description states that the DEIR is analyzing the impact of the “full” development potential of the proposed Bayfront Area and the existing General Plan potential, but also states that it excludes the Facebook Campus Expansion and other cumulative projects.</p> <p>Given the geographic overlap between the Facebook Campus Expansion project and the Bayfront Area being analyzed in the General Plan update, the decision to <i>not include</i> the Facebook Campus Expansion project in the project creates the potential to underestimate the impacts of the General Plan update. The DEIR fails to adequately explain why the project does not include the Facebook Expansion project, as well as other projects that are within the geographic area covered by this General Plan update. This decision makes the DEIR confusing to decipher because it is not clear to a layperson whether the cumulative project impacts are already incorporated into the project impacts based on the planning for those sites. The DEIR needs to include a more expansive discussion of the overlap between the cumulative projects and the General Plan update. In addition, the DEIR should include substantial evidence to support these decisions.</p>	A12-3
Environmental Evaluation	4-3	<p>The 2040 Horizon Development Potential states that the EIR is calculating population by applying the 2.57 persons per household generation rate. Why is this different from the 2.61 persons per household rate used in the Facebook DEIR?</p> <p>The City cannot choose to use different assumptions in two different EIRs that are being prepared simultaneously without providing substantial evidence to support that decision. The DEIR currently fails to include substantial evidence to support this distinction.</p>	A12-4
	4-3	<p>In this section, the DEIR provides that employment is calculated based on certain employment generation factors. The DEIR does not, however, provide substantial evidence as to why those assumptions are reasonable. The DEIR should support the use of these employment generation figures with substantial evidence.</p>	A12-5
	4-4	<p>The “Baseline” section provides a number of figures regarding existing conditions, but the remainder of the DEIR often fails to compare project build-out under the proposed General Plan updates to these existing conditions. This is a fundamental flaw in the current analysis in the DEIR. The DEIR seeks to compare the proposed General Plan build-out to ABAG projections and/or existing General Plan projections. The appropriate baseline, as stated here however, must represent the existing conditions on the ground at the time of the NOP. All potential</p>	A12-6

Draft EIR Section	Page Number	Comment	
		project impacts and potential project plus cumulative project impacts should be compared to these baseline figures. In failing to include this comparison, the DEIR does not adequately analyze the project's impacts under CEQA.	A12-6 (cont.)
	4-12	With respect to "Population and Housing," this section regarding cumulative impacts states that "impacts from cumulative growth are considered in the context of consistency with regional planning efforts." The cumulative population and housing impacts also must consider the impacts from the project plus cumulative projects as compared to existing conditions. As stated in our specific comments regarding the Population and Housing section, the DEIR's analysis cannot ignore the comparison between the actual cumulative plus project impacts and the existing conditions. Mere "consistency with regional planning efforts" does not adequately disclose the true project impacts and deprives the public of a meaningful opportunity to comment on the proposed project's true impacts.	A12-7
Air Quality	4.2-21	The failure to analyze the Facebook expansion as part of the General Plan may result in the understating of air quality impacts, given the large impact that project will have on the number of employees in the City and vehicle trips. It seems less likely that the General Plan would be found consistent with existing air quality plans if the Facebook project was included in the General Plan as a reasonably foreseeable project.	A12-8
	4.2-25	The analysis of consistency with existing air quality plans should focus less on the general policies of the proposed general plan update, and more on the proposed revisions to land use designations and possible increase in population, density, and vehicle trips. This section does not adequately explain whether the proposed general plan amendment would allow for higher densities that might conflict with the growth projections that are the basis of the Bay Area Clean Air Plan. It is not adequate to say that new development will comply with green building requirements – a lack of consistency could arise if the GP contemplates development that would exceed the population/employment projections in the Bay Area Clean Air Plan.	A12-9
	4.2-33-34	As described above, the Facebook expansion project does not appear to be calculated as part of the projected population under the General Plan. This could result in the impacts of the general plan update with foreseeable projects being understated.	A12-10
	4.2-34	See above. The finding of less-than-significant impacts does not take into account the Facebook expansion project being considered simultaneously with this General Plan amendment.	A12-11
	4.2-39	This analysis should include projected changes in land use designation that would result in population growth, vehicle trips, and other factors that would result in air quality impacts in excess of the BAAQMD	A12-12

Draft EIR Section	Page Number	Comment	A12-12 (cont.)
		regional thresholds.	
	4.2-43-45	It is unclear how these general policies will result in a less than significant impact on CO hotspots. Development under the GP will result in more vehicle trips and more service vehicles that may idle. These general policies are not enforceable enough to reduce impacts to a less than significant level.	A12-13
Biology	4.3-19 to 4.3-23	<p>Impact BIO-1: The EIR does not examine how increased activity in the project area and accompanying noise, light and runoff could cause direct or indirect impacts to special status species located at the adjacent Don Edwards National Wildlife Refuge.</p> <p>Although identified in the Facebook EIR, the General Plan EIR fails to address increased predation that may occur due to development adjacent to the Refuge.</p> <p>The EIR does not address the loss of special status species' nesting foraging habitat on remaining undeveloped lands in the Bayfront Area. The EIR does not describe any temporary impacts to special status species' habitat due to the removal of trees and/or vegetation until replacement landscaping is matured.</p> <p>The EIR does not identify which special status species in particular could be impacted by the Life Sciences designation of areas of marshland near University Avenue.</p>	A12-14
	4.3-28	Impact BIO-7: The EIR states that potential impacts on proposed development on biological resources are site specific and fails to identify the scope of cumulative impacts. By contrast, the Facebook EIR identifies the geographic context for analysis of cumulative biological impacts as including the nine counties within the Bay Area. Thus, the EIR fails to identify and describe how development under the proposed General Plan in combination with other development in neighboring communities could impact the Don Edwards National Wildlife Refuge and the San Francisco Bay.	A12-15
Greenhouse Gas Emissions	4.6-34	The Facebook Campus Expansion project should be analyzed as part of the General Plan for purposes of determining greenhouse gas emissions.	A12-16
Hydrology	4.8-30	HYDRO-2: The discussion in the 2 nd paragraph compares the proposed project to the current General Plan. The DEIR needs to analyze the proposed project to <i>existing conditions</i> on the ground, as well as to the existing General Plan. The analysis should include a more robust discussion of the potential increase in impervious surfaces between the proposed project and existing conditions.	A12-17
	4.8-31	The sentence that states "Under the Zoning update, no potable water..." includes a double negative that appears to be unintentional. I believe it should state that potable water shall not be used for	A12-18

Draft EIR Section	Page Number	Comment	A12-18 (cont.)
		decorative features.	
	4.8-32	A more robust discussion of the City’s program to monitor the pumping of groundwater is required to disclose to the public and decision-makers how the monitoring would reduce impacts to groundwater.	A12-19
	4.8-33	On this page, the DEIR should state “...the City of Menlo Park has adopted more stringent requirements <u>than</u> the C.3 provisions...” Also, for the purpose of disclosing information to the public, the DEIR should identify the specific C.3 provisions that are applicable in each instance.	A12-20
	4.8-41	The section regarding Sea Level Rise should more directly address the fact that the proposed project encourages development in an area prone to sea level rise. The analysis should detail the number of new residential units and the amount of non-residential square footage that would be added in areas prone to sea level rise under the proposed project.	A12-21
	4.8-44	The cumulative impacts analysis should discuss the connection between the proposed developments with respect to sea level rise. The discussion should explain how much development is being proposed in areas subject to sea level rise, and how Menlo Park plans to mitigate the risks of adding such development in those areas. In addition, the DEIR should discuss how Menlo Park will require that those projects contribute their fair share to projects intended to protect coastal developments from sea level rise.	A12-22
Noise	4.10-30, 4.10-34	<p>Impact NOISE-3: On page 30, the EIR states that increases to ambient noise from car traffic would result in a substantial permanent increase in ambient noise levels. On page 34, the EIR states that there would be no roadway segments experiencing a substantial permanent increase in ambient noise levels. These conflicting statements should be reconciled.</p> <p>The EIR does not give a clear picture of how noise is expected to increase both with and without the project. It is unclear whether Table 4.10-10 includes the 2040 forecast conditions with the proposed project.</p> <p>It is unclear whether the increases at roadway segment #42 (O’Brien Drive at Kavanaugh Drive to Willow Road) and #72 (Chilco Street at Ivy Dive to Terminal Avenue) will be substantial. Table 4.10-10 indicates that there will be 3-5 dB increases at these points, but it is unclear what the normally acceptable standards are for each of these study points.</p>	A12-23
Population and Housing	4.11-4	Given how drastically the Bay Area’s housing market and population have changed since 2010, as highlighted in the Facebook Campus Expansion DEIR also prepared by Menlo Park, it is not appropriate to use statistics regarding the City’s housing market from 2010.	A12-24

Draft EIR Section	Page Number	Comment	
		<p>Moreover, it seems less appropriate to compare the figures for 2000 and 2010, as opposed to comparing figures from 2010 to 2015.</p> <p>The DEIR should provide the most recent available Census or American Community Survey (ACS) information and/or provide substantial evidence to support the use of the 2010 Census numbers as an appropriate way to analyze population and housing at this point. At the moment, the DEIR fails to provide substantial evidence to support the use of 2010 statistics given that ACS data is available for at least some of these figures from 2015, which is the appropriate baseline given the NOP date.</p>	A12-24 (cont.)
	4.11-4	<p>The “Future Housing Needs” discussion (see footnote 10) appears to rely on the 2009 ABAG Projections, but the Facebook Campus Expansion DEIR and other portions of this DEIR rely on the 2013 ABAG projections. The DEIR must be consistent with respect to its sources regarding population and housing statistics and support the choice of sources with substantial evidence, especially if the DEIR is not relying on the most recent projections.</p>	A12-25
	4.11-4	<p>Table 4.11-1 seems to rely on the 2013 ABAG projections, which do not take into account the Facebook Campus Expansion. That project is proposed to add 6,550 jobs to the City of Menlo Park. In light of that fact, how can the City rely on the ABAG projections with respect to anticipated growth in population, housing, and employment? The decision to rely on ABAG projections that do not take into account the Facebook Campus Expansion is not supported by substantial evidence. The General Plan DEIR cannot ignore a project that adds 6,550 jobs to the City, especially given that this figure represents more than a fifth of the City’s current jobs.</p>	A12-26
	4.11-5	<p>POP-1: The title of the impact discussion phrases “POP-1” correctly that the threshold is whether the project will induce substantial population growth, either directly or indirectly. The analysis, however, fails to adequately compare the population, employment, and housing growth to existing conditions. The DEIR does not analyze the impact appropriately but instead of focusing on the threshold above, focuses on the following: “The proposed project would result in a significant impact related to population growth if it would lead to substantial unplanned growth either directly or indirectly.” This statement, and the analysis in this section, mischaracterizes the threshold of significance, and fails to adequately analyze the true impact of the proposed project as compared to existing conditions.</p> <p>Page 3-27 of the DEIR states that under the proposed project the changes in the Bayfront Area could result (directly) in new development potential as follows:</p>	A12-27

Draft EIR Section	Page Number	Comment
		<ul style="list-style-type: none"> • 2.3 million square feet of non-residential space • 400 hotel rooms • 4,500 residential units • 11,570 residents; and • 5,500 employees <p>The DEIR needs to analyze how allowing for all of this development induces population growth – <i>not</i> whether the General Plan <i>plans</i> for this growth.</p>
	4.11-16	<p>Again, in the conclusion for POP-1, the DEIR fails to analyze the allowable growth under the revised General Plan update as compared to <i>existing conditions</i>. The DEIR cannot simply conclude that implementation of the proposed project would not induce substantial population growth because the General Plan includes a planning framework for that growth. If that were the case, no planning document would ever induce population growth, which surely cannot be the case. The DEIR must disclose to the public the change in population growth and housing demands between <u>existing conditions</u> and the <u>build-out of the General Plan update</u>.</p> <p>While Table 4.11-2 appears to provide these figures for project plus cumulative and existing, it does <i>not</i> compare project (without cumulative) to existing conditions. The DEIR must include that comparison. Such a comparison likely would show that the proposed General Plan updates would induce substantial population growth from existing conditions.</p> <p>In addition, the analysis fails to adequately analyze the <u>housing demand</u> created by the employment positions generated by the full build-out of the General Plan update.</p>
	4.11-17	<p>Table 4.11-2 does not explain how 22,350 new employees would lead to only 17,450 new residents and 6,780 new households. The DEIR needs to include substantial evidence to support these calculations and explain the assumptions behind these figures. Otherwise, the public and decisionmakers are being deprived of a meaningful opportunity to comment on potential impacts.</p> <p>Also, 6,550 of these new 22,350 jobs presumably result from the new Facebook Campus Expansion. The DEIR for that project, however, drastically understates the potential growth in City population because of faulty assumptions regarding workers per household.</p> <p>This DEIR fails to explain how the new employees projected for the City by 2040 results in such a low number of new households. The DEIR must provide substantial evidence for the assumptions underlying these</p>

**A12-27
(cont.)**

A12-28

A12-29

Draft EIR Section	Page Number	Comment
		<p>calculations and more explicitly explain the origin of these figures.</p> <p>The DEIR calculates the new development potential under the Land Use and Circulation updates plus the existing General Plan’s development potential and then states that new growth under the proposed project would occur incrementally over a period of approximately 24 years. The DEIR then compares this growth to the ABAG 2013 regional growth projections.</p> <p>In large part, the use of those figures is irrelevant given that the “new development potential” does not include the Facebook Campus Expansion, which is anticipated to be completed by 2018 (or possibly 2022). The DEIR does not justify comparing only the project plus existing General Plan potential without including the cumulative projects to ABAG projections. Choosing to ignore the cumulative projects, especially the Facebook Campus Expansion, drastically understates the true effect of the project build-out, and confuses the timeline.</p> <p>This is especially true given that the timeframe for full build-out extends until 2040, but in actuality over half of the anticipated job growth from cumulative projects will be in place by 2018 or 2022 (depending on when the Facebook Campus Expansion is completed).</p> <p>Without comparing when the <i>job growth</i> will occur as compared to when the <i>residential growth</i> will occur between now and 2040, the cumulative impacts analysis fails to address all possible impacts. For example, if all of the job growth occurs at the beginning of the planning period, then a failure to discuss the timing issue would drastically understate the impacts to the housing market and the need to construct additional housing.</p>
	4.11-17	<p>The DEIR seeks to rely on certain policies in <i>Plan Bay Area</i> including transit-oriented and infill development policies to find that the project build-out would be consistent with <i>Plan Bay Area</i>. The DEIR fails to acknowledge, however, that project build-out (including cumulative projects, as is appropriate) would drastically worsen the jobs/housing balance in the City. The DEIR chooses to address only those portions of <i>Plan Bay Area</i> that are consistent with the General Plan, but fails to discuss the issue of jobs/housing balance, which makes the General Plan update <i>inconsistent</i> with <i>Plan Bay Area</i>.</p>
	4.11-18	<p>The DEIR fails to demonstrate the extent to which the proposed General Plan update would change the growth rates of population, households, and employment growth as compared to ABAG’s prior projections, and more importantly, as compared to existing conditions.</p> <p>According to Table 4.11-1 on page 4.11-4, Menlo Park’s population previously was expected to grow by 15 % between 2015 and 2040. The</p>

A12-29
(cont.)

A12-30

A12-31

A12-32

Draft EIR Section	Page Number	Comment
		<p>number of households and employees was expected to grow by 13 % between 2015 and 2040.</p> <p>On page 4.11-17, Table 4.11-2 indicates that with the proposed project <i>plus cumulative projects</i>, the growth rate would actually be 53 % in terms of population, 52 % in terms of households, and 72 % in terms of employees. Regardless of whether ABAG is in the process of updating its projections, the project plus cumulative growth rates <u>drastically</u> exceed the ABAG projections from only <u>three years ago</u>.</p> <p>In order to fully understand the project’s impact, this table <u>also</u> should include the percentage increase resulting from the project <i>without</i> the cumulative projects. Otherwise, the DEIR fails to disclose the project’s impacts with respect to population growth.</p>
	4.11-18	<p>As stated above, the analysis regarding POP-1 fails to accurately apply the threshold of significance. The DEIR states that: “The General Plan serves as the City’s constitution for the physical development of the city and is implemented by the Zoning Ordinance; thus, the aforementioned existing and proposed goals, policies, and programs, and zoning regulations would provide the long-term planning framework for orderly development under the proposed project through the 2040 horizon year.”</p> <p>Relying on this general statement about the purpose of a General Plan, the DEIR concludes that therefore, “implementation of the proposed project would not induce substantial population growth, or growth for which inadequate planning has occurred, either directly or indirectly, and impacts would be <i>less than significant</i>.” This conclusion misunderstands the threshold of significance.</p> <p>The DEIR fails to analyze the population growth that will be generated by the proposed General Plan update. The DEIR must compare the build-out of the plan <u>with existing conditions</u> in order to fully disclose the impacts with respect to population growth. At present, the analysis of POP-1 is inadequate to disclose the true impacts of the project to the public and the decisionmakers.</p>
	4.11-20	<p>POP-3: The analysis of the project’s potential to displace substantial numbers of <u>people</u>, necessitating the construction of replacement housing elsewhere, is inadequate. Even without the cumulative projects, the General Plan update apparently allows for the construction of 5,500 new units, while allowing for almost twice that number of jobs (9,900). The DEIR currently states simply: “There are no plans for removal of existing housing under the proposed project, thus displacement of people would not occur.” This statement misunderstands the threshold of significance for POP-3. In fact, that statement addresses POP-2, <i>not</i> POP-3.</p>

**A12-32
(cont.)**

A12-33

A12-34

Draft EIR Section	Page Number	Comment
		<p>The DEIR analysis of the displacement of people needs to discuss whether implementation of the project will result in the displacement of people – not just the actual removal of existing housing. In this instance, the DEIR must analyze how implementation of the project will create market pressures that might displace people and thereby necessitate replacement housing elsewhere. Specifically, this analysis should include a discussion of the project’s impact on the availability of affordable housing as compared to the jobs created by the project. In addition, this will require a discussion of the proposed timeline with respect to anticipated job growth and residential growth.</p> <p>Essentially, the DEIR needs to analyze how the proposed build-out of the General Plan update would affect the housing market, especially the availability of affordable housing units, specifically including impacts in the City of East Palo Alto. A potential lack of affordable housing could very well necessitate the construction of additional affordable housing and/or have impacts on commuting patterns and subsequently air quality impacts. At present, the analysis of this impact is grossly inadequate.</p>
	4.11-20	<p>POP-4: The second paragraph of this section again concludes that implementation of the proposed project would not necessitate the construction of replacement housing elsewhere. The DEIR fails to include any analysis of the project’s impact on housing needs and thereby fails to support the prior conclusion with substantial evidence. Without a discussion of the housing demand created by the expected population growth, and specifically a discussion of the housing demand at various income levels, the DEIR cannot conclude that the project implementation will not impact population and housing.</p> <p>The DEIR’s subsequent conclusion – that the impacts of the project plus cumulative conditions <i>also</i> would not displace housing or substantial numbers of people – is similarly unsupported by substantial evidence. The DEIR does not analyze the cumulative projects at all – entirely failing to explain whether any of the projects would displace housing units or have impacts on the housing market that would affect the availability of affordable housing and thereby necessitate the construction of additional housing elsewhere.</p>
	4.11-21	<p>The DEIR inappropriately compares the anticipated growth under the General Plan’s build-out to ABAG’s regional projections. The analysis concludes that the implementation of the project plus cumulative projects would result in a significant cumulative impact only because ABAG has not updated its projections. This fails to analyze the necessary impact, which is the anticipated growth of the project plus cumulative projects as compared to <u>existing conditions</u>.</p>

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		<p>Although it is sometimes useful to compare a revised planning document with regional projections or with a prior planning document, the analysis in an EIR must compare the build-out of a planning document with the existing conditions in order to fully disclose the impacts of the proposed project. The DEIR currently fails to analyze the project's cumulative impacts by ignoring the existing conditions in its analysis.</p>
	4.11-21	<p>Displacement Impacts: In connection with the Facebook Campus Expansion project, the City conducted an "Evaluation of Potential Displacements Impacts in East Palo Alto and Menlo Park's Belle Haven Neighborhood." With respect to the Facebook DEIR, the City of East Palo Alto commented that the Evaluation should have been updated in certain ways and included as part of the DEIR in order to demonstrate and support the potentially significant impacts to population growth and housing demand.</p> <p>Similarly here, the City of Menlo Park should conduct an evaluation of the proposed General Plan update's potential displacement impacts in the City itself, and in surrounding jurisdictions. Specifically, the evaluation must study the project's impacts on affordable housing demand in both the City of Menlo Park and surrounding jurisdictions. This evaluation is necessary to fully disclose the project's impacts to population growth and housing demand, and to disclose the potential to require the construction of new housing due to the displacement of people and households of different income levels.</p> <p>This analysis should be included in the DEIR's discussion of POP-1, POP-3, and POP-4 in order to fully analyze the project's impacts on inducing population growth, on the need for construction of new housing due to the displacement of people, and on cumulative impacts to population and housing.</p>
Public Services and Recreation	4.12-3	<p>The Existing Conditions states that the MPFPD serves approximately 90,000 people, and that there is a service ratio of .85 firefighters per 1,000 service populations. Why is this baseline different from the Facebook DEIR, which states that the MPFPD serves approximately 111,850 people and has a service ratio of .86 firefighters per 1,000 per service population?</p> <p>The City cannot choose to use different baselines in two different EIRs that are being prepared simultaneously without providing substantial evidence to explain that decision. The DEIR currently fails to include substantial evidence to support this distinction.</p>
	4.12-9	<p>The discussion of impacts to fire services states that there will be a less than significant impact because future project applicants will be</p>

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		required to pay all applicable fees as set forth on the City’s Fee Schedule. It is not clear how the timing will work such that a potential future applicant pays its fair share of fees for necessary capital improvements, and how it will be determined when the “tipping point” has occurred such that new facilities are necessary. The DEIR should include further information to ensure that the GP update does not result in unmitigated future impacts.
	4.12-18	PS-4: This impact states the project, in combination with cumulative projects, “would not result in less-than-significant cumulative impacts with respect to police services.” This appears to be a typo as it is essentially a double negative.
	4.12-20 and 4.12-23 through 4.12-24	<p>The Existing Conditions states (p. 4.12-20) that the City provides 244.96 acres of parkland for residents, with a ratio of 7.44 acres/1,000 residents. But, the Facebook DEIR states that the City only provides 221 acres of parks, for a ratio of 6.64 acres/1,000 residents. There is no explanation provided for these differing baselines.</p> <p>Furthermore, this difference becomes especially significant in terms of the impact conclusion. This GP DEIR states that upon buildout at Horizon Year 2040, there would still be 5.2 acres of parkland per 1,000 residents. But, if the parkland figure of 221 acres as stated in the Facebook DEIR is used instead, that ratio drops to 4.69 (221 acres divided by 47.1 [(32,900 + 14,150)/1000], the formula stated in footnote 45). This ratio is then <u>below</u> the goal of 5 acres/1,000 residents, and there is a significant impact to parks and recreational facilities. Accordingly, the DEIR understates an adverse impact caused by the project and should be revised and recirculated to address this deficiency.</p>
	4.12-26	<p>The discussion and conclusion in impact PS-6 states that the Menlo Park Community Services Department “has indicated the proposed project could require the construction of new or expanded recreation facilities” but then states that because it is not certain when the need for new or expanded facilities will arise, there is no adverse impact. This conclusion improperly conflates an adverse impact with the timing of mitigation. Because the DEIR acknowledges that new or expanded facilities will need to be constructed as a result of the population increase caused by this project, the project has an adverse impact which should be stated as such and mitigated as appropriate and feasible.</p> <p>Because the DEIR currently understates an adverse impact caused by the project, the DEIR should be revised to reflect the project’s actual impact and should be recirculated for further public review and comment.</p>
	4.12-30	Table 4.12-3: This table contains information on existing capacity at

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		certain schools that is inconsistent with the information provided in the Facebook EIR. For example, the Facebook EIR states that Laurel Elementary had a 2014/2015 enrollment of 630, which means that there is less capacity than stated in this project’s EIR. In addition, the Facebook EIR states that Hillview Middle School had a 2014/2015 enrollment of 833 (not 881). The baseline numbers for prior school year enrollment should be accurate and consistent across EIRs.	A12-43 (cont.)
	4.12-45	The third paragraph on this page states that the project would result “in an incremental increase in demand for fire protection services to be accommodated by the Menlo Park Library.” This appears to be a typo, otherwise the meaning of this sentence is unclear.	A12-44
Transportation & Circulation	4.13-4, 5	The City of Menlo Park has one Priority Development Area (PDA) identified in the Plan Bay Area, however the location of the main land use intensification contemplated in the General Plan Update is outside of this PDA. Focusing new development in the Bayfront area calls into question consistency with the regional plan, and in particular the eligibility for transportation funding to support the various infrastructure improvements necessitated by the contemplated land use intensifications. This consistency issues is not adequately considered or analyzed in the Transportation and Circulation analysis.	A12-45
	4.13-10, and generally for Section 4.13	The DEIR relies heavily on transportation demand management guidelines to address traffic impacts of new development contemplated by the General Plan Update. The DEIR must explain how the contemplated management guidelines are consistent with all local, State, and Federal statutes, and how they will be enforceable in the context of plan amendments. Further, because many of the impacted intersections are in the City of East Palo Alto, East Palo Alto must have a role in the monitoring that should include at a minimum, receiving all monitoring reports to verify compliance, and to receive a portion of any penalty fees assessed for non-compliance. Without inclusion of substantially more detail to ensure implementation of the TDM Guidelines will actually occur, this mitigation is not enforceable and cannot be relied upon to reduce the project’s traffic impacts, including but not limited to the impacts in East Palo Alto.	A12-46
	Figure 4.13-3	This figure does not include any information regarding bicycle or pedestrian facilities in East Palo Alto, which will be heavily impacted by traffic generated by the proposed land use intensification. The Figure, and existing conditions information must be augmented to include this information so that the Project’s impacts can be adequately assessed.	A12-47
	4.13-21	The discussion of other transit services needs to be expanded to include and address transit options in and through East Palo Alto that will be impacted by the land use intensification in the Bayfront Area. Specific consideration of SAMTRANS routes 397, 296, 297 and 281 must be considered and analyzed.	A12-48

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	4.13-22	The analysis scenarios studied in the transportation and circulation section reflect cumulative impact analyses and none of them disclose the specific project impacts. A proper “project” level analysis would compare the 2040 buildout scenario with the 2014 existing conditions. However, the only analysis provided layers into the analysis the cumulative projects, like the hugely impactful Facebook Campus Expansion project. In so doing, the analysis hides the impacts of the general plan update project. CEQA requires both a project level analysis and a cumulative project analysis, and this EIR conflates the two. The DEIR admits this defect at page 4.13-89, where it states that “[t]he analysis of the proposed project, above, addresses cumulative impacts to the transportation network in the city and its surroundings; accordingly, cumulative impacts would be the same as those identified above.” The DEIR must be revised to provide a meaningful project level analysis of the transportation and circulation impacts.
	4.13-22	Under discussion of the Travel Demand Modeling Methodology, the DEIR states that the Menlo Park City Model utilizes the same land use data categories, modeling assumptions, etc., as in the current C/CAG Model, but for model years 2013, 2020 and 2040. Using information for a model year 2013, however, would not capture significant changes that occurred after 2013, including but not limited to the various Facebook Campus projects that have been entitled and implemented during that time. Therefore, reliance on the out of date data and information calls into question the sufficiency and adequacy of the model and its results.
	4.13-23	The transportation and circulation analysis applies Dynamic Traffic Assignment to address what are referred to as unrealistic volume-to-capacity ratios. The analysis reroutes vehicles when congestion occurs, however, there is no clear explanation of how rerouting occurs. For example, to avoid congested areas, were the vehicles rerouted onto local streets as cut-through traffic? If so, these assignments are inconsistent with the various policies referenced in the analysis that discourage cut-through traffic on local streets. Further, to the extent that traffic is assigned to these other streets that are not analyzed in the DEIR, the potential impacts on those streets must be disclosed. Without disclosing how the DTA was implemented, the validity of the various assignments cannot be verified.
Transportation and Circulation	General Comment	Section 4.13 does not properly identify the study area intersections that are within the City of East Palo Alto’s jurisdiction. These include: All major intersections along University Avenue; All major intersections along Bay from Willow to Pulgas; University and Woodland. Newbridge and Willow Avenue, Capitol and Donohoe Street, Cooley Avenue and Donohoe, East Bayshore Road and Donohoe, Euclid Avenue and East Bayshore Road/Donohoe Street, and US 101 Northbound and Donohoe Street.
	Table	The study area roadway segments and 2014 Existing ADT Volumes do

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	4.13-5	not reflect additional significant developments, including but not limited to the recent Facebook Campus projects. The ADT volumes should be updated accordingly to reflect 2015 baseline conditions. Further, this does not address or acknowledge any roadway segments in East Palo Alto.	A12-53 (cont.)
	4.13-33	As noted above, the 2014 Existing Conditions does not capture significant projects, including the recently entitled and implemented Facebook Campus projects, which could account for a significant change in the existing conditions from those assumed in 2014. The existing conditions need to be updated accordingly.	A12-54
	4.13-33	The DEIR states that the regional average VMT was determined by including the entire nine-county Bay Area region. A more refined analysis is necessary in this regard because of the unreasonable expansion to the entire nine county region for this project has the effect of inflating the average VMT, and thus hiding the true VMT impacts of the project. This analysis must be redone with the average VMT calculated using only the more proximate counties San Mateo, Santa Clara, Alameda, and San Francisco. Including the current analysis is misleading and fails to adequately disclose potential impacts.	A12-55
	4.13-33	The roadway segment daily traffic volumes do not include critical street segments in East Palo Alto. At a minimum the segments studied must include those segments along University Avenue between Bayfront Expressway to the north and Woodland Avenue to the south, and the segments along the full length of Bay Road from Pulgas on the east to the transition to Newbridge Street continuing along Newbridge to Willow Road. Failure to include University Avenue results in a fundamental defect in the EIR that fails to disclose the potential impacts of the project.	A12-56
	4-13-34	The concept of “unserved demand” is not adequately explained. Further, how this concept was applied in the traffic analysis is unclear and not adequately described in the study. CEQA requires disclosure of the analytical process to allow for meaningful public review. Failure to show the work related to the “unserved demand” factoring that went into the study makes it impossible for interested parties and the public to provide meaningful comment. A revised DEIR explaining this issue is required along with recirculation to allow for public review and comment regarding the new information.	A12-57
	Table 4.13-7	The PM LOS of F for University Avenue and Woodland Avenue is not consistent with the Facebook Expansion EIR, Figure 3.3-9, which shows existing conditions as LOS E. This inconsistency must be reconciled.	A12-58
	4.13-43	The 2040 No Project Conditions assumes certain “cumulative projects”, and yet it excludes the Facebook Campus Expansion Project. This inconsistency is problematic. Cumulative projects include those that are reasonably foreseeable, and typically include projects for which applications are pending.	A12-59

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	Table 4.13-8	This table states that there would be 47,750 jobs under 2040 no project conditions. This, however, is inconsistent with the Facebook EIR analysis of VMT, which states that there would be 41,200 jobs in the cumulative 2040 existing general plan. See Facebook EIR table 3.3-11 at page 3.3-47. This discrepancy of over 6,000 jobs undermines the accuracy of both analyses and must be corrected in both EIRs.	A12-60
	4.13-44	The DEIR states that “by using the MPM model, [the peak hour traffic operations] forecast also incorporates anticipated changes to the jobs/housing balance in adjacent cities and throughout the region by 2040 that will affect peak-hour traffic patterns.” A further explanation of how this model reflects changes in East Palo Alto and other cities so that East Palo Alto (and others) can verify that the appropriate forecasts have been incorporated.	A12-61
	4-13-44	The comment above regarding page 4.13-34 and the “unserved demand” concept apply here as well.	A12-62
	Table 4.13-9	This table does not include any East Palo Alto segments. As noted above, at a minimum the segments studied must include those segments along University Avenue between Bayfront Expressway to the north and Woodland Avenue to the south, and the segments along the full length of Bay Road from Pulgas on the east to the transition to Newbridge Street continuing along Newbridge to Willow Road.	A12-63
	Figure 4.13-9	<p>The 2040 No Project Intersection LOS is not consistent with the Facebook Campus Expansion EIR that was circulated concurrently with the General Plan Update EIR. Specifically, the LOS levels at University Avenue and O’Brien Drive (Intersection 39, AM peak); University and US 101 SB Ramps (Intersection 56; AM and PM peak); University and Woodland Avenue (Intersection 57; AM and PM Peak); and Willow Road and Gilbert Ave (Intersection 18; AM and PM Peak) are not consistent with those shown in Figure 3.3-21 of the Facebook EIR. Figure 3.3-21 is the cumulative 2040 existing general plan conditions, and thus should match Figure 4.13-9 of the General Plan EIR. Further, the PM peak LOS at the intersection of University Avenue and O’Brien Drive (Intersection 39) is inconsistent with Figure 4.13-9 in that an improved LOS A is shown in 2040 No Project, whereas existing conditions show an LOS B.</p> <p>These inconsistencies call into question the accuracy and adequacy of not only the General Plan traffic analysis, but also the Facebook Campus Expansion EIR’s analysis.</p>	A12-64
	4.13-55	The discussion of impacts to pedestrian and bicycle facilities does not take into account East Palo Alto’s standards. Specifically, the East Palo Alto General Plan identifies University Avenue, Pulgas Avenue, and Bay Road as major bike routes. The analysis must take into account these major routes, the potential impacts that project may have on these routes, and the improvements that may be needed as a result of the proposed project.	A12-65

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	4.13-56	The VMT standard utilized inflates the current conditions and thus hides the true impact of the proposed Project. Specifically, the EIR relies on a nine-county average VMT of 20.8 miles per person rather than the 15 miles per person document in the EIR as the current conditions in Menlo Park. By starting with the inflated VMT, the analysis hides the true impact of the land use intensification envisioned by the Plan, and leads to a less than significant conclusion when in fact land use mix will drastically increase the VMT above that existing. The VMT analysis must be redone with a more appropriate baseline VMT tailored to Menlo Park and adjacent areas.
	4.13-57	The study states that the 2040 No Project scenario includes shifts in background traffic pursuant to the Dynamic Traffic Assignment (DTA), but does not disclose how these shifts were done. The acknowledged outcome of this is the “apparent decrease in traffic” in certain locations, however there is no explanation or disclosure of the basis for these shifts. Further, to the extent that any of these shifts moved traffic to local streets as cut-through traffic, those assumptions conflict with the various policies that discourage cut through traffic on local streets. Specifically, how does this DTA process conform to various policies under Goal CIRC-2 related to neighborhood streets and minimizing cut-through traffic, and discouraging use of city streets as alternatives to or connectors of State and federal highways. See policies on DEIR p. ,13-60. Further disclosure of the application and implications of the DTA assumptions must be included in the DEIR, and recirculated for public review and comment.
	4.13-60	The City of Menlo Park will need to coordinate with East Palo Alto regarding implementation of various circulation policies, including updates to travel pattern data per Program CIRC-1.D, and Regional Transportation Improvements per Policy CIRC-2.15.
	4.13-62, 63	The DEIR concludes that there will be significant unmitigable impacts on various roadway segments. Prior to overriding these significant and unmitigable impacts, all feasible mitigation must be adopted, including mitigation that may require implementation in the City of East Palo Alto. Specifically, mitigation must be considered for University Avenue in East Palo Alto, including improvements for pedestrian and bicycle users. In addition to specific mitigation measures, and funding, impacts could be addressed by changing the mix of uses to include additional residential opportunities in the Bayfront Area.
	4.13-63	The comments above regarding page 4.13-34 and 4.13-44 and the “unserved demand” concept apply here as well.
	Figure 4.13-11	The 2040 plus Project Intersection LOS levels on this figure are not consistent with those in the Facebook EIR, Figure 3.3-25. Specifically, the LOS on Figure 4.13-11 is worse than that shown in the Facebook EIR for the intersections of University and Obrien (Intersection 39, AM and PM peak); University and Runnymede (Intersection 52, PM peak);

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		University and Bell Street (Intersection 53; PM peak); Willow and Newbridge (Intersection 33; PM peak); Willow and Coleman (Intersection 19; AM peak); University and 101 SB Ramps (Intersection 56; PM peak); and University and Woodland Ave (intersection 57; PM peak). These inconsistencies call into question the accuracy of both the General Plan Update traffic study and the Facebook Expansion Project EIR, and must be addressed in both documents.	A12-71 (cont.)
	4.13-70	Mitigation Measure TRANS-1b. must take into account the infrastructure needs that the intensified land uses enabled by the General Plan Update will necessitate not only in Menlo Park, but also East Palo Alto. The mitigation measure must be modified to specifically acknowledge that the TIF program will account for and collect funds for improvements needed in East Palo Alto and a mechanism to transfer those funds to East Palo Alto to pay for the needed improvements. The funding should take into account pedestrian, bicycle, transit and vehicular improvements necessitated by the land use intensification in the General Plan Update.	A12-72
	4.13-71	The discussion of Willow Road and Hamilton Avenue (intersection 36) states that improvements are not recommended because of the potential to encourage cut-through traffic, and yet, the discussion concludes that the improvement should be incorporated into the updated free program. The inconsistency should be reconciled.	A12-73
	4.13-71	Mitigations for Bayfront Expressway and Willow Road (intersection 37) and Bayfront Expressway and University Avenue (intersection 38) defer determinations as to feasibility to some unknown point in the future. The feasibility of these measures must be determined now, and if feasible must be incorporated as binding and required mitigation measures.	A12-74
	4.13-72	Mitigation for University Avenue and Bay Road (intersection 51), University Avenue and Donohoe Street (intersection 54), and University Avenue and US 101 Southbound Ramps (intersection 56) call for various intersection modifications and improvements. Any such improvements must be reviewed by and, if acceptable, coordinated with the City of East Palo Alto. Further, the proposed TIF program must include a specific mechanism for transferring funds to East Palo Alto for any such improvements. The process for determining an individual project's fair share must be clearly set forth and ensure that impacts in East Palo Alto are fully mitigated.	A12-75
	4.13-73	The EIR states that the existing VMT in Menlo Park is 15 miles per person, and yet the nine-county average is used for determining whether the project would reduce VMT. The analysis should be redone with a more appropriate baseline VMT that reflects only those areas more proximate to Menlo Park rather than the inflated nine-county VMT.	A12-76

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	4.13-75	The EIR states that there are 3 CMP intersections studied, however, those intersections are not clearly identified. Further, the EIR states that not a single CMP roadway segment was analyzed. These defects call into question the adequacy of the CMP analysis, and further study and disclosure is required. AS presently drafted there is not sufficient evidence to support the conclusion that CMP impacts would be less than significant.
	4.13-80-81	University Avenue is a critical street for emergency responders in East Palo Alto, and as such the substantial increases in traffic on this roadway have the potential to impact the ability to timely respond to emergency situations and transport patients to medical facilities. This impact must be more fully analyzed and disclosed in a revised and recirculated EIR.
	4.13-82	The EIR (and General Plan Update) must specifically consider how policies CIRC-2.4 (Equity) and CIRC-2.6 (Local Streets as Alternative Routes) will be coordinated with the City of East Palo Alto. Specifically, the needs of transit dependent areas of East Palo Alto will require additional pedestrian, bicycle, and transit enhancements as a result of the Project's land use intensification. Further, the increased traffic caused by the Project will result in inevitable impacts to local streets in East Palo Alto, and Menlo Park must assist East Palo Alto in addressing those impacts.
	4.13-86-87	Mitigation Measure TRANS-6a calls for an update of the Menlo Park Transportation Impact Fee (TIF) program. Part of the program involves undertaking a nexus study. Any such nexus study must include not only improvements in Menlo Park, but also all improvements in East Palo Alto to determine what components will be funded through the TIF program, and the appropriate percentage of contribution from Menlo Park projects. We request that Mitigation Measure Trans-6a be modified to specifically require inclusion of East Palo Alto improvements, and involvement of the City of East Palo Alto in the development of the scope of and methodologies for the nexus study.
	4.13-87	Pedestrian improvements are called out for University Avenue, however, there is no discussion of needed bicycle improvements. The analysis and discussion of needed improvements must be expanded to address bicycle needs.
	4.13-88	Mitigation Measure TRANS-6b must also account for shuttle service in East Palo Alto, including in the Shuttle Fee program component of Menlo Park's nexus study.
	4.13-88	Impact TRANS-6c states that it would result in traffic delays at University Avenue, thus adversely impacting the performance of transit services and increases in transit costs. Mitigation measure TRANS-6c makes no reference to mitigating impacts along University Avenue. The mitigation measure must be modified to address the identified impacts.
Utilities and	4.14-17	The DEIR's discussion of future water demand is inaccurate and fails to

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Service Systems	through 4.14-19	<p>sufficiently state the extent of the future demand. First, despite the significant population increases caused by the Facebook Expansion Project, the GP DEIR fails to include the Facebook project as part of the project’s future water demand, instead simply calling it a currently planned but separate project (p. 4.14-19, Table 4.14-2, note b; WSE, Table 7). There is no explanation as to why this significant project is not analyzed as part of the GP project.</p> <p>Furthermore, the analysis of the Facebook project’s water demand is incomplete because it fails to account for the proposed hotel use on the site. The analysis accounts only for new workers in the office buildings (6,400) and new workers in the hotel (150) but fails to account for any guests in the hotel. As stated in the Project Description for the Facebook EIR, the hotel would include a 200-room, limited service hotel with office space, food and beverage areas, a fitness room, pool, and deck areas. Plainly, hotel guests will use water over and above that used by hotel workers, yet the Facebook DEIR fails to account for any such use. As a result, that Project’s water demand is understated.</p> <p>Moreover, the Facebook DEIR cherry-picks when it assumes that no employees currently work at the site and, in the case of water supplies, takes credit for existing uses in order to understate the Project’s water demands. For example, in discussing solid waste, the Facebook DEIR states that it “assumes that no employees currently work at the Project site; therefore, it is assumed that no solid waste is currently generated at the Project site.” (Facebook DEIR, p. 3.14-28.) Yet, in discussing water demand, the Facebook DEIR states that the total existing annual water use is 58 mg, and therefore essentially takes credit for that use in concluding there will be a net annual water demand of only 30 mg (rather than the Project’s stated demand of 88 mg).</p> <p>Because the annual water demand for the Facebook project is 88 mg and not 30 mg, the GP EIR understates future water demand by claiming that “other planned projects,” which includes the Facebook project, will have a future water demand of only 31 mg combined. The total water demand will, in fact, be significantly greater. The GP DEIR should be revised and recirculated with a proper statement of the project’s water demand.</p>
	4.14-24 through 4.14-25, 4.14-27; 4.14-29 through 4.14-30	<p>The DEIR’s analysis of impacts to water supplies is significantly flawed and fails to acknowledge or attempt to mitigate the Project’s adverse impacts. The DEIR acknowledges that the proposed project creates an incremental water shortfall of approximately 21 percent in 2040 during single dry years and between 17 and 31 percent during multiple dry years between 2020 and 2040. Thus, the Project will have a significant, adverse impact on water resources.</p>

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		<p>Despite this, the DEIR states that MPMWD has developed a Water Shortage Contingency Plan which will “manage” shortages by reducing water demand up to 50%. The DEIR then assumes, without any basis, that unstated measures from this Plan will reduce the total future potable water demand within the MPMWD service area, and therefore the Project will not create any impacts. There is simply no support for this conclusion. The DEIR fails to discuss any of the measures or explain how they will achieve a 50% reduction in water demand. Accordingly, the conclusion of a less than significant impact is wholly unsupported.</p> <p>The DEIR’s analysis of cumulative impacts is similarly flawed, and is based on the same deficient analysis which assumes, without support, that unspecified measures would reduce demand so greatly that the acknowledged water supply shortages would cease to exist. There is no support for this conclusion.</p>
	4.14-56	<p>MM UTIL-10: This mitigation measure purports to address the acknowledged cumulative impact to solid waste facilities, but it is an illusory mitigation measure that does not sufficiently reduce impacts. Specifically, the measure only states that the City shall “continue its reduction programs and diversion requirements” and “monitor solid waste generation volumes in relation to capacities at receiving landfill sites to ensure that sufficient capacity exists....” Neither of these activities addresses the prospect of what happens if sufficient waste is not diverted or if landfill capacities reach their maximum prior to the horizon year for the GP project. Accordingly, this mitigation measure does not actually demonstrate that impacts will be reduced to less than significant.</p>
	4.14-80 through 4.14-81	<p>The DEIR fails to adequately discuss transportation-related energy impacts. The DEIR assumes, without support, that future technology will further the goal of conserving energy and thus the project will have less than significant energy impacts. There is no support for this conclusion.</p>
	4.14-81	<p>The DEIR fails to include any analysis of <u>cumulative</u> transportation-related energy impacts. The single sentence analysis states only that the discussion in the preceding section (UTIL-13) describes the project’s impacts “in relationship to the PG&E service territory and therefore, includes a discussion of cumulative impacts.” The analysis of energy impacts related to PG&E does not include any analysis of transportation-related energy impacts, including depletion of fuel resources. These impacts are likely to be significant given the cumulative increases in population through the horizon year of 2040. The DEIR must be revised and recirculated to include this analysis.</p>
Alternatives	5-3	<p>The alternatives section considers only two alternatives, in addition to the No Project alternative required by CEQA. This number of alternatives does not reflect an adequate range of reasonable</p>

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A12-89

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		<p>alternatives to the Project.</p> <p>The Analysis must be expanded to include, at a minimum, an alternative that would include additional residential land uses while reducing other land uses or allowed intensities of non-residential land uses in order to further the objective s of improving mobility for all travel modes and preserving neighborhood character. An alternative that would incorporate additional residential land uses would also further the other objectives of establishing and achieving the community’s vision, realizing economic and revenue potential by helping to meet the pent up demand for housing in the project area and neighboring communities. Further, an expanded residential component could still directly involve Bayfront Area property owners and streamline development review. Therefore, failure to meet objectives is no basis for rejecting this alternative, and in fact, the EIR provides no evidence for why such an alternative was not considered. Including additional residential development opportunities while reducing other land uses (or intensities of such land uses) could reduce or eliminate significant and unavoidable air quality, greenhouse gas, housing, and transportation/circulation impacts. As such, the alternatives analysis and the EIR are inadequate without consideration of this type of alternative. A revised EIR must be prepared, including the additional alternatives analysis, and must be recirculated for review pursuant to CEQA Guidelines Section 15088.5 (a)(3). Finally, the narrow selection of the alternatives serves to unduly limit the policy choices available to the decision makers by failing to disclose the availability of an enhanced residential alternative and the potential environmental benefits of such an alternative.</p>
Alternatives	5-11	<p>The analysis of the land use impacts of the No Project alternative, states that “the enhanced General Plan Land Use and Circulation Elements [sic] goals and policies that better promote sustainability and circulation improvements would not be adopted.” However, in the very next paragraph the analysis concludes with an inconsistent statement that “because the No Project Alternative would result in development in the same setting and would be subject to the same existing land use regulations, including Mitigation Measure LU-2, which would ensure future projects in Menlo Park are consistent with the City’s General Plan policies, land use impacts when compared to the proposed project, would be similar.” The discussion and analysis of the land use impacts of the No Project alternative needs to be revised and made internally consistent.</p>
Alternatives	5-11; 5-12	<p>The noise analysis of the No Project Alternative fails to take into account the impact of noise resulting from increases in traffic. Both the Project and the No Project Alternative will result in increases in traffic levels, and thus increased in traffic related noise. The discussion of the No Project Alternative noise impacts not only ignores this source of impact, but provides no comparison to the increased traffic noise</p>

**A12-89
(cont.)**

A12-90

A12-91

Draft EIR Section	Page Number	Comment	
		associated with the Project. This analysis, when provided, must include analysis and disclosure of the potential noise impacts that will accompany the many significant and unavoidable traffic impacts, including those in the City of East Palo Alto.	A12-91 (cont.)
Alternatives	5-12	The discussion of housing impacts of the No Project Alternative concludes that the impacts would be less than that of the proposed project. This, however, is not supported by the fact that the Project provides more housing than would the existing General Plan, and thus would have fewer impacts on housing demand in light of the increase in housing opportunities.	A12-92
Alternatives	5-23	The noise analysis of the Reduced Non Residential Intensity Alternative fails to take into account the impact of noise resulting from increases in traffic. Both the Project and the Reduced Non Residential Intensity Alternative will result in increases in traffic levels, and thus increased in traffic related noise. The discussion of the Reduced Non Residential Intensity Alternative noise impacts not only ignores this source of impact, but provides no comparison to the increased traffic noise associated with the Project. This analysis, when provided, must include analysis and disclosure of the potential noise impacts that will accompany the many significant and unavoidable traffic impacts, including those in the City of East Palo Alto.	A12-93
	5-24	The population and housing discussion of the Reduced Non Residential Intensity Alternative concludes that the impacts of this alternative would be similar to the proposed Project. This, however, does not seem to take into account the reduction in the housing demand that would accompany the reduction in the amount of job producing development. As such, it appears that the impacts on housing demand would be reduced, and that there may also be a reduction, when compared to the existing Project, because of the reduction in the employment contemplated by the Project and thus a reduced impact with respect to the new employees and their demand for housing. The analysis should be revised to reflect this type of analysis.	A12-94
	5-26	In discussion of the Reduced Non-Residential Intensity Alternative, the EIR acknowledges that no traffic model run was completed. We request that model runs be undertaken for this and the Reduced Intensity alternative in order to provide meaningful information with which to compare the alternatives to the Project. The model should also be run for the Reduced non-residential, increased residential alternative suggested above.	A12-95
	5-29	The discussion of the Air Quality impacts concludes that impacts will be less than the project, but does not disclose whether the residual impacts would be significant and unmitigable or not. The analysis must be revised to include this additional information.	A12-96
	5-34	The noise analysis of the Reduced Intensity Alternative fails to take into account the impact of noise resulting from increases in traffic. Both the	A12-97

Draft EIR Section	Page Number	Comment
		Project and the Reduced Intensity Alternative will result in increases in traffic levels, and thus increased in traffic related noise. The discussion of the Reduced Intensity Alternative noise impacts not only ignores this source of impact, but provides no comparison to the increased traffic noise associated with the Project. This analysis, when provided, must include analysis and disclosure of the potential noise impacts that will accompany the many significant and unavoidable traffic impacts, including those in the City of East Palo Alto.
	5-35	The population and housing discussion of the Reduced Intensity Alternative concludes that the impacts of this alternative would be less than the proposed Project. This, however, does not explain the increased housing impacts associated with additional jobs and the offset of the additional housing units contemplated in the Alternative. The analysis should be revised to reflect this type of analysis.

**A12-97
(cont.)**

A12-98



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July 22, 2016

via email only to:

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Mr. Guido F. Persicone, AICP
Senior Planner
City of East Palo Alto
1960 Tate Street
East Palo Alto, CA 94303

RE: Final Comments on Transportation and Circulation Section of Menlo Park
General Plan Draft Environmental Impact Report (DEIR) (June 1, 2016)

Dear Guido:

This letter presents my comments on the Section 4.13 Transportation and Circulation of the DEIR for ConnectMenlo: General Plan Land Use & Circulation Elements and M-2 Area Zoning Update (City of Menlo Park, June 1, 2016). It was prepared in accordance with my Agreement with the City of East Palo Alto dated June 20, 2016. This version incorporates changes to reflect feedback from you and David Snow during our telephone discussion on July 21, 2016.

A12-99

I used the prefix "TC" for my numbered comments.

TC 1 - Page 4.13-1, second paragraph states "...information in this chapter is based *in part* on travel demand....analysis...conducted by TJKM Transportation Consultants." Please identify what other information is based on.

A12-100

TC 2 - Page 4.13-1, same paragraph notes the "analyses were conducted in accordance with the standards...(City)...(C/CAG)." Other agencies' standards are noted in the body of this section and should be so stated.

A12-101

TC 3 - Page 4.13-1, same paragraph references "...technical appendices...in Appendix K...", but does not state what is included in the technical appendices. Please clarify.

A12-102

TC 4 - Page 4.13-2, first complete sentence on page: "The California...State highways" is relevant to the next subsection "California Department of Transportation", not CTC, correct? Please clarify.

A12-103

- TC 5 - Page 4.13-12, text reference to Figure 4.13-2 states “City’s existing bicycle facilities in the study area...”; given the noted figure shows bicycle facilities in the study area, it appears “City’s” is not needed. Please clarify. **A12-104**
- TC 6 - Figure 4.13-2: Class I path adjacent to Bayfront Expressway appears to be ON the expressway and it is not. Please clarify. **A12-105**
- TC 7 - Figure 4.13-2: The key lists “Study Intersections” and they do not appear to be shown on this figure. Please clarify. **A12-106**
- TC 8 - Page 4.13-15, second paragraph, second sentence states “Existing pedestrian facilities within the study area are shown on Figure 4.13-3.” However, the noted figure shows only City of Menlo Park pedestrian facilities. Please clarify. **A12-107**
- TC 9 - Page 4.13-15, last sentence: the sentence is awkward with “description” at the beginning and “described” at the end. Please clarify. **A12-108**
- TC 10 - Page 4.13-18: a column between “Service Provider” and “Peak Headway” called “Description” (or similar) would be very helpful to the reader. Please clarify. **A12-109**
- TC 11 - Page 4.13-19, under SamTrans: a map showing these routes serving the Bayfront Area would be very helpful to the reader. Also, in the discussion of Route 276, are Redwood City Transit Center and Redwood City Caltrain Station the same thing? Please clarify. **A12-110**
- TC 12 - Page 4.13-20, first paragraph, second to last sentence: to be consistent, please cite the number of Baby Bullet trains that operate in each direction/peak period (the sentence only cites a number for northbound service). Please clarify. **A12-111**
- TC 13 - Page 4.13-20, under Caltrain Short-Range Transit Plan: this section is apparently based on the 2008 version of the referenced plan. Given the 2015 version was adopted in October 2015, it seems this section should be updated to reflect the latest version. Please clarify. **A12-112**
- TC 14 - Page 4.13-20, under City of Menlo Park Shuttles, please clarify whether the noted shuttles are open to all riders, who operates them, and when they operate. **A12-113**
- TC 15 - Page 4.13-21, are there any other transit shuttles serving the study area, perhaps operated by East Palo Alto? Please clarify. **A12-114**
- TC 16 - Page 4.13-21, first sentence under Airport Land Use Comprehensive Plans states “Moffet Federal Airfield.” The correct spelling is Moffett. **A12-115**
- TC 17 - Page 4.13-22, under Menlo Park City Model (MPM): 1) this section provides some information about the model and how it was refined for this study; however, it does not provide any actual data reflecting the model structure, which is essential for the reader to interpret the project population and employment by TAZ; furthermore, this section does not provide sufficient descriptive discussion of how the MPM addresses and integrates, for example: a) projects that were occupied after the base year (2013), like Facebook West (Building 20); and b) cumulative projects discussed **A12-116**

and enumerated in Table 4-1 and pages preceding at the beginning of Chapter 4; 2) please clarify whether the MPM used the “most current version of the C/CAG Model, received on July 19, 2015...”; 3) in paragraph three of this sub-section there is reference to “...VMT information for the entire trip length required by SB 743 guidelines...”; please clarify whether this is “required” in SB 743 law or is a proposed procedure in the OPR Guidelines issued in January 2016 and referenced on page 4.13-3.

A12-116
(cont.)

TC 18 - Page 4.13-23, under Dynamic Traffic Assignment (DTA): 1) Although the issue of “...overestimation of link volumes because physical congestion was not represented in vehicle rerouting.” is well known, and it is commendable to introduce a new procedure called DTA, this document provides no apparent descriptions and details of the procedure to allow the reader to understand and interpret its implications; please expand and clarify, with suitable details; 2) please document the “base” C/CAG trip tables and the “revised” trip tables that were used in the DTA; also, the last paragraph in this subsection is repeated from page 4.13-22 (paragraph 3 under Menlo Park City Model).

A12-117

TC 19 - Page 4.13-23, under Intersection Level-of-Service Analysis Methodology: please clarify whether planning or operations procedures in HCM 2010 were used.

A12-118

TC 20 - Page 4.13-25, under Vehicle Miles Traveled: please expand the discussion in paragraph three to clarify why the sum of population and jobs is used in the denominator of the VMT per capita calculation (e.g. would this double count intra-area trips?). Page 4.13-33, under Vehicle Miles Traveled, a related issue is the matter of fact introduction of the regional average VMT per person (20.8 miles per person) from the 2013 Plan Bay Area EIR as an appropriate threshold without any justification or explanation. It is noted the proposed guidelines for implementing SB 743 indicate a metric of VMT per employee (not person) as the appropriate regional threshold to consider, but also states it is up to lead agencies to consider data aggregations more proximate to a project under study (e.g. subregional) (State of California, Governor’s Office of Planning and Research, January 20, 2016). Also, the use of a metric documented in 2013 may simply be inappropriate or out of date. Please explain and provide suitable details.

A12-119

TC 21 - Page 4.13-26, under Study Intersections: first sentence is missing “and” between “control type” and “jurisdiction.”

A12-120

TC 22 - Page 4.13-29, Table 4.13-5: 1) This table appears to show only Menlo Park roadway segments, whereas the study area intersections table (Table 4.13-4) shows all study intersections in the study area, including ones in other cities. Please clarify and provide rationale. 2) There is no explanation of the connection between existing traffic counts and recently occupied developments (like Facebook West (Building 20). Please explain whether recently occupied developments are captured in these 2014 counts and, if they are not, how their traffic impacts are captured in the analysis.

A12-121

TC 23 - Page 4.13-33, first paragraph: The word “buildout” in the last sentence is not relevant to 2014 Existing Conditions. Please clarify.

A12-122

TC 24 - Page 4.13-33, first sentence under Roadway Segments Daily Traffic Volumes” indicates 2014 Existing daily traffic volumes on all study segments are shown in Table 4.13-5, but they are not. See comment TC 22 above. Please clarify and provide rationale.	A12-123
TC 25 - Page 4.13-34, fourth paragraph under Peak Hour Traffic Operations: please document sources of signal timing for non-Menlo Park intersections.	A12-124
TC 26 - Page 4.13-34, sixth paragraph under Peak Hour Traffic Operations: Please explain what “Vistro” is. More importantly, this document does not provide any explanation of procedures and details used to determine “...level of service results... based on level of service as identified by the City to reflect ‘unserved demand.’ “ Therefore, the reader has little or no information to develop an informed understanding of what this really means. This is related to the insufficient documentation for DTA cited in comment TC 18 above. Please explain and provide suitable details.	A12-125
TC 27 - Page 4.13-42, Table 4.13-7: 1) notes for Willow Road interactions reference “...southbound” approaches...” whereas this roadway is designated as East-West. Please clarify. 2) Why are there just “n/a” designations under “Notes” for the last four University Avenue intersections on the list? The poor LOS and delay volumes would suggest some explanation would be helpful. Please clarify.	A12-126
TC 28 - Page 4.13-44, under Roadway Segment Daily Traffic Volumes: Please explain why Standards of Significance are not presented before the discussion of 2040 No Project conditions. This is inconsistent with the discussion of Format of the Environmental Analysis on page 4-1 and is confusing to the reader.	A12-127
TC 29 - Page 4.13-45, Table 4.13-9: This table presents Menlo Park intersections only. See comment TC 22 above. Please clarify and provide rationale.	A12-128
TC 30 - Page 4.13-51, Table 4.13-10: 1) note for number 33 uses “southbound” reference. See Comment TC 27 above. Please clarify. 2) Why is the >35 designator used for numbers 34 and 35? 3) Why is there a “n/a” designation for number 37?	A12-129
TC 31 - Page 4.13-53, Section 4.13.2 STANDARDS OF SIGNIFICANCE: This section appears out of place and inconsistent with the discussion of Format of the Environmental Analysis on page 4-1. It should be before the discussion of 2040 No Project. This introduces confusion. Please explain.	A12-130
TC 32 - Page 4.13-53, first sentence: the phrase “significant impact” refers to “significant transportation impact” correct? Please clarify.	A12-131
TC 33 - Page 4.13-55, Roadway Segment Daily Traffic Volume Standards subsection refers to City of Menlo Park standards only, correct? Why are other standards not presented? Please clarify.	A12-132
TC 34 - Page 4.13-55, Pedestrian and Bicycle Standards: what is the source of these standards? Please clarify.	A12-133
TC 35 - Page 4.13-56, Vehicle Miles Traveled Standards: what is the source of this standard?	A12-134

- TC 36 - Page 4.13-56, Section 4.13.3 IMPACT DISCUSSION: This section appears out of place and inconsistent with the discussion of Format of the Environmental Analysis on page 4-1. It should be after the discussion of 2040 Plus Project. This introduces confusion. Please explain. **A12-135**
- TC 37 - Page 4.13-57, top of page: It appears that a sub-section side title is missing (i.e. 2040 PROJECT CONDITIONS). Please clarify. **A12-136**
- TC 38 - Page 4.13.59, Table 4.13-11: This table presents Menlo Park intersections only. See comment TC 22 above. Please clarify and provide rationale. **A12-137**
- TC 39 - Page 4.13-62, under Impact TRANS-1a: What is the justification for introducing Mitigation Measure TRANS-1a given the result is “Significant and Unavoidable”? Is this not saying the Circulation Element is insufficient? **A12-138**
- TC 40 - Page 4.13.63, discussion indicates “... proposed Zoning regulations...anticipated to eliminate impacts on eight roadway segments,...”. There does not appear to be any analysis or documentation of this finding. Please clarify. Similarly, the discussion states “[street] reclassifications would...eliminate or reduce impacts...”. There does not appear to be any analysis or documentation of this finding. Please clarify. **A12-139**
- TC 41 - Page 4.13-70, discussion of Impact TRANS 1b and Mitigation TRANS 1b: Please explain whether it is feasible for the TIF program to “guarantee funding for roadway and infrastructure improvements...”. **A12-140**
- TC 42 - Page 4.13.72, discussion of potential improvements to University Avenue at Bay Road, Donohoe Street and US 101 Southbound Ramps: please clarify whether any analysis, investigation, or communication with Caltrans or East Palo Alto staff was undertaken for this study. **A12-141**
- TC 43 - Page 4.13-73, under Mitigation TRANS 1b: What is the justification for introducing Mitigation Measure TRANS-1b given the result is “Significant and Unavoidable”? Is this not saying this mitigation measure is not feasible? Please explain. **A12-142**
- TC 44 - Page 4.13-76, discussion of Impact TRANS-2 and Mitigation TRANS-2: See comment TC 39 above. **A12-143**
- TC 45 - Page 4.13-79, TRANS-5 states “...project would not result in inadequate emergency access.” This seems unrealistic given the predominance of poor (LOS F) conditions at many study intersections on major emergency access roadways. The first full paragraph on page 4.13-80 includes this questionable statement: “However, future development permitted under the proposed project would be concentrated on sites that are already developed where impacts relatives to inadequate emergency access would not likely occur.” Are there not LOS F conditions near “sites that are already developed...”? Please explain why there would be “less than significant impacts” under TRANS-5. **A12-144**
- TC 46 - Page 4.13-86, under Impact TRANS-6a: What is the justification for introducing Mitigation Measure TRANS-6a (update the TIF) given the result is “Significant and Unavoidable”? Is this not saying this mitigation measure is not feasible? Is this not saying the Circulation Element is insufficient? Please explain. **A12-145**

TC 47 - Page 4.13-88, under Impact TRANS-6b: What is the justification for introducing Mitigation Measure TRANS-6b (update the Shuttle Fee Program) given the result is "Significant and Unavoidable"? Is this not saying this mitigation measure is not feasible? Is this not saying the Circulation Element is insufficient? Please explain.

A12-146

TC 48 - Page 4.13-88 and 89, under Impact TRANS-6c: What is the justification for introducing Mitigation Measure TRANS-6c (support the Dumbarton Corridor Study) given the result is "Significant and Unavoidable"? Is this not saying this mitigation measure is not feasible? Is this not saying the Circulation Element is insufficient? Please explain.

A12-147

I suggest we discuss these and other comments as needed so you have ample information to write the City's formal comments.

Please call me if you have any questions or other requests.

Sincerely,
KRUPKA CONSULTING



Paul J. Krupka, P.E.
Owner

cc (by email only):
Sean Charpentier, City of East Palo Alto
David Snow, Richards|Watson|Gershon



CITY OF EAST PALO ALTO
Community and Economic Development Department
Planning and Housing Division
1960 Tate Street • East Palo Alto, CA 94303
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August 1, 2016

Kyle Perata, Senior Planner
Community Development Department
City of Menlo Park
701 Laurel Street
Menlo Park, California 94025

Re: Inconsistencies between City of Menlo Park Environmental Impact Reports for General Plan Land Use and Circulation Element Updates (ConnectMenlo) and Facebook Campus Expansion Project

Dear Mr. Perata:

The City of East Palo Alto previously submitted detailed comments on the draft environmental impact report for the Facebook Campus Expansion Project (the “Facebook EIR”). Given that Menlo Park circulated both the Facebook EIR and the EIR for its General Plan Land Use and Circulation Element Update (the “ConnectMenlo EIR”), East Palo Alto requested reasonable extensions of the time to comment on both EIRs. While, very shortly before the end of the comment period for the ConnectMenlo EIR, a 15-day extension was granted for comments on that EIR, no such extension was granted as to the Facebook EIR.

A12-148

In completing its review of the ConnectMenlo EIR, for which comments are submitted separately, numerous inconsistencies between the Facebook EIR and the ConnectMenlo EIR were identified. This letter is intended to supplement the comments East Palo Alto previously provided on the Facebook EIR, and we respectfully request that each of these comments be considered and addressed as Menlo Park proceeds with CEQA compliance for the Facebook Campus Expansion Project.

1. The 2040 Horizon Development Potential in the ConnectMenlo EIR calculates population by applying the 2.57 persons per household generation rate. This is, however, different from the 2.61 persons per household rate used in the Facebook DEIR. The City cannot choose to use different assumptions in two different EIRs that are being prepared simultaneously without providing substantial evidence to support that decision. The Facebook DEIR, like the ConnectMenlo DEIR, fails to include substantial evidence to support this distinction.

A12-149

2. The “Future Housing Needs” discussion (see footnote 10 on page 4.11-4 of the ConnectMenlo EIR) appears to rely on the 2009 ABAG Projections, but the Facebook Campus Expansion DEIR relies on the 2013 ABAG projections. The DEIRs must be consistent with respect to the sources regarding population and housing statistics and the choice among various sources must be supported with substantial evidence.

A12-150

3. The analysis of the future projected employees, and the number of new housing units needed to accommodate the employees, must use consistent assumptions in both the ConnectMenlo EIR and the Facebook EIR. Further, any assumptions utilized must be supported by substantial evidence. As noted previously, the Facebook EIR includes faulty assumption regarding the

A12-151

number or workers per household, and must be consistent with the assumptions in the ConnectMenlo EIR.

**A12-151
(cont.)**

4. East Palo Alto previously commented on the displacement study completed in conjunction with the Facebook Expansion Project, and has requested that further displacement analysis of the ConnectMenlo project be undertaken. The revised and updated Facebook Project study must be consistent in methodology and assumptions with the necessary ConnectMenlo displacement study.

A12-152

5. The existing conditions for public services and recreation in the Connect Menlo EIR (at p. 4.12-3) states that the MPFPD serves approximately 90,000 people, and that there is a service ratio of .85 firefighters per 1,000 service populations. This baseline, however, is inconsistent with the Facebook DEIR, which states that the MPFPD serves approximately 111,850 people and has a service ratio of .86 firefighters per 1,000 per service population. The City cannot choose to use different baselines in two different EIRs that are being prepared simultaneously without providing substantial evidence to explain that decision. The DEIR currently fails to include substantial evidence to support this distinction.

A12-153

6. The existing conditions for public services and recreation in the ConnectMenlo EIR (at p. 4.12-20) states that the City provides 244.96 acres of parkland for residents, with a ratio of 7.44 acres/1,000 residents. But, the Facebook DEIR states that the City only provides 221 acres of parks, for a ratio of 6.64 acres/1,000 residents. There is no explanation provided for these differing baselines. Furthermore, this difference becomes especially significant in terms of the impact conclusion. This ConnectMenlo states that upon buildout at Horizon Year 2040, there would still be 5.2 acres of parkland per 1,000 residents. But, if the parkland figure of 221 acres as stated in the Facebook EIR is used instead, that ratio drops to 4.69 (221 acres divided by 47.1 [(32,900 + 14,150)/1000], the formula stated in footnote 45). This ratio is then below the goal of 5 acres/1,000 residents, and there is a significant impact to parks and recreational facilities as to the ConnectMenlo project. This inconsistency between the two EIRs must be resolved, and the resolution must be based on substantial evidence.

A12-154

7. Table 4.12-3 of the ConnectMenlo EIR contains information on existing capacity at certain schools that is inconsistent with the information provided in the Facebook EIR. For example, the Facebook EIR states that Laurel Elementary had a 2014/2015 enrollment of 630, which means that there is less capacity than stated in the ConnectMenlo EIR. In addition, the Facebook EIR states that Hillview Middle School had a 2014/2015 enrollment of 833 (not 881). The baseline numbers for prior school year enrollment should be accurate and consistent across the EIRs.

A12-155

8. In table 4.13-7 of the ConnectMenlo EIR, the PM LOS is F for University Avenue and Woodland Avenue, whereas in the Facebook Expansion EIR, Figure 3.3-9, this is shown as an existing condition of LOS E. This inconsistency must be reconciled.

A12-156

9. Table 4.13-8 of the ConnectMenlo EIR states that there would be 47,750 jobs under 2040 no project conditions. This, however, is inconsistent with the Facebook EIR analysis of VMT, which states that there would be 41,200 jobs in the cumulative 2040 existing general plan. See Facebook EIR table 3.3-11 at page 3.3-47. This discrepancy of over 6,000 jobs undermines the accuracy of both analyses and must be corrected in both EIRs, based on substantial evidence.

A12-157

10. The 2040 No Project Intersection LOS in ConnectMenlo EIR Figure 4.13-9 is not consistent with the Facebook Campus Expansion EIR that was circulated concurrently with the General Plan Update EIR. Specifically, the LOS levels at University Avenue and O'Brien Drive (Intersection 39, AM peak); University and US 101 SB Ramps (Intersection 56; AM and PM peak); University

A12-158

and Woodland Avenue (Intersection 57; AM and PM Peak); and Willow Road and Gilbert Ave (Intersection 18; AM and PM Peak) are not consistent with those shown in Figure 3.3-21 of the Facebook EIR. Figure 3.3-21 is the cumulative 2040 existing general plan conditions, and thus should match Figure 4.13-9 of the General Plan EIR. Further, the PM peak LOS at the intersection of University Avenue and O'Brien Drive (Intersection 39) is inconsistent with Figure 4.13-9 in that an improved LOS A is shown in 2040 No Project, whereas existing conditions show an LOS B. These inconsistencies call into question the accuracy and adequacy of not only the General Plan traffic analysis, but also the Facebook Campus Expansion EIR's analysis.

**A12-158
(cont.)**

11. The 2040 plus Project Intersection LOS levels on Figure 4.13-11 in the ConnectMenlo EIR are not consistent with those in the Facebook EIR, Figure 3.3-25. Specifically, the LOS on Figure 4.13-11 is worse than that shown in the Facebook EIR for the intersections of University and Obrien (Intersection 39, AM and PM peak); University and Runnymede (Intersection 52, PM peak); University and Bell Street (Intersection 53; PM peak); Willow and Newbridge (Intersection 33; PM peak); Willow and Coleman (Intersection 19; AM peak); University and 101 SB Ramps (Intersection 56; PM peak); and University and Woodland Ave (intersection 57; PM peak). These inconsistencies call into question the accuracy of both the General Plan Update traffic study and the Facebook Expansion Project EIR, and must be addressed in both documents.

A12-159

In conclusion, we request that Menlo Park specifically address each of these additional comments in Facebook EIR process. We continue to believe that before the City of Menlo Park could certify the Facebook EIR substantial revisions are necessary and recirculation of a revised Draft EIR for further public review and comment is required.

A12-160

We appreciate your comments and open communication throughout the process. If you have any questions, comments please call Guido F. Persicone, Planning Manager at (650) 853-3195 or email him at gpersicone@cityofepa.org. We look forward to hearing from you.

Yours truly,



Donna Rutherford,
East Palo Alto Mayor
drutherford@cityofepa.org

----- Forwarded message -----

From: **Adina Levin** <adina.levin@friendsofcaltrain.com>

Date: Mon, Aug 1, 2016 at 2:23 PM

Subject: Transportation Committee Comments on Menlo Park General Plan EIR

To: city.council@menlopark.org

Cc: "Baile, Renato C" <rbaile@menlopark.org>, "Nagaya, Nicole H" <nhnagaya@menlopark.org>

Dear Council Members and staff,

Following are comments from the Menlo Park Transportation Commission regarding the General Plan EIR

The Transportation Commission strongly supports the strategies and policies to improve access and reduce traffic congestion by increasing sustainable transportation options.

While the 20% trip reduction requirement for new development is realistic based on the current transportation infrastructure, there are studies in progress and policy goals to significantly improve transit and active transportation infrastructure on the Dumbarton Corridor and in the area. Therefore, for stronger transportation mitigation, we would like to see a phased plan, as used in the San Mateo Rail Corridor plan, where a stronger goal was required after Caltrain electrification and the upgrade of the Hillsdale station.

For the General Plan, there should be one or more future phase goals if and when there are major transportation improvements on the Dumbarton corridor and/or other major initiatives directed by General Plan policies. With stronger transportation infrastructure, the trip reduction goal should be 40% (approximately 50% drivealone mode share) or other goal stronger than today's goal as evaluated by staff once specific transportation improvements are planned.

The ConnectMenlo EIR shows that adding jobs near housing reduces Vehicle Miles Travelled, since some people are likely to take advantage of the opportunity for a shorter commute, if the opportunity is available. To ensure that the community gets the benefits of this reduction, it would be helpful to implement phasing in the plan, allowing staged buildout of the commercial space with triggers to ensure that corresponding housing has been built.

In addition, the ConnectMenlo EIR shows that with full implementation of the plan, the jobs/housing balance would be worse than currently. To reduce the VMT impacts of a worsened jobs/housing balance, we would urge the City Council to direct additional planning with the goal of adding more housing near jobs elsewhere in the city. However, this direction should not delay approval and implementation of the General Plan's changes for the M2 area.

Thank you for your consideration.

Sincerely,

A13-1

Adina Levin for
The Menlo Park Transportation Commission
650-646-4344

Dear Commissioner Strehl:

My name is Keith Ogden, and I'm a housing attorney at Community Legal Services in East Palo Alto. Our mission is to provide transformative legal services that enable diverse communities in the Peninsula and beyond to achieve a secure and thriving future.

I provided a brief comment at the May 23 Planning Commission meeting on the topic of the General Plan update and affordable housing. In my comment I referenced a memo that CLSEPA submitted to the City of Menlo Park in April. I am attaching that memo in case you have not had a chance to review it. In it, we discuss the interrelated issues of economic development, jobs creation, traffic, housing creation (both affordable and market-rate) and displacement. We urge the creation of sufficient affordable housing to mitigate displacement of people and mitigate increased traffic and pollution. Please take a moment to review the memo. We plan to follow up with you in July to discuss in more detail the issues raised, as well as the possible solutions.

In addition, I'm providing a link to a UC Berkeley report which discusses in more detail the connections between affordable housing creation and displacement prevention. If possible, I recommend reading the report in its entirety (it's 12 pages long). The blog link below does a good job summarizing the report if you'd like to get a quick snapshot.

http://www.urbandisplacement.org/sites/default/files/images/udp_research_brief_052316.pdf

<http://www.urbandisplacement.org/blog/development-and-displacement>

For context, you may have seen a Legislative Analyst Office (LAO) report from earlier this year discussing the housing crisis. That report in part relied on data gathered by this team of UC Berkeley researchers. Apparently, however, the LAO report was selective in the data that they used. As a result, the Berkeley researchers contend that the LAO report failed to analyze the effect of subsidized housing construction on stabilizing neighborhoods.

After looking at all the available data, the Berkeley researchers conclude that subsidized housing is twice as effective as market rate housing at stabilizing neighborhoods facing displacement pressures. The updated report does a great job at getting at the impacts of both market rate and subsidized housing and explaining why we need to create both to mitigate displacement and provide housing for all.

I look forward to following up with you soon.

Very best,

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COMMUNITY
LEGAL SERVICES IN
EAST PALO ALTO

Date: April 8, 2016

Via Email

From: Community Legal Services in East Palo Alto

To: Menlo Park City Council, Housing Commission, Planning Commission, General Plan Advisory Committee (GPAC), City Manager's Office, Planning Division, Office of Economic Development and City Attorney's Office

Re: General Plan Update and M-2 Area Zoning Update Recommendations; Affordable Housing Recommendations

Dear Mayor Cline and City Council, Housing Commission, Planning Commission, GPAC, Mr. McIntyre, Ms. Chow, Mr. Cogan, and Mr. McClure:

Community Legal Services in East Palo Alto presents our recommendations to the City of Menlo Park to inform the City's policymaking decisions around the General Plan Update and the M-2 Area Zoning Update process ("ConnectMenlo"). These recommendations are summarized at the end of this memo in chart form. Throughout the ConnectMenlo process, Menlo Park City Council and Staff have acknowledged the escalating housing crisis and articulated a need to create affordable housing and prevent displacement of current residents in light of the likely impacts of the new M-2 development. The City Council's Guiding Principle of "Citywide Equity" illuminates the need for "housing that complements local job opportunities with affordability that limits displacement of current residents."

The City now has the task of turning this Guiding Principle into reality. Menlo Park can be a leader in promoting equitable growth by creating sufficient affordable housing and protecting current residents from displacement. To that end, we recommend that the City (1) ensure that a significant proportion (at least 30 to 40%) of the new housing built in M-2 is affordable for extremely low to moderate income families; (2) adopt policies to promote the preservation and production of affordable housing throughout the city; and (3) adopt concrete policies to protect residents of the Belle Haven neighborhood from displacement. We also highlight that by accomplishing these goals, the City can take major strides towards mitigating traffic and reducing greenhouse gas emissions.

Background Information on the Regional and Local Housing Crisis

The Bay Area is experiencing a housing crisis. As is widely reported, the rapid job growth in the region is intensifying pressures on an already insufficient housing supply, creating rapidly rising rents. Displacement and gentrification are on the rise¹, and lower-income families and low- to middle-wage workers are pushed further and further away from jobs, schools,

¹ <http://www.urbandisplacement.org>

medical care and places of worship every day. Regular news headlines capture the scope and urgency of the crisis.²

During the current tech boom, rents have risen nearly 50% in San Mateo County. This has created a housing crisis of immense proportions as communities throughout the Bay are destabilized by the skyrocketing cost of housing and stagnant wages for low to middle income families. While rents have risen over 50% in merely four years, the minimum wage in California has increased only 12.5% in the last seven years.

Due to quickly rising rents and low interest rates, San Mateo County has been hit with the troubling and growing trend of real estate speculation. Investors have been purchasing apartment buildings for inflated prices and then raising rents to recoup their investment or evicting tenants en masse to renovate and attract more affluent tenants.³

Against this regional backdrop, and in the face of the proposed, unprecedented changes to the area surrounding the Belle Haven neighborhood in Menlo Park, Belle Haven residents are at serious risk of increased displacement. According to UC Berkeley's recent Urban Displacement study, a strong market, robust job creation, historic housing stock, and increasing loss of naturally affordable housing all indicate further increases in rental and housing prices.⁴ All of these factors are at play in Menlo Park and will make it increasingly difficult for long-time low to moderate-income residents and new low to moderate-wage workers employed by local businesses to live in Menlo Park. The UC Berkeley displacement researchers concluded that more than half of the census tracts within Menlo Park are already "undergoing displacement" or "at risk of displacement." The researchers further concluded that Belle Haven is "at risk of displacement", indicating that it is not too late for strong affordable housing policies and anti-displacement measures to make a significant positive impact in stabilizing lower-income families. However, the City must act quickly.

While not nearly as rampant as in other locations in the region, displacement is already forcing families out of Belle Haven. In some cases, Belle Haven rents have increased by \$1,000 or more. Families attending local schools have been forced to move to the inland valley or out of state, disrupting their children's education and their own employment situations.

Displacement results in negative physical and emotional health outcomes for families as well as the community in which they live.⁵ When displacement causes parents to lose friends and neighbors on whom they've come to rely, they experience added stress and anxiety. The

² See, for example: Quinn, M. (2015, November 10). The housing crisis ahead of us. *San Jose Mercury News*; Palumbo-Liu, D. (2015, October 8). The Bay Area's housing disaster: The affluent move in and the rest of us suffer. *Salon*; Potts, M. (2015, December 13). Dispossessed in land of dreams. *New Republic*; Hall, G. (2015, July 23). Housing crisis worsens in San Mateo County. *Silicon Valley Business Journal*; Kinney, A. (2014, August 28). Can working-class families afford to live in San Mateo County? *San Jose Mercury News*.

³ It is very common for these purchases to be followed by either (1) no-cause, 60-day eviction notices to all or most tenants in the building or (2) building-wide rent increases of hundreds, and even thousands, of dollars per month. This trend is likely to continue.

⁴ <http://www.urbandisplacement.org/map>

⁵ <http://www.cdc.gov/healthyplaces/healthtopics/gentrification.htm>

struggle to avoid displacement and maintain stability takes a heavy toll on individuals and families. CLSEPA too often assists clients who are struggling to make ends meet even when two adults are working two jobs each. Parents describe how they cannot spend time with their children or get enough sleep to properly care for themselves and their families. These same parents work at local jobs and are an integral part of the local economy. Yet, they find themselves struggling to find affordable housing options.

Timely, bold action to provide housing that is affordable across all incomes coupled with creative, meaningful programs to prevent displacement of current residents can address the current crisis. We provide the following recommendations in hopes that the City will act quickly and decisively.

Recommendation #1: Ensure that a significant proportion (at least 30 to 40%) of the new housing built in M-2 is affordable for extremely low to moderate income families

Additional background information on the need to ensure that a significant proportion (at least 30 to 40%) of the new housing built in M-2 is affordable for extremely low to moderate income families

Belle Haven is currently a diverse, mixed-income neighborhood that still offers housing opportunities for families at all income levels. Substantial new affordable housing creation would give current residents greater choice and ability to remain housed locally if faced with insurmountable rent increases or other displacement pressures. New quality affordable housing would help stabilize the neighborhood and protect against displacement pressures in the long term. It would also allow current residents to enjoy the envisioned “Live/Work/Play” environment. Likewise, substantial new affordable housing creation would allow for new low to moderate-wage workers to enjoy the envisioned “Live/Work/Play” environment, while also reducing traffic and greenhouse gas emissions.

Current Belle Haven residents need new affordable options in the face of current and anticipated market pressures. According to the 2014 ACS, Belle Haven median household income is about \$57,000/year as compared to an Area Median Income (“AMI”) of about \$101,000/year for San Mateo County. The following 2014 ACS data captures the range of income levels in Belle Haven and demonstrates how crucial it is for the City to take into the housing needs of residents at extremely low to moderate income levels through the ConnectMenlo process:

- approximately 30% of Belle Haven households earn under \$35,000/year
- approximately 25% earn between \$35,000 and \$60,000/year
- approximately 10% earn between \$60,000 and \$75,000/year
- approximately 14% earn between \$75,000 and \$100,000/year

New low to moderate wage workers need affordable housing options as well. They will only be able to live near work and enjoy the envisioned “Live/Work/Play” lifestyle embraced by ConnectMenlo if a substantial number of truly affordable units are built for extremely low, very low, low and moderate-income households. A substantial portion of the new jobs created by the

anticipated development will be in the lower-wage sector and will increase the demand for local affordable housing.⁶ New tech jobs create a proliferation of new service sector jobs. By one estimate, every new tech job creates about 4.3 service sector jobs, which include lower-wage and moderate-wage service sector jobs.⁷ The largest number of future jobs openings in the Peninsula metro areas is expected in low and moderate wages (less than \$20 per hour) occupations.⁸ Additionally, within a given tech company, a portion of job growth will be in the lower-wage service sector. For example, a 2011 study found that about 11% of Facebook workers have household incomes at or below 50% of area median income, or about \$45,000/year at the time.⁹ Last, while obvious, we note that Menlo Park's current Housing Element affordable housing goals are insufficient in light of the proposed M-2 development.¹⁰

Creating a target of 30 to 40% affordable units is appropriate given the gravity of the housing crisis, current neighborhood composition, the anticipated creation of new lower-wage jobs, and current trends throughout the Bay Area. In response to the unprecedented need for housing at all income levels, several new projects in the Bay Area target between 25% and 40% affordable. For example, the Concord Naval Base redevelopment project mandates at least 25% of the over 12,000 new housing units to be affordable.¹¹ And San Francisco recently approved two large residential developments that will require 40% affordable units to address the housing crisis.¹²

The City must also think critically about how to ensure that affordable housing is accessible to families at different income levels. The discussion above highlights the need for

⁶ See Redwood City Nexus Study, December 7, 2015, which highlights the need for affordable housing creation in light of both nonresidential development and market-rate housing development. The study found that “[n]ew housing construction that does not include affordable units aggravates the existing shortage of affordable housing by absorbing the supply of available residential land” and that “[b]ecause nonresidential development also attracts employees, of whom a quantifiable number will have very low, low, or moderate incomes, new nonresidential developments similarly increase the demand for and exacerbate the shortage of housing available for people at these income levels while also reducing the supply of land potentially available for housing development”, and “[n]ew residents of market-rate housing purchase goods and utilize services in the community, increasing local employment and attracting employees, of whom a quantifiable number will have very low, low, or moderate incomes and cannot afford market-rate housing.”

⁷ Bay Area Council Economic Institute (2012)

⁸ SAMCEDA (2014)

⁹ <http://www.menlopark.org/DocumentCenter/View/2674>

¹⁰ In 2014, Menlo Park identified a need to create 655 new housing units between 2015 and 2023, with 233 of those units available to families earning less than 50% area median income (“AMI”), and an additional 129 of those units available to families earning less than 80% AMI. Since the City’s Housing Element update in 2014, pressures have continued to increase in ways not anticipated by the Housing Element update process. And the current proposed development plans for 4,500 new dwelling units. Affordable housing targets must be recalculated based on the anticipated displacement pressures, the new jobs that will be created and the new dwelling units that will be built.

¹¹ In 2012, the Concord City Council voted unanimously to commit 25% of residential development to be affordable, representing a major commitment to sustainable and equitable growth. See <http://www.ebho.org/our-work/concord-campaign>. The recently approved Concord Naval Base development incorporates this target. See http://www.concordreuseproject.org/pdf/proposal/09292015_report_30.pdf

¹² The 5M project will have 40% affordable housing, with a mix of very low, moderate and senior housing. See <http://www.sfxaminer.com/5m-project-reaches-landmark-deal-with-40-below-market-rate-housing>. The Folsom project will also include 40% affordable units throughout the building. See <http://www.sfchronicle.com/bayarea/article/Folsom-tower-developer-agrees-to-40-percent-6762317.php>.

housing for extremely low (“ELI”), very low (“VLI”), low (“LI”) and moderate-income (“MI”) families.¹³ The following chart illustrates how new affordable housing creation at different affordability levels will meet the needs of these families; market rate housing will simply not meet these needs.

Table 1: Monthly Affordable Housing Expense Targets for Current and New Residents

Family Size	Wage Earners	Hourly Income	Annual Household Income	ELI, VLI, LI, or MI	Affordable Monthly Rent
4	1	\$15	\$30,000	ELI	\$750
4	2	\$10	\$40,000	VLI	\$1,000
4	2	\$15	\$60,000	LI	\$1,500
4	2	\$20	\$80,000	LI	\$2,000
4	2	\$25	\$100,000	MI	\$2,500

Additionally, as highlighted during the community visioning process, the City should consider integrating new affordable housing into market-rate housing developments. This approach serves two purposes. First, it ensures that lower-income residents are not separated by housing. Second, it ensures that lower-income residents who increase their income over time have the opportunity to remain housed in the same location/building where they initially obtained affordable housing.

Last, we note that ensuring the construction of substantial quality affordable housing is desirable because it will help the City achieve its environmental and greenhouse gas reduction goals. Affordable housing is ultimately good for the environment.¹⁴ As discussed above, many service sector jobs will be created through this process. Providing only a small number of affordable units assumes that many employees will commute from afar. To reduce greenhouse gas emissions it is necessary to create both substantial affordable housing units and enhanced transit methods. A coordinated housing-transportation strategy can ensure that policies designed to provide enhanced public transportation and to provide housing for lower-income families are mutually supportive and contribute to meaningful reductions in greenhouse gases.¹⁵

A. Policy recommendation #1.1 to ensure that a significant proportion (at least 30 to 40%) of the new housing built in M-2 is affordable for extremely low to moderate income families: Zone to achieve affordable housing targets of 30 to 40% affordable units within market-rate buildings

1. **Incentivize Affordable Housing through special overlay zones:** Menlo Park should ensure that zoning measures taken will actually result in sufficient affordable housing creation for extremely low to moderate income families. The proposed M-2 zoning regulations contain provisions

¹³ Per current HUD guidelines for San Mateo County, a family of four earning up to \$35,150/year is Extremely Low income (“ELI”), up to \$58,600/year is Very Low Income (“VLI”), up to \$93,850/year is Low Income (“LI”) and up to \$123,600/year is Moderate Income (“MI”).

¹⁴ See, e.g., http://publicadvocates.org/sites/default/files/library/displacement_and_ghgs_6-5-14_color.pdf; see also, http://www.huffingtonpost.com/orson-aguilar/fighting-the-housing-cris_b_9515400.html

¹⁵ <http://www.chpc.net/dnld/AffordableTODResearch051514.pdf>

to incentivize affordable housing. However, we are concerned that these proposed regulations won't incentivize sufficient affordable housing creation. We recommend that the City consider re-envisioning these zones as special overlay zones that would permit housing developments only if they include the target percentage of affordable housing units. One example is found in Orange County Zoning Code 7-9-148, which permits housing on land otherwise restricted to commercial or industrial if affordable housing is included.¹⁶ It is critical for the City to work with economists and stakeholders to figure out the mix of affordable and market-rate units that will spur creation of the target number of affordable units at each income level and not deter housing development.

2. **Incentivize Affordable Housing through “density” bonuses designed to optimize affordable housing:** Menlo Park can incentivize floor area ratios (FAR) or density levels that will increase land value *and* increase affordable housing units. The first step is to study the optimal FAR or density that will allow maximum return for property owners. Developers would be permitted to obtain the optimal FAR or density in exchange for providing at least 30 to 40% affordable rental units.¹⁷
3. **Create income targets to ensure that all families in the extremely low to moderate-income ranges are included:** Based on the needs analysis above based on both current demographics and anticipated job creation, we recommend that the City implement specific income-targeting for the new units to ensure that all families in the lower to moderate-income ranges are served by the new development. This will include setting specific requirements for the number of units affordable to ELI, VLI, LI and MI households. One approach would be to create 30% affordable for ELI households, 25% affordable for VLI households, 25% affordable for LI households, and 20% affordable for MI households.

B. Policy recommendation #1.2 to ensure that a significant proportion (at least 30 to 40%) of the new housing built in M-2 is affordable for extremely low to moderate income families: Design the zoning to incentivize affordable housing creation before office space development begins

In order to be most effective, final policy provisions must be in place before office and commercial development begins. In particular, the City must finalize the zoning to incentivize

¹⁶https://www.municode.com/library/ca/orange_county/codes/code_of_ordinances?nodeId=TIT7LAUSBURE_DIV9PL_ART2THCOZOCO_S7-9-148HOOPOVRE

¹⁷ The process for creating the Cornfield Arroyo Seco Specific Plan in Los Angeles provides a model for crafting and implementing this type of incentive-based zoning. Specifically, the Cornfield Arroyo Seco Specific Plan first conducted a rigorous analysis to identify the optimal FAR or density in light of the particular characteristics of the local market. See <http://www.keysermarston.com/project/cornfield-arroyo-seco-specific-plan-casp>. If the City pursues this policy, we urge Menlo Park to undertake a similar analysis to ensure that the incentives are properly calibrated to local market conditions.

affordable housing creation before development deals are finalized and ground is broken. If development begins before the City's final policies are in place, the City will lose a key opportunity to ensure that all new development benefits the community to the maximum extent possible.

Recommendation #2: Adopt policies to promote the preservation and production of affordable housing throughout the City

Additional background information on adoption of policies to promote the preservation and production of affordable housing throughout the City

The Housing Element adopted by the City of Menlo Park on April 1, 2014 anticipated the need for housing throughout the City of Menlo Park. Goal 4 of the Housing Element calls for new housing and states that the City should “[u]se land efficiently to meet housing needs for a variety of income levels.” Policy 4.12 calls for a “Fair Share Distribution of Housing Throughout the City” and specifically states a City policy of promoting “the distribution of new, higher density residential developments throughout the city . . .”

Both overall housing targets and specific affordable housing targets stemming from the ConnectMenlo process should not be limited to Belle Haven and the M-2 Area. The Housing Element process allows for yearly review of the General Plan and suggests that updates to the Housing Element may be implemented between each Housing Element adoption. To achieve a fair share distribution of affordable housing, the City should review and update zoning throughout the City as needed to ensure it is inclusive of all neighborhoods.

The City should ensure that such zoning updates include meaningful incentives and should also seek funding opportunities to create affordable housing throughout the City. Along these lines, we urge the City to explore the following policy solutions.

- A. Policy recommendation #2.1 to promote the preservation and production of affordable housing throughout the City: Expedite adoption of a City ordinance based on the 21 Elements Housing Impact Fee Nexus Study and utilize fees for units throughout the City*

In addition to using zoning to incentivize the creation of new affordable units within the M-2 zone, the City should also adopt an ordinance incorporating new commercial linkage and residential linkage fees (“impact fees”) per the recently completed 21 Elements Housing Impact Fee Nexus Study. The study establishes a connection between the development of commercial space such as offices or hotels and market-rate housing and the need to expand the supply of affordable housing. We urge the City to adopt the maximum supportable fees as recommended by the study to mitigate the impacts of new development on the jobs-housing imbalance and properly account for and fund new affordable housing supply throughout the City.

- B. Policy recommendation #2.2 to promote the preservation and production of affordable housing throughout the City: Utilize public funds, including funds earmarked for affordable housing, to purchase single family homes and multi-unit apartments to create a stock of permanently affordable housing*

Funds from existing sources as well as future linkage fees should be used to purchase existing properties for creation of a permanent affordable housing stock. In the very-near term, these purchases could stabilize individual families' housing situations. For example, the City could purchase a 4-unit building and charge affordable rent. This would prevent investors and speculators from obtaining the property and doubling rent, thereby stabilize housing for current residents. The City could elect to adopt such a program in partnership with non-profit housing developers who, over time, might rehabilitate these properties, or even increase density. These steps could only be taken if the current tenants were offered a guaranteed right to return and provided with short-term, local housing.

C. Policy recommendation #2.3 to promote the preservation and production of affordable housing throughout the City: Utilize public land for new affordable housing development

We encourage the City of Menlo Park to continue to identify public land that could be re-considered for affordable housing. Throughout the ConnectMenlo process, and long before, the issue of identifying possible sites for housing has challenged the City. We recommend compiling a list of public land that could be considered, sharing that list with residents, and establishing a process to solicit and obtain feedback from all residents and nonprofit housing developers.

D. Policy recommendation #2.4 to promote the preservation and production of affordable housing throughout the City: Utilize public funds to create a tenants' first right of first refusal ("right to purchase") policy and program

In some cities around the country, tenants have a powerful right - they get the first chance to purchase their apartment building whenever it goes up for sale. This right can enable residents to bring their building out of the speculative market and preserve it in perpetuity as an affordable and community-controlled housing source. In Washington D.C., for example, the "District has helped preserve nearly 1,400 affordable homes for low- and moderate-income tenants as housing costs skyrocketed across the city."¹⁸ We urge the City to explore adopting a similar "right to purchase" ordinance in Menlo Park.

Furthermore, we recommend that the City bolster any right to purchase ordinance with complimentary financial and technical assistance to ensure that tenants can effectively exercise this right. The City should identify creative funding solutions to provide low-interest loans and innovative long-term financing to tenants and non-profit housing developers that want to purchase buildings or homes. For example, the City should explore the use of commercial and residential linkage fees to fund tenant purchases for the purpose of creating long-term affordable housing stock.

¹⁸ <http://www.dcfpi.org/dcs-first-right-purchase-program-a-key-tool-to-preserve-affordable-housing>

E. Policy recommendation #2.5 to promote the preservation and production of affordable housing throughout the City: Create a Community Land Trust

Menlo Park should also explore the feasibility of creating a community land trust (“CLT”) on public land. When incomes do not rise as fast as housing prices, many people cannot afford to buy a market-rate house. The CLT is a tool to help low and moderate income people with steady incomes and good credit buy a home. CLTs preserve scarce public subsidy in perpetuity so that one infusion of public funds serves family after family, generation after generation. Successful CLTs have been launched across the country, from Burlington, Vermont to Sonoma, California.

For additional information, consult the Housing Land Trust’s website of information and resources, available at <http://www.housinglandtrust.org/faqs.htm>, the National Community Land Trust Network’s website of tools and resources, available at <http://cltnetwork.org/tools/>, and a website with information about Burlington’s Land Trust, available at <http://dollarsandsense.org/archives/2005/0305fireside.html>.

F. Policy recommendation #2.6 to promote the preservation and production of affordable housing throughout the City: Create/Promote Homeownership Readiness Programs

To prepare families for new affordable home ownership opportunities throughout the City, we recommend that the City partner with non-profit agencies to create and/or promote homeownership readiness programs that include education and preparedness around credit repair, credit building, savings, and loan shopping. In particular, credit building and savings programs could help families get “mortgage ready” before applying to the BMR program.

Recommendation #3: Adopt concrete policies to protect residents of the Belle Haven neighborhood from displacement

Additional background information on the need to adopt concrete policies to protect residents of the Belle Haven neighborhood from displacement

Currently, about 57% of Belle Haven residents rent. According to the 2014 ACS survey, Belle Haven median household income is about \$57,000/year as compared to an Area Median Income (“AMI”) of about \$101,000/year for San Mateo County. The census data captures the need for close attention to issues of renter displacement and housing affordability. For example, 15.1% of Belle Haven households earn less than \$20,000/year, 15.0% of Belle Haven households earn between \$20,000 and \$35,000/year, and 47% earn less than \$50,000.

The U.S. Department of Housing and Development (“HUD”) defines a “rent burdened household” as one that pays more than 30% of monthly income in gross rent. According to HUD, a household is “severely rent burdened” if they pay more than 50% of their income in gross rent. The table below captures the rent burden realities faced by many Belle Haven renters:

Table 2: Rent Burdens of Belle Haven Households

Household income .	Percent Rent Burdened - Belle Haven	Percent Severely Rent Burdened - Belle Haven
\$10,000 to \$20,000	91%	60%
\$20,000 to \$35,000	56%	25%
\$35,000 to \$50,000	54%	18%
\$50,000 to \$75,000	66%	8%

This data demonstrates that the substantial majority of renter households in Belle Haven who earn under \$75,000 already face a housing crunch that puts them at risk of displacement. As discussed above, the proposed M-2 Area development will continue to attract higher-income households and drive up rents, substantially increasing rent burdens and displacing many at-risk families.

We propose a variety of policy recommendations to stem the current tide of displacement because of the urgency of the housing crisis for families on the verge of displacement. The City must implement a multi-pronged approach that includes action items it can implement today.

A. Policy recommendation #3.1 to protect against displacement: Short-term moratorium on rental increases and no-cause evictions

We urge Menlo Park to pass an emergency moratorium on exorbitant rent increases and no-cause evictions.¹⁹ This would place a temporary “pause” on the conduct most likely to cause immediate and irreparable displacement of current residents while the City engages in a public process to evaluate medium- and long-term policy solutions to the housing crisis. Given the displacement already occurring and the potential for the ConnectMenlo process to accelerate displacement pressures, the City risks losing many valuable community members before any viable solutions are implemented. A temporary moratorium will ensure that hundreds of residents will remain in place long enough to enjoy the potential benefits that the City hopes to attain through the ConnectMenlo process.

B. Policy recommendation #3.2 to protect against displacement: Creative use of special funds for short-term financial assistance to renters and homeowners to prevent impending displacement

Menlo Park should also create and implement funding programs to prevent renters and long-time homeowners who are experiencing short-term financial distress from losing their housing permanently. A simple and effective program might include a streamlined application process for forgivable loans or grants based on a showing of short-term need. In the renter context, such a program would be most effective when coupled with protections such as rent

¹⁹ The City of Alameda recently adopted, and then extended, a moratorium that prohibits rent increases of more than 8% to most multi-unit buildings built before 1995. It also prohibits, for most rental units, a landlord from evicting a tenant except for “just cause.” See http://alamedaca.gov/sites/default/files/document-files/article-files/ordinance_3140.pdf

stabilization and prohibitions against no-cause evictions. While emergency rental assistance is not designed to protect renters from extreme rent hikes and medium-term rent appreciation, it is an important tool to prevent the loss of housing when a family incurs a sudden and unexpected medical, auto, or other expense that would otherwise inhibit their ability to pay rent.

C. Policy recommendation #3.3 to protect against displacement: Utilize public funds, including funds earmarked for affordable housing, to purchase single family homes and multi-unit apartments to create a stock of permanently affordable housing

This recommendation echoes Policy recommendation #2.2 above and is aimed at both the long-term preservation of affordable housing throughout the City and the immediate prevention of displacement. See Policy recommendation #2.2 above for details.

D. Policy recommendation #3.4 to protect against displacement: Rent Stabilization and Just Cause for Eviction Tenant Protections

For renters living in multi-unit buildings built before 1995, rent stabilization coupled with just cause for eviction is the most effective policy approach to stem the tide of displacement. Located in the center of Silicon Valley innovation, Menlo Park has the opportunity to devise a fresh, creative rent stabilization and just cause tenant protection program that would provide protections for renters, including many long-time residents, in the face of increasing rents and speculative evictions. The key features of such a program should include a cap on rent increases (tied to the annual inflation rate), and should prohibit a landlord from arbitrarily evicting a tenant while still permitting landlords to evict if a tenant fails to pay rent, breaches the lease, or causes other problems. The City has substantial flexibility to craft other features of the program so that it is tailored to the unique circumstances and character of Menlo Park. For example, a streamlined program might include a simplified approach that empowers tenants to enforce their own rights with minimal involvement from the City. A potential innovation would be to make the program responsive to shifts in market conditions by incorporating a trigger that would automatically de-activate the program if the program is no longer necessary. Such an approach would recognize the imperative of addressing the drastic housing crisis that currently grips the region while enabling the City to nimbly respond to fluctuations in the market. It is also important to note that nearly all rent stabilization and just cause for eviction programs in the state are self-funded and thus a program could be devised in a way that has zero impact on the City's general fund.

E. Policy recommendation #3.5 to protect against displacement: Study possible use of local preference for newly created affordable housing

Menlo Park should study the possible creation of a local preference in affordable housing assignment to ensure that current Menlo Park residents have a better opportunity to stay in their community as they face rising rents or look to downsize. Municipalities throughout the country have used local preferences to leverage affordable housing to preserve communities and stabilize neighborhoods. A local preference would also allow former residents, including children of long-time residents, to have priority in accessing a certain percentage of newly constructed

affordable units. Last, a local preference would give workers newly employed in Menlo Park access to local affordable units.

CONCLUSION

Belle Haven is at risk of serious harm to current residents due to a worsening housing shortage and displacement. The proposed General Plan and M-2 Area Zoning Updates will result in significant increases in employment and the concomitant need for housing. This will add to ever-accelerating upward pressures on rents and housing costs in Menlo Park. Mass displacement and increased traffic and greenhouse gas emissions will ensue without swift implementation of meaningful policy measures designed to ensure sufficient affordable housing and to prevent displacement. The M-2 Area Update is indeed a great threat if the City does not adequately protect its residents, but the Update also provides the City of Menlo Park the opportunity to play a leadership role in the region by ensuring that an equity framework guides all long-term planning decisions. If Menlo Park gets it right, the ConnectMenlo Plan can be an example of how to pursue development without displacement, ensuring that the benefits of future growth will be shared with both the existing residents who made the City what it is today, as well as with the diverse set of new residents who will continue to make Menlo Park a vibrant and complete community long into the 21st century.

Thank you for your time and consideration in reviewing these materials. Please reach out to us with any questions or to further discuss the recommendations proposed above.

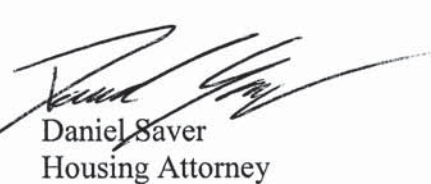
Sincerely



Keith Ogden
Housing Attorney



Jason Tarricone
Directing Housing Attorney



Daniel Saver
Housing Attorney

CLSEPA's Policy Recommendations Summary Chart (please see memo for details)

Policy Rec. #	Policy Initiative	Goal	Timeline/Costs	Resources
1.1	Adopt meaningful zoning incentives for M-2 Area to ensure 30% to 40% affordable housing (e.g, zone M-2 for office, LS and commercial only; then overlay affordable housing)	Provide housing for low to moderate income households; set targets for ELI, VLI, LI and MI housing	Implement as part of General Plan Update	Orange County Zoning Code 7-9-148
1.1	Grant meaningful density bonuses in exchange for affordable rental units	Provide housing for low to moderate income households	Implement as part of General Plan Update	CASP Study
1.2	Establish zoning policies before development starts	Ensure realization of affordable housing outcomes	Immediate	
2.1	Adopt increased commercial linkage fees and new residential linkage fees ("impact fees")	Provide funding for affordable housing throughout the City, incl. affordable rental housing	Immediate adoption of an ordinance based on the 21 Elements Study	Redwood City
2.2 and 3.3	Use City funds to purchase homes and multi-unit buildings on the market	Provide for long-term affordable housing throughout the City; Displacement prevention	Immediate / Requires significant funding	
2.3	Compile list of public lands that could be used for affordable housing	Provide for long-term affordable housing throughout the City	Immediate	
2.4	Adopt Tenant "Right to Purchase" Program	Provide for long-term affordable housing throughout the City; Displacement prevention	Immediate / Requires significant funding	Washington D.C.
2.5	Create a Community Land Trust	Provide for long-term affordable housing throughout the City	Immediate / Requires significant funding	Burlington, VT land trust
2.6	Create and/or Promote Homeownership Readiness Programs	Support long-term affordable housing ownership throughout the City	Immediate / Requires some funding	
3.1 and 3.4	Rent Stabilization and Just Cause for Eviction Moratorium and Final Policy	Displacement prevention and community stabilization	Immediate moratorium - then study & final policy	Alameda
3.2	Fund to assist homeowners and renters in short-term financial distress	Displacement prevention and community stabilization	Immediate / Requires funding	
3.5	Local Preference for affordable housing	Displacement prevention and community stabilization	Study Fair Housing Issues; Implement with General Plan Update	American Canyon; New York

From: Daniel Saver [mailto:dsaver@clsepa.org]

Sent: Tuesday, July 05, 2016 3:45 PM

To: McIntyre, Alex D

Cc: _CCIN; Murphy, Justin I C; Chow, Deanna M; Salimah Hankins; Tameeka Bennett; Keith Ogden

Subject: Letter from ETB-EPA requesting extension on Facebook and General Plan DEIRs

Dear Mr. McIntyre,

Please see the attached letter and two other enclosures that I am sending on behalf of Envision, Transform, Build--East Palo Alto. The letter requests an extension of at least 15 days for the public comment period on the draft Environmental Impact Reports for the Facebook Expansion Project and the M-2 Area General Plan update.

I will be out of the office for the next week, but if you have any questions please do not hesitate to contact my colleagues Salimah or Keith, as well as Tameeka Bennett of YUCA, all cc'ed on this email.

Best,
Daniel

O02-1



COMMUNITY
LEGAL SERVICES IN
EAST PALO ALTO

July 5, 2016

Via E-mail and U.S. Mail

Alex McIntyre
City Manager
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

RE Facebook Expansion Project and General Plan Land Use Update DEIRs

Dear Mr. McIntyre:

We write on behalf of Envision, Transform, Build—East Palo Alto (ETB-EPA) with respect to the Draft Environmental Impact Reports (DEIRs) for the proposed Facebook Expansion Project and the M-2 Area General Plan Land Use update. Specifically, we request at a minimum, a 15-day extension of the public comment periods for the DEIRs for the two aforementioned projects.

Envision, Transform, Build—East Palo Alto is a coalition of nonprofit, community and faith-based organizations, residents, architects, planners, and youth who have been working on land use, planning, and development issues in southern San Mateo County for over 10 years. In addition to actively participating in every advanced planning process within the City of East Palo Alto for the past decade, we were an active participant and respondent in the Facebook/1601 Willow Road East Campus and 312-314 Constitution Drive West Campus EIR process in 2011-12. In the latter project, we successfully compelled Menlo Park, with the aid of legal counsel, to update its 21-year-old outdated Housing Element, to enact appropriate zoning changes, and to release housing funds for the construction of affordable housing in Belle Haven.

Our request is premised, in part, on the material omission of ETB-EPA's four-page Notice of Preparation (NOP) comment letter for the Facebook Expansion Project (see attached). Our NOP comment letter should have been part of the record and included in the Facebook Expansion DEIR for other agencies and the public to review. Your staff acknowledged receipt of the aforementioned letter within the prescribed deadline (see attached e-mail). Your NOP stated: "Following the close of the NOP comment period, a draft EIR will be prepared that will consider all NOP comments." Notice of Preparation, p. 4 (June 18, 2015). Nonetheless, neither our letter nor a reference to its receipt and review is contained in the DEIR. Such a grievous omission calls into question whether Menlo Park reviewed our concerns and appropriately addressed them within the DEIR. Importantly, the City's failure to include the ETB-EPA letter in the DEIR deprived other members of the public of the opportunity to review and build off our comments through the DEIR process—eliminating the possibility that our comments could catalyze new ideas and/or broader input from the public.

**O02-1
(cont.)**

OFFICE HOURS M-F
9am-5pm
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EAST PALO ALTO, CA 94303
P 650.326.6440
F 650.326.9722

In addition, per our discussion with your planning staff several months ago, we were informed that the respective DEIRs for these projects would be sequenced to minimize or avoid entirely the overlap of the comment periods. Such sequencing would be vital to ensure adequate opportunity for the public to review and comment upon two immense and complicated projects occurring within such quick succession. We were dismayed to see that Menlo Park had decided to release both DEIRs within a few days of each other, particularly since the total number of pages contained in both documents and their appendices is over 10,000 pages.

We urge Menlo Park to grant our request for a minimum 15-day extension to the comment period to ensure compliance with requirements and purposes of the California Environmental Quality Act (CEQA). The Supreme Court of California has emphasized that the CEQA process “must be open to the public, premised upon a full and meaningful disclosure of the scope, purposes, and effect of a consistently described project, with flexibility to respond to unforeseen insights that emerge from the process.” *Concerned Citizens of Costa Mesa, Inc. v. 32nd Dist. Agric. Assn.*, 42 Cal. 3d 929, 936 (1986). The CEQA process undertaken by Menlo Park does not appear to be “open to the public” nor premised on a “full and meaningful disclosure of the scope” of the project given the failure to acknowledge, much less address, the scoping concerns raised in ETB-EPA’s NOP comment letter. In fact, the omission of ETB-EPA’s letter assumes that no “unforeseen insights” could be gleaned by the City or the public from our comments. We do not accept this assumption.

Moreover, the volume and complexity of information that the public is expected to digest from two simultaneous projects of this scale calls into question whether the minimum 45-day comment period will meet the fundamental goal of CEQA that “the public be fully informed as to the environmental consequences of action by their public officials.” *Laurel Heights Improvement Assn. v. Regents of Univ. of California*, 47 Cal. 3d 376, 404-05 (1988), *as modified on denial of reh’g* (Jan. 26, 1989). We are deeply concerned that the City’s choice to overlap these two massive projects, combined with the failure to consider ETB-EPA’s NOP comment letter, mean that many members of the public will not have the opportunity to fully analyze the DEIRs and comprehend the true extent of the projects’ potential environmental impacts. Overwhelming the public with technical documents about two immense projects while restricting comments to a mere 45 days creates an appearance that Menlo Park may be trying to avoid rigorous public input and simply rubber-stamp the DEIRs. The optics of this situation are compounded by the City’s failure to recognize one of the key NOP comment letters expressing deep concerns about the projects’ scope and impact. A lead agency cannot “countenance a result that would require blind trust by the public,” *id.*, and an extension of the public comment period on the DEIRs would ensure that the public has adequate opportunity to be fully informed about and comment upon the projects in light of all relevant concerns, rather than relying in blind faith on the City.

The Public’s involvement in the CEQA process should ensure that it has a voice in the decision-making process. This public involvement process can enhance the quality, credibility, and validity of the EIR, if conducted properly. It can also avoid costly project delays that result from political or bureaucratic processes.

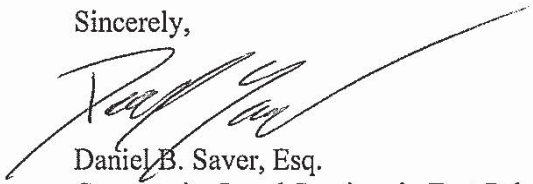
Given the omission of our letter and the stacking of two simultaneous, immense projects, and in light of abundant case law requiring an open and transparent CEQA process, ETB-EPA and its respective organizations request that the City of Menlo Park extend the public comment period on both the Facebook DEIR and the General Plan Update DEIR by a minimum of 15 days.

O02-1
(cont.)

Furthermore, we request that the City forward our NOP comment letter to all agencies and individuals reviewing the DEIR so that they are aware of the issues we previously raised in a timely fashion. Failure to do so would disadvantage all previous respondents to the NOP who showed interest in the project, and any new commenters to the DEIR who wish to review or build off of our concerns.

O02-1
(cont.)

Sincerely,



Daniel B. Saver, Esq.
Community Legal Services in East Palo Alto
On behalf of Envision, Transform, Build—East Palo Alto (ETB-EPA)

cc: Menlo Park City Council Members
Kyle Perata, Senior Planner
Deanna Chow, Principal Planner



HOMEGROWN DESIGN FOR COMMUNITY
SELF-DETERMINATION

ETB.EPA@GMAIL.COM

July 18, 2015

Kyle Perata, Associate Planner
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

**COORDINATING
MEMBERS**

Youth United for
Community Action

Peninsula Interfaith
Action

El Comite de Vecinos

Community Legal
Services of
East Palo Alto

Urban Habitat

ADVISORY MEMBERS

Community of East
Palo Alto

LEAD CONTACTS

Tameeka Bennett, E.D.
Dr. Jennifer Martinez,
E.D.

RE: EIR NOP for Facebook Campus Expansion Project

Dear Mr. Perata,

We write to express our view of what topics and issues Menlo Park should address in the Environmental Impact Report for the Facebook Campus Expansion Project. We strongly feel this information is essential in order to understand the full impact of the Project on your neighboring community of East Palo Alto and, in particular, low-income residents residing therein.

Envision, Transform, Build—East Palo Alto (ETB-EPA) is a coalition of nonprofit, community and faith-based organizations, residents, architects, planners and youth, who have been working on land use, planning, and development issues in southern San Mateo County for over nine years. We were active in the development of East Palo Alto's Ravenswood/4 Corners Transit Oriented Specific Plan, as well as an active participant and respondent in the Facebook/1601 Willow Road East Campus and 312-314 Constitution Drive West Campus EIR process in 2011-12. Presently we are engaged in leading a participatory community process to help develop East Palo Alto's update to its General Plan and a neighborhood plan for the west side of the city.

In regards to the latter project, ETB-EPA has held community workshops and focus groups, conducted surveys, and educated residents about land use economics, housing policies, and displacement issues to develop a vision for the west side of EPA. In part, we have focused on this area because of the explosive growth of Facebook and other tech companies that have impacted and will continue to impact the lives of low-income residents residing in East Palo Alto and Belle Haven. We should add that Facebook contributed \$150,000 toward this City planning effort.

According to the NOP, the proposed Facebook Expansion Project will be comprised of over 1,147,000 sq. ft. of office space located on the existing TE Connectivity campus (if we include the soon to be renovated Building 23). The cumulative impact of these two projects combined with the impacts of the renovation of the former Sun Microsystems site and Facebook's newly constructed Building 20 should be studied closely given that collectively these sites will comprise more than 2.5 million sq. ft. of office uses immediately adjacent to East Palo Alto and the San Francisco Bay. Failure to properly provide analysis of the aggregate impact of Facebook's total footprint will lead to an understatement of the Project's environmental impact.



HOMEGROWN DESIGN FOR COMMUNITY
SELF-DETERMINATION

ETB.EPA@GMAIL.COM

Additionally, we request that the EIR comprehensively address housing affordability issues and the impacts this Project will have on housing supply. We urge that the EIR evaluate thoroughly the Project's potential to contribute to the displacement of existing low-income residents residing in East Palo Alto and Belle Haven. In particular, an analysis of the induced demand for housing created by new Facebook employees working in the office space in the Project and the impact of those new employees on neighboring housing market dynamics are essential to understanding how this Project will affect existing low-income residents in the area. Additionally, we believe the EIR should account for the nexus between higher income Facebook employees and the subsequent multiplier effect those jobs have on lower income service sector job generation. This multiplier effect will add many new jobs paying less than a sufficient wage to house such lower income workers locally.

Along these lines, a Job/Housing fit analysis should be conducted as well as an analysis of how low-income housing could be paid for by the City and Facebook, since the Project is creating an induced demand for affordable housing. At present, Menlo Park has a Below Market Rate (BMR) Housing Program that could require the Project to at least partially mitigate the induced affordable housing demand it creates. The EIR should address whether and how the Project will comply with the requirements of the BMR Program. Even if the Project does comply with all the requirements of the BMR Program, we are concerned that the Program as currently designed is not sufficient to ensure that the Project truly mitigates its impact on the local housing market. We note that Mountain View, a city with a similar commercial development climate, assesses an impact fee of over \$25/sq. ft. We urge the EIR to study the BMR Program and the adequacy of its fees as well as other possible mitigations to the potential housing dislocations that may occur because of the Project.

The EIR analysis must also provide an accurate estimate of the number of employees and other users of the spaces the Project is proposing to create. It is important for the EIR to be grounded in a full understanding of the hotel uses, its occupancy rate and the average length of stay to properly analyze the Project's impact on traffic, traffic congestion, and services. Likewise, without fully understanding how the 2,000 person event space will be utilized—frequency of use, type of use, who will use the space, vehicular access, etc.—we will not be able gauge the full impact of the Project on the environment.

Traffic concerns and congestion management are significant issues also deserving extensive study, particularly for those intersections in East Palo Alto that may experience an increase in cut-through traffic from new commuters to Facebook. Streets and intersections of particular concern are University Avenue, East Bayshore Road, Bay Road, Donohoe St, Pulgas Ave., Woodland Ave., and Newbridge Ave. Some of these streets are currently heavily used as pass-through corridors from U.S. Route 101 to Highway 84 and the Dumbarton Bridge. Traffic counts and an analysis of the diminution of service levels that may occur along these roadways are vital.



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ETB.EPA@GMAIL.COM

Facebook's existing 1601 Willow Road East Campus and 312-314 Constitution Drive West Campus are both supposed to adhere to a transportation demand management (TDM) plan designed to reduce automobile trips and the impacts of CO₂ and other GHGs. A firm understanding of how these programs are working and what level of compliance has been achieved are necessary to determine the impacts on air quality and traffic for the Facebook Campus Expansion Project. The EIR should review independently audited results of the existing TDM programs and compare them to the projected daily vehicle trips assumed by the Project.

The GHG analysis should also address consistency with the Governor's recent Executive Order B-30-15 (Apr. 29, 2015), which established "[a] new interim statewide greenhouse gas emission reduction target to reduce greenhouse gas emissions to 40 percent below 1990 levels by 2030." In order to achieve that target, he ordered State agencies to "take climate change into account in their planning and investment decisions" (§ 6), while requiring those planning and investment actions to "protect the state's most vulnerable populations." (§ 7.) In addition to analyzing consistency with the new Executive Order, the EIR should analyze an alternative that would significantly reduce GHG emissions due to vehicle travel.

CO₂ emissions and traffic congestion have significant effects on air quality in East Palo Alto. We are interested in learning what mitigations could be implemented to lessen and improve not only traffic along the corridors leading to Facebook, but also air quality. East Palo Alto, like many other low-income communities, has a higher prevalence of respiratory ailments than its more affluent neighbors. Exposure to air pollution can lead to health impacts including respiratory disease (including chronic conditions such as asthma), reduced lung capacity in children, heart disease, cancer and premature mortality.

Moreover, we believe that sea level rise considerations and mitigations must be analyzed as part of the draft EIR. East Palo Alto, in collaboration with the San Francisquito Creek Joint Powers Authority, is studying mitigation and adaptation approaches to address the potential for rising sea levels resulting from global climate change. Given the Project's proximity to the San Francisco Bay and the fact that it could benefit from current collaborative efforts to account for sea level rise, Facebook should contribute substantially to the mitigation costs associated with this issue.

Lastly, given the socio-economic makeup of Belle Haven and East Palo Alto, the EIR should include a health impact assessment that looks comprehensively at health impacts of the Project. The application of existing knowledge and evidence about health impacts to these specific social, economic and community contexts would greatly assist in developing evidence-based recommendations that protect and improve community health and wellbeing.



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ETB.EPA@GMAIL.COM

Thank you for entertaining our comments and concerns regarding the Project. We look forward to reviewing a robust EIR that captures and includes the issues we have highlighted above. We hope to continue to work together to prepare for Facebook's next phase of construction.

If there are any questions or needed clarifications please do not hesitate to contact us.

Sincerely,

Tameeka Bennett, on behalf of:

El Comite de Vecinos
Community Legal Services in East Palo Alto
San Francisco Organizing Project- Peninsula Interfaith Action
Urban Habitat
Youth United for Community Action



Tameeka Bennett <tbennett@youthunited.net>

Facebook Campus Expansion Project EIR

Perata, Kyle T <ktperata@menlopark.org>

Mon, Jul 20, 2015 at 5:01 PM

To: Tameeka Bennett <tbennett@youthunited.net>

Cc: Daniel Saver <dsaver@clsepa.org>, Javanni Munguia-Brown <javannibrown@gmail.com>, Doroteo <doroteogarcia@yahoo.es>, jennifer martinez <jennifer@sfop.org>, Tony Roshan Samara <tony@urbanhabitat.org>, "Murphy, Justin I C" <JICMurphy@menlopark.org>

Hi Tameeka,

Thank you very much for your comments on the Notice of Preparation for the Facebook Campus Expansion Project EIR. Once we have a chance to review the comments, we will let you know if we have any questions.

Thanks,

Kyle Perata

Associate Planner

City of Menlo Park

(650) 330-6721

ktperata@menlopark.org

From: Tameeka Bennett [mailto:tbennett@youthunited.net]

Sent: Monday, July 20, 2015 4:09 PM

To: Perata, Kyle T

Cc: Daniel Saver; Javanni Munguia-Brown; Doroteo; jennifer martinez; Tony Roshan Samara

Subject: Facebook Campus Expansion Project EIR

Hello Mr. Perata,

I hope this emails finds you doing well. On behalf of the Envision Transform Build East Palo Alto Coalition (ETB-EPA), I would like to formally submit comments on the Facebook Campus Expansion Project EIR.

We are more than happy to answer any and all questions that may arise from the reading of the attached comment letter. Please direct all inquiries to me and I will pass them along to members of the coalition (who are also cc'd on this email).

Thank you for your consideration,

Tameeka Bennett *on behalf of ETB-EPA*

Tameeka Bennett

Exec. Director

YUCA

2135 Clarke Ave

EPA, CA 94303

(650) 322-9165 o.

(650) 322-1820 f.

www.youthunited.net

www.facebook.com/YouthUnitedforCommunityAction

#BlackLivesMatter

"Justice is what Love looks like in Public"

-Dr. Cornell West

From: Gita Dev, FAIA [mailto:gd@devarchitects.com]
Sent: Thursday, July 07, 2016 7:47 PM
To: Chow, Deanna M
Cc: Barbara Kelsey; Sierra Club Gladwyn D'Souza; Mike Ferreira
Subject: Request for extension - General Plan Update comment period for Draft EIR

To Deanna Chow

Senior Planner, Menlo Park Planning Department

Ref: General Plan and M2 Area Update - Request for extension of deadline for Comments on Draft EIR

Dear Ms Chow,

The Sierra Club is supportive of much that is in the General Plan and M2 Area Update. We very much look forward to providing some useful input in our comments on the draft EIR.

However, given the numerous projects that we have been following in Menlo Park, we find that we are not able to keep up with the vast amount of material that needs to be reviewed for both the Facebook proposal, and its bridge and the General Plan Update and M2 area, which are both due next week.

Running both these large projects simultaneously -with just the usual 45 day comment period- makes soliciting public input less effective as it presents a very large volume of material to be reviewed, understood and useful comments made. We always find that thoughtful public input is useful to council in making the projects better and more responsive.

We look forward to providing comments to the DEIR. However, we find the volume of material makes it impossible to complete a reasonable review of both projects in the time given to the public.

Therefore, we would like to respectfully request a slight extension of the deadline for comments to the DEIR .

With kind regards,

--
Gita Dev FAIA
Sierra Club Loma Prieta
Sustainable Land Use Committee
415-722-3355

O03-1



LEAGUE OF WOMEN VOTERS OF SOUTH SAN MATEO COUNTY

713 Santa Cruz Ave., Suite 9, Menlo Park, CA 94025 Web:<http://www.lwvssmc.org>

July 12, 2016

Mayor Richard Cline and Council Members
City of Menlo Park
701 Laurel St
Menlo Park CA 94025

Re: General Plan Update, Draft Environmental Impact Report – Extension of Review Period

The League of Women Voters of South San Mateo County cares very much about the future of Menlo Park. The General Plan lays the framework for this future.

This General Plan Update is the first comprehensive look since 1994. There was considerable outreach in the development of the Plan Update, including many community meetings to get to this point to create the revised goals/policies/programs for the Land Use and Circulation Elements and the proposed change in zoning for only the M-2 area near Facebook.

The outreach of the Environmental Impact Report review process, however, has been minimal, particularly when substantially negative impacts, that cannot be mitigated, are clearly identified.

With the population/housing projected to increase by 50% and employment by 70% from now until 2040, the community is faced with a lot of change it has not seen in many years, and the public deserves the chance to weigh in. A significant extension of the period for public input would serve this purpose.

In addition, we ask the Council to specifically add public meetings on three main topics of concern that have been identified:

- Jobs/Housing Balance – with the proposed increase in employment, the housing needs of future employees, but also issues of continuing lack of affordable housing and potential displacement
- Traffic and Transportation – currently, traffic is in a state of gridlock, especially in the M-2 area, even with efforts made by Facebook and other employers.
- Sea Level Rise – the proposed increase in land use is adjacent to the Bay and future sea level rise.

Public participation is our primary concern. We agree with the proposal to extend the deadline for comments on the EIR, and also request that you include additional meetings on specified topics.

Ellen Hope, President
League of Women Voters South San Mateo County

cc Arlinda Heineck, Community Development Director; Deanna Chow, Principal Planner

O04-1

From: [Tameeka Bennett](#)
To: [Chow, Deanna M](#)
Cc: [CCIN](#); [McIntyre, Alex D](#); [Taylor, Charles W](#); [Murphy, Justin I C](#); [Perata, Kyle T](#)
Subject: Re: Request for Written Denial of Time Extension
Date: Tuesday, July 12, 2016 4:58:07 PM

Ms Chow,

Thank you for your response. Please allow me to clarify ETB EPA's request for a 15 day extension. Our main concern and request pertained to the Facebook Expansion Project EIR. As you know, the City of Menlo Park allowed that deadline to remain firm and it ended yesterday, July 11, 2016.

Please recall that our principal concern and most salient argument focused on Menlo Park's failure to acknowledge, reproduce, and distribute our substantive Facebook Expansion Project Notice of Preparation comments submitted to Menlo Park almost a year ago. We brought this serious omission to your attention and to the attention of your Council members in our letter of July 5, 2016. Unfortunately, no respondents to the FB EIR had an opportunity to review our NOP comments and concerns.

We make it abundantly clear that an extension of the ConnectMenlo DEIR comment deadline does not address the significant and material omission of our letter from the Facebook Project record. This redress is too little and comes too late for us. It almost adds insult to injury by allowing Menlo Park to proclaim that it took note of our concerns, yet your action to extend the ConnectMenlo DEIR deadline does nothing to redress our grievances regarding the Facebook project. Our request was essentially ignored.

In closing we hope you decide to extend the deadline for ConnectMenlo so that others in the community may have an opportunity to plow through the combined 10,000 pages of documents with slightly more time.

Best,

Tameeka Bennett
Exec. Director
YUCA
C 650.561.5662
W 650.322.9165
youthunited.net

005-1

Good Morning Deanna,

I am sure that you can help me out in this! And it would help me out a lot.

The chart in Chapter 6 showing the Alternatives seems to have a typographical error. The column with Reduced Non-Res Alternative is shown as having **MORE** office space.

O06-1
O06-2
O06-3
O06-4

- 1. Why does reducing the Non-Res area by 50% result in more office space?
- 2. Reduced Non-Res Alternative shows 25% MORE OFFICE (2.9million) and 3% more housing (150 added units) - yet the environmental impacts are REDUCED pretty much across the board. With a 25% INCREASE in office and a 3% increase in housing, how is this possible?
- 3. How does the Reduced non-res Alt Citywide **Total** for Non- Res space go from 2.3million sf to 2.9million?

There seems to be a big error in this tabulation - **if not**, then a big chunk of the text explaining this apparent anomaly is missing.

O06-5

Your assistance would be so much appreciated.

If it would be easier/faster for you to explain this verbally, please do feel free to call me - 415-722-3355 cell.

Thank you!
Best, Gita

General Plan | City... | PowerPoint Prese... | Menlo Gateway Pr... | Draft Documents | 10328 | Environmental Im... | 10356

menlopark.org/DocumentCenter/View/10356

menlo park general plan update

Page 4 of 38

Category	Proposed Project		No Project Alternative ^a	Reduced Non-Residential Intensity Alternative ^a	Reduced Intensity Alternative ^a
	Current General Plan ^a	Proposed Bayfront Area			
BAYFRONT AREA					
Non-residential Square Feet	1.4 million	2.3 million	1.4 million	2.5 million	3.1 million
Hotel Rooms ^a	n/a	400	n/a	200	300
Residential Units	150	4,500	150	4,650	3,525
Population ^b	390	11,570	390	11,960	9,068
Employees	3,400	5,500	3,400	6,150	7,525
RESIDUALS OF CITY					
Non-residential Square Feet	355,000	n/a	355,000	355,000	355,000
Hotel Rooms ^a	n/a	n/a	n/a	n/a	n/a
Residential Units	850	n/a	850	850	850
Population ^b	2,190	n/a	2,190	2,190	2,190
Employees	1,000	n/a	1,000	1,000	1,000
CITYWIDE TOTALS					
Non-Residential Square Feet	1.8 million	2.3 million	1.8 million	2.9 million	3.5 million
Hotel Rooms ^a	0	400	0	200	300
Residential Units	1,000	4,500	1,000	5,500	4,375
Population ^b	2,580	11,570	2,580	14,150	11,258
Employees	4,400	5,500	4,400	7,150	8,525

--
 Gita Dev FAIA
 Sustainable Land Use Committee
 Sierra Club Loma Prieta
 415-722-3355 www.devarchitects.com



Loma Prieta Chapter serving San Mateo, Santa Clara & San Benito Counties

July 18, 2016

Mayor Richard Cline and Members of the City Council
City of Menlo Park
em: via e-mail:

Re: Request to extend General Plan Update Schedule to include Community Workshops

Honorable Mayor Cline and Members of the City Council,

We are pleased to learn that the City Council has decided to extend the comment period for the draft EIR by two weeks to allow the public more time to absorb the voluminous amounts of data presented in the DEIR.

The release of the draft EIR is the first time that the public gets to hear about the possible impacts of the changes proposed in updating the General Plan. Since this is the first comprehensive update of the plan since 1994, it is an important undertaking worthy of adequate time for public input, as it will guide the quality of life in the City for the next two decades.

- We believe that a single workshop, as proposed by staff, is not adequate for the work that remains on the General Plan Update.

Several months were invested on the visioning process, in order to be inclusive of various parties. Now that the considerable impacts of the Vision are presented in the Draft EIR, it is important to start on the work of coming up with practical solutions to the impacts anticipated so that the General Plan, going forward, provides a sturdy blueprint for the future.

, and the public allowed to participate in arriving at the solutions to these impacts.

- Therefore we ask that Council arrange **for a set of workshops** where the major impacts that are of concern should be studied, individually, and solutions reviewed in public forum to arrive at the General Plan for the next two decades. To accommodate this, the General Plan Update schedule needs to be extended into next year.
- At these workshops, we ask that information on **the entire General Plan for the whole city** be presented so that members of the public receive a complete picture of the General Plan for the city.

Thank you
Respectfully submitted:

Gita Dev
Gladwyn D'Sousa
Co-chairs, Sustainable land use Committee
Sierra Club Loma Prieta Chapter

007-1



LEAGUE OF WOMEN VOTERS OF SOUTH SAN MATEO COUNTY

713 Santa Cruz Ave., Suite 9, Menlo Park, CA 94025 Web:<http://www.lwvssmc.org>

COMMENT LETTER # 008

August 1, 2016

City of Menlo Park
Community Development Department
Attn: ConnectMenlo EIR
701 Laurel Street
Menlo Park CA 94025

Sent via e-mail to: connectmenlo@menlopark.org

The League of Women Voters of South San Mateo County appreciates your 15 day extension of the comment period for the General Plan Update Draft Environmental Impact Report. We look forward to additional meetings on key issues going forward on the Plan in general. Public participation in this effort is our primary concern.

008-1

Our specific comments and concerns related to the General Plan Update DEIR are attached.

Sincerely yours,

Ellen Hope, President
League of Women Voters South San Mateo County

cc Arlinda Heineck, Community Development Director;
Deanna Chow, Principal Planner

Comments from League of Women Voters of South San Mateo County, August 1, 2016

Menlo Park General Plan Update

Comments on the Draft Environmental Impact Report
Land Use and Circulation Elements and M-2 Zoning Update

Over the years, different members of the South San Mateo County League of Women Voters have participated as League members and as individuals in Menlo Park land use considerations.

The Draft EIR for the current General Plan modifications may be the first time that we have seen a comprehensive assessment of approved but not yet built projects, pending but not yet approved projects as well as significantly increased land use potential in the M2 area of the City. While the Draft EIR is long in providing facts, it is hard to get a sense of the vision for Menlo Park and the impacts that these expansive new and potential uses will bring to the community. The League's interests are broader than just current General Plan modifications, and include the other segmented land use changes that the City Council has made over the past few years. In other words, we are concerned with the cumulative changes.

We hope that the community meetings planned for later this year will shed some light on the bigger picture.

League's primary concerns relate to:

- **Jobs/Housing balance:** In prior decisions, the City Council attempted to improve its jobs/housing balance by approving additional housing potential. We are concerned that the General Plan modifications now under consideration would erase the benefits of these prior actions and potentially make the future less balanced. The plan to provide new housing near the new jobs in the Bayfront Area is a good idea, especially in the live-work-play setting incorporating neighborhood services and recreation opportunities. However, the Project includes buildout of the current General Plan and that perpetuates an imbalance of jobs and housing (ratio of 4.40, with 4,400 new jobs and 1,000 new housing units).

On the other hand, adding new housing units will likely not address the affordability and displacement potential issues that challenge our area. Certainly we recognize the efforts being made by Facebook and others to offset some of this, but the problem in Menlo Park and nearby communities is very large. Housing mitigation plans are just now being refined by the City, and it will be challenging to replace the level of funding from the Redevelopment Authority with new programs or fees.

O08-2

O08-3

In particular, we are concerned with the degree to which the housing and transportation issues fit within the regional or sub-regional context – i.e. will Menlo Park’s plans have a negative or positive effect on the Mid-Peninsula, and be consistent with the Plan Bay Area 2040 (SB 375 issues). It is not clear whether the PBA 2040 targets will just be adjusted to the numbers that Menlo Park adopts, or whether the regional plan will have its own independent vision.

O08-3
(cont.)

- **Transportation:** The level of service is terrible now on certain road segments and some neighborhoods feel like they are captives in their own homes during periods of the day. Much of this traffic is not local in nature, but “through” traffic on its way to other destinations (especially via the Dumbarton Bridge and Bayfront Expressway). This goes right through the middle of the M-2 zone, and much goes right through the middle of Menlo Park, too. The Draft EIR indicates severe traffic problems will remain if not made worse by the project, and even with many mitigation plans, the impacts will remain.

O08-4

We are concerned that the additional non-residential building potential proposed in Menlo Park, even with the most aggressive mitigation and transportation demand management, combined with development in surrounding communities, will render parts of Menlo Park almost impassible for most of the day. We recommend that information be prepared that focuses on the cumulative future potential.

- **Sea level rise:** While the draft EIR does provide information about sea level rise, the draft EIR does not provide information on the amount of existing and proposed building area, the number of estimated people and the exact infrastructure that will be impacted by sea level rise. We believe that there will be substantial problems for Menlo Park when the information is known. Buildings and people (living and working) which result from the increases in land use potential will be in place when impacts from sea level rise are experienced. Therefore, the City must consider health and safety measures now. Once the community has more specific information on how much will be affected and where, additional measures than those identified in the draft EIR may be needed. While there is some recognition of SLR there are no strategies to reduce the risk of inundation. Mitigation should clearly require compliance/participation with the SAFER Bay project.

O08-5

Other, more general, concerns include:

- The timing of the General Plan Update and M-2 zoning is unfortunately mismatched with major development applications, so that the General Plan, which should guide development, is running later than the projects that are moving forward. Hopefully, information from this EIR will guide conditions on those developments.
- The same is true of various mitigation programs and fees that are being proposed, but may not be in effect at the time developments are being approved. Again, it is then the process of willingly negotiated agreements, not of City programs in place.

O08-6

O08-7

- These issues raised by this DEIR suggest a modified project, with a reduced intensity. Even so, some of the major impacts will not be resolved.

008-8



Loma Prieta Chapter serving San Mateo, Santa Clara & San Benito Counties

August 1, 2016

Ms Deanna Chow, Principal Planner
Menlo Park Planning Division
701 Laurel Street
Menlo Park, CA 94025

via email: DMChow@menlopark.org

**RE: Comments on Draft EIR for Connect Menlo:
General Plan Land Use & Circulation Elements and M-2 Area Zoning Update**

Dear Ms Chow,

Thank you for providing the opportunity for the Sierra Club Loma Prieta Chapter to comment on the proposed draft EIR for the Connect Menlo Project.

The proposed project has an appealing vision and goals to create a sustainable live/work/play community north of 101. However, we find that the Draft EIR has raised some critical impacts that need to be thoughtfully addressed. If achieved, this would allow the project to move forward with fewer undesirable impacts

We hope that our comments will encourage the City of Menlo Park to re-evaluate the draft EIR (DEIR) and details of the project to bring it more in line with the Vision and Goals that inspired the project.

Our concerns fall into three general categories:

- A. Impacts of the M2 area changes to the San Francisco Bay Don Edwards National Wildlife Refuge
- B. Issues with the R-MU zoning and O zoning categories given the Jobs/Housing imbalance
- C. Traffic mitigation

A. Impacts to San Francisco Bay Don Edwards Wildlife Refuge

San Francisco Bay is the heart of the Bay Area and after a century of neglect the Bay is finally being restored to health for the benefit of the residents around the bay as well as the creatures that depend on a clean and healthy Bay.

The South Bay Saltponds Restoration Project (SBSRP) is the centerpiece of this restoration effort. It is the largest and most ambitious restoration project in the United States, with the exception of the Florida Everglades restoration project. The current phase of restoration includes extensive work on restoring the Ravenswood Ponds in Menlo Park, which are presently still abandoned saltponds.

The focus area of this DEIR, the M2 area, lies stretched along this sensitive wildlife refuge and in the Pacific Flyway, the west coast's major bird migration corridor, where water, wetlands and wildlife, including endangered species and species of special concern, are being nurtured painstakingly back to health. Here old saltponds are being restored, from their current degraded state, to become vibrant healthy wildlife and wetland communities.

With the proposed changes to the M2 area, buildings and traffic would add excessive reflective glazing, glare, noise, traffic, night lighting, air pollution and human activity to the Refuge and thus affect the wildlife and birds that are to be feeding, resting and nesting there or stopping over during migration. San Francisco Bay and the restored saltponds are the single largest stopover, on the Pacific Flyway, for migratory birds on the west coast. These changes

009-1

009-2

could have a significant impact to vast numbers of migrants that are planned to be using the restoration areas as a refueling site, of which many will be juvenile birds migrating for the first time. The restored Refuge sites are very important to their survival into adulthood as they make their first migratory journeys.¹

Facebook East, in particular, is an island of development, almost entirely surrounded by habitat areas. To its north and west stretches the national wildlife refuge and along the south lies the endangered salt marsh harvest mouse habitat mitigation area. Most of this area is in the process of being restored to create healthy habitat, over the next few decades.

O09-2
(cont.)

Concerns:

- **Given this context, the EIR does not lay out in sufficient detail the impacts of increased development in the M2 area on adjacent wildlife and on these sensitive zones.**
- **The EIR does it go adequately into available mitigation strategies to protect biological species from negative impacts.**

The Draft EIR claims that the proposed project could affect wildlife corridors and movement of fish and wildlife (Draft EIR p. 4.3-26: BIO-4).

Recommendations for Section A: We believe that additional mitigation measures and some modifications to the proposed project can help reduce or avoid identified significant impacts. Given the proximity to the refuge, we recommend that the city, in the proposed project area, encourage reducing the impact to the biological resources using strategies mentioned below.

1. Facebook East: The proposed high density residential mixed use (R-MU) zoning on the Facebook East Campus site will cause intensive development on the proposed site (Bayfront Area Proposed Zoning Map Draft EIR p. 3.25, Figure 3.8). We believe, due to its encirclement by habitat areas, Intense, high density land use, including tall buildings with bright lighting, should not be considered on this island. The approach to any new development on this site should be that the development should be used to ameliorate existing conditions and improve the ecology of this island. Therefore, this site should be lightly and sensitively developed. Residential uses are not really compatible with the site's location in the Refuge and it would be preferable if they could be allocated elsewhere within rest of the M-2 area.

O09-3

2. Habitat Overlay: The M-2 area is located adjacent to Don Edwards San Francisco Bay National Wildlife Refuge. As mentioned in the Draft EIR, the proposed development could be inconsistent with policies and programs in the general plan that has been prepared to reduce impacts to the environment (Draft EIR p. 4.9-14: Impact LU-2). Placing development along the edges of the refuge and open space can impact the birds and animal residing in the Refuge. Hence, we recommend that a habitat overlay zone should be employed along the refuge that will secure the edges of the Refuge, provide increased building setbacks - 200' from the Refuge edge and 100' from Open Space- in order to protect wildlife. Within the habitat overlay zone, the developer can use strategies so that the buildings in this zone are respectful of and supportive of the ecology of the Refuge².

3. Aesthetics: Impacts to Visual Resources are Significant

We disagree that the proposed project would not have a substantial adverse effect on a scenic vista and would not degrade the view from a scenic highway (Draft EIR p. 4.1-8, 4.1-14).AES-1 and AES-4.

At the Facebook East site, tall buildings and high density is allowed by right in the new R-MU zoning, all around the existing buildings on the property. The height limit of 65' and 85' with bonus level³, implies 6 or 8 story tall buildings -plus 10' added height to be above flood levels. (Table 4.1-4)

O09-4

¹ Josh Scullen, Landbird Program Director, SFBBO, unpublished data.

² Mountain View North Bayshore Precise Plan uses a Habitat Overlay Zone along the bay and creeks that includes a defined setback as well as limiting the height to lower heights within the overlay zone. It also allows transfer of development rights away from the zone to other parts of the specific plan that allow higher height limits.

³ Unstable project information: The maximum height limit appears to vary in different documents.

Development of 60'-85' tall buildings on the Facebook East Campus would significantly change the view from Bedwell Bayfront Park, looking south, for visitors using the park trails. In addition, the Ravenwood Ponds Restoration envisions a new scenic pedestrian trail across the wetlands from which the view looking south would be affected by 60'-85' tall new buildings on Facebook East.

In addition, the perception of wide open spaces and Bay views while traveling along the Bay front Expressway, passing Facebook East, would be significantly changed.

Hence, we recommend that building heights at Facebook East be reduced to be no more than the height of existing office buildings. This, including setbacks using the habitat overlay, would help the aesthetics so that the impact of obstructing views will be reduced significantly.

O09-4
(cont.)

4. Light pollution: Light pollution has negative impacts on wildlife and ecosystems It also affects human health, and the human wonder at the beauty of the night sky (<http://darksky.org/light-pollution/>). The potential for significant light pollution in Menlo Park M2 area must be reduced and mitigated. =

A project of this size needs to look at impacts on regional light pollution and reduce sky glow, glare, and light trespass especially toward the bay and wildlife flight paths. The International Dark-Sky Model Ordinance should be used as a basis for lighting requirements for the Project (<http://darksky.org/our-work/public-policy/mlo/>). Night lighting in such close proximity to the bay and wetlands also interferes with bird flight patterns and causes birds to be attracted like moths to night lighting, resulting in their death from confusion and exhaustion.⁴

O09-5

a. The Bird-Safe Design ordinances and guidelines currently being considered by the City of Sunnyvale and San Jose⁵ should be considered for adoption by the City of Menlo Park and be applied especially to the M2 area as well as to all new development in the City. See Attachment A - Bird Safe Guidelines for Sunnyvale

b. Lighted billboards should not be allowed along the Bayfront Expressway for the same reasons. The lights along migratory flight paths interferes with bird flight patterns and causes birds to be attracted like moths to night lighting, resulting in their death.

5. Bird-Safe Design and Reflective glass. Impacts of Bird Collision are potentially significant and should be mitigated: The proposed development is on the Pacific Flyway for bird migration. Millions of birds fly through the area on their way to using San Francisco Bay as a rest stop on their annual migrations. In addition, San Francisco Bay and the wetlands adjacent to the area are home to thousands of local birds.

Reflective glass surfaces are confusing and detrimental to wild birds and cause thousands of unnecessary deaths.⁶ Recent studies estimate that 300 million to a billion birds die each year as a result of collision with glass windows and structures⁷. This is an unnecessary toll on bird populations, a toll that can be reduced if buildings are designed/retrofitted with bird safety in mind. Audubon Society's guidelines for Bird -Safe Design should be incorporated into the mitigation strategies in the EIR.

The State of North America's Birds 2016 report provides the first-ever conservation vulnerability assessment for all 1,154 native bird species that occur in Canada, the continental United States, and Mexico.⁸ The National Audubon Society has recently published a study showing how Global Climate Change would cause shifts and

O09-6

⁴ http://green.blogs.nytimes.com/2012/04/25/a-lethal-beacon-for-migrating-birds/?_r=0

⁵ See also City of San Jose: Bird-friendly design, reduce glass reflectivity, light pollution, etc <http://sf-planning.org/standards-bird-safe-buildings>, <http://sanjoseca.gov/DocumentCenter/View/3563>

⁶ [The invisible killer causing thousands of migratory bird deaths](http://www.aoucospubs.org/doi/pdf/10.1650/CONDOR-13-090.1)

⁷ <http://www.aoucospubs.org/doi/pdf/10.1650/CONDOR-13-090.1>

⁸ <https://www.allaboutbirds.org/state-of-north-americas-birds-2016-more-than-one-third-in-need-of-conservation-action/>

shrinking of habitat for dozens of birds. The study includes several migratory bird species that are found near the Project⁹.

O09-6
(cont.)

6. Feral Cats and Vector Management

Recently, several volunteer organizations have started releasing and feeding feral cats at office parks and industrial areas, especially near open space and baylands. It is reasonable to predict that increased development close to Open Space and the Refuge could result in the establishment of cat colonies. Cat related depredation would become an indirect yet a potentially significant impact to migratory birds and shore birds in the Refuge.

Mitigation for feral cats would be to

- a. Remove residential uses from Facebook East island as it makes the Refuge vulnerable to a feral cat problem that would be extremely difficult to eradicate
- b. Prohibit release and feeding of feral cats in the M2 zone
- c. Contract with USDA to remove feral cats, similar to the program implemented in several areas of Santa Clara County along the bay and creeks

O09-7

A Vector Management Plan is needed to protect the adjacent sensitive habitat from nuisance species that are attracted to trash, such as rats and raccoons and from secondary poisoning of wildlife due to poisoning methods for rodent control. Rodent bait stations should not be used outdoors. All trash enclosures should be closed and inaccessible to scavengers such as rodents, raccoons, and crows. These scavengers may also depredate bird nests and their populations should not be supported via supplemental food from human trash bins. We believe that drive-through restaurants should not be permitted in the M2 area, since this type of restaurants is usually associated with food availability for scavengers and nuisance species and with litter.

7. Resilient Landscape Framework: The Bay-front M2 area, after its full development, will lead to immense growth in population, thus increasing the impacts on the environment and specifically on the environmentally sensitive areas abutting the proposed site. Hence, it is necessary that resilient landscape design principles should be used to help in revitalizing the ecology of the area while accommodating development in this area.

The San Francisco Estuary Institute has established the [Resilient Landscape Framework](#) that identifies seven principles of landscape resiliency. According to the Estuary Institute, the framework is designed to provide the structure needed to comprehensively incorporate the key concepts for building landscape resilience into restoration and management of development planning. We recommend the framework strategies be incorporated in the proposed project so as to build in resiliency using the landscape and ecology of the area. Along with the resilient landscape framework, green infrastructure strategies such as flood plain parks, urban storm water wetlands, and greenways and ecological networks also provide biological benefits and should be incorporated in the Project.

O09-8

8. Air Quality: The Draft EIR notes that the proposed project would increase the emission of certain air pollutants substantially and would violate the air quality standard set by Bay Area Air Quality Management District (BAAQMD) (Draft EIR p. 4.2-39). Specifically, at maximum 2040 built-out, the air pollutants resulting from transportation, energy, and other area sources such as off-street emissions would worsen the air quality conditions due to increase in reactive organic gases and nitrogen oxide and would increase the net emission to levels higher than the BAAQMS regional significance thresholds.

O09-9

see also http://www.stateofthebirds.org/2016/?hstc=75100365.9fd7bbe83668b70d6019a016f45c56a5.1464138202191.1464138202191.1466161063307.2&_hssc=75100365.1.1466161063307&_hsfp=14577185_-_ga=1.202334420.498805493.1466161063

⁹ <http://climate.audubon.org/geographical-search/california>

Currently, in the south bay, cardiovascular events, chronic lower respiratory disease and lung cancer, are among the top 5 leading causes of death for residents; and scientific studies by reputable organizations including the American Heart Association, World Health Organization, and The International Agency for Research on Cancer, have established a causal relationship between these diseases, and both short and long-term exposure to air pollution.

To protect the health of Menlo Park Belle Haven residents and children in the nearby school, who are already significantly burdened by poor air quality, it is clearly imperative that the City incorporate into the EIR, a more robust transportation demand management plan, if it is serious about a mitigation strategy for air pollution. This mitigation strategy will result in reduced air pollution and is a viable strategy. See Section C- Transportation, below.

O09-9
(cont.)

This transportation demand management plan must prioritize and achieve transit, pedestrian, and bicycle travel, safety and connectivity, above cars, using clearly stated and measurable goals for shifting the mode share, and a pro-active program for meeting these goals. The program should include third party monitoring and regular reporting to ensure compliance, with penalties for non-compliance.¹⁰

9. Nitrogen Deposition: Nitrogen deposition impacts on ecosystems and species are extensive in California, and the Bay Area is one of the hot spots as a result of traffic.¹¹ Therefore, nitrogen deposition should be considered in local environmental assessments. The impacts of N-deposition on California ecosystems are generally cumulative. Salt marsh in the Bay Area has been identified as one of the ecosystems affected by nitrogen deposition.

We do not agree that impact item BIO-2 is "less than significant". "Impacts to coastal salt marsh vegetation in the baylands, and possibly areas of riparian scrub and woodland along San Francisquito Creek and other drainages in the study area could occur as a result of new development potential in the Bayfront Area and from existing and ongoing development potential in the remainder of the city if adequate controls are not implemented".

San Mateo County has identified Nitrogen deposition as a significant environmental impact in proximity to major arterials resulting from exhaust from vehicles.¹² In recent years, significant, new information regarding the impacts and potential mitigation measures of nitrogen deposition from development projects has been developed for Santa Clara County. These are embodied in the documents of the Santa Clara Valley Habitat Conservation Plan (HCP) for the region (See HCP, Appendix E, *Estimation of Contributions to Deposition of Nitrogen in Santa Clara County for the Santa Clara Valley Habitat Plan*).

O09-10

The EIR has not addressed the very real issues of nitrogen deposition. While the City of Menlo Park is not subject to the mandatory requirements of the Santa Clara Valley HCP, the HCP nonetheless represents the best available, current science on the acknowledged impact of nitrogen deposition regionally. The Project should acknowledge the impacts, analyze these and include mitigation for nitrogen deposition impacts in accordance with the principles laid out in the HCP. This would substantially reduce the impacts of nitrogen deposition from the Project on sensitive habitats and is clearly a feasible and accepted mitigation measure, as evidenced by the

¹⁰ Regarding penalties-The first step in the compliance measures should be a requirement to add additional incentives for reducing drive-alone trips. If compliance is still not achieved, then monetary penalties could be considered. Facebook currently operates successfully under a similar compliance directive.

¹¹ **Weiss, S.B.** 2006. Impacts of nitrogen deposition on California ecosystems and biodiversity, California Energy Commission Report. [pdf](#)

¹² **Weiss, S.B.** 2002. Final report on NFWF grant for habitat restoration at Edgewood Natural Preserve, San Mateo County, CA. Creekside Center for Earth Observation Report, Menlo Park, CA. [pdf part1](#) & [pdf part2](#)

fact that many other development projects in the region are using the HCP as the best tool to deal with nitrogen deposition impacts.

O09-10
(cont.)

- 10. Noise:** The draft EIR notes that the future projects on the proposed site could result in the development of noise that exceeds the noise limits and it could expose people to excessive ground-borne noises (draft EIR p. 4.10-28: Impact NOISE-2). There are many major and minor streets such as US 101 and Interstate-84 abutting the proposed site and railroad line crossing through the proposed project site, causing on-road vehicular noise. Vehicles traveling on roads creates noise level 60-70 dBA (draft EIR p. 4.10-16, Image 4.10-2).

The EIR has not considered the impact of noise and vibration on wildlife, a major consideration given the adjacency of the Don Edwards National Wildlife Refuge to the M2 area. This oversight needs to be addressed in the EIR. The indisputable impacts of both shorter term and long term construction activity and increased traffic in the area should be studied and mitigation strategies included.

O09-11

a. Drilled (bored piles) versus Driven piles: Since piles will be required for foundation stability in the M2 area which has largely been created by filling in the bay front, drilled piles should be required instead of impact driven piles.

To reduce noise from impact vibrations that will continue for many years, noise mitigation strategies should include the use of drilled piles or piers rather than driven piles, as drilled piles are a quieter way of constructing piles and are an accepted construction technique.

b. An important and highly feasible mitigation is the use of Rubberized Asphalt: Increased traffic noise from traffic along the Bayfront Expressway is a concern for the wildlife in the Refuge as well as for employees and residents in the housing included in the M2 area. We do not agree that it is insignificant or unmitigatable.

We recommend that the EIR include the use of rubberized asphalt, for noise mitigation, as a pavement material in high density areas, such as the proposed M2 area,

Noise reduction pavement should also be included for all major arterials as well as in downtown, when upgrading the streets, to reduce noise levels in the heart of town.

The use of rubberized asphalt is now fairly common in the Bay area. It was first widely used in the US by the Arizona Highway Department. It has been used internationally for noise abatement and has been demonstrated to provide longer lasting road surface with better performance.¹³

In the vicinity of Menlo Park, the Town of Woodside has worked with CalTrans, since the 1990s, to install rubberized asphalt, for noise reduction of freeway traffic noise on the segment of I-280 that runs along and thru Woodside. Currently, CalTrans is in the process of extending the rubberized asphalt pavement from Woodside northwards to I-92. as well as in many other areas of the Bay area.

O09-12

Though Arizona Department of Transportation (ADOT) has been using rubberized asphalt (a.k.a. Asphalt Rubber Friction Course, or ARFC) for decades, increasing its usage in the 1980s, ADOT did not initially apply ARFC to intentionally reduce urban highway noise. Instead, they were merely trying to extend the lifespan of their rural roadways.

¹³ [Report on Status of Rubberized Asphalt Traffic Noise Reduction](#): The conclusions of the 6-year study, in Sacramento, California, indicate that the use of rubberized asphalt on Alta Arden Expressway resulted in a 60% reduction in traffic noise energy, and a clearly perceptible decrease in traffic noise. This traffic noise attenuation from rubberized paving is similar to the results documented in several non-related studies conducted in recent years at other locations, both nationally and internationally

ADOT found that durability, especially crack resistance and a smooth-riding surface were and still are the key benefits for using rubberized asphalt. The resulting reduction in tire noise is usually in the range of 4 to 6 decibels. This is a very significant reduction as a 4 decibel reduction is a 60% reduction in noise level.

O09-12
(cont.)

B. Issues with the R-MU zoning and O zoning categories given the Jobs/Housing imbalance

The proposed project will exacerbate the already bad jobs-housing imbalance in Menlo Park and the region. Menlo Park's jobs to housing ratio will go from an existing ratio of 2.4 to a ratio of 2.7 by 2040.

The communities of Belle Haven, East Palo Alto, north Redwood City and North Fair Oaks, which have traditionally provided affordable housing, are already being affected by the strong demand for housing by new office- specifically Facebook- development in the M2 area. The Menlo Park Housing Committee has rightfully pointed out the speciousness of the arguments in the EIR of this project on population and housing.

O09-13

Concerns:

- **In order to obtain an objective analysis, an independent third party opinion may be beneficial, at this point, since it appears that the EIR consultant team may not include the required professional experience to do a credible housing impact analysis. We expect the City to revise the EIR to provide more complete background data, information and conclusions that are based on a more rigorous analysis of the realities of housing demand and its dynamics.**

Recommendations for Section B: We have the following suggestions for possible modifications to the project that could be considered to address the problem:

- 1. Modify R-MU zoning to maximize housing:** The R-MU zoning proposed for the M2 area currently allows 25% of the FAR to be used for additional commercial space.^{14 15} Given the project's exacerbation of the jobs housing imbalance, we believe it is advisable to consider removing the office allowance from the R-MU zoning and encourage maximum housing, with associated mixed use retail and service uses, on these sites.
- 2. Need for added flexibility in the zoning:** In general, we believe that in the new M2 area, could benefit from more flexibility in Land Use zoning, specifically in order to allow more housing. High housing demand has made housing development more competitive with commercial development and the M2 area could benefit from allowing more flexibility. Possibly a new "flexible" zoning category could allow either office or housing or mixed office and housing.
- 3. Need to include housing in the office triangle on Marsh Road:** The M2 area south of I-101, bounded by 101, Marsh Road and the Dumbarton rail line- is currently zoned as 100% O (office) zoning. This area needs revision to provide housing in this area. The location is even more ideal for housing than, for example, the Menlo Gateway area, as the area is already in proximity to all the amenities for residential uses as it is located adjacent to the North Fair Oaks community. Within walking distance is an existing shopping area with all neighborhood stores, and schools are nearby.
- 4. Height limits:** While the issue of tall buildings in the M2 area is always controversial, it seems arbitrary that residential buildings should be kept to a different/lower height limit than office buildings. As mentioned earlier, sensitivity to the Wildlife refuge would mean keeping building heights lower on Facebook East which

O09-14

¹⁴ In some online documents the maximum allowable percentage for Commercial Office in the M2 area R-MU zoning is noted as 50%.

¹⁵ The table in the draft R-MU chapter is unclear whether the allowable Commercial area is in addition to the allowable Residential area or reduces the maximum allowable residential area. This needs to be clarified.

is important for birds that flock to restored marshes and minimizing glassy facades that are deadly to birds flying around the buildings to the nearby refuge.

O09-14
(cont.)

5. Additional Planning needed for Housing: The EIR shows that, with full implementation of the plan, the jobs/housing balance would be worse than it is currently. To reduce the VMT impacts of a worsened jobs/housing balance, we would urge the City Council to direct additional planning with the goal of adding more housing near jobs elsewhere in the city in addition to the new housing proposed in the M2 area.

6. Phased approval for housing and office development: It is important to include mitigation strategies to balance the jobs creation and available housing units in Menlo Park. Given a large number of jobs being created in the M2 area, and the relatively smaller amount of housing in this location, it is important to consider making phased approvals so that development in M2, and also downtown, is controlled and contingent on appropriate amounts of housing being developed both in the M2 area as well as elsewhere in Menlo Park, to keep up with jobs creation. This phased mitigation strategy has been used in other cities to track and address the jobs housing imbalance as well as to track traffic mitigation compliance before authorizing additional development .

7. Affordable housing: The draft EIR states that the proposed project would lead to an increase of 5,500 new residents and 9,900 jobs. Proposed project along with cumulative developments will cause 40% rate increase in households and 59% rate increase in employees (Draft EIR p. 4.11-17: Table 4.11-2). This increase in the number of employees and their households would increase housing prices, as well as the create demand for new services to service the new population. This , in turn, will create an even greater increase in the demand for affordable housing.

O09-15

The draft EIR in its housing policies (Draft EIR p. 4.11-14, policy H-4.1) identifies the provision of affordable housing, but it does not indicate the percent of affordable housing to be included in the proposed project. We suggest that there should be a specified goal for a required amount of affordable housing identified in the proposal.

Location of affordable housing: Affordable housing in close proximity to public transit is important because individuals in the lower income brackets are most likely to use alternative transportation options and add fewer automobiles on streets, thus contributing to meeting the air quality goals and public transportation, walking and bicycling mode-share goals.

Hence, the Project should include that affordable housing should be located in close proximity to public transit and shuttle service should be provided to these areas so as to increase connectivity.

In addition, affordable housing is required in all areas of the city and should be distributed rather than accumulated in one area.

C. Traffic Mitigation

The proposed land use changes will add 11,570 residents and 5,500 employees by 2040 and will increase the traffic considerably in the study area as well as the entire region. The resulting degradation of air quality, greenhouse gas (GHG) levels, noise, congestion and time spent in traffic all contribute to impacts on the environment and a lowered quality of life for the entire area affected by this project.

O09-16

Concerns:

- **We believe that the EIR does not propose strong enough mitigations to address traffic problems.**

- **Robust strategies are available that are being implemented in other cities on the peninsula and around the bay to reduce these impacts.**
- **A Mitigation Implementation Plan (MIP), done by the City, is a critical tool in successfully implementing mandatory TDM.**

O09-16
(cont.)

Recommendations for Section C: There are significant impacts on not only the study area but also the region and hence, this section needs modifications. It is essential that strategies to reduce the number of trips traveled should be devised by the City of Menlo Park that would help reduce the congestion on streets and intersections.

O09-17

Some of the suggested strategies in the Draft EIR for mitigating traffic, such as widening the streets by adding lanes, and adding traffic lanes at intersections, will not help to reduce vehicle trips and would only result in a temporary solution. Studies have shown that the added lanes will attract more traffic, increasing the traffic congestion on streets and intersections and increasing the delays and all the attendant problems.

Hence, we suggest that long term solutions should be identified, instead, to reduce the traffic problems.

1. Mandatory Transportation Demand Management: The draft EIR states that the City of Menlo Park Transportation Demand Management (TDM) Guidelines identifies a variety of measures such as providing employer shuttle, shared parking, and provision of bike storage and showers, etc.. However, the EIR does not require mandatory TDM as a mitigation measure

We recommend that the EIR should include mandatory TDM for traffic mitigation, not only in M2 area but also extend the area to include the City employment centers such as downtown and SRI.

We also recommend that the City put in place a Transportation Plan or a Mitigation Implementation Plan (MIP) in anticipation of the development in the M2 area and the Downtown. This Transportation plan (MIP) would be done by the City and funded by development fees. It would lay out the GOALS for reducing drive alone rates and mode share goals, as well as the metrics to be used to track progress towards the goals and mode share targets. Reporting and monitoring should be regular and transparent so that progress or lack of it is clear to council.

O09-17

2. Importance of setting a Goal for TDM: Setting a goal set a target for TDM strategies. Currently the drive alone rate is very high. With stronger transportation infrastructure, the trip reduction goal should be 40% (approximately 50% drive alone mode share) or other goal stronger than today's goal as evaluated by staff once specific transportation improvements are planned.

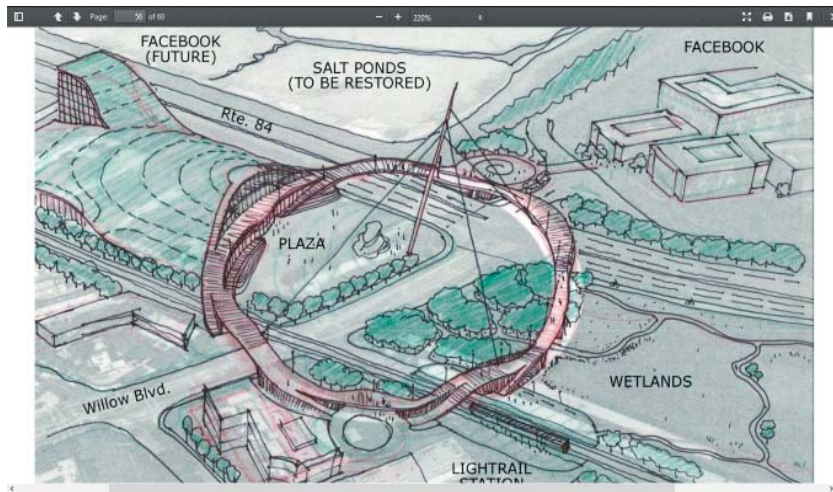
3. Phased Plan for TDM: Towards meeting the trip reduction goal, we would like to see a phased plan, as used in the San Mateo Rail Corridor plan, where they set phased goals. A stronger goal could be required after Caltrain electrification. For the General Plan, there should be one or more future phase goals if and when there are major transportation improvements on the Dumbarton corridor and/or other major initiatives directed by General Plan policies.

4. Separating local traffic from pass-thru traffic on arterials: Bayfront Expressway and Willow are currently used for local traffic as well as heavy regional pass-thru traffic. The specific plan for the M2 area should include a design to try to provide greater connectivity of the different "pods" of development in the M2 area that are separated by arterial roadways.

The intersection of Bayfront Expressway and Willow presents an very difficult intersection for pedestrians and bicycles. It might be advantageous to consider connectivity to allow pedestrians, bicycles, electric golf cart type vehicles and small shuttles to bridge over the intersections and provide attractive connection, for LOCAL TRIPS to all the isolated land segments at that are separated by that busy intersection.

O09-19

In 2011, a design "charette" organized by the AIA (American Institute of Architects) and Menlo Park presented some interesting ideas to address this problem. See sketch below as an example.



O09-19
(cont.)

*"Friends Circle" provides pedestrian bicycle connectivity, views to the bay and a gateway identity for Menlo Park - AIA 2011
Note early green roof suggestion for Facebook*

5. Regional traffic solutions needed: The City needs to work collaboratively with adjacent cities in adopting mandatory TDM / MIP plans with shared goals. Much of the traffic in the M2 area is "pass-thru" traffic going to employment centers in downtown Palo Alto, into Menlo Park and to Redwood City. As an example, at this time, studies indicate that more commute traffic on Willow goes to downtown Palo Alto than into Menlo Park. (However, traffic to downtown can be expected to increase significantly as downtown Menlo Park grows with new office space.) Therefore, trip reduction into downtown Palo Alto and Menlo Park is critical for the M2 area.

O09-20

In addition, Stanford in Redwood City will add traffic that has not been taken into account in the EIR. Stanford Redwood City campus will include over 1.5 million sf and over 4,500 parking spaces. The first phase of its 35 acre campus is slated for completion in 3 years, with 500,000 sf and 3,500 new employees in phase one plus over 2,300 parking spaces. Trip reduction strategies into Stanford in Redwood City will affect the M2 area.

It should be noted that other cities are requiring developers to step up to address regional traffic congestion realities. As an example, the city of Mountain View, for the North Bayshore precise plan area, is requiring developers to meet a target of 45% single occupancy vehicles before new development can be approved. This is in recognition of the fact that Freeway 101, in the area, and main access roads are at capacity now and changes to add capacity to freeways will take a decade.

6. Shuttle Service should be open to public: In order to reduce the vehicular commuter traffic, connectivity via shuttles to public transit, downtown and the train station should be provided for not only employees of companies but also for the public. It will ensure reduction not only in vehicles miles traveled but also delays caused due to increasing traffic. It will also improve the quality of life for people who don't own a vehicle and use public transit to commute to work.

O09-21

7. Parking: Along with minimum parking ratio, maximum parking ratios should be implemented. It will help to limit wasting precious real estate on parking spaces within projects, reduce costs and encourage developers to think about environmentally friendly transit options.

O09-22

D. Other concerns

1. Hydrology and Water Quality

The draft EIR mentions that implementation of the proposed project would neither affect water quality nor it will substantially deplete groundwater supply and drainage pattern.

Storm-water Retention: As mentioned in the draft EIR, operational impacts due to runoff from residential and commercial properties and parking lots would result in the initial storm-water runoff with high pollutant concentrations (draft EIR p. 4.8-28: Operation Impacts: Paragraph 1). Hence, we urge the development projects in the proposed project should use Low Impact Development practices for storm-water runoff management. The proposed project can also benefit by using green infrastructure strategies for on-site storm water retention. Use of such techniques will not only improve the water infiltration but also enhances community aesthetics and safety.

O09-23

2. Public Services and Recreation

The draft EIR states that the City of Menlo Park currently has 7 acres of parkland per 1000 acres and has adopted the goal of maintaining a ratio of 5 acres of parkland per 1000 people. With the addition of approximately 14,150 people on the proposed project, the city will be able to maintain its goal of 5 acres per 1000 people (draft EIR p. 4.12-23: Impact Discussion).

Connectivity to Parks: The site for the proposed projects abuts major arterial roads and railroad and it becomes difficult for pedestrians and bicyclist to cross and reach their destinations. Also, longer routes discourage walking and bicycling activity and encourage auto-oriented travel pattern. Hence, even though the proposed project indicates it would not require new or physical altered park to maintain acceptable ratios, we propose that connectivity to the existing park should be enhanced using pedestrian/bicycle over passes. For example, the M2 area and Flood Park are physically separated by US Highway 101 and access is provided at only one overpass, the Ringwood Bike/Ped crossing. As the proposed project would add residents, there should be multiple access points to cross highways and railroad tracks.

O09-24

Unstable project information

Information in the EIR contradicts information in the draft General Plan documents.

For example, information in the R-MU section of the Land Use chapter of the draft Gen Plan, Table 16.XX.050 (sic) gives maximum height in R-MU zoning as 70'. However the EIR indicates that maximum height in the R-MU zoning is 85'.

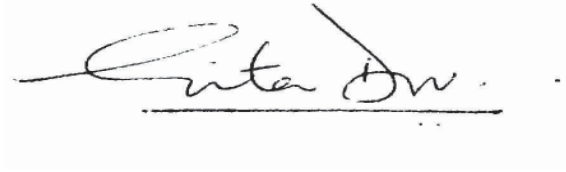
In the same Table 16.xx.050, Maximum commercial floor area is shown as 25%. However, in the EIR the maximum commercial Floor area in R-MU zoning is 50%.

O09-25

In addition, decisions in subsequent planning commission and/or council meetings apparently changes information in both of the above documents and these changes are not included in the EIR. These contradictions need to be reconciled, and the public needs an opportunity to comment on the environmental impacts of the actual zoning information before it can be finalized.

The Sierra Club submits the above comments with the expectation that our suggestions will be considered in improving General Plan Land Use & Circulation Elements and M-2 Area Zoning Update. We believe the changes will result in reduced environmental impacts and hope that together we can create a robust plan that will improve the quality of life for residents of the City of Menlo Park as well as the region.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gita Dev", is written over a horizontal line. The signature is fluid and cursive.

Gita Dev

Co-Chair, Sustainable Land Use Committee, Sierra Club Loma Prieta

CC Mike Ferreira, Chair Executive Committee, Sierra Club Loma Prieta
James Eggers, Executive Director, Sierra Club Loma Prieta

Attachment A- Final " Safe Design Guidelines" for the City of Sunnyvale, California

ATTACHMENT A

Final
BIRD SAFE BUILDING DESIGN GUIDELINES

There are two types of design guidelines to address bird safe building. The first option is for projects within 300 feet of a body of water or projects adjacent to a landscaped or open space area larger than one acre in size. The second option is criteria to be used in reviewing new projects located in all other areas of the city.

Option 1: If within 300 feet of a body of water larger than one acre in size or located immediately adjacent to a landscaped area, open space or park larger than one acre in size.

If the project meets any of the prior criteria, projects should include specific bird safe design elements into the building and site design and operation. These would include:

1. Avoid the use of multi-floor expanse of reflective or transparent glass in the first 60 feet of the building design, specifically in these area facing the water or open space;
2. Building glass shall be limited to low reflectivity levels such as 25% or less;
3. Limit the amount of glass on ground level stories, especially in areas adjacent to landscaping;
4. Add architectural devices, such as louvers, awnings, sunshades or light shelves to building design to reduce massing of glass;
5. Consider use of opaque, fritted or etched glass on ground floor in areas adjacent to landscaped areas;
6. If site is near water features, use soil berms, furniture, landscaping or other features to prevent reflection of water in glass building facades;
7. Consider using angled glass (20-40 degrees) from vertical to reflect ground instead of adjacent habitat or sky buildings with an expanse of glass near water or landscaping areas
8. Avoid placing tall landscaping in front of highly reflective glass and the use of green roofs and water features near glass;
9. Avoid the funneling of open space towards a building face;
10. Avoid glass skyways or freestanding glass walls;
11. No up lighting or spot lights on site;
12. Ensure all site lighting uses shielded fixtures;
13. Turn building lights off at night or incorporate blinds into window treatment to use when lights are on at night;
14. Create smaller zones in internal lighting layouts to discourage wholesale area illumination;
15. Place signs at several locations near building with the telephone number an authorized bird conservation organization or museum to aid in species identification and to benefit scientific study;
16. Monitoring efforts shall include a bird-safe program developed by the project owner of the methods to ensure necessary steps are taken to reduce bird strikes. These efforts would include how each dead bird will be handled and donated to scientific study, providing a yearly inventory to the City of the number of birds found and locations, and the steps necessary to resolve any consistent location's bird deaths. Options include shades to reduce transparency and night lighting, fritted glass, netting, stickers, etc.

Option 2: All other locations in city

Efforts should be taken to reduce bird strikes in all locations of the city. The following items should be included regardless of location. These guidelines could be used as part of a project's review. Staff could include a discussion relative to the guidelines in staff reports in order to give decision-makers information necessary to review this aspect of a project's impact.

1. Avoid large expanse of glass near open areas, especially when tall landscaping is immediately adjacent to the glass walls;
2. Avoid the funneling of open space towards a building face;
3. Prohibit glass skyways or freestanding glass walls;
4. Avoid transparent glass walls coming together at building corners to avoid birds trying to fly through glass;
5. Reduce glass at top of building, especially when incorporating a green roof into the design;
6. Prohibit up lighting or spotlights;
7. Shield lighting to cast light down onto the area to be illuminated;
8. Turn commercial building lights off at night or incorporate blinds into window treatment to use when lights are on at night;
9. Create smaller zones in internal lighting layouts to discourage wholesale area illumination;

Monitoring efforts

The following options should be considered by each project owner for all locations in order to learn more about the subject and to avoid further issues:

1. Reduce the use of night lighting in the building without incorporating blinds into the window design;
2. Donation of discovered dead birds to an authorized bird conservation organization or museum;
3. Consider placing signs in several locations around the building with the telephone number an authorized bird conservation organization or museum to aid in species identification and to benefit scientific study.

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August 1, 2016

Via Electronic Mail Only

Ms. Deanna Chow
Planning Division
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

E-Mail: connectmenlo@menlopark.org

Re: ConnectMenlo General Plan Land Use and Circulation Elements and M-2 Zoning Update

Dear Ms. Chow:

This firm represents Voters for Equitable and Responsible Growth (“VERG”), a coalition of concerned residents living and/or working in Menlo Park, Belle Haven, Palo Alto, East Palo Alto, and Atherton, on matters relating to Menlo Park’s (“City”) proposed update to the City’s General Plan and M-2 Zoning Area (“Project”). The purpose of this letter is to inform the City that the DEIR violates the minimum standards of adequacy under the California Environmental Quality Act (“CEQA”), Public Resources Code § 21000 et seq. VERG is deeply concerned about the far-reaching environmental impacts that the Project may have on traffic, climate change, housing, and quality of life in Menlo Park and in surrounding communities.

The DEIR is fundamentally inconsistent with CEQA. The DEIR fails to disclose, analyze, and propose mitigation for significant environmental impacts related to population and housing, traffic, and climate change, among others. What analysis the DEIR does present is fraught with errors. For example, the DEIR fails to use appropriate baselines and thresholds of significance for its population and housing analysis. And its analysis of the Project’s traffic impacts employs unconventional methodology that skews the analysis of project-related increases in vehicle miles travelled, thus masking significant impacts. In turn, reliance on an inaccurate traffic analysis implicates the DEIR’s greenhouse gas, air quality, public health, and noise analyses. These failures are

010-1

particularly egregious here, where the DEIR makes clear that future development projects will tier from this DEIR to streamline review. DEIR at 1-5 & 1-6. The pervasive flaws in the document demand that the DEIR be substantially modified and recirculated for review and comment by the public and public agencies.

The EIR is “the heart of CEQA.” *Laurel Heights Improvement Ass’n v. Regents of University of California* (1988) 47 Cal.3d 376, 392 (citations omitted) (“*Laurel Heights I*”). It is “an environmental ‘alarm bell’ whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return. The EIR is also intended ‘to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action.’ Because the EIR must be certified or rejected by public officials, it is a document of accountability.” *Id.* (citations omitted). Where, as here, the environmental review document fails to fully and accurately inform decision-makers and the public of the environmental consequences of a proposed action, it does not satisfy the basic goals of CEQA. *See* Pub. Res. Code § 21061.

For all the reasons set forth below, it is our opinion that the DEIR does not comply with the requirements of CEQA. The DEIR’s failings will not only impact all Menlo Park residents, but will impact surrounding communities and the region as well. The City must revise and recirculate the DEIR to provide the public an accurate assessment of the environmental issues at stake and a mitigation strategy—developed *before* General Plan approval—that fully addresses the Project’s significant impacts. The DEIR also must include a reasonable range of alternatives that look beyond only the Bayfront Area, to avoid or lessen the Project’s significant impacts.

This letter, along with the transportation report prepared by MRO Engineers (attached as Exhibit A), constitute our comments on the DEIR. Please refer to the MRO Report for further detail and discussion of the DEIR’s inadequacies with regard to impacts to transportation. Please note that we have focused our review on impacts and other portions of the document most relevant to VERG. Accordingly, the omission of comments on other portions of the document should not be construed to mean that we found those portions to comply with CEQA.

I. General Comments

The following are our general comments on the legal inadequacies of the DEIR. More specific comments on individual sections of the document follow.

**O10-1
(cont.)**

A. The DEIR Fails to Analyze the Impacts of All Development Permitted Under the Project.

The DEIR's entire analysis is fatally flawed because the Project Description does not fully describe the Project, and thus certainly fails to fully evaluate the Project's potential environmental impacts. Specifically, the DEIR errs in relying on "buildout projections" to describe the Project, instead of describing the full potential buildout if all construction permissible under the Project was built.

O10-2

Courts have consistently held that an EIR must examine a project's potential to impact the environment, even if the development may not ultimately materialize. *Bozung v. Local Agency Formation Comm'n* (1975) 13 Cal.3d 263, 279, 282. Because general plans and zoning changes serve as the crucial "first step" toward approving future development projects, a general plan EIR must evaluate the amount of development actually allowed by the Project. *City of Carmel-By-the-Sea v. Bd. of Supervisors of Monterey County* (1986) 183 Cal.App.3d 229, 244; *City of Redlands v. County of San Bernardino* (2002) 96 Cal.App.4th 398, 409. Thus, the City may not avoid analysis of all potential development merely because it deems that allowable development is not "reasonably foreseeable" or is likely only beyond a planning horizon date.

In *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, the Court of Appeal confirmed an agency's obligation to describe and analyze the impacts of the whole project, and "not some smaller portion of it." *Id.* at 654. The project at issue in *San Joaquin Raptor* was a new Conditional Use Permit for an existing aggregate mine and processing operation. The new permit authorized a maximum production level of 550,000 tons per year, which was an increase over existing levels. However, historic mine production rates indicated that actual production could be less than that theoretical maximum. Based on historic rates and projected future rates, the EIR "estimated average production of about 260,000 tons per year." *Id.* at 655. The court held that the EIR's identification of the estimated average in the project description, rather than the maximum level of production authorized by the permit, violated CEQA. The court stated: "By giving such conflicting signals to decisionmakers and the public about the nature and scope of the activity being proposed, the Project description was fundamentally inadequate and misleading." *Id.* at 655-56.

O10-3

The Court of Appeal, in *Stanislaus Natural Heritage Project v. County of Stanislaus* (1996) 48 Cal.App.4th 182, reached a similar conclusion. In that case, the county argued that an EIR can avoid providing a full analysis of the water supply for future phases of a proposed development project because the EIR included a mitigation measure that would prevent development of those future phases until a water supply had

been identified. The court rejected this argument and held that a lead agency must assume that a project will be developed *as planned* and must evaluate the impacts of the *planned* project, not a potential, more limited project. *Id.* at 205-06.

O10-3
(cont.)

Here, the DEIR states that the buildout projections “represent the City’s projection of ‘reasonably foreseeable’ development that could occur over the next 24 years under the General Plan and are used as the basis for the EIR’s environmental assessments.” DEIR at 3-28. In support of its approach, the City cites CEQA’s Guidelines, which provide that when “evaluating the significance of the environmental effect of a project, the lead agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project.” *Id.* (quoting Cal. Code Regs., tit. 14, ch. 3 (“CEQA Guidelines”) § 15064(d)).

The City misinterprets the Guidelines’ meaning. Under CEQA, a project means “*the whole of an action*, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment” CEQA Guidelines § 15378(a). “Reasonably foreseeable” describes only the likelihood of indirect impacts; it does not suggest that an EIR need only evaluate the “reasonably foreseeable” aspects of a project itself. Rather, the Guidelines make clear that a project is a “whole of an action.” Here, the “whole of the action” is the level of development permitted under the General Plan and M-2 Area Zoning Updates, and the EIR must analyze *all* possible impacts from realization of that permitted development. If the City would like to limit its analysis to a predicted amount of growth, it must also limit the allowable development to that lower level by placing those restrictions in the General Plan Update and zoning changes themselves.

O10-4

Further, the project that must be described and analyzed in the DEIR is the maximum possible buildout, not a horizon-year projection. The DEIR estimates buildout “based on a horizon year of 2040” and thus “analyzes growth occurring between 2016 and 2040, which represents a 24-year buildout horizon.” DEIR at 3-27. In so doing, the DEIR fails to fully analyze *all* of the development potential that the City would approve under the Project. Because the DEIR improperly fails to estimate full development allowed under the General Plan—including both the M-2 rezoning and reaffirmation of land-use designations throughout the City—it significantly underestimates all of the Project’s impacts.

Accordingly, the DEIR is fundamentally misleading to the public and decisionmakers, in violation of CEQA. “[O]nly through an accurate view of the project may the public and interested parties and public agencies balance the proposed project’s benefits against its environmental cost, consider appropriate mitigation measures, assess

the advantages of terminating the proposal and properly weigh other alternatives.” *City of Santee v. County of San Diego* (1989) 214 Cal.App.3d 1438, 1454. Because the DEIR fails to describe the Project properly, it fails to serve its purpose as an informational document. *See San Joaquin Raptor*, 149 Cal.App.4th at 674.

O10-4
(cont.)

B. The DEIR Fails to Analyze an Adequate Range of Alternatives.

A core substantive requirement of CEQA is that “public agencies should not approve projects as proposed if there are feasible alternatives . . . which would substantially lessen the significant environmental effects of such projects.” Pub. Res. Code § 21002; *see also* CEQA Guidelines §§ 15002(a)(3), 15021(a)(2), 15126(d); *Citizens for Quality Growth v. City of Mount Shasta* (1988) 198 Cal.App.3d 433, 443-45. Accordingly, a major function of the EIR “is to ensure that all reasonable alternatives to proposed projects are thoroughly assessed by the responsible official.” *Laurel Heights I*, 47 Cal.3d at 400 (quoting *Wildlife Alive v. Chickering* (1976) 18 Cal.3d 190, 197). To fulfill this function, an EIR must consider a “reasonable range” of alternatives “that will foster informed decisionmaking and public participation.” CEQA Guidelines § 15126.6(a). “An EIR which does not produce adequate information regarding alternatives cannot achieve the dual purpose served by the EIR” *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 733.

O10-5

Critically, an EIR must consider a “reasonable *range*” of alternatives “that will foster informed decisionmaking and public participation.” CEQA Guidelines § 15126.6(a) (emphasis added); *Laurel Heights I*, 47 Cal.3d at 404 (“An EIR’s discussion of alternatives must contain analysis sufficient to allow informed decision making.”). The discussion of alternatives must focus on alternatives to the project that are capable of avoiding or substantially lessening any significant impacts of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly. CEQA Guidelines § 15126.6(b). The DEIR for the Project here fails to heed these basic mandates.

In this case, where the Project would have so many significant and purportedly unavoidable impacts, it is especially important that the EIR analyze alternatives that could avoid or lessen those impacts. *See* CEQA Guidelines § 15126.6(c). However, other than the No Project Alternative, the DEIR presents only two alternatives, both of which consider changes *only* to Bayfront Area land use and ignore any alternative approaches to land use in the rest of the City. Specifically, the DEIR fails to present any alternative that considers a *citywide* reduction in development potential, or one that balances citywide growth with a commensurate increase in housing. Instead, development potential for the entire City barring only the Bayfront Area (labelled “Remainder of City” in Table 5-1) is identical under the No Project Alternative,

O10-6

the Reduced Non-Residential Intensity Alternative, and the Reduced Intensity Alternative. *See* DEIR at 5-4; *see also* DEIR at 5-16 (under Reduced Non-Residential Intensity Alternative, “[p]otential development under the existing General Plan would not be reduced”), 5-27 (same for Reduced Intensity Alternative).

This is not a reasonable range of alternatives. The proposed Project involves both land use designation changes to the Bayfront Area *and* “reaffirmation” of land use designations in the existing General Plan. DEIR at 3-1, 3-3. Because the DEIR lacks an alternative that considers any reduced development or a balance between job and housing growth in the vast majority of the City—despite development throughout being approved here—it fails to analyze an adequate, comprehensive, citywide alternative to the Project. Considering only alternatives to the land uses in the Bayfront Area—a small portion of the Project—does not provide a “reasonable range” of alternatives to the whole Project. *See* Pub. Res. Code § 21100(b)(3), (4); CEQA Guidelines §§ 15126.4, 15126.6.

A citywide reduced-development alternative, or an alternative that balances job-related growth with development of housing, could meet all the of the Project’s objectives while reducing the impacts of this Project, which are primarily the impacts of growth itself. The DEIR provides no evidence that such an alternative would be infeasible. Accordingly, the DEIR must be revised to include at least one of these alternatives and then be recirculated.

C. The DEIR Improperly Attempts to Avoid Analysis and Mitigation of the Project’s Impacts by Concluding that They Are Significant and Unavoidable.

Where all available and feasible mitigation measures have been proposed but are inadequate to reduce an environmental impact to a less-than-significant level, an EIR may conclude that the impact is significant and unavoidable. *See* CEQA Guidelines § 15126.2. If supported by substantial evidence, the lead agency may make findings of overriding considerations and approve the project in spite of its significant and unavoidable impacts. CEQA Guidelines §§ 15091, 15093. However, the lead agency cannot simply conclude that an impact is significant and unavoidable and move on. A conclusion of residual significance does not excuse the agency from (1) performing a thorough evaluation and description of the impact and its severity before and after mitigation, and (2) proposing *all* feasible mitigation to “substantially lessen the significant environmental effect.” CEQA Guidelines § 15091(a)(1); *see also id.* § 15126.2(b) (requiring an EIR to discuss “any significant impacts, *including those which can be mitigated but not reduced to a level of insignificance*” (emphasis added)). “A mitigation measure may reduce or minimize a significant impact without avoiding the

O10-6
(cont.)

O10-7

O10-8

impact entirely.”¹ Stephen Kostka & Michael Zischke, *Practice Under the California Environmental Quality Act* § 14.6 (2d ed. 2008).

O10-8
(cont.)

The DEIR finds eleven areas of significant and unavoidable impacts. DEIR at 2-8 to 2-38. As detailed below, in numerous instances, the DEIR fails to thoroughly assess impacts deemed to be significant and unavoidable, or to identify all feasible mitigation measures to reduce the severity of the impacts.

O10-9

D. Merely Hortatory General Plan Policies Do Not Minimize the Project’s Impacts.

Throughout its impact analysis, the DEIR relies on General Plan policies and goals to “minimize” the impacts of the development allowed by the Project. *See, e.g.*, DEIR at 3-24, 4.2-1, 4.2-40, 4.6-1, 4.6-34. However, many of the General Plan’s policies and programs that the DEIR relies on to downplay impacts are vague, optional, directory, unmeasurable, or otherwise unenforceable. They do not make the Project, as the City has implied, “self-mitigating.” A few examples—out of numerous instances—include the following (emphases added):

- Policy CIRC-3.1: Vehicle Miles Traveled. *Support* development and transportation improvements that help reduce per capita vehicle miles traveled.
- Policy CIRC-3.2: Greenhouse Gas Emissions. *Support* development, transportation improvements, and emerging vehicle technology that help reduce per capita greenhouse gas emissions.
- Policy CIRC-4.2: Local Air Pollution. *Promote* non-motorized transportation to reduce exposure to local air pollution, thereby reducing risks of respiratory diseases, other chronic illnesses, and premature death.
- Policy LU-3.1: Underutilized Properties. *Encourage* underutilized properties in and near existing shopping districts to redevelop with attractively designed commercial, residential, or mixed-use development that complements existing uses and supports pedestrian and bicycle access.
- Policy LU-5.2: El Camino Real/Downtown Housing. *Encourage* development of a range of housing types in the El Camino Real/Downtown Specific Plan area, consistent with the Specific Plan’s standards and guidelines, and the areas near/around the Specific Plan area.

O10-10

- Policy OSC-4.1: Sustainable Approach to Land Use Planning to Reduce Resource Consumption. *Encourage*, to the extent feasible, (1) a balance and match between jobs and housing, (2) higher density residential and mixed-use development to be located adjacent to commercial centers and transit corridors, and (3) retail and office areas to be located within walking and biking distance of transit or existing and proposed residential developments.
- Policy OSC-4.4: Vehicles Using Alternative Fuel. *Explore* the potential for installing infrastructure for vehicles that use alternative fuel, such as electric plug in recharging stations.
- Policy OSC-4.5: Energy Standards in Residential and Commercial Construction. *Encourage* projects to achieve a high level of energy conservation exceeding standards set forth in the California Energy Code for Residential and Commercial development.

O10-10
(cont.)

An EIR must disclose all of a Project’s environmental impacts. *See* Pub. Res. Code § 21061. To adequately do so, the EIR must rely on conservative assumptions and the “worst case scenario,” to ensure all possible environmental impacts of the Project are disclosed and analyzed. Pub. Res. Code §§ 21061, 21100. To achieve that standard here, the DEIR must analyze the impacts of all development that would be allowed under the Project, only reducing projections of potential impacts to the extent that the General Plan would *guarantee* minimization of the impacts. A general plan’s goals and policies are necessarily somewhat vague and aspirational, but policies like the ones listed above cannot guarantee a reduction of impacts, and so cannot be relied on to declare that the Project’s impacts will be minimized to the “extent feasible.” *See, e.g.*, DEIR at 3-24, 4.2-1, 4.2-40, 4.6-1, 4.6-34.

O10-11

To the extent the City may desire to rely on such policies to mitigate environmental impacts under CEQA, it can do so only if they are proposed to be implemented through specific implementation programs that represent a firm, enforceable commitment to mitigate. *See* Pub. Res. Code § 21081.6(b) (mitigation must be “fully enforceable”); CEQA Guidelines § 15126.4(a)(2) (same); *Napa Citizens for Honest Gov’t v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 358. And CEQA requires that mitigation measures actually be implemented—not merely adopted and then disregarded. *Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1186-87; *Fed’n of Hillside & Canyon Ass’ns v. City of Los Angeles* (2000) 83 Cal.App.4th 1252, 1261. As they are worded, the General Plan’s vague and noncommittal policies and programs would allow the City to decide to take no action and thereby fail to mitigate impacts.

II. The DEIR's Analyses of and Mitigation for the Project's Environmental Impacts Are Legally Inadequate.

The evaluation of a proposed project's environmental impacts is the core purpose of an EIR. *See* CEQA Guidelines § 15126.2(a) (“An EIR shall identify and focus on the significant environmental effects of the proposed project”). As explained below, the DEIR fails to analyze the Project's numerous environmental impacts, including those affecting transportation and circulation and population and housing. Additionally, in numerous instances, the DEIR also fails to adequately analyze and mitigate for the Project's cumulative impacts. These inadequacies require that the DEIR be revised and recirculated so that the public and decision-makers are provided with a proper analysis of the Project's significant environmental impacts and feasible mitigation for those impacts. *See* CEQA Guidelines, § 15002(a)(1) (listing as one of the “basic purposes” of CEQA to “[i]nform governmental decision makers and the public about the potential, significant environmental effects of proposed activities”).

The “programmatic” nature of this DEIR is no excuse for its lack of detailed analysis. CEQA requires that a program EIR provide an in-depth analysis of a large project, looking at effects “as specifically and comprehensively as possible.” CEQA Guidelines § 15168(a), (c)(5). Because it looks at the big picture, a program level EIR must provide “more exhaustive consideration” of effects and alternatives than an EIR for an individual action and must consider “cumulative impacts that might be slighted by a case-by-case analysis.” CEQA Guidelines § 15168(b)(1)-(2). It is especially important that the environmental review of a general plan be thorough because CEQA specifically exempts future projects from CEQA review to the extent they are consistent with the general plan. *See* CEQA Guidelines § 15183(a).

Further, it is only at this early stage that the City can design wide-ranging measures to mitigate citywide environmental impacts. *See* CEQA Guidelines § 15168(b)(4) (programmatic EIR “[a]llows the lead agency to consider broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility”). A “program” or “first tier” EIR is expressly not a device to be used for deferring the analysis of significant environmental impacts. *Stanislaus Natural Heritage Project*, 48 Cal.App.4th at 199. It is instead an opportunity to analyze impacts common to a series of smaller projects, in order to avoid repetitious analyses. Thus, it is particularly important that the DEIR for this Project analyze the overall impacts for the complete level of development it would authorize now, rather than when specific, individual projects are proposed at a later time.

The DEIR here fails to provide the legally required analysis of the substantial growth that the Project allows and promotes. Thus, the City must revise the

O10-12

DEIR to accurately disclose the impacts of the maximum intensity and density allowed by the General Plan and zoning changes it proposes to adopt. Detailed below are the specific legal inadequacies of some of the DEIR's specific impact analyses.

O10-12
(cont.)

A. The DEIR Lacks an Adequate Analysis of and Mitigation for the Project's Impacts Related to Population and Housing.

For a project with long range ramifications, such as this one, it is especially important that the EIR comprehensively identify and analyze the project's impacts on population, employment, and housing demand. When a project draws new people to an area, the increased population is likely to require new services and new housing, development of which will impact the environment. And here, the Project alone—not even taking into account projects currently in the pipeline in Menlo Park¹—would bring an estimated 14,150 new residents and 9,900 new employees to the City. DEIR at 3-29. Thousands of new residents and employees require housing and public services, and available housing is in short-supply in the Bay Area. Accordingly, new housing and services would have to be built to accommodate the growth spurred by the Project, which could have environmental impacts.

CEQA requires that an EIR evaluate population-related impacts, and California courts have established a framework for this analysis. When analyzing these impacts,

O10-13

[an EIR] should, at a minimum, identify the number and type of housing units that persons working within the [p]roject area can be anticipated to require, and identify the probable location of those units. The [EIR] also should consider whether the identified communities have sufficient housing units and sufficient services to accommodate the anticipated increase in population. If it is concluded that the communities lack sufficient units and/or services, the [EIR] should identify that fact and explain that action will need to be taken to provide those units or services or both.

Napa Citizens, 91 Cal.App.4th at 370. Once the EIR determines what actions will be necessary to provide sufficient housing and services, CEQA then requires it to disclose the environmental consequences of those actions.

¹ Including the Facebook Campus Expansion, Greenheart Project (1300 El Camino Real), Stanford Project (500 El Camino Real), SRI Project (333 Ravenswood), Menlo Gateway Project (Constitution and Independence Drives), and other cumulative projects, which would bring an estimated 3,300 new residents and 12,450 new employees to the City. See DEIR at 3-29.

A complete analysis of population growth thus requires two distinct, logical steps. First, an EIR must accurately estimate the population growth that a project would cause, both directly and indirectly, and where that growth will occur. Specifically, in this case, the EIR must estimate the population growth accommodated by potential new housing and the number of new employees that commercial development under the Project would allow, including whether those employees are likely to be new to the region and where they will live. CEQA Guidelines Appx. G § XII(a) (directing analysis of whether project would induce substantial population growth). The EIR also must consider the growth that a project will *indirectly* cause, whether through stimulating the local economy so that new employment opportunities draw new population (the “multiplier effect”) or by providing infrastructure that allows new residential construction. CEQA Guidelines § 15126.2(d) (“Discuss the ways in which the proposed project could foster economic or population growth”); *see also id.* Appx. G § XII(a).

O10-14
(cont.)

The second step in analyzing the impacts of population growth is to consider the environmental impacts of serving that estimated new population—that is, the change in the physical conditions in the areas affected by the proposed project. *See* Pub. Res. Code §§ 21060.5; 21068. Thus, the EIR must not only evaluate whether a project would “[i]nduce substantial population growth,” but also whether such growth would require construction of new housing. CEQA Guidelines Appx. G § XII(a), (c). If new construction is likely to occur, then the EIR must analyze the environmental impacts of that construction. *See, e.g., Napa Citizens*, 91 Cal.App.4th at 373. The EIR must also consider whether the new population would place demands on public services, such as fire protection, law enforcement services, or schools. CEQA Guidelines Appx. G § XIII(a). The EIR then must consider the environmental impacts of providing such facilities if they are necessary. *See Napa Citizens*, 91 Cal.App.4th at 373.

O10-15

Here, the DEIR’s analysis of impacts on population and housing is legally inadequate for a number of reasons, including because it relies on an improper baseline, utilizes the wrong threshold of significance, lacks a full description of and underestimates the impacts from population growth and housing demand, and fails to provide an adequate cumulative impacts analysis.

O10-16

1. The DEIR Relies on an Inappropriate Baseline for Analyzing the Project’s Population and Housing Impacts.

The central purpose of CEQA is to ensure that the public and decision-makers are informed of the potential environmental impacts of a proposed project before it is approved. These environmental impacts, in turn, can only be measured against “the environment’s state absent the project, a measure sometimes referred to as the ‘baseline’

O10-17

for environmental analysis.” *Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 315. Without an accurate characterization of the baseline, “analysis of impacts, mitigation measures, and project alternatives becomes impossible.” *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 953. An inaccurate, misleading, or manipulated baseline can thus obscure the significance of impacts, foreclose informed decision-making, and defeat CEQA’s requirement that significant impacts be avoided or mitigated where feasible. *Id.* at 953-55.

Accordingly, an EIR must provide “a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published.” CEQA Guidelines § 15125(a). “This environmental setting will normally constitute the baseline physical conditions by which a Lead Agency determines whether an impact is significant.” *Id.* This allows an EIR to identify the relevant change a project will bring, so the EIR can evaluate that change’s significance. “Fundamentally, a physical change is identified by comparing *existing* physical conditions with the physical conditions that are predicted to exist at a later point in time, after the proposed activity has been implemented.” *Wal-Mart Stores, Inc. v. City of Turlock* (2006) 138 Cal.App.4th 273, 289. Only when an agency provides evidence to establish that using the existing-conditions baseline would be “misleading or without informational value” may it rely on projected conditions as a baseline. *Neighbors for Smart Rail v. Expositions Metro Line Construction Auth.* (2013) 57 Cal.4th 439, 457.

In this case, the DEIR itself recognizes the need for the baseline to reflect actual, on-the-ground conditions, explaining that the DEIR here “evaluates the impacts of the proposed project relative to existing conditions, as required by CEQA” and that the baseline used by the DEIR “represents the existing conditions on the ground (‘physical conditions’) at the time the Notice of Preparation was issued on June 18, 2015.” DEIR at 4-4. But the DEIR inexplicably abandons this baseline in its population and housing analysis.

The DEIR does not compare the population growth and housing demand that the Project would bring to the actual population, employment, and housing units existing at the time the Notice of Preparation was issued. Instead, the DEIR compares the Project’s impacts to ABAG’s *projections* for growth in the City and San Mateo County, through 2040. *See* DEIR at 4.11-4; *see also* DEIR at 4.11-16 – 18. This baseline obfuscates the changes that the Project would bring to actual, existing conditions on the ground by comparing the Project’s impacts to growth that has not yet occurred. The DEIR provides no explanation of why comparison to ABAG’s projected population growth is appropriate here.

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(cont.)

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Courts have repeatedly disapproved approaches like this one. The key is that the baseline is the basis of the EIR’s environmental impacts analysis, and an EIR must focus on a project’s impacts to the environment, not its impact on hypothetical situations. *County of Amador*, 76 Cal.App.4th at 955; *see also City of Carmel-by-the-Sea*, 183 Cal.App.3d at 246-47 (in assessing impact of rezoning, EIR must analyze impact on physical environment, not on conditions that do not presently exist).

Indeed, a court has found an EIR invalid in a situation much like the one here. In *Environmental Planning and Information Council v. County of El Dorado* (1982) 131 Cal.App.3d 350, the court held that an EIR for a general plan amendment violated CEQA because it compared the population density that would occur under the proposed amendment to *potential* population density of the area in the future under the existing general plan, which was much higher than the actual population. *Id.* at 358. The court concluded:

The comparisons utilized in the EIRs can only mislead the public as to the reality of the impacts and subvert full consideration of the actual environmental impacts which would result. There are no extensive, detailed evaluations of the impacts of the proposed plans on the environment in its current state. Accordingly, the EIRs fail as informative documents.

Id. Here, the DEIR’s baseline for its population and housing analysis—based on ABAG’s projections instead of actual on-the-ground conditions—has the same effect, obscuring the Project’s true impacts and tainting the analysis, in violation of CEQA.

2. The Impacts Analysis Relies on an Improper Threshold of Significance.

The DEIR’s inappropriate reliance on population projections for its baseline for the population and housing analysis is mirrored by its use of an improper threshold of significance. CEQA requires that an EIR analyze all significant environmental impacts of a proposed project. Pub. Res. Code § 21100(b). Accordingly, the standards of significance that an EIR uses must ensure that potentially significant impacts are adequately addressed. Here, the DEIR concludes that the Project’s impact on population, employment, and housing would be less than significant because the Project “would not induce substantial population growth, *or growth for which inadequate planning has occurred*, either directly or indirectly.” DEIR at 4.11-18 (emphasis added). Tying the significance determination to vague standards like the presence of “adequate planning” or “*unexpected* population growth,” *see id. & id.* at 4.11-5 (emphasis added), fails to account for actual environmental impacts that the Project would foreseeably have. This standard of significance assumes that planned and expected population growth has

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no environmental impact. This defies logic, as Project-induced growth—whether direct or indirect—“inevitably will have an effect on the physical environment.” *See Napa Citizens*, 91 Cal.App.4th at 370. Whether the growth is anticipated or planned has nothing to do with the *physical* environmental impacts it may have.

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(cont.)

The inadequacy of this standard of significance is made abundantly clear by the discussion of the Project’s potential local impacts related to population growth. The DEIR enumerates the reasons why the growth caused by the Project has been adequately planned for (and thus, the DEIR claims, will have no significant environmental impact): the Project will expand transportation networks, promote new businesses, provide community amenities, and ensure adequate resources and public facilities are available to residents and employees. DEIR at 4.11-16. *None* of these planning provisions serve to ameliorate the environmental impacts of growth. Indeed, these provisions for “adequate planning” themselves would further induce growth (e.g., by expanding transportation networks) and have environmental impacts. But most critically, the DEIR fails to provide any reason why the *environmental* impacts of population growth in the City would be less than significant.

O10-22

Likewise, the DEIR’s analysis of impacts from regional population growth is inadequate. The DEIR states that “[t]he proposed project would be considered to induce substantial population growth if the estimated buildout resulting from future development that is permitted under the proposed project, would exceed these [ABAG and MTC] regional growth projections for the study area.” DEIR at 4.11-16. Again, this standard—related to projections about anticipated growth—has nothing to do with the environmental impacts related to population growth. A statement of the Project-caused growth’s consistency with local and regional planning does nothing to disclose the Project’s environmental impacts. As such, the DEIR is fatally flawed and must be revised to disclose the Project’s environmental impacts, as required by CEQA, and then recirculated.

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3. The DEIR Fails to Disclose the Nature of Population Growth and Housing Demand from the Project.

The DEIR further evades its responsibility to fully disclose and analyze population and housing impacts by failing to provide the bare minimum analysis of these impacts required for plan-level documents like the one here. As explained above, courts have held that where an EIR reviews a plan that will authorize development, the population and housing analysis must, “at a minimum,” identify the number and type of housing units that new workers in the project area will require, identify the likely locations of those units, and disclose whether the communities where the new workers

O10-24

are likely to live have sufficient resources (housing and services) to accommodate the project-induced growth. *See Napa Citizens*, 91 Cal.App.4th at 370.

Here, the DEIR discloses that the Project and cumulative projects would bring up to 22,350 new employees to Menlo Park, but it is silent to the housing needs of these individuals, which the law requires that the DEIR disclose. *See id.* at 370. Without this information, the DEIR lacks evidence necessary to conclude that the Project’s impacts would be less than significant and fails as an informational document. And the DEIR does not even attempt to identify where the new employees are likely to live—all in Menlo Park? in surrounding cities? further afield?—despite the availability of information on commuting patterns. *See, e.g.*, Economics Existing Conditions Report (Jan. 2015), DEIR Appx. D at 13.

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(cont.)

The DEIR cannot neglect this analysis simply because impacts may fall beyond the City’s borders. CEQA specifically requires that an agency assess all environmental impacts of a project, even if “the project’s effect on growth and housing will be felt outside of the project area.” *Napa Citizens*, 91 Cal.App.4th at 369. As the court in *Napa Citizens* stated, “the purpose of CEQA would be undermined if the appropriate governmental agencies went forward without an awareness of the effects a project will have on areas outside of the boundaries of the project area.” *Id.* Indeed, in this case, it is more likely than not that new employees that the Project will draw to work in Menlo Park will live somewhere other than Menlo Park. According to the DEIR’s Economic Conditions Report, only 11% of Menlo Park workers live in Menlo Park. DEIR Appx. D at 13. The omission of this critical analysis renders the DEIR fatally flawed.

Further, the DEIR’s basis for concluding that the Project would have a less than significant impact on population growth and housing demand cannot hold up to scrutiny. First, all of the reasons the DEIR gives to support its less-than-significant finding would actually support the opposite conclusion. The DEIR explains that implementing the Project would expand the City’s transportation network, promote new businesses, provide community amenities, and ensure adequate public facilities are available. DEIR at 4.11-16. All of these measures would remove barriers to growth, thus inducing growth—including growth beyond the scope contemplated by the Project. The DEIR’s conclusion that the Project “would not induce substantial population growth”—despite resulting in 22,350 new employees and 17,450 new residents to the City—lacks any foundation in reality, let alone evidentiary support.

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Even more unbelievably, the DEIR discloses information establishing that the Project would have a significant impact, as determined by the DEIR’s own significance thresholds—but nonetheless goes on to claim that there will be no significant

O10-26

impact. Specifically, the DEIR states that the Project’s impacts to population growth and housing would be significant if the Project “would lead to substantial unplanned growth.” DEIR at 4.11-5. In the context of regional planning, the DEIR states that the Project would have a significant impact if “the estimated buildout resulting from future development that is permitted under the proposed project[] would exceed these regional growth projections for the study area.” DEIR at 4.11-16. The DEIR discloses that the growth spurred by the Project plus cumulative projects would exceed regional growth projections, resulting in a 38% rate increase for population, 40% rate increase for households, and 59% rate increase for employees over ABAG projections. DEIR at 4.11-17. Thus, by the DEIR’s own standards,² the Project would have significant impacts. But the DEIR does not stop there.

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(cont.)

The DEIR goes on to attempt to extricate itself from a significance finding by claiming that the General Plan goals, policies, and programs would somehow erase any potential impacts associated with population growth in Menlo Park. *See* DEIR at 4.11-6, 4.11-17 - 18. However, as explained above, many of the General Plan’s policies are vague, optional, or directory—not mandatory. Accordingly, they cannot be relied on to necessarily minimize the significance of the Project’s population and housing impacts unless they are made fully enforceable. Also, the City’s General Plan has no effect beyond the City’s borders, and so in any case does not serve to minimize environmental impacts from regional population growth induced by the Project. *See* DEIR at 4.11-18.

O10-27

Further, many of the General Plan provisions themselves could exacerbate environmental impacts from population growth. For example, Policy LU-4.1 calls for the City to bring in even more jobs by “[e]ncourag[ing] emerging technology and entrepreneurship, and prioritiz[ing] commercial development that provides fiscal benefit to the City [and] local job opportunities,” which would spur population growth and attendant environmental impacts. *See* DEIR at 4.11-7. And Policy H-4.12 calls for development of more housing in the City, which would necessarily have a direct environmental impact. *See* DEIR at 4.11-15.

O10-28

Finally, to the extent the DEIR purports to rely on these General Plan policies as informal mitigation of the Project’s environmental impacts from population growth, it is also critically flawed. Determining whether or not a project may result in a significant adverse environmental impact is a key aspect of CEQA. CEQA Guidelines § 15064(a). In evaluating the significance of a project’s impacts, an EIR may not “compress[] the analysis of impacts and mitigation measures into a single issue.” *Lotus v. Department of Transportation* (2014) 223 Cal.App.4th 645, 656. The DEIR here

O10-29

² Standards that are, as explained above, inadequate for CEQA purposes in any event.

essentially did that, and in so doing, it likely failed to recognize that some of the Project’s impacts from population growth would be significant. Without a significance finding, the DEIR cannot adequately identify mitigation for the impact.

As was the case in *Lotus*, because the DEIR here failed to evaluate the significance of the Project’s impacts separately from what is effectively its proposed mitigation (the General Plan policies “accommodating” future growth), the EIR “fails to make the necessary evaluation and findings concerning the mitigation measures that are proposed.” *See id.* More specifically, by conflating impacts and mitigation, the DEIR fails to consider whether there may be other more effective mitigation options, thereby omitting information that is necessary for the informed decision-making and public participation that CEQA requires. *See id.* at 658; *see also San Franciscans for Reasonable Growth v. City & County of San Francisco* (1984) 151 Cal.App.3d 61, 79 (EIR inadequate if it fails to identify feasible mitigation measures). Further, a finding of significance triggers the requirement that the Project include *enforceable* mitigation, as well as a monitoring program, which is lacking with the DEIR’s reliance on a portion of the Project as de facto mitigation. *See Lotus*, 223 Cal.App.4th at 656-57.

O10-29
(cont.)

4. The DEIR Underestimates Project-Induced Population Growth.

The DEIR’s impacts analysis is also undercut by the fact that it underestimates the likely job growth that will come along with development under the Project. The DEIR estimates that the 4.1 million square feet of commercial development under the Project—most of which is office, life science, and R&D space—will bring 9,900 new jobs. DEIR at 3-29. This averages to approximately 414 square feet of space per employee, which is far too generous an estimate. It is well-established that there is a steep downward trend in square-footage per employee in office space, and offices for high-tech companies like the ones proliferating in Menlo Park and throughout the Bay Area tend to house approximately one employee per every 150 square feet—or less. *See, e.g., As Office Space Shrinks, So Does Privacy for Workers*, N.Y. Times (Feb. 22, 2015), attached as Exhibit B.

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Indeed, most offices developed in the Bayfront Area are likely to be occupied by high-tech companies. Accordingly, the 2.3 million square feet of office space in the Bayfront Area alone could bring 15,333 new employees to the City, along with 4,400 to 12,000³ new employees estimated under the current General Plan. This

O10-31

³ The DEIR estimates that under the current land use designations for the rest of the City, which are being readopted by the Project, the City outside of the Bayfront Area would add 4,400 new employees from 1.8 million new square feet of commercial space (an average of 409 square feet per employee). DEIR at 3-29. If the new-employee estimate

means the Project could very likely draw 27,333 new employees to Menlo Park—and that is before counting the 6,550 new employees from the Facebook Campus Expansion or other ongoing development.

The DEIR has severely underestimated the likely number of new employees that will be drawn to work in Menlo Park as a result of the Project by failing to rely on proper assumptions regarding office-space use. The DEIR must use the appropriately conservative 150-square-foot-per-employee assumption for offices when estimating job growth, or explain the basis for a different assumption. Otherwise, the DEIR fails to disclose all likely environmental impacts, as CEQA requires. *See* Pub. Res. Code § 21061.

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(cont.)

5. The DEIR’s Analysis of and Mitigation for Cumulative Impacts Related to Population and Housing is Insufficient.

Finally, the DEIR fails to adequately analyze and mitigate the Project’s contribution to cumulative impacts related to population and housing, as CEQA requires. Cumulative impacts are “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” CEQA Guidelines § 15355; *see also* *Communities for a Better Environment v. Cal. Res. Agency* (2002) 103 Cal.App.4th 98, 120. An effect is “cumulatively considerable” when the “incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” CEQA Guidelines § 15065(a)(3). A proper cumulative impact analysis is “absolutely critical,” (*Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1217), as it is a mechanism for controlling “the piecemeal approval of several projects that, taken together, could overwhelm the natural environment,” (*Las Virgenes Homeowners Fed’n, Inc. v. County of Los Angeles* (1986) 177 Cal.App.3d 300, 306).

O10-32

(a) The DEIR Fails to Analyze the Project’s Cumulative Impacts.

The DEIR lacks any meaningful description of the Project’s cumulative impacts related to population and housing. Instead, the DEIR labels the Project’s cumulative impacts “significant and unavoidable” because there will be “impacts related

O10-33

for those 1.8 million square feet is calculated at the more conservative 150 square feet per employee, the Project would bring 12,000 new employees to the City outside of the Bayfront Area.

to exceeding regional growth without adequate regional planning.” DEIR at 4.11-21.⁴ But the DEIR does not define these impacts, as CEQA requires. It does not describe how much cumulative population growth, housing demand, and increase in jobs there will be as a result of the Project in combination with other cumulative projects. It does not describe the region’s capacity to absorb such growth. It does not identify the general areas in which the growth will occur.

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An agency’s rote acknowledgement that impacts are “significant” does not cure an EIR’s failure to analyze the issue. As courts have made clear, “this acknowledgment is inadequate. An EIR should be prepared with a sufficient degree of analysis to provide decisionmakers with information which enables them to make a decision which intelligently takes account of environmental consequences. . . .” *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1123 (quoting *Santiago County Water Dist. v. County of Orange* (1981) 118 Cal.App.3d 818, 831). An agency may not, as the City attempts to do here, “travel the legally impermissible easy road to CEQA compliance . . . [by] simply labeling the effect ‘significant’ without accompanying analysis.” *Berkeley Keep Jets Over the Bay Committee v. Bd. of Port Commissioners* (2001) 91 Cal.App.4th 1344, 1371. To do so violates CEQA’s core purpose to protect “the right of the public to be informed in such a way that it can intelligently weigh the environmental consequences of a[] contemplated action.” *Mira Monte Homeowners Ass’n. v. County of Ventura* (1985) 165 Cal.App.3d 357, 365.

O10-34

(b) The DEIR Fails to Mitigate for the Project’s Contribution to Cumulative Impacts.

The DEIR also fails to identify feasible mitigation for the Project’s significant cumulative impact with respect to population and housing. The DEIR concludes, without explanation, that there are “no mitigation measures available to reduce this impact.” DEIR at 4.11-21. As explained above, the City cannot approve this Project if it has significant environmental impacts for which any feasible mitigation measure or alternative is available that will lessen the severity of the impact. Pub. Res. Code § 21002; CEQA Guidelines § 15126(a). Here, mitigation measures to lessen impacts related to population and housing could be included in the General Plan Update. See CEQA Guidelines § 15126.4(a)(2). For example, the City could limit office densities to limit the number of new employees drawn to the area, thereby reducing impacts related

O10-35

⁴ As we explained above, analysis of consistency with planning is not analysis of environmental impacts.

to population and housing. The EIR must consider such measures or explain why no mitigation is feasible.

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(cont.)

We must note here the inappropriateness of the DEIR's statement implying that when ABAG updates its regional growth projections, incorporating the proposed Project, the cumulative impact here will be reduced to a less than significant level. First, this statement misleads a reader to believe that ABAG's updates are somehow mitigation for the Project's impacts, and they are nothing of the sort. As we explained above, ABAG projections have no relation to the physical environment, and thus they cannot mitigate for environmental impacts. Further, mitigation under CEQA must be enforceable. CEQA Guidelines § 15126.4(a)(2). The DEIR should not imply that reliance on another agency's possible future actions, over which the City has no control, can substitute for enforceable mitigation.

O10-36

Second, ABAG's update of its growth projections to take into account the Project gives no assurances that area planning, and actual development, will change to absorb the heavy burden on population and housing generated by this Project and other cumulative projects. This is sheer speculation and does not provide a sufficient basis for such a conclusion. *See* Pub. Res. Code § 21082.2(a) (a lead agency's determination of impacts must be "based on substantial evidence," which does not include "speculation, unsubstantiated opinion . . . [or] evidence which is clearly inaccurate"). For these reasons, the DEIR's cumulative impacts analysis for population and housing is legally inadequate.

B. The DEIR's Analysis of Growth-Inducing Impacts Is Flawed.

In addition to analyzing impacts related to population and housing, CEQA requires that an EIR include a "detailed statement" setting forth the growth-inducing impacts of a proposed project. Pub. Res. Code § 21100(b)(5); *City of Antioch v. City Council of Pittsburg* (1986) 187 Cal.App.3d 1325, 1337. A proposed project is either directly or indirectly growth-inducing if it: (1) fosters economic or population growth or requires additional housing; (2) removes obstacles to growth; (3) taxes community services or facilities to such an extent that new services or facilities would be necessary; or (4) encourages or facilitates other activities that cause significant environmental effects. CEQA Guidelines § 15126.2(d). While the growth-inducing impacts of a project need not be labeled as adverse, the secondary impacts of growth (*e.g.*, impacts related to noise, air quality, transportation, greenhouse gases, etc.) may be significant and adverse. In such cases, the secondary impacts of growth inducement must be disclosed as significant secondary or indirect impacts of the project.

O10-37

In this case, the DEIR acknowledges that the Project will pave the way for development of 4.1 million square feet of commercial space, 5,500 new residential units, and up to 14,150 new residents and 9,900 new employees working in Menlo Park.⁵ DEIR at 6-4. However, the DEIR fails to consider two important points in its analysis of the impact of this growth. First, the DEIR does not analyze the “multiplier effect” of bringing new jobs and residents to the area. The estimate of the number of jobs the Project will bring to the area does not stop with an analysis of how many workers can fit in the space allowed to be built under the Project. The DEIR must also look at what sort of economic activity these new workers and residents will generate, which will likely increase demand for service and retail jobs, further accelerating growth.

O10-38

Additionally, the DEIR must consider the growth-inducing impacts the Project will have outside the borders of Menlo Park. As we have repeatedly emphasized in our comments to the City, the impacts of Menlo Park’s development decisions do not stop at the City limits. With barely one-tenth of people working in Menlo Park actually living in the City, it is essentially guaranteed that the growth-inducing impacts of the Project will be felt by East Palo Alto, Palo Alto, Atherton, and other cities throughout the Bay Area. As we have explained, “the purpose of CEQA would be undermined if the appropriate governmental agencies went forward without an awareness of the effects a project will have on areas outside of the boundaries of the project area.” *Napa Citizens*, 91 Cal.App.4th at 369.

O10-39

C. The DEIR Fails to Adequately Analyze and Mitigate the Project’s Significant Transportation Impacts.

Worsened by the influx of employees who must live far away for lack of adequate housing nearby, transportation and traffic congestion in and around Menlo Park is also a critical issue. Unfortunately, the DEIR’s analysis of transportation impacts fails to achieve CEQA’s most basic purpose: informing governmental decision-makers and the public about the potential significant environmental effects of a proposed project. CEQA Guidelines § 15002(a). CEQA additionally requires “adequacy, completeness, and a good-faith effort at full disclosure” in an EIR. CEQA Guidelines § 15003(i). The DEIR’s analysis of the Project’s transportation impacts fails to meet these standards.

O10-40

In fact, the DEIR’s analysis of Project-related traffic impacts contains numerous deficiencies that must be remedied in order for the public and decision-makers to fully understand the Project’s impacts. The DEIR’s analysis of traffic impacts is

⁵ The estimates of the number of employees the growth would bring is likely severely understated, as explained above.

incomplete and confusing, making it impossible to determine whether the analysis is valid. The report prepared by Neal Liddicoat at MRO Engineers (“MRO Report”), attached as Exhibit A, provides detailed comments on the shortcomings in the DEIR’s transportation impacts analysis. We incorporate the MRO Report into these comments, and some of the DEIR’s most troubling errors identified in the MRO Report are described below.

O10-40
(cont.)

1. The DEIR Fails as a Public Information Document.

The DEIR’s transportation and circulation analysis suffers a critical, overarching flaw. As described in detail in the MRO Report, the DEIR’s traffic analysis omits significant details, including substantial portions of the data analysis results. MRO Report at 1. The result is that readers must wade through the 3,763-page Appendix to the DEIR to piece together the results of the analysis.

Even then, the DEIR’s transportation and circulation analysis and the appendix are inconsistent in their presentation of the data. For example, analyzed intersections are numbered differently in the DEIR and in the appendix and are also presented in different order, so it is difficult to check the accuracy and validity of inputs and results. The DEIR thus fails to provide sufficient documentation to allow for an independent assessment of its traffic analysis. *See* MRO Report at 1.

This confused approach to environmental review does not meet CEQA’s minimum requirements. California courts require that an agency’s analysis be presented in the EIR. *See Santa Clarita Organization for Planning the Environment v. County of Los Angeles* (2003) 106 Cal.App.4th 715, 722 (agency’s analysis must be contained in the EIR, not “scattered here and there in EIR appendices”). Decision-makers and the general public should not be forced to sift through obscure minutiae or appendices in order to ferret out the fundamental assumptions that are being used for purposes of the environmental analysis. *San Joaquin Raptor*, 149 Cal.App.4th at 659; see also *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 442 (“The data in an EIR must not only be sufficient in quantity, it must be presented in a manner calculated to adequately inform the public and decision makers, who may not be previously familiar with the details of the project.”). Because a detailed traffic analysis is not included in the DEIR, and because the data presented cannot be understood by a layperson, the DEIR fails in its purpose as a public informational document and necessary tool for informed decision-making.

O10-41

2. The DEIR Fails to Disclose the Data Relied Upon in the Analysis.

Despite the fact that the Project would approve greatly increased densities (*i.e.*, 2.3 million square feet of non-residential development, 4,500 residential units, and 400 hotel rooms in the Bayfront Area alone), reaffirm land use designations that allow additional buildout throughout the City, draw thousands of new commuting employees to the area, and spur local and regional population growth, the DEIR fails to quantify the amount of resulting traffic. MRO Report at 2. Project trip generation is one of the most basic components of a transportation impact analysis. Yet this DEIR entirely omits this critical piece of information. *Id.*

O10-42

The DEIR also fails to provide information on the geographic distribution of Project-related trips. The failure to provide this information leaves the public and decision-makers in the dark about two very basic questions: how much traffic will the Project generate and where will those trips come from and go to? Without this information, it is impossible to evaluate the validity of the DEIR's conclusions. *Id.* Furthermore, CEQA requires that the EIR disclose the data upon which it relies for its analyses. *See* CEQA Guidelines §§ 15147, 15148.

3. The DEIR's Analysis of Vehicle Miles Travelled Is Incomplete and Fails to Disclose Related Significant Impacts.

As discussed above, the DEIR fails to explain how critical calculations in the traffic analysis were derived. MRO Report at 1 & 2. In the case of calculating Project-related vehicle miles travelled ("VMT"), the DEIR presents estimates of VMT for each of the studied scenarios, but fails to explain the method for deriving those estimates. *Id.* Specifically, VMT is a calculation of the Project trips generated multiplied by trip distance. Here, neither factor is provided in the DEIR. It is, therefore, impossible to understand how the results were determined or to replicate those results.

O10-43

Moreover, the DEIR presents an erroneous analysis and fails to disclose significant impacts related to the Project's impacts on VMT. As explained in detail in the MRO Report, the DEIR employs an unconventional definition of VMT that is not comparable to guidance under SB 743 or standard use of the term. Specifically, the regional transportation plan for the Bay Area defines per capita VMT as the calculation of the total annual VMT divided by the total population of the Bay Area. MRO Report at 3. Similarly, the U.S. Department of Transportation defines per capita VMT as VMT of the development or area divided by the total population in a state or an urbanized area. *Id.* Rather than employing this standard method of calculation, the DEIR defines per capita VMT as VMT divided by the combined total of population plus employment. As

discussed in the MRO Report, this method of calculation skews the results and yields an artificially low outcome. *See* MRO Report at 3.

According to the DEIR, the Project would result in a significant impact related to VMT if it results in citywide VMT that exceeds 17.7 miles per person. DEIR at 4.13-56. As demonstrated in the MRO Report, a correct calculation—not including employment—of the Project’s per capita VMT would reveal a VMT of 28.8 miles per person, which is substantially higher than the DEIR’s significance threshold. MRO Report at 3 & 4. Therefore, the Project would result in a significant impact on VMT by the DEIR’s own standards. A revised DEIR must correct the VMT analysis, identify the impacts as significant, and identify feasible mitigation to reduce those impacts. *See* Pub. Res. Code § 21002.1(a); CEQA Guidelines §§ 15126, 15126.2 (EIR must analyze all environmental impacts of proposed project).

O10-43
(cont.)

4. The DEIR Omits Analyses of Several Key Intersections and Roadway Segments.

The EIR fails to adequately analyze impacts to intersections and roadway segments that are likely to be impacted by Project-related traffic. Specifically, the DEIR fails to analyze impacts to the complex intersection of El Camino Real with Sand Hill Road and Alma Street, which straddles Menlo Park and Palo Alto. This intersection is just outside the City’s sphere of influence but within the Planning Area, and is located at the junction of two primary arterials in a congested area (*i.e.*, immediately adjacent to the Stanford Shopping Center and near the expanding Stanford Medical Center). Lesser intersections a short distance to the west of this intersection are included in the DEIR’s analysis, yet inexplicably, this heavily burdened intersection is not.

O10-44

The DEIR also fails to analyze impacts to roadway segments along Woodland Avenue in Menlo Park and Palo Alto. The DEIR indicates significant impacts at the intersection of Woodland Avenue and University Avenue, but it fails to analyze impacts to roadway segments in the same area. DEIR at 4.13-52; study intersection number 57. Similarly, the DEIR fails to analyze impacts in Palo Alto to University Avenue between Middlefield Road and Highway 101. Without analyses of these intersections and roadway segments, the DEIR’s traffic analysis is incomplete.

O10-45

Further, the DEIR fails to analyze the impact of traffic using residential neighborhood streets to avoid heavy traffic on main routes. For example, there is no analysis of impacts on neighborhood streets of traffic attempting to bypass heavy traffic in Menlo Park, Palo Alto, or East Palo Alto on Willow Road and University Avenue. Nor is there an analysis of traffic using the Pope-Chaucer Bridge cut-through to avoid gridlock that will be exacerbated by the Project. Increasing amounts of traffic already

O10-46

use these routes—especially with the popularity of drive-time-shaving apps like Google Maps and Waze—and the traffic the Project adds in and around Menlo Park will only make things worse. And these inevitable increases in neighborhood traffic will bring along significant new impacts to residential neighborhoods, like noise, air-pollution, and safety concerns.⁶

Specifically, one VERG member who is a resident on Woodland Avenue has witnessed traffic tripling on his street in recent years. Woodland Avenue is a narrow residential street that roughly parallels the arterial University Avenue. During the evening commute especially, traffic can back up for half a mile on Woodland Avenue between University Avenue and Menalto Avenue, as drivers attempt to avoid gridlock on University Avenue. This blocks residents’ access to their homes, blocks emergency vehicle access, and decreases air quality. Woodland Avenue neighbors have documented this traffic, and we incorporate this video of evening traffic on Woodland Avenue into our comment by reference here: <https://jimwiley.smugmug.com/Other/Woodland-Ave-Traffic/n-qpgxS9/i-nXHfxwm/A>. The Project will only make cut-through traffic on streets like Woodland Avenue even worse, and the EIR must fully disclose and analyze this impact.

O10-46
(cont.)

5. The DEIR Fails to Include Feasible Mitigation Measures for the Project’s Transportation Impacts.

Where the DEIR does disclose significant intersection and roadway LOS impacts, it fails to provide adequate mitigation. Specifically, the DEIR proposes two measures to mitigate the identified significant impacts. The first, Mitigation Measure TRANS-1a proposes to widen impacted roadway segments to increase capacity. DEIR at 4.13-62. However, the DEIR acknowledges that this measure is likely to be infeasible. *Id.*

O10-47

Secondly, the DEIR proposes Mitigation Measure TRANS-1b, which calls for the City to increase transportation impact fees to fund intersection improvements. DEIR at 4.13-70. The DEIR fails to identify specific improvements needed and instead

O10-48

⁶ Indeed, the City’s own Transportation Impact Analysis Guidelines (“TIA”) (*available at <http://menlopark.org/DocumentCenter/Home/View/302>*) require that it analyze cut-through traffic. TIA at VIII.F. That the Project involves land use changes in the M-2 area and includes a TDM program does not exempt the Project from this requirement because the Project includes vastly more than just the M-2 zoning changes: it involves reaffirmation of land use designations throughout the City. Thus, under the City’s own adopted policies, the EIR must analyze cut-through traffic.

provides “examples of improvements” that may be needed for the affected intersections and roadways. But the Project’s mitigation program does not incorporate any of these improvements. DEIR at 4.13-70 - 73. Moreover, the DEIR acknowledges that this mitigation measure too is infeasible because the City cannot guarantee that the improvements can be completed. DEIR at 4.13-73. Consequently, none of the significant impacts on traffic are mitigated, and traffic operations in the study area will deteriorate to unacceptable levels. DEIR at 2-27 - 36.

As pointed out by the MRO Report, the implications of these unmitigated impacts would greatly affect quality of life for the residents of Menlo Park and the surrounding area. For example, the intersection of University Avenue and Adams Drive will have average delays of 42.5 *minutes* per vehicle in the AM peak hour under 2040 Plus Project conditions. MRO Report at 5. In the PM peak hour, that same intersection will have an average delay of 59.1 *minutes* per vehicle. (See DEIR Appx. K at 3,513 & 3,643). According to DEIR Table 4.13-12, which provides the LOS results for all three analysis scenarios, the average delay at that intersection will simply be “>50” (*i.e.*, greater than 50 seconds). But, with this information the reader has no way of knowing how much greater than 50 seconds the delay will be—in these cases, up to *fifty times* greater. Thus, the DEIR misleads the reader by not giving a clear indication of the extent and severity of traffic impacts resulting from the Project, and then fails to identify feasible measures to reduce those impacts.

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(cont.)

The DEIR claims that “due to the programmatic nature of the proposed project, no additional mitigating policies are available.” DEIR at 4.13-73. This statement is patently false. If no physical improvements are feasible, then the City should consider adding new policies and revising existing policies to make them more robust to reduce the volume of traffic generated by the Project. The DEIR must revise its analysis to identify all significant impacts and identify mitigation measures to fully address the impacts. *See* Pub. Res. Code § 21002 (lead agency must adopt all feasible mitigation measures that can substantially lessen a project’s significant impacts).

O10-49

6. The DEIR Ignores Any Analysis of Impacts to Regional Transportation, like Caltrain.

The DEIR’s transportation analysis also gives public transit short shrift. Impact TRANS-6 considers whether the Project would impact public transit, including whether it would “decrease the performance or safety of such facilities.” DEIR at 4.13-81. However, the DEIR fails to conduct a complete analysis, focusing only on local public transportation and ignoring the regional transportation upon which most commuters rely. Specifically, the DEIR looks only at impacts to the local, City-sponsored shuttle service, (DEIR at 4.13-88), while failing to give even the barest

O10-50

mention to impacts on regional transit like Caltrain. Indeed, if most employees drawn to the area by the Project live outside of Menlo Park, as the DEIR admits, then the impact to services like Caltrain are likely to be considerable. This increase in riders commuting to and from Menlo Park is likely to impact Caltrain's already-strained capacity, as use of the regional train service is at an all-time high and Menlo Park is already one of Caltrain's top ten most-used stations. *See* Caltrain, Caltrain Reveals All-time High Annual Ridership Numbers (May 12, 2016), attached as Exhibit E. The DEIR must analyze this impact.

O10-50
(cont.)

* * *

All of these deficiencies in the DEIR's transportation and circulation analysis, taken together, demonstrate that the analysis is insufficient and misleading to the reader. The Project cannot be approved until these problems are fully addressed in a revision to the DEIR that is recirculated for public comment.

O10-51

D. The DEIR Fails to Adequately Analyze and Mitigate for the Project's Greenhouse Gas Emissions.

Analysis of greenhouse gas emissions is particularly important with regard to climate change because existing conditions are such that we have already exceeded the capacity of the atmosphere to absorb additional greenhouse gas ("GHG") emissions without risking catastrophic and irreversible consequences. Therefore, even seemingly small additions of GHG emissions into the atmosphere must be considered cumulatively considerable. *See Communities for Better Environment*, 103 Cal.App.4th at 120 ("[T]he greater the existing environmental problems are, the lower the threshold for treating a project's contribution to cumulative impacts as significant."); *see also Center for Biological Diversity v. National Highway Traffic Safety Administration* (9th Cir. 2007) 508 F.3d 508, 550 ("[W]e cannot afford to ignore even modest contributions to global warming."). Here, the DEIR underestimates GHG emissions, presents an incomplete analysis, and fails to identify feasible mitigation measures.

O10-52

1. The DEIR Underestimates the Project's GHG Emissions.

As discussed above, the DEIR underestimates predicted increases in VMT under the Project because it employs an erroneous method for calculating VMT. Inasmuch as calculation of GHG emissions is dependent on the transportation analysis assumptions, any underestimation of vehicular trips and VMT necessarily results in an underestimation of vehicle-related GHG emissions. Therefore, once the City accurately analyzes the Project's increase in VMT, it must revise the DEIR's GHG emissions impact analysis to accurately reflect the Project's impacts.

O10-53

2. The DEIR Fails to Disclose That the Project is Inconsistent with the Regional Transportation Plan/Sustainable Communities Strategy.

The Bay Area's Regional Transportation Plan/Sustainable Communities Strategy, Plan Bay Area, is a plan applicable to the Project for GHG reduction. Plan Bay Area was adopted to comply with the requirements of SB 375 and covers the Project Area. SB 375 sets regional emissions reduction targets including per capita emissions reduction targets for light duty trucks and cars by 2020 and 2035, respectively. ABAG/MTC, Plan Bay Area: Strategy for a Sustainable Region (July 18, 2013) ("Plan Bay Area") at 98, available at http://files.mtc.ca.gov/pdf/Plan_Bay_Area_FINAL/Plan_Bay_Area.pdf. The DEIR recognizes the existence of the Plan Bay Area and these reduction targets, but the DEIR's analysis of the Project's consistency with the Plan falls far short.

O10-54
(cont.)

As explained above and in the MRO Report, the Project would increase per capita VMT rather than decrease it. MRO Report at 3, 4. The DEIR itself acknowledges that VMT and VMT per capita will increase substantially under the proposed Project. DEIR at 4.2-33. Plan Bay Area identifies reducing per capita emissions through reducing per capita VMT as a mandatory target of the Plan. Plan Bay Area at 98. The Plan projects that the average person in the Bay Area will travel approximately 20 miles per day in 2040—a 9% reduction in VMT from 2005. Plan Bay Area at 106. Nonetheless, the Project would result in 28.8 VMT per capita in 2040—a 44% increase over projected target reductions. MRO Report at 3, 4. Thus, the Project is inconsistent with Plan Bay Area, but the DEIR is silent on this inconsistency.

O10-55

The DEIR ignores the Project's resulting increase in per capita VMT and dismisses related impacts on the basis that VMT per service population is projected to decrease. The VMT per service population is a calculation that takes into account jobs/employees generated by the Project. However, this calculation can be misleading. According to the Bay Area Air Quality Management District's 2009 *Revised Draft Options and Justification Report; California Environmental Quality Act Thresholds of Significance*:

O10-56

A potential challenge for the Service Population metric is that within metropolitan areas there is great variation in the balance of land uses within different jurisdictions. Just because a particular jurisdiction or plan area may be heavily residential does not inherently mean that it is necessarily inefficient for GHG transportation emissions; one must consider the geographic placement of that jurisdiction relative to transit and job centers. Further, although a particular jurisdiction may be relatively balanced between residential use and employment, if

the employment profile does not match the residential occupational profiles, there could still be *substantial inbound and outbound trips that might not be captured by the Service Population metric depending on how the transportation analysis is done*. However, similar to that noted above for a per capita approach, if a full regional accounting of transportation emissions from both residential and non-residential land use is conducted then comparative use of the service population metric could be valid.

O10-56
(cont.)

Discussion of Plan-Level GHG Thresholds at 73 (emphasis added), available at <http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/revised-draft-ceqa-thresholds-justification-report-oct-2009.pdf>.

Here, the DEIR fails to provide the assumptions used for the service population calculations, fails to provide adequate information on methods employed for the transportation analysis, and fails to perform a full regional accounting of transportation emissions. Until this information is provided, the public and decision-makers cannot evaluate whether the DEIR's conclusions are accurate.

O10-57

In addition, the DEIR fails to evaluate the Project's consistency with Plan Bay Area's concept of concentrating the majority of new population and employment growth in the region into locally-designated Priority Development Areas, or PDAs. The DEIR explains that PDAs are transit-oriented, infill development opportunity areas and that Menlo Park has a designated PDA along the El Camino Real corridor. DEIR at 4.6-38. The proposed Project would be inconsistent with Plan Bay Area's land use concept in two ways. First, the Project would result in growth that would far exceed regional projections for the City in 2040. DEIR at 4.2-22. Second, the proposed Project focuses much of this new growth in the M-2 area, approximately 3.5 miles from Menlo Park's Caltrain station, rather than in the designated PDA. These inconsistencies with the Plan Bay Area will impede implementation of the Plan. This inconsistency must be analyzed and mitigated in a recirculated DEIR.

O10-58

This General Plan Update provides the City with an opportunity to look at the big picture and to fine tune the El Camino Real/Downtown Specific Plan and the Zoning Ordinance to provide more housing in order to achieve a balance between housing and jobs in the City. Instead, as we have explained, the Project's proposed zoning would result in exacerbating the existing imbalance of jobs and housing in Menlo Park. Plan Bay Area achieves the GHG emissions reduction target and the housing target required by state law by relying on local communities' support for policies that direct growth into PDAs. Plan Bay Area at 97. The proposed Project does not support the policies proposed in Plan Bay Area and is thus inconsistent with this applicable Plan.

O10-59

3. The DEIR Fails to Include Adequate Mitigation Measures for Significant Increases in GHG Emissions.

The DEIR acknowledges that the Project would result in a substantial increase in GHG emissions by the proposed horizon year 2040 and concludes the impact would be significant. DEIR at 4.6-31. The DEIR identifies on-road transportation as one of the main contributing factors to the City's GHG emissions. DEIR at 4.6-32. Specifically, the DEIR estimates the Project's resulting VMT at build-out in 2040 will be 1,449,337, an approximately 50% increase over existing conditions (which, as we explained above, is underestimated by the DEIR's faulty VMT calculations). DEIR at Table 4.13-13. This increase in VMT translates directly to an increase in GHG emissions. Yet, despite this significant increase in VMT, the DEIR fails to identify any feasible measures to reduce VMT beyond measures proposed in the General Plan Update and implementation of the existing Climate Action Plan. DEIR at 4.6-35.

California has committed itself to a substantial reduction in GHG emissions, a vast majority of which come from vehicles. In September 2013, the Governor signed into law SB 743, which calls for a shift away from automobile delay as a metric for determining significant transportation impacts under CEQA and a recognition of the importance of reducing VMTs to reduce GHG emissions. This shift is intended to encourage smart growth and infill development and reduce the amount of GHGs produced by vehicle travel. *See* Final Preliminary Discussion Draft of Updates to the CEQA Guidelines Implementing Senate Bill 743 ("SB 743 Guidelines"), attached as Exhibit C. To this end, the SB 743 Guidelines direct lead agencies to analyze *and mitigate* VMT, induced travel, and safety. Exhibit C at 8-9.

The City should recognize the importance of reducing VMT to minimize not just GHG emissions but also to reduce traffic, air quality, and noise impacts as well. SB 743 was passed three years ago, and its mandate is clear. Unfortunately, the DEIR largely ignores the impact of the increase in VMT and neglects the opportunity to reduce VMT as effective mitigation for GHG impacts. Instead, the DEIR claims General Plan policies will reduce impacts and that proposed policies and programs "would serve to minimize potential GHG from development projects to the maximum extent practicable." DEIR at 4.6-28. But, as explained above, many of the policies cited in the DEIR are vague, aspirational, and unenforceable. To truly reduce GHG impacts, the City must identify mandatory and enforceable mitigation—not rely on wishful thinking. And if it cannot identify feasible mitigation, it must explain why it cannot.

Here, though, the City does have some obvious ways available to mitigate the Project's GHG impacts. Specifically, the most effective mitigation measure for most of the Project's impacts, including climate impacts, is to modify the land use diagram and

O10-60

land use designations to reduce the amount of non-residential growth allowed and to increase housing near regional transit. Recognizing the unsustainable growth in driving, the American Association of State Highway and Transportation Officials, which represents state departments of transportation, is urging that the growth of VMT *be cut in half*. See Urban Land Institute, *Growing Cooler: The Evidence on Urban Development and Climate Change* (2007) § 1.6, attached as Exhibit D. Slowing the growth of VMT, especially when many jurisdictions are facing substantial increases in population, is a daunting task. However, much of the rise in vehicle emissions can be curbed by managing land use in a way that makes it easier for people to drive less. *Id.* As explained above, the Legislature and the people of California have decided that this state must move toward sustainable growth. The City must take a far more aggressive role in working toward this goal than it has with this Project. Consequently, the DEIR must identify mitigation measures or alternatives that reduce non-residential growth and the jobs-housing imbalance in Menlo Park as a mechanism for reducing VMT.

O10-60
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III. The EIR Should Be Recirculated.

CEQA requires recirculation of an EIR when significant new information is added to the document after notice and opportunity for public review was provided. Pub. Res. Code § 21092.1; CEQA Guidelines § 15088.5. “Significant new information” includes: (1) information showing a new, substantial environmental impact resulting either from the project or from a mitigation measure; (2) information showing a substantial increase in the severity of an environmental impact not mitigated to a level of insignificance; (3) information showing a feasible alternative or mitigation measure that clearly would lessen the environmental impacts of a project and the project proponent declines to adopt the mitigation measure; or (4) instances where the draft EIR was so fundamentally and basically inadequate and conclusory in nature that public comment on the draft EIR was essentially meaningless. CEQA Guidelines § 15088.5(a); *Laurel Heights Improvement Ass’n v. Regents of University of California* (1993) 6 Cal.4th 1112, 1130 (“*Laurel Heights II*”).

O10-61

As this letter explains, the DEIR clearly requires extensive new information and analysis. This analysis will likely result in the identification of new, substantial environmental impacts or substantial increases in the severity of significant environmental impacts. Likewise, a revised DEIR must analyze an alternative that considers a reduction in citywide commercial growth. Moreover, the flaws that permeate the entire document, particularly the DEIR’s failure to analyze the theoretical maximum buildout of the Project (see Section I.A), constitute precisely the sort of pervasive flaws in the document that independently require recirculation under CEQA Guidelines section 15088.5(a)(4). See *Mountain Lion Coalition v. Fish & Game Comm’n* (1989) 214

Cal.App.3d 1043, 1052-53. Consequently, the City must revise and recirculate the DEIR for public review and comment.

O10-61
(cont.)

Very Truly Yours,

SHUTE, MIHALY & WEINBERGER LLP



Carmen J. Borg
Laura D. Beaton

cc: Jim Wiley, The Willows, Menlo Park
Neilson Buchanan, Downtown North, Palo Alto
Martin Lamarque, Belle Haven, Menlo Park
Steve Schmidt, Former Mayor, Menlo Park

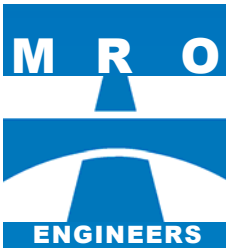
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List of Exhibits:

	Exhibit A	MRO Engineers Report Regarding Review of the “Transportation and Circulation” Section of the Public Review Draft EIR to the Proposed ConnectMenlo: General Plan Land Use & Circulation Elements and M-2 Area Zoning Update, July 8, 2016.
Attachment # O10-1	Exhibit B	Barron, J., As Office Space Shrinks, So Does Privacy for Workers, The New York Times, February 22, 2015.
Attachment # O10-2	Exhibit C	Final Preliminary Discussion Draft of Updates to the CEQA Guidelines Implementing Senate Bill 743.
Attachment # O10-3	Exhibit D	<i>Excerpt from</i> Urban Land Institute, Growing Cooler: Evidence on Urban Development and Climate Change, 2007.
Attachment # O10-4	Exhibit E	Caltrain, Caltrain Reveals All-time High Annual Ridership Numbers, May 12, 2016.

EXHIBIT

A



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July 8, 2016

Ms. Carmen Borg
Shute, Mihaly & Weinberger LLP
396 Hayes Street
San Francisco, California 94102

Subject: Review of “Transportation and Circulation” Analysis
*Public Review Draft EIR - ConnectMenlo: General Plan Land Use & Circulation
Elements and M-2 Area Zoning Update
City of Menlo Park, California*

Dear Ms. Borg:

As requested, MRO Engineers, Inc., has completed a review of the “Transportation and Circulation” section of the Public Review Draft EIR (DEIR) prepared with respect to the proposed ConnectMenlo: General Plan Land Use & Circulation Elements and M-2 Area Zoning Update for the City of Menlo Park, California. That document was prepared by PlaceWorks and published on June 1, 2016. The DEIR incorporates a traffic and transportation impact analysis prepared by TJKM Transportation Consultants.

TRANSPORTATION & CIRCULATION ANALYSIS REVIEW

Our review of the transportation and circulation analysis for the proposed ConnectMenlo project revealed several issues that must be addressed prior to approval of the project by the City of Menlo Park. These issues are presented below.

1. ***DEIR Fails as a Public Information Document*** – Under the California Environmental Quality Act (CEQA), an EIR is primarily an informational document, which is intended to fully inform the public of the significant environmental effects of a proposed project. Our review of the “Transportation and Circulation” section of the DEIR suggests that it fails in this regard, and no separate technical report is provided to supplement the information in that section.

As will be described in greater detail below, we found that significant details were excluded from the transportation analysis documentation presented in the DEIR, including substantial portions of the analysis results. Specific details of the analysis procedures were ignored, leaving us to wonder how the results of the analysis were derived.

We were forced to wade through a 3,763-page appendix document to find the results of the analyses of most of the study intersections, for example. As a case in point, if one is interested in determining the AM peak-hour level of service (LOS) of most of the study intersections under Existing Conditions, it is necessary to make one’s way, page-by-page, to page 2,236 in the appendix, where the pertinent summary table is presented. If you are interested in similar information for the “2040 Plus Project” analysis scenario, you will eventually find it at page 3,256. Once there, though, the reader discovers that the intersections are listed in a different order than within the main body of the DEIR and they are designated using a different numbering scheme, presenting another roadblock to finding the desired information.

In short, the DEIR is deficient in fully allowing the public to discern the answers to the two basic transportation analysis questions: What are the results and how were they derived?

010-62



2. **Project Trip Generation is Unknown** – As described on DEIR p. 3-27, the proposed project involves reaffirming all of the existing growth potential and the approval of new development potential consisting of the following:

- 2.3 million square feet of non-residential space,
- 400 hotel rooms, and
- 4,500 residential units.

Further, the project area is proposed to include 11,570 residents and 5,500 employees.

However, nowhere in the DEIR “Transportation and Circulation” section are we told how much traffic will be generated as a result of this major development. Project trip generation is one of the most basic components of a traffic and transportation impact analysis and yet, in this case, we are left wondering just how much traffic will occur when the project is complete.

The failure to provide this most basic piece of information is a significant deficiency in the document, which must be rectified by adding this information and recirculating the document for additional public review.

O10-63

3. **Project Trip Distribution is Unknown** – In addition to failing to provide basic trip generation information, the DEIR provides no information with regard to the geographic distribution of those trips – i.e., where the trips come from and where they go. Again, the failure to provide this basic information is a significant deficiency in the DEIR. The document must be revised to incorporate this material and recirculated for further public review.

O10-64

4. **Vehicle Miles Traveled Calculation Lacks Detail** – DEIR Table 4.13-6 (p. 4.13-33), Table 4.13-8 (p. 4.13-44), and Table 4.13-13 (p. 4.13-73) present estimates of vehicle miles traveled (VMT) for the three analysis scenarios addressed in the traffic study: 2014 Existing Conditions, 2040 No Project, and 2040 Plus Project. But these tables present only the VMT results; no information is presented to illuminate how the VMT values were determined.

Generally, VMT values are derived from two basic components: the number of trips and the average length of those trips. In fact, DEIR p. 4.13-25 states, “VMT refers to trips multiplied by trip distances.” As noted above, the number of trips is not presented in the DEIR. Similarly, the average trip length values are unknown. It is, therefore, impossible to understand how the results were determined, or to replicate those results.

O10-65

This is particularly important in this case, as the DEIR claims a major VMT benefit in association with the proposed project. Specifically, Table 4.13-13 indicates that implementation of the proposed project will result in a VMT value that is 12 percent lower than the “no project” number. In the absence of meaningful background information concerning the travel characteristics of residents and employees within the project and the city as a whole, such a finding is simply not credible.

In summary, because no detail is provided to assist the reader in understanding the factors that were key in developing the VMT estimates in the DEIR, it is impossible to judge whether the estimates are valid. Because the VMT values are key inputs to the air quality and greenhouse gas analyses, it is important to ensure the legitimacy of these values.

The DEIR must be revised to provide greater detail concerning the derivation of the VMT estimates.

5. **Significant Impact Related to Vehicle Miles Traveled** – As noted above, the DEIR claims a major project benefit related to reduction in VMT compared to the “no project” scenario. Further, the DEIR states on p. 4.13-74 that:

. . . adoption of the proposed project would result in less-than-significant impacts with respect to VMT.

That finding is based on comparison of the project’s VMT per capita to the corresponding value documented in the 2013 *Plan Bay Area* environmental impact report. The specific standard of significance applied to VMT is stated on DEIR p. 4.13-56:

For purposes of this analysis, impacts on VMT are considered potentially significant if:

- *The proposed project results in citywide VMT per capita that would exceed 15 percent below VMT per capita for the region. For purposes of this analysis, data from the 2013 Plan Bay Area EIR was used to determine the regional average VMT per capita at 20.8 miles per person. The threshold is therefore 15 percent of 20.8 miles, or 17.7 miles per person*

To clarify, the last line of the standard should read “15 percent less than 20.8 miles” or, alternatively, “85 percent of 20.8 miles.” Either way, the criterion of 17.7 miles per person is correct.

According to the 2013 *Plan Bay Area* EIR (p. 2.1-13):

The region’s per capita VMT is the total VMT divided by the population of the Bay Area . . .

Similarly, according to the U.S. Department of Transportation’s website, transportation.gov:

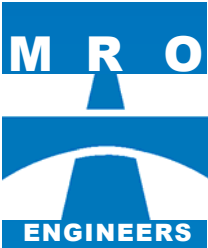
Vehicle miles traveled (VMT) per capita is calculated as the total annual miles of vehicle travel divided by the total population in a state or in an urbanized area.

However, we note that the DEIR analysis employs a novel definition of VMT per capita. (DEIR, p. 4.13-25):

VMT per capita is the VMT of the development or the area divided by the population and the number of jobs in the development or area.

That is, in the DEIR the number of vehicle miles was divided by the combined number of residents and jobs, not just the population. This results in an artificially low outcome. More importantly, the DEIR’s version of VMT per capita is inconsistent with and, therefore, not comparable to the *Plan Bay Area* figure.

Thus, the comparison of the VMT per capita value of 14 miles per person presented in the DEIR for 2040 Plus Project conditions to the standard of 17.7 miles per person is not valid; this is a classic “apples and oranges” situation.



The correct VMT per capita value can be derived from the information in DEIR Table 4.13-13. Specifically, the total VMT value for 2040 Plus Project conditions (1,449,337) can be divided by the population (50,350), which results in a VMT per capita value of 28.8 miles per person. That value is obviously substantially higher than the significance standard of 17.7 miles per person, which results in a **significant impact** with respect to VMT.

O10-66
(cont.)

Because this significant impact was not reported in the DEIR, the analysis must be corrected and the revised DEIR must be circulated for public review.

5. **Intersection Level of Service Calculations** – In general, the intersection level of service results were appropriately developed using procedures documented in the *Highway Capacity Manual 2010* (Transportation Research Board, Fifth Edition, December 2010). At certain locations, however, the calculated results have been replaced by an apparently arbitrary value (either LOS D or LOS F). This is described on DEIR p. 4.13-34:

Along the Willow Road corridor – from Bayfront Expressway to Middlefield Road – City staff indicated that that [sic] counted traffic volumes do not appropriately reflect demand, and isolated intersection operations limit the ability of the Vistro program to capture these results. Therefore, instead of calculated level of service, the level of service results are based on level of service as identified by the City to reflect “unserved demand.”²⁰ Specifically, this pertains to study intersections #s 17 through 20, and 32 through 38 during one or both peak hours, as described in the references to unserved demand summarized below.

O10-67

Footnote 20 in the above excerpt states:

Unserved demand refers to the upstream and downstream congestion results in delay that are not captured by VISTRO analysis.

While this adjustment might be appropriate, the description of how and why it has been applied is inadequate, and must be expanded. In addition to questions regarding how and why, several other questions arise.

- How was it determined which intersections would get this treatment?
- What research has been done to justify this approach? Or has it been applied arbitrarily, based on someone’s “gut feel” or perception?
- Why are some of these intersections designated LOS D (e.g., Willow Road/O’Brien Drive and Willow Road/Ivy Drive) and others are designated LOS F?

6. **Transportation Demand Management (TDM)** – The DEIR describes a number of policies to be adopted in conjunction with the proposed project that are intended to reduce vehicular traffic. Among those is a requirement that certain subsequent projects develop a Transportation Demand Management plan to reduce trip generation by 20 percent. (DEIR, p. 4.13-62) In the discussion of project-related impacts, the DEIR states (p. 4.13-63):

For example, the proposed Zoning regulations that require a 20 percent trip reduction is [sic] anticipated to eliminate impacts on eight roadway segments, including segments of Alma Street, Encinal Avenue, Hamilton Avenue, Junipero Serra Boulevard, Laurel Street, Newbridge Street, and Linfield Drive.

O10-68

This suggests that the analysis has assumed that project-related traffic will be reduced by the full 20 percent, simply because a TDM program will be in place. Such an assumption is without basis or merit. The mere existence of a TDM program with a stated goal of a 20 percent trip reduction is no guarantee of any reduction at all, much less the full 20 percent.

Such an aggressive assumption must be justified, including documentation of similar situations where this level of trip reduction has been achieved.

7. **Deficient Mitigation** – Two mitigation measures are proposed to offset the significant transportation impacts associated with the proposed project. Both, however, result in post-mitigation findings of significant and unavoidable impacts. Mitigation Measure TRANS-1a proposes unspecified widening projects to add capacity to impacted road segments, but finds that such widening is infeasible.

Mitigation Measure TRANS-1b calls for the city to update its Transportation Impact Fee (TIF) program in order to mitigate the project-related impact to study intersections. No specific intersection improvements are identified, although several “examples of improvements” are provided. (Note that the TIF program update will require that a specific set of improvements be identified, so that cost estimates can be prepared as part of the fee development process.) This measure was found to be infeasible because the city cannot guarantee that improvements can be implemented and because the nexus study needed for the TIF program update has not been completed.

Thus, the proposed project is left with no required mitigation, except for what might be identified at some future time. It is important to recognize the implications of this lack of mitigation. For example, although it is not revealed within the DEIR “Transportation and Circulation” section, the intersection of University Avenue/Adams Drive will have average delay on the critical movement of 2,552.0 seconds (i.e., 42.5 minutes) per vehicle in the AM peak hour under 2040 Plus Project conditions. (See Appendix pp. 3,257 and 3,387) In the PM peak hour, that same intersection will have an average delay value of 3,546.1 seconds (i.e., 59.1 minutes) per vehicle. (See Appendix pp. 3,513 and 3,643) According to DEIR Table 4.13-12, which provides the LOS results for all three analysis scenarios, the average delay at that intersection will simply be “>50” (i.e., greater than 50).

While less dramatic, other intersections will also have lengthy average delays, only one of which is specifically identified in the DEIR “Transportation and Circulation” section (i.e., Bayfront Expressway/Willow Road), including:

- Bayfront Expressway/Willow Road (DEIR Table 4.13-12, p. 4.13-68)
 - AM peak hour delay: 155.7 seconds (2.6 minutes) per vehicle
 - PM peak hour delay: 113.4 seconds (1.9 minutes) per vehicle
- Bayfront Expressway/University Avenue
 - PM peak hour delay: 198.0 seconds (3.3 minutes) per vehicle (Appendix pp. 3,512 and 3,551)
- Chilco Street/Constitution Drive
 - AM peak hour delay: 160.9 seconds (2.7 minutes) per vehicle (Appendix pp. 3,258 and 3,457)

O10-68
(cont.)

O10-69



- o PM peak hour delay: 206.1 seconds (3.4 minutes) per vehicle (Appendix pp. 3,514 and 3,713).

In addition to the obvious traffic congestion represented by these vehicular delay levels, air quality and greenhouse gas emissions will be negatively affected as vehicles idle for extended periods.

Clearly, a greater attempt needs to be made to identify effective and feasible mitigation measures for this major project. If such measures cannot be found, the magnitude of the project should be reduced to a level that will avoid some or all of the significant traffic impacts identified in the DEIR.

O10-69
(cont.)

CONCLUSION

Our review of the "Transportation and Circulation" section of the Public Review Draft Environmental Impact Report for the proposed ConnectMenlo: General Plan Land Use & Circulation Elements and M-2 Area Zoning Update revealed several issues regarding the adequacy of the information presented in that document. In particular, we question whether the document adequately fulfills its role as a public information document. In addition, we found that the "VMT per capita" for 2040 Plus Project conditions was calculated incorrectly. Correction of that error results in a significant impact that was not revealed in the DEIR.

O10-70

These issues must be addressed prior to City of Menlo Park approval of the proposed project and the associated environmental documentation. Specifically, the DEIR must be revised and recirculated for further public review.

We hope this information is useful. If you have questions concerning any of the items presented here or would like to discuss them further, please feel free to contact us at (916) 783-3838.

Sincerely,

MRO ENGINEERS, INC.

A handwritten signature in blue ink that reads "Neal K. Liddicoat".

Neal K. Liddicoat, P.E.
Traffic Engineering Manager

EXHIBIT B

The New York Times | <http://nyti.ms/1wegY10>

N.Y. / REGION

As Office Space Shrinks, So Does Privacy for Workers

By JAMES BARRON FEB. 22, 2015

Dafna Sarnoff worked her way up to vice president at American Express and what she remembers as “a desirable office.” Later she was hired by a financial services company — bigger salary, bigger office. Then, in 2012, she was recruited by Yodle, a smaller, newer company that sells online marketing tools for small businesses.

“I had heard about these tech start-ups that had these open office environments,” Ms. Sarnoff said. “I wondered if I was going to get an office.”

She did not, and on her first day on the job, she all but panicked. “I remember being led to my new desk and thinking, ‘Oh my God, this is going to take some getting used to.’”

Soon she will have even less space. Yodle is scheduled to move in the next few weeks and is cutting the amount of space allotted to each employee to 122 square feet, from 137 in its current quarters.

With rents surging as the Manhattan office market rebounds, many companies are looking to cut costs, and one way to do that is by trimming personal space. The shrinking is happening beyond New York. The average amount of space per office worker in North America dropped to 176 square feet in 2012, from 225 in 2010,

according to CoreNet Global, a commercial real estate association. Though more recent figures are not available, real estate experts say there is no doubt that workers are being shoehorned into even less space.

This means that everyone will get to hear those loud calls about how long your mother-in-law will be staying or why the \$1,500 medical bill the collection agency insists you owe should really be covered by insurance.

Bryan Langlands knows all about this. He works for NBBJ, an architecture firm that designs open offices — and has one. Consider the conversation in which he told the assistant to a partner, who sits directly behind him, that he was postponing their later-in-the-week lunch.

He explained why, too: He was having a colonoscopy.

“About six people around me know — they heard,” Mr. Langlands, a principal at the firm, said. “They hear all the phone calls. They know if I’m upset with a client on the phone. Or, if you come back from a bad meeting and you don’t want to show your bad side but you’re decompressing and venting, everybody hears you venting. It’s very intimate in that sense.”

Some real estate brokers make the pitch that companies can avoid a rent increase by moving to new quarters that are 20 or 25 percent smaller than what they had, even if it means increasing workplace density and jamming people into less space.

“Every client we talk to, they’re using less space per person,” said Kenneth McCarthy, the chief economist for Cushman & Wakefield, a commercial real estate broker. He said that 50,000 more people work in “office-using industries” in New York now than before the recession. But with the vacancy rate at 9.5 percent in Manhattan at the end of 2014, he said, “more people are taking up less space.”

Bosses — and the designers and architects they hire — are betting that most employees will not notice the difference. “The balance between individual spaces and community spaces has changed drastically,” said David Bright, a senior vice president of Knoll, the office furnishing manufacturer, “with shared and community

spaces taking up a greater proportion of space than they once did.”

The result, nationally as well as in Manhattan, is offices with less space for desks and more square footage for conference rooms or other activity space areas, as some designers call them. Also popular with architects and designers are “refuge rooms” to which employees can retreat when the buzz around them proves distracting — the open-office equivalent of the low-decibel “quiet car” on many trains.

The argument for more communal space is that open offices foster communication and accidental creativity — that serendipity is a plus, if serendipity is defined as bumping into co-workers and chatting about projects they may not necessarily be assigned to.

The comic strip “Dilbert,” which has long lampooned office culture, anticipated the personal space squeeze in 2013. The character identified as the Boss was trying to justify declines in productivity to the chief executive. He explained that the engineers had first moved from private offices to cubicles. Then they had been assigned to an open-plan area.

The chief executive asked, “Have we tried putting all of them in one clown car?”

The Boss replied, “No, but I don’t see why that wouldn’t work.”

Scott Adams, the cartoonist who created “Dilbert,” said it was no surprise that individual breathing room in the workplace was being reduced. “But computers have gotten smaller and the need for storage of paper has disappeared,” Mr. Adams said. “If you’ve got a place to hang a coat and a place to sit with a laptop, you’ve got everything you need.”

While space is getting tight in many places, there is every indication that offices are even tighter in the New York area. Justin Mardex, a member of CoreNet’s New York City chapter, surveyed 10 recent projects and found that the average came to 120 square feet per employee. The most generous amount set aside was 178 square feet per person. The smallest was 93 square feet per worker.

It is not just underlings who are losing the office space race. “There’s a unilateral flattening,” said Tom Krizmanic, a principal of Studios, an architecture

and design firm. “Even the C.E.O., the C.F.O. used to have more.”

But Louis D’Avanzo, the chairman of CoreNet’s New York City chapter and a vice chairman of Cushman & Wakefield, cautioned that if individual space dwindled to less than 100 square feet per person, “it can be a very dense environment.”

And, some cubicle-dwellers add, too noisy for sustained concentration. **Suzanne Carlson**, a partner at Mr. Langlands’s firm, recalled a recent conversation in which she found herself saying that the private office needed to make a comeback, but with one important qualification. “It does not need to be owned,” she said — meaning that no one person’s name is on the door. “This is about the existence of a private space you can go to for refuge,” she said. “If you don’t have that refuge, it’s horrible.”

Yodle’s move to West 34th Street near Ninth Avenue is being overseen by **Arnold F. Madisson**, who was deputy executive director of facilities, construction management and operations for the last two years of Michael R. Bloomberg’s time as mayor. “The idea was to go around to the last of the offices and tear them down,” Mr. Madisson said. “One million square feet. I believe in openness.”

Yodle’s chief executive, **Court Cunningham**, so values being close to other employees that he does not want a private office. He even dictated that the desks in Yodle’s new quarters be relatively small: No more than 5 feet wide and 2 1/2 feet deep.

“We believe a lot of individuals don’t need their own space,” Mr. Madisson said, adding, “We talked about what if we eliminated desks.” Long tables would have given each person even less space, he said — about 2 feet wide by 1 1/2 feet deep.

Ms. Sarnoff, Yodle’s head of consumer marketing, spent that first night agonizing. “I remember telling my husband about it,” she recalled. “He said, ‘Would you not take the job if you didn’t have an office?’ He actually said that to me, and I said, ‘Would that be a bad reason not to take this job?’ ”

She became a convert. “It’s fun,” she said. “That’s the reason I wouldn’t want an office. It’s fun — if you like the people you work with.”

A version of this article appears in print on February 23, 2015, on page A17 of the New York edition with

the headline: As Office Space Shrinks, So Does Workers' Privacy.

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EXHIBIT C

Updating Transportation Impacts Analysis in the CEQA Guidelines

*Preliminary Discussion Draft of Updates to the CEQA Guidelines Implementing
Senate Bill 743 (Steinberg, 2013)*

Governor's Office of Planning and Research
8/6/2014



Senate Bill 743 (Steinberg, 2013)

Excerpt of Public Resources Code § 21099

(b) (1) The Office of Planning and Research shall prepare, develop, and transmit to the Secretary of the Natural Resources Agency for certification and adoption proposed revisions to the guidelines adopted pursuant to Section 21083 establishing **criteria for determining the significance of transportation impacts** of projects within transit priority areas. Those criteria shall **promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses**. In developing the criteria, the office shall recommend potential metrics to measure transportation impacts that **may include, but are not limited to, vehicle miles traveled**, vehicle miles traveled per capita, automobile trip generation rates, or automobile trips generated. The office may also establish criteria for models used to analyze transportation impacts to ensure the models are accurate, reliable, and consistent with the intent of this section.

(2) Upon certification of the guidelines by the Secretary of the Natural Resources Agency pursuant to this section, **automobile delay**, as described solely by level of service or similar measures of vehicular capacity or traffic congestion **shall not be considered a significant impact on the environment** pursuant to this division, except in locations specifically identified in the guidelines, if any.

(3) This subdivision does not relieve a public agency of the requirement to analyze a project's potentially significant transportation impacts related to air quality, noise, safety, or any other impact associated with transportation. The methodology established by these guidelines shall not create a presumption that a project will not result in significant impacts related to air quality, noise, safety, or any other impact associated with transportation. Notwithstanding the foregoing, the adequacy of parking for a project shall not support a finding of significance pursuant to this section.

(4) This subdivision **does not preclude the application of local general plan policies, zoning codes, conditions of approval, thresholds, or any other planning requirements** pursuant to the police power or any other authority.

(5) **On or before July 1, 2014**, the Office of Planning and Research shall circulate **a draft** revision prepared pursuant to paragraph (1).

(c) (1) The Office of Planning and Research **may adopt guidelines** pursuant to Section 21083 **establishing alternative metrics to the metrics used for traffic levels of service for transportation impacts outside transit priority areas**. The alternative metrics may include the retention of traffic levels of service, where appropriate and as determined by the office.

(2) This subdivision shall not affect the standard of review that would apply to the new guidelines adopted pursuant to this section.

Executive Summary

On September 27, 2013, Governor Brown signed [Senate Bill 743](#) (Steinberg, 2013). Among other things, SB 743 creates a process to change the way we analyze transportation impacts under the California Environmental Quality Act (Public Resources Code section 21000 and following) (CEQA). Currently, environmental review of transportation impacts focuses on the delay that vehicles experience at intersections and on roadway segments. That delay is often measured using a metric known as “level of service,” or LOS. Mitigation for increased delay often involves increasing capacity (i.e. the width of a roadway or size of an intersection), which may increase auto use and emissions and discourage alternative forms of transportation. Under SB 743, the focus of transportation analysis will shift from driver delay to reduction of greenhouse gas emissions, creation of multimodal networks and promotion of a mix of land uses.

SB 743 requires the Governor’s Office of Planning and Research (OPR) to amend the CEQA Guidelines (Title 14 of the California Code of Regulations sections and following) to provide an alternative to level of service for evaluating transportation impacts. The alternative criteria must “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” (New Public Resources Code Section 21099(b)(1).) Measurements of transportation impacts may include “vehicle miles traveled, vehicle miles traveled per capita, automobile trip generation rates, or automobile trips generated.” (*Ibid.*)

This document contains a ***preliminary discussion draft*** of changes to the CEQA Guidelines implementing SB 743. In developing this preliminary discussion draft, OPR consulted with a wide variety of potentially affected stakeholders, including local governments, metropolitan planning organizations, state agencies, developers, transportation planners and engineers, environmental organizations, transportation advocates, academics, and others. OPR released its [preliminary evaluation](#) of different alternatives for public review and comment in December 2013. Having considered all [comments](#) that it received, and conducted additional research and consultation, OPR now seeks public review of this preliminary discussion draft.

This document contains background information, a narrative explanation of the proposed changes, text of the proposed changes, and appendices containing more detailed background information.

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Analyzing Transportation Impacts

Proposed New Section 15064.3 and Proposed Amendments to Appendix F

Background

Californians drive approximately 332 *billion* vehicle miles each year. That driving accounts for 36 percent of all greenhouse gases in the state. (California Air Resources Board, [First Update to the Climate Change Scoping Plan](#) (May 2014).) Meanwhile, existing roadway networks are deteriorating. While new development may pay the capital cost of installing roadway improvements, neither the state nor local governments are able to fully fund operations and maintenance. (See, e.g., Nichols Consulting Engineers, [California Statewide Local Streets and Roads Needs Assessment](#) (January 2013).) While the health benefits of walking, bicycling and transit use are becoming more well-known, planning has literally pushed those other modes aside. Why?

Traffic studies used in CEQA documents have typically focused on one thing: the impact of projects on traffic flows. By focusing solely on delay, environmental studies typically required projects to build bigger roads and intersections as “mitigation” for traffic impacts. That analysis tells only part of the story, however.

Impacts on pedestrians, bicyclists and transit, for example, have not typically been considered. Projects to improve conditions for pedestrians, bicyclist and transit have, in fact, been discouraged because of impacts related to congestion. Requiring “mitigation” for such impacts in the CEQA process imposes increasing financial burdens, not just on project developers that may contribute capital costs for bigger roadways, but also on taxpayers that must pay for maintenance and upkeep of those larger roads. Ironically, even “congestion relief” projects (i.e., bigger roadways) may only help traffic flow in the short term. In the long term, they attract more and more drivers (i.e., induced demand), leading not only to increased air pollution and greenhouse gas emissions, but also to a return to congested conditions. (Matute and Pincetl, [“Use of Performance Measures that Prioritize Automobiles over Other Modes in Congested Areas;”](#) Handy and Boarnet, [“DRAFT Policy Brief on Highway Capacity and Induced Travel,”](#) (April 2014).) Under current practice, none of these impacts are considered in a typical project-level environmental review.

Such impacts have not completely escaped notice, however. For many years, local governments, transportation planners, environmental advocates and others have encouraged the Governor’s Office of Planning and Research (OPR) to revise the CEQA Guidelines to reframe the analysis of transportation impacts away from capacity. In 2009, the Natural Resources Agency revised the Appendix G checklist to focus more on multimodal, “complete streets” concepts. (Natural Resources Agency, [Final Statement of Reasons: Amendments to the State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB97](#) (December 2009).)

Just last year, the Legislature passed, and Governor Brown signed into law, [Senate Bill 743](#) (Steinberg, 2013), which requires OPR to develop alternative methods of measuring transportation impacts under CEQA. At a minimum, the new methods must apply within areas that are served by transit; however, OPR may extend the new methods statewide. Once the new transportation guidelines are adopted, automobile delay will no longer be considered to be an environmental impact under CEQA. SB 743 requires OPR to circulate a first draft of the new guidelines by July 1, 2014. The preliminary discussion draft below satisfies that requirement.

Before turning to a detailed explanation of the proposed text, OPR urges reviewers to consider the following:

- This is a ***preliminary discussion draft*** of a proposal that responds to SB 743. It reflects the information and research contained in OPR’s [Preliminary Evaluation of Alternative Methods of Transportation Analysis](#) (December 2013), as well as [comments](#) submitted on that evaluation and informal consultation with stakeholder groups across the state. However, OPR expects this draft to evolve, perhaps substantially, in response to this larger vetting and review process.
- Because this is a preliminary discussion draft, reviewers may notice some terms that should be defined, or concepts that should be further explored. OPR invites your suggestions in that regard.
- This proposal involves changes to the CEQA Guidelines. Because the CEQA Guidelines apply to all public agencies, and all projects, throughout the state, they generally must be drafted broadly. Similarly, this proposal reflects CEQA’s typical deference to lead agencies on issues related to methodology. The background paper accompanying this proposal, however, provides additional detail on a sample methodology for conducting an analysis, lists models capable of estimating vehicle miles traveled, and ideas for mitigation and alternatives. We invite reviewers to let us know if greater or less detail should be included in the new Guidelines.

This preliminary discussion draft consists of several parts. First, it contains a proposed new section 15064.3 of the CEQA Guidelines, which itself contains several subdivisions. Second, it proposes amendments to Appendix F (Energy Impacts) to describe possible mitigation measures and alternatives. Each of these components is described below.

Explanation of Proposed New Section 15064.3

OPR proposes to add a new section 15064.3 to the CEQA Guidelines to provide new methods of measuring transportation impacts. OPR initially considered whether to put the new methods in an appendix or in a new section of the Guidelines. OPR chose the latter, because experience with Appendix F, which requires analysis of energy impacts, has shown that requirements in appendices may not be consistently applied in practice.

Having decided to add a new section to the Guidelines, the next question was where to put it. As required by SB 743, the new guidelines focus on “determining the significance of transportation impacts.” Section 15064 of the CEQA Guidelines contains general rules regarding “determining the

significance of the environmental effects caused by a project.” Since the new Guideline section focuses on the specific rules regarding transportation impacts, OPR determined that it would be appropriate to place the new rules close to the section containing the general rules. Also, the new section 15064.3 would be contained within Article 5 of the Guidelines, which address “preliminary review of projects and conduct of initial study,” and therefore would be relevant to both negative declarations and environmental impact reports.

The proposed new section 15064.3 contains several subdivisions, which are described below.

Subdivision (a): Purpose

Subdivision (a) sets forth the purpose of the entire new section 15064.3. First, the subdivision clarifies that the primary consideration, in an environmental analysis, regarding transportation is the amount and distance that a project might cause people to drive. This captures two measures of transportation impacts: auto trips generated and trip distance. These factors are important in an environmental analysis for the reasons set forth in the background materials supporting vehicle miles traveled as a transportation metric. These factors were also identified by the legislature in SB 743. (Pub. Resources Code § 21099(b)(1).) Specifying that trip generation and vehicle miles traveled are the primary considerations in a transportation analysis is necessary because impacts analysis has historically focused on automobile delay.

The second sentence in subdivision (a) also identifies impacts to transit and the safety of other roadway users as relevant factors in an environmental analysis. Impacts to transit and facilities for pedestrians and bicyclists are relevant in an environmental impacts analysis because deterioration or interruption may cause users switch from transit or active modes to single-occupant vehicles, thereby causing energy consumption and air pollution to increase. Further, impacts to human safety are clearly impacts under CEQA. (Pub. Resources Code § 21083(b)(3) (a significance finding is required if “a project will cause substantial adverse effects on human beings, either directly or indirectly”).) Finally, SB 743 requires the new guidelines to promote “multimodal transportation” and to provide for analysis of safety impacts. (Pub. Resources Code § 21099(b)(1), (b)(3).)

The third sentence clarifies that air quality and noise impacts related to transportation may still be relevant in a CEQA analysis. (Pub. Resources Code § 21099(b)(3) (the new guidelines do “not relieve a public agency of the requirement to analyze a project’s potentially significant transportation impacts related to air quality, noise, safety, or any other impact associated with transportation”).) However, those impacts are typically analyzed in the air quality and noise sections of environmental documents. Further, there is nothing in SB 743 that requires analysis of noise or air quality in a transportation section of an environmental document. In fact, the content of any environmental document may vary provided that any required content is included in the document. (State CEQA Guidelines § 15120(a).)

Finally, the last sentence clarifies that automobile delay is not a significant effect on the environment. This sentence is necessary to reflect the direction in SB 743 itself that vehicle delay is not a significant environmental impact. (Pub. Resources Code § 21099(b)(2) (“Upon certification of the guidelines by the Secretary of the Natural Resources Agency pursuant to this section, automobile delay, as described

solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment pursuant to this division, except in locations specifically identified in the guidelines, if any”).) As noted above, traffic-related noise and air quality impacts, for example, may still be analyzed in CEQA and mitigated as needed. Mitigation would consist of measures to reduce noise or air pollutants, however, and not necessarily the delay that some vehicles may experience in congestion.

Subdivision (b): Criteria for Analyzing Transportation Impacts

While subdivision (a) sets forth general principles related to transportation analysis, subdivision (b) focuses on specific criteria for determining the significance of transportation impacts. It is further divided into four subdivisions: (1) vehicle miles traveled and land use projects, (2) induced travel and transportation projects, (3) safety, and (4) methodology.

The lead-in sentences to these subdivisions clarify two things. First, CEQA’s general rules regarding the determination of significance apply to all potential impacts, including transportation impacts. These general rules include the necessity to consider context and substantial evidence related to the project under consideration, as well as the need to apply professional judgment. These rules are contained in section 15064 of the CEQA Guidelines, which is included as a cross-reference in subdivision (b). The second lead-in sentence clarifies that the new section 15064.3 contains rules that apply specifically to transportation impacts.

Subdivision (b)(1): Vehicle Miles Traveled and Land Use Projects

The first sentence in subdivision (b)(1) states that vehicle miles traveled is generally the most appropriate measure of transportation impacts. It uses the word “generally” because OPR recognizes that the CEQA Guidelines apply to a wide variety of project types and lead agencies. Therefore, this sentence recognizes that in appropriate circumstances, a lead agency may tailor its analysis to include other measures.

SB 743 did not authorize OPR to set thresholds, but it did direct OPR to develop Guidelines “for determining the significance of transportation impacts of projects[.]” (Pub. Resources Code § 21099(b)(2).) Therefore, to provide guidance on determining the significance of impacts, subdivision (b)(1) describes factors that might indicate whether the amount of a project’s vehicle miles traveled may be significant, or not.

For example, a project that results in vehicle miles traveled that is greater than the regional average might be considered to have a significant impact. Average in this case could be measured using an efficiency metric such as per capita, per employee, etc. Travel demand models can provide information on those regional averages. “Region” refers to the metropolitan planning organization or regional transportation plan area within which the project is located. Notably, because the proposed text states that greater than regional average “may indicate a significant impact,” this subdivision would not prevent a local jurisdiction from applying a *more stringent* threshold. (Pub. Resources Code § 21099(e) (the new Guidelines do not “affect the authority of a public agency to establish or adopt thresholds of

significance that are more protective of the environment”).) Note, this potential finding of significance would not apply to projects that are otherwise statutorily or categorically exempt.

Why regional average? First, the region generally represents the area within which most people travel for their daily needs. Second, focusing on the region recognizes the many different contexts that exist in California. Third, pursuant to SB 375, metropolitan planning organizations throughout the state are developing sustainable communities strategies as part of their regional transportation plans, and as part of that process, they are developing data related to vehicle miles traveled. Fourth, average vehicle miles traveled per capita, per employee, etc., can be determined at the regional level from existing data. Finally, because SB 375 requires all regions to reduce region-wide greenhouse gas emissions related to transportation, projects that move the region in the other direction may warrant a closer look.

Subdivision (b)(1) also gives examples of projects that might have a less than significant impact with respect to vehicle miles traveled. For example, projects that locate in areas served by transit, where vehicle miles traveled is generally known to be low, may be considered to have a less than significant impact. (See, e.g., California Air Pollution Control Officers Association, “[Quantifying Greenhouse Gas Mitigation Measures](#),” (August 2010).) Further, projects that are shown to decrease vehicle miles traveled, as compared to existing conditions, may be considered to have a less than significant impact. Such projects might include, for example, the addition of a grocery store to an existing neighborhood that enables existing residents to drive shorter distances. Notably, in describing these factors, the Guidelines use the word “may” to signal that a lead agency should still consider substantial evidence indicating that a project may still have significant vehicle miles traveled impacts. For example, the addition of regional serving retail to a neighborhood may draw customers from far beyond a single neighborhood, and therefore might actually increase vehicle miles traveled overall. Similarly, a project located near transit but that also includes a significant amount of parking might indicate that the project may still generate significant vehicle travel.

Most of the examples in this subdivision are most relevant to specific development projects. Land use plans, such as specific plans or general plans, might be considered to have a less than significant effect at the plan level if they are consistent with an adopted sustainable communities strategy.

Subdivision (b)(2): Induced Travel and Transportation Projects

While subdivision (b)(1) addresses vehicle miles traveled associated with land use projects, subdivision (b)(2) focuses on impacts that result from certain transportation projects. Specifically, research indicates that adding new traffic lanes in areas subject to congestion tends to lead to more people driving further distances. (Handy and Boarnet, “[DRAFT Policy Brief on Highway Capacity and Induced Travel](#),” (April 2014).) This is because the new roadway capacity may allow increased speeds on the roadway, which then allows people to access more distant locations in a shorter amount of time. Thus, the new roadway capacity may cause people to make trips that they would otherwise avoid because of congestion, or may make driving a more attractive mode of travel. Research also shows that extending new roadway capacity, like the addition of water or sewer infrastructure, may remove barriers to growth in undeveloped areas. Subdivision (b)(2) would therefore require lead agencies that add new physical roadway capacity in congested areas to consider these potential growth-inducing impacts.

Subdivision (b)(2) also clarifies that not all transportation projects would be expected to cause increases in vehicle miles traveled. For example, projects that are primarily designed to improve safety or operations would not typically be expected to create significant impacts. The same is true of pedestrian, bicycle and transit projects, including those that require reallocation or removal of motor vehicle lanes.

Subdivision (b)(3): Local Safety

Subdivision (b)(3) recognizes that vehicle miles traveled may not be the only impacts associated with transportation. While vehicle miles traveled may reflect regional concerns, transportation impacts may also be felt on a local level. The convenience of drivers and the layout of local roadway systems are issues that can, and likely will continue to be, addressed in local planning processes. Safety impacts, as noted above, are local impacts that are appropriate in a CEQA analysis.

Specifically, subdivision (b)(3) clarifies that lead agencies should consider whether a project may cause substantially unsafe conditions for various roadway users. The potential safety concern must be one that affects many people, not just an individual. Further, the potential safety concern must relate to actual project conditions, and not stem solely from subjective fears of an individual. Subdivision (b)(3) includes a non-exclusive list of potential factors that might affect the safety of different roadway users.

Subdivision (b)(4): Methodology

Subdivision (b)(4) provides guidance on methodology. First, it clarifies that analysis of a project's vehicle miles traveled is subject to the rule of reason. In other words, a lead agency would not be expected to trace every possible trip associated with a project down to the last mile. Conversely, to the extent that available models and tools allow, a lead agency would be expected to consider vehicle miles traveled that extend beyond the lead agency's political boundaries. (See, e.g., State CEQA Guidelines § 15151 ("An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible".)) This clarification is needed because under current practice, some lead agencies do not consider the transportation impacts of their own projects that may be felt within adjacent jurisdictions.

Subdivision (b)(4) also recognizes the role for both models and professional judgment in estimating vehicle miles traveled. Many publicly available models are available that can estimate the amount of vehicle miles traveled associated with a project. Models, however, are only tools. A model relies on certain assumptions and its use may, or may not, be appropriate given a particular project and its context. For similar reasons, model outputs may need to be revised. Thus, subdivision (b)(4) expressly recognizes the role of professional judgment in using models. Notably, this is consistent with general CEQA rules in determining significance. (See, e.g., State CEQA Guidelines § 15064(b) (determining significance "calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data".)) To promote transparency, subdivision (b)(4) requires that any adjustments to model inputs or outputs be documented and explained. Further, this documentation should be made plain in the environmental document itself.

Subdivision (c): Mitigation and Alternatives

Subdivision (c) restates the general rule that when a lead agency identifies a significant impact, it must consider mitigation measures that would reduce that impact. The selection of particular mitigation measures, however, is always left to the discretion of the lead agency. Further, OPR expects that agencies will continue to innovate and find new ways to reduce vehicular travel. Therefore, OPR proposes to identify several potential mitigation measures and alternatives in existing Appendix F (regarding energy impacts analysis), and include a cross-reference to Appendix F in subdivision (c). Subdivision (c) also makes explicit that this section does not limit any public agency's ability to condition a project pursuant to other laws. For example, while automobile delay will not be treated as a significant impact under CEQA, cities and counties may still require projects to achieve levels of service designated in general plans or zoning codes. (Pub. Resources Code § 21099(b)(4) ("This subdivision [requiring a new transportation metric under CEQA] does not preclude the application of local general plan policies, zoning codes, conditions of approval, thresholds, or any other planning requirements pursuant to the police power or any other authority".)) Similarly, with regard to projects that have already undergone environmental review, subdivision (c) clarifies that nothing in these proposed rules would prevent a lead agency from enforcing previously adopted mitigation measures. In fact, within the bounds of other laws, including adopted general plans, lead agencies have discretion to apply or modify previously adopted mitigation measures. (*Napa Citizens for Honest Government v. Napa County Bd. of Sup.* (2001) 91 Cal. App. 4th 342, 358 (because "mistakes can be made and must be rectified, and ... the vision of a region's citizens or its governing body may evolve over time... there are times when mitigation measures, once adopted, can be deleted".)) Notably, deletion of measures imposed solely to address automobile delay should not require any additional environmental review because section 21099 of the Public Resources Code states that automobile delay is not a significant impact under CEQA.

Subdivision (d): Applicability

OPR recognizes that the procedures proposed in this section may not be familiar to all public agencies. OPR also recognizes that this section proposes a new way to evaluate transportation impacts. Therefore, to allow lead agencies time to familiarize themselves with these new procedures, OPR proposes a phased approach to implementation. Doing so will also allow OPR to continue studying the application of vehicle miles traveled in the environmental review process, and to propose further changes to this section if necessary.

Subdivision (d) explains when these new rules will apply to project reviews. The first sentence restates the general rule that changes to the CEQA Guidelines apply prospectively to new projects that have not already commenced environmental review. (See State CEQA Guidelines § 15007.)

The second sentence provides that the new procedures will apply immediately upon the effective date of these Guidelines to projects located within one-half mile of major transit stops and high quality transit corridors. Those transit-served areas have been the focus of planning under SB 375 and jurisdictions containing such areas may be more likely to be familiar with tools that estimate vehicle miles traveled.

The third sentence allows jurisdictions to opt-in to these new procedures, regardless of location, provided that they update their own CEQA procedures to reflect the rules in this section. (See State CEQA Guidelines § 15022.) This is intended to provide certainty to project applicants and the public regarding which rules will govern project applications. Notably, a lead agency’s adoption of updates to its own CEQA procedures will not normally be considered a project that requires its own environmental review. (See *California Building Industry Assn. v. Bay Area Air Quality Management Dist.* (2014) 218 Cal. App. 4th 1171, 1183-1192 (certiorari granted on other grounds).)

Finally, the last sentence states that after January 1, 2016, the rules in this section will apply statewide.

Explanation of Amendments to Appendix F: Energy Impacts

OPR proposes to provide suggestions of potential mitigation measures and alternatives that might reduce a project’s vehicle miles traveled in Appendix F of the State CEQA Guidelines. Appendix F provides detailed guidance on conducting an analysis of a project’s energy impacts. Inclusion of the list of suggested measures in Appendix F is proposed for at least two reasons. First, vehicle miles traveled may be a relevant consideration in the analysis and mitigation of a project’s energy impacts. Second, the list of potential mitigation measures is lengthy and is more appropriate for an appendix than the body of the Guidelines.

Notably, the suggested mitigation measures and alternatives were largely drawn from the California Air Pollution Control Officers Association’s guide on [Quantifying Greenhouse Gas Mitigation Measures](#). That guide relied on peer-reviewed research on the effects of various mitigation measures, and provides substantial evidence that the identified measures are likely to lead to quantifiable reductions in vehicle miles traveled.

Explanation of Amendments to Appendix G: Transportation

OPR proposes several changes to the questions related to transportation in Appendix G to conform to the proposed new Section 15064.3. First, OPR proposes to revise the question related to “measures of effectiveness” so that the focus is more on the circulation element and other plans governing transportation. Second, OPR proposes to revise the question that currently refers to “level of service” to focus instead on a project’s vehicle miles traveled. Third, OPR proposes to recast the question related to design features so that it focuses instead on whether a roadway project would tend to induce additional travel. Fourth, OPR proposes to revise the question related to safety to address the factors described in subdivision (b)(3) of the proposed new Section 15064.3.

Text of Proposed New Section 15064.3

Proposed New Section 15064.3. Determining the Significance of Transportation Impacts; Alternatives and Mitigation Measures

(a) Purpose.

When analyzing a project's potential environmental impacts related to transportation, primary considerations include the amount and distance of automobile travel associated with the project. Other relevant considerations include the effects of the project on transit and non-motorized travel and the safety of all travelers. Indirect effects of project-related transportation, such as impacts to air quality and noise, may also be relevant, but may be analyzed together with stationary sources in other portions of the environmental document. A project's effect on automobile delay does not constitute a significant environmental impact.

(b) Criteria for Analyzing Transportation Impacts.

Section 15064 contains general rules governing the analysis, and the determination of significance, of environmental effects. Specific considerations involving transportation impacts are described in this section. For the purposes of this section, "vehicle miles traveled" refers to distance of automobile travel associated with a project.

(1) Vehicle Miles Traveled and Land Use Projects. Generally, transportation impacts of a project can be best measured using vehicle miles traveled. A development project that is not exempt and that results in vehicle miles traveled greater than regional average for the land use type (e.g. residential, employment, commercial) may indicate a significant impact. For the purposes of this subdivision, regional average should be measured per capita, per employee, per trip, per person-trip or other appropriate measure. Also for the purposes of this subdivision, region refers to the metropolitan planning organization or regional transportation planning agency within which the project is located. Development projects that locate within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor generally may be considered to have a less than significant transportation impact. Similarly, development projects, that result in net decreases in vehicle miles traveled, compared to existing conditions, may be considered to have a less than significant transportation impact. Land use plans that are either consistent with a sustainable communities strategy, or that achieve at least an equivalent reduction in vehicle miles traveled as projected to result from implementation of a sustainable communities strategy, generally may be considered to have a less than significant impact.

(2) Induced Vehicle Travel and Transportation Projects. To the extent that a transportation project increases physical roadway capacity for automobiles in a congested area, or adds a new roadway to the network, the transportation analysis should analyze whether the project will induce additional automobile travel compared to existing conditions. The addition of general purpose highway or arterial lanes may indicate a significant impact except on rural roadways where the primary purpose is to improve safety and where speeds are not significantly altered. Transportation projects that do not add physical roadway capacity for automobiles, but instead are for the primary purpose of improving safety or operations, undertaking maintenance or rehabilitation, providing rail grade separations, or improving transit operations, generally would not result in a significant transportation impact. Also, new managed lanes (i.e. tolling, high-occupancy lanes, lanes for transit or freight vehicles only, etc.), or short auxiliary lanes, that are consistent with the transportation projects in a Regional Transportation Plan and Sustainable Communities Strategy, and for which induced travel was already adequately analyzed, generally would not result in a significant transportation impact. Transportation projects (including lane priority for transit, bicycle and pedestrian projects) that lead to net decreases in vehicle miles traveled, compared to existing conditions, may also be considered to have a less than significant transportation impact.

(3) Local Safety. In addition to a project's effect on vehicle miles traveled, a lead agency may also consider localized effects of project-related transportation on safety. Examples of objective factors that may be relevant may include:

(A) Increase exposure of bicyclists and pedestrians in vehicle conflict areas (i.e., remove pedestrian and bicycle facilities, increase roadway crossing times or distances, etc.).

(B) Contribute to queuing on freeway off-ramps where queues extend onto the mainline.

(C) Contribute to speed differentials of greater than 15 miles per hour between adjacent travel lanes.

(D) Increase motor vehicle speeds.

(E) Increase distance between pedestrian or bicycle crossings.

(4) Methodology. The lead agency's evaluation of the vehicle miles traveled associated with a project is subject to a rule of reason; however, a lead agency generally should not confine its evaluation to its own political boundary. A lead agency may use models to estimate a project's vehicle miles traveled, and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project.

(c) Alternatives and Mitigation.

Examples of mitigation measures and alternatives that may reduce vehicle miles travelled are included in Appendix F. Neither this section nor Appendix F limits the exercise of any public agency's discretion provided by other laws, including, but not limited to, the authority of cities and counties to condition project approvals pursuant to general plans and zoning codes. Previously adopted

measures to mitigate congestion impacts may continue to be enforced, or modified, at the discretion of the lead agency.

(d) Applicability.

The provisions of this section shall apply prospectively as described in section 15007. Upon filing of this section with the Secretary of State, this section shall apply to the analysis of projects located within one-half mile of major transit stops or high quality transit corridors. Outside of those areas, a lead agency may elect to be governed by the provisions of this section provided that it updates its own procedures pursuant to section 15022 to conform to the provisions of this section. After January 1, 2016, the provisions of this section shall apply statewide.

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Sections 21099 and 21100, Public Resources Code; *California Clean Energy Committee v. City of Woodland* (2014) 225 Cal. App. 4th 173.

Text of Proposed Amendments to Appendix F

Appendix F

Energy Conservation

I. Introduction

The goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include:

- (1) decreasing overall per capita energy consumption,
- (2) decreasing reliance on fossil fuels such as coal, natural gas and oil, and
- (3) increasing reliance on renewable energy sources.

In order to assure that energy implications are considered in project decisions, the California Environmental Quality Act requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy (see Public Resources Code section 21100(b)(3)). Energy conservation implies that a project's cost effectiveness be reviewed not only in dollars, but also in terms of energy requirements. For many projects, cost effectiveness may be determined more by energy efficiency than by initial dollar costs. A lead agency may consider the extent to which an energy source serving the project has already undergone environmental review that adequately analyzed and mitigated the effects of energy production.

II. EIR Contents

Potentially significant energy implications of a project shall be considered in an EIR to the extent relevant and applicable to the project. The following list of energy impact possibilities and potential conservation measures is designed to assist in the preparation of an EIR. In many instances specific items may not apply or additional items may be needed. Where items listed below are applicable or relevant to the project, they should be considered in the EIR.

A. Project Description may include the following items:

1. Energy consuming equipment and processes which will be used during construction, operation and/or removal of the project. If appropriate, this discussion should consider the energy intensiveness of materials and equipment required for the project.
2. Total energy requirements of the project by fuel type and end use.

3. Energy conservation equipment and design features.
4. Identification of energy supplies that would serve the project.
5. Total estimated daily vehicle trips to be generated by the project and the additional energy consumed per trip by mode.

B. Environmental Setting may include existing energy supplies and energy use patterns in the region and locality.

C. Environmental Impacts may include:

1. The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project including construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials maybe discussed.
2. The effects of the project on local and regional energy supplies and on, requirements for additional capacity.
3. The effects of the project on peak and base period demands for electricity and other forms of energy.
4. The degree to which the project complies with existing energy standards.
5. The effects of the project on energy resources.
6. The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

D. Mitigation Measures may include:

1. Potential measures to reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, maintenance and/or removal. The discussion should explain why certain measures were incorporated in the project and why other measures were dismissed.
2. The potential of siting, orientation, and design to minimize energy consumption, including transportation energy, increase water conservation and reduce solid-waste.
3. The potential for reducing peak energy demand.
4. Alternate fuels (particularly renewable ones) or energy systems.
5. Energy conservation which could result from recycling efforts.

6. Potential measures to reduce vehicle miles traveled include, but are not limited to:

- a. Improving or increasing access to transit.**
- b. Increasing access to common goods and services, such as groceries, schools, and daycare.**
- c. Incorporating affordable housing into the project.**
- d. Improving the jobs/housing fit of a community.**
- e. Incorporating neighborhood electric vehicle network.**
- f. Orienting the project toward transit, bicycle and pedestrian facilities.**
- g. Improving pedestrian or bicycle networks, or transit service.**
- h. Traffic calming.**
- i. Providing bicycle parking.**
- j. Limiting parking supply.**
- k. Unbundling parking costs.**
- l. Parking or roadway pricing or cash-out programs.**
- m. Implementing a commute reduction program.**
- n. Providing car-sharing, bike sharing, and ride-sharing programs.**
- o. Providing transit passes.**

E. Alternatives should be compared in terms of overall energy consumption and in terms of reducing wasteful, inefficient and unnecessary consumption of energy. **Examples of project alternatives that may reduce vehicle miles traveled include, but are not limited to:**

- 1. Locating the project in an area of the region that already exhibits below average vehicle miles traveled.**
- 2. Locating the project near transit.**
- 3. Increasing project density.**
- 4. Increasing the mix of uses within the project, or within the project's surroundings.**
- 5. Increasing connectivity and/or intersection density on the project site.**

6. Deploying management (e.g. pricing, vehicle occupancy requirements) on roadways or roadway lanes.

F. Unavoidable Adverse Effects may include wasteful, inefficient and unnecessary consumption of energy during the project construction, operation, maintenance and/or removal that cannot be feasibly mitigated.

G. Irreversible Commitment of Resources may include a discussion of how the project preempts future energy development or future energy conservation.

H. Short-Term Gains versus Long-Term Impacts can be compared by calculating the project's energy costs over the project's lifetime.

I. Growth Inducing Effects may include the estimated energy consumption of growth induced by the project.

Note: Authority cited: Sections 21083, **21083.05** and 21087, Public Resources Code. Reference: Sections 21000-21176. Public Resources Code.

Text of Proposed Amendments to Appendix G

The following is an excerpt of Section XVI of existing Appendix G, as proposed to be amended to conform to proposed Section 15064.3:

[...]

XVI. TRANSPORTATION/~~TRAFFIC~~ -- Would the project:

- a) Conflict with an ~~applicable~~ plan, ordinance or policy ~~establishing measures of effectiveness for the addressing the safety or~~ performance of the circulation system, including transit, roadways, bicycle lanes and pedestrian paths? ~~taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?~~
- b) Cause vehicle miles traveled (per capita, per service population, or other appropriate measure) that exceeds the regional average for that land use? ~~Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?~~
- c) Result in substantially unsafe conditions for pedestrians, bicyclists, transit users, motorists or other users of public rights of way by, among other things, increasing speeds, increasing exposure of bicyclists and pedestrians in vehicle conflict areas, etc.? ~~a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?~~
- d) Substantially induce additional automobile travel by increasing physical roadway capacity in congested areas (i.e., by adding new mixed-flow lanes) or by adding new roadways to the network? ~~increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?~~
- e) Result in inadequate emergency access?
- f) ~~Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?~~

[...]

Providing Input

This is a preliminary discussion draft, which we expect to change for the better through public input. We hope that you will share your thoughts and expertise in this effort.

When and Where to Submit Comments

Input may be submitted electronically to CEQA.Guidelines@ceres.ca.gov. While electronic submission is preferred, suggestions may also be mailed or hand delivered to:

Christopher Calfee, Senior Counsel
Governor's Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

Please submit all suggestions before **October 10, 2014 at 5:00 p.m.**

Tips for Providing Effective Input

OPR would like to encourage robust engagement in this update process. We expect that participants will bring a variety of perspectives. While opposing views may be strongly held, discourse can and should proceed in a civil and professional manner. To maximize the value of your input, please consider the following:

- In your comment(s), please clearly identify the specific issues on which you are commenting. If you are commenting on a particular word, phrase, or sentence, please provide the page number and paragraph citation.
- Explain why you agree or disagree with OPR's proposed changes. Where you disagree with a particular portion of the proposal, please suggest alternative language.
- Describe any assumptions and support assertions with legal authority and factual information, including any technical information and/or data. Where possible, provide specific examples to illustrate your concerns.
- When possible, consider trade-offs and potentially opposing views.
- Focus comments on the issues that are covered within the scope of the proposed changes. Avoid addressing rules or policies other than those contained in this proposal.
- Consider quality over quantity. One well-supported comment may be more influential than one hundred form letters.
- Please submit any comments within the timeframe provided.

Appendices

- Appendix A: Frequently Asked Questions
- Appendix B: Vehicle Miles Traveled, Air Quality and Energy
- Appendix C: Technical Considerations in Assessing Vehicle Miles Traveled
- Appendix D: Sample Trip-Based VMT Calculation
- Appendix E: Estimating VMT From Roadway Capacity Increasing Projects
- Appendix F: Available Models for Estimating Vehicle Miles Traveled

Appendix A

Frequently Asked Questions

1. *What is “level of service” and how is it used in environmental review?*

Many jurisdictions use “level of service” standards to measure potential transportation impacts of development projects and long range plans. Commonly known as LOS, level of service measures vehicle delay at intersections and on roadways and is represented as a letter grade A through F. LOS A represents free flowing traffic, while LOS F represents congested conditions. LOS standards are often found in local general plans and congestion management plans. LOS is also often used in traffic impact studies prepared under the California Environmental Quality Act (CEQA). Exceeding LOS standards can require changes in proposed projects, installation of additional infrastructure, or, in some cases, financial penalties.

2. *What is wrong with treating congestion as an environmental impact under CEQA?*

Stakeholders have reported several problems with level of service, and congestion generally, as a measure of environmental impact under CEQA. First, as a measure of delay, congestion measures more of social, rather than an environmental impact. Second, the typical way to mitigate congestion impacts is to build larger roadways, which imposes long-term maintenance costs on tax-payers, pushes out other modes of travel, and may ultimately encourage even more congestion. Third, addressing congestion requires public agencies to balance many factors, including fiscal, health, environmental and other quality of life concerns. Such balancing is more appropriate in the planning context where agency decisions typically receive deference.

3. *How does SB 743 affect the use of level of service to measure transportation impacts?*

SB 743 requires the Governor’s Office of Planning and Research (OPR) to amend the CEQA Guidelines to provide an alternative to level of service for evaluating transportation impacts. The alternative approach must “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” (*New Public Resources Code Section 21099(b)(1).*) According to the statute, potential alternative measurements of transportation impacts may include “vehicle miles traveled, vehicle miles traveled per capita, automobile trip generation rates, or automobile trips generated.” (*Ibid.*) OPR must develop an alternative approach for areas near transit, but also has discretion to develop such alternative criteria beyond those areas, if appropriate. (*Id.* at subd. (c).)

Transportation impacts related to air quality, noise and safety must still be analyzed under CEQA where appropriate. (*Id.* at subd. (b)(3).)

4. *Will the new CEQA Guidelines eliminate the use of level of service in all cases?*

No. Automobile delay will no longer be considered a significant environmental impact under CEQA in areas specified in the Guidelines. As currently proposed, those areas would initially include areas near transit, as well as those jurisdictions that wish to opt-in to this new approach. After a period of time, the new Guidelines would apply throughout the state. Level of service may still be used, however, for planning purposes outside of CEQA (see below).

5. *Some communities still use level of service to plan their transportation networks. Will the new guidelines prevent my city/county from using it for that purpose?*

No. The Guidelines only address impacts analysis under CEQA. Many jurisdictions have level of service standards in their general plans, zoning codes and fee programs. These proposed Guidelines would not affect those uses of level of service. Maintaining level of service in planning allows a jurisdiction to balance automobile delay with other interests, e.g. mode share objectives, human health, fiscal health, etc.

6. *Doesn't level of service help indicate whether the project will cause safety concerns? How will the new Guidelines address local safety?*

Safety is an issue that both the statute and these proposed Guidelines identify as a potential area of study under CEQA. Level of service does not itself measure safety. For example, higher level of service often indicates higher vehicle speeds, which put all road users at greater risk in the event of a collision. On the other hand, it may indicate areas where large speed differentials might occur, for example an off ramp backing up onto a highway mainline. Where analysis is needed to determine the significance of potential safety impacts, that analysis will still be required under these proposed Guidelines.

7. *Traffic causes air quality and noise problems. How will those issues be addressed in the new Guidelines?*

SB 743 and these proposed Guidelines explicitly specify that potential impacts from transportation other than delay, for example air quality and noise, continue to be analyzed under CEQA. The methods for addressing those factors remain unchanged.

8. *How will the new Guidelines affect fee programs in my community?*

SB 743 and these proposed Guidelines both recognize that jurisdictions maintain their ability to retain and enact fee programs, including those based on level of service. The proposed Guidelines explicitly state that they do not limit the discretion of public agencies in implementing other laws, including city and county general plans, zoning codes and other planning laws.

9. *Why not limit the change to just transit priority areas?*

OPR looked broadly, but did not find a geographic area of the state or project type for which use of level of service would do a better job of protecting the environment or human health, or achieving the interests specified in the statute (promoting reduction of greenhouse gas emissions, development of multimodal transportation networks, and a diversity of land uses) than vehicle miles traveled. However, as noted above, the proposed guideline would phase-in application of the new methodology, and would start in areas near transit.

10. *My community does not have frequent transit. What options are available for reducing VMT?*

Extensive research has been conducted on different ways that local governments can reduce vehicle miles traveled. Some useful sources of information include:

- California Air Pollution Control Officers Association, "[Quantifying Greenhouse Gas Mitigation Measures](#)," (August 2010)
- California Energy Commission, "[Energy Aware Planning Guide](#)" (February 2011)
- Salon, Deborah, "[Quantifying the effect of local government actions on VMT](#)," Prepared for the California Air Resources Board and the California Environmental Protection Agency (September 2013)

11. *Didn't SB 743 make other changes to CEQA related to infill projects?*

Yes. SB 743 created a new exemption from CEQA for certain projects that are consistent with a Specific Plan. (See New Public Resources Code Section 21155.4.) SB 743 also provides that certain types of infill projects are not required to analyze aesthetic impacts or impacts related to parking. (New Public Resources Code Section 21099, subd. (d).) Those changes went into effect January 2014. Additional information regarding those provisions is available [here](#).

12. *When would the new rules go into effect?*

OPR released a ***preliminary discussion draft*** on August 6, 2014. That draft will likely undergo significant revisions in response to public input. After a full public vetting, OPR will then submit a draft to the Natural Resources Agency, which will then conduct a formal rulemaking process. That rulemaking process will itself entail additional public review, and may lead to further revisions. New rules would not go into effect until after the Natural Resources Agency adopts the new Guidelines, and the package undergoes review by the Office of Administrative Law. Notably, the new Guidelines would apply prospectively only, and would not affect projects that have already commenced environmental review.

Appendix B

Vehicle Miles Traveled, Air Quality and Energy

Vehicle travel leads to a number of direct and indirect impacts to the environment and human health. Among other effects, loading additional vehicle miles traveled, or VMT, onto the roadway network leads to increased emissions of air pollutants, including greenhouse gases, as well as increased consumption of energy. Some direct effects of increased VMT are described below.

Air Pollution

In California, transportation is associated with more greenhouse gas emissions than any other sector. Increased tailpipe emissions are a direct effect of increased VMT.

As VMT increases, so do carbon dioxide (CO₂), (Chester and Horvath, 2009) methane (CH₄), and nitrogen dioxide (N₂O) emissions. (U.S. Environmental Protection Agency, [Emission Facts: Greenhouse Gas Emissions from a Typical Passenger Vehicle](#) (February 2005).) The U.S. Environmental Protection Agency estimates that model 2005 passenger vehicles in the US emit an average of 0.0079 grams of N₂O and 0.0147 grams of NH₄ per mile. (U.S. Environmental Protection Agency, [Climate Leaders Greenhouse Gas Inventory Protocol Core Module Guidance: Direct Emissions from Mobile Combustion Sources](#) (May 2008).) Other air pollutants also directly result from increased VMT. Per mile traveled, California's light vehicles emit:

- 2.784 grams of CO
- 0.272 grams of NOX
- 0.237 grams of ROC (reactive organic gases, similar to volatile organic compounds)

(California Air Resources Board, [Methods to Find the Cost-Effectiveness of Funding Air Quality Projects](#) (May 2013).) While technological improvements are reducing vehicle emissions, those improvements are being eroded by a dramatic increase in vehicle miles traveled. (U.S. Environmental Protection Agency, [Our Built and Natural Environments](#) 2nd Ed. (June 2013).)

Energy

In addition to generating air pollution, vehicle travel can consumes substantial amounts of energy. Over 40 percent of California's energy consumption occurs in the transportation sector. (See California Energy Commission, "[Energy Aware Planning Guide](#)" (February 2011).) Passenger vehicles account for 74 percent of emissions from the transportation sector. (*Ibid.*)

Appendix C

Technical Considerations in Assessing Vehicle Miles Traveled

Many practitioners are familiar with accounting for vehicle miles traveled, commonly referred to as VMT, in connection with long range planning, or as part of the analysis of a project's greenhouse gas emissions or energy impacts. This Appendix provides background information on how vehicle miles traveled may be assessed as part of a transportation impacts analysis under the California Environmental Quality Act.

What VMT to Count

The simplest and most straightforward counting method is to simply estimate VMT from trips generated or attracted by a project (i.e., from trips made by residents, employees, students, etc.). This method is known as trip-based VMT. Agencies with access to more sophisticated modeling capabilities have can examine VMT in a more comprehensive manner, examining projected travel behavior, including effects the project has on other trip segments. For projects that might replace longer trips with shorter ones, a lead agency might analyze total area-wide VMT to see whether it would decrease were the project to be built. These methods are described below. [Additional background information regarding travel demand models is available in the California Transportation Commission's "[2010 Regional Transportation Plan Guidelines](#)," beginning at page 35.]

Trip-based VMT

Trip-based VMT includes all VMT from trips that begin or end at the project. It answers the question, "How much driving would be needed to get people to and from the project?" Standard 4-step travel demand models can measure trip-based VMT. For residential development, trip-based VMT is called home-based VMT.

Tour-based VMT

A tour is defined as a series of trips beginning and ending at the residence. Tour-based VMT includes all VMT from the entire tour that includes a stop at the project. As such, it captures the influence the project has on broader travel choices; for example, a project which is accessible by automobile can influence a traveler to choose travel by automobile for their day's needs, and this choice necessitates automobile use along the rest of their tour, which in turn can influence destination choices. Tour-based models, which are typically activity-based models, model entire tours rather than trips. Tour-based VMT for a residential development, for example, would count all the travel undertaken by its residents; this is called household VMT.

A shortcut: mapping trip- and tour-based VMT

Trip- or tour-based travel can be calculated on a project-by-project basis, but it is also possible to use a travel demand model to map the VMT of existing development. Because the travel behavior of new development tends to mimic that of existing development, such maps could be used to estimate VMT from new development in those locations.

Area-wide VMT

An area-wide analysis compares total VMT with and without the project. It answers the question, “What is the net effect of the project on area VMT?” The area for analysis should be chosen to capture the full VMT effects of the project; it should avoid truncating the analysis. In some cases, a strategically located project can reduce the total amount of VMT by substituting shorter trips for longer ones. For example, a grocery store in an area that previously had none could allow shorter shopping trips to substitute for longer ones. The area-wide VMT method should also be used when calculating the VMT impacts of transportation infrastructure projects.

Choosing a Denominator

A transportation analysis for a land use project should measure transportation efficiency, rather than the total amount of VMT generated. Therefore, a VMT metric used for trip- or tour-based assessments should include a denominator. Typical denominators include per capita for residential, per employee for office, and per trip for other uses. Per person-trip is another option that could be used for all land use types. Note, examination of area-wide VMT typically does not include a denominator, because the objective is to examine the magnitude of increase or decrease in total VMT.

Measuring VMT for Land Use Projects

The proposed Guidelines suggest that projects generating or attracting greater than regional average VMT may be an indication of a significant transportation impact. Similarly, the proposed Guidelines suggest that a net reduction in VMT may be an indication of a less than significant impact. The paragraphs below provide additional detail on how an agency might make those determinations.

Calculating Regional Average VMT

When comparing project VMT to regional average VMT, the same denominator and VMT counting method (trip-based or tour-based) should be used. For example, a trip-based VMT analysis for a residential project, which estimates home-based VMT per capita, should be compared with the regional total home based VMT divided by the total regional population. Totals should be taken over the entire region, i.e. the full geography of the MPO or RTPA.

Demonstrating a Reduction in Area-Wide VMT

The area-wide method of counting VMT may be used to determine whether total VMT increases or decreases with the project. The area chosen for analysis should cover the full area over which the project affects travel behavior.

Transportation projects should assess VMT using the area-wide method. Transit and active transportation projects can generally be presumed to reduce total VMT, unless substantial evidence demonstrates otherwise, because their largest effect on VMT is typically mode shift away from automobile use. Projects that increase physical roadway capacity typically induce additional vehicle travel, generally leading to increases in total VMT. However, a roadway project that improves connectivity can, in some cases, shorten trip lengths sufficiently to outweigh the induced travel effect, leading to an overall reduction in VMT.

Appendix D

Sample Trip-Based VMT Calculation

This sample describes the steps in estimating the vehicle miles traveled associated with a project. In this example, a 100 unit residential subdivision is proposed in a low-density large lot development pattern (i.e., one unit per 5 acres). This type of pattern has no mix of uses and relatively long distances to jobs, schools, and services. As such, residents typically have to rely on private vehicles for any trip and each trip is many miles. With no mix of uses, no 'internal' vehicle trips are projected to occur. To estimate daily VMT for the project, the following steps are used.

1. Multiply the number of residential units (100) by an average vehicle daily trip rate. This rate can be obtained by conducting local surveys of at least three similar sites, but in absence of this data, the analyst can rely on the ITE *Trip Generation Manual*. The manual contains an average daily vehicle trip rate for single family detached homes of 9.52. It should be noted that this rate only captures trip to/from the home (i.e., home-based work (HBW) and home-based other (HBO)) and not all trips made by the residents of the home.

100 single-family detached residential dwelling units x 9.52 vehicle trips per unit =

952 daily vehicle trips

2. Multiply the number of home-based trips by trip lengths. If trip lengths are available by trip purpose, then the trip generation estimate should be divided into purposes based on household survey data or travel forecasting model estimates. Potential sources for trip lengths by purpose are available through the California Household Travel Survey, the National Household Travel Survey, and MPO model estimates. In this simple estimate, only one trip length is assumed to be available and it represents the average weekday trip length for California based on the National Household Travel Survey.

952 daily vehicle trips x 10 miles per trip = 9,520 daily VMT

9,520 daily VMT/100 residential units =

95.2 daily VMT per residential unit

3. Divide by the expected average project household occupancy. A specific estimate based on project characteristics (i.e. unit sizes and number of bedrooms) and location is preferable. Here we use the average for Sacramento County, 2.69 persons per household:

95.2 daily VMT generated per residential unit / 2.69 persons per unit =

35.4 daily VMT per capita

Appendix E

Estimating VMT From Roadway Capacity Increasing Projects

Introduction

CEQA requires analysis of a project's potential growth-inducing impacts. (Public Resources Code § 21100(b)(5); State CEQA Guidelines, § 15126.2(d).) Many agencies are familiar with the analysis of growth inducing impacts associated with water, sewer and other infrastructure. As part of its effort to reform the analysis of transportation impacts in the CEQA Guidelines, the Office of Planning and Research is proposing criteria for determining the significance of growth-inducing impacts related to transportation projects. This document provides additional background and information related to induced travel.

Because a roadway project can induce substantial vehicle miles traveled, or VMT, incorporating estimates of induced travel is critical to calculating both transportation and other impacts of a roadway expansion project. Induced travel also has the potential to reduce congestion relief benefits, and so any weighing of cost and benefit of a highway project will be inaccurate if it is not fully accounted for.

How Does Roadway Capacity Relate to Throughput?

The capacity of a road is the maximum number of vehicles per hour that the road can service.

Throughput, meanwhile, is the number vehicles per hour that the road is servicing at any given time. In general, adding lanes to roads increases capacity. The magnitude of the increase depends on the type of lane (e.g. general purpose lanes, managed lanes, auxiliary lanes).

When a roadway is serving vehicles at capacity, adding more vehicles will disrupt traffic flow causing speed reductions (i.e., congestion) and reduce throughput. Conversely, reducing the number of vehicles entering a congested roadway will reduce congestion and increase throughput. So, travel demand management programs or traffic systems management programs that reduce vehicle miles traveled loaded onto a roadway can improve throughput without increasing capacity.

What is Induced VMT?

Additional roadway capacity may lead to additional VMT, a phenomenon known as induced travel, or induced VMT. It occurs when congestion is already present and a capacity expansion will lead to an appreciable reduction in travel time. With lower travel times, the modified facility becomes more attractive to travelers, resulting in the following trip-making changes, which have implications for total VMT:

- **Longer trips.** The ability to travel a long distance in a shorter time increases the attractiveness of destinations that are further away, increasing trip length and VMT.
- **Changes in mode choice.** When transportation investments are devoted to reducing automobile travel time, travelers tend to shift toward automobile use from other modes, which increases VMT.

- **Route changes.** Faster travel times on a route attract more drivers to that route from other routes, which can increase or decrease VMT depending on whether it shortens or lengthens trips.
- **Newly generated trips.** Increasing travel speeds can add trips, which increases VMT. For example, an individual who previously telecommuted or purchased goods on the internet might choose to travel by automobile as a result of increased speeds.
- **Land Use Changes.** Faster travel times along a corridor lead to land development further along that corridor; that development generates and attracts longer trips, which increases VMT.

These effects operate over different time scales. For example, changes in mode choice might happen immediately or within a few years, while land use changes typically take a few years or longer.

Has Induced VMT Been Studied?

On the whole, evidence links highway capacity expansion to VMT increases. Numerous studies have estimated the magnitude of the induced travel phenomenon. Most of these studies express the amount of induced travel as an “elasticity,” which is a multiplier that describes the percent increase in VMT resulting from a given percent increase in lane miles of new roadway capacity. Many distinguish “short run elasticity” (increase in vehicle travel in the first few years) from “long run elasticity” (increase in vehicle travel beyond the first few years). Long run elasticity is typically larger than short run elasticity, because as time passes, more of the components of induced travel materialize. Generally, short run elasticity can be thought of as excluding the effects of land use change, while long run elasticity includes them. Most studies find long run elasticities between 0.6 and just over 1.0 ([California Air Resources Board DRAFT Policy Brief on Highway Capacity and Induced Travel](#), p. 2.)

How Would an Agency Estimate Induced VMT for Proposed Projects?

Transportation analysis undertaken for transportation infrastructure projects typically requires use of a travel demand model. Proper use of a travel demand model will yield a reasonable estimate of short run induced VMT, generally including the following components:

- Trip length (generally increases VMT)
- Mode shift (generally shifts from other modes towards automobile use, increasing VMT)
- Route changes (can act to increase or decrease VMT)
- Newly generated trips (generally increases VMT; note that not all travel demand models have sensitivity to this factor, so an off-model estimate may be necessary)

Estimating long run induced VMT requires consideration of changes in land use. At a minimum, VMT resulting from land use changes induced by the project should be acknowledged and discussed. The analysis should disclose any limitations related to VMT forecasting that may have not been sensitive to induced travel effects and how these effects could influence the analysis results. Quantitative analysis is also possible using integrated transport and land use models or by relying on expert panels employing techniques such as the Delphi method. Once developed, the estimates of land use changes can then be analyzed by the travel demand model to assess VMT effects.

Alternately, the travel demand model analysis can be performed without an estimate of land use changes, and then the results can be compared to empirical studies of induced travel found in the types of studies described above. If the modeled elasticity falls outside of that range, then the VMT estimate can be adjusted to fall within the range, or an explanation can be provided describing why the project would be expected to induce less VMT than the subjects of those studies. (For an example of an EIR that includes a number of these elements, see [Interstate 5 Bus/Carpool Lanes Project Final EIR](#), pp. 2-52--2-56.)

Example Outline for induced Travel Analysis

The following is a sample outline for describing induced VMT in the analysis of a project which includes a roadway capacity increase:

- Description of potential sources of induced travel due to the project alternatives resulting from
 - Longer trips
 - Changes in mode choice
 - Route changes
 - Newly generated trips
 - Land Use Changes
- If an estimate of land use change resulting from project alternatives is available from an expert panel or a land use model, that estimate should be used in the travel demand model to estimate VMT. Alternately, include:
 - A calculation of the long run elasticity of induced VMT for each project alternative (change in VMT divided by change in lane miles)
 - A comparison of that elasticity to empirical studies OR an estimate of land use changes
 - A discussion of potential sources for error in the induced travel estimate made by the travel demand model
 - An estimate of induced VMT that provides a best estimate correction to the results from the travel demand model

Variations in Induced VMT by Lane Type

The amount of VMT induced by a roadway capacity expansion depends on the amount of capacity added. All else being equal, as capacity is added, more VMT would be induced. Different types of lanes induce different amounts of VMT because they have different capacities or different abilities to influence travel time. Travel demand models can reflect these distinctions, as the capacities of lane types are programmed into the model and they are sensitive to travel time.

General purpose lanes can be used by any vehicle, and tend to exhibit the greatest vehicle capacity. Managed lanes are designated for use by vehicles occupied by at least a certain number of passengers (HOV lanes), those vehicles plus ones that have paid a toll (HOT lanes), or only ones that have paid a toll (Toll lanes). They are typically managed to prevent congestion by placing a restriction on the vehicles that may use the lane. Typically the target throughput is somewhat below capacity, for the purpose of having the managed lane maintain a speed advantage over the general purpose lanes. Thus, effective capacity of a managed lane is typically reduced.

Auxiliary lanes are defined as lanes that are only one link in length (starting at an on ramp and terminating at the next off ramp). The purpose of an auxiliary lane is to provide additional roadway capacity to accommodate the weaving that takes place near ramps as vehicles maneuver to enter or exit the freeway. Auxiliary lanes add capacity to a roadway, but near ramps their capacity is reduced, because cars are weaving into and out of them require extra space. Portions of an auxiliary lane away from ramps behave like a general purpose lane. Auxiliary lanes of approximately 1 mile or less in length can generally be assumed to have a reduced capacity along their full length, but longer auxiliary lanes may function like general purpose lanes. (See, Sacramento Area Council of Governments, [Sacramento Activity-Based Travel Simulation Model: Model Reference Report](#), at p. 3-3.)

Transit lanes, which are designated for transit vehicles only, and truck lanes, which are designated for freight vehicles only, do not directly provide capacity for private passenger vehicles. However, these lane types attract trucks or transit vehicles from general purpose lanes, freeing up capacity in those lanes, and as a result can induce private passenger vehicle travel.

Mitigation and Alternatives

Induced travel has the potential to reduce congestion relief benefits, increase VMT, and increase other environmental impacts that result from vehicle travel. These effects may be considered potential impacts requiring consideration of mitigation or the development of alternatives. If the impact is determined to be significant, the lead agency must consider feasible measures to mitigate the impact, or consider project alternatives. In the context of increased travel induced by capacity increases, appropriate mitigation and alternatives that a lead agency might consider include managing the new lane or improving the passenger throughput of existing lanes. For example, a planned general purpose lane could instead be built as an HOV or HOT lane, reducing induced VMT. Travel demand management off site can also reduce VMT.

Appendix F

Available Models for Estimating Vehicle Miles Traveled

Overview

Our ability to anticipate the transportation outcomes of land use development has increased greatly in recent years. Research undertaken by academics, consulting firms, and public agencies provide the basis for estimating future vehicle travel, and advances in computing power have allowed more sophisticated application of that research.

Models range in complexity and sensitivity to factors that can influence vehicle miles traveled, or VMT. Simpler tools make assumptions, but are easier to implement. More complex models consider more variables, but are not always necessary or feasible. Models generally fall into one of two categories:

Sketch models use statistical characterizations of land use projects and transportation networks to estimate project VMT. For example, a sketch model might characterize the transportation network using statistics like intersections per square mile and number of transit stops per day within a half mile, rather than actually containing a detailed representation of the network itself. They range in sophistication from simple spreadsheet tools, which often require a smaller number of inputs and are therefore easier to use but sensitive to fewer variables, to complex software packages. A number of sketch models can be downloaded free of charge.

Three sketch models commonly used in California include:

- Urban Emissions Model (URBEMIS) - *California Air Resources Board*
- California Emissions Estimator Model (CalEEMod) – *California Air Pollution Control Officers' Association*
- EPA Mixed-Use Development Model (MXD) - *U.S. EPA*

Travel demand models represent links and nodes in the transportation network explicitly rather than statistically. As a result, they generally require more data, maintenance, and run time than sketch models. Because of their greater complexity, and because their use is typically required for various statutory functions (e.g. determining air quality conformity), travel demand models are maintained by all MPOs and RTPAs, and also by some cities and counties. For this reason, a regional travel demand model already exists in most locations and can be used to develop estimates of VMT. Because they represent the transportation network explicitly, travel demand models are required when analyzing the VMT impacts of transportation projects.

Travel demand models can supply inputs for sketch models, particularly trip lengths; a single travel demand model run can supply these inputs for sketch model runs throughout the region. Travel

demand models can also be used to develop maps depicting VMT generation across the model's geography, providing a quick method for estimating VMT of a project in a certain location.

Catalog of Models

This section catalogs many of the models that generate estimates of VMT. Some were primarily designed to estimate project VMT, while others calculate VMT primarily in order to estimate GHG emissions and/or other outcomes. Please note, this inventory of possible models should not be construed as an endorsement of any particular model.

Name: VMT+

Developer: Fehr and Peers

Year: 2013

Accessibility: Free, only web browser and Internet access required

Description: This free website functions like a spreadsheet tool, estimating weekly VMT and GHG by the size and type of land uses developed. The calculation is based on trip generation. ITE data are provided as a default for "Average Western US City" and for four California metropolitan areas. All default data (including trip generation, average trip length, and internal trip rates) can be replaced with project specific information. This tool is useful for development projects or land use plans of various sizes.

URL: <http://www.fehrandpeers.com/vmt>

Name: RapidFire

Developer: Calthorpe Associates

Year: 2011

Accessibility: Paid, spreadsheet software (e.g. Microsoft Excel) required

Description: This spreadsheet tool can estimate VMT and GHG, among many other factors, and is appropriate for a neighborhood and larger scale development. RapidFire, as deployed during the Plan Bay Area project in the San Francisco Bay Area, applies a user-friendly web interface to allow the public to explore the VMT and GHG outcomes of their development preferences.

URL: http://www.calthorpe.com/scenario_modeling_tools

Documentation:

http://www.calthorpe.com/files/Rapid%20Fire%20V%202.0%20Tech%20Summary_0.pdf

Name: Transportation Emissions Guidebook and Calculator

Developer: Center for Clean Air Policy

Year: 2007

Accessibility: Free, spreadsheet software (e.g. Microsoft Excel) required

Description: This spreadsheet tool uses a trip generation model to estimate neighborhood VMT and GHG, and then estimates the impact of 19 mitigation strategies. Required inputs include present day mode share, trip generation rates, and average trip length. This model is unique among those listed here in that it includes school siting as a potential VMT mitigation strategy.

URL: http://www.ccap.org/safe/guidebook/guide_complete.html

Documentation:

[http://www.ccap.org/guidebook/CCAP%20Transportation%20Guidebook%20\(1\).pdf](http://www.ccap.org/guidebook/CCAP%20Transportation%20Guidebook%20(1).pdf)

Name: Sketch7 VMT Spreadsheet Tool

Developer: UC Davis Institute of Transportation Studies

Year: 2012

Accessibility: Free, spreadsheet software (e.g. Microsoft Excel) required

Description: This Excel spreadsheet and online GIS application use elasticities for seven “D’s” (density, diversity, distance, design, destination, demographics, and development scale) to compare site or neighborhood plans, and estimate the VMT and GHG produced by each.

URL: <http://ultrans.its.ucdavis.edu/projects/improved-data-and-tools-integrated-land-use-transportation-planning-california>

Documentation:

http://downloads.ice.ucdavis.edu/ultrans/statewidetools/Appendix_G_VMT_Spreadsheet_Tool.pdf

Name: COMMUTER

Developer: United States Environmental Protection Agency (U.S. EPA), Cambridge Systematics, Inc.

Year: 2011

Accessibility: Free, spreadsheet software (e.g. Microsoft Excel) required

Description: This spreadsheet tool estimates the impact on VMT and GHG of several common transportation demand management strategies, including pricing/subsidy, transit improvements, carpooling, and telecommute promotion. The model allows the user to provide baseline mode share, trip generation and length, and population as inputs, or alternately can provide defaults from MOBILE6.

URL: http://cfpub.epa.gov/crem/knowledge_base/crem_report.cfm?deid=74941

Documentation: <http://www.epa.gov/otaq/stateresources/policy/transp/commuter/420b05017.pdf>

Name: Envision Tomorrow

Developer: Fregonese Associates, U.S. Office of Housing and Urban Development (HUD)

Year: 2014 (version 3.4)

Accessibility: Free, spreadsheet software (e.g. Microsoft Excel) required

Description: This suite of linked spreadsheets allows users to “paint” changes to land use and transportation at the neighborhood or site level and model the resulting impacts on travel behavior. Inputs include employment characteristics, intersection counts, transit coverage, and assumed average vehicle speeds. The spreadsheets use trip generation rates to estimate VMT and GHG. Envision Tomorrow is distributed under a Creative Commons license, is free to use, and is open source.

URL: <http://www.envisiontomorrow.org/site-level-travel-model>

Documentation:

http://www.envisiontomorrow.org/storage/user_manuals/20131029ENVISION%20TOMORROW%20PLUS_USER%20MANUAL_1st%20COMPLETE%20VERSION_updated_sm2.pdf

Name: Urban Emissions Model (URBEMIS)

Developer: California Air Resources Board (CARB)

Year: 2007

Accessibility: Free

The Urban Emissions Model (URBEMIS) was developed to model VMT and GHG from new development, and is appropriate for small and large site developments. The tool was developed with the support of California air districts, and is free to download and use. As it was designed with local data, URBEMIS is used across California, including in the San Joaquin Valley. It has faced and passed legal challenges. The model calculates impacts from many mitigation measures, including affordable housing, free transit passes, and transit availability, as well as decisions throughout the construction phase.

URL: <http://www.urbemis.com>

Documentation: <http://www.urbemis.com/support/manual.html>

Name: California Emissions Estimator Model (CalEEMod)

Developer: California Air Pollution Control Officers Association (CAPCOA)

Year: 2013

Accessibility: Free

Description: This user-friendly tool is appropriate for any size site development, and estimates VMT and GHG based on the size and land use(s) of the project. The model integrates with the California Air Pollution Control Officers Association (CAPCOA) Quantification of GHG Mitigation Measures.

URL: <http://www.caleemod.com>

Documentation: <http://www.aqmd.gov/caleemod/user's-guide>

Name: Smart Growth INDEX 2.0

Developer: United States Environmental Protection Agency (U.S. EPA), Criterion Planners/Engineers

Year: 2002

Accessibility: Free

Description: This tool requires users to upload a map of the project's surrounding neighborhood into a GIS system such as ESRI ArcMap. Inputs (shapefile format) include: land use, transportation, demographics, housing, and other community features. Once uploaded, users can configure and compare development scenarios, projecting 56 indicators that include VMT and GHG. Designed for stakeholder engagement, the tool can be set to rank the performance of multiple scenarios by community-defined metrics.

URL: http://www.epa.gov/smartgrowth/topics/sg_index.htm

Documentation: http://www.epa.gov/dced/pdf/4_Indicator_Dictionary_026.pdf

Name: Low-Carb Land

Developer: Sonoma Technology, Inc., Washington State Department of Transportation

Year: 2011

Accessibility: Paid

Description: This sketch-planning tool is intended primarily for site development in suburban and rural areas because it uses simple and high-level inputs, and doesn't account for the complexities of more centrally-located development. Users model a base case and one or more project scenarios. Aside from location, the other inputs are the "5 D's" commonly discussed in VMT mitigation: density, diversity, destination, distance and design. The tool incorporates prevailing VMT rates and elasticities for the area.

URL: <http://www.sonomatech.com/project.cfm?uprojectid=672>

Documentation: [http://www.trpc.org/regionalplanning/transportation/Documents/Modeling/Low-Carb%20Land TRB%20Presentation 2011.pdf](http://www.trpc.org/regionalplanning/transportation/Documents/Modeling/Low-Carb%20Land%20TRB%20Presentation%202011.pdf)

Name: CommunityViz

Developer: Placeways

Year: 2014 (version 4.4)

Accessibility: Paid, ESRI ArcGIS required

Description: CommunityViz, is a model designed to facilitate an engaging experience between planners and the public. Optional inputs include demographic data, transportation network characteristics, land use, water use, and jobs. Outputs include VMT and GHG. The user-friendly, interactive interface was designed to invite community members step up during public meetings, enter their own preferences, and then model and display the results in real-time, using with 3-D visualizations, charts, and maps.

URL: <http://placeways.com/communityviz/>

Documentation:

<http://placeways.com/communityviz/resources/downloads/items/WhitePaperIndicators2011.pdf>

Name: Transportation Impacts of Mobility Management Strategies (TRIMMS)

Developer: United States Environmental Protection Agency (U.S. EPA), Center for Urban Transportation Research, University of South Florida

Year: 2012

Accessibility: Free, spreadsheet software (e.g. Microsoft Excel) required

Description: Using constant elasticities of demand, TRIMMS predicts VMT and GHG changes brought about by the application of several mitigation strategies, including Smart Growth land use development, transit fare reduction, transit service enhancements, and parking pricing. TRIMMS also estimates GHG emissions.

URL: <http://www.nctr.usf.edu/abstracts/abs77805.htm>

Documentation: <http://ntl.bts.gov/lib/43000/43600/43635/77932-final.pdf>

Name: Emme

Developer: INRO (Canada)

Year: 2014 (version 4.1)

Accessibility: Paid

Description: Used in the United States and internationally, Emme is a desktop-based model that uses neighborhood-level household information to estimate the impacts of a variety of transportation policy and infrastructure decisions, including transit service, bicycle facilities, carpooling, and tolling. Emme is appropriate for neighborhood-level development and outputs VMT and GHG.

URL: <http://www.inro.ca/en/products/emme/index.php>

Name: I-PLACE3S

Developer: Parson Brinkerhoff, Freonese Calthorpe Associates

Year: 1996

Accessibility: Free, ESRI ArcGIS required

Description: I-PLACE3S was launched in 2002 as a web-based modeling tool commissioned by the California Energy Commission, and is appropriate for larger developments and plans. The model works by developing a comprehensive land use and transportation network for a base year, before estimating effects of the development on VMT and GHG, among other variables. I-PLACE3S has a user-friendly interface, and is currently being used in several cities across the United States.

URL: <http://www.smartcommunities.ncat.org/articles/place3s.shtml>

Documentation: <http://www.smartcommunities.ncat.org/pdf/places.pdf>

Name: Surface Transportation Efficiency Analysis System

Developer: Federal Highway Administration (FHWA), Cambridge Systematics, Inc.

Year: 1997

Accessibility: Free

Description: Though STEAM requires substantial base year data; it is well suited for exploring many VMT mitigation strategies in a sub-region or along a corridor. Inputs include baseline vehicle occupancy, trip length, and population as well as several elasticities. Outputs include VMT and GHG.

URL: <https://www.fhwa.dot.gov/steam/products.htm>

Documentation: <https://www.fhwa.dot.gov/steam/20manual.htm>

Name: Urban Footprint

Developer: Calthorpe Associates

Year: 2012

Description: Developed for the Vision California process, this web-based tool allows users to estimate VMT and GHG at a large site or neighborhood scale. Urban Footprint also outputs land consumption, fiscal impact (household and government), household resource use, and public health. Within California, Urban Footprint is currently being used by the Sacramento Area Council of Governments (SACOG), San

Diego Association of Governments (SANDAG) and the Southern California Association of Governments (SCAG).

URL: http://www.calthorpe.com/scenario_modeling_tools

Documentation: <http://www.calthorpe.com/files/UrbanFootprint%20Technical%20Summary%20-%20July%202012.pdf>

Name: UrbanSim

Developer: Synthicity

Year: 2014 (ongoing open source improvements)

Accessibility: Free, ESRI ArcGIS required

Description: UrbanSim is an open-source transportation and land use scenario-planning tool, which can model VMT and GHG, among many other outcomes. The Metropolitan Transportation Commission (MTC) applied UrbanSim to forecast its Plan Bay Area outcomes. Modeling site and neighborhood development with UrbanSim is most feasible if the surrounding region already uses UrbanSim.

URL: <http://www.urbansim.org/Main/UrbanSim>

Documentation: <https://github.com/synthicity/urbansim/wiki>

Name: EPA Mixed-Use Development (MXD) Model

Developer: United States Environmental Protection Agency (U.S. EPA)

Year: 2007

Accessibility: Free, spreadsheet software and ESRI ArcGIS required

Description: The MXD Model is a spreadsheet tool designed to model VMT production from project sites and neighborhoods that apply Smart Growth principles. The model must integrate with a desktop GIS application, and for inputs, it requires household and employment characteristics, intersection density, and transit availability.

URL: http://www.epa.gov/smartgrowth/mxd_tripgeneration.html

Name: MXD+ / Plan+ / TDM+ Toolkit

Developer: Fehr and Peers

Year: 2013

Accessibility: Paid

Description: These proprietary tools build on the EPA MXD model, estimating VMT for site and neighborhood-scaled development. MXD+ adjusts trip generations rates downward for mixed use development. Plan+ introduces new land use mitigations (parking pricing, connection to transit, bicycle parking) to estimate further reductions. TDM+ models the effects of the CAPCOA Guideline mitigations.

URL: <http://asap.fehrandpeers.com/tools/sustainable-development/plan>

Name: CUTR_AVR

Developer: Federal Highway Administration (FHWA)

Year: 1999

Accessibility: Free

Description: The CUTR_AVR model is ideal for large office developments with 100 or more employees with innovative TDM programs. The model estimates the mode share and ridership effects of the TDM programs, which can be input into other models to estimate VMT and GHG. The model is based on a dataset including 7,000 employer TDM programs from three metropolitan areas in Arizona and California.

Information:

http://www.fhwa.dot.gov/environment/air_quality/conformity/research/transportation_control_measures/emissions_analysis_techniques/descriptions_cutr_avr.cfm

Download: <http://www3.cutr.usf.edu/tdm/registercutravr.htm>

Documentation: <http://www3.cutr.usf.edu/tdm/pdf/CUTRAVR.PDF>

Name: National Energy Modeling System (NEMS): Transportation Sector Module (TSM)

Developer: United States Department of Energy (DOE) Energy Information Administration

Year: 2001

Accessibility: Free

Description: This model focuses exclusively on the impact of changes in the vehicle fleet on VMT and GHG. Input data includes the vehicle fleet (personal, transit, and freight), fuel prices, fuel economy, passenger miles, population, income, and changes in costs and income.

URL: <http://www.eia.gov/bookshelf/models2002/tran.html>

Documentation: <http://www.eia.gov/FTPROOT/modeldoc/m0702001.pdf>

Name: VMT Impact Tool

Developer: California Air Resources Board (CARB)

Year: 2014

Accessibility: Free, spreadsheet software (e.g. Microsoft Excel) required

Description: This spreadsheet tool calculates the effect of changes in seven factors on VMT: pricing, transit utilization, job access, activity mix, active mode share, road network connectivity, and mixing of uses. It does not calculate absolute VMT quantities, but can be used to estimate the change in VMT that would result from policy changes. The results can be exported to GIS to visualize spatial relationships.

URL (Tool and Documentation): http://www.arb.ca.gov/research/single-project.php?row_id=64861

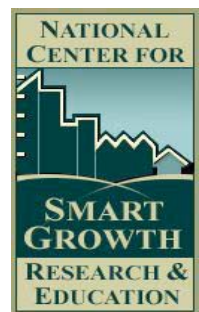
EXHIBIT

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Growing Cooler: The Evidence on Urban Development and Climate Change

Reid Ewing, Keith Bartholomew, Steve Winkelman,
Jerry Walters, and Don Chen

with Barbara McCann and David Goldberg



This new book documents how key changes in land development patterns could help reduce vehicle greenhouse gas emissions. Based on a comprehensive review of dozens of studies by leading urban planning researchers, the book concludes that urban development is both a key contributor to climate change and an essential factor in combating it. The authors make the case that one of the best ways to reduce vehicle travel is compact development: building places in which people can get from one place to another without driving. This includes developments with a mix of uses and pedestrian-friendly designs. Changing demographics, shrinking households, rising gas prices, and lengthening commutes are contributing to the demand for smaller homes and lots, townhouses, and condominiums near jobs and other activities. Current government policies and regulations encourage sprawling, auto-dependent development. The book recommends changes that can be made to make green neighborhoods more available and more affordable.

Urban Planning, approximately 60 pages, 6 x 9 Paper, \$19.95 (CAN \$23.95) 978-0-87420-082-9

Publication Date: October 2007

Publisher: Urban Land Institute

Publicity Contact: Patricia Riggs (202) 624-7086 E-mail: priggs@uli.org

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Growing Cooler: The Evidence on Urban Development and Climate Change

Reid Ewing, Keith Bartholomew, Steve Winkelman,
Jerry Walters, and Don Chen

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The policy recommendations presented in this book do not necessarily reflect the opinions of the Urban Land Institute.

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The mission of the Urban Land Institute is to provide leadership in the responsible use of land and in creating and sustaining thriving communities worldwide. ULI is committed to

- Bringing together leaders from across the fields of real estate and land use policy to exchange best practices and serve community needs;
- Fostering collaboration within and beyond ULI's membership through mentoring, dialogue, and problem solving;
- Exploring issues of urbanization, conservation, regeneration, land use, capital formation, and sustainable development;
- Advancing land use policies and design practices that respect the uniqueness of both built and natural environments;
- Sharing knowledge through education, applied research, publishing, and electronic media; and
- Sustaining a diverse global network of local practice and advisory efforts that address current and future challenges.

Established in 1936, the Institute today has some 38,000 members in over 90 countries, representing the entire spectrum of the land use and development disciplines. ULI relies heavily on the experience of its members. It is through member involvement and information resources that ULI has been able to set standards of excellence in development practice. The Institute has long been recognized as one of the world's most respected and widely quoted sources of objective information on urban planning, growth, and development.

About the Authors

Reid Ewing is a research professor at the National Center for Smart Growth, University of Maryland; an associate editor of the *Journal of the American Planning Association*; a columnist for *Planning* magazine; and a fellow of the Urban Land Institute. Earlier in his career, he served two terms in the Arizona legislature, analyzed urban policy issues at the Congressional Budget Office, and lived and worked in Ghana and Iran.

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Steve Winkelman is director of the Transportation Program at the Center for Clean Air Policy (CCAP). He coordinated transportation analyses of climate change plans for New York and several other states, culminating in the *CCAP Transportation Emissions Guidebook*, which quantifies savings from 40 transportation policies. In February 2007 Steve launched a national discussion, "Linking Green-TEA and Climate Policy," to craft policy solutions that address travel demand.

Jerry Walters is a principal and chief technical officer with Fehr & Peers Associates, a California-based transportation planning and engineering firm. He directs integrated land use/transportation research and planning for public entities and real estate development interests throughout the United States and abroad.

Don Chen is the founder and executive director of Smart Growth America (SGA) and has worked for the Surface Transportation Policy Project, the World Resources Institute, and the Rocky Mountain Institute. He has been featured in numerous news programs and publications; has lectured in North America, Europe, Australia, and Asia; and has written for many magazines and journals, including "The Science of Smart Growth" for *Scientific American*.

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Reid Ewing
College Park, Maryland

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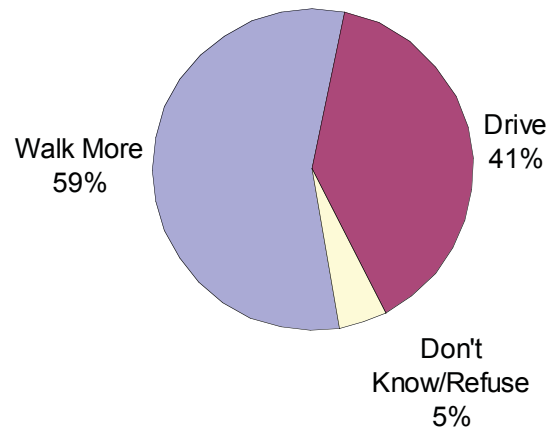
8. Conclusion

References

Figure 1-15 Americans Want to Walk More*

Source: Belden Russonello & Stewart 2003.

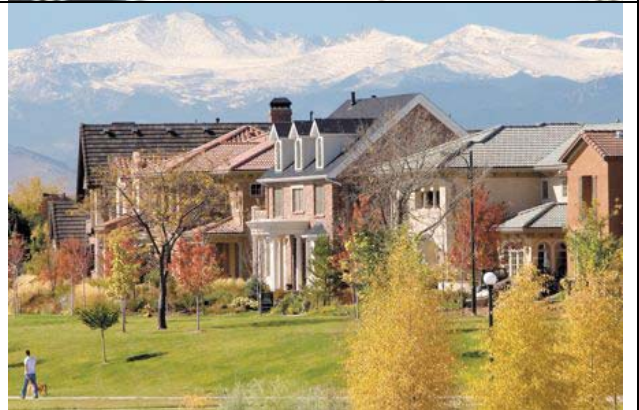
*The question was: Please tell me which of the following statements describe you more: A) If it were possible, I would like to walk more throughout the day either to get to specific places or for exercise, or B) I prefer to drive my car wherever I go?



1.6 And a Perfect Storm in Urban Planning

Yet another perfect storm is brewing in the land use and transportation planning fields. Although it is much less intense, this storm is swirling in the same direction as the ones in climate policy and consumer preferences. The urban planning field has been overtaken by movements promoting alternatives to conventional auto-oriented sprawl. Planners now advocate urban villages, neotraditional neighborhoods, transit-oriented developments (TODs), mixed-use activity centers, jobs/housing balance, context-sensitive highway designs, and traffic calming.

Alternative models of land development are everywhere. A 2003 listing shows 647 new urbanist developments in some state of planning or construction (New Urban News 2003), even though the new urbanist movement began only 12 years earlier. *Transit-Oriented Development in the United States: Experiences, Challenges, and Prospects* identifies 117 TODs on the ground or substantially developed as of late 2002 (Cervero et al. 2004). The first TOD guidelines were issued about a decade earlier. In 2004, there were more than 100 lifestyle centers (open-air shopping centers fashioned after main streets) in the United States, a 35 percent increase from 2000 (Robaton 2005). The U.S. Green Building Council's new rating and certification system for green development, LEED (Leadership in Energy and Environmental Design) for Neighborhood Development, generated 370 applications from land developers, many more than expected by the program sponsors.

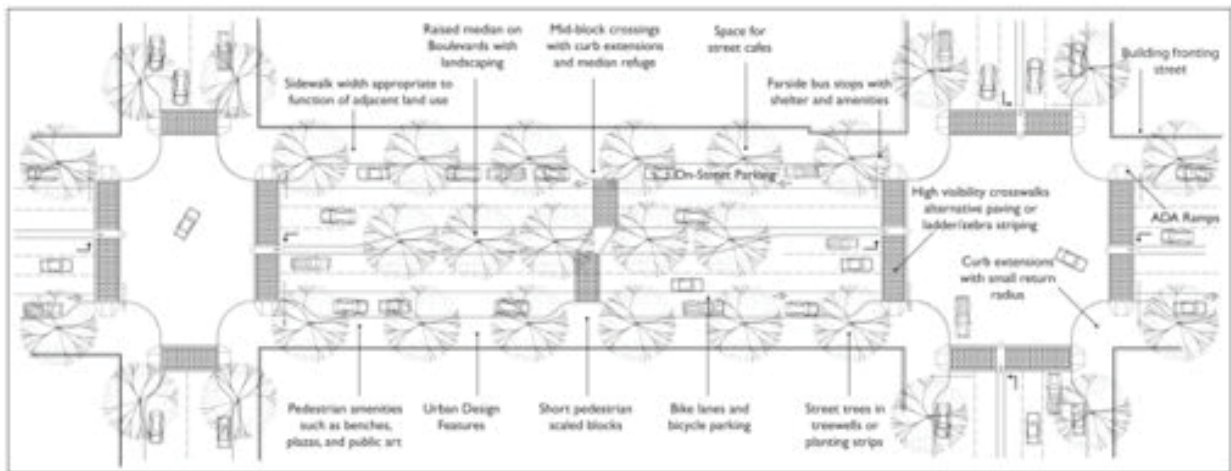


This series of photographs illustrates alternative models of land development. Top left: Southern Village, a new urbanist village in North Carolina; top right: transit-oriented development in Bethesda, Maryland; middle left: CityPlace, a lifestyle center in West Palm Beach, Florida; middle right: infill/redevelopment (so-called "refill") in St. Paul, Minnesota; bottom left: green development in Prairie Crossing, Illinois; bottom right: Stapleton, a "new town in town" in Denver, Colorado.

Recognizing the unsustainable growth in driving, the American Association of State Highway and Transportation Officials, representing state departments of transportation, recently called for VMT growth to be cut by half during the next 50 years (AASHTO 2007). Such unlikely allies as the Institute of Transportation Engineers and the Congress for the New Urbanism have teamed up to develop new context-sensitive street standards for walkable communities (see the illustration below). At the local level, several hundred traffic-calming programs have been created in the past decade; the term traffic calming was not even used in the United States until the mid-1990s (Ewing, Brown, and Hoyt 2005).

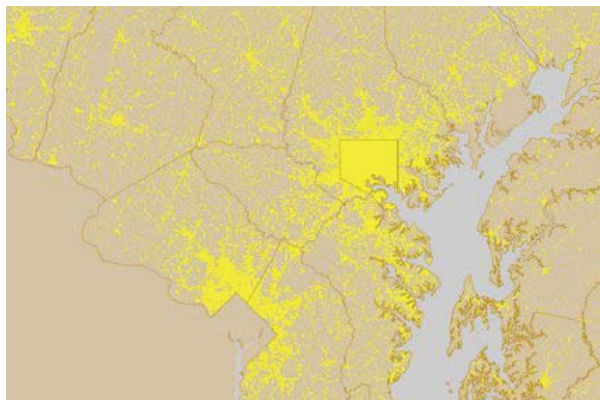
Elements of a context-sensitive urban highway.

Kimley-Horn and Associates et al. 2006



Loss of farmlands and natural areas—and the public benefits they provide—are behind a number of planning initiatives. The Maryland Smart Growth Program was motivated primarily by the rate at which the urban footprint was expanding into resource areas (see Figure 1-16). Nationally, most urbanized areas have seen their land area expand several times faster than their population (Fulton et al. 2001).

Figure 1-16 Parcel Development in Maryland, 1900 to 1960 (left) and 1961 to 1997 (right)



Fiscal constraints at the state and local levels are prompting governments to look for less expensive ways to meet infrastructure and service needs. Compact growth is less expensive to serve than sprawl, by an estimated 11 percent nationally for basic infrastructure (Burchell et al. 2002). The per capita costs of most services decline with density and rise as the spatial extent of urbanized land area increases (Carruthers and Ulfarsson 2003). The Envision Utah scenario planning process resulted in the selection of a compact growth plan that will save the region about \$4.5 billion (17 percent) in infrastructure spending compared with a continuation of sprawling development (Envision Utah 2000). A major impetus for growth management is the desire to hold down public service costs.

The U.S. obesity epidemic and associated mortality, morbidity, and health care costs have added to the momentum for walkable communities. Circa 2000, a new collaboration between urban planning and public health advocates, began under the banner of active living. Out of this came the Active Living by Design Program of the Robert Wood Johnson Foundation, the Active Community Environments initiative of the Centers for Disease Control and Prevention (CDC), numerous Safe Routes to School programs, and dozens of Mayors' Healthy City initiatives. A recent literature review found that 17 of 20 studies, all dating from 2002 or later, had established statistically significant relationships between some aspect of the built environment and the risk of obesity (Papas et al. 2007).

Figure 1-17 National Opinion Poll Results

Source: Belden Russonello & Stewart 2000.

Public support for smart growth policies appears to be strong and growing (Myers 1999; Myers and Puentes 2001; American Planning Association 2002; Kirby and Hollander 2005). In a 2000 national survey, a majority of respondents favored specific policies under the general heading of smart growth (see Figure

1-17). In the 2000 election, 553 state or local ballot initiatives in 38 states focused on “issues of planning or smart growth” and high percentages passed (see Figure 1-18). In 2004, voters approved 70 percent of ballot measures supporting public transit and rejected three out of four ballot initiatives on “regulatory takings” that could have significantly crimped planning efforts (Goldberg 2007).

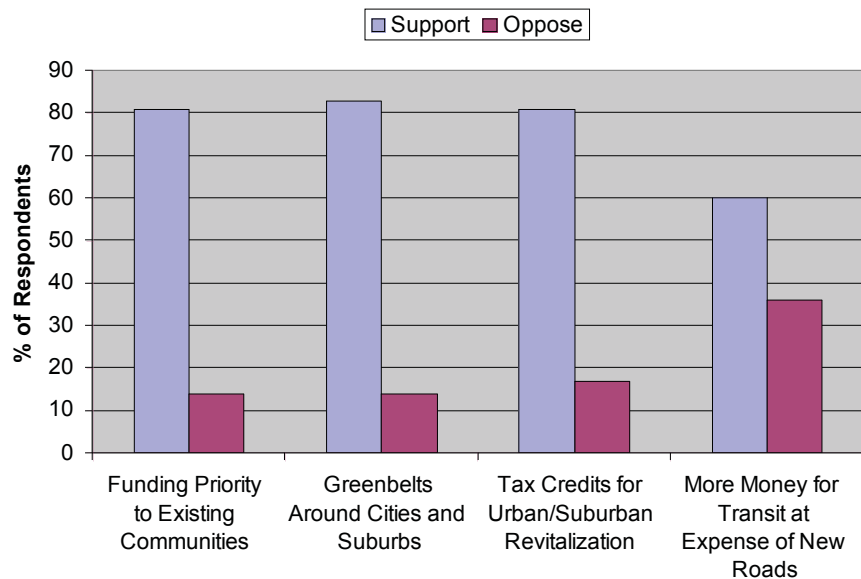
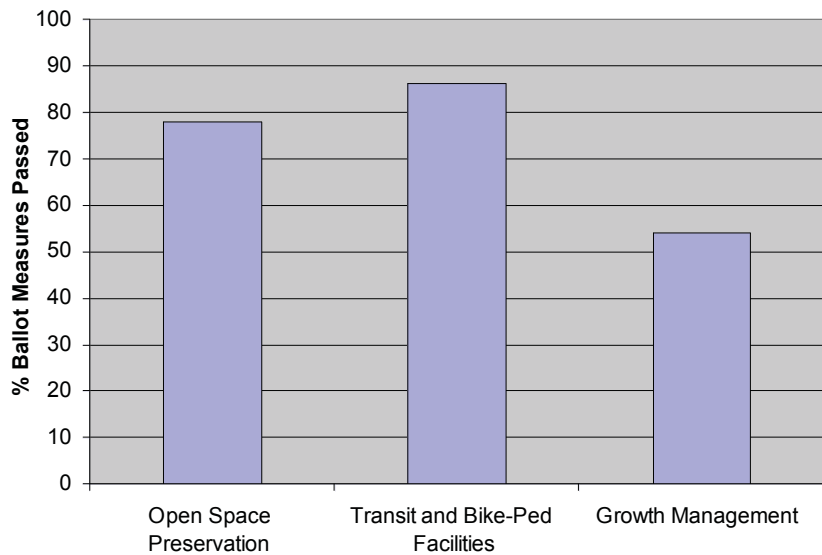


Figure 1-18 State and Local Ballot Measures Passed, 2000 Election

Source: Myers and Puentes 2001.

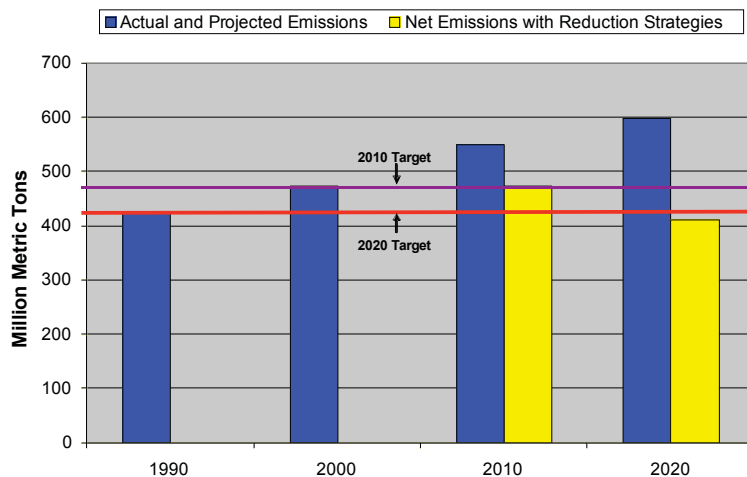


1.7 The Impact of Compact Development on VMT and CO₂ Emissions

California’s landmark Global Warming Solutions Act of 2006 (AB 32) calls for restoring California’s GHG emissions to 1990 levels by 2020, a 25 percent reduction relative to current emissions (see Figure 1-19). AB 32 also requires the Air Resources Board (ARB) to identify a list of “discrete early action greenhouse gas reduction measures.” Once on the list, these measures are to be developed into regulatory proposals, adopted by the ARB, and made enforceable by January 1, 2010.

Figure 1-19 California’s Projected GHG Emissions and Targets

Source: Climate Action Team 2007.



Pursuant to the act, the ARB released *Proposed Early Actions to Mitigate Climate Change in California* (ARB 2007). At the same time, the California Environmental Protection Agency’s Climate Action Team recommended 21 additional

actions for which GHG emission reductions have been quantified (Climate Action Team 2007). Of all the actions on the original list, those expected to achieve the second-largest reduction (originally 18 million metric tons per year CO₂ equivalent by 2020, since lowered to 10 million metric tons) fell under the heading of “smart land use and intelligent transportation.” No details

EXHIBIT

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> [caltrain.com](#) > About Caltrain > Media Relations > News > Caltrain Reveals All-time High Annual Ridership Numbers

Caltrain Reveals All-time High Annual Ridership Numbers

May 12, 2016

For the sixth consecutive year, Caltrain's annual ridership count confirms that more people are riding the train than ever before.

Initial findings from the [annual onboard ridership count](#) showed that the average weekday ridership (AWR) for 2016 is at an all-time high with 62,416 passengers, which is a 7.2 percent growth from 2015, an 83 percent increase since 2010 when AWR was at 34,120, and 161 percent increase since 2004 when AWR was at an all-time low of 23,947 and the Baby Bullet service was later inaugurated.

The results of the annual ridership count, which was presented to the Board of Directors at its monthly meeting on Thursday, May 5, provides a snapshot of Caltrain that can be used to plan future service improvements, allocate resources to address capacity issues and validate revenue-based ridership estimates.

The count, a physical head count of riders, is typically conducted in late January and February when there are fewer holidays and special events that could skew ridership numbers. Weekdays, every rider on every train is counted for one week and averaged over five weekdays. Weekends, riders on every train were counted for one weekend. However, this year's count was suspended for special events in February including 10 days during Super Bowl 50 week and construction activities, such as the Santa Inez Bridge Replacement and bus bridge in San Mateo. Counts resumed at the end of February and continued through mid-March.

Average weekday rider numbers vary widely throughout the year with Caltrain's peak season for ridership picking up in summer and may last through the fall. Based on current trends, the agency expects to continue to see those numbers climb through the coming year.

Most riders continue to travel during peak commute hours, with a 9.6 percent increase growing from 29,143 riders in 2015 to 31,948 in 2016. Caltrain also saw a 3.8 percent spike in reverse peak riders, from 18,842 last year to 19,564 this year.

The 10 most popular train stations are still in the top 10 with San Francisco coming in at number one and Palo Alto remaining in the number two spot. The San Jose Diridon and Mountain View stations are now third and fourth respectively, and the Redwood City and Millbrae stations, now fifth and sixth respectively, switched rankings. Sunnyvale, Hillsdale, San Mateo and Menlo Park are the remaining stations on the top 10 list.

When comparing ridership by county, Santa Clara County has the highest average weekday ridership with 26,518; San Mateo County has the second-most at 19,160 and San Francisco has 16,767. Ridership also increased on the Gilroy extension, which includes the Capitol, Blossom Hill, Morgan Hill, San Martin and Gilroy stations, up 12.7 percent since last year.

There is continued growth for all train travel time with the most growth for Baby Bullet service trains. Overall, the average weekday trip length for 2016 is 22.8 miles, which is slightly higher than 22.7 in 2015.

Overall, weekend ridership service increased by 5.3 percent, growing from 26,241 riders last year to 27,634 this year.

For the fifth year, the number of bike riders that were not able to board the train due to overcrowding also was counted. Results show that bike ridership decreased by 11.1 percent this year, with 5,520 riders bringing bikes on Caltrain on an average weekday. The rain this winter season, the most in the past several years, likely had an impact on the bicycle counts. On the days and trains that the count was conducted, 118 bikes were denied boarding due to a lack of capacity in the bike car, while a total of approximately 29,130 riders

with bikes boarded the train. At the beginning of April, Caltrain added a third bike car to its Bombardier-style train sets, increasing onboard bike capacity from 48 to 72 bikes.

Caltrain will continue to analyze the data and review the allocation of the six-car train sets to address onboard capacity issues. Future service planning also requires use of ridership data to develop potential service scenarios to improve capacity pre- and post-electrification.

###

About Caltrain: Owned and operated by the Peninsula Corridor Joint Powers Board, Caltrain provides commuter rail service from San Francisco to San Jose, with limited commute service to Gilroy. Caltrain has enjoyed more than five years of consecutive monthly ridership increases, surpassing more than 60,000 average weekday riders. While the Joint Powers Board assumed operating responsibilities for the service in 1992, the railroad celebrated 150 years of continuous passenger service in 2014. Planning for the next 150 years of Peninsula rail service, Caltrain is on pace to electrify the corridor, reduce diesel emissions by 97 percent by 2040 and add more service to more stations.

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August 1, 2016

VIA ELECTRONIC MAIL: DMChow@menlopark.org

Deanna Chow
City of Menlo Park
Planning Division
701 Laurel Street
Menlo Park, CA 94025

Re: Draft EIR for General Plan Update

Dear Ms. Chow:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the General Plan Update. On behalf of and in partnership with Envision-Transform-Build East Palo Alto (ETB-EPA) and several of its organizational members including Youth United for Community Action (YUCA), Faith in Action – Bay Area, and El Comité de Vecinos del Lado Oeste, Community Legal Services in East Palo Alto (CLSEPA) submits this letter in response to the Notice of Availability for Public Review published on June 1, 2016. CLSEPA's mission is to provide transformative legal services that enable diverse communities in East Palo Alto and neighboring communities to achieve a secure and thriving future. CLSEPA's housing program strives to preserve decent and affordable housing for low- and moderate-income residents. As a local agency with a focus on housing related issues and a client population living around the M-2 area, CLSEPA has participated in the ConnectMenlo process for the past year. We submitted a comment to the NOP of the DEIR on July 20, 2015 and have attended and participated in many GPAC and other city meetings since that time. Similarly, ETB-EPA, as a coalition of nonprofit, community and faith-based organizations, residents, architects, planners and youth, has worked on land use, planning, and development issues in southern San Mateo County for over 10 years. ETB-EPA was an active participant and respondent in the Facebook/1601 Willow Road East Campus and 312-314 Constitution Drive West Campus EIR process in 2011-12 and remains extremely interested and highly engaged in the present ConnectMenlo process. We now present our comments for your consideration and response.

The General Plan DEIR concludes that the proposed Project plus cumulative projects, including the Facebook Expansion, could create 22,350 jobs, while increasing population by 17,450 and housing stock by 6,780 units over the next 24 years. Housing and employment are among the most important factors that will determine the General Plan's environmental impacts. The levels of impact on traffic, air quality, greenhouse

gases and other impacts will be determined by the level of affordability of the homes planned for the area, the wages of new jobs, and the displacement of lower-income families.

Full and accurate environmental review is essential to ensure that the public and decision-makers have all the information before making choices about the direction of the General Plan. After review, it is clear that the DEIR does not comport with CEQA because it fails to analyze significant environmental impacts of the Project on population and housing, traffic and transportation, greenhouse gas emissions and water. The DEIR also fails to propose adequate measures to assess and mitigate the cumulative impacts of the Project. As a result of this inadequate analysis of impacts, the DEIR omits a legally adequate consideration and adoption of mitigation measures.

As detailed below, we highlight the following areas in which the DEIR analysis is deficient under the California Environmental Quality Act (CEQA):

1. The DEIR does not properly analyze displacement of people,
2. the DEIR does not properly analyze cumulative impacts,
3. the DEIR does not analyze how the mismatch between timing of commercial development and housing construction would greatly exacerbate environmental impacts,
4. the DEIR does not account for indirect job growth,
5. the DEIR does not properly analyze vacancy rate,
6. the DEIR does not properly analyze employees per household,
7. the DEIR's analysis of Vehicle Miles Traveled is insufficient because it does not account for indirect job growth and disaggregation of employees by income,
8. the DEIR does not account for environmental impacts on neighboring communities, *and*
9. the DEIR does not study or adopt adequate mitigation measures to address significant impacts that are identified and that would be identified through proper analysis.

O11-1
(cont.)

The City of Menlo Park has repeatedly asserted over the past several years its desire to formulate a General Plan and M-2 area update that will provide opportunities for existing residents and newcomers. A complete and legally sufficient environmental review process is essential to meeting these goals. We provide these comments in hopes that the City will reexamine its analysis and provide supplemental findings to provide full and accurate information for the public and decision-makers. We continue to desire to work cooperatively with the City to achieve the best results for the residents of Menlo Park and for the environment.

To fulfill its fundamental purpose, an EIR must “identify and focus on the significant environmental effects of the proposed project,” including “changes induced in population distribution, population concentration, [and] the human use of the land (including commercial and residential development). . . .” 14 CCR §15126.2(a); see also Pub. Res. Code §21002.1(a).

O11-1
(cont.)

The following discussion identifies several areas in which the DEIR does not provide full and accurate analysis of changes in population and housing, employment, and traffic and greenhouse gas emissions, and therefore does not give the public and decision-makers sufficient information on which to analyze the Project’s environmental effects.

I. The DEIR Fails to Properly Analyze Displacement of People

The DEIR concludes that implementation of the proposed Project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. DEIR at 4.11-20. The complete analysis states that:

“development under the proposed project would result in 14,150 new residents, 5,500 new housing units, and 9,900 new jobs in the study area, which would occur incrementally over a 24-year build out period. There are no plans for removal of existing housing under the proposed project, thus displacement of people would not occur. Therefore, the construction of replacement housing elsewhere would not be warranted and the impact would be less than significant.” *Id.*

This DEIR’s displacement analysis is inadequate because it ignores indirect displacement, i.e., displacement of mostly lower income families that occurs when property values and rents increase due to a new influx of higher wage earners. The General Plan update envisions extremely significant development in terms of office space, housing development and community amenities. The General Plan update would involve new services to be located in Belle Haven and/or the surrounding M-2 area. These services include a grocery store, pharmacy, a hotel and bar, a bayshore pedestrian and bicycle flyover, and bike paths that do not currently exist in the area. The implementation of these services, which the community desires, along with the 6,550 jobs proposed by the Facebook Expansion Project, will surely result in increased demand for housing both from Facebook workers and other workers employed at local tech and R&D companies envisioned through this General Plan process. This substantial increase in demand will foreseeably lead to an increase in rental prices that will displace lower-income tenants. The DEIR analysis is insufficient because it lacks even a conservative analysis of how this increase in jobs and amenities will increase housing demand in the immediate area. In addition, low-income families will suffer the brunt of an exacerbated

O11-2

housing crunch. Increased demand without appropriate mitigating measures (e.g., creation and preservation of affordable housing) will lead to displacement of low-income families that will have significant environmental impacts. As noted here and discussed in more detail below, a lack of affordable housing and displacement will impact commuting patterns and air quality and greenhouse gas emissions. Longer commutes by families displaced and/or unable to afford to live near their employment will have significant environmental impacts.

The General Plan provides aspirational language about the creation of affordable housing¹, but the commitment to policies that will actually require affordable housing creation is uncertain. Moreover, DEIR fails to analyze how much affordable housing is required to offset the environmental impacts of displacement, especially displacement of lower-income families, which makes it impossible to know whether the housing goals contained in the Plan are of sufficient magnitude and targeted to the appropriate income levels. To properly address these potential impacts, the DEIR should analyze how implementation of the Project will create market pressures that might displace people and thereby necessitate replacement housing. Specifically, this analysis should include a discussion of the Project’s impact on the availability of affordable housing in relation to the jobs created by the Project. As discussed below, this also requires a discussion of the proposed timelines with respect to anticipated job growth and residential growth, and should include robust discussion of mitigation measures related to this timing.

**O11-2
(cont.)**

In addition, we note that the General Plan DEIR’s analysis is insufficient because it fails to disaggregate new employees by income. As a result, the analysis does not provide insight as to impacts on the environment. If affordable housing construction and preservation is insufficient to house current lower-income residents and new lower-wage workers, significant impacts on the physical environment may occur from transit.

O11-3

Last, the Project Description defines the “full” development potential for the 2040 horizon year as 4.1 million square feet of office space, 9,900 new employees, 5,500 residential units and 14,150 new residents. DEIR at 3-30. Yet this “full” development potential definition in the General Plan specifically excludes the 6,550 new jobs proposed in the separate Facebook Expansion Project, a project that plans for 0 new housing units but that states it will induce need for 3,638 units (a very large figure that nonetheless incorrectly under-states the real need). *See* Facebook DEIR at 3.12-10 & 3.12-11 n. 32.

O11-4

¹ General Plan Goal H-4 envisions efficient land use “to meet housing needs for a variety of income levels,” and Policy H-2.3 states that “[t]he City will also encourage limited equity cooperatives and other innovative housing proposals that are affordable to lower income households.”

The Facebook Expansion Project DEIR notes that the General Plan proposal for 4,500 new housing units will help provide for the housing need created by that project. If this is true, fewer units will be left to accommodate housing need created by implementation of the General Plan Project itself. In other words, these two environmental review documents rely on each other in a circular fashion that results in a dramatic understatement of new housing need and over-estimation of the availability of new housing to meet that need. This will exacerbate indirect displacement effects and the resultant environmental impacts. To give the public a fair and accurate view of the potential environmental impacts of the Project, the DEIR should analyze its projections for housing units needed in light of the Facebook Expansion project.

O11-4
(cont.)

II. The DEIR Fails to Properly Analyze the Cumulative Impacts of the Project

CEQA requires the lead agency to analyze and mitigate a Project's potentially significant cumulative impacts. CEQA defines cumulative impacts as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." CEQA Guidelines Section 15355; *see also Communities for a Better Env't v. Cal. Res. Agency* (2002) 103 Cal.App.4th 98, 120. With respect to cumulative growth, the DEIR projects increases in employment that far outpace increases in number households/population. The DEIR projections also far exceed current ABAG projections: they predict that population and the number of households will each increase by 53% by 2040, in comparison to ABAG's projection of 15% population growth and 13% household growth. In addition, the general plan expects that the number of employees will increase by 73%, whereas ABAG projects that number to increase by only 13%.

O11-5

The DEIR admits that, cumulatively, "impacts related to exceeding regional growth without adequate regional planning would be *significant*." The DEIR attempts to assure the reader that the disparity between the general plan's growth projections and the ABAG projections will be resolved when "regional forecasts ... [are] updated to take into account the new growth potential for Menlo Park." This ignores the legal standard, however, as some theoretical future revision to regional growth projections does nothing to illuminate the environmental impacts of that new growth. Menlo Park's DEIR cannot avoid analysis of cumulative impacts on this basis.

First, for the DEIR to conclude that all will be well because ABAG will update its numbers to reflect the general plan avoids analysis of the absolute disparity between job creation and population/households increase. This absolute disparity must be studied so that the public and decision-makers can have full opportunity to understand and weigh in on the potential environmental impacts of the project. In particular, the General Plan's

growth figures would exacerbate the jobs-housing imbalance by increasing employment by 73%. The DEIR should study and account for housing need based on that absolute increase in employment. The DEIR should include study of affordable housing need in order to mitigate the environmental impacts discussed above.

O11-5
(cont.)

Second, the assurance that the Project’s environmental impacts will not be a problem because ABAG will update its numbers reflects unsound circular reasoning that will likely mean that the impacts of this massive increase in growth would not be studied or mitigated in any city or regional EIR. The DEIR suggests that the general plan can increase its growth forecasts at will, despite conflicting with ABAG projections, because ABAG uses general plan forecasts to make their projections. But, as implied by the very discussion of ABAG projections, general plan growth forecasts use and are required to use ABAG projections. In fact, ABAG projections are meant to guide the more local planning efforts of counties and cities. If a city’s general plan can predict and prepare for growth far in excess of ABAG projections, ABAG projections would lose their utility altogether, environmental review for the regional Sustainable Communities Strategy would become meaningless, and cities would have no real restraint or requirement in their planning process.

O11-6

III. The DEIR Fails to Account for How the Mismatch between Timing of Commercial Development and Housing Construction Would Greatly Exacerbate Environmental Impacts

The DEIR plans for a timeline of 24 years, but it is already known that a significant portion of the office development discussed in the Project is proposed for 2018 and 2022, as a direct result of the Facebook Expansion Project. Meanwhile there are no guarantees or timelines given for the housing development – particularly affordable housing development – imagined by the Plan. The DEIR states:

“[g]iven the proposed project consists of a long-term policy document that is intended to guide future development activities and City actions, and because no specific development projects are proposed as part of the project, it is reasonable to assume that future development in the study area would occur incrementally or gradually over the 24-year buildout horizon (e.g., 2016 to 2040). However, while this assumption describes the long-range nature of the proposed project, it does not prohibit or restrict when development can occur over the horizon period.” *See* DEIR at 4-3.

O11-7

Even if the General Plan housing projections are met, there is no guarantee they will be met along a near-term timeline that coincides with need created by such rapid and sizeable commercial development. For example, the General Plan DEIR does not

account for the immediate housing demand that would be created by 6,550 new employees (or roughly 30% of total growth envisioned by 2040 under all cumulative projects and *more* than the 5,500 jobs envisioned by the General Plan update without the Facebook Expansion) if the Facebook Expansion Project is approved. The DEIR is inadequate because nowhere does it provide sufficient analysis of the timing of the envisioned job creation in relation to the timing of housing creation. Unless housing, and affordable housing in particular, is built at the same time that demand is generated by job growth, thousands of workers could spend decades in lengthy commutes due to the lack of locally available housing. Displacement pressures on existing low-income residents would also be extreme and unmitigated. Because the Facebook Expansion project provides for zero housing units, failure in the General Plan DEIR to analyze when job growth will occur as compared to when the residential growth will occur between now and 2040 results in a failure of the cumulative impacts analysis to address all possible environmental impacts. The General Plan EIR should account for the disproportionately high rate of population, housing, and employment increase that will likely take place in the next 2 to 6 years by incorporating concrete policies to guarantee the construction of sufficient affordable housing over that same period.

O11-7
(cont.)

Without a practical, rapid-response mechanism by which to halt or postpone commercial development if housing needs are not being met commensurate with commercial development, there is no guarantee that the commercial development envisioned by the General Plan update and analyzed in the DEIR will occur before or at the same time as housing development rather than far outpacing any such potential housing development, causing substantial and unplanned for environmental impacts, as well as displacement through the indirect mechanisms discussed above.

IV. The DEIR's failure to include the multiplier for job growth means that the environmental impacts of the Project cannot be properly analyzed

The General Plan DEIR's analysis is insufficient because it does not include discussion of the multiplier for indirect growth, that is, that for every one new high tech job about 4 new service sector jobs are created. *See* Attachment 1, "Technology Works: High-Tech Employment and Wages in the United States," Bay Area Council Economic Institute (2012), p. 25. The analysis is incomplete because it does not account for the housing needs generated by this indirect job growth. In light of the discussion above, the public and decision-makers need to have access to a reasonable estimate of the number of new jobs that would result indirectly from the Facebook Expansion project as well as other projected tech employment in order to properly analyze whether the new job growth anticipated under the General Plan Project plus cumulative development presents a full and accurate forecast. Without this information and analysis, the General Plan DEIR's conclusions regarding environmental impacts of the Project are undermined.

O11-8

V. The DEIR's Analysis of Vacancy Rate is Insufficient for Proper CEQA Analysis

The DEIR's analysis of residential vacancy rate is insufficient. First, the City relies on vacancy rate data from 2010, where ACS survey data from 2015 is readily available. The City should use the most current data practicable, both to reflect existing conditions at the time of the NOP and to avoid basing analysis on outdated information. We note that the housing market has changed dramatically since 2010, which was the low point of the foreclosure crisis. Since then, the housing market has heated up and tightened. Second, the DEIR concludes, without explaining why, that these vacancies will absorb much of the housing demand created by the Project. What remains unclear from the DEIR is whether the purportedly vacant units are available as residences and whether they can be relied on to absorb housing demand generated by the Project.

O11-9

VI. The DEIR's Analysis of Employees per Household Does Not Provide Sufficient Information for Proper CEQA Analysis

The DEIR's analysis of employees per household does not provide sufficient information to determine whether the Project proposes housing sufficient to meet project goals and mitigate displacement, traffic and greenhouse gas emission impacts. The DEIR projections and analysis rely on a calculation of 2.6 employees per housing. In contrast, we note that the Facebook DEIR assumes 1.8 employees per household. *See* Facebook DEIR at 3.12-10 & 3.12-11 n. 32 (6,550 / 1.8 persons per household = 3,638 units). Because the Facebook Expansion project is projected to rely on housing to be zoned and approved through the General Plan process, and because the Facebook Expansion project is expected to house about 30% less employees per unit than the overall General Plan anticipates, the General Plan DEIR must take into account the Facebook Expansion numbers when reviewing cumulative impacts. The DEIR should analyze its projections for housing units needed in light of the Facebook Expansion project.

O11-10

VII. The DEIR's Vehicle Miles Traveled Analysis Is Inadequate

The DEIR conclusion that Vehicle Miles Traveled ("VMT") per capita will be reduced is based on incomplete and faulty analysis. The DEIR states, "[t]he reduction in VMT per capita under the 2040 Plus Project scenario is due to the planned addition of housing in a jobs-rich area, which results in changes in tripmaking behavior, travel characteristics and resulting trip lengths." DEIR at 4.13-73. First, because the DEIR fails to disaggregate the housing needs across income, the DEIR cannot analyze whether the 2040 Plus Project scenario might actually increase VMTs per capita substantially. If lower income workers travel from afar, which is certain to result if the housing created near to their jobs is priced at levels they cannot afford, VMTs will increase. *See*

O11-11

Attachment 2, “Bay Area Workers Commuting from Edges of ‘Megaregion’”, by Erin Baldassari, The Mercury News, June 30, 2016. Second, because the DEIR fails to incorporate the multiplier effect, and for the reasons stated above, VMTs are likely much higher than estimated in the DEIR.

O11-11
(cont.)

VIII. The DEIR Does Not Account for Environmental Impacts Beyond the Borders of Menlo Park, Including Impacts on Housing and Water

The DEIR limits its analysis of Project impacts to Menlo Park. We augment our comments above to note that the City should evaluate the displacement impacts, affordable housing impacts, and environmental impacts of the Project on surrounding jurisdictions. This analysis should be included in the DEIR’s discussion to fully analyze the Project’s impacts on inducing population growth, on the need for construction of new housing due to the indirect displacement of people, and on cumulative impacts to population and housing.

O11-12

The impact on surrounding jurisdictions also includes demand for future water. The DEIR discusses future water demand but fails to adequately assess that demand by not including the future water demand needs of the Facebook Expansion project. The City of East Palo Alto will likely feel these impacts most significantly. These impacts are directly related to housing development. The housing impacts resulting from the Facebook expansion and the General Plan Update will occur in East Palo Alto (due to EPA’s proximity to the Facebook campus and the project area, and the cost of real estate in East Palo Alto relative to the salaries of Facebook and future project area employees) and those impacts will be significant. The DEIR’s failure to properly study water impacts could constrain future housing development in East Palo Alto.

In this situation where Menlo Park’s future development pattern has unintended induced housing impacts on its neighboring cities, Menlo Park would typically not have any leverage or influence over its neighboring cities to plan for, develop and construct housing, especially affordable housing. However, the City of Menlo Park and East Palo Alto are in a unique situation due to previous water allocation agreements between the City of Menlo Park, City of East Palo Alto, San Francisco Public Utilities Commission and the (now defunct) East Palo Alto County Waterworks District. East Palo Alto is unable to build additional housing without any water allocations from its water-rich neighbor.

O11-13

We note that after the East Palo Alto County Waterworks District dissolved in 2001, water allocations were transferred from East Palo Alto to Menlo Park. We are asking now, due to the impending housing impacts from the Facebook Expansion and the development envisioned in the General Plan update, that the EIR study a transfer of an

adequate amount of Menlo Park’s water allocation to East Palo Alto. Such an allocation would allow the development of homes, especially those affordable to all income spectrums from janitors and cooks all the way to C-level staff, resulting from the induced housing demand generated from the development envisioned by the General Plan and the Facebook Expansion.

Such a transfer could occur based on the following: number of residents served by the Menlo Park Municipal Water District (16,000 according to menlopark.org) and the projected million-gallons of water to be used annually by residents according to Table 6: Projected Future Water Demands of Current General Plan Buildout for Menlo Park Municipal Water District, from the Water Supply Assessment Study prepared for the City Menlo Park by Erler & Kalinowski, dated February 3, 2016:

Table 6
Projected Future Water Demands of Current General Plan Buildout for MPMWD
 Facebook Campus Expansion, Menlo Park, California

Customer Category	Projected Annual Water Demand of Current General Plan Buildout (MG) (a)				
	2020	2025	2030	2035	2040
Single Family Residential	447	438	430	425	422
Multi-family Residential	119	117	115	114	113
Commercial/Institutional	150	158	166	174	182
Industrial	315	289	264	241	221
Institutional/Governmental	86	86	87	87	88
Landscape Irrigation (b)	128	133	139	145	151
Other (Temporary Meters) (c)	3	3	3	3	3
Total Water Use	1,248	1,224	1,204	1,189	1,179
Non-Revenue Water (d)	62	62	61	61	61
Total Water Demand (e)	1,310	1,286	1,265	1,251	1,240

O11-13
(cont.)

IX. The DEIR Does Not Study or Adopt Adequate Mitigation Measures to Address Significant Impacts that are Identified and that Would Be Identified through Proper Analysis

Public agencies are required to describe and discuss mitigation measures that could minimize each significant environmental effect identified in an EIR.

Mitigation measures are “the teeth of the EIR” because “[a] gloomy forecast of environmental degradation is of little or no value without pragmatic, concrete means to minimize the impacts and restore ecological equilibrium.” *Environmental Council of Sacramento v. City of Sacramento* (2006) 142 Cal. App. 4th 1018, 1039. Such measures must be at least “roughly proportional” to the impacts of the project, and must not be remote or speculative. Indeed, a project should not be approved “as proposed if there are

O11-14

feasible mitigation measures available which would substantially lessen the significant environmental effects of the project.” Cal. Pub. Res. Code §21002; see also 14 CCR §15002(a)(3) (agencies must prevent avoidable damage “when [it] finds [mitigation measures] to be feasible”).

Here, for the reasons stated above, the environmental impacts of the Project are inadequately described in the DEIR, which makes a proper consideration of mitigation measures impossible. Moreover, mitigation measures that would address significant impacts that *are* already identified in the DEIR are not considered. These mitigation measures would include more aggressive and certain policies to create affordable housing for lower-income households in the near term, policies to allow existing low-income households to remain in their rented or owned homes, and other community stabilization policies. These mitigation measures should be studied and incorporated into the Project before it can be approved.

O11-14
(cont.)

CONCLUSION

In conclusion, we note that the General Plan update is ambitious in many ways, including in its desire to streamline future projects. Doing so requires that the City get it right, right now, regarding complex calculations. We hope that the City’s review of our comments and attachments² will elicit thoughtful consideration and responses, and we stand by willing to work with the City to develop appropriate mitigation measures to counteract the impacts we’ve discussed.

O11-15

Thank you in advance for your time and consideration,



Keith Ogden
CLSEPA

/s/

Tameeka Bennett
on behalf of ETB-EPA and YUCA

/s/

Jennifer Martinez, Ph.D
on behalf of Faith in Action-
Bay Area

/s/

Doroteo Garcia
on behalf of El Comité de Vecinos del Lado
Oeste

² We have attached two documents to our email containing our comment letter: “Technology Works: High-Tech Employment and Wages in the United States,” Bay Area Council Economic Institute (2012), and “Bay Area Workers Commuting from Edges of ‘Megaregion’”, by Erin Baldassari, The Mercury News, June 30, 2016

Technology Works:

High-Tech Employment and Wages in the United States

A Bay Area Council Economic Institute Report
commissioned by Engine Advocacy

December 2012





Engine

Acknowledgments

This report was prepared for Engine Advocacy (www.engine.is) by the Bay Area Council Economic Institute.

Ian Hathaway, Research Manager of the Economic Institute, authored the report. Patrick Kallerman of the Economic Institute provided research and analytical support.

Bay Area Council Economic Institute

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“

This study addresses an important question: how important is high-tech employment growth for the U.S. labor market? As it turns out, the dynamism of the U.S. high-tech companies matters not just to scientists, software engineers and stock holders, but to the community at large. While the average worker may never be employed by Google or a high-tech startup, our jobs are increasingly supported by the wealth created by innovators. The reason is that high-tech companies generate a growing number of jobs outside high-tech in the communities where they are located. My research shows that attracting a scientist or a software engineer to a city triggers a multiplier effect, increasing employment and salaries for those who provide local services. This study confirms and extends this finding using a broader definition of the high-tech sector. It is a useful contribution to our understanding of job creation in America today.

”

- Enrico Moretti, Professor of Economics at the University of California, Berkeley and author of *The New Geography of Jobs*

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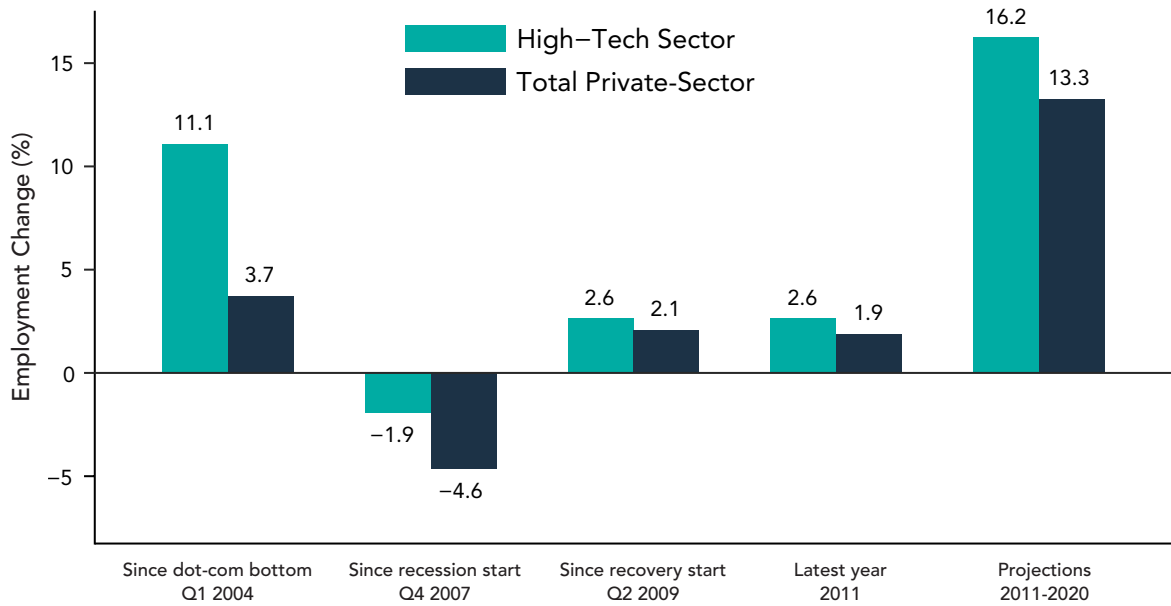
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Executive Summary

This report analyzes patterns of high-technology employment and wages in the United States. It finds not only that high-tech jobs are a critical source of employment and income in the U.S. economy, but that growth in the high-tech sector has increasingly been occurring in regions that are economically and geographically diverse. This report also finds that the high-tech sector—defined here as the group of industries with very high shares of workers in the STEM fields of science, technology, engineering and math—is an important source of secondary job creation and local economic development. The key findings are as follows:

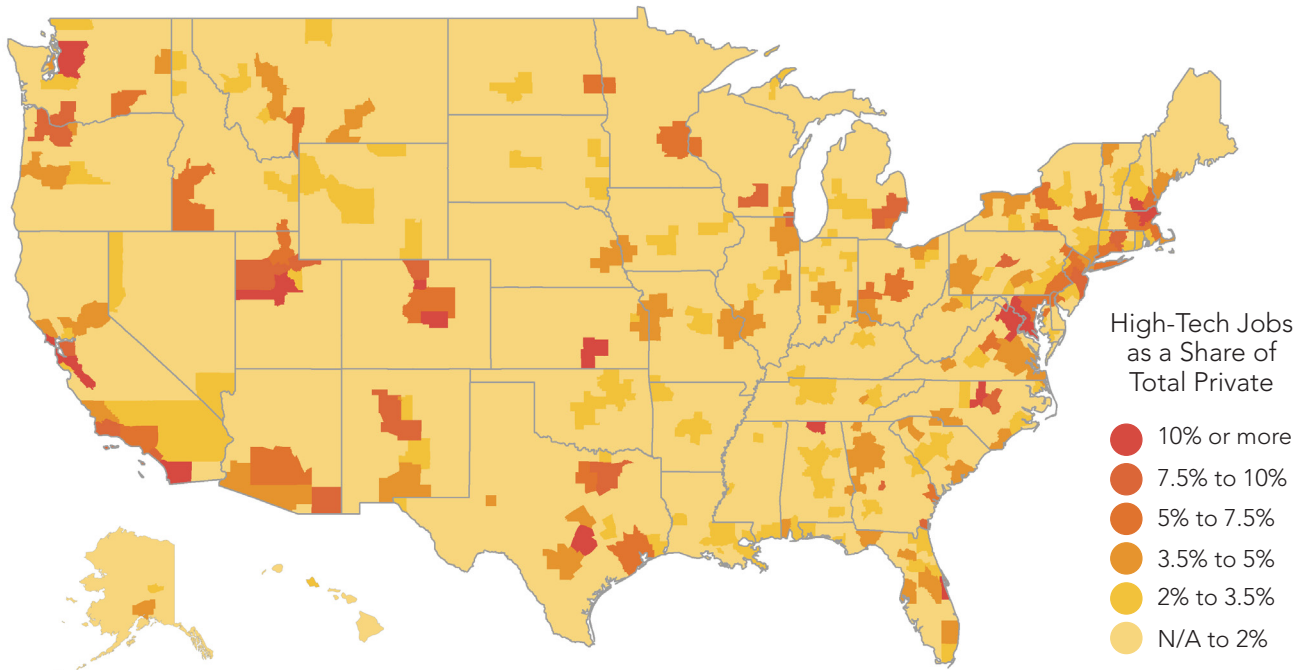
- Since the dot-com bust reached bottom in early 2004, employment growth in the high-tech sector has outpaced growth in the private sector as a whole by a ratio of three-to-one. High-tech sector employment has also been more resilient in the recent recession-and-recovery period and in the last year. The unemployment rate for the high-tech sector workforce has consistently been far below the rate for the nation as a whole, and recent wage growth has been stronger.
- Employment growth in STEM occupations has consistently been robust throughout the last decade, outpacing job gains across all occupations by a ratio of 27 to 1 between 2002 and 2011. When combined with very low unemployment and strong wage growth, this reflects the high demand for workers in these fields.
- Employment projections indicate that demand for high-tech workers will be stronger than for workers outside of high-tech at least through 2020. Employment in high-tech industries is projected to grow 16.2 percent between 2011 and 2020 and employment in STEM occupations is expected to increase by 13.9 percent. Employment growth for the nation as a whole is expected to be 13.3 percent during the same period.
- Workers in high-tech industries and STEM occupations earn a substantial wage premium of between 17 and 27 percent relative to workers in other fields, even after adjusting for factors outside of industry or occupation that affect wages (such as educational attainment, citizenship status, age, ethnicity and geography, among others).
- The growing income generated by the high-tech sector and the strong employment growth that supports it are important contributors to regional economic development. This is illustrated by the local multiplier, which estimates that the creation of one job in the high-tech sector of a region is associated with the creation of 4.3 additional jobs in the local goods and services economy of the same region in the long run. That is more than three times the local multiplier for manufacturing, which at 1.4, is still quite high.

FIGURE E1
Employment Change and Projections During Key Intervals



Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute
Note: Data excludes public sector workers, except for projections, which include them.

FIGURE E2
High-Tech Employment Concentration by Metro, 2011



Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

Introduction

One consistent bright spot in the U.S. economy has been the high-tech sector. Employment in high-tech industries has grown at a rate three times that of the private sector as a whole since early 2004, when the dot-com bust reached bottom. It has also performed better during the recent recession-and-recovery period and in the last year. The high-tech unemployment rate has consistently been well below the rate for the broader U.S. economy.

As the innovative engine of the economy, the high-tech sector is responsible for a disproportionate share of productivity gains and national income growth. Income generation is reflected in employment wages, where a typical high-tech worker earns between 17 and 27 percent more than a comparable worker in another field. This income also makes high-tech an important source of support for local services jobs and economic development in communities throughout the country.

Perhaps most important, high-tech employment has been spread broadly across the country. While some regions—such as San Francisco, Silicon Valley, Seattle, Boston and Austin—are well-known tech hubs, an investigation into the data reveals that high-tech employment exists in nearly all communities throughout the country. For example, almost 98 percent of U.S. counties had at least one high-tech business establishment in 2011. Furthermore, growth in high-tech employment is occurring in regions across the nation.

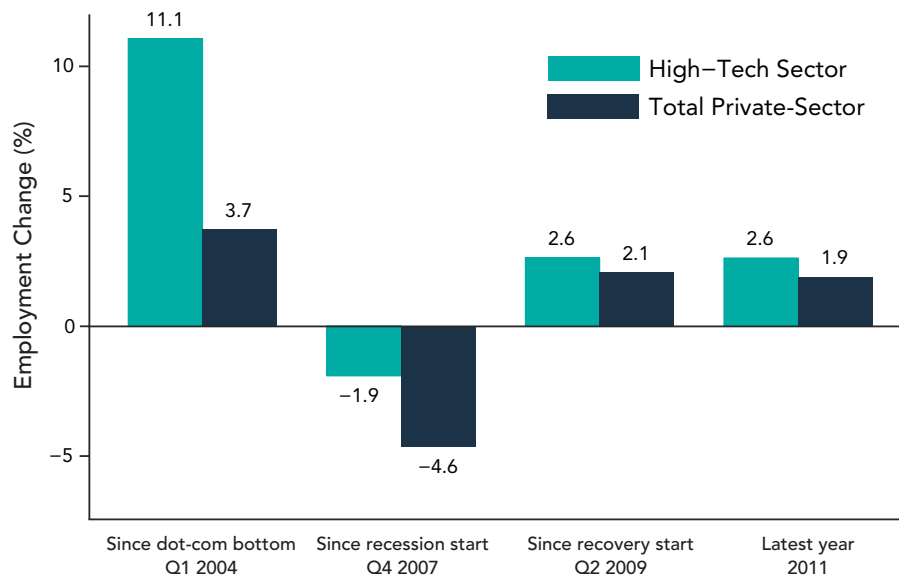
This report analyzes patterns of high-tech employment and wages in the United States. It finds not only that high-tech jobs are an important source of employment and income in the U.S. economy, but that growth in this sector has increasingly been occurring in regions that are economically and geographically diverse. This report also finds that high-tech industries are an important source of secondary job creation and local economic development.

High-Tech Industry Employment

The high-tech sector is defined here as the group of industries with very high shares of technology oriented workers—those in the STEM fields of science, technology, engineering and math. This definition includes a set of industries in what is traditionally thought of as high-tech—manufacturing and services in computers, advanced communications and electronics—as well as the medical and aerospace manufacturing, engineering services, and scientific research and development industries (see **Appendix 1**).

Figure 1 shows the percentage change in high-tech sector employment compared to total private-sector employment during several key time periods.¹

FIGURE 1
Employment Change During Key Time Periods Through 2011



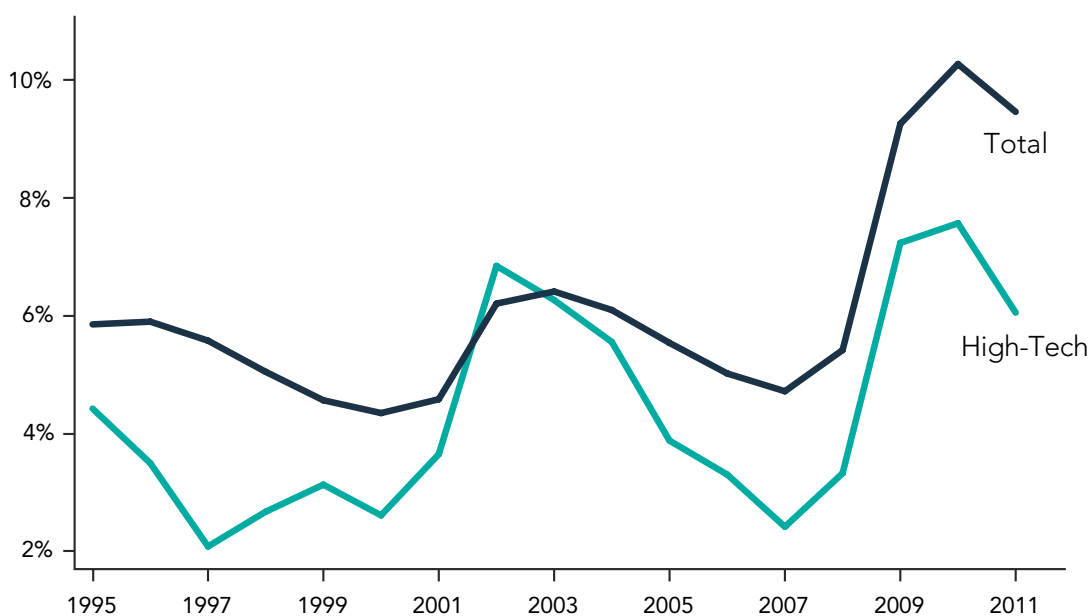
Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute
Note: Data excludes public-sector workers.

Since the bottom of the dot-com bust in early 2004, employment in the high-tech sector grew 11.1 percent—three times the 3.7 percent growth seen across the entire private sector. Jobs in the high-tech sector have fallen less since the recession began in December 2007 than have jobs across the entire private sector. They have also gained more since the recession ended in June 2009, and in 2011, the latest year the data are available.

¹ The Quarterly Census of Employment and Wages (QCEW) published by the Bureau of Labor Statistics (BLS) produces detailed industry data on business establishments, employment and wages. The data is available at the county, metro area, state and national levels. The data is based on administrative records of employer payrolls and includes nearly all non-self-employed workers in non-agricultural sectors of the economy.

The unemployment rate for the high-tech sector workforce has tended to stay far below the rate for the broader U.S. economy.² The unemployment rate in high-tech was higher than the rate across all industries in just one year between 1995 and 2011. The unemployment rate subsequently fell more quickly and to much lower levels, indicating that high-tech workers who were laid-off during the dot-com bust were able to find work with greater ease. In the most recent cycle, the unemployment rate in high-tech rose more in percentage terms than the broader U.S. rate. However, high-tech unemployment also peaked at a much lower level and has declined more rapidly since.

FIGURE 2
Unemployment Rate by Industry Group, 1995-2011



Source: U.S. Census Bureau; calculations by Bay Area Council Economic Institute

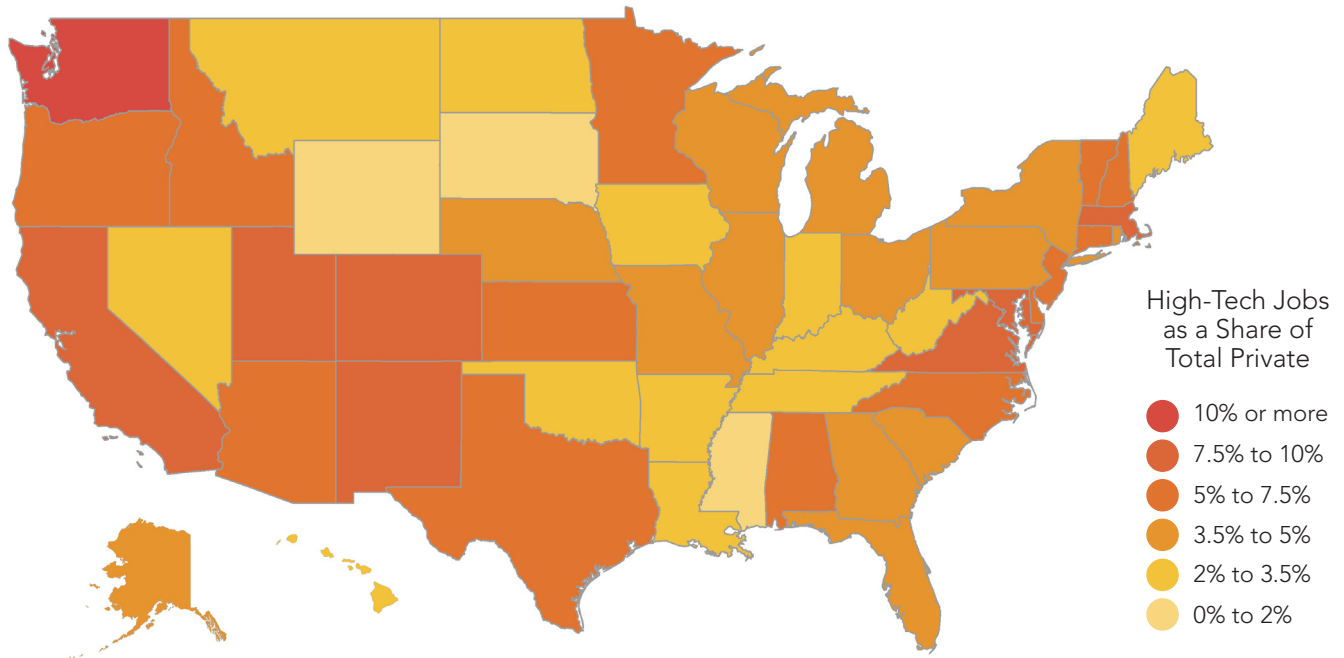
Local Employment Concentration

Some regions—such as San Francisco, Silicon Valley, Seattle, Boston and Austin—are well-known tech hubs. Others, like Huntsville, AL and Wichita, KS may come as a surprise. Identifying where high-tech employment is concentrated and where job growth in this sector is occurring is important for policymakers, because it is precisely these types of jobs that have large impacts on local economic growth.

² The unemployment rate is calculated as the number of individuals without jobs who are actively looking for work (the unemployed) as a percentage of the labor force (the unemployed plus the employed).

FIGURE 3

High-Tech Employment Concentration by State, 2011



Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

Figure 3 and Figure 4 map the share of employment in the high-tech sector across the U.S. in 2011, by state and by metro area.³ Comparison maps of high-tech employment concentrations in 1991, which show significant dispersion of high-tech jobs in the last two decades, are contained in Appendix 2. The maps here are accompanied by tables that highlight some of the regions with the greatest concentrations of high-tech employment. Detailed information on employment for each state and selected U.S. metro areas is provided in Appendix 3.

As Figure 3 shows, Western, Mid-Atlantic and some Northeastern states had the highest concentrations of high-tech employment in 2011. Washington was the highest at 11.4 percent. Massachusetts, Virginia, Maryland, Colorado and California were each above 8 percent. The high-tech employment concentration of the entire United States was 5.6 percent.

TABLE 1

Top 10 States for High-Tech Employment Concentration, 2011

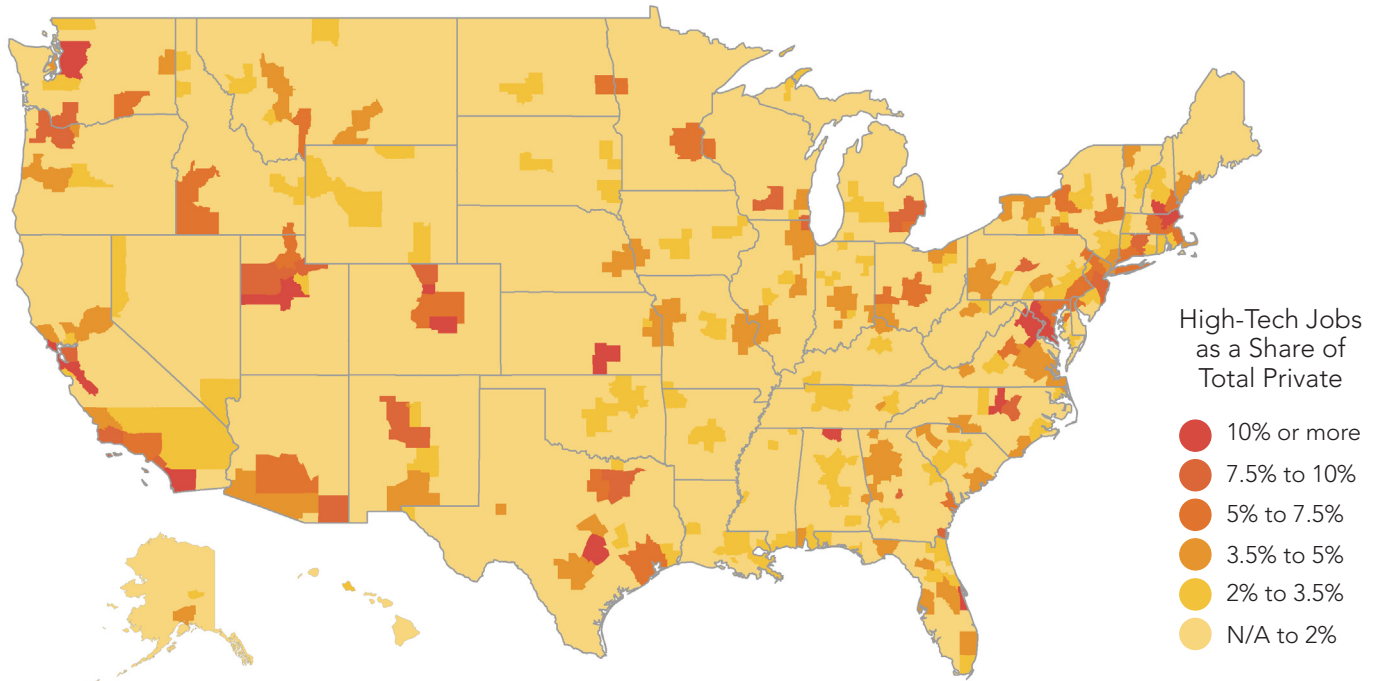
State	Tech Jobs (%)
Washington	11.4
Massachusetts	9.4
Virginia	9.3
Maryland	8.9
Colorado	8.4
California	8.2
New Mexico	7.6
Utah	7.5
Connecticut	6.9
New Hampshire	6.9
United States	5.6

Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

³ Unless otherwise noted, this report defines metros as Core Based Statistical Areas (CBSAs) and Metro Divisions (MDs) as determined by the U.S. Census Bureau and the Office of Management and Budget.

FIGURE 4

High-Tech Employment Concentration by Metro, 2011



Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

TABLE 2

Top 25 Metros for High-Tech Employment Concentration, 2011

Metro	Tech Jobs (%)	Metro	Tech Jobs (%)
San Jose-Sunnyvale-Santa Clara, CA	28.8	Austin-Round Rock, TX	10.7
Boulder, CO	22.7	Peabody, MA	10.3
Huntsville, AL	22.4	Provo-Orem, UT	10.1
Cambridge-Newton-Framingham, MA	20.3	Colorado Springs, CO	10.1
Seattle-Bellevue-Everett, WA	18.2	Oakland-Fremont-Hayward, CA	9.7
Wichita, KS	14.8	Raleigh-Cary, NC	9.6
Washington-Arlington-Alexandria, DC-VA-MD-WV	13.3	Santa Barbara-Santa Maria-Goleta, CA	8.9
Palm Bay-Melbourne-Titusville, FL	13.3	Trenton-Ewing, NJ	8.8
Bethesda-Frederick-Rockville, MD	12.6	Madison, WI	8.5
San Francisco-San Mateo-Redwood City, CA	12.2	Albuquerque, NM	8.5
Durham-Chapel Hill, NC	11.4	Lake County-Kenosha County, IL-WI	8.3
Manchester-Nashua, NH	11.3	Santa Ana-Anaheim-Irvine, CA	8.2
San Diego-Carlsbad-San Marcos, CA	11.1	United States	5.6

Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

While significant, data aggregated at the state level may obscure important insights gained by looking at local economies. **Figure 4** shows the concentration of high-tech employment at the metro area level. As the map illustrates, high-tech jobs are distributed throughout the country.

Many of the metro areas with large shares of high-tech workers will not come as a surprise. The San Jose, CA metro area, which encompasses most of Silicon Valley, had a high-tech employment concentration of 28.8 percent in 2011. The Cambridge, MA area, home of a booming tech cluster, also had a share of high-tech employment in excess of 20 percent. But so too did Boulder, CO and Huntsville, AL—places that may be less well-known as hubs of high-tech activity. Nearly 15 percent of private-sector employment in Wichita, KS was generated by high-tech.

Local Employment Growth

One might expect tech hubs to be the same places where the greatest high-tech employment growth is occurring. A deeper examination of the data, however, reveals a few surprises.

TABLE 3
Top 10 States for High-Tech Employment Growth, 2010-2011

State	Change (%)
Delaware	12.8
South Carolina	8.6
Michigan	6.9
Kansas	6.0
Washington	5.8
Texas	4.7
Ohio	4.6
North Carolina	4.3
Alabama	4.3
Colorado	4.3
United States	2.6

Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

Delaware topped the list in 2011 with high-tech employment growth at 12.8 percent. South Carolina, Michigan, Kansas and Washington each had high-tech employment growth in excess of 5 percent. Nine additional states had growth of 4 percent or more and a total of 41 states increased high-tech employment in 2011. Twenty-eight of the 50 states had high-tech employment growth outpace employment growth across the private sector as a whole.

Of the 25 metros with the greatest high-tech employment growth, just seven had high-tech employment concentrations above the national average. When taken from a smaller base, high growth in percentage terms naturally translates to fewer absolute job gains. But it is also true that because this report primarily focuses on the 150 largest U.S. metros, the annual changes are still significant and are in the thousands.⁴

⁴ It is important to note that employment and wage data in the QCEW are suppressed when the confidentiality of individual companies may be compromised. This situation typically occurs in sparsely populated regions or when fewer than four companies comprise a particular industry classification in a local economy. It can especially be the case when focusing on detailed industry classifications, as is done in this report. As a result, data for some regions is incomplete or understated. In spite of these limitations, the QCEW is a valuable and widely-used resource. A comparison of national and county data reveals that 13 percent of high-tech sector employment is suppressed in the local analyses nationwide. To mitigate these effects when measuring employment growth, this report generally focuses on the 150 metros with at least 126,000 private-sector workers on employer payrolls. In addition, data for Lancaster, Pennsylvania has also been excluded because of an obvious data suppression issue that is inconsistently applied across years and therefore skews employment growth results.

For example, the explosive growth of 36.3 percent for the high-tech sector of the Greensboro-High Point, NC metro in 2011 was achieved through the addition of nearly 2,000 jobs. Though the Greensboro-High Point metro has a relatively low concentration of high-tech jobs and therefore grew from a smaller base, the job gains seen there are non-trivial. At the other end of the concentration spectrum, the San Francisco-San Mateo-Redwood City, CA metro increased high-tech employment at an impressive rate of 20.1 percent in 2011 with the addition of more than 17,600 jobs.

Columbia, SC added more than 1,400 high-tech jobs, Dayton, OH added nearly 3,500 and Ogden-Clearfield, UT added almost 1,500. Of the five metros with the top high-tech employment growth rates, Greensboro-High Point and Columbia had relatively low concentrations of high-tech employment: both were around 2.5 percent. The Dayton, San Francisco-San Mateo-Redwood City and Ogden-Clearfield metros each had above-average concentrations of high-tech workers.

Many of the other metros with the greatest high-tech employment growth rates are spread throughout the country—in the Midwest, South, West, Northeast and along both coasts. These metros are in places known for high-skilled workforces as well as in places that are associated with industrial decay. Beyond the 25 metros in **Table 4**, 16 additional metros saw high-tech employment growth above 5 percent.

TABLE 4
Top 25 Metros for High-Tech
Employment Growth, 2010-2011

Metro	Change (%)
Greensboro-High Point, NC	36.3
Columbia, SC	28.2
Dayton, OH	24.2
San Francisco-San Mateo-Redwood City, CA	20.1
Ogden-Clearfield, UT	19.3
Lansing-East Lansing, MI	17.6
Lake County-Kenosha County, IL-WI	13.5
Wilmington, DE-MD-NJ	13.4
Beaumont-Port Arthur, TX	12.8
Deltona-Daytona Beach-Ormond Beach, FL	12.5
Boise City-Nampa, ID	11.9
Augusta-Richmond County, GA-SC	11.7
Warren-Troy-Farmington Hills, MI	10.6
Asheville, NC	10.2
Canton-Massillon, OH	10.1
Cleveland-Elyria-Mentor, OH	9.1
Evansville, IN-KY	8.8
Davenport-Moline-Rock Island, IA-IL	8.7
Fayetteville-Springdale-Rogers, AR-MO	8.6
Kansas City, MO-KS	8.4
San Antonio, TX	8.4
Harrisburg-Carlisle, PA	8.2
Spokane, WA	7.7
Tulsa, OK	7.6
Louisville/Jefferson County, KY-IN	7.6
United States	2.6

Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

TABLE 5
Top 25 Metros for High-Tech
Employment Growth, 2006-2011

Metro	Change (%)
Boise City-Nampa, ID	82.9
Augusta-Richmond County, GA-SC	81.9
Peoria, IL	41.0
Columbia, SC	40.1
Charleston-North Charleston-Summerville, SC	39.2
Little Rock-North Little Rock-Conway, AR	34.7
Albany-Schenectady-Troy, NY	29.9
San Francisco-San Mateo-Redwood City, CA	27.8
Anchorage, AK	27.2
Ogden-Clearfield, UT	25.6
Madison, WI	25.4
Lafayette, LA	24.2
San Antonio, TX	23.6
Sacramento-Arden-Arcade-Roseville, CA	23.4
Charlotte-Gastonia-Concord, NC-SC	22.3
Davenport-Moline-Rock Island, IA-IL	20.2
Mobile, AL	20.0
Green Bay, WI	20.0
Seattle-Bellevue-Everett, WA	17.1
Dayton, OH	16.0
Evansville, IN-KY	15.6
Columbus, OH	14.7
Canton-Massillon, OH	13.0
Raleigh-Cary, NC	12.6
Wilmington, DE-MD-NJ	12.4
United States	1.4

Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

years. With the exception of the one-year growth rate for states, the relationships between high-tech employment concentration and employment growth are not statistically significant. This is true both for the states and metros analyzed, as well as for the one-year and five-year time periods. In other words, high-tech employment growth stretches beyond the well-known tech centers.

⁵ A systematic comparison of these 150 metros reveals that there are no significant differences in terms of labor availability (average age, average educational attainment, etc.) in those metros where high-tech employment growth was stronger than total private-sector growth, versus those metros where it was weaker.

These results are robust even when looking back over a longer time period. **Table 5** shows the metros with the highest growth rates between 2006 and 2011. Over that five-year span, 17 of the 25 metros with the greatest high-tech employment growth rates had below average high-tech employment concentrations in 2011.

Eighty of the 150 metros analyzed, or 53.3 percent, had stronger growth in high-tech employment than in the private sector as a whole in 2011. That trend was more pronounced in the five-year period between 2006 and 2011, when high-tech employment growth in 95 metros, or 63.3 percent, outpaced employment growth across local private-sector economies.⁵

Another way to illustrate the point that recent growth in high-tech employment stretches beyond the well-known tech centers is by using scatter plot charts. The charts in **Figure 5** show the correlation between high-tech employment concentration in a state or metro area with its one-year (2010-2011) and five-year (2006-2011) high-tech employment growth.

As these scatter plot charts show, there has not been a strong relationship between high-tech employment concentration and high-tech employment growth in recent

FIGURE 5a
 State High-Tech Concentration vs. One Year Job Change, *statistically significant*

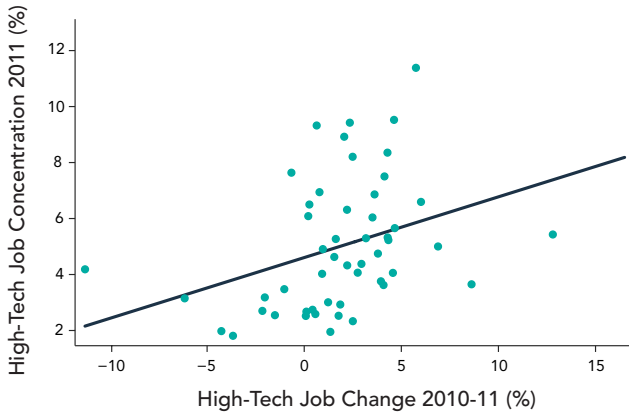


FIGURE 5b
 State High-Tech Concentration vs. Five Year Job Change, *not statistically significant*

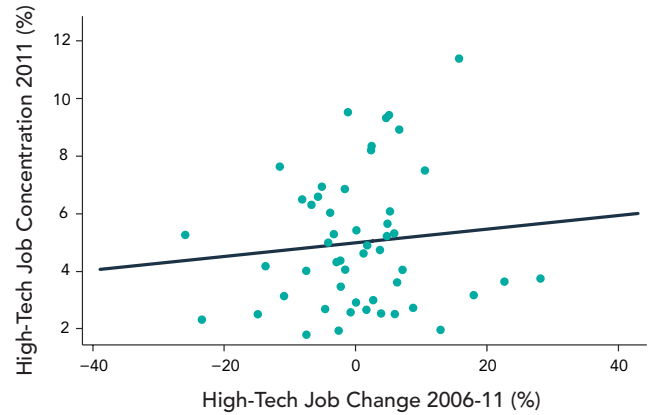


FIGURE 5c
 Metro High-Tech Concentration vs. One Year Job Change, *not statistically significant*

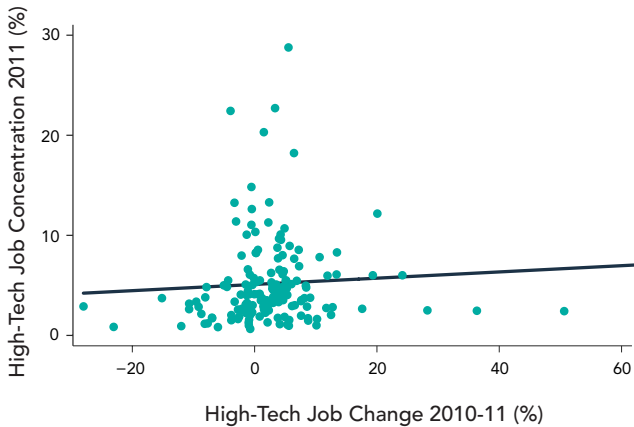


FIGURE 5d
 Metro High-Tech Concentration vs. Five Year Job Change, *not statistically significant*



Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

Taken together, the figures and tables displayed in this section tell a simple, yet perhaps surprising story. High-tech jobs tend to be concentrated in well-known tech hubs. They are also concentrated in a few, smaller, less well-known regions. High-tech employment growth, on the other hand, is happening in a more geographically and economically diverse set of regions. Growth is occurring in the Rust Belt and the South, as well as along the coasts and in regions with many high-skilled workers.

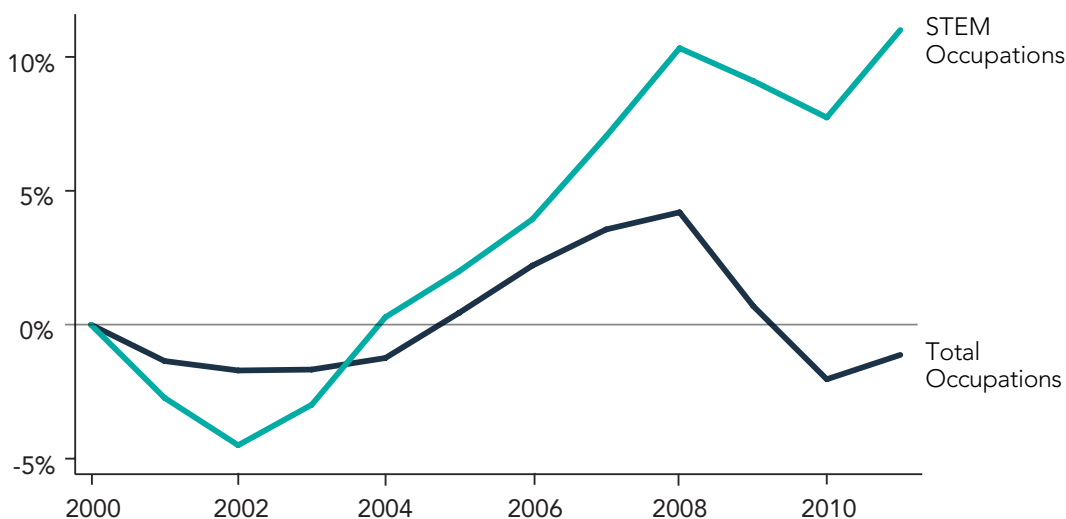
Overall, employment growth in the high-tech sector has been robust, outpacing employment growth in the broader private sector at regular intervals in the recent past. Unemployment in the high-tech sector workforce has generally been low, particularly when compared to the broader national unemployment rate. Finally, the distribution of high-tech jobs around the country has increased significantly during the last two decades.

STEM Occupation Employment

After examining patterns in employment within high-tech industries irrespective of occupation, this report next analyzes employment trends in high-tech occupations irrespective of industry. Whereas industry data classifies workers by the goods and services their companies produce, occupational data classifies workers by what activity they are engaged in. High-tech occupations are defined here as those in the STEM fields of science, technology, engineering and math (see **Appendix 1**). Within STEM occupations as a whole, three broad occupational subgroups can be defined: computer and math sciences; engineering and related; and physical and life sciences.

Figure 6 compares the percentage change in employment in the STEM occupations as a whole to the percentage change in all occupations between 2000 and 2011.⁶

FIGURE 6
STEM Employment Change Since 2000



Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

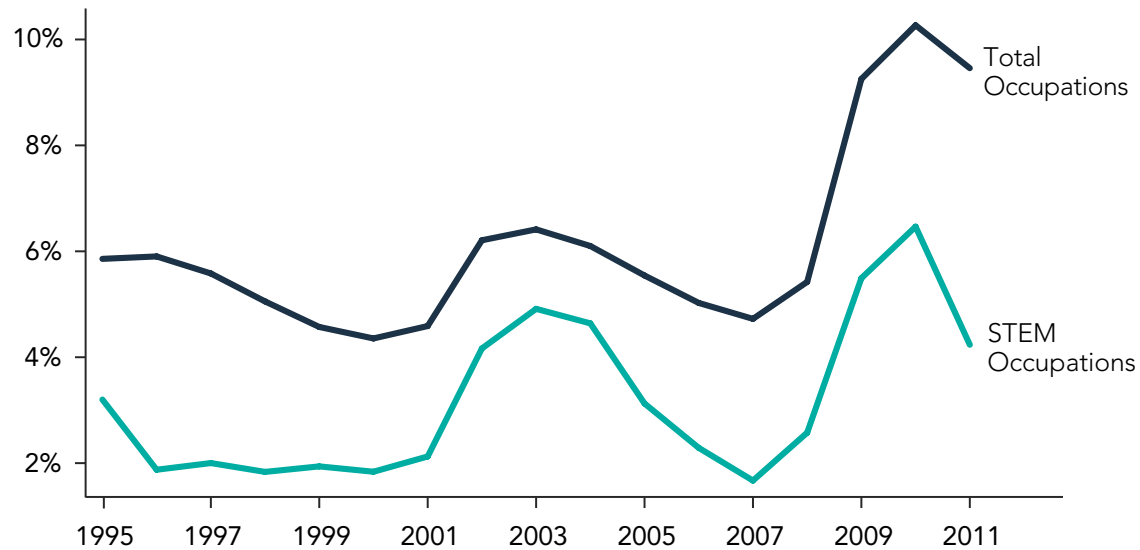
In the two years that followed the peak of the dot-com bubble in 2000, employment in STEM occupations fell more than employment across all occupations. But since 2002, the story has been remarkably different. Employment grew 16.2 percent in STEM occupations between 2002 and 2011, while employment across the economy grew by just 0.6 percent. A similar trend has been true during the recent recession-and-recovery period. Since 2007, STEM employment has increased by 3.7 percent, and never fell below pre-recession levels during that period. Total employment went in the opposite direction, falling by 4.5 percent. So far, a similar trend appears in the economic recovery.

⁶ The data source is the Occupational Employment Statistics (OES) published by the Bureau of Labor Statistics. The OES provides data on employment and wages for more than 800 occupations and includes the public and private sectors. Data can be analyzed by industry and occupation at the national level, and by occupation alone at the state and metro levels.

In terms of unemployment, a similar trend seen in the previous section can also be observed in the comparison of STEM occupations with total occupations, but it is even more pronounced.

FIGURE 7

Unemployment Rate by Occupation Group, 1995-2011



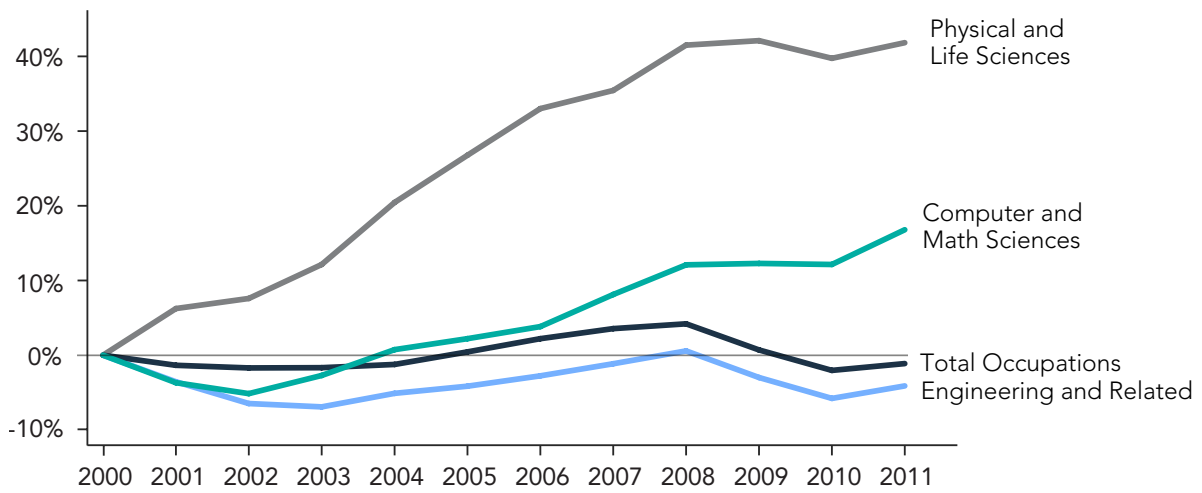
Source: U.S. Census Bureau; calculations by Bay Area Council Economic Institute

Figure 7 shows the unemployment rates for STEM occupations and for all occupations between 1995 and 2011. At no point during that time span did the unemployment rate for STEM workers exceed the rate for the broader U.S. labor force. Although the STEM unemployment rate was elevated during the periods associated with the 2001 and 2007–2009 recessions, those levels were significantly below the overall unemployment rate. Outside of those periods, the unemployment rate for STEM occupations has been exceptionally low—hovering just below 2 percent throughout most of the late 1990s and dipping below that mark again in 2007. At 9.5 percent, the total unemployment rate in 2011 was more than twice the 4.2 percent rate seen among the STEM workforce.

A look at more detailed subgroups of STEM occupations reveals some important insights. **Figure 8** compares the percentage employment change for three high-tech occupational subgroups—computer and math sciences; engineering and related; and physical and life sciences—to the percentage change for total occupations between 2000 and 2011.

Between 2000 and 2008, job growth in physical and life sciences occupations expanded rapidly by 42.1 percent. By comparison, total occupations grew by 4.1 percent during the same period. That impressive growth trend has at least temporarily been put on hold since 2008. By a wide margin, medical scientists were the largest contributors to this growth, accounting for more than one quarter of the employment gains in the physical and life sciences subgroup.

FIGURE 8
Detailed STEM Employment Change Since 2000



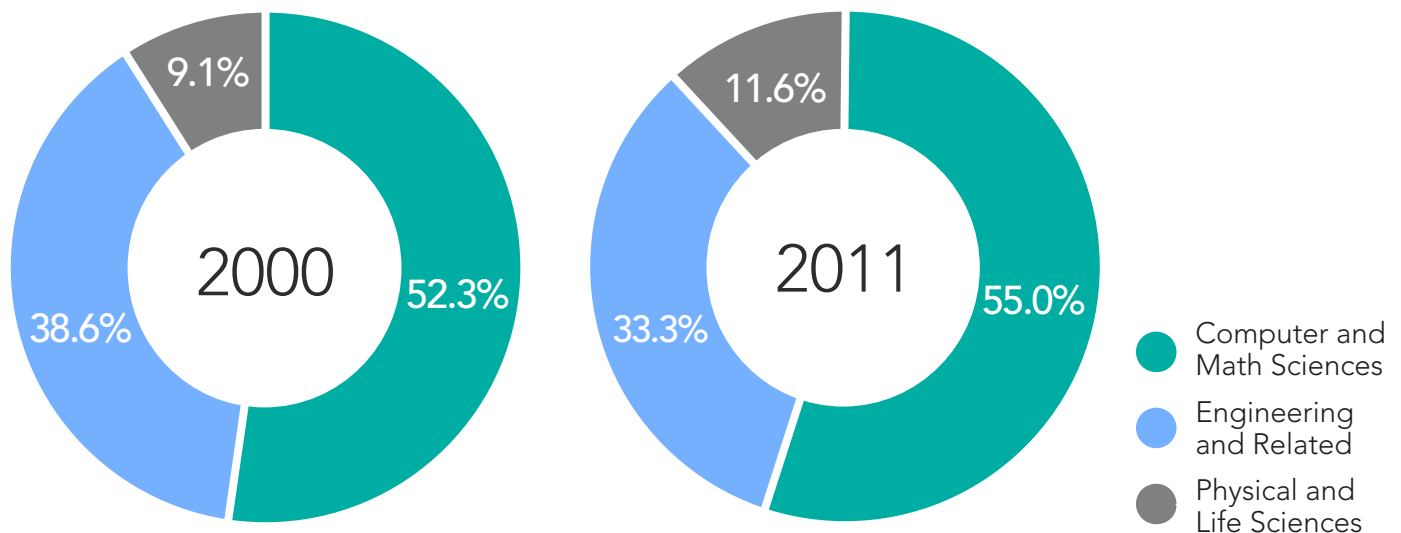
Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

After dipping more than 5 percent between 2000 and 2002, employment in the computer and math sciences occupations expanded at a strong pace. Employment in this subgroup increased 23.1 percent between 2002 and 2011. The growth rate for all occupations was essentially flat during that same period. Employment in the computer and math sciences subgroup has grown by an impressive 8 percent since the beginning of the recession, a period when total employment has fallen by nearly 5 percent.

In contrast to that, employment change in the engineering and related occupations was actually negative between 2000 and 2011. A deeper look at the data reveals that employment for engineers gained across disciplines (civil, electrical, industrial, etc.) by 16 percent over that eleven-year period. The job losses seen across the engineering and related segment were driven entirely by steep declines in the “related” component—drafters, surveyors and technicians—which declined by 23 percent. Workers in this segment of engineering and related occupations are in the low-to-middle end of the skill distribution, whereas engineers are high-skilled.⁷ In other words, employment in engineering and related occupations has been rising for the high-skilled workers (engineers) regardless of subject matter, and falling for workers with lower skill levels (drafters, surveyors and technicians).

⁷ For information on minimum education and experience requirements for occupations, see the “Occupational Employment, Job Openings and Worker Characteristics” table in the Occupations section of the Employment Projections subject area of the Bureau of Labor Statistics website at http://www.bls.gov/emp/ep_table_107.htm

FIGURE 9
STEM Subgroup Employment Shares, 2000 and 2011



Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

Of the 635,510 net STEM jobs that were added between 2000 and 2011, computer and math sciences occupations accounted for 79.8 percent. This rise increased the computer and math sciences occupations share of total STEM jobs to 55 percent in 2011, up from 52.3 percent in 2000. Physical and life sciences occupations accounted for 34.6 percent of total STEM job gains. During the 2000–2011 period, physical and life sciences occupations increased their share of STEM jobs from 9.1 percent to 11.6 percent. The engineering and related occupations subgroup subtracted 14.4 percent from the net STEM job change.

Overall, employment growth in STEM occupations has been consistently robust throughout the last decade. It has been less volatile than—and has reliably outperformed—employment growth across all occupations. The substantial majority of that growth has been driven by computer and math sciences occupations, which have seen impressive growth since 2002. Physical and life sciences occupations were the second highest contributors as the result of explosive growth in percentage terms, yet from a smaller base. Employment in engineering and related occupations has declined since 2000, as jobs fell substantially after the dot-com bust, and has mimicked the anemic job growth in the broader economy since then. Job losses in engineering and related occupations have been entirely concentrated in the “related” occupations that employ workers with lower or mid-range skill levels.

High-Tech Employment Projections

The Bureau of Labor Statistics publishes ten-year employment and economic output projections bi-annually through its Employment Projections program. The latest projections are for the ten-year period between 2010 and 2020 and were published in early 2012. Projections are calculated for industries and occupations at the national level.

The projections estimate the number of jobs that will be needed in each occupation and industry in order to meet the demands of an optimally-performing economy in 2020. As a result, the projections may be interpreted not as a forecast that predicts what will occur, but instead, as an estimate of the employment growth that will need to occur to meet potential economic output in 2020.⁸

Using these employment projections, it is possible to calculate the estimated employment demand for high-tech industries and STEM occupations in 2020. Comparisons can be made to the broader economy and to non-high tech industries and non-STEM occupations. Adjustments are made to incorporate the existing data for 2011.

TABLE 6
Employment Levels and Shares, 2011 and 2020

Industry	Occupation	Employment (2011)	Share of Total (%)	Employment (2020)	Share of Total (%)
Total	Total	128,278,550	100.0	145,281,072	100.0
Total	STEM	6,410,180	5.0	7,303,482	5.0
High-Tech	Total	5,984,300	4.7	6,955,458	4.8
High-Tech	STEM	2,804,160	2.2	3,381,999	2.3
Non-High Tech	Total	122,294,250	95.3	138,325,616	95.2
Non-High Tech	STEM	3,606,020	2.8	3,921,483	2.7

Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

To begin, **Table 6** provides some important scope-defining information on high-tech industries and STEM occupations. At nearly 6 million, high-tech industries provide 4.7 percent of jobs across the U.S. economy.⁹ STEM occupations account for more than 6.4 million jobs, or 5 percent of the total. The combined set of high-tech workers—all workers employed in high-tech industries and those in STEM occupations outside of high-tech industries—constitutes almost 9.6 million jobs, or 7.5 percent of the U.S. workforce. The projections indicate that this combined group will need to add 1.3 million jobs to reach 10.9 million by 2020.

⁸ For more on the BLS Employment Projections, see **Appendix 4** and Dixie Sommers and James C. Franklin, "Employment outlook: 2010-2020, Overview of projections to 2020," *Monthly Labor Review* (U.S. Dept. of Labor and U.S. Bureau of Labor Statistics), Volume 135, Number 1, January 2012.

⁹ Note that the data used here is from the OES, which includes private- and public-sector workers, whereas the QCEW data contains only workers in the private sector. These sources also employ different methods and therefore naturally have slightly different estimates for the workforce.

FIGURE 10a
Employment Projections by Industry, 2011-2020

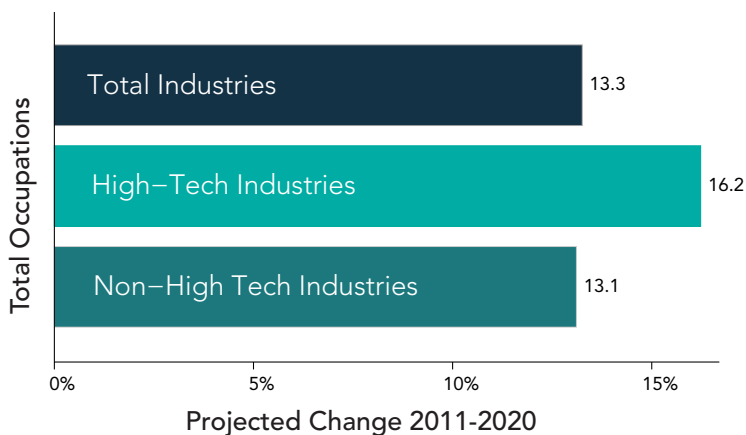
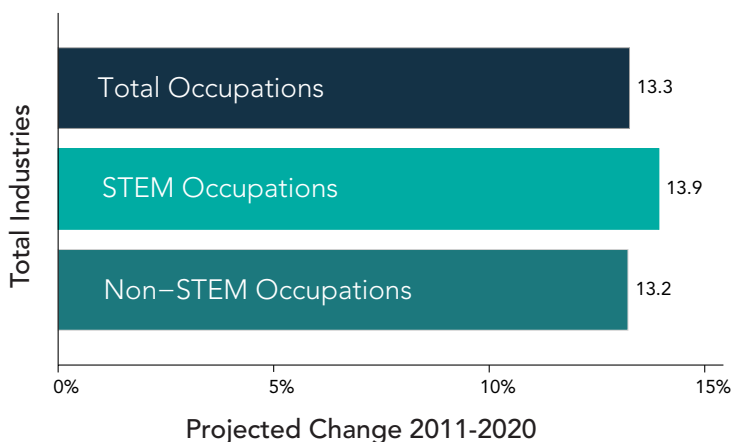


FIGURE 10b
Employment Projections by Occupation, 2011-2020



Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

As **Figure 10** makes clear, demand for jobs in high-tech is expected to surpass demand for jobs across the U.S. economy through at least 2020. High-tech industries are projected to grow by 16.2 percent between 2011 and 2020, for a 1.7 percent average annual rate of growth. Employment in the remaining industries of the U.S. economy is projected to grow 13.1 percent, or 1.4 percent on average each year.

A similar, though less pronounced story can be told about STEM occupations compared to all others. Employment in STEM occupations, irrespective of industry, is projected to grow by 13.9 percent in the nine years between 2011 and 2020, for an average annual rate of 1.5 percent. Employment in the remaining occupations is expected to grow by 13.2 percent, or 1.4 percent on average each year.

Though not pictured in **Figure 10**, employment in STEM occupations within high-tech industries is projected to grow 20.6 percent. This amounts to an average annual growth rate of 2.1 percent, or 50

percent more than the 1.4 percent total annual employment growth expected each year across the entire economy. Employment in STEM occupations is expected to grow more slowly outside of high-tech industries, by 8.7 percent, or about 0.9 percent on average each year.

Several conclusions can be drawn from this section. First, the strong employment growth seen in the recent past in high-tech industries is expected to continue and to accelerate over this decade. Employment growth in high-tech industries is projected to outpace growth in the remaining industries; the same is true of STEM occupations compared to all other occupations. Much of the growth within high-tech industries is expected to be driven by workers in technical occupations, as the composition of STEM and non-STEM workers in those industries becomes more balanced. The demand for STEM workers outside of high-tech industries is also expected to grow, but at a much slower pace.

High-Tech Wages

Though the job numbers and employment growth trends are important, perhaps nothing is more meaningful to workers and households than income. Employment wages reflect the share of national income that is captured by workers. As a result, wages are partially reflective of value-added economic output by sector. Wages also reflect the relative supply and demand of workers in their respective fields and regions.

Table 7 shows average annual wages for workers across industry and occupation groups. Workers in high-tech industries (across all occupations) earn almost three-quarters more per year than workers in the remaining industries. In STEM occupations (across all industries), workers earn nearly double. Workers with STEM jobs in high-tech industries earned almost 12 percent more than did STEM workers outside of high-tech industries. They also earned nearly one-third more than their non-STEM colleagues within high-tech industries in 2011.

TABLE 7
Average Annual Wages (2011) and
Five-Year Percentage Change (2006-2011)

Industry	Occupation	Avg. Wage (\$)	5-Year Change (%)
Total	Total	45,230	3.4
Total	STEM	81,008	3.7
Total	Non-STEM	43,348	3.0
High-Tech	Total	75,431	5.7
High-Tech	STEM	86,173	3.8
High-Tech	Non-STEM	65,959	5.8
Non-High Tech	Total	43,752	3.1
Non-High Tech	STEM	76,992	3.5
Non-High Tech	Non-STEM	42,742	2.9

Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

The five-year inflation-adjusted wage change in high-tech industries was almost twice the wage change for other industries. For STEM occupations, the five-year change was one-quarter greater than for non-STEM workers. STEM workers in high-tech industries also saw their wages grow more than did STEM workers outside of high-tech industries. Interestingly, wage growth for non-STEM occupations within high-tech industries was much stronger than was wage growth for their high-tech industry colleagues in STEM positions.

Since most STEM occupations require a college degree at minimum, and since many of the jobs in high-tech industries require high-skilled workers, it shouldn't come as a surprise that wages for these groups are greater than wages for workers in other segments of the economy.¹⁰ However, a deeper examination of the data reveals that wages for high-tech workers are still higher than wages for other workers, even after accounting for factors outside of industry or occupation that influence wages.

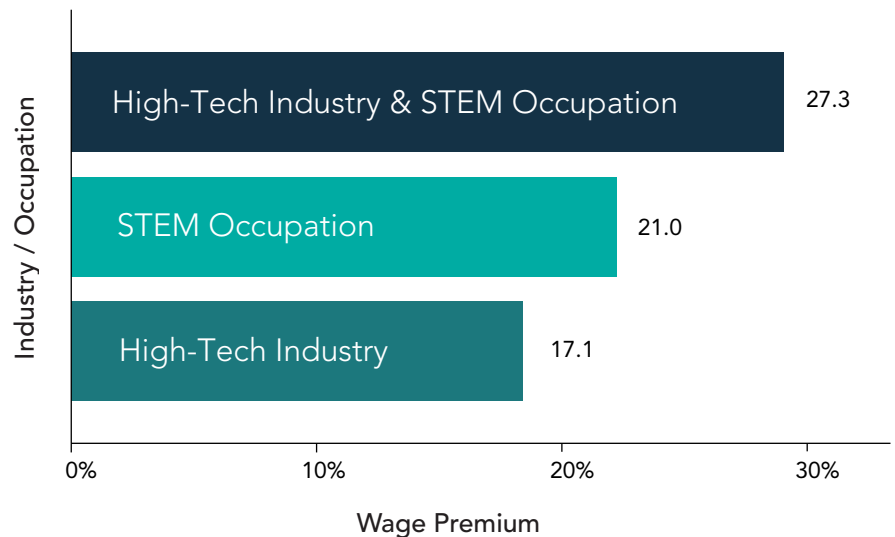
¹⁰ For information on minimum education and experience requirements for occupations, see the "Occupational Employment, Job Openings and Worker Characteristics" table in the Occupations section of the Employment Projections subject area of the Bureau of Labor Statistics website at http://www.bls.gov/emp/ep_table_107.htm

A statistical regression is used to isolate the impact that employment in a high-tech industry or STEM occupation alone has on wages. The regression estimates the effect that employment in a high-tech industry or STEM occupation has on wages after accounting for all other factors that influence workers' earnings, including age, gender, education, race, ethnicity, marital status and geography, among others.¹¹ The Current Population Survey, published by the U.S. Census Bureau, was used to conduct the analysis.¹²

As **Figure 11** shows, even after adjusting for these factors, workers in high-tech still earn a substantial wage premium relative to other fields. On average, workers in high-tech industries earned 17.1 percent more than comparable workers in other industries between 1995 and 2011. A similar wage premium exists for workers in STEM occupations, who earned on average 21 percent more than their non-STEM counterparts. The impact was greatest for STEM workers within high-tech industries. They earned 27.3 percent more than workers with comparable characteristics in other industries and occupations.

The existence of the substantial wage premium in high-tech industries at least partially reflects the fact that, as drivers of innovation and productivity, high-tech industries are among the highest value-adding industries across the economy. Income gains, shared among workers, shareholders and governments, have followed accordingly. When combined with very low unemployment rates and strong job growth, rapidly increasing wages also reflect the fact that these workers are in high demand. The same is true of workers in STEM occupations.

FIGURE 11
High-Tech Wage Premium, 1995-2011



Source: U.S. Census Bureau; calculations by Bay Area Council Economic Institute

¹¹ A regression was run on the log of annual wages of workers aged 25 or more against a set of worker characteristic variables: age (including polynomials up to the fourth degree), educational attainment, race and Hispanic origin, gender, marital status, nativity and citizenship status, union representation, metropolitan area, region, major industry, major occupation and year. The data set is the March supplement to the Current Population Survey and spans the years 1995 to 2011. See also David Langdon, George McKittrick, David Beede, Beethika Khan, and Mark Doms, "STEM: Good Jobs Now and for the Future," ESA Issue Brief (U.S. Department of Commerce), #301-11, July 2011.

¹² The Current Population Survey (CPS) is a jointly sponsored series by the U.S. Census Bureau and the Bureau of Labor Statistics. It is the primary source for workforce statistics and contains a host of demographic information on individual workers and households.

High-Tech Jobs Multiplier

Why should local authorities care about attracting high-tech jobs when they represent a small share of total employment nationally? The answer is that these jobs provide a lot of economic bang for the buck. This occurs through two channels—first through income gains generated by innovation, productivity and a global marketplace, and second from the local jobs that are supported by that income generation.

Having long understood that well-paying jobs are critical to economic development, regional authorities have used large-scale tax incentives to attract companies that provide them. For example, officials in Alabama, Kentucky, South Carolina and Tennessee have devoted considerable effort to attracting foreign auto manufacturing facilities to their states. Doing so created jobs for many low and middle-skilled workers that pay well in excess of what those same workers might have earned in other positions.

Like auto manufacturing, high-tech industries generally fall into the “tradable” segment of the U.S. economy. The tradable sector produces goods and services that can be consumed outside of the region where they are produced. For example, manufactured goods can be bought or sold around the world and web searches can be conducted anywhere with an Internet connection. Because companies in the tradable sector have access to markets outside their home region, this also means they must compete nationally and globally.

As a result, the tradable sector drives innovation and productivity, fueling economic growth. As evidence of this, economic output on a per-worker basis (a broad measure of labor productivity) increased by an inflation-adjusted 95 percent in the tradable sector between 1990 and 2010, compared with just 15 percent in the rest of the economy. Furthermore, despite accounting for 29 percent of U.S. economic output in 1990, the tradable sector was responsible for 40 percent of economic growth during the next two decades.¹³

High-tech industries are emblematic of this, having been among the fastest growing in terms of economic output and productivity in recent decades.¹⁴ High-tech industries were also responsible for at least 53.8 percent of total private sector research and development between 1990 and 2007, despite accounting for only 5.4 percent of private-sector employment and 3.9 percent of private-sector business establishments during the same period.^{15,16}

The large and growing income generated by the tradable sector has an important secondary effect of supporting other local jobs. The “non-tradable” sector produces goods and services that are consumed

¹³ Bureau of Economic Analysis, Industry Economic Accounts; and Ian Hathaway, “Globalization and the U.S. Economy: Diverging Income and Employment,” Bloomberg Government Study, 2011.

¹⁴ Bureau of Economic Analysis, Industry Economic Accounts; and Michael Spence and Sandile Hlatshwayo, “The Evolving Structure of the American Economy and the Employment Challenge,” a Council on Foreign Relations Working Paper. March 2011.

¹⁵ Bureau of Economic Analysis, 2010 Research and Development Satellite Account, Table 5.1 Private Business Investment in R&D by Industry, 1987–2007. This is a minimum, because data is not available for some industries included in the high-tech sector.

¹⁶ Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

in the same region where they are produced. This primarily includes localized services such as health care, restaurants, hotels and personal services, but it also includes the goods-producing construction sector as well.

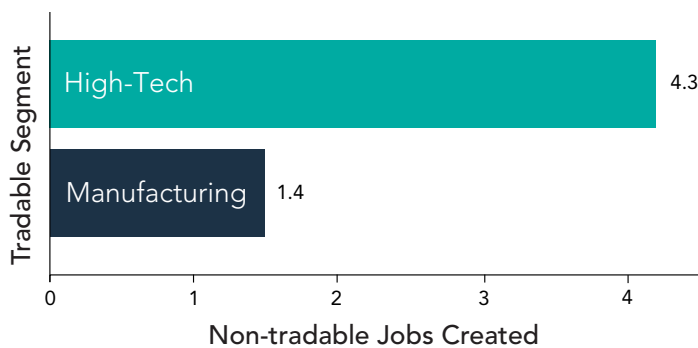
Businesses in the non-tradable sector serve the local economy and are generally shielded from competition outside of the region. As a result, innovation and productivity growth in the non-tradable sector are low. Non-tradable jobs are precisely the types of jobs that are supported by the innovative tradable sector, which captures income from other regions of the country or the world.

Moretti (2010) provides the framework for quantifying this “local multiplier” effect.¹⁷ That methodology is applied here to estimate the secondary job creation stemming from economic activity in high-tech industries as defined in this report. In particular, it provides a long run estimate of the number of jobs that are created in the local non-tradable sector by the creation of one job in the local high-tech sector (see **Appendix 5**). For comparison, a local non-tradable job creation estimate is also tabulated for manufacturing.

As **Figure 12** makes clear, the local multiplier effect for high-tech is large. For each job created in the local high-tech sector, approximately 4.3 jobs are created in the local non-tradable sector in the long run.¹⁸ These jobs could be for lawyers, dentists, schoolteachers, cooks or retail clerks. In short, the income generated by high-tech industries spurs a high rate of economic activity that supports local jobs.

While also large, the local multiplier for the manufacturing sector is much smaller than the multiplier for high-tech. The creation of one job in manufacturing creates an estimated 1.4 additional jobs in the local non-tradable sector, about one-third as many as created by high-tech.

FIGURE 12
Local Jobs Multipliers



Source: U.S. Census Bureau; calculations by Bay Area Council Economic Institute

The especially large local multiplier for high-tech reflects the fact that workers in these industries have higher levels of disposable income, which is spent on meals, transportation, housing and other services in the local community. It also reflects the fact that high-tech companies tend to cluster around one another, which attracts additional high-tech firms and the local service-providers that support their business activities.¹⁹

¹⁷ Enrico Moretti, “Local Multipliers,” *American Economic Review: Papers & Proceedings*, Volume 100, Issue 2, May 2010: 373–377.

¹⁸ Note the multiplier of 4.3 differs from Moretti’s (2010) estimate of 4.9 for high-tech. This is the result of differences in the definition of sectors and periods of analysis. Either result points to a large local multiplier effect for high-tech. For more on the local multiplier methodology, see **Appendix 5**.

¹⁹ For more on this, see Enrico Moretti, *The New Geography of Jobs* (New York: Houghton Mifflin Harcourt Publishing Company, 2012), 55-63.

Conclusions

This report tells a simple yet compelling story about high-tech employment and wages in the U.S. economy. First, since the bottom of the dot-com bust was reached in early 2004, employment growth in high-tech industries outpaced employment growth in the entire private sector by a ratio of three-to-one. High-tech employment has also been more resilient in the recent recession-and-recovery period and in the latest year for which data is available. The unemployment rate for the high-tech workforce has consistently been lower than for the nation as a whole.

Second, high-tech employment concentration and job growth are occurring in a geographically and economically diverse set of regions throughout the country. Beyond the well-known tech hubs that tend to coalesce around both coasts, pockets of high-tech clusters also exist throughout the Rocky Mountains, Great Plains, Midwest and South. High-tech job growth is taking place in regions across the country, irrespective of whether a tech cluster exists there. Furthermore, high-tech employment is increasingly being distributed across the country. This may be evidence that some regions are playing catch-up as technological advances allow for a wider dispersion of production in high-tech goods and services.

Third, employment in high-tech occupations, or STEM fields, has consistently been robust throughout the recent decade. When combined with very low unemployment and strong wage growth, this reflects the high demand for workers in these fields. The substantial majority of that growth was driven by gains in computer and math sciences occupations, followed by physical and life sciences occupations at a distant second. Employment in engineering and related occupations actually fell, driven by declines in jobs for workers with lower skill levels.

Fourth, employment projections indicate that demand for workers in both high-tech industries and high-tech occupations will be stronger than the demand for workers outside of high-tech at least through 2020. This reflects the economic growth that is occurring within high-tech industries and the increasing demand for workers with technical skills to support that growth. Within high-tech industries, demand for STEM workers is expected to grow by two-thirds more than demand for non-STEM workers.

Fifth, workers in high-tech industries and occupations earn a substantial wage premium relative to workers in other fields, even after accounting for factors that affect wages outside of industry or occupation. The high wage levels seen in high-tech industries and STEM occupations reflect the substantial value-add that high-tech brings to production. They also reflect the high demand for workers in technical fields. As an important driver of innovation and productivity, high-tech industries are capturing a growing share of national income, which then makes its way to workers through wages.

Finally, the growing income generated by the high-tech sector and the strong employment growth that supports it are important contributors to regional economic development. This is shown by the local multiplier effect, which is especially large for high-tech, where the creation of one local high-tech job is associated with more than four additional jobs in the non-tradable sector of the local economy in the long run. The local multiplier for high-tech is more than three times as large as the multiplier for manufacturing, which has been a favorite target for the economic development strategies of regional authorities.

In sum, this report shows the importance of the high-tech sector to employment and income in the U.S. economy. Perhaps more importantly, it shows that this high-tech prosperity is increasingly reaching beyond the well-known tech centers to a broader range of regions around the nation. This economic activity supports a wide range of jobs outside of high-tech.

Appendix 1: Defining High-Tech

In 2004, the Bureau of Labor Statistics conducted an interagency seminar to evaluate the methodology for identifying high-tech industries. According to a study published the following year, the committee determined that the presence of four major factors constitute a high-tech industry: a high proportion of scientists, engineers, and technicians; a high proportion of R&D employment; production of high-tech products, as specified on a Census Bureau list of advanced-technology products; and the use of high-tech production methods, including intense use of high-tech capital goods and services in the production process.²⁰

The study also concluded that because of “data and conceptual problems,” the intensity of “science, engineering, and technician” employment would be the basis for identifying high-tech industries. Seventy-six “technology-oriented occupations” were used to conduct the employment intensity analysis. A condensed list is outlined in **Table 8**.²¹ Broadly speaking, these occupations coalesce around three groups—computer and math scientists; engineers, drafters and surveyors; and physical and life scientists.

TABLE 8
Technology-Oriented Occupations

SOC Code	Occupation
11-3020	Computer and information systems managers
11-9040	Engineering managers
11-9120	Natural sciences managers
15-0000	Computer and mathematical scientists
17-2000	Engineers
17-3000	Drafters, engineering, and mapping technicians
19-1000	Life scientists
19-2000	Physical scientists
19-4000	Life, physical, and social science technicians

Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

²⁰ Daniel E. Hecker, “High-technology employment: a NAICS-based update,” *Monthly Labor Review* (U.S. Dept. of Labor and U.S. Bureau of Labor Statistics), Volume 128, Number 7, July 2005: 58.

²¹ For the detailed list, see Table 3 in Hecker, “High-technology employment: a NAICS-based update,” 63.

After this group of occupations was identified, an intensity analysis was conducted to determine which industries contained large shares of these technology-oriented workers. Of the more than 300 industries at the level of granularity used, the fourteen shown in **Table 9** had the highest concentrations of technology-oriented workers. Each of these fourteen “Level-1” industries had concentrations of high-tech employment at least 5 times the average across industries.²²

TABLE 9
High-Technology Industries

NAICS Code	Industry
3254	Pharmaceutical and medicine manufacturing
3341	Computer and peripheral equipment manufacturing
3342	Communications equipment manufacturing
3344	Semiconductor and other electronic component manufacturing
3345	Navigational, measuring, electromedical, and control instruments manufacturing
3364	Aerospace product and parts manufacturing
5112	Software publishers
5161	Internet publishing and broadcasting
5179	Other telecommunications
5181	Internet service providers and Web search portals
5182	Data processing, hosting, and related services
5413	Architectural, engineering, and related services
5415	Computer systems design and related services
5417	Scientific research-and-development services

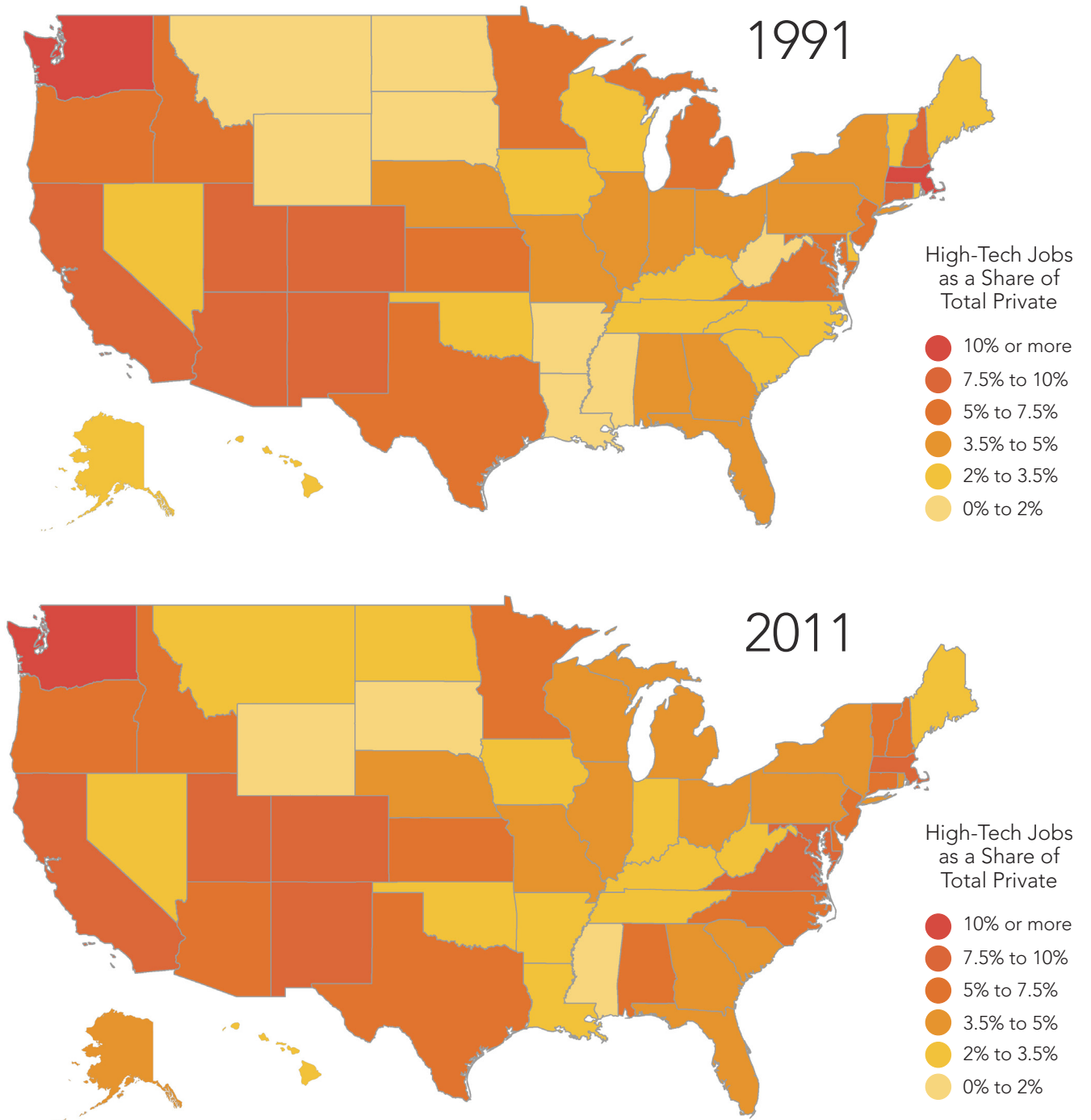
Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

This report uses the method described above to define the high-tech sector of the U.S. economy. Checks were made to ensure that the identifying conditions held in the latest available data, and crosswalks were performed to account for changes in industry and occupation classifications over time. Though the Bureau of Labor Statistics report ultimately concluded that a wider group of industries could be considered high-tech, this report uses a more conservative approach by analyzing just the fourteen Level-1 industries with very high concentrations of technology-oriented workers in the STEM fields of science, technology, engineering and math.

²² See the Level-I Industries section of Table 1 in Hecker, “High-technology employment: a NAICS-based update,” 60.

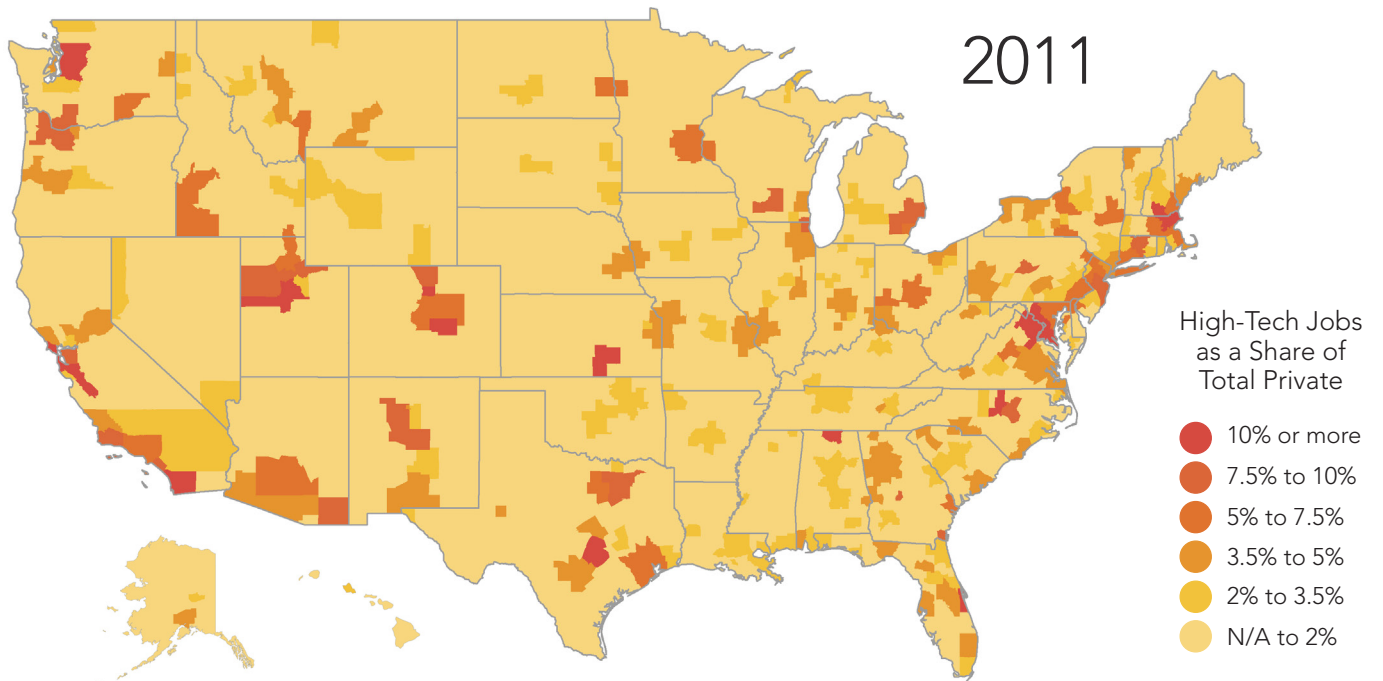
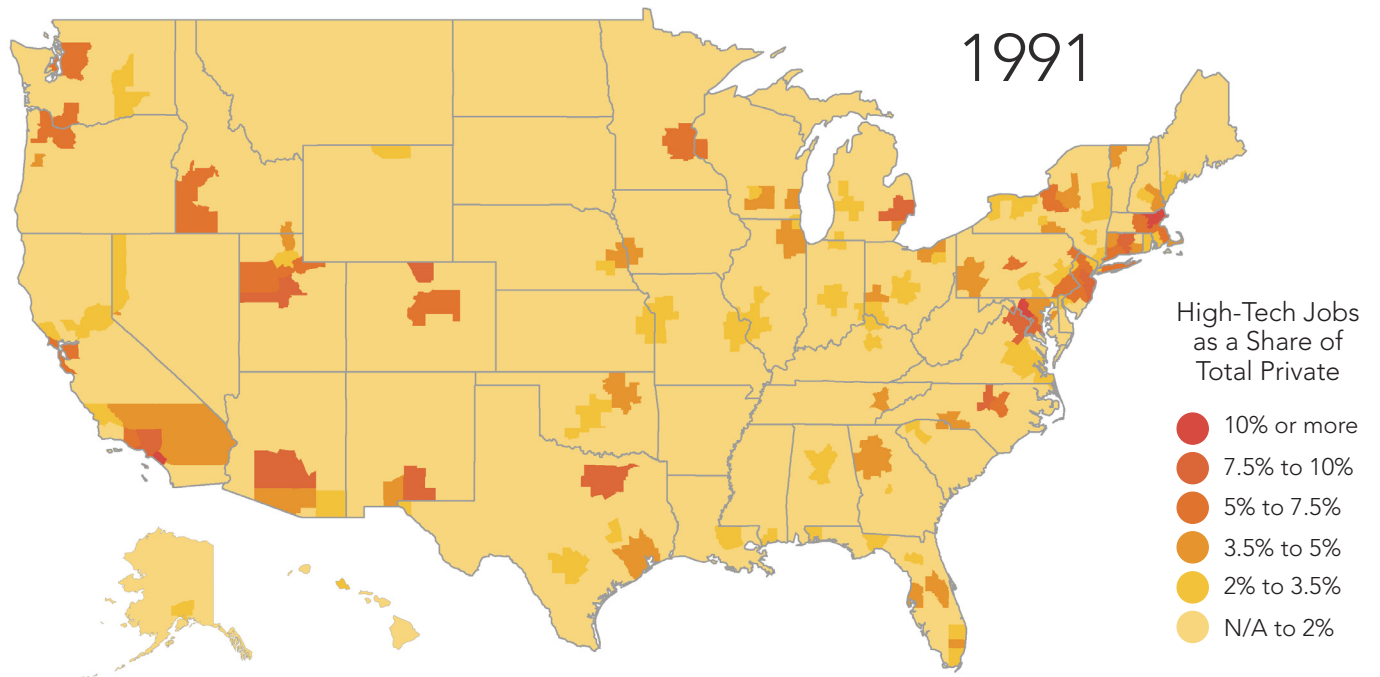
Appendix 2: High-Tech Employment Concentration Maps

High-Tech Employment Concentration by State



Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

High-Tech Employment Concentration by Metro



Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

Appendix 3: High-Tech Industry Employment and Wages

Summary of High-Tech Industry Employment and Wages by State (2011)

Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

Metro	High-Tech Share (%)	High-Tech Jobs ('000s)	One Year Percent Change	Five Year Percent Change	Average Wage (\$)
Alabama	5.3	77.7	4.3	5.9	78,493
Alaska	3.8	8.8	4.0	28.1	80,911
Arizona	6.3	128.6	2.2	-6.7	88,566
Arkansas	2.6	24.5	0.6	-0.7	63,408
California	8.2	1,020.5	2.5	2.4	121,249
Colorado	8.4	155.5	4.3	2.5	98,806
Connecticut	6.9	96.5	0.8	-5.1	98,198
Delaware	5.4	18.7	12.8	0.1	92,175
Florida	4.0	250.8	0.9	-7.5	79,828
Georgia	4.9	155.5	1.0	1.8	85,064
Hawaii	2.7	12.9	-2.2	-4.6	79,669
Idaho	5.3	26.5	1.6	-25.9	86,039
Illinois	4.3	208.9	2.2	-2.9	91,559
Indiana	3.5	83.1	-1.0	-2.2	80,433
Iowa	2.3	28.7	2.5	-23.4	68,415
Kansas	6.6	70.6	6.0	-5.7	74,754
Kentucky	2.7	39.7	0.4	8.8	60,821
Louisiana	2.5	38.5	1.8	6.0	77,988
Maine	3.1	15.3	-6.2	-10.9	68,475
Maryland	8.9	179.2	2.1	6.6	100,054
Massachusetts	9.4	264.6	2.3	5.1	117,737
Michigan	5.0	167.2	6.9	-4.2	82,960
Minnesota	5.3	120.0	3.2	-3.3	85,754
Mississippi	2.0	16.5	1.3	-2.6	64,593
Missouri	4.4	95.6	2.9	-2.3	88,698
Montana	3.0	10.3	1.2	2.7	68,875
Nebraska	4.1	30.6	2.7	-1.6	67,660
Nevada	2.5	24.7	0.1	-14.9	78,507
New Hampshire	6.9	35.9	3.6	-1.7	93,958
New Jersey	6.5	207.8	0.3	-8.1	109,490
New Mexico	7.6	45.7	-0.7	-11.5	80,876
New York	4.8	340.7	3.8	3.7	92,456
North Carolina	5.2	166.9	4.3	4.8	86,446
North Dakota	3.2	10.4	-2.0	18.0	71,377
Ohio	4.1	174.8	4.6	7.1	76,825
Oklahoma	2.9	35.1	1.9	0.1	67,182
Oregon	6.0	82.0	3.5	-3.8	89,625
Pennsylvania	4.6	225.7	1.5	1.2	87,738
Rhode Island	4.2	16.4	-11.3	-13.7	74,282
South Carolina	3.7	53.3	8.6	22.7	72,142
South Dakota	2.0	6.4	-4.3	12.9	55,714
Tennessee	2.7	59.4	0.1	1.6	86,933
Texas	5.7	496.3	4.7	4.9	95,848
Utah	7.5	74.2	4.1	10.5	74,024
Vermont	6.1	15.0	0.2	5.2	75,629
Virginia	9.3	272.2	0.6	4.7	104,602
Washington	11.4	267.5	5.8	15.8	100,463
West Virginia	2.5	14.5	-1.5	3.9	60,743
Wisconsin	3.6	83.7	4.1	6.3	74,010
Wyoming	1.8	3.8	-3.7	-7.5	65,217
United States	5.6	6,133.5	2.6	1.4	95,832

Summary of High-Tech Industry Employment and Wages by Metro (2011)

Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

Metro	High-Tech Share (%)	High-Tech Jobs ('000s)	One Year Percent Change	Five Year Percent Change	Average Wage (\$)
Akron, OH	3.0	8.1	-1.2	3.6	73,084
Albany-Schenectady-Troy, NY	5.1	16.3	-1.5	29.9	81,299
Albuquerque, NM	8.5	23.9	0.5	-14.1	76,152
Allentown-Bethlehem-Easton, PA-NJ	2.7	7.7	-2.1	1.6	70,117
Anchorage, AK	5.0	6.8	2.9	27.2	84,162
Asheville, NC	1.6	2.3	10.2	-4.8	58,325
Atlanta-Sandy Springs-Marietta, GA	4.9	91.9	4.7	-2.5	93,312
Augusta-Richmond County, GA-SC	2.7	4.4	11.7	81.9	77,566
Austin-Round Rock, TX	10.7	67.2	4.9	-0.1	101,281
Bakersfield, CA	2.6	6.1	-10.7	2.3	77,345
Baltimore-Towson, MD	6.6	66.1	4.1	7.9	100,562
Baton Rouge, LA	3.3	9.6	3.9	5.8	87,340
Beaumont-Port Arthur, TX	2.8	3.8	12.8	-15.3	82,975
Bethesda-Frederick-Rockville, MD	12.6	55.6	-0.4	-1.9	103,569
Birmingham-Hoover, AL	2.6	9.9	-2.7	-7.3	76,552
Boise City-Nampa, ID	6.0	12.9	11.9	82.9	90,609
Boston-Quincy, MA	5.1	48.5	6.0	7.2	120,454
Boulder, CO	22.7	29.9	3.3	-7.7	105,770
Bradenton-Sarasota-Venice, FL	2.2	4.8	-1.3	-19.3	73,348
Bridgeport-Stamford-Norwalk, CT	5.3	19.2	2.7	-2.8	112,871
Buffalo-Niagara Falls, NY	4.1	18.1	-0.8	5.7	63,488
Cambridge-Newton-Framingham, MA	20.3	149.4	1.5	6.1	127,345
Camden, NJ	2.9	11.6	-9.1	-24.0	90,508
Canton-Massillon, OH	1.0	1.4	10.1	13.0	55,455
Cape Coral-Fort Myers, FL	1.8	2.9	3.8	-29.2	63,099
Charleston-North Charleston-Summerville, SC	4.7	10.4	5.2	39.2	76,599
Charlotte-Gastonia-Concord, NC-SC	4.0	28.7	3.9	22.3	84,584
Chattanooga, TN-GA	1.2	2.2	-7.7	-18.0	77,875
Chicago-Naperville-Joliet, IL	4.1	128.0	0.0	-8.6	91,630
Cincinnati-Middletown, OH-KY-IN	4.2	35.4	4.1	1.1	84,095
Cleveland-Elyria-Mentor, OH	3.8	31.9	9.1	4.3	73,720
Colorado Springs, CO	10.1	19.6	-1.3	-8.0	89,570
Columbia, SC	2.5	6.4	28.2	40.1	74,500
Columbus, OH	5.5	41.0	6.9	14.7	76,431
Corpus Christi, TX	1.8	2.6	-7.0	2.8	74,313
Dallas-Plano-Irving, TX	7.7	137.5	6.5	0.6	100,507
Davenport-Moline-Rock Island, IA-IL	1.7	2.6	8.7	20.2	77,830
Dayton, OH	6.0	18.0	24.2	16.0	77,638
Deltona-Daytona Beach-Ormond Beach, FL	2.1	2.6	12.5	9.3	51,445
Denver-Aurora-Broomfield, CO	6.9	71.6	7.3	8.2	98,137
Des Moines-West Des Moines, IA	3.0	8.4	6.6	3.6	73,245
Detroit-Livonia-Dearborn, MI	5.1	30.3	3.6	-6.9	98,013
Durham-Chapel Hill, NC	11.4	24.1	-3.0	-2.1	100,576
Edison-New Brunswick, NJ	8.0	64.6	-2.1	-9.1	106,319
El Paso, TX	2.2	4.5	-8.7	-5.3	50,543
Evansville, IN-KY	1.5	2.3	8.8	15.6	73,448
Fayetteville-Springdale-Rogers, AR-MO	2.9	4.9	8.6	5.7	64,770
Fort Lauderdale-Pompano Beach-Deerfield Beach, FL	4.2	24.9	0.8	5.4	79,556
Fort Wayne, IN	3.4	5.9	-9.5	-2.4	72,872
Fort Worth-Arlington, TX	6.3	46.2	2.7	2.1	93,007
Fresno, CA	1.0	2.7	-0.9	-28.2	64,718
United States	5.6	6,133.5	2.6	1.4	95,832

Summary of High-Tech Industry Employment and Wages by Metro (2011), continued

Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

Metro	High-Tech Share (%)	High-Tech Jobs ('000s)	One Year Percent Change	Five Year Percent Change	Average Wage (\$)
Gary, IN	1.1	2.4	5.3	-10.0	66,841
Grand Rapids-Wyoming, MI	2.4	8.2	-1.0	-4.6	74,107
Green Bay, WI	1.9	2.7	-2.5	20.0	67,347
Greensboro-High Point, NC	2.5	7.2	36.3	-3.7	82,389
Greenville-Mauldin-Easley, SC	4.0	9.9	-1.3	2.5	71,460
Harrisburg-Carlisle, PA	3.7	9.2	8.2	8.4	67,975
Hartford-West Hartford-East Hartford, CT	8.2	39.2	0.3	4.6	91,194
Honolulu, HI	3.3	11.3	-1.2	-2.3	80,436
Houston-Sugar Land-Baytown, TX	5.5	122.5	5.2	9.1	107,194
Huntsville, AL	22.4	33.8	-3.9	-0.2	88,291
Indianapolis-Carmel, IN	4.0	29.3	4.8	5.9	83,823
Jackson, MS	1.9	3.4	4.9	10.7	68,796
Jacksonville, FL	3.4	16.4	-3.3	-3.1	82,590
Kansas City, MO-KS	4.8	38.2	8.4	0.4	90,703
Knoxville, TN	3.2	8.6	-10.7	-6.4	88,630
Lafayette, LA	3.0	4.0	-0.3	24.2	73,260
Lake County-Kenosha County, IL-WI	8.3	26.5	13.5	1.8	115,684
Lakeland-Winter Haven, FL	1.1	1.8	4.1	-20.0	66,162
Lansing-East Lansing, MI	2.7	4.0	17.6	-0.9	76,781
Las Vegas-Paradise, NV	2.1	14.7	-0.7	-17.9	79,974
Lexington-Fayette, KY	2.9	5.7	-28.0	-13.1	72,310
Lincoln, NE	3.7	4.8	-15.2	-8.7	62,529
Little Rock-North Little Rock-Conway, AR	2.9	7.5	6.1	34.7	66,817
Los Angeles-Long Beach-Glendale, CA	5.7	193.9	-0.1	-6.3	95,635
Louisville/Jefferson County, KY-IN	2.0	9.9	7.6	-4.7	70,428
Madison, WI	8.5	22.0	7.2	25.4	82,280
Manchester-Nashua, NH	11.3	18.8	2.2	-6.1	98,971
McAllen-Edinburg-Mission, TX	0.6	1.1	-0.7	9.6	45,067
Memphis, TN-MS-AR	1.5	7.6	-0.9	-7.4	78,144
Miami-Miami Beach-Kendall, FL	2.6	21.9	1.5	-9.8	73,130
Milwaukee-Waukesha-West Allis, WI	4.3	30.1	4.8	-6.2	81,595
Minneapolis-St. Paul-Bloomington, MN-WI	6.1	91.4	4.6	2.7	88,721
Mobile, AL	3.5	4.9	2.0	20.0	66,961
Modesto, CA	1.0	1.3	5.6	-27.0	50,981
Nashville-Davidson-Murfreesboro-Franklin, TN	2.5	15.9	-2.5	11.9	104,198
Nassau-Suffolk, NY	5.5	56.2	5.1	1.4	82,518
Newark-Union, NJ-PA	6.6	50.9	-1.1	-19.4	124,727
New Haven-Milford, CT	5.0	15.4	-0.4	-15.4	97,229
New Orleans-Metairie-Kenner, LA	2.9	12.5	2.1	10.8	87,836
New York-White Plains-Wayne, NY-NJ	4.0	176.4	5.3	11.6	108,771
Oakland-Fremont-Hayward, CA	9.7	79.3	4.0	7.2	107,668
Ogden-Clearfield, UT	6.0	9.2	19.3	25.6	68,415
Oklahoma City, OK	2.9	12.9	1.4	-5.3	69,646
Omaha-Council Bluffs, NE-IA	4.6	17.3	3.1	-0.6	74,554
Orlando-Kissimmee, FL	4.1	35.2	-2.3	-8.2	82,621
Oxnard-Thousand Oaks-Ventura, CA	5.5	14.2	-4.3	-12.1	88,044
Palm Bay-Melbourne-Titusville, FL	13.3	21.1	-3.3	-5.4	78,962
Peabody, MA	10.3	27.1	0.1	-1.3	99,704
Peoria, IL	1.6	2.6	-2.7	41.0	62,930
United States	5.6	6,133.5	2.6	1.4	95,832

Summary of High-Tech Industry Employment and Wages by Metro (2011), continued

Source: Bureau of Labor Statistics; calculations by Bay Area Council Economic Institute

Metro	High-Tech Share (%)	High-Tech Jobs ('000s)	One Year Percent Change	Five Year Percent Change	Average Wage (\$)
Philadelphia, PA	6.1	96.3	-0.8	-10.8	104,380
Phoenix-Mesa-Scottsdale, AZ	6.4	95.5	4.7	-5.9	89,419
Pittsburgh, PA	4.5	44.1	3.1	5.8	79,283
Portland-South Portland-Biddeford, ME	3.8	8.3	-8.1	-3.7	78,157
Portland-Vancouver-Beaverton, OR-WA	8.0	68.5	4.6	-0.4	92,928
Poughkeepsie-Newburgh-Middletown, NY	2.0	4.0	-3.8	10.1	80,620
Providence-New Bedford-Fall River, RI-MA	3.5	19.8	1.0	5.6	70,300
Provo-Orem, UT	10.1	15.1	4.3	11.6	72,416
Raleigh-Cary, NC	9.6	39.6	4.3	12.6	91,053
Reading, PA	2.5	3.6	2.3	6.3	76,412
Reno-Sparks, NV	3.3	5.3	3.0	-4.9	78,059
Richmond, VA	3.5	16.9	4.7	10.8	85,437
Riverside-San Bernardino-Ontario, CA	2.3	21.2	1.8	-21.9	71,740
Rochester, NY	4.1	17.1	0.5	-7.1	73,395
Rockingham County-Strafford County, NH	5.5	8.5	0.9	8.0	86,964
Sacramento-Arden-Arcade-Roseville, CA	4.8	29.4	-7.9	23.4	93,341
St. Louis, MO-IL	3.7	40.4	1.2	-7.2	91,205
Salinas, CA	1.7	2.4	-6.9	-7.1	77,490
Salt Lake City, UT	7.7	40.3	3.8	10.9	74,412
San Antonio, TX	5.0	34.2	8.4	23.6	74,254
San Diego-Carlsbad-San Marcos, CA	11.1	115.2	-0.5	9.8	110,408
San Francisco-San Mateo-Redwood City, CA	12.2	105.5	20.1	27.8	152,136
San Jose-Sunnyvale-Santa Clara, CA	28.8	232.0	5.6	5.1	170,203
Santa Ana-Anaheim-Irvine, CA	8.2	102.9	0.2	-7.6	96,291
Santa Barbara-Santa Maria-Goleta, CA	8.9	13.2	5.7	6.0	91,143
Santa Rosa-Petaluma, CA	4.4	6.8	-1.1	-11.5	99,814
Scranton-Wilkes-Barre, PA	1.2	2.5	-8.2	-11.5	62,341
Seattle-Bellevue-Everett, WA	18.2	220.7	6.5	17.1	105,115
Shreveport-Bossier City, LA	1.3	1.8	2.1	-47.9	56,701
Spokane, WA	3.5	5.8	7.7	8.8	70,030
Springfield, MA	1.5	3.5	-3.8	-21.4	85,072
Springfield, MO	0.9	1.3	-23.0	-41.7	61,992
Stockton, CA	0.9	1.5	-12.0	-14.7	64,106
Syracuse, NY	5.4	13.0	0.3	11.8	74,224
Tacoma, WA	3.1	6.3	-1.5	-1.1	82,999
Tampa-St. Petersburg-Clearwater, FL	4.4	42.3	4.2	-5.3	85,390
Toledo, OH	1.9	4.7	0.8	-0.1	76,884
Trenton-Ewing, NJ	8.8	14.2	3.7	-0.3	114,723
Tucson, AZ	4.7	12.9	2.9	-8.4	86,802
Tulsa, OK	3.4	12.0	7.6	-6.6	70,595
Virginia Beach-Norfolk-Newport News, VA-NC	4.8	26.6	-4.5	-1.1	74,209
Warren-Troy-Farmington Hills, MI	7.8	74.3	10.6	1.5	82,039
Washington-Arlington-Alexandria, DC-VA-MD-WV	13.3	239.6	2.4	6.5	112,081
West Palm Beach-Boca Raton-Boynton Beach, FL	3.8	16.9	3.0	-15.9	84,955
Wichita, KS	14.8	35.4	-0.5	-15.2	72,082
Wilmington, DE-MD-NJ	6.1	16.7	13.4	12.4	94,578
Winston-Salem, NC	1.3	2.2	-1.0	-30.7	72,620
Worcester, MA	5.0	13.5	-5.0	-19.8	95,938
York-Hanover, PA	2.3	3.5	-0.4	-13.2	65,033
Youngstown-Warren-Boardman, OH-PA	0.8	1.6	-6.0	-11.1	62,161
United States	5.6	6,133.5	2.6	1.4	95,832

■ Appendix 4: Employment Projections Methodology

The Bureau of Labor Statistics (BLS) publishes ten-year employment and economic output projections bi-annually through its Employment Projections program. The latest projections are for the ten-year period between 2010 and 2020 and were published in 2012. Projections are calculated for industries and occupations at the national level. The approach involves several steps.

First, the BLS determines the size and characteristics of the labor force ten years forward from a simple extrapolation of its composition in 2010, the base year. This works as a labor supply constraint. From there, one additional assumption is made about the economy in 2020—that full employment has been achieved. In other words, the economy is operating at maximum sustainable output.²³ With these two assumptions in hand, a macroeconomic simulation is run to project the size and composition of gross domestic product (GDP) in 2020. When that projection is combined with industry input-output tables, it is then possible to estimate what the output level for each industry would be under that estimate of economy-wide production.

Once the potential economic output of each industry is projected for 2020, the BLS then works backward to project industry employment needs to meet that output level. This is done by utilizing data on employment and labor productivity leading into the base year. Then the BLS translates the industry employment estimates into occupational employment estimates by utilizing the National Employment Matrix (NEM). The NEM contains detailed data on occupational employment distribution within detailed industries. By combining the NEM along with trends in industry-occupational mixes due to such factors as technology and changes in business practices, the BLS is then able to project the number of jobs in each occupation that it would take to meet each industry's projected employment needs.²⁴

This report utilizes these employment projections for detailed industries and occupations and applies them to the list of high-tech industries and STEM occupations.

²³ Maximum sustainable output refers to an economy that is operating at optimal capacity, where full employment is reached and inflation is stable.

²⁴ For more on the BLS employment projections, see: Dixie Sommers and James C. Franklin, "Employment outlook: 2010-2020, Overview of projections to 2020," Monthly Labor Review (U.S. Dept. of Labor and U.S. Bureau of Labor Statistics), Volume 135, Number 1, January 2012.

Appendix 5: Jobs Multiplier Methodology

Moretti (2010) provides the framework for estimating local multipliers.²⁵ This framework captures the long-term local job-creating effect of the addition of one job in the tradable sector, which is channeled primarily through increased demand for local goods and services. However, it also accounts for the partial offset of this positive effect on employment by general equilibrium effects that are induced by changes in local wages and prices. More specifically, it quantifies “the long-term change in the number of jobs in a city’s tradable and non-tradable sectors generated by an exogenous increase in the number of jobs in the tradable sector, allowing for the endogenous reallocation of factors and adjustment of prices.”

Using data from the Census of Population in 1990 and 2000, and the 2010 American Community Survey, variants of the following two models are estimated:

$$(1) \quad \Delta E_{mt}^{NT} = \alpha + \beta_1 \Delta E_{mt}^{T1} + \beta_2 \Delta E_{mt}^{T2} + \gamma d_t + \varepsilon_{mt}$$

$$(2) \quad \Delta E_{mt}^{NT} = \alpha' + \beta'_1 \Delta E_{mt}^{*T1} + \beta'_2 \Delta E_{mt}^{*T2} + \gamma' d_t + \varepsilon'_{mt}$$

where ΔE_{mt}^{NT} is the log-change of employment in the non-tradable sector in metro m over a specified period of time t (ten years); E_{mt}^{T1} is the log-change in employment in a segment of the tradable sector (e.g. high-tech); E_{mt}^{T2} is the log-change in employment in the remainder of the tradable sector (e.g. non-high-tech); and E_{mt}^{*T1} and E_{mt}^{*T2} are the log-changes of employment in both segments of the tradable sector combined with an instrument that accounts for exogenous shifts in demand for labor in the tradable sector. The sample period includes two observations per metro, 1990–2000 and 2000–2010. The variable d is a dummy for each time period. Standard errors are tabulated at the metro level.

To isolate exogenous shifts in the demand for labor in the high-tech sector (or manufacturing), an instrument of the weighted average of nationwide employment growth within the sector is combined with metro-specific employment weights in the sector at the beginning of the period in the following specification:

$$\Delta E_{mt}^{*T} = \sum \omega_{m,t-1} \Delta N_t^T$$

where $\omega_{m,t-1}$ is the share of tradable jobs in metro m in the prior period (for example, in 1990); and ΔN_t^T is the log-change in the tradable sector nationally (for example, between 1990 and 2000).

Whereas Moretti defines the theoretical construct of the tradable sector principally as manufacturing, and the non-tradable sector as the rest of the economy outside of agriculture, mining, government and military, this report uses a different approach to define the two segments of the U.S. economy. Jensen (2011) provides the weighting for tradability of sectors at the level of two-digit NAICS.²⁶

²⁵ Enrico Moretti, “Local Multipliers,” *American Economic Review: Papers & Proceedings*, Volume 100, Issue 2, May 2010: 373–377.

²⁶ See Table 2.3 on page 59 of J. Bradford Jensen, *Global Trade in Services: Fear, Facts, and Offshoring* (Peterson Institute of International Economics, 2011); adjustments made by Bay Area Council Economic Institute.

TABLE 10
Tradability of Industries

NAICS Code	Industry	Tradability (%)
11	Agriculture, Forestry, Fishing and Hunting	100.0
21	Mining, Quarrying, and Oil and Gas Extraction	100.0
22	Utilities	19.1
23	Construction	0.0
31	Manufacturing	100.0
32	Manufacturing	78.0
33	Manufacturing	85.6
42	Wholesale Trade	54.2
44	Retail Trade	18.3
45	Retail Trade	11.3
48	Transportation and Warehousing	57.2
49	Transportation and Warehousing	100.0
51	Information	66.7
52	Finance and Insurance	67.9
53	Real Estate and Rental and Leasing	90.9
54	Professional, Scientific, and Technical Services	86.0
55	Management of Companies and Enterprises	100.0
56	Administrative and Support and Waste Management and Remediation Services	40.5
61	Educational Services	1.0
62	Health Care and Social Assistance	2.2
71	Arts, Entertainment, and Recreation	32.6
72	Accommodation and Food Services	18.1
81	Other Services (except Public Administration)	20.2
--	Government	0.0

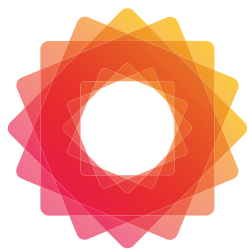
Source: Jensen (2011) and Bay Area Council Economic Institute

Through the use of these weights, the tradable and non-tradable segments of local economies are estimated. Once those are established, the tradable segments of high-tech and manufacturing are estimated as subsets of the local tradable sector. Their impact is measured on the entire local non-tradable sector. Multipliers are generated through sector employment-shares and regression coefficients. The results for both high-tech and manufacturing are statistically significant.

Note that the local multiplier for high-tech in this report differs from the high-tech multiplier in Moretti (2010). While the framework is identical, the data differ in three ways: the definitions of high-tech; the definitions of tradable and non-tradable; and the years used in the analysis. Still, the differences—4.3 versus 4.9—are minor and entirely within the margin of error. The fact that these different approaches yield what is essentially the same result signals the robustness of this framework to estimate local multipliers for high-tech.

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The Bay Area Council Economic Institute is a public-private partnership of business with labor, government and higher education that works to foster a competitive economy in California and the San Francisco Bay Area, including San Francisco, Oakland and Silicon Valley. The Economic Institute produces authoritative analyses on economic policy issues in the region and the state, including infrastructure, globalization, energy, technology, science, innovation and governance, and mobilizes California and Bay Area leaders around targeted policy initiatives.



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Bay Area workers commuting from edges of 'megaregion,' new report says

By Erin Baldassari, ebaldassari@bayareanewsgroup.com
The Mercury News

Posted: Thu Jun 30 01:01:00 MDT 2016

OAKLAND -- Over the past decade or more, the Bay Area's boundaries have been bleeding into surrounding counties as skyrocketing housing prices push residents farther from jobs centered in Silicon Valley and San Francisco.

Those residents are still employed in the Bay Area though, leading to longer commutes and mounting pressure on the region's roads and rails. While that trend has been ongoing for some time, the problems resulting from it have become particularly acute, according to a new report released Thursday by the Bay Area Council, a business-sponsored public policy advocate.

"All these people are moving around on the most congested corridors," said Jeff Bellisario, the research manager for the Bay Area Council Economic Institute, "and there's no great transit options for these commuters."

Approximately 602,000 vehicles enter and exit the nine-county Bay Area from other parts of what the council has dubbed the "Northern California Megaregion," an area comprising six counties in and around Sacramento, three Northern San Joaquin Valley area counties, and three Monterey Bay area counties.

The Northern San Joaquin Valley area is leading the region in the number of workers it is sending to Bay Area companies. Between 1990 and 2013, the number of people commuting from the valley to job centers in the Bay Area more than doubled, growing around 32,000 commuters to nearly 65,000, according to the report.

"Silicon Valley really likes our labor force, but our labor force really doesn't like the Silicon Valley's housing costs," said Mike Ammann, president and CEO of San Joaquin Partnership, a nonprofit economic development corporation.

San Joaquin Valley was also one of the hardest hit in the housing market crash that spurred the Great Recession, but Ammann said the double-digit unemployment numbers in the area have since come down. Manufacturing has picked up, as has the county's distribution and transportation industries, and more housing is being built in the region again, he said.

However, this uneven growth in jobs and housing has caused gridlock on Interstate 580, and while the Altamont Corridor Express train, or ACE, is not yet at capacity, it soon will be, said Dan Leavitt, the transit agency's manager of regional initiatives.

The agency's ridership has roughly doubled in the past five years, and ACE is looking for ways to expand, Leavitt said. It's currently in the process of drafting an environmental impact report, set to be released in the fall, that would study an increase in the number of round trips from four to six, and within the next decade, Leavitt said the agency hopes to offer 10 round trips.

To do that, the passenger service needs to add a second set of railroad tracks in some places, as well as make other improvements, Leavitt said, a roughly \$200 million investment for the first phase and another \$200 million for the second. ACE already has funding for the planning and preconstruction phase of the project, but not the actual construction, he said.

"In order for us to (expand service), we would need more infrastructure along our lines, but also other things like equipment and more parking," Leavitt said. "First and foremost, the biggest hurdle is funding."

While the state has some cap-and-trade funds available for commuter rail projects, Leavitt said the project will require investment from counties along the rail line serves.

Encouraging local governments to think regionally has never been easy, said Randy Rentschler, the legislation and public affairs director of the Metropolitan Transportation Commission, but encouraging municipal and county governments to do so has never been more critical, he said.

He pointed to the express lane on Interstate 580, which opened earlier this year, as an example of regional collaboration that provided some relief to drivers stuck in gridlock.

"The planning and the fight ... to get that money on those lanes; we had to take on most of the rest of the state to make sure that these congested areas were prioritized," Rentschler said. "We succeeded in part because we worked closely with our friends in the San Joaquin Valley area."

As people continue to move further from job centers in search of cheaper housing, Rentschler said the problems will only get worse.

"Being the repository for your neighbor's housing stock can only go so far," he said.

The report recommends, among other things, investing in regional rail lines, streamlining permitting for housing construction so it can be built closer to job centers, and encouraging job growth in the San Joaquin Valley and Sacramento areas to help relieve the daily migration to the Bay Area. Coupled with that is a long-term strategy to invest in education in places like Sacramento and Merced, so that companies can more readily access a high-skilled labor pool, Bellisario said.

"Part of the conversation is about transportation, part is about the economy, but really, they both go together," Bellisario said. "We need to spread the economic footprint more evenly across the entire megaregion."

Contact Erin Baldassari at 510-208-6428. Follow her at [Twitter.com/e_baldi](https://twitter.com/e_baldi).

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From: [Diane Bailey](#)
To: [Chow, Deanna M](#)
Cc: [_CCIN](#); [Clara Dewey](#); [nmbaker@stanford.edu](#)
Subject: Menlo Spark Comments on Menlo Park General Plan EIR
Date: Monday, August 01, 2016 4:31:35 PM
Attachments: [C421302D-8C87-4C6E-9C4A-456168B4C399\[20\].png](#)
[Menlo Spark Comments on Draft EIR for ConnectMenlo.pdf](#)

Dear Deanna,
Please find our comments on the Draft EIR for the ConnectMenlo General Plan.

The Draft EIR shows that ConnectMenlo can be a win-win for the environment, livability, convenience, transit, and our economy. We support the Plan including the proposed mitigations; and recommend several additional measures for Greenhouse Gases, Transportation, and Air Quality.

- In order to ensure that Menlo Park stays on track to meet its climate goals in 2020 and beyond, additional specific mitigation measures should be evaluated in the Final EIR.
- The Final EIR should increase the proposed trip reduction requirement of 20% to 40% or higher over time as transportation alternatives increase.
- The City should ensure ample site-specific mitigation for all new developments to prevent significant impacts to air quality and public health.

O12-1

Please see the attached comments for further details. Thank you for the opportunity to comment.

Sincerely,
Diane Bailey

Diane Bailey | Executive Director
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Climate Neutral for a Healthy, Prosperous Menlo Park
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EV, PV & Fossil Free: *Guides for Electric Cars, solar & Fossil Free Homes at: <http://www.menlospark.org/get-report.html>*



Climate Neutral for a Healthy, Prosperous Menlo Park

Ms. Deanna Chow, Principal Planner
Planning Division
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Re: Draft Environmental Impact Report on the ConnectMenlo General Plan and M-2 Area Zoning Update, Comments and Recommendations

Dear Ms. Chow,

We are writing to comment on and propose strengthening improvements to the Draft Environmental Impact Report (DEIR) for the ConnectMenlo General Plan and Zoning update (the Plan), which would further the sustainability, livability and economic vitality of Menlo Park. As an independent nonprofit organization, Menlo Spark is working with businesses, residents, and government partners towards a climate neutral Menlo Park by 2025. We strongly support the City of Menlo Park’s Climate Action Plan Goals, as well as the substantial growth and sustainability improvements envisioned by this Plan. However, without significant additional mitigations to what has been proposed in this DEIR, Menlo Park will experience an increase in carbon emissions, putting the 2020 Carbon goals out of reach and thwarting our long-term sustainability. We propose a suite of mitigations to help the City of Menlo Park grow in a healthy, responsible manner that preserves our environmental values, character and vibrancy.

Menlo Park has made many substantial steps towards becoming more sustainable. For example, the decision earlier this year to join the County’s Peninsula Clean Energy Program, with bold support for 100% renewable power will go a long way towards meeting our 2020 carbon targets. Further, the proposed Plan includes many important clean energy and green building standards in the new zoning regulations that we have strongly supported in previous comments. We commend the City for a commitment to clean energy and green buildings.

The social and economic vitality of Menlo Park and the region as a whole are inextricably linked to a healthy environment. Our comments focus on the environmental mitigation necessary to preserve the health and high quality of life of our communities as the development envisioned in the Plan proceeds. We support the following mitigations for Greenhouse Gases (GHG), Transportation, and Air Quality, and recommend several additional measures.

O12-2

1. Greenhouse gases

The proposed Plan and updated Zoning present extraordinary vision, measures, and standards to create more sustainable building, mobility and land use patterns. These will result in much lower carbon (or GHG) intensities than the status quo. The green building and clean energy standards combined with a concerted shift from driving alone to walking, biking and public transit, will reduce GHG emissions per “service unit” by more than 20 percent.¹

The sustainability improvements and carbon intensity reductions in the Plan and accompanying Zoning must be lauded. We strongly support the intent of the single greenhouse gas mitigation strategy, GHG-1, that directs the City to update its Climate Action Plan (CAP) to address the GHG reductions needed by 2020; identify a GHG emissions reduction target for 2030 and 2040 consistent with state goals; and update the CAP to include measures to ensure the city is on a trajectory that aligns with the state’s 2030 GHG emissions reduction target. However, the DEIR is unable to articulate specifically how Menlo Park will achieve its 2020 Climate Action Plan targets for the various scenarios. The Final EIR should evaluate the reductions needed to meet these goals and contemplate them as mitigation measures. We recommend the following improvements to the GHG analysis and additional mitigations.

In order to more accurately project the GHG emissions and compare alternatives, the FEIR should:

- Consider all of the provisions of the updated Plan and Zoning that impact carbon intensity and incorporate them into the GHG forecasting and modeling, including:
 - Green and sustainable building regulations;
 - Creation of a live/work/play environment with travel patterns that are oriented toward pedestrian, transit, and bicycle use;
 - Bicycle parking standards and other measures supporting alternatives to driving; and
 - Transportation Demand Management (TDM) Plans to reduce trip generation by 20 percent below standard use rates.
- Utilize more up to date energy data and base projected carbon intensity of electricity on expected Peninsula Clean Energy portfolio trajectories rather than PG&E.²
- Forecasts based on housing and employee growth should also consider upcoming regulations, conservation measures and external factors.
- The GHG emissions analysis of vehicles should be adjusted to account for higher rates of electric, hybrid and other clean vehicles in Menlo Park.³
- The FEIR should present a clear comparison of GHG emissions from the baseline conditions and each of the alternatives.

O12-3

¹ See Appendix E, GHG Emissions Inventory & Forecast: Existing MTCO₂e/SP is 4.3 compared to 2040 maximum citywide buildout MTCO₂e/SP of 3.3. Note however a discrepancy in 2040 thresholds between Table 4.6-7 lists a 2040 Plan-Level Efficiency Target of 2.5 MTCO₂e/SP compared to Appendix E listing a BAAQMD GHG GP threshold of 3.2 MTCO₂e/SP in 2040.

² Note that this more accurate portrayal of future energy supply will result in a lower carbon intensity per kWh as PCE is launching with a 75% carbon free portfolio that will increase carbon free power over time.

³ Note that the DEIR vehicle emission modeling was based on statewide average data from EMFAC, instead of incorporating local fleet data, a necessary step since Menlo Park has some of highest electric car ownership rates in the nation.

In order to ensure that Menlo Park stays on track to meet its climate goals in 2020 and beyond, additional specific mitigation measures should be evaluated in the FEIR. All of the near-term Climate Action Plan strategies listed in Table 4.6-8 should be analyzed and GHG reduction potential reported in the FEIR, whether they apply to new development or not, because measures for existing transportation and land uses can constitute mitigation.⁴ In addition to the list of measures in Table 4.6-8, we recommend that the following mitigations be included and thoroughly analyzed in the FEIR:

- Enhanced energy efficiency programs, such as Rising Sun Energy and Green @Home;⁵
- Incentives and technical support for replacing natural gas heating and water heating in existing buildings, such as Palo Alto's electric water heater rebates;⁶
- High efficiency Co-Gen, similar to Stanford University's Energy Plant;⁷
- Incentives and increased infrastructure for carbon-free vehicles;⁸ and
- Community projects including waste digesters, net positive micro-grids, and enhanced tree canopy management.⁹

O12-4

The City should make a strong commitment to reduce GHG emissions, to ensure that we will stay on track in the future.

2. Transportation

With regard to transportation impacts from the Plan, we laud Menlo Park's commitment to alternative transportation as a means of reducing congestion and lessening the environmental impact of the Plan. However, because current traffic congestion is already acute and because the DEIR shows many intersections worsening, the City should more aggressively support alternatives to single occupancy vehicles through additional mitigations and TDM requirements.

First, the DEIR demonstrates remarkable benefits of building substantial housing near job centers that results in much slower growth in traffic (as measured by vehicle miles traveled or VMT), since the additional housing allows more people to access local jobs without driving.¹⁰ The benefits from this additional housing will be greatest if the housing is built *before* the commercial development. For that reason, we recommend phased development that emphasizes new housing before or in tandem with commercial development to minimize growth in traffic.

O12-5

⁴ Although the Plan cannot apply new requirements to existing land uses, it can envision fees that can be used to fund improvements to existing properties, as offsets and where such property owners agree.

⁵ The Rising Sun Energy Center provides both job training and employment, and direct energy and water efficiency services free to residents in disadvantaged communities. See: <http://risingsunenergy.org>
The Green @Home Aprogram, run by non-profit Acterra, helps residents make energy efficiency improvements. See: <http://www.acterra.org/programs/greenathome/>

⁶ Although this program is run by the City of Palo Alto Utility, a similar program could be run independently by the City of Menlo Park, or partnering with Peninsula Clean Energy or the Bay Area Air Quality Management District, which envisions these types of incentive programs in its Climate Plan. See:

http://www.cityofpaloalto.org/gov/depts/utl/residents/resrebate/smartenergy/heat_pump_water_heaters/default.asp
<http://www.baaqmd.gov/~media/files/planning-and-research/plans/clean-air-plan-update/building-fact-sheet-pdf.pdf?la=en>

⁷ <http://news.stanford.edu/features/2015/sesi/>

⁸ See for example: <http://www.theicct.org/leading-us-city-electric-vehicle-activities>

⁹ See for example: <http://www.sustainia.me/cities/>

¹⁰ See for example, Table 4.13-13, showing VMT per capita in 2014 equal to 15, while VMT per capita would go down to 14 in 2040 if the Plan was fully built out.

We strongly support many of the transportation mitigations included in the DEIR:

- Updating the Transportation Impact Fee program to bolster funding of both infrastructure and roadway improvements (TR-1b), as well as bicycle and pedestrian facilities (TR-6a).
- Updating the existing shuttle fee program to guarantee funding of city-sponsored shuttle services (TR-6b). This will not only improve vital public transit services in areas that are currently underserved, it will help students and commuters reduce reliance on single-occupancy vehicles and cut traffic.
- Continuing support for the Dumbarton Corridor Study (TR-6c). The City should strongly advocate for as swift a reuse of this important transportation corridor as possible.

O12-5
(cont.)

The final EIR should increase mitigation related to the proposed Zoning trip reduction requirement of 20%. Although this is a reasonable requirement at the current level of transit and alternatives to driving available, we recommend a stronger goal approaching 40% or higher when major transit improvements are complete. The Plan envisions significantly improved additional options to driving alone, including redevelopment of the Dumbarton transit corridor, which would facilitate enhanced trip reduction. For example, the San Mateo Rail Corridor Plan set up tiered trip reduction goals beginning with 25% in the short term, and including a long-term trip generation threshold of 40% once a major new transit oriented development was completed.¹¹ The North Bayshore Precise Plan in Mountain View recently established a trip cap based on a single occupancy vehicle (SOV) mode share target of 45%.¹²

O12-6

3. Air quality

We applaud the many policies and requirements that address air quality in the Plan and associated proposed zoning. The DEIR also includes several air quality mitigation measures that we support, including AQ2a (development of specific mitigation plans where necessary), and AQ3a and AQ3b (diesel pollution and sensitive land uses). However, additional mitigation is called for because the area of Menlo Park facing the most impacts from future development is not only a part of the regional nonattainment area for state and federal smog and soot standards, it is also downwind of the busy 101 freeway, and Belle Haven residents are therefore exposed to serious health hazards from Toxic Air Contaminants such as diesel soot.¹³ The City must ensure that there is ample site specific mitigation required for individual new developments as they move forward, such as enhanced measures to reduce drive-alone rates, elimination of fossil fuel use in buildings, and attentive application of measure AQ3a to ensure clean delivery and service trucks. In addition, the City should explore providing free air filters

O12-7

¹¹ These trip reduction goals are tied to the Bay Meadows development in San Mateo.
<http://www.cityofsanmateo.org/DocumentCenter/Home/View/11019>

¹² See the Precise Plan here: <http://www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=15164>

¹³ Note that Table 4.2-8 incorrectly states that additional projected PM2.5 emissions do not exceed the daily threshold. This is important because health impacts related to fine particulate matter exposure are the most serious of the air pollutant triggers, contributing to premature deaths among many other impacts.

to all Belle Haven residents living near the freeway, any congested areas, or major new construction sites.¹⁴

O12-7
(cont.)

Menlo Park has in many cases been a leader in requiring green development that minimizes environmental impacts. The proposed Plan has incorporated many goals and policies that ensure Menlo Park can continue to thrive and modernize while maintaining its charm and sustainable quality of life. The improvements recommended here can help ensure that the ConnectMenlo General Plan fully preserves the environment and allows Menlo Park to stay on track to its environmental and climate goals. Many of the ideas we propose are simply extensions of existing policy that require only moderate effort, yet would yield substantial benefits throughout the community of Belle Haven and city-wide.

O12-8

This DEIR shows that ConnectMenlo can be a win-win for the environment, livability, convenience, transit, and our economy. With some adjustments to sustainable development strategies Menlo Park can transform over the next 25 years into a model city full of life, community, vitality, and character. Thank you for considering our comments.

Sincerely,



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diane@menlospark.org

Natalie Baker, Menlo Spark Intern
nmbaker@stanford.edu

Clara Dewey, Menlo Spark Intern
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¹⁴ We recommend a program providing High Efficiency or “HEPA” filters, such has been done in other freeway-impacted communities. See: <https://www.epa.gov/indoor-air-quality-iaq/guide-air-cleaners-home>
Note that air filters have been requested by at least one Belle Haven resident at a public meeting related to ConnectMenlo.



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August, 1, 2016

Via E-mail

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City of Menlo Park, Planning Division
701 Laurel St.
Menlo Park, CA 94025
Submitted via connectmenlo@menlopark.org

RE: Draft EIR for the Menlo Park General Plan and M-2 Zoning Update

Dear Ms. Chow:

The Citizens Committee to Complete the Refuge (CCCR) appreciates this opportunity to respond to the Draft Environmental Impact Report (DEIR) for the Menlo Park (City) General Plan and M-2 Zoning Update (Project, Update).

CCCR has its roots in the citizens who led the campaign that founded the Don Edwards San Francisco Bay National Wildlife Refuge (Refuge) in 1972. For the decades since, we have been active pursuing Refuge expansion and the protection of Refuge habitats, wildlife and lands as well as all threatened and dwindling wetlands of the Bay. Our interests have prompted us to comment on multiple projects of the City in the last decade inclusive of scoping comments responding to the Project's NOP (see Appendix A). We additionally participated in focus group, workshop, public meeting and survey actions conducted as part of the ConnectMenlo public process.

Project Description: We understand that this DEIR addresses two major actions. It proposes updates to several State-mandated elements of the City's General Plan (GP), specifically, Land Use and Circulation. As consistent with other GP elements, these updates are applicable to the entire City, excepting certain content that by nature is location-specific. The second major action would amend Title 16, Zoning, of the City's Municipal Code in regard to zoning changes proposed for the M-2 Area (Bayfront), intended to update Bayfront zoning designations with implementation of updated GP programs, development objectives and regulations and of design standards.

The DEIR is defined as a Program Level EIR (Sec. 1.3) and a basis for subsequent streamlined environmental review of eligible development through tiering provisions of CEQA (Sec. 1.4.1) and/or Infill Project qualification under Senate Bill (SB) 226 of 2011 (Sec. 1.4.2). It also explains that the City Council set six objectives for the GP updates given that the Project "mainly addresses growth in the Bayfront Area and applicable land use and circulation policies citywide." (Sec. 3.5) and quoted here:

- Establish and achieve the community's vision.
- Realize economic and revenue potential.
- Directly involve Bayfront Area property owners (as land use changes are expected only in that area).
- Streamline development review.

O13-1

- Improve mobility for all travel modes.
- Preserve neighborhood character.

Comments Regarding this DEIR: In our review and comments here, CCCR has paid particular attention to information and concerns presented in our scoping comments and those of the USFWS regarding the Don Edwards National Wildlife Refuge (Refuge). (See Appendix A) Additionally our comments will address topics of concern that rose to our attention during our review.

O13-1
(cont.)

The comments are presented in two steps, first discussing issues of broad, major concern and then comments specific to content of the DEIR.

MAJOR ISSUES OF CONCERN

Summary

1. The DEIR is inadequate as a Program EIR for the Bayfront by failing to provide data and analysis suited to consideration of an Area Plan and foreseeable impact of zoning changes, to sufficiently inform the public and decision-makers and to establish explicit, measurable mitigations to guide tiered projects and infill-exemption eligibility.
2. The City has inappropriately and impermissibly conducted parallel rather than sequential CEQA processes for this Project and the Updates-dependent Facebook West Expansion Project.
3. The DEIR incorrectly uses Initial Study checklist items as its criteria and thresholds of significance, thereby omitting or failing to analyze important issues relevant to this Project.
4. The DEIR fails to incorporate multiple, directly-applicable conservation plans and thereby fails to assess high-density development and residency impacts introduced by Bayfront zoning updates.

O13-2

Discussion

1. Inadequacy of the document to serve as a Program EIR for the Bayfront.

It is our observation that the DEIR provides a mile-high perspective of the Project even when a ground-level view is needed. This error may arise from the DEIR’s action in regard to GP elements, which are city-wide in nature. Very differently, the Bayfront action is specific as an area plan and development standard, an action that demands much more detailed analysis to assess foreseeable impacts and specific, measurable mitigations. For area plans, a Program EIR must provide narrowly-focused, detailed analysis and mitigation specification. This becomes an issue of great concern given that the Project Descriptions leads to us to conclude that streamlining Bayfront development as tiered projects or as CEQA-exempted Infill projects is a key desired outcome. The DEIR is inadequate for such decisions.

O13-3

As stated in the DEIR (Sec. 3.7.3, p. 3-28): Under Section 15064(d) of the CEQA Guidelines, *“In evaluating the significance of the environmental effect of a project, the lead agency shall consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project.”*

The DEIR fails to identify and analyze numerous potential impacts and in many cases, defers that analysis to future study as part of project permitting. This approach improperly defers analysis to future mitigation. While this approach may be necessary in cases where it is not possible to assess impacts at the program level, such analysis is possible in this case and, therefore, required. Even at the program level, the EIR preparers can anticipate that these impacts could occur, quantify the impacts, and identify detailed mitigation measures. The fact that this DEIR fails to conduct the necessary evaluations and impermissibly defers them will likely deprive the public of any opportunity to review these impacts. This is of particular concern because City Council objectives and DEIR discussion of streamlining environmental review (Sec. 1.4) cause us to conclude that the City will consider options that eliminate public review. In that regard and importantly, the inadequate analysis of this DEIR fails to inform decision-makers of the likely consequences of approving the Project.

O13-4

Development in the Bayfront is a City Council objective and zoning changes (or "updates") are needed to do so. As such it is a critical concern that the DEIR failed to provide detailed analysis of known conditions of high potential risk in the Bayfront. New zoning and zoning boundaries simultaneously introduce new risks and occur in locations that previously were not at similar risk. For each placement of new zoning, the City has an obligation to identify location-specific impacts and mitigation requirements that may differ from locations with like zoning. An area plan differs from the situation in which a developer comes to the City to request a rezoning of a particular site. In that case, the resulting environmental analysis would inform the City and developer of specific mitigation obligations. An area plan introduces substantial complexity but cannot dismiss analysis of impacts of particular rezoning in relation to location and relationship to existing conditions or, where applicable, to adjoining, different rezoning.

Some examples of great concern arise from inadequacies of analysis regarding natural community conditions, sensitive species and hydrology adjoining the Facebook East Campus, wetland impacts of the Life Science rezoning and potential flood impact on Bayfront Canal in Redwood City, as we discuss in detail below. As written in this DEIR, the many mitigations are inadequate to the task of flagging well known conditions that should force additional environmental review of tiered projects and/or disallow Infill CEQA exemptions under SB 226. Without analysis and appropriate mitigations, the public and decision-makers would be denied opportunities to be informed about impacts.

O13-5

Especially in regard to the Bayfront, the DEIR must include new analysis of adequate depth as well as mitigations that provide measurable guidance and that do not impermissibly defer mitigation determination to future reviews, policies and permitting.

O13-6

2. Relationship to the Facebook Expansion Project (FB Expansion): Our response to the NOP asked that the DEIR explain how the FB Expansion CEQA process could run in parallel to this DEIR, when that Project is dependent on outcomes of the Update. We had asked the same question in our response to the FB Expansion NOP. We are very disappointed that the City offered no such explanation in either DEIR and were further amazed to see the following:

O13-7

- a. "In this case, the proposed project that is the subject of this EIR consists of long-term plans that will be implemented over a 24-year buildout horizon (e.g., 2016 to 2040) as policy documents *guiding future development* activities and City actions. *No specific development projects are proposed as part of the project.*" (Sec. 1.3, emphasis added)

b. "The proposed project includes potential new development, that would only occur in the Bayfront Area, associated with implementation of ConnectMenlo in combination with the remaining and previously approved buildout potential in the current General Plan that would be reaffirmed and carried forward to the 2040 buildout horizon upon approval of this General Plan and Zoning Update." (Chapter 3. Project Description, paragraph one)

O13-7
(cont.)

c. The Project's buildout targets and analysis (Sec. 3.7.3 and Table 3-2) include the buildout targets of the FB Expansion. This data is published just days after the DEIR for the FB Expansion is released for public comment, quite some time before its proposals can be considered final. Significantly, it is also well before the Update CEQA process is complete and inclusive of final outcomes that would provide a zoning change on which the FB Expansion depends.

d. Throughout the discussions of environmental impacts, under existing conditions, the FB Expansion DEIR included proposed goals, policies and programs of the GP Update that *may* apply. The GP Update is not an existing condition of that project nor is that project an existing condition of the Update, as a Program EIR (see above) or as defined in the CEQA Guidelines, 14 CCR § 15125, Environmental Setting, as follows, emphasis added:

(a) An EIR must include a description of the physical environmental conditions in the vicinity of the project, *as they exist at the time the notice of preparation* is published, or if no notice of preparation is published, at the time environmental analysis is commenced, *from both a local and regional perspective*. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.

(b) When preparing an EIR for a plan for the reuse of a military base, lead agencies should refer to the special application of the principle of baseline conditions for determining significant impacts contained in Section 15229.

(c) Knowledge of the regional setting is critical to the assessment of environmental impacts. Special emphasis should be placed on environmental resources that are rare or unique to that region and would be affected by the project. *The EIR must demonstrate that the significant environmental impacts of the proposed project were adequately investigated and discussed and it must permit the significant effects of the project to be considered in the full environmental context.*

(d) *The EIR shall discuss any inconsistencies between the proposed project and* applicable general plans, specific plans and regional plans. Such regional plans include, but are not limited to, the applicable air quality attainment or maintenance plan or State Implementation Plan, area-wide waste treatment and water quality control plans, regional transportation plans, regional housing allocation plans, regional blueprint plans, plans for the reduction of greenhouse gas emissions, *habitat conservation plans, natural community conservation plans and regional land use plans for the protection of the coastal zone, Lake Tahoe Basin, San Francisco Bay, and Santa Monica Mountains.*

(e) Where a proposed project is compared with an adopted plan, the analysis shall examine the existing physical conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced as well as the potential future conditions discussed in the plan.

O13-8

Given such findings both the FB Expansion and the GP Updates DEIRs are premature through cross-reference and presumed outcomes and are inappropriate as parallel rather than sequential projects. For impact analysis and mitigation, both projects are impermissibly based on plans that are not existing conditions, baselines established at the time of their respective NOPs in the summer of 2015.

The City must defer consideration of the FB Expansion until after the Updates CEQA process is complete and recorded.

O13-9

Reference: On July 11th, 2016, CCCR submitted comments to the Menlo Park Planning Department regarding the FB Expansion DEIR. As it is impossible to separate that project from this one, ***we include that letter, located in the Update DEIR’s Appendix A, as part of these comments.***

3. Standards of Significance

The DEIR uses the Initial Study (IS) checklist items as its criteria and thresholds of significance. This approach results in a document that misses some of the most important issues. An IS, which is a screening document to direct further CEQA review, is very different than an EIR, which conducts the detailed review. Further, the use of IS checklist items as thresholds of significance is in error. With the exception of the Mandatory Findings of Significance, an IS checklist does not provide any thresholds or criteria of significance. Rather it identifies topics to be evaluated during the screening for potentially significant impacts. The EIR should be revised to focus all environmental impact analysis on actual impacts of potential significance.

O13-10

4. Omitted conservation plans and impacts of high density development and housing to wildlife, habitats, hydrology and recreation.

In our scoping comments we listed a number of major conservation plans that would need to be considered as existing conditions and information resources for impacts analysis in the DEIR, all of them directly involving the Refuge lands that line the Bayfront and most of the shoreline Planning Area of the Project. These comprise ~1572 acres, the largest expanse of open space in Menlo Park, stretching from the East Palo Alto border near the Dumbarton Bridge to Bedwell Bayfront Park. These publicly-held lands are all planned for habitat restoration as part of the South Bay Salt Pond Restoration Project (Restoration Project), an approved and authorized Federal/State plan, and are also subject to two other approved Federal wildlife and habitat plans, the Don Edwards San Francisco Bay National Wildlife Refuge Comprehensive Conservation Plan and the US Fish & Wildlife Service (USFWS) Tidal Marsh Recovery Plan.

O13-11

Given the development focus on the Bayfront, it was more than disturbing to find that the Biological Resources discussion (Sec. 4.3) lists not one of these plans, as CEQA requires. Again CEQA Guidelines 14 CCR § 15125 (d) applies.

(d) The EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans and regional plans. Such regional plans include, but are not limited to, the applicable air quality attainment or maintenance plan or State Implementation Plan, area-wide waste treatment and water quality control plans, regional transportation plans, regional housing allocation plans, regional blueprint plans, plans for the reduction of greenhouse gas emissions, habitat conservation plans, natural community conservation plans and regional land use plans for the protection of the coastal zone, Lake Tahoe Basin, San Francisco Bay, and Santa Monica Mountains.

O13-11
(cont.)

General mentions were included in Biological Resources text about the Refuge and the Restoration Project, as entities but not associated with relevant plans, as a footnote citing a Refuge Complex map (seven refuges, not a detailed local reference) and another footnote referencing a scientific study on mudflats posted on the Restoration Project website. Somewhat in contrast, in Hydrology and Water Quality (Sec. 4.8) text described certain details of both plans, each directly referenced in footnotes, confirming that the DEIR preparers knew about these plans.

Please consider these descriptions that demonstrate the direct relevance and, in fact, analysis value for assessing the biological impacts along the shoreline and identifying mitigations of but not limited to Public Services and Recreation, Biological Resources and Hydrology and Water Quality

a. Don Edwards SF Bay NWR Comprehensive Conservation Plan (CCP): Approved in 2012, this document is a 15-year plan to guide Refuge actions toward well-defined goals. As part of the National Wildlife Refuge System, the goals of the CCP fit within the System-wide mission of wildlife-first, an objective that, by Congressional direction, must use the best available science. Operating under the National Wildlife Refuge System Act, the Refuge also provides wildlife-compatible public use opportunities, some already available in Menlo Park. With this wildlife focus, the CCP, prepared under NEPA guidelines, provides a wealth of best-of-science detail for Menlo Park on wildlife, plants, habitat categories, threats, hydrology, geology, sediment and a broad host of other details and describe existing conditions on Refuge lands better than any other source. For all analysis of potential impacts to Refuge lands, this document should have been referenced as an existing condition.¹

b. South Bay Salt Pond Restoration Project Program and Phase 1 EIR/EIS and Phase 2 EIR/EIS: In December, 2007 the final Programmatic EIR/EIS was recorded and released. The plan described in extensive detail the 50-year restoration plan for more than 15,000 acres of former salt ponds, including all of the ponds in Menlo Park. The plan provided a stepped set of restoration plans, to be phased over decades, developed with broad stakeholder participation and incorporating the best of science. It’s tri-fold purpose was set as habitat restoration, flood protection and public access. The document also provided the Project-level Phase 1, location-specific actions that included pond SF-2 in Menlo Park and public benefits of trail improvements and an interpretative overlook in Bedwell Bayfront Park. This document, program and project level, is a conservation plan that should have been listed under existing conditions.²

O13-12

Although not an existing condition at the time of the NOP, the Phase 2 EIR/EIS, final within recent months, would have been reasonable, under CEQA, to list with the 2007 Program document for the information it provides for changes expected during the Project's 24-year buildout. The actions of Phase 2 also gained probable funding resources with the June passage of Measure AA, funding the San Francisco Bay Restoration Authority. The Phase 2 plan describes extensive restoration action in ponds along the Bayfront. Several years ago members of the City's ConnectMenlo staff participated in a tour introducing the draft Phase 2 alternatives to the public. In fact, one of the alternatives discussed that day was described in Hydrology & Water Quality, p. 4.8-19. As this information is

¹ Don Edwards San Francisco Bay NWR Comprehensive Conservation Plan, 2012: https://www.fws.gov/refuge/Don_Edwards_San_Francisco_Bay/planning.html

² South Bay Salt Pond Restoration Project Final EIR/EIS 2007: <http://www.southbayrestoration.org/EIR/>

relevant, and particularly so to wildlife, habitat, and public access, listing and referencing it would more fully inform the public and decisionmakers, while providing a more robust basis for analysis and mitigation.

c. Tidal Marsh Recovery Plan, Tidal ecosystems of Northern and Central California (TMRP): This plan was published in December 2013, after completing the NEPA process and 15 years of development. It is a plan of the US FWS Endangered Species Division that spells out a recovery plan for five endangered species, bird, mammal and plant, and additionally for 11 species/subspecies of concern, all of which depend on tidal marsh ecosystems. The document's analysis is based on the biology of each species but its goal is the comprehensive restoration and management of tidal marsh ecosystems in and beyond San Francisco Bay.

Not a regulatory document in and of itself, the TMRP does form the core of USFWS guidance for any programs that manage or restore tidal ecosystems. In Menlo Park, this guidance directly applies to the Refuge, charged in its mission to protect and provide habitat for a number of the endangered species, species known to be found along Ravenswood Slough, Flood Slough and/or north of Bedwell Bayfront Park on Greco Island. Similarly then it is guidance to the Restoration Project which will be leading Phase 2 restoration in the Refuge ponds and is intended to reestablish tidal ecosystems in Pond R4, adjoining Bedwell Bayfront Park, enticing the federally-endangered Ridgeway rail (formerly California clapper rail) and salt marsh harvest mouse to expand their populations into the restored pond.

Given its role in this shoreline's evolution toward restoration, the TMRP should appropriately be a reference of guidance to this Project. Its content, along with the CCP, document key threats to locally significant species, threats that include impacts of development construction, structure design, increases of population density (job or residence) and of predation. The TMRP includes map and localized detail that directly apply to the Bayfront.³

The DEIR must be improved to list these three conservation plans, all of substantial significance to the Bayfront and to the overall Planning Area that includes tidal marshes and mudflats from Flood Slough to offshore of East Palo Alto.

COMMENTS ON SPECIFIC ENVIRONMENTAL IMPACTS AND MITIGATION

Many CCCR comments that follow are additive, where appropriate, to major concerns already discussed, serving as examples, relevant detail or clarification.

Project Description, Chapter 3

3.3.2.1 Existing Land Use and Figure 3-2

We observe that the City lists and maps just 10% of the City’s lands as Open Space/Conservation Area inclusive of a County park. Conversely, as the Figure 3-2 map demonstrates, that 10% does not include the ~1572 acres of premier conservation lands of the Refuge. The Refuge is a City landowner and its lands are public lands. If the Refuge was correctly included in that designation, perhaps analysis

³ Tidal Marsh Recovery Plan, USFWS, FEIS 2013: https://www.fws.gov/sacramento/es/recovery-planning/tidal-marsh/es_recovery_tidal-marsh-recovery.htm

**O13-12
(cont.)**

O13-13

O13-14

throughout this DEIR and other Bayfront plans would receive analysis more consistent with the GP Goals, Policies and Programs protecting City lands now designated as Open Space/Conservation Area.

**O13-14
(cont.)**

3.4 Project Study Area

The DEIR states: “The State of California encourages cities to look beyond their borders when undertaking the sort of comprehensive planning required of a General Plan.” The section then goes on to limit the study area to lands within City jurisdiction and Sphere of Influence (potential annexations). Doing so impermissibly avoids impacts that the Project may have regionally i.e. on neighboring lands and jurisdictions. An example we have in mind are potential impacts on Redwood City involving Bayfront Canal, which Figure 3-5 appears to show as within the Study Area. The DEIR must analyze its impacts beyond the Study Area and, in this example, does not. (See Sec. 4.8, Hydrology comments below)

O13-15

3.7.1.1 Land Use Element Update

1. The primary purpose of the Land Use Element Update ...”describes the changes for the future development in the Bayfront Area, including new land use designations and changes in designations for individual parcels.” It is with some great concern here, and elsewhere, that maps included fail to provide detailed focus on the Bayfront but rather persist in providing only a mile-high overlook of the entire City/Study Area. This DEIR cannot serve as guidance for Bayfront tiering or Infill CEQA exemptions unless it provides detail-level information for analysis and for public and decision-maker review. An example of our concern is the lack of a map that clearly provides boundaries for the proposed Life Sciences designation near, or possibly on top of, wetlands.

O13-16

The Project Description needs to provide Bayfront-focused equivalents of the various land use designation, zoning and circulation maps that are currently only City-wide views.

2. Land Use Designations/Bayfront: It is our great concern that the DEIR proposes to layer several Residential-Mixed Use (R-MU) designated areas on the Facebook East campus, itself rezoned from General Industrial, Conditional Park (M2(X)) to the more varied Office (O). We understand that the R-MU designation will permit Facebook to build housing for its employees. In our comments regarding Biological Resources (below), we discuss the extraordinarily sensitive nature of that location and extensive potential impacts, a concern we raised in our scoping letter as also done by the Refuge.

O13-17

Here again we see that this DEIR fails to make the existing conditions evident by using a mile-high analysis approach such that the impacts are only evident to readers who are familiar with these lands.

We ask that housing be prohibited on the Facebook East campus, regardless of land use designation, and, to inform the public and decision-makers generally, that the DEIR be revised to include detailed land use designation and like maps for the Bayfront.

3. Land Use Designation/Baylands, p. 3-20: It is notable in other designations that institutions associated with each land use are identified. So it puzzles us that the Baylands designation does not identify the Refuge, owner/manager of the majority of the Baylands. This land is publicly held in perpetuity as a National Wildlife Refuge and cannot be sold or transferred without an Act of Congress.

O13-18

This land use designation should be corrected to acknowledge the Refuge presence.

Public Services and Recreation, Sec. 4.1

4.12.3 Parks and Recreation

4.12.3.1, Environmental Setting/Existing Conditions

As mentioned elsewhere, analysis of this environmental impact is city-wide and is devoid of analysis of impacts of Bayfront development on local recreation resources. Under “Regional Parks and Preserves” the Refuge is identified but there is no analysis that drills down on what Bayfront-specific impacts may result from high density development and housing. Bayfront-specific impact analysis needed to be provided. Previously cited major conservation plans that include recreation programs and plans need to be listed and considered.

In the Refuge’s scoping letter (Appendix A), Project Leader Anne Morkill raised concerns about the expected significant increase of pedestrian and bicyclist traffic along the Bay Trail. This increase is reasonably anticipated in the Bayfront given the DEIR’s high density development proposals, inclusive of a pedestrian/bike bridge crossing Bayfront Expressway. Additionally, Phase 2 of the Restoration Project plans to install a new trail connection from the Bay Trail to Bedwell Bayfront Park, crossing through the Refuge. Phase 2 will also add other Refuge trails and an overlook adjacent to the Park, recreation changes serving the Bayfront.

Parks and Recreation needs to be analyzed in detail for the Bayfront due to changes that can very reasonably be anticipated from vastly increased density.

O13-19

4.12.3.2 Standards of Significance

We repeat here that the Standards of Significance are limited to guidelines of the Initial Study and that the impact analysis of and EIR must instead be based on actual impacts of the Project.

O13-20

4.12.3.3 Impact Discussion and 4.12.3.4 Cumulative Impact Discussion

None of the impacts discussed in these sections adequately analyze impacts in the Bayfront and therefore are unusable as a basis for mitigation or decisions regarding streamlining development projects in the Bayfront area.

O13-21

Section 4.3 must be revised to provide the appropriate level of analysis of Bayfront impacts and mitigations.

Biological Resources, Sec. 4.3

Impacts on biological resources is of very great concern to CCCR as regards impacts of proposed Bayfront rezoning and development. We reemphasize here the existing condition and impact analysis issues discussed as major concerns above. Emblematic of our mile-high concerns, we note that all of the map figures of this section include the entire City. Not one drills down to detail the Bayfront.

O13-22

4.3.1.2 Existing Conditions

The DEIR provides a general, cursory description of biological resources in and adjacent to Menlo Park’s Bayfront Area that contains inaccuracies and important omissions that must be rectified:

1. National Wetland Inventory Wetland Habitat Types, Figure 4.3-4 : The section incorrectly identifies the former salt ponds that are adjacent to the Bayfront Area as either "Lake" habitat or "Freshwater Emergent". In fact, the ponds are neither.

O13-23

2. Coastal Salt Marsh and Salt Ponds, Page 4.3-9: This section fails to identify the ponds as being part of a National Wildlife Refuge and provides no information on current conditions or habitat values. These ponds provide important seasonal roosting and foraging habitat for thousands of migratory shorebirds and other waterfowl when they fill with winter rainwater, making this a sensitive site with respect to potential impacts from the proposed changes in land use, development intensity, building height and pedestrian/bike circulation, and construction activities on adjacent Bayfront Area parcels.

O13-24

Additionally, the DEIR fails to identify and discuss the near-term changes in the salt pond conditions scheduled to occur when the South Bay Salt Pond Restoration Project's recently-adopted Phase 2 plan for the Ravenswood ponds is implemented. The Phase 2 plan will expand areas of tidal salt marsh for the federally-endangered Ridgeway's rail and salt marsh harvest mouse and create nesting habitat for the endangered snowy plover in ponds directly adjacent to the Bayfront Area.

3. Sensitive Natural Communities, Page 4.3-17: This discussion is an example of the broad-brush analysis that does not provide Bayfront biological detail that is badly needed, as discussed elsewhere. The section depends on the CNDDDB database and not on local surveys nor does it access applicable conservation plans that we have discussed previously. Instead we are surprised to see the section refer to a 2004 report of the San Francisquito Creek Joint Powers Authority, a flood control agency, instead of using scientifically-qualified biological sources and more recent information.

O13-25

4. Jurisdictional Wetlands and Other Waters, Page 4.3-17 : This section correctly identifies the "freshwater emergent" wetlands in the only undeveloped portion of the M-2 area located "along University Avenue and south of Bayfront Expressway" as being likely jurisdictional. On page 4.3-24, the DEIR states that this site "has a designation of Life Sciences over areas of marsh land cover" and would "be a sensitive natural community". In spite of these significant facts regarding an area slated for development, the DEIR includes no detailed location map, provides no information on acreage potentially impacted and no information on current vegetation or habitat values. It appears that at least 60% of this undeveloped area has vegetation associated with wetlands including cattail, sedge, rushes, marsh baccharis, pickleweed, saltgrass and alkali heath.

O13-26

All of these concerns need to be addressed in a revised and recirculated DEIR.

4.3.2 Standards of Significance

O13-27

Here again the DEIR misuses Standards used for Initial Studies and fails to define impacts that specifically arise from this Project, failing through it to inform the public and decision-makers.

4.3.3 Impact Discussion

Seven potential general impacts to Biological Resources are identified in the DEIR. The discussion in the DEIR for almost all of the identified impacts includes statements that "goals, policies and programs in the proposed Land Use Element and existing Section II, OpenSpace/Conservation" in the General Plan

O13-28

would help protect biological resources and “minimize impacts”; however, **goals, policies and programs do not assure mitigation, and the DEIR concludes that six of the seven impacts would be “potentially significant” unless mitigated.**

The mitigation measure for each of these significant impacts (BIO-1 through BIO-4 and BIO-6 and BIO-7) is identical: Mitigation Measure BIO -1. Mitigation Measure BIO-1 improperly defers analysis to future study in a “biological resources assessment” required as part of “project approval” by Menlo Park and when the project applicant obtains “appropriate authorizations” from regulatory agencies. **In fact, the language in Mitigation Measure BIO-1 states that future study is required, but outlines no enforceable measures to ensure that any of the six specified significant impacts will be adequately mitigated.** Additionally, in the absence of a requirement explicitly stated in this measure for a full EIR at the project level for biological resources, agencies, other interested parties and the public will have no opportunity to review and comment on the adequacy of future analysis and mitigation.

O13-28
(cont.)

The DEIR fails to identify, analyze or provide mitigation for a number of potential impacts that could result specifically from the proposed program-level changes to the Bayfront including the following:

- 1) Increasing the maximum allowed height (including the bonus) from 35 feet in the current *General Industrial* zoning to 6 stories for the proposed *Office, Life Sciences* and *High Density Residential* zoning, and 10 stories for *Optional Hotel* zoning.

Increased building height can create bird strike hazards, lighting impacts and shadowing on adjacent sensitive biological resources, including the National Wildlife Refuge and the undeveloped parcels and open space south of Bayfront Expressway. These impacts from taller buildings could be especially serious on the Facebook East Campus which is surrounded by the Refuge on two of its three sides and actually juts out into a flyway corridor between ponds used by waterfowl and other birds within the Refuge. The DEIR discusses proposed “bird-safe” design regulations that could help address this impact, but the regulation includes “a waiver from one or more” of the requirements. Without a specific and enforceable mitigation measure, this impact is potentially significant.

O13-29

- 2) The new *Life Sciences* zoning is overlain on an estimated 15 acres of undeveloped baylands that include freshwater emergent wetlands. This area is directly adjacent to lands proposed to be designated *Open Space and Conservation* that also contain significant areas of freshwater emergent wetlands.

This Menlo Park zoning overlay would potentially allow fill of jurisdictional wetlands and the direct loss of a sensitive natural community. Additionally, moving development closer to the *Open Space* lands could impact wildlife in that area as well. Fill for development and additional stormwater runoff could alter the hydrology, threatening the areas of freshwater marsh found throughout this area. These are program-level potentially significant impacts that have not been analyzed or mitigated.

- 3) The proposed zoning change from *General Industrial* to *High Density Residential* development on the periphery of the Facebook East Campus would generate a number of potential impacts to wildlife in the immediately adjacent Refuge. Specific concerns were brought to the City’s attention by the USFWS San Francisco Bay National Wildlife Refuge (see July 2015 letter in Appendix A - Notice of Preparation and Scoping Comments) as documented in the excerpt below from the agency’s NOP comment letter:

“We are deeply concerned about the development, particularly the residential aspect, proposed for the M-2 Area. Residential development has a host of implications for wildlife resources and habitats in the area. We met with Facebook several months ago regarding their desire to provide housing on their East campus and expressed opposition to this residential concept. We have already experienced trespassing by Facebook staff through our lands neighboring the East campus. Housing on this campus will no doubt increase trespassing to our properties at all hours. Furthermore, housing near wildlife habitat generally has other negative implications including increases in noise, ambient lighting that will attract predators and disturb nesting endangered species, presence of free-roaming domestic animals that will predate on native wildlife, attracting nuisance animals (e.g., raccoon, skunk, crows), and garbage issues.” (emphasis added)

O13-29
(cont.)

Additionally, the Refuge comment letter outlines the changes that will be occurring in the salt ponds along the north side of Highway 84 and directly adjacent to the Facebook East Campus. The recently-adopted Phase 2 Plan of the South Bay Salt Pond Restoration Project will enhance “nesting habitat of the federally and state-listed western snowy plover”, a ground nesting bird “particularly vulnerable to predation”, and tidal marsh restoration will “further benefit endangered species recovery along the borders of the East campus.”

The DEIR should have identified and analyzed these potentially significant impacts that can be anticipated to occur to endangered species and other wildlife, both from construction activities and the new residential use in the Bayfront Area, and the final EIR must provide specific mitigation measures.

4) The proposed changes to the Land Use and Circulation Elements and zoning changes will lead to significantly denser development in the Bayfront Area that will increase the number of commuting employees and new residents utilizing the Bay Trail, and the proposed pedestrian/bicycle bridge adjacent to the Refuge. The DEIR fails to examine impacts to wildlife from increased noise, disturbance, dogs (on or off-leash), night lights and avian predator perches associated with new structures, light poles, etc. These impacts were identified in the Refuge and CCCR scoping comment letters. They are related to the proposed overall increase in development in the Bayfront Area, which is not associated with specific projects; therefore, analysis and mitigation measures must be included in this program-level DEIR.

O13-30

CCCR comments regarding Biological Resource impact measures

Impact BIO-1: Impacts to special status species

See all previous related comments. The DEIR improperly limits discussion to “checklist” criteria and fails to identify, analyze or mitigate potentially significant impacts to other wildlife in the Bayfront Area. Even for “special status species”, adequate baseline information, technical analysis and mitigation for program-level impacts is improperly deferred; therefore, the impact assessment/conclusion of “less than significant with implementation of Mitigation Measure BIO-1” is unsupported. Impacts remain “potentially significant”.

O13-31

Impact BIO-2: Impacts to sensitive natural communities

O13-32

See all previous related comments. DEIR improperly limits discussion of impacts to “checklist” criteria, when other important natural habitats in the Bayfront could be impacted (such as the salt pond roosting/foraging habitat used by migratory waterfowl). The DEIR identifies the “areas of marshland cover” along University Avenue as a “sensitive natural community” that could be impacted, as well as salt marsh habitat; however, due to inadequate technical analysis and mitigation, the impact assessment/conclusion of “less than significant with implementation of Mitigation Measure BIO-1” is unsupported; therefore, impacts remain “potentially significant”.

**O13-32
(cont.)**

Impact BIO-3: Impacts to federally-protected wetlands

See all previous related comments. Due to inadequate baseline information, technical analysis and mitigation, the impact assessment/conclusion of “less than significant with implementation of Mitigation Measure BIO-1” is unsupported; therefore, impacts remain “potentially significant”.

O13-33

Impact BIO-4: Impacts on movement of wildlife, wildlife corridors, and nursery sites

See all previous related comments. In reference to development reducing “the remaining natural habitat in the study area”, the DEIR includes a statement that “most wildlife in these areas are already acclimated to human activity”. There is no information provided on what wildlife is actually in “these areas” and no evidence provided to substantiate this conclusion.

O13-34

As noted earlier, the reference to “bird-safe” design regulations for the Bayfront protecting migratory birds is not a correct assessment because the requirements can be waived. Due to inadequate information, technical analysis and mitigation, the impact assessment/conclusion of “less than significant with implementation of Mitigation Measure BIO-1” is unsupported; therefore, impacts remain “potentially significant”.

Impact BIO-5: Conflicts with local plans and policies

The DEIR concludes that there are no conflicts with local plans and policies and that the changes proposed in the Land Use Element and Bayfront Area M-2 zoning are consistent with General Plan goals, policies and programs, making this impact “less than significant”. A review of the General Plan goals, policies and programs listed in the DEIR (pages 4.3-20 through 4.3-23) indicates that this assessment/conclusion is unsupported with respect to biological resources in the Bayfront and should be revised to “significant”.

Placing the proposed Bayfront Area *Life Science* zoning overlay on undeveloped bayland parcels with jurisdictional wetlands and a sensitive natural community conflicts with a number of General Plan goals and policies including:

O13-35

- Goal LU-6: Preserve open-space lands for recreation; protect natural resources and air and water quality; and protect and enhance scenic qualities.
- Policy LU-6.5: Open Space Retention. Maximize the retention of open space on larger tracts (e.g., portions of the St. Patrick’s Seminary site) through means such as rezoning consistent with existing uses, clustered development, acquisition of a permanent open space easement, and/or transfer of development rights.

- Policy LU-6.7: Habitat Preservation. Collaborate with neighboring jurisdictions to preserve and enhance the Bay, shoreline, San Francisquito Creek, and other wildlife habitat and ecologically fragile areas to the maximum extent possible.
- Policy LU-6.11: Baylands Preservation. Allow development near the Bay only in already developed areas.
- Goal OSC-1: Maintain, Protect and Enhance Open Space and Natural Resources.
- Policy OSC-1.2: Habitat for Open Space and Conservation Purposes. Preserve, protect, maintain, and enhance water, water-related areas, and plant and wildlife habitat for open space and conservation purposes.

O13-35
(cont.)

Irrespective of any possible future decisions by regulatory agencies, Menlo Park is proposing a zoning overlay for development, and according to Mitigation Measure BIO-1, the City would issue “grading and other construction permits” allowing for the loss of biologically sensitive open space lands “if avoidance is infeasible” and “compensatory mitigation” is provided. This site is adjacent to, and hydrologically connected with publically-owned wetlands that are designated as *Open Space/Conservation*. Clearly, the City-sanctioned loss of any wetlands in this area would be inconsistent with the goals and policies of Menlo Park’s General Plan.

Impact BIO-6: Conflicts with provisions of approved habitat conservation plans

As discussed previously, the DEIR fails to identify and discuss the relevant conservation plans that are in place pertaining to biological resources both in and adjacent to the Bayfront Area, even though the plans’ information below provided by CCCR in our scoping comment letter.

O13-36

The BIO measures and impact discussions must be revised to adequately address analysis inadequacies, to better inform the public and decisionmakers and to develop Bayfront-appropriate mitigations.

Geology, Soils, and Seismicity, Section 4.5

4.5.2 Standards of Significance

As elsewhere discussed, it is inappropriate to use Standards of Significance required for Initial Studies to define impacts to be considered in an EIR. Doing so will omit actual impacts and fail to inform the public and decision-makers adequately.

O13-37

4.5.3 Impact Discussion

General comment, GEO measures: The fact that the discussions and impact analysis of these major natural risks are again done at the “mile high” level for the Bayfront negates conclusions drawn. Location by location, liquefaction may vary due to the nature of alluvial soil layering. During seismic events, locations that are closest to open water, near Flood Slough, Ravenswood Slough, and the Dumbarton Bridge may be at risk for combinations of liquefaction and local inundation. Risks vary by location and the impacts and mitigation cannot be analyzed with a superficial city-wide view. An outcome in the Bayfront is that the findings are not suited to assessments of tiered projects or of infill project exemption eligibility.

O13-38

GEO-1, GEO-3, GEO-4

Inadequate. See General comment, GEO measures above.

O13-39

GEO-5

This measure defers any analysis of soil or seismic impacts to wastewater systems to the rationale that the area is serviced by several sanitary districts. The fact that City contracts with those districts for those services does not relieve the City from, as mitigation, maintaining a role monitoring the age, quality and capacity of the sanitary sewage infrastructure and the systems’ ability to withstand impacts of seismic events. The City’s role on behalf of residents, businesses and institutions should not be silently assumed or omitted from these impact discussions and mitigations.

O13-40

4.5.4 Cumulative Impact Discussion

GEO-6

Inadequate. See General comment, GEO measures above.

O13-41

Hydrology and Water Quality, Section 4.8

4.8.1.2 Existing Conditions/Physical Environment/Storm Drain System

There was some head-scratching while reading this section as its description lacks both detail and clarity. It was simply not sufficient as a presentation of the City’s storm drain systems and related actions. It mention several studies, in 2003 and 2013. The description of the more recent study, flow capacity along Middlefield Road, seemed to imply it included data regarding flow to both San Francisquito Creek and the Atherton Channel, but not detailed in the DEIR. The related footnote (#21) did not link to data. By email to Justin Murphy, City Director of Public Works, we learned that the 2013 study included only flow data impacting San Francisquito Creek. We remain curious as to how much stormwater runs from Menlo Park and its Sphere of Influence into the Atherton Channel, of interest as that channel drains to the western perimeter of the Bayfront and affects Bayfront Canal.

O13-42

Here again we are dismayed at the lack of detail for the Bayfront. We learned through the Facebook Expansion DEIR (FB Expansion) that storm drainage of its project site was inadequate to the degree that Facebook proposed to install new, larger storm drains leading to the pump station and Flood Slough. We wonder, what is the carrying capacity of the rest of the Bayfront storm drain systems? This DEIR does not tell us.

This Storm Drain section needs extensive improvement, adding detailed system information for the Bayfront and ensuring that footnotes identify actual data.

4.8.1.2 Existing Conditions/Physical Environment/Groundwater

This section is an exceptional example of why analysis of impacts in the Bayfront cannot be mile-high but requires detail including graphics that present existing conditions clearly. In the Bayfront, sitting on an alluvial cone, all development will be affected by a shallow water table which foretells impacts that

O13-43

will almost universally apply such as dewatering and limited stormwater absorption capacity. In our response to the FB Expansion, we expressed concerns which apply here. This DEIR should provide data that would allow similar assessment of all Bayfront locations that may be developed or redeveloped. Please see our Facebook Expansion letter, previously referenced.

O13-43
(cont.)

4.8.1.2 Existing Conditions/Physical Environment/Flood Hazard Areas. P. 4.8-19

This section describes flooding that has occurred from the Atherton Channel and, affecting Redwood City, the Bayfront Canal due to carrying capacity limits and lack of detention options. Through local reports we are aware that there is a project underway that will improve carrying capacity of the Atherton Channel, a channel that transports stormwater from both Atherton and Menlo Park. (See comment on storm drains, above).

From there the section stumbles into the reason why proposed plans should not be discussed as “existing conditions.” There is an error in the text, an assumption included in a statement about the Bayfront Canal and Atherton Channel Improvement Project. It states that it “will include installing a culvert to direct water to the Ravenswood Ponds”. This was a proposal considered in alternatives of the Restoration Project but ultimately not included in the final EIR/EIS. While the City Public Works Department should keep an eye on evolving changes in the landscape (like the Atherton Channel project), the same information is error-prone and falsely misleading for the public and decisionmakers when included in a DEIR. **In fact, the existing condition that should be described is that high tides combined with peak stormwater flow in Flood Slough can still for the foreseeable future produce flooding in Redwood City via the Bayfront Canal.**

O13-44

This section should be revised to correctly inform impact analysis, the public and decision-makers.

4.8.1.2 Existing Conditions/Physical Environment/Sea Level Rise Pp. 4.8-20, 21

It is seriously disconcerting to read discussion about sea level rise (SLR) risk assessment that dismisses action as unnecessary beyond BCDC jurisdiction, added to a long list of exceptions. It is of great concern to us when Menlo Park or any other shoreline city, separates itself from catastrophic future impact and expense for the sake of revenue today. In this case, the City aligns with the developers one of whom told me that a shoreline disaster in 30 years was no problem as the business would just move away, leaving behind inundated development and infrastructure while bearing no clean-up responsibility.

The section discusses a number of SLR risk assessment projects that are underway and one, the SAFER Project of the SFC JPA, that is in preliminary stages of a shoreline levee feasibility study that currently would include the Menlo Park shoreline. Here again, this is not an existing condition and DEIR discussion can mislead or misinform the public and decision-makers. CCCR’s experience with the first shoreline levee planned for the Bay, in Alviso, has taught us to be wary. That project’s first public meeting was in 2006. After much back and forth on alternatives, it finally has an approved environmental review and approved federal funding. Yet as the bulk of design is still to be completed, we wonder if construction will begin in 2018 as projected. It is far too soon in the 24-year build out window to base development decisions on the SAFER Project. Notably the Alviso levee project has the Santa Clara Valley Water District, a large agency with depth in technical staff for flood control as a planning advantage. San Mateo County has no equivalent agency and the SFCJPA is a very small agency dealing with an immense project. Building organizational capability may slow progress.

O13-45

A point of DEIR clarification: The DEIR states that the SAFER project will “restore more than 1,000 acres of historic marshlands...” That is not the case in Menlo Park. As described in the Restoration Project’s 2007 Program EIR/EIS, restoration of all the Project acreage held by the Refuge will be performed by the Refuge (USFWS) in conjunction with the State Coastal Conservancy. The Restoration Project needs to partner with the SAFER Project because it can’t perform major breaches needed to create tidal ecosystem conditions until landward infrastructure is protected by new levees. Of course this arrangement makes good sense because the SFC JPA is a flood control agency first and foremost, not staffed with ecological scientists while the Refuge and the Restoration Project have that expertise.

O13-46

4.8.1.2 Existing Conditions/Physical Environment/Mudflow P. 4.8-26

The very brief discussion of mudflow for some reason omits any discussion of potential mudflow from Searsville Dam, should it fail in a major earthquake. That facility is 90% sediment i.e. wet sediment. While that dam is not in Menlo Park, it is part of the upstream watershed that empties through San Francisco Creek. Why isn’t it discussed?

O13-47

4.8.2 Standards of Significance

We repeat, it is inappropriate to use standards that were intended only for the development of the Initial Study. Doing so eliminates consideration of actual impacts of the project and misinforms the public and the decisionmakers.

O13-48

4.8.3 Impact Discussion

General comment: None of the HYDRO measures can be deemed adequate for impact analysis and mitigation for future Bayfront development. The DEIR has failed to provide the Bayfront-intense detail needed to develop substantive, measurable mitigation, as we’ve discussed elsewhere.

O13-49

HYDRO-1

On-site infiltration: The entire Bayfront is an area of shallow groundwater, probably varying somewhat from parcel to parcel. In later years of the 24-year build-out period, it is also possible that sea level rise may begin to bring shallow water closer to the surface in the Bayfront. Higher groundwater levels will affect infiltration capacity and the use of bioswales. As mitigation to limit stormwater runoff, studies will be needed wherever and whenever a project is proposed, a mitigation requirement not included in this measure. It needs to be.

O13-50

HYDRO-3

The failure of the DEIR to provide detailed stormwater system information regarding carrying capacity, relevant to existing conditions and to zoning change proposals, makes it impossible to identify, by particular Bayfront location, potential impacts and appropriate mitigation.

O13-51

HYDRO-4

O13-52

1. The comment for HYDRO-3 applies here as well. It is in addition to the failure of the DEIR to analyze, on a true existing-condition basis, potential flooding impacts on the Bayfront Canal and Redwood City, especially during the combination of peak stormwater runoff (extreme storm or serial storm events) during high tides. We refer you to our FB Expansion comment letter for additional, relevant discussion.

O13-52
(cont.)

2. “Net new impervious surface” Again referring to the FB Expansion as an example, we find that the DEIR has failed to establish criteria of what does and does not qualify as pervious surface. Roof gardens, while valuable in many ways, in peak rainfall periods have less absorption capacity in contrast to ground-level gardens and bioswales. Therefore a roof garden cannot be granted equal credit when calculating “net new impervious surface” although that is what was done in the FB Expansion DEIR.

O13-53

HYDRO-5

Please see comments above regarding, pervious/impervious surfaces, on-site infiltration and impact on Bayfront Canal flooding. Please also see our letter regarding the FB Expansion project.

O13-54

HYDRO-7

For the Bayfront, proposals to add new housing are insufficiently protected by the minimal FEMA standards and the Goals, policies and programs of the City. There is **no planning included for escape routes**, a particularly severe concern in the Bayfront where circulation patterns are already severely impacted and expected to become much worse through this Project.

O13-55

HYDRO-9

It is inappropriate to combine risks from flooding from sea level rise in the same impact analysis as all other causes of flooding. In fact, all of those other causes will continue to exist as sea level rises and, as such, need analysis and mitigation appropriate to those conditions. In contrast, sea level rise flooding analysis would need to consider levee height, height of creek/slough flows, king tides, sea surge, presence/absence of protective tidal marsh, and increased stormwater impacts due to reduced infiltration capacity (near-surface groundwater conditions).

O13-56

4.8.3 Cumulative Impacts

HYDRO-11

For reasons cited above for other HYDRO impacts, this measure cannot be deemed adequate, particularly as regards the Bayfront. As a cumulative impact measure, its failure to include potential impact on the Bayfront Canal/Redwood City is a major omission.

O13-57

We hope these comments will assist the City in revision of this DEIR, toward the end of producing a document and a CEQA process that has fulfills the information, adequacy and impact analysis purposes for which it is intended. If there is any need, feel free contact the writer at 408-257-7599 or wildlifestewards@aol.com. Please use this email address for any distributions regarding the Project.

O13-58

CCCR is a 501(c)(3) nonprofit corporation that is fully volunteer-run, acts to ensure that the Refuge fulfills its Congressional acquisition authority to expand its land holdings and to protect special and

E. McLaughlin, CCCR, 08/01/16, Response to the Menlo Park's GP & Zoning Update DEIR

sensitive habitats and wildlife along the South Bay's shores. Very similarly, it acts on behalf of the continuous protection of the wildlife and habitats the Refuge must provide.

**O13-58
(cont.)**

Truly yours,



Eileen McLaughlin
Board Member, CCCR

CC: Carin High, Co-Chair, CCCR
Gail Raabe, Co-Chair, CCCR
Anne Morkill, Project Leader, San Francisco Bay NWR Complex
Chris Barr, Deputy Project Leader, San Francisco Bay NWR Complex

From: Patti L Fry <pattifry@gmail.com>
Sent: Thursday, June 16, 2016 8:39 AM
To: _Planning Commission
Cc: _CCIN
Subject: Planning Commission 6/20 agenda is a travesty

Dear Planning Commission,

According to the agenda released last evening, you are being asked to review during your June 20th meeting two DEIRs -- for the Facebook Expansion project and for the General Plan (ConnectMenlo) update -- AND hold a study session about the Facebook project. This is an astonishing amount of important topics crammed into one evening. That minimizes the importance of your review and of input from the public. To cram all of that into a single session is outrageous and makes a mockery of what should be an open and meaningful public process. This is the first time there will be an opportunity to discuss the "significant and unavoidable" negative impacts of these projects (one is the city's "planning constitution" for the next 24 years) to determine if and how these negative impacts could be minimized.

The DEIRs were released only a few weeks ago (May 26th for Facebook Expansion and June 1st for the General Plan update) and the staff reports last night. Because the full agenda was just published and comments on the DEIR documents are not due until July 11th and 15th, respectively, the timing of your meeting means:

- You are being asked to review and discuss nearly 10,000 pages of material (DEIRs, their appendices, staff reports)
- Members of the public have little time to digest the same material in order to make oral comments on Monday
- You will not have the benefit of written feedback from either the Menlo Park community, nearby communities that also would be affected, or public agencies who might alert you to issues and provide suggestions
- You are being asked to do something utterly unprecedented - to review not just one, but two, DEIRs and conduct a study session in a single meeting. In the past, Planning Commissions have held a separate meeting for a study session devoted to a single topic. To my knowledge, Commissions have never been asked to review 2 DEIRs at once, much less to hold only one meeting about something as important as the General Plan.
- You are being asked to hold these important conversations without the Commission's Chair who will be absent from this meeting because of her summer vacation plans

This schedule is unfair to the commissioners, unfair to the public, and unfair to the spirit of open discourse of big issues that will affect our city's future.

These are major projects with complex issues. The General Plan is a planning document that will guide the city's evolution, with projections of growth that extend as far as 2040, nearly 25 years into the future. It has not been updated as a whole since 1994. While there has been an extensive public process up to this point, particularly regarding the zoning changes that represent about 1/4 of the growth the new Plan would allow, this is the first opportunity to examine comprehensively what the aggregate and cumulative impacts of adopting this Plan mean. The Plan's DEIR reveals many

I01-1

"significant and unavoidable" negative impacts that deserve extensive discussion. This document, in particular, deserves the full attention of all the Planning Commissioners in at least two full meetings without other topics on the agenda.

It is important for a reasonable time to be allotted for public participation and comments now that the DEIR analysis of the potential impacts of such substantial growth is available. Instead, the time allotted for public review and comment is the minimum required by state law, and it falls over a period with two national holidays and filled with graduations, weddings, vacations. The time given to you for the June 20th meeting is even shorter. It is only in recent past that Planning Commission reviews of DEIR's occurred prior to the end of the period for public comment. The rationale for this change is unknown. And the rationale for this overly full agenda is perplexing. It feels as if there is a deliberate attempt to reduce opportunities for close examination and discussion. You can, and should, resist the rush job that is being imposed on you.

The Facebook expansion project application and its DEIR should not be pre-empting the new General Plan. Instead, it should adhere to the new General Plan and its review should take a back seat to completing the important job of evaluating the General Plan changes and its Draft Environmental Impact Report.

I encourage the Planning Commission to push back on this schedule by insisting on the following:

- Schedule the reviews at, or after, the end of the public comment period so you have benefit of that input for your discussion
- Separate the scheduled reviews of the DEIR's for these massive projects
- Spread the discussions of each DEIR over several meetings as necessary to allow you to be fresh when you discuss these important topics.
- Schedule the Facebook expansion project study session at a totally separate meeting with no other agenda items

As a former Planning Commissioner, I know that each of these recommended actions has been taken by previous Planning Commissions for complex topics and large projects. Some Commissions have even scheduled extra meetings for reviewing complex projects that had some time constraints (unlike the General Plan update).

Last, I encourage you to be particularly diligent during your review of information provided to you. Part of your responsibility is to identify issues and to provide to the council your ideas and insights about errors, omissions, pluses and minuses, pros and cons, alternatives, and potential mitigation measures. I have been told by council members that they appreciate getting a range of feedback and input from individual commissioners, as that helps them arrive at their own personal position on issues. Thus, you should not feel compelled to arrive at a single position as a Commission on subjects that are part of the review. Unlike your responsibilities for projects that you can approve, your role regarding DEIR's is to provide feedback, ideas, and suggestions.

On matters like the General Plan, the council makes policy decisions after your review. They rely on your experience as commissioners who have reviewed and approved a variety of projects. They rely on the breadth and depth of your critical thinking and creative ideas that help council members as they individually arrive at their own conclusions for the policy discussions.

You serve as a critical quality control point, too. The city staff and hired consultants are very busy, particularly right now. Your rigorous scrutiny of DEIRs and other reports provides important quality assurance. A recent example of the importance for this Commission role and the perils of an overly

**I01-1
(cont.)**

full agenda is the study session regarding the Greenheart project's proposed public benefit. That was inappropriately scheduled on a too-full agenda the same evening as the discussion of that project's DEIR. The staff report and consultant study were faulty, providing a financial analysis of a Project and Alternative that weren't at all similar to the real project that Greenheart representatives said they were actually planning, and not the same as the Alternatives studied in the DEIR. With only a few days to review the staff report and the DEIR, neither the Commissioners nor we in the public noted the extent of these flaws. They were substantial. For example:

- The BAE Urban Economics financial analysis in that report assumed 1,086 parking spaces, not the 980 actually proposed by Greenheart. The difference means there would be about \$4.5 million less of upfront costs.
- The financial analysis did not include any revenue from parking fees, which Greenheart representatives stated in the meeting they intend to charge to all tenants. This means that the revenue projections were understated.
- There was only one Alternative in the analysis and that did not resemble either of the two Alternatives in the DEIR. This means that when the Council reviews the project and its DEIR and considers Public Benefit, they will not have accurate and relevant information upon which to make their decisions.

**I01-1
(cont.)**

There simply wasn't time to examine in detail the heart of the staff report and the consultant study because those were only available a few days prior to the meeting that also included review of several other projects plus a 62-page staff report just on the Greenheart project plus its 296-page DEIR and its 1,376 page Appendices. These errors mean that the project would be far more lucrative to the developer than even the stated \$78 million profit (30% rate of return). Frankly, you need a re-do of that discussion based on an accurate representation of the project and a financial analysis of it and of the Alternatives in the EIR because THAT is what the Council will be evaluating when they make their policy decisions. Although the Commission's discussion was thoughtful, it could have been quite different with accurate information.

This was unfair to you, to the public, and to a robust discussion of the real project.

Take the time to do adequate due diligence. This is one of the most important roles you are charged to fulfill. Our community counts on it.

Respectfully submitted,

Patti Fry, Menlo Park resident and former Planning Commissioner

Sent from my iPad

From: gabrielle johnck <gabriellejohnck@gmail.com>
Sent: Thursday, June 16, 2016 9:28 AM
To: _Planning Commission
Cc: _CCIN
Subject: Unprecedented Agenda Planning Commission

Planning Commission Members:

The agenda for this coming June 20 meeting is most disturbing. It seems impossible for you to review two very complicated land use plans plus a study session in one night. It makes no sense to have these issues on the agenda and at a time when the Chair, who is also a General Plan Advisory Committee Member, plans to be absent, due to her summer vacation schedule.

I urge you to remove the Facebook topics and focus on the General Plan. The sooner you complete the General Plan process, the more informed your review can be when taking other projects under submission. Together, the documents total more than 9,000 pages and that does not include the Staff Reports.

The General Plan is considered the constitution for future growth for every city. Growth affects employee population, resident population, air and water quality, traffic, the San Francisco Bay, housing, waste, the city's carbon footprint, and even school class room size. It has been 22 years since the last General Plan was adopted. The world has changed. Menlo Park has changed. We are now under pressure from the insatiable romance of property owners and developers to make a profit. Your advice to the Council must be thoughtful and wise.

To review either the General Plan or Facebook Draft EIRs without the reading the comments from the public, that are not due for another 20 days, seems dismissive of the gravity of the issues.

While both these issues have moved along for the past year, do not now cheat yourselves, the Council and the public by rushing your review on one night.

Brielle Johnck
Menlo Park

I02-1

COMMENT LETTER # I03

From: [Carol Schultz](#)
To: [Planning Commission](#)
Subject: Two new developments
Date: Thursday, June 16, 2016 9:43:38 AM

I'm very concerned that the meeting on Monday will consider two new developments. It doesn't seem that there is enough time to read the plans, let alone discuss. Furthermore, I will not even be here to attend the meeting. Please do not make any rash decisions that will affect Willow Rd or the Willows. Please change the date and times of these meetings, so that more interested citizens may attend. I'm VERY concerned about the dramatic growth of our town.

I03-1

Thank you. Sincerely

Carol Schultz
carolroses@sbcglobal.net

526 Pope St
Menlo Park, CA 94025

From: [Helga Wild](#)
To: [Planning Commission](#)
Subject: Review of planning documents
Date: Thursday, June 16, 2016 10:23:14 AM

To the Planning Commission:

Like others I want to express my concern about the speed and deadline with which two major documents, which set the stage for Menlo Park's development for the next quarter century, are offered to the public for review.

Offering several thousand pages of in part highly technical information to the public and expect them to be absorbed and properly responded to within such short time is quite impossible. To insist on it, makes it look very much as if the city does NOT mean to include the affected population in the decision making process.

I think a prolonged series of presentations and discussions with the different neighborhoods in Menlo Park, with time and space for working groups to explore consequences, should be offered, before any reasonable debate can be had.

Living in the Willows and being a board member of a BH volunteer organization has brought me up close to the impact the recent growth has had on the quality of living here. And it makes me weary of the impact the proposed developments will have in future. I would hope that the concern for further economic development can be balanced with equal concern for the wellbeing of current and future residents.

Sincerely,
Helga Wild

Helga Wild-Damiris, Ph. D.
helgawild@sbcglobal.net
ph 650-842-0426

I04-1

From: [Larry Rockwell](#)
To: [Planning Commission](#)
Cc: [Jim Wiley](#)
Subject: General Plan and Facebook Expansion review
Date: Thursday, June 16, 2016 10:26:21 AM

Dear Planning Commission members and City Council:

What's the rush? The General Plan and Facebook expansion proposals under consideration will affect Menlo Park for the next generation. Can you realistically and thoroughly review and analyze them in one meeting? Especially when the Chairman of the Commission isn't even there?

My neighbors Jim Wiley and Brielle Johnck thoughtfully wrote:

"Two major Menlo Park development plans will be reviewed in one single night Monday June 20 by the Menlo Park Planning Commission. This is unprecedented. One is the City's General Plan that guides the City for the next 24 years. How will the city grow? How will population increase? How many office buildings will be allowed? How many housing units will be built and where? What will the number of residents be? How will the schools be impacted? How will people move from one point to another, in their cars, on bikes or by walking? Will there be enough water for the new employees and the new residents? Are we not already under a water restriction plan? Our General Plan was last updated in 1994 and it is way out of date.

The second development plan being reviewed at the same June 20th meeting is Facebook's 1,100,000 sq ft expansion. This addition of two more office buildings and a hotel will add 6,400 new employees. This phase of Facebook's expansion does not include housing, which leaves employees commuting from other towns. Will commuters stay on Willow Rd. and University Ave. or will they cut through residential neighborhoods in Palo Alto, East Palo Alto and Menlo Park?

Changes in Menlo Park have been occurring rapidly since 2012. Population is expected to increase from 32,000 to 52,000 by 2040. How this will affect the schools, traffic and housing needs is being studied by the City now. What is shocking is that both the Facebook expansion and the General Plan are being rushed through in one night. The two documents total more than 9,000 pages of complicated information. To have both these issues on the same night when the Chair of the Planning Commission is apparently on vacation is wrong. They should be given individual attention and time."

Please reconsider and re-schedule until after all of the factors in play can be looked at in detail.

Thank you,

Larry Rockwell
854 Woodland Ct
Menlo Park, CA 94025

I05-1

From: [Jeff Prudhomme](#)
To: [Planning Commission](#)
Subject: City Agenda for Planning Meeting 6/20/16
Date: Thursday, June 16, 2016 1:10:16 PM

Dear Planning Commission:

I see on the Meeting Agenda for 6/20/16 there are plans to review General plan amendments and review of expansion of Facebook property. I highly recommend that this be separated into two meetings with the Facebook expansion held afterwards. This is too controversial of a subject and I believe it is important that you take the time to review the amendments first before considering a focus on new projects.

Regarding the Facebook expansion there are a lot of other smaller streets not mentioned that will be affected by the this potential growth that the city has to address. The Willows neighborhood is dealing with a lot of cut through traffic because of the bottlenecks elsewhere so traffic has increased greatly on the streets. We live on Woodland Avenue and are well impacted by these changes. Our neighborhood would be greatly affected by the magnitude of this change.

We have also had two boys attend Menlo Atherton High School. I have strong beliefs that a second high school needs to be made in the site you are describing. There are a number of issues already in MA with the school within a school and it would not be able to handle the increased volume you described.

Jeff Prudhomme
935 Woodland Ave

I06-1

From: gabrielle johnck <gabriellejohnck@gmail.com>
Sent: Friday, June 17, 2016 10:21 PM
To: Heineck, Arlinda A
Cc: _Planning Commission; _CCIN
Subject: Facebook piggybacking General Plan?

Arlinda,

Thank you for your prompt response to my concerns regarding what I consider an impossible agenda for the June 20 Planning Commission meeting. Where we differ is the approach the City has taken with both these important land-use cases. Your sentence regarding the "overlapping review periods" speaks to what is fundamentally wrong with the process the City has chosen.

"Given the overlapping review periods, proximity of the two projects, and potential similarity in questions/comments by the public, it was appropriate to conduct a meeting with the two draft environmental impact reports (DEIR) on the same agenda."

Why is the General Plan overlapping with a 1 million sf development application? The General Plan is a crucial document that should undergo its own process, unfettered with an application from the largest company in the City - one whose plan, as far as we now know, is to have a complex of 2.9 million sf and an employee projection of 20,000.

For years residents have waited for the City to begin the update process of our City's General Plan. That it is 23 years out of date is an egregious act of negligence by every City Council since 2003. I understand that Facebook is eager to continue its growth but the City's responsibility is first and foremost the orderly business of establishing policies that will guide your department, the Planning Commission and the Council on land use issues for the life of this General Plan.

We have lived through the Specific Plan process which took 5 years and within 18 months of its adoption, proposals for office reached the 30 year projection for commercial growth. Many of us understood the influence Stanford University had on the outcome of the Specific Plan and it is no wonder why we are now concerned that the City has allowed Facebook to overlap with our General Plan update. Already there are references in the Facebook DEIR to the yet-to-be-adopted General Plan. How much is Facebook driving the GP process?

There should be no overlapping of the updating of the General Plan and the environmental review of the current Facebook application. Facebook is subordinate to the General Plan, so it would be appropriate that the General Plan first needs to undergo the proper steps, review and adoption. Only then will the City be confident that Facebook will be evaluated with the most current understanding of what the accumulated impacts are from the last 23 years of growth in the entire City.

Yes, there have been multiple meetings but until the Draft EIR on Facebook was released, there was no way to read and understand the full breadth of the expansion as well as its impacts on Greenhouse Gas Emissions and Traffic. 24 days for analysis between the release of the FB DEIR and the June 20 Planning Commission has been a challenging assignment for the residents and probably the Commissioners as well.

Added to that task is the reading of the General Plan DEIR in 19 days. The DEIR for the General Plan reveals that there are significant and unavoidable impacts related to air quality, greenhouse gas emissions, population and housing, transportation and circulation.

Where you casually use the word "overlapping" to describe Facebook's project of 1,300,000 sf and the General Plan zoning changes, I would say that there seems to be a direct connection. For example: the staff report states that no specific project is part of the General Plan and M-2 Area Zoning update; yet the General Plan and M-2 Area Zoning Update seems to have been tailored to fulfill Facebook's design plans. There needs to be an arms-length distance between what Facebook wants for its current expansion plans and the policies the City needs to put in place in the M-2 Area.

I doubt that the Planning Commission believes it can do an adequate job in one meeting. I urge the City to remove item F-1, the Facebook DEIR from the June 20 Planning Commission agenda. It is no wonder that the Chair of the Planning Commission who has also served as a member of the General Plan Advisory Committee is skipping town before the June 20th meeting.

Brielle Johnck

I07-1

From: jackie leonard-dimmick <akita550@hotmail.com>
Sent: Saturday, June 18, 2016 4:04 PM
To: _connectmenlo
Subject: "Menlo Park General Plan Update EIR"

Dear Deanna Chow, city of Menlo Park - Planning Division:

I read the article "What Impacts Could M-2 Zoning Changes Have?" by Kate Bradshaw in the 6/8/16 of "The Almanac" Many questions came to my mind. Do we need 'more housing, more traffic and less water'? Do fire fighters provide more fuel for a forest fire? No. They smother it with dirt or water until the fire dies - no longer exists. The problem is not a lack of affordable housing, but too many people - either through immigration, or couples "having" more children than to replace themselves. Why not do what you, (we), can do, to overcome the problem, instead of feeding it? This can be done through education, encouraging couples to contribute to SMALL families, a maximum of two children. How many, and what kinds of companies should a city provide for? How many people can a city harmoniously care for? Hire locally - as we are told "to buy locally."

A beautiful city is no longer beautiful when it is over run with people. The whole world would be blessed as population voluntarily decreases. Too many people seem to be afraid to address the issue of world over population which affects each and every one of us.

Jackie Leonard-Dimmick

I08-1

From: [Jones, Pamela](#)
To: [Chow, Deanna M](#)
Subject: Comment of Draft EIR for Planning Commission
Date: Saturday, June 18, 2016 1:42:39 PM

Hello Deanna,

Below is a statement to be included in the packet for the Planning Commission 6/20/2016 Meeting:

Hello Commissioners,

I respectfully request the following:

1. The maximum extension of the final date for public comment to the Draft EIR, and
2. An analysis of the combined EIRS for Haven Avenue Apartments, Bohannon Hotel, Facebook Expansion and General Plan.

Pamela D Jones

I09-1

I09-2

From: Martin Lamarque <martinlamarque@yahoo.com>
Sent: Saturday, June 18, 2016 10:31:54 PM
To: _connectmenlo
Subject: Discussion of issues for June 20th meeting need to be in two different meetings

To the Planning Commission Members:

You might justly argue that whatever there was to salvage in Belle Haven is not there any more. Thanks to your, and the Council members willingness to serve on a silver platter anything and everything to the big-monied developers.

If you haven't tried to drive down Willow Road in the last year, I want to one of these days invite you to join me in doing so anytime between 7:30 and 10:00a.m, or between 3:30 and 7:30p.m.

Your collective inability to consider the negative impact that your shortsighted decisions have caused the residents of Belle Haven can only be explained by an unconditional loyalty to the ones with power and money.

There will always be willing developers to build and invest. But once you give the farm away, we are forever stuck with the damage their greed results in.

I am asking that you separate the meetings and give residents an opportunity to at least hear who will own our destiny in smaller doses.

The meeting on Monday June 20th should not include discussion of the Facebook take over of our neighborhood. Let's please at least give the appearance that you are willing to consider the common good by allowing for more discussion.

Martin Lamarque
1139 Carlton Ave

I10-1

From: [Bob McGrew](#)
To: [Planning Commission](#)
Cc: [CCIN](#)
Subject: Comment on housing for the General Plan Update
Date: Sunday, June 19, 2016 8:54:53 PM

Dear Members of the Planning Commission:

As you consider the General Plan Update [on Monday night](#), I'd like to remind you of the importance of providing housing for the future workers in the Bayfront area - especially given the housing crisis that has gripped the Bay Area over the last five years.

Facebook deserves commendation for proposing to build housing for their workers, and the city of Menlo Park deserves commendation for encouraging Facebook to do so.

However, as we've seen with the Specific Plan in downtown, there's a wide gap in practice between entitling a specific number of units for housing and actually having those units built. As an example, although the Specific Plan envisioned apartments above retail for Santa Cruz Ave, the small lots and low allowable densities outside of the El Camino corridor have made it infeasible to build the units that the plan entitles.

Similarly, the Bayfront is a large area, but the Prologis campus where housing is allowed as part of a mixed-use development is only a part of it. I encourage you to ensure that the the housing that Menlo Park needs will actually be feasible to build in the space available. Given that this plan allows space for 5500 new workers in the Bayfront, we need to make sure that this housing is actually built so that we are fixing our housing crisis rather than worsening it.

Finally, while building an additional 4500 housing units would make a dramatic impact on the housing crisis in Menlo Park, the city most critically has a shortage of housing that is accessible to low and middle-income workers. I would also encourage the Commission to recommend that a full 15% of the units entitled by the Plan be set aside as affordable housing. There are no other feasible paths for Menlo Park to add nearly 700 units of affordable housing - and we as a city already need them.

Bob McGrew
Menlo Park resident

Cheers,
Bob

I11-1

6/20/16
I

① I'M HAPPY TO SEE IMPROVEMENTS ON BELLE HAVEN AREAS BUT, I'll BE HAPPIER TO SEE :

I12-1

* AN INCREASE TO 40% FOR LOW INCOME RESIDENCES WORKING WITH ANY ORGANIZATION DEDICATED TO HOUSING DEVELOPMENTS LIKE THE ONES ON WILLOW & O'BRIEN

I12-2

* PROVIDE A ^{REALY} GOOD & RELIABLE, PUBLIC TRANSPORTATION THAT CAN TAKE PEOPLE TO P2LO ALTO ^{EPA'S} MENDO PARK & REDWOOD CITY TRANSITATIONS AND PROVIDE THE ADEQUATE SHREYERED BUS STOPS, LET'S WORK WITH OUR NEIGHBOORS CITIES

I12-3

* ALLOW HOME OWNER'S WITH 5,500 SQ. FT LOTS TO HAVE THE OPPORTUNITY TO BUILT → OVER

I12-4

A SECONDARY UNITS, MOST LOTS ON BELLE HAVEN ARE 5,500 SQ. FT. ; THE EXISTING ZONING ONLY ALLOWS SECONDARY DWELLING UNIT TO LOTS OF 6,000 SQ. FT. AND ABOVE. PLEASE, CONSIDER CHANGE THE ZONING TO 5500~~0~~

I12-4
(cont.)

* CITY SHOULD WORK WITH RIVERSWOOD SCHOOL DISTRICT TO HAVE A BETTER SCHOOL HERE IN BELLE HAVEN

I12-5

* THESE # OF VEHICLES ^{ARE REPORT} ARE ONLY FOR FACE BOOK AND DOES NOT INCLUDES THE OTHER DEVELOPMENTS ON O'BRIEN'S AREA & BY MARCH ROAD AREAS & CONVESSIONS AT FACE BOOK

I12-6

THANKS!

ERNESTO REYES @ GMAIL.COM
(650) 814-0799

Pam D. Jones
1371 Hollyburne Avenue
Menlo Park, CA 94025-1309

City of Menlo Park Council Member,

I respectfully request an extension to 90 days for the comment period on the concurrent released EIR for Connect Menlo and Facebook Campus Expansion Project. This request is consistent with the California Environment Quality Act (CEQA) **“The public review period for a draft EIR should be not be less than 30 days or no longer than 60 days except in unusual circumstances.” Guidelines §15105.**

The CEQA further states: **“The EIR should focus on the significant effects on the environment. The significant effects should be discussed with emphasis in proportion to their severity and probability of occurrence. Enough information should be included to allow decision-makers to make an full determination of the impact. Guidelines.” §15143, §15146, §15151**

The unusual circumstances includes but is not limited to the concurrent release of EIRs, failure to analysis and include multiple prior approved projects, and the substantial impact on human environment. [In addition, to date the City of Menlo Park has failed to provide remedy to current traffic challenges, nor provided a plan that does not include directing traffic through the Belle Haven portion of Menlo Park.

I anticipate a positive response to this more than reasonable request.

Respectfully, *Pam Jones*

I13-1

I13-2

I13-3

From: rachel scheuring [mailto:rachscheuring@yahoo.com]
Sent: Monday, June 20, 2016 7:11 AM
To: _Planning Commission
Cc: arron retterer; rachel scheuring
Subject: General Plan Update comment

June 20, 2016

To the Menlo Park Planning Commission,

I would like to express my concern about the potential traffic and visual impacts of the proposed bayfront development. As a long time resident of Suburban Park, I have noted increasing traffic pressure along Willow and Marsh Roads over the past few years, which has led to a spillover effect (worsened by the advent of WAZE) onto Bay Road and Ringwood Avenue. Traffic routinely backs up at the Bay/Ringwood intersection during the morning commute, leading to a snake of frustratingly slow moving cars that stretches many blocks. Bay Road on its southern stretch approaching Willow Road is similarly heavily impacted during the afternoon commute, necessitating waiting in a lengthy car line through successive changes of lights to access Willow Road and Highway 101. Needless to say, with the closure of Marsh Road, this situation has only worsened.

I14-1

What mitigations are planned to address our worsening traffic issues? If the city is to add 4500 residential units, 400 hotel rooms, and as much as 2.3 million square feet of non-residential space (not to mention thousands of new employees), the already pressured and frustrating traffic situation along the Willow/Marsh/Bay Road corridors will likely reach a tipping point in which our neighborhoods are reduced to morning and afternoon gridlock.

In addition, increased traffic is not the only problem facing the neighborhoods along Bay Road. Tall buildings in the Bohannon area and across the freeway have a negative visual impact on surrounding residential neighborhoods. The new office building (what is it called?) on the east side of Highway 101 towers over Suburban Park, reflecting blinding sunlight into our neighbors' homes and basically obliterating the sense of privacy that these residents previously had.

I14-2

Suburban Park and surrounding neighborhoods are bearing the brunt of these massive new developments, both in terms of traffic congestion and visual encroachment. I encourage the Planning Commission to consider these very real concerns when reviewing and making decisions regarding future developments. How do we protect our neighborhoods from extensive spillover traffic effects caused by development in an area that already pressures the Willow/Marsh/Bay Road corridors? How do we maintain that quality of life that was once the signature of Menlo Park life?

I14-3

I14-4

I14-5

Please do not rush to pass the General Plan Update without considering the future of our neighborhoods. We should not accept a plan that does not address traffic issues without real, effective mitigations. Likewise, we should not endorse new building without first addressing the visual impact on surrounding residential neighborhoods.

I14-6

I14-7

I encourage you to visit the Bay/Ringwood intersection during morning commute (especially when school is in session) and to try to access Willow Road from Bay during afternoon commute. Likewise, I encourage you to drive either Willow Road or Marsh Road (when it reopens) during afternoon commute to experience the gridlock residents in our neighborhoods face on a daily basis. I think you will understand why further development without proper mitigation seems ill-advised and jeopardizes quality of life in the future.

I14-8

I14-9

I14-10

Sincerely,
Rachel Scheuring
117 Bay Road
Menlo Park, CA 94025

From: rachel scheuring [mailto:rachscheuring@yahoo.com]
Sent: Monday, June 20, 2016 7:24 AM
To: _Planning Commission
Cc: rachel scheuring; arron retterer
Subject: General Plan Update letter-corrected version

Here is the corrected version of my letter. The original was not specific about the name of the EMC-occupied office building. I apologize for the inconvenience.

I15-1

Rachel Scheuring

June 20, 2016

To the Menlo Park Planning Commission,

I would like to express my concern about the potential traffic and visual impacts of the proposed bayfront development. As a long time resident of Suburban Park, I have noted increasing traffic pressure along Willow and Marsh Roads over the past few years, which has led to a spillover effect (worsened by the advent of WAZE) onto Bay Road and Ringwood Avenue. Traffic routinely backs up at the Bay/Ringwood intersection during the morning commute, leading to a snake of frustratingly slow moving cars that stretches many blocks. Bay Road on its southern stretch approaching Willow Road is similarly heavily impacted during the afternoon commute, necessitating waiting in a lengthy car line through successive changes of lights to access Willow Road and Highway 101. Needless to say, with the closure of Marsh Road, this situation has only worsened.

I15-2

What mitigations are planned to address our worsening traffic issues? If the city is to add 4500 residential units, 400 hotel rooms, and as much as 2.3 million square feet of non-residential space (not to mention thousands of new employees), the already pressured and frustrating traffic situation along the Willow/Marsh/Bay Road corridors will likely reach a tipping point in which our neighborhoods are reduced to morning and afternoon gridlock.

In addition, increased traffic is not the only problem facing the neighborhoods along Bay Road. Tall buildings in the Bohannon area and across the freeway have a negative visual impact on surrounding residential neighborhoods. The new EMC-occupied office building on the east side of Highway 101 towers over Suburban Park, reflecting blinding sunlight into our neighbors' homes and basically obliterating the sense of privacy that these residents previously had.

I15-3

Suburban Park and surrounding neighborhoods are bearing the brunt of these massive new developments, both in terms of traffic congestion and visual encroachment. I encourage the Planning Commission to consider these very real concerns when reviewing and making decisions regarding future developments. How do we protect our neighborhoods from extensive spillover traffic effects caused by development in an area that already pressures the Willow/Marsh/Bay Road corridors? How do we maintain that quality of life that was once the signature of Menlo Park life?

I15-4

I15-5

I15-6

Please do not rush to pass the General Plan Update without considering the future of our neighborhoods. We should not accept a plan that does not address traffic issues without real, effective mitigations. Likewise, we should not endorse new building without first addressing the visual impact on surrounding residential neighborhoods.

I15-7

I15-8

I encourage you to visit the Bay/Ringwood intersection during morning commute (especially when school is in session) and to try to access Willow Road from Bay during afternoon commute. Likewise, I encourage you to drive either Willow Road or Marsh Road (when it reopens) during afternoon commute to experience the gridlock residents in our neighborhoods face on a daily basis. I think you will understand why further development without proper mitigation seems ill-advised and jeopardizes quality of life in the future.

I15-9

I15-10

I15-11

Sincerely,
Rachel Scheuring
117 Bay Road
Menlo Park, CA 94025

From: Lily Gray [mailto:lgray@midpen-housing.org]
Sent: Monday, June 20, 2016 3:30 PM
To: _connectmenlo
Cc: Nevada Merriman
Subject: Comments on ConnectMenlo Draft EIR

Hi Deanna,

I hope you are well. Here are my initial comments on the draft EIR for the General Plan Update.

Chapter 3. Project Description

1. There are inconsistencies across the maps showing the Bayfront Area. See Figures 3-3, 3-4, 3-5, 3-8. The properties that seem to be affected are the R-4-S zoned properties on Willow and Hamilton.
2. Figure 3-8. The R-4-S properties are not being shaded as indicated in the key. It's just showing the R-MU properties.
3. Figure 3-8. Height listed for C-2-B does not match what's shown in table 4.1-1 (30' or 3 stories). As we indicated in a previously submitted comment (1/28/16), if the goal is to have the C-2-B parcels developed as mixed-use with ground floor retail and residential above, we would recommend the ability to go up to 4 stories which means 45' if the ground floor is retail.
4. Table 3-2: How are employees being calculated? Is it a square foot per employee calculation? Does this vary between office and life sciences? I could not find these assumptions in the report.

I16-1
I16-2
I16-3
I16-4

Thanks,
Lily

Lily Gray | Sr. Business Development Manager
MidPen Housing Corporation
303 Vintage Park Drive, Suite 250, Foster City, CA 94404
lgray@midpen-housing.org
t. 650.356.2963 c. 650.477.9705



-----Original Message-----

From: Darshana Maya Greenfield [mailto:darshanamaya@icloud.com]

Sent: Monday, June 20, 2016 10:14 AM

To: _CCIN

Subject: Please require proper Environmental Impact Reports

Please, before you move forward on the General Plan, you must have a complete Environmental Impact Report that includes the new people who will be living at the Haven Street apartments, Hamilton Avenue apartments, Willow Road Senior apartments, Bohannon Hotel and Facebook.

Really, any EIR without including those is useless to creating a workable and beautiful future for the City of Menlo Park.

Respectfully,
Darshana Maya Greenfield
1905 Menalto Avenue
Menlo Park, CA 94025

I17-1

From: Steinmetz, Robert [mailto:rosteinm@visa.com]
Sent: Wednesday, June 22, 2016 9:16 AM
To: _connectmenlo
Cc: Wendy Whitehouse (wendyw@exponent.com)
Subject: Menlo Park General Plan Update EIR

Hello,

We are Menlo Park homeowners in Suburban Park. We are concerned about impacts resulting in traffic in and around our neighborhood.

What mitigations are planned to address our worsening traffic issues? If the city is to add 4500 residential units, 400 hotel rooms, and as much as 2.3 million square feet of non-residential space (not to mention thousands of new employees), the already pressured and frustrating traffic situation along the Willow/Marsh/Bay Road corridors will likely reach a tipping point in which our neighborhoods are reduced to morning and afternoon gridlock. Suburban Park and surrounding neighborhoods are bearing the brunt of these massive new developments, both in terms of traffic congestion and visual encroachment.

I18-1

I encourage the Planning Commission to consider these very real concerns when reviewing and making decisions regarding future developments. How do we protect our neighborhoods from extensive spillover traffic effects caused by development in an area that already pressures the Willow/Marsh/Bay Road corridors? How do we maintain that quality of life that was once the signature of Menlo Park life? Please do not rush to pass the General Plan Update without considering the future of our neighborhoods. We should not accept a plan that does not address traffic issues without real, effective mitigations.

I18-2

I18-3

I18-4

In addition we are concerned about water usage, where will the water come from for all of this new development? Is this water source sustainable? Nearby East Palo alto recently had development plans put on hold because there was a disconnect between development planning efforts and Water supplies/allotments. We should not be committing to support large amounts of new development without sustainable sources of water identified. Let's not make the same mistake here!

I18-5

Robert Steinmetz & Wendy Whitehouse
129 Bay Road
Menlo Park, CA
415-813-7064

Comment, Neilson Buchanan – June 29, 2016 Planning Commission Meeting

155 Bryant Street, Palo Alto

cnsbuchanan@yahoo.com

650 329-0484

I appreciate that Palo Alto has recognized the regional importance of other nearby cities' planning efforts and plans to comment on Menlo Park's Facebook Expansion and General Plan Update DEIRs, but the proposed letters don't make plain enough that it's unacceptable for Menlo Park to be looking narrowly at those proposals' impacts only within Menlo Park city limits and not at the broader region.

I19-1

Palo Alto residents have already felt the impacts of unchecked office growth both in and around Palo Alto. Traffic is unbearable, parking is a battle, and we're not considering what to do with all these new employees when they get here. To protect Palo Alto's residents from these negative impacts, the City should more firmly critique the weaknesses in Menlo Park's DEIRs, especially the lack of consideration of regional impacts on traffic, population, and housing, including in Palo Alto.

Regarding traffic impacts, the EIRs' scope of analysis is too narrow and must include more impacted intersections and roadways in Palo Alto. I agree that the EIRs need to study the Sand Hill/El Camino Real/Palo Alto Avenue intersection, as the proposed comment letters state.

I19-2

However, the City *can and should* also convey a message to Menlo Park for the need to study the impacts on other heavily impacted Palo Alto intersections.

Please consider the following:

1. Attached are pages from Menlo Park's Transportation Analysis for the Facebook Expansion. (The scope of the General Plan Update DEIR's Transportation Analysis is identical.) Menlo Park has identified streets and intersections demanding analysis. It is logical that equally worthy streets in adjacent cities demand comparable analysis. Please review pages 3.3-6 – 3.3-8 and fig. 3.3-1 of the Facebook Expansion DEIR, which I have attached here and can be viewed in full at:

I19-3

<http://menlopark.org/DocumentCenter/View/10284>.

2. More specifically, citizens, not city staff, have documented profound **negative safety and traffic impact** on Middlefield/Everett and Middlefield/Hawthorne intersection.

I19-4

Mitigation effort to date has been ineffective, perhaps marginally effective at Hawthorne.

3. University Avenue(PA) and Willow(MP) are unable to handle inbound or outbound traffic. What are the traffic delays today and in the immediate future?

I19-5

4. Within the last week, Palo Alto was unable to muster political support for forward looking funding of transportation measure to mitigate traffic. Unknown and perhaps significant risk (voter approval) awaits these mitigation programs, which are delayed for a minimum of 2-3 years of Palo Alto Process. The Planning Commission in good faith must provide more insightful commentary to City Councils of both Palo Alto and Menlo Park. *This is a fundamental responsibility of appointed officials.*

I19-6

The EIRs' analyses of population, employment, and housing impacts is also unrealistically myopic. They evaluate only the direct and cumulative impacts *in Menlo Park* of all of this new office construction, despite the fact that the EIRs admit only 5 to 7% of the over 22,350 new employees will actually live in Menlo Park. And because so few of the new employees would live in Menlo Park, the EIRs say these impacts are going to be less than significant.

I19-7

But where do the other 95% go? And what will be the impacts of these thousands of new employees coming to our area, trying to find homes here, and if they can't, commuting in to Menlo Park from afar? The EIRs don't tell us. Palo Alto should tell Menlo Park that these impacts are important, and that they must be studied and disclosed to the public.

For these reasons, Commissioners, I respectfully request that you ask staff to add these concerns to Palo Alto's comments to Menlo Park on the Facebook Expansion and General Plan Update DEIRs.

Bottom Line: It is unrealistic to think that ordinary, individual Palo Alto citizens can possibly comment in-depth and rationally to Menlo Park. The primary responsibility today is upon City Staff and the Planning Commissioners. In my personal opinion, this responsibility is conflicted. How can City Staff and Planning Commissioners truly criticize Menlo Park when, in practice, development impact within Palo Alto impacts Menlo Park? This creates a system of intercity accommodation not critical thought and commentary.

I19-8

As a result... the pressing problems of housing and traffic are avoided and accelerated. Everyone is responsible and nobody is accountable.

TRANSPORTATION AND CIRCULATION

As previously discussed in Section 4.13.1.1, Regulatory Framework, VMT is an important metric in the evaluation and management of travel and congestion on both a regional and local level. For example, VMT is a key factor that influences transportation GHG emissions because the level of travel activity is a determinant of fuel consumption. VMT is also used in noise and air quality analyses because it provides an indication of the overall performance of the automobile and truck transportation system within the city. A greater VMT means more noise and more air pollution. For a discussion of VMT as it relates to air quality, GHG emissions and noise, see Chapter 4.2, Air Quality, Chapter 4.6, Greenhouse Gas, and Chapter 4.10, Noise, of this Draft EIR.

Study Locations

This section evaluates the impacts of the proposed project on 64 intersections and 87 roadway segments. The study area for the traffic analysis was selected based on consultation with City staff to capture the roadway facilities likely to experience impacts due to buildout of the proposed project.

Study Intersections

The 64 study intersections are shown in Table 4.13-4 by intersection number, name, control type jurisdiction. The level-of-service threshold for each intersection is also listed.

Study Roadway Segments

The study segments, shown in Table 4.13-5, were selected for analysis of average daily traffic (ADT) based on 24-hour traffic count data provided by the City. Table 4.13-5 is organized by segment number and name, the streets the segment is between and the City's street classification – either primary arterial, minor arterial, collector or local.

TABLE 4.13-4 STUDY AREA INTERSECTIONS AND LEVEL OF SERVICE (LOS) STANDARDS

No.	Intersection	Control Type	Jurisdiction	LOS Threshold
1	Sand Hill Road and I-280 NB Off-Ramp	Signal	Caltrans	D
2	Sand Hill Road and I-280 NB On-Ramp	Signal	Caltrans	D
3	Sand Hill Road and Addison-Wesley	Signal	Menlo Park	D
4	Saga Lane and Sand Hill Road	Signal	Menlo Park	D
5	Branner Drive and Sand Hill Road	Signal	Menlo Park	D
6	Sharon Park Drive and Sand Hill Road	Signal	Menlo Park	D
7	Alpine Road/Santa Cruz Avenue and Junipero Serra Boulevard	Signal	Menlo Park	D
8	Santa Cruz Avenue and Sand Hill Road	Signal	Menlo Park	D
9	Oak Avenue/Vine Road and Sand Hill Road	Signal	Menlo Park	D

TRANSPORTATION AND CIRCULATION

TABLE 4.13-4 STUDY AREA INTERSECTIONS AND LEVEL OF SERVICE (LOS) STANDARDS

No.	Intersection	Control Type	Jurisdiction	LOS Threshold
12	Santa Cruz Avenue and University Drive (S)	Signal	Menlo Park	D
13	Oak Grove Avenue and Laurel Street	Signal	Menlo Park	C
14	Ravenswood Avenue and Laurel Street	Signal	Menlo Park	D
15	Middlefield Road and Ravenswood Avenue	Signal	Menlo Park	D
16	Middlefield Road and Ringwood Avenue	Signal	Menlo Park	D
17	Middlefield Road and Willow Road	Signal	Menlo Park	D
18	Willow Road and Gilbert Avenue	Signal	Menlo Park	D
19	Willow Road and Coleman Avenue	Signal	Menlo Park	D
20	Willow Road and Durham Street	Signal	Menlo Park	D
21	Marsh Road and Bay Road	Signal	Menlo Park	D
22	Marsh Road and Bohannon Drive	Signal	Menlo Park	D
23	Marsh Road and Scott Drive	Signal	Menlo Park	D
24	El Camino Real and Encinal Avenue	Signal	Caltrans	D
25	El Camino Real and Glenwood Avenue	Signal	Caltrans	D
26	El Camino Real and Oak Grove Avenue	Signal	Caltrans	D
27	El Camino Real and Santa Cruz Avenue	Signal	Caltrans	D
28	El Camino Real and Ravenswood Avenue	Signal	Caltrans	D
29	El Camino Real and Roble Avenue	Signal	Caltrans	D
30	El Camino Real and Middle Avenue	Signal	Caltrans	D
31	El Camino Real and Cambridge Avenue	Signal	Caltrans	D
32	Willow Road and Bay Road	Signal	Menlo Park	D
33	Willow Road and Newbridge Street	Signal	Caltrans	D
34	Willow Road and O'Brien Drive	Signal	Caltrans	D
35	Willow Road and Ivy Drive	Signal	Caltrans	D
36	Willow Road and Hamilton Avenue	Signal	Caltrans	D
37	Willow Road and Bayfront Expressway	Signal	Caltrans (CMP)	D
38	Bayfront Expressway and University Avenue	Signal	Caltrans (CMP)	D
39	University Avenue and O'Brien Drive	Signal	Caltrans	D
40	Bayfront Expressway (SR 84) and Chilco Street	Signal	Caltrans	D
41	Bayfront Expressway (SR 84) and Chrysler Drive	Signal	Caltrans	D

TRANSPORTATION AND CIRCULATION

TABLE 4.13-4 STUDY AREA INTERSECTIONS AND LEVEL OF SERVICE (LOS) STANDARDS

No.	Intersection	Control Type	Jurisdiction	LOS Threshold
45	Chilco Street and Constitution Drive	All Way Stop	Menlo Park	C
46	Chrysler Drive and Constitution Drive	All Way Stop	Menlo Park	C
47	University Avenue and Adams Drive	Side-street Stop	Caltrans	D
48	Chrysler Drive and Jefferson Drive	Side-street Stop	Menlo Park	C
49	Chrysler Drive and Independence Drive	Side-street Stop	Menlo Park	C
50	Jefferson Drive and Constitution Drive	Side-street Stop	Menlo Park	C
51	University Avenue and Bay Road	Signal	East Palo Alto	D
52	University Avenue and Runnymede Street	Signal	East Palo Alto	D
53	University Avenue and Bell Street	Signal	East Palo Alto	D
54	University Avenue and Donohoe Street	Signal	Caltrans	D
55	US 101 NB Ramps and Donohoe Street	Signal	Caltrans	D
56	University Avenue and US 101 SB Ramps	Signal	Caltrans	D
57	University Avenue and Woodland Avenue	Signal	East Palo Alto	D
58	University Avenue and Middlefield Road	Signal	Palo Alto	D
59	Middlefield Road and Lytton Avenue	Signal	Palo Alto	D
60	Chilco Street and Hamilton Avenue	All-way Stop	Menlo Park	C
61	Chilco Street and Terminal Avenue	All-way Stop	Menlo Park	C
62	Chilco Street and Ivy Drive	All-way Stop	Menlo Park	C
63	Chilco Street and Newbridge Street	All-way Stop	Menlo Park	C
64	Marsh Road and Middlefield Road	Signal	Menlo Park	D

Notes: CMP = C/CAG Congestion Management Plan
 Source: TJKM Transportation Consultants May 2016.

TRANSPORTATION AND CIRCULATION

TABLE 4.13-5 STUDY AREA ROADWAY SEGMENTS AND 2014 EXISTING AVERAGE DAILY TRAFFIC (ADT) VOLUME

No.	Street	From	To	Current Classification	2014 Existing
1	Alameda de las Pulgas	Avy Avenue	Santa Cruz Avenue	Minor Arterial	12,450
2 ^a	Alameda de las Pulgas	Valparaiso Avenue	Avy Avenue	Minor Arterial	15,330
3 ^a	Alameda de las Pulgas	City Limit	Valparaiso Avenue	Minor Arterial	16,140
4	Alma Street	Ravenswood Avenue	Oak Grove Avenue	Collector	1,640
5	Alma Street	Willow Road	Ravenswood Avenue	Collector	3,240
6	Alpine Road	City Limit	Junipero Serra Boulevard	Minor Arterial	23,310
7 ^b	Avy Avenue	City Limit	Alameda de las Pulgas	Collector	4,610
8	Avy Avenue	Alameda de las Pulgas	Santa Cruz Avenue	Collector	5,940
9	Bay Road	Greenwood Drive	Marsh Road	Collector	5,550
10	Bay Road	Ringwood Avenue	Greenwood Drive	Collector	5,660
11	Bay Road	Willow Road	Ringwood Avenue	Collector	7,580
12	Bohannon Drive	Campbell Avenue	Marsh Road	Collector	3,910
13	Chilco Street	Constitution Drive	Bayfront Expressway	Collector	7,000
14	Chrysler Drive	Constitution Drive	Bayfront Expressway	Collector	4,070
15	Constitution Drive	Chilco Street	Chrysler Drive	Collector	2,360
16	Crane Street	Oak Grove Avenue	Santa Cruz Avenue	Collector	2,660
17	Crane Street	Santa Cruz Avenue	Menlo Avenue	Collector	2,420
18	Encinal Avenue	El Camino Real	Laurel Street	Collector	5,600
19	Encinal Avenue	Laurel Street	Middlefield Road	Collector	4,950
20	Glenwood Avenue	El Camino Real	Laurel Street	Collector	5,980
21	Hamilton Avenue	Willow Road	Chilco Street	Collector	2,770
22	Haven Avenue	Bayfront Expressway/Marsh Road	City Limit	Collector	7,400
23	Junipero Serra Boulevard	City Limit	Alpine Road	Primary Arterial	16,010
24	Laurel Street	Oak Grove Avenue	Glenwood Avenue	Collector	4,060
25	Laurel Street	Ravenswood Avenue	Oak Grove Avenue	Collector	4,410

TRANSPORTATION AND CIRCULATION

TABLE 4.13-5 STUDY AREA ROADWAY SEGMENTS AND 2014 EXISTING AVERAGE DAILY TRAFFIC (ADT) VOLUME

No.	Street	From	To	Current Classification	2014 Existing
26	Laurel Street	Willow Road	Ravenswood Avenue	Collector	4,470
27	Marsh Road	City Limit	Bay Road	Minor Arterial	22,850
28	Marsh Road	Bay Road	Bohannon Drive	Primary Arterial	25,830
29	Marsh Road	Bohannon Drive	Scott Drive	Primary Arterial	32,410
30	Menlo Avenue	University Avenue	Crane Street	Collector	7,360
31	Menlo Avenue	Crane Street	El Camino Real	Collector	8,650
32	Middle Avenue	Olive Street	University Drive	Collector	7,250
33	Middle Avenue	University Drive	El Camino Real	Collector	8,920
34 ^b	Middlefield Road	Ravenswood Avenue	Oak Grove Avenue	Minor Arterial	14,760
35	Middlefield Road	Willow Road	Ravenswood Avenue	Minor Arterial	19,690
36	Middlefield Road	City Limit	Willow Road	Minor Arterial	18,420
37	Newbridge Street	Willow Road	Chilco Street	Collector	7,070
38	Oak Grove Avenue	University Drive	Crane Street	Collector	6,360
39	Oak Grove Avenue	Crane Street	El Camino Real	Collector	7,700
40	Oak Grove Avenue	El Camino Real	Laurel Street	Collector	9,570
41	Oak Grove Avenue	Laurel Street	Middlefield Road	Collector	8,650
42	O'Brien Drive	Kavanaugh Drive	Willow Road	Collector	6,370
43	O'Brien Drive	University Avenue	Kavanaugh Drive	Collector	3,280
44	Ravenswood Avenue	El Camino Real	Alma Street	Minor Arterial	23,980
45	Ravenswood Avenue	Alma Street	Laurel Street	Minor Arterial	18,760
46	Ravenswood Avenue	Laurel Street	Middlefield Road	Minor Arterial	16,550
47 ^a	Ringwood Avenue	Middlefield Road	Bay Road	Collector	7,300
48	Sand Hill Road	I-280	Sharon Park Drive	Primary Arterial	28,050
49	Sand Hill Road	Santa Cruz Avenue	Sharon Park Drive	Primary Arterial	30,790
50	Sand Hill Road	Santa Cruz Avenue	City Limit	Minor Arterial	32,740

TRANSPORTATION AND CIRCULATION

TABLE 4.13-5 STUDY AREA ROADWAY SEGMENTS AND 2014 EXISTING AVERAGE DAILY TRAFFIC (ADT) VOLUME

No.	Street	From	To	Current Classification	2014 Existing
51	Santa Cruz Avenue	Junipero Serra Blvd.	Sand Hill Road	Minor Arterial	26,480
52 ^a	Santa Cruz Avenue	Sand Hill Road	Alameda de las Pulgas	Minor Arterial	23,230
53	Santa Cruz Avenue	Alameda de las Pulgas	Avy Avenue/Orange Avenue	Minor Arterial	10,900
54	Santa Cruz Avenue	Avy Avenue/Orange Avenue	Olive Street	Minor Arterial	14,520
55	Santa Cruz Avenue	Olive Street	University Drive	Minor Arterial	15,320
56	Santa Cruz Avenue	University Drive	Crane Street	Minor Arterial	7,620
57	Santa Cruz Avenue	Crane Street	El Camino Real	Minor Arterial	7,370
58	Scott Drive	Marsh Road	Campbell Avenue	Collector	4,820
59	Sharon Park Drive	Sand Hill Road	Sharon Road	Collector	9,970
60	Sharon Road	Sharon Park Drive	Alameda de las Pulgas	Collector	3,780
61	University Drive	Middle Avenue	Menlo Avenue	Collector	5,840
62	University Drive	Menlo Avenue	Santa Cruz Avenue	Collector	9,310
63	University Drive	Santa Cruz Avenue	Oak Grove Avenue	Collector	7,160
64	University Drive	Oak Grove Avenue	Valparaiso Avenue	Collector	5,110
65	Valparaiso Avenue	Alameda de las Pulgas	Cotton Street	Minor Arterial	12,050
66	Valparaiso Avenue	Cotton Street	University Avenue	Minor Arterial	14,440
67	Valparaiso Avenue	University Drive	El Camino Real	Minor Arterial	13,010
68	Willow Road	Alma Street	Laurel Street	Collector	3,360
69	Willow Road	Laurel Street	Middlefield Road	Collector	5,250
70	Willow Road	Middlefield Road	Gilbert Avenue	Collector	24,330
71	Chilco Street	Hamilton Avenue	Terminal Avenue	Collector	4,780
72	Chilco Street	Ivy Drive	Hamilton Avenue	Collector	2,650
73	Chilco Street	Newbridge Street	Ivy Drive	Collector	2,110
74	Hamilton Avenue	Willow Road	Hamilton Court	Collector	2,640
75	Willow Road	Gilbert Avenue	Coleman Avenue	Minor Arterial	24,350

TRANSPORTATION AND CIRCULATION

TABLE 4.13-5 STUDY AREA ROADWAY SEGMENTS AND 2014 EXISTING AVERAGE DAILY TRAFFIC (ADT) VOLUME

No.	Street	From	To	Current Classification	2014 Existing
76	Willow Road	Coleman Avenue	Durham Street	Minor Arterial	41,190
77	Willow Road	Durham Street	Bay Road	Minor Arterial	34,150
78	Chilco Street	Terminal Avenue	Constitution Drive	Collector	5,100
79	Chrysler Drive	Constitution Drive	Independence Drive	Collector	3,270
80	Chrysler Drive	Independence Drive	Commonwealth Drive	Collector	1,110
81	Adams Drive	University Drive	Adams Court	Local	1,260
82	Olive Street	Santa Cruz Avenue	Middle Avenue	Local	2,450
83	Olive Street	Middle Avenue	Oak Avenue	Local	3,050
84	Cambridge Avenue	University Drive	El Camino Real	Local	1,600
85	Linfield Drive	Middlefield Road	Waverley Street	Local	1,760
86	Waverley Street	Laurel Street	Linfield Drive	Local	1,650
87	Ivy Drive	Chilco Street	Willow Road	Local	3,200

a. San Mateo County jurisdiction

b. Town of Atherton jurisdiction

Source: TJKM Transportation Consultants, January 2016.

The ConnectMenlo draft Circulation Element identifies the following proposed bikeway segments near the Project site:

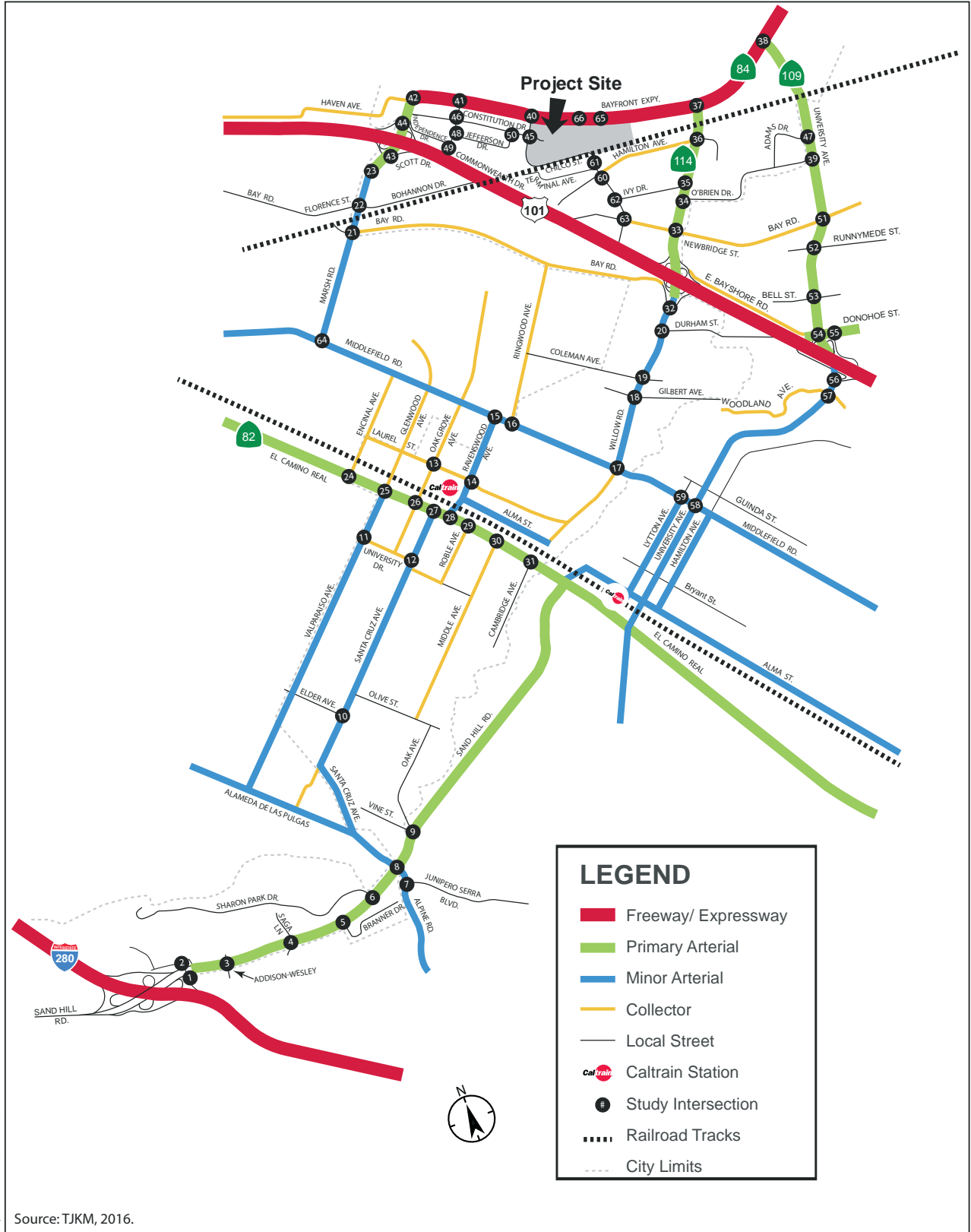
- Proposed Class III bicycle route on Hamilton Avenue, between Willow Road and an existing bicycle/pedestrian overcrossing of US 101 that connects with neighborhoods west of US 101 via Bay Road and Ringwood Avenue.
- Proposed Class II bicycle lanes on Chilco Street from Hamilton Avenue to the Dumbarton Rail Corridor, connecting with existing bicycle lanes on Chilco Street north of the Dumbarton Rail Corridor.
- Proposed Class II bicycle lanes on O'Brien Drive between Willow Road and University Avenue.
- Proposed Class I bicycle path on segments of the San Francisco Bay Trail (Bay Trail), on the north side of Bayfront Expressway.
- Proposed Class II bicycle lanes on segments of Oak Grove Avenue and El Camino Real near the Caltrain station.

Study Intersections and Roadway Segments

This study was prepared according to the methodology required by the City of Menlo Park's Transportation Impact Analysis (TIA) Guidelines. For the analysis, the City selected 64 study intersections that the Project may affect. Study intersection locations are illustrated in Figure 3.3-1.

The following study intersections were evaluated:

- 1 Sand Hill Road eastbound and Interstate (I) 280 northbound off-ramp
- 2 Sand Hill Road westbound and I-280 northbound on-ramp
- 3 Sand Hill Road and Addison-Wesley
- 4 Saga Road and Sand Hill Road
- 5 Branner Drive and Sand Hill Road
- 6 Sharon Park Drive and Sand Hill Road
- 7 Alpine Road/Santa Cruz and Junipero Serra Boulevard
- 8 Santa Cruz Avenue and Sand Hill Road
- 9 Oak Avenue/Vine Road and Sand Hill Road
- 10 Santa Cruz Avenue and Elder Avenue
- 11 Valparaiso Avenue and University Drive
- 12 Santa Cruz Avenue and University Drive (south)
- 13 Oak Grove Avenue and Laurel Street
- 14 Ravenswood Avenue and Laurel Street
- 15 Middlefield Road and Ravenswood Avenue
- 16 Middlefield Road and Ringwood Avenue
- 17 Middlefield Road and Willow Road
- 18 Willow Road and Gilbert Avenue



Graphics: ...002966.15 (5/18/2016)

Source: TJKM, 2016.



Figure 3.3-1
Existing Roadway Network and Study Intersections
 Facebook Campus Expansion Project Draft EIR

- 19 Willow Road and Coleman Avenue
- 20 Willow Road and Durham Street
- 21 Marsh Road and Bay Road
- 22 Marsh Road and Bohannon Drive
- 23 Marsh Road and Scott Drive
- 24 El Camino Real and Encinal Avenue
- 25 El Camino Real and Glenwood Avenue
- 26 El Camino Real and Oak Grove Avenue
- 27 El Camino Real and Santa Cruz Avenue
- 28 El Camino Real and Ravenswood Avenue
- 29 El Camino Real and Roble Avenue
- 30 El Camino Real and Middle Avenue
- 31 El Camino Real and Cambridge Avenue
- 32 Willow Road and Bay Road
- 33 Willow Road and Newbridge Street
- 34 Willow Road and O'Brien Drive
- 35 Willow Road and Ivy Drive
- 36 Willow Road and Hamilton Avenue
- 37 Willow Road and Bayfront Expressway
- 38 Bayfront Expressway and University Avenue
- 39 University Avenue and O'Brien Drive
- 40 Bayfront Expressway and Chilco Street
- 41 Bayfront Expressway and Chrysler Drive
- 42 Bayfront Expressway and Marsh Road
- 43 Marsh Road and US 101 southbound (SB)
- 44 Marsh Road and US 101 northbound (NB)
- 45 Chilco Street and Constitution Drive
- 46 Chrysler Drive and Constitution Drive
- 47 University Avenue and Adams Drive
- 48 Chrysler Drive and Jefferson Drive
- 49 Chrysler Drive and Independence Drive
- 50 Jefferson Drive and Constitution Drive
- 51 University Avenue and Bay Road (East Palo Alto)

- 54 University Avenue and Donohoe Street (East Palo Alto)
- 55 US 101 NB ramps and Donohoe Street (East Palo Alto)
- 56 University Avenue and US 101 SB ramps (East Palo Alto)
- 57 University Avenue and Woodland Avenue (East Palo Alto)
- 58 University Avenue and Middlefield Road (Palo Alto)
- 59 Middlefield Road and Lytton Avenue (Palo Alto)
- 60 Chilco Street and Hamilton Avenue
- 61 Chilco Street and Terminal Avenue
- 62 Chilco Street and Ivy Drive
- 63 Chilco Street and Newbridge Street
- 64 Marsh Road and Middlefield Road (Atherton)

In addition, impacts on average daily traffic (ADT) on local roadway segments were analyzed, based on City of Menlo Park criteria. The City selected 87 study segments (consisting of roughly 30 arterial street segments, 50 collector street segments, and seven local street segments) along portions of the following 38 streets:

- Adams Drive
- Alameda de las Pulgas
- Alma Street
- Alpine Road
- Avey Avenue
- Bay Road
- Bohannon Drive
- Cambridge Avenue
- Chilco Drive
- Chrysler Drive
- Constitution Drive
- Crane Street
- Encinal Avenue
- Glenwood Avenue
- Hamilton Avenue
- Ivy Drive
- Junipero Serra Boulevard
- Lauren Street
- Linfield Avenue
- Marsh Road
- Menlo Avenue
- Middle Avenue
- Middlefield Road
- Newbridge Street
- Oak Grove Avenue
- O'Brien Drive
- Olive Street
- Ravenswood Avenue
- Ringwood Avenue
- Sand Hill Road
- Santa Cruz Avenue
- Scott Drive
- Sharon Park Drive
- Sharon Road
- University Drive
- Valparaiso Drive
- Waverly Street
- Willow Road

From: Patti L Fry <pattifry@gmail.com>
Sent: Friday, July 1, 2016 9:50 AM
To: _CCIN
Subject: need for outreach about General Plan Update

Dear Council -

Out of all the many public meetings about ConnectMenlo (the city's General Plan update), not a single one has included explicit discussions about the IMPACTS of 50% growth in population and 70% growth in employment by 2040. Our entire community will be affected. There should be extensive public outreach throughout Menlo Park. None is planned. Well, apparently a one-hour presentation and Q&A at 6pm 7/11 is newly scheduled, but that hardly counts as outreach and discussion, especially when the public only gets 3 minutes each and there is no 2-way conversation.

The only public meetings are the required minimum regarding approval of the Environmental Impact Report and Zoning Ordinance changes.

Because the only zoning changes that were contemplated are in a part of the Bayfront area, most people I know outside of Belle Haven and the General Plan Advisory Committee think that ConnectMenlo is akin to a specific plan for M-2. In other words, they think the Update is only about some zoning changes that will affect a small area of Menlo Park "way over there".

Well, nothing is further from the truth. Those zoning changes represent only 1/4 of the growth projected from now through 2040. There is land available in the rest of the city that is zoned to allow more than three times that amount of additional growth. Some of that already is proposed projects that have been looked at in isolation. The new General Plan codifies at least 50% more housing and 70% more non-residential growth throughout Menlo Park.

Residents are not aware that there could be 16,000 more commuters coming our way - and even more than that if the projected housing doesn't get built or if companies pack in their workers like Facebook does? Residents are not aware that each of the local school districts say they are concerned with population growth of 50%.

Residents are not aware that the Facebook expansion project alone - despite being way over by the bay - will cause significant traffic impacts throughout Menlo Park as far as Alpine, Alameda de las Pulgas, Sand Hill Road, Cambridge, Middlefield, the Willows and all over Belle Haven. The rest of the growth outside of the small area being rezoned will cause even more congestion citywide. Who knows all this?

The General Plan is a critically important guide for our community's future. After all this time since it was last comprehensively updated in 1994, and with the update about 12 years overdue, the integrity of the process requires the deliberate inclusion of the entire community in discussions about impacts, adequacy of our infrastructure to support massive growth, and ways to address them. Our quality of life and the safety of our families are concerns that are too important to move forward without these conversations. We have a very innovative community that might have good ideas, but they need the opportunity to learn more about the impacts before they can engage in addressing them creatively.

Extending the public comment period for the Facebook Expansion and General Plan Update DEIRs is THE LEAST that should be done. Reading the documents alone is a herculean task (well over 9,000 pages, combined). Add to that the need to put into words (ideally into writing) comments and ideas in a thoughtful and constructive way. This takes time.

There should be outreach discussions, both about the impacts and about what our community and the City could do to minimize them. For example, putting plans to modify our circulation system in a major way, or figuring out a way to better support our schools' ability to handle growth.

Instead, the schedule is to have the bare minimum period for public involvement, over the summer. We, as a city, can do better than this.

Respectfully submitted,
Patti Fry
Menlo Park resident and former Planning Commissioner

I20-1

From: dana hendrickson [mailto:danahendrickson2009@gmail.com]
Sent: Friday, July 01, 2016 2:38 PM
To: Choy, Kristiann M
Subject: Re: Menlo Park Bike Network Map?

Hi Kristiann:

I am surprised the City of Menlo Park does not have an official map that accurately displays its existing bike network facilities. It seems like a simple task that would take little effort, and our City Council is making important decisions without one.

I21-1

(We also need another detailed one for bicyclists but that is a different topic.)

When I examined the map in the General Plan (Figure 4.13-2) I discovered a large number of errors.

Bike lanes shown but do NOT actually exist:

- 1. On Santa Cruz Avenue between University (South) and El Camino Real.
- 2. On Ravenswood between El Camino and Laurel.

I21-2

Bike lanes that exist but are NOT shown:

- 3. On Glenwood between El Camino Real and Laurel.
- 4. On Laurel between Ravenswood and Burgess St.

I21-3

Bike routes that exist but NOT shown:

- 5. Laurel between Burgess St and Willow.
- 6. Middle between Olive and University has separation lines and Shared Bike Safety Route signs plus the county map indicates it's a class 3 bike route). How does the city view this section? Bike route? **Should "Bike Route" signs be added?**

I21-4

- 7. There are "sharrows" on Oak between Olive and Sand Hill Rd AND on Olive between Oak and Middle - do these qualify as bike routes??? Should "Bike Route" signs be added?

Please tell me how this map can be revised so everyone has an accurate one.

I21-5

Thank you.

Dana

On Thu, Jun 30, 2016 at 7:26 PM, dana hendrickson <danahendrickson2009@gmail.com> wrote:

Hi Kristiann:

Thanks for sending me this link.

Please note there are big errors in the Existing Bike Network map => Figure 4.13-2

I am surprised these have not been identified by the bike commission.

I do love all our new green street markings.

What are the top 3 priority bike projects?

Dana

PS. Oak Grove Bike Lanes are an unnecessary diversion given the improvements on Valparaiso and Glenwood.

On Thu, Jun 30, 2016 at 5:17 PM, Choy, Kristiann M <kmchoy@menlopark.org> wrote:

Hi Dana,

The closest thing we have to a map of the existing bike facilities is Figure 4.13-2 from the ConnectMenlo Draft EIR. See this link: <http://menlopark.org/DocumentCenter/View/10354>. We would like to create a map showing all of the City streets and the existing bike facilities, but we have prioritize getting our bicycle projects into the construction phase right now. It is on our to do list.

Thanks,
Kristiann

From: dana hendrickson [mailto:danahendrickson2009@gmail.com]

Sent: Monday, June 27, 2016 6:18 PM

To: Choy, Kristiann M

Subject: Menlo Park Bike Network Map?

Hi Kristiann:

A couple of things:

Does the city have a map that shows all the EXISTING bike facilities that are now in-place?

If so, please send me a copy.

If not, why not?

How can this be done?

Thanks,

Dana

From: rachel scheuring [mailto:rachscheuring@yahoo.com]
Sent: Friday, July 01, 2016 1:26 PM
To: Chow, Deanna M <DMChow@menlopark.org>
Cc: Arron Retterer <arretterer@yahoo.com>; Wendy Shindler <wcs@onlyme.org>; Nagaya, Nicole H <nhnagaya@menlopark.org>; _Planning Commission <planning.commission@menlopark.org>
Subject: Comment on Draft EIR for ConnectMenlo--Bay Road/Ringwood Intersection

Hi Deanna,

I am a resident of Suburban Park and would like to comment on the draft EIR for the General Plan Update. After reviewing the transportation section of the draft EIR, it occurs to me that the intersection of Bay Road and Ringwood Avenue has not been included in the traffic study. This is a heavily impacted intersection with significant delays during morning and afternoon commute. In case you are not familiar with the intersection, it is a signed intersection with five feeder streets and significant pedestrian traffic involving mostly high school students walking to and from east Menlo Park to M-A High School (via the pedestrian bridge). Back ups during the school year regularly stretch from Bay/Ringwood north to Greenwood Drive (Suburban Park) during morning commute and seem to have worsened with the recent increase in student population at M-A High School (at least 300 students since redistricting took effect last year).

Given that future residential development in Menlo Park will likely feed more students to M-A High School and that any further non-residential development in the M-2 area will undeniably impact both the Willow and Marsh Road corridors with resultant spillover effects onto Bay Road, I think any reasonable traffic impact assessment must include this intersection. Assessment should take place during the school year, when Marsh Road is again reopened, and during high impact times such as morning commute.

Incidentally, the Bay Road/Ringwood intersection is also missing from the Facebook Expansion draft EIR. As one of thousands living along Bay Road, I urge you to correct these oversights.

Sincerely,

Rachel Scheuring
117 Bay Road
Menlo Park, CA 94025

I22-1

From: Don Micheletti [mailto:donmicheletti@cs.com]
Sent: Thursday, July 07, 2016 11:51 AM
To: Perata, Kyle T
Subject: General Plan

I have been a resident and homeowner in Menlo Park for 45 years. I live on Menalto Ave between O'Keefe and O'Connor.

There is a lot of deserved criticism over the new plan. Is this really a **PLAN**? Have any of the planners actually driven 101, University, Willow or Marsh? Well, at times they can't. The roads are polluted parking lots.

Because those roads do not work, drivers use alternate routes through the neighborhoods - including the Dumbarton Express Busses. The fire department complains about not being able to get through in emergencies.

I live about 6 blocks from 101. It often can take us 20 minutes to get to 101! I, at times, cannot back out of my driveway due to cut through traffic.

Is the Menlo planning commission in the business of just accommodating others? It seems so. Certainly not the current residents. There is only one possible outcome of the proposed plan as it stands - it is going to make matters worse. An idiot can see that.

Am I just one "fruit cake"? NO!

My intended solution to the problem is to just move. I am not the only one. Others I know have already done so because the situation here has become unbearable.

A recent survey of bay area residents shows that 30% want to move away. It seems like the Menlo commission wants to increase that percentage.

Think about the CURRENT RESIDENTS of Menlo Park. Try to accommodate them and actually improve the situation.

Don Micheletti

I23-1

I23-2

Subject: Traffic light eliminated

From: Karen Busch [<mailto:nellaborsa@yahoo.com>]

Sent: Thursday, July 07, 2016 3:24 PM

To: Perata, Kyle T

Subject: Traffic light eliminated

Is there any consideration to get rid of traffic lights by constructing under or over passes? Sounds pretty logical to me- especially on University Ave in EPA to the bridge?

I
I24-1
I

Sent from [Mail](#) for Windows 10

Pamela D Jones
1371 Hollyburne Avenue
Menlo Park, CA
650.323.7378
July 7, 2016

Dear City Council Members and Planning Commissioners,

I appreciate that each of you have time to thoroughly review both EIRs. At the 6/20/2016 meeting, the chairperson of the Planning Commission stated that an extension was not necessary because the Commissioners would only delay their reading of the EIRs. The commissions agreed that THEY had enough time. The multiple requests from your constituents to extend the comment period has been ignored. As public servants, this is an unacceptable attitude and behavior towards constituents. Your deliberate haste to move the EIRs though the process gives the perception of hidden agendas. This is not a Facebook issue; this is a City Council and Planning Commission issue.

I would like to think that you have been acting in good-faith with the welfare of the community as your driving force. Therefore again I respectfully request an extension to **90** days for the comment period on the concurrent released EIR for Connect Menlo and Facebook Campus Expansion Project. This request is consistent with the California Environment Quality Act (CEQA) **“The public review period for a draft EIR should be not be less than 30 days or no longer than 60 days except in unusual circumstances.” Guidelines §15105.**

I25-1

The CEQA further states: **“The EIR should focus on the significant effects on the environment. The significant effects should be discussed with emphasis in proportion to their severity and probability of occurrence. Enough information should be included to allow decision-makers to make an full determination of the impact. Guidelines.” §15143, §15146, §15151**

The unusual circumstances includes but is not limited to the concurrent release of EIRs, failure to analysis and include multiple prior approved projects, and the substantial impact on human environment. In addition, to date the City of Menlo Park has failed to provide remedy to current traffic challenges, nor provided a plan that does not include directing traffic through the Belle Haven portion of Menlo Park.

I25-2

I anticipate a positive response to this more than reasonable request.

I25-3

Respectfully, *Pam Jones*

From: Neilson Buchanan <cnsbuchanan@yahoo.com>
Sent: Saturday, July 09, 2016 5:20 PM
To: Neilson Buchanan; _connectmenlo
Cc: John Guislin; Norman H. Beamer; Deri McCrea; Tim Knuth; Kathy Segura; Emanuela Todaro; Janine Bishar; Irv Brenner; Dante Malagrino; Debbie Wolter; John McCrea
Subject: Lack of good city planning
Attachments: Menlo GP DEIR Response-Deanna Chow (3).pdf; Menlo Facebook DEIR Response-Kyle Perata.pdf

Dear Neighbors in DTN,

This stuff is confusing and it is really important. "EIR" stand for Environment Impact Report. Menlo Park has written two mandated, massive documents about their General Plan (Comprehensive Plan) Update and FaceBook's expansion.

Menlo Park is obligated to identify and publish impact within and outside City of Menlo Park.

City of Palo Alto has opportunity but not obligation to comment on how Palo Alto will be impacted by Menlo Park. See the two attachments below. I am writing to you because your email to city of Menlo Park is urgent and important. Please express your concerns that traffic/safety on Middlefield (Hawthorne and Everett) is unacceptable and deteriorating. Address your email to

connectmenlo@menlopark.org

Call or email me if you have any questions. Menlo Park resident are preparing comprehensive pushback but they need individual emails from Palo Alto residents to supplement their objections. Copy me on your email. **THANKS**

Neilson Buchanan
155 Bryant Street
Palo Alto, CA 94301

650 329-0484
650 537-9611 cell
cnsbuchanan@yahoo.com

I26-1



PLANNING & COMMUNITY ENVIRONMENT

CITY OF
**PALO
ALTO**
250 Hamilton Avenue, 5th Floor
Palo Alto, CA 94301
650.329.2441

July 6, 2016

Ms. Deanna Chow
Principal Planner
Planning Division
City of Menlo Park
701 Laurel Street
Menlo Park CA 94025

RE: City of Palo Alto Comment Letter for Draft Environmental Impact Report on the ConnectMenlo: General Plan Land Use & Circulation Elements and M-2 Area Zoning update (Clearing House No. 2015062054)

Dear Ms. Chow,

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report (DEIR) for the ConnectMenlo: General Plan Land Use & Circulation Elements and M-2 Area Zoning update (Clearing House No. 2015062054) Project (Project). Recognizing our many shared interests, the City of Palo Alto offers the following comments on the DEIR.

1. *Population and Housing.*

- i. Overall, the Palo Alto Planning & Transportation Commission was complementary of the City of Menlo Park for proposing housing in excess of ABAG's projections and seeking to address the region's housing crisis. Any such forward-looking plan must adequately address the infrastructure and programmatic requirements that would follow from the additional housing.
- ii. Significant Cumulative Impact. (pg. 4.11-16-20). Implementation of the project would result in an increase of 5, 500 new residential units and the plan also notes that there will be more employees than residents by 2040 with implementation of the project. Without a sustainable TDM program, the impact on both residents and employees could be significant.
- iii. The Draft EIR projects a substantial daytime population (i.e. employment) in addition to an increase in resident population in the City of Menlo Park in the year 2040. However, the impacts of the daytime population change are not addressed specifically in the DEIR. Please discuss potential impacts on public safety, utilities and other relevant topics.



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2. *Transportation and Circulation.* Review of this section raised the following concerns.

- i. The intersection of Sand Hill Road/El Camino Real/Palo Alto Avenue is located within the City of Palo Alto, just over its border with Menlo Park, and compromises the intersection of two major and minor arterial roads. Please evaluate potential impacts on this intersection in the EIR.
- ii. Figure 4.13-7 shows intersection #57, Woodland Avenue and University operating at LOS E in the a.m. and p.m. peak hour. Observations of this intersection during peak periods suggest differently, and additional data should be collected. Vehicle queues on University Avenue in the eastbound direction approaching the intersection extend well into Palo Alto and occasionally to Downtown Palo Alto, with demand exceeding the capacity of the intersection. Capacity of this intersection is constrained by signal operations that do not optimize throughput demand approaches. While these factors are unique to this intersection, they should be included, along with any unique characteristics affecting capacity, in all transportation evaluation conditions. The estimated level of service is not representative of actual conditions, and the proposed project may result in a significant impact at this intersection if baseline conditions were more accurately represented.
- iii. In the 2040 Plus Project and 2040 No Project conditions, LOS in the AM/ PM peak hour at Woodland Avenue and University Avenue improves the current existing condition without increases in capacity at the intersection. Please include discussion on the methodology and rationale for this change. The City of Palo Alto believes the model may be reassigning trips to other roadway segments due to the operation of the intersection, which is unlikely to occur as University Avenue is a significant regional segment which provides direct access to destinations which are less accessible from other roadway segments.
- iv. The existing bicycle network shown in Figure 3.3-2 is incomplete and is missing a number of class 1, 2, and 3 segments in Palo Alto that directly connect to the City of Menlo Park's bike network. For example, the connection between Bryant Street and Willow Road. These connections are critical to a system suitable for local residents to use to commute to work and shop by bicycle. Please refer to the latest version of VTA's *Clara Valley Bikeways Map* for bike network information in Palo Alto.
- v. Transit.
 - a. The EIR notes that the project would generate a substantial increase in transit riders. It also notes that Menlo Park will update the existing program to guarantee funding for operation of a City-sponsored service that is necessary for

future projects. This raises the question of how this issue will be dealt with regionally in terms of available transit seats and local responsibility. The EIR concludes that the impact on transit riders would remain significant unavoidable because the City cannot guarantee capacity improvements at this time. However, based on the size of the increase in households and employees, additional mitigation may be possible by working with other transit providers and taking a coordinated approach as mitigation.

- b. While the DEIR addresses Caltrain in the Existing Transit Facilities section (pg. 4.13-15) there is not further discussion of the impacts of the project on Caltrain service or how the projected growth in transit ridership could affect service to the rest of the region, including the need for additional capacity, the location of stops and scheduling. There is also mention of the 2015 Draft of the Land Element of support for high-speed rail. The impact of the project on planned high-speed rail facilities and services should be addressed.

3. *Utility and Service Systems.*

- i. UTIL-13. The energy consumption analysis includes analysis of a variety of programs to reduce energy consumption and included a discussion about how infill development focuses activity in areas of existing infrastructure and services, as well as reducing energy expended by transportation (pg. 4.14-76-81). It is also noted that PG&E continues to expand its renewable energy portfolio. However, in addition to reducing consumption, requirements for new commercial development to include solar panels or other means of supplementing energy sources should be considered as part of mitigation to insure that reduce the impact of the project on energy resources remains less than significant.

Thank you again for giving Palo Alto the opportunity to comment on the DEIR for ConnectMenlo. If you have any questions regarding our comments please do not hesitate to contact me or Meg Monroe at Margaret.Monroe@cityofpaloalto.org.

Sincerely,


Hillary Gitelman
Director of Planning and Community Environment

CC Palo Alto Planning and Transportation Commission
James Keene, City Manager
Jonathan Lait, Assistant Director of Planning and Community Environment
Meg Monroe/File



PLANNING & COMMUNITY ENVIRONMENT

CITY OF
**PALO
ALTO**

250 Hamilton Avenue, 5th Floor
Palo Alto, CA 94301
650.329.2441

July 6, 2016

Mr. Kyle Perata
Community Development Department
City of Menlo Park
701 Laurel Street
Menlo Park CA 94025

RE: City of Palo Alto Comment Letter for Draft Environmental Impact Report on the Facebook Campus Expansion Project (Clearing House No. 2015062056)

Dear Mr. Perata,

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report (DEIR) on the Facebook Campus Expansion Project (Project). Recognizing the regional importance of this project, the City of Palo Alto has the following comments on the DEIR:

1. *Land Use and Planning.* In the section regarding impacts on adopted conservation plans, the possible impacts of wind shadow created by the 75-foot plus tall, long, wide buildings are not addressed (pg. 3.1-8). This impact could possibly affect both the wildlife and the recreational users of the bay trail and should be considered.
2. *Aesthetics.* Impact on Scenic Vistas (pg. 3.2 -10-11). This section should better address the view from the Bay Trail. The project represents a significant change in the built environment rising to a height of 75 feet for most of the project site parallel to the Bayshore Expressway and would be clearly visible behind the existing vegetation and power tower easement. The finding that this project and the future development of the Menlo Gateway area have a less than significant impact on views because this new more attractive development is replacing older poorly maintained structures (pg. 3.2-19) should be revised to better address the loss or changes in views from the Bay Trail and the shoreline created by the cumulative development.
3. *Hazards and Hazardous Materials* (pg3.11-1-21). Potential construction impacts on the safety of the Palo Alto Airport are not addressed in this section. There is potential aviation hazard created by construction cranes that should be coordinated with the Federal Aviation Administration (FAA) and the Palo Alto Airport. While the site is not within 2 miles of the Palo Alto Airport and not within the safety zone of the Palo Alto Airport Comprehensive Land Use



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4. Plan, the operations officials at the airport are concerned about the height of the construction cranes. They indicate that these cranes could also affect aviation at the San Carlos Airport. This is potentially a significant impact of the project that should be addressed.
5. *Hazardous and Hazardous Materials.* Long term impacts of the project on the Palo Alto Airport should also be further evaluated. As represented in the DEIR, the Project location is 2.4 miles from the Palo Alto Airport, thus beyond the limits for review. However the Project will increase the maximum height on the site from a number of 35-foot structures to three large almost continuous structures at 75 feet plus any penthouse (Pg.3.11-15). The DEIR does not address the impact of the change in development height of the project on aviation at the Palo Alto Airport. The developer is required to notify the Federal Aviation Administration (FAA) of any development/construction near an airport (14 CFR Part 77.9). Further Palo Alto would ask Menlo Park as the lead agency in this case to require the property owner to grant an Avigation Easement over the project site to the City of Palo Alto for its airport operations. Finally, the status and relevance of San Mateo County's airport land use plan should be addressed.
6. *Transportation and Traffic.* The following items are of concern.
 - a. Intersection Analysis:
 - i. The intersection of Sand Hill Road/El Camino Real/Palo Alto Avenue is located within the City of Palo Alto just over the border from Menlo Park. This intersection of two major arterials and one minor arterial should be evaluated as part of the EIR.
 - ii. Figure 3.3-9 shows intersection #57, Woodland Avenue and University Avenue operating at LOS E in the a.m. and p.m. peak hour. Based on on-going field observations of this intersection during these periods, the City of Palo Alto believes there's a difference between the existing condition identified in the DEIR and actual conditions, particularly in the PM peak hour. Vehicle queues on University Avenue in the eastbound direction approaching the intersection extend well into Palo Alto and occasionally to Downtown Palo Alto, with demand consistently exceeding capacity of the intersection. Capacity of this intersection is further constrained by signal operations which do not optimize throughput for highest demand approaches. While these factors are unique to this intersection, they should be included, along with any unique characteristics affecting capacity, in the evaluation of all transportation evaluation conditions. The City of Palo Alto finds that the estimated level of service is not representative of actual

iii. conditions, and that the proposed project may result in a significant impact at this intersection if the baseline conditions were more accurately represented.

iii. In all three Cumulative 2040 conditions, LOS in the AM and PM peak hour at Woodland Avenue and University Avenue improves from the current existing condition without increases in capacity at the intersection. Please include discussion on the methodology and rationale for this change. The City of Palo Alto believes the model may be reassigning trips to other roadway segments due to the operation of the intersection, which is an unlikely to occur as University Avenue is a significant regional roadway segment which provides direct access to destinations which are not practically accessible from other roadway segments.

b. Traffic Reduction Using TDM Measures

- i. In the Background plus-Project Condition section (pg.3.3-24 ff) under project components there is a statement that a TDM program would be implemented. The intent of this program to provide alternatives to single occupancy automobile travel is discussed, including a list of the key elements of such a program. However there is no analysis of the current program use by type of mode or the origin and destination of employees using these alternatives. Without this information and an explanation of the assumptions of TDM use with the project, it is difficult to determine whether there would be a significant impact. Please provide specific information regarding existing use of TDM and transit, including where the employees commute from and explain how this existing data has informed the EIR's projections.
- ii. If TDM and transit use are projected to increase, please provide a reasonable basis for that increase, including program elements, costs, and funding sources that would achieve this result. Please also consider the secondary impacts of such program elements. For example, currently Facebook transit uses the Palo Alto Intermodal Transit Center at the Palo Alto Train Station. Increased Facebook employee transit service with more frequent service could have a significant impact on circulation and loading areas provided at the transit center as well as on the capacity of that facility to accommodate other transit services at peak hours.
- iii. It is unclear how the traffic model connects to the TDM alternatives/program to reduce automobile trips projected with the project. Please clarify how TDM

assumptions based on origin/destination of TDM alternatives will affect the capacity/operation of the critical intersections identified in the DEIR included those in Palo Alto identified above.

c. Bicycle and Pedestrian Facilities Analysis:

- i. Based on site plans included in the DEIR and posted on the city website, the proposed Bicycle and Pedestrian overcrossing of SR84/Bayfront Expressway does not appear to conform to Class 1 multi-use path design standards. If this connection was included in the multimodal circulation network under the transportation analysis, language should be added clarifying the crossing and approach pathways shall conform to Class 1 multi-use path design standards. The proposed design appears to have obstacles and indirect routing which discourages and inhibits safe and efficient bicycle operation for transportation.
- ii. Bicycle Connections (pg. 3.3-44). The existing bicycle network shown in Figure 3.3-2 is incomplete and missing a number of class 1, 2, and 3 segments in Palo Alto that directly connect to the City of Menlo Park's bike network. The project bicycle network should be designed to connect safely to the larger Menlo Park bicycle network. These connections could encourage bicycle commuting for employees who live locally. Please refer to the latest version of VTA's *Santa Clara Valley Bikeways Map* for bike network information in Palo Alto. A program for the project to improve these connections in order to facilitate employee commuting by bicycle should be included as mitigation.

d. Cumulative Impacts:

- i. In the section on Cumulative Impacts including mitigations (pg. 3.3.64 ff), the DEIR notes that there are two types of mitigations to reduce peak hour impacts at critical intersections: the trip cap (reduce the maximum number of allowed peak hour vehicle trips to no more than 50 percent of the 2 hour peak period vehicle trip cap for both the Project site and Buildings 10-19) and implementing TDM measures. To be considered a viable mitigation, there needs to be some assurance that these requirements, particularly investment in viable TDM measures, will continue with the property and future users/tenants. Without this assurance the significant unavoidable impacts will be even greater in the future. Please provide additional information on this subject.

7. *Utilities and Service Systems.* Impact UT-1. In addressing water supply (pg. 3.14-20ff), the DEIR notes, “the overall water demand presents a conservative analysis because the Project Sponsor is proposing an onsite wastewater system as a part of the Project that if approved, could process up to approximately 23 mg of water annually”. This system would process the wastewater, which would then be used for on-site toilets, urinals, and potentially irrigation. Without this system the project would create an incremental shortfall of approximately 2 percent in 2020 for a single dry year. The project applicant should be strongly encouraged to implement this system as a long-term contribution to reduction in demand for water.

8. *Utilities and Service Systems.* In Impact UT-6: Energy Demand (pg. 3.14-29) it states “because development at the Project site would meet Part 6 of CCR Title 24 conservation standards and be served by PG&E and potentially Peninsula Clean Energy the Project site would not directly require the construction of new energy generation or supply facilities.” However, as noted elsewhere, much of the parking on site is at grade. These parking areas and other locations on site could be ‘covered’ with solar panels to reduce the energy consumption impact of the project. The addition of solar panels could be a mitigation to reduce energy consumption.

Thank you again for giving the City of Palo Alto an opportunity to comment on the DEIR on the Facebook Campus Expansion Project. If you have any questions regarding the City of Palo Alto’s comments please contact Meg Monroe at Margaret.Monroe@cityofpaloalto.org.

Sincerely,



Hillary Gitelman
Director of Planning and Community Environment

CC Palo Alto Planning and Transportation Commission
James Keene, City Manager
Jonathan Lait, Assistant Director of Planning and Community Environment
Meg Monroe/File

From: Amy Roleder <amyrol@gmail.com>
Date: July 9, 2016 at 9:08:14 AM PDT
To: ktperata@menlopark.org
Subject: M2 Expansion

Hi,

I am writing in regards to the proposed general plan changes in the M2 area. I urge you NOT to allow ANY expansion of nonresidential space or hotel rooms in this area, until an effective transit route is put in place to get across the Dumbarton Bridge to the East Bay. The ONLY thing that should be allowed is housing.

I live on Durham St., just West of 101 off of Willow Road. The traffic on Willow Road in the past 8-12 months has drastically increased due to the expansion of FaceBook, because they have clogged up the only access to the East Bay, which is the Dumbarton Bridge. Cars are now lining up along our residential street daily, idling, waiting to get to Willow Road, to get to the Dumbarton Bridge. Emergency vehicles are unable to get down Willow Road for emergencies in our area or East Menlo Park, and I am unable to get out of or into my driveway from 4:30 to 6:30 PM on most weekdays. This increases pollution, is affecting health and well being, and is reducing safety in our community.

I was shocked to read that only 5% of the proposed additional Facebook employees would be living in the community. Adding 6,500 more jobs with only 5% of them living in the area means 6,175 of them will be commuting into Menlo Park to work. This is ludicrous! How can this not affect the traffic ever more drastically? This situation is systemically not sustainable, in a community where people are actually living.

For the health of our City and our citizens, I urge you please do not approve ANY expansion of nonresidential space or hotel rooms in the M2 area, until an alternate and effective route to get to the East Bay is put in place.

Thank you,

A.Roleder

Durham St., Menlo Park

I27-1

From: Keith <keithlupo@gmail.com>
Date: July 9, 2016 at 9:26:27 AM PDT
To: ktperata@menlopark.org
Subject: M2 Expansion

Hi,

I am writing in regard to the proposed general plan changes in the M2 area. I urge you NOT to allow ANY expansion of nonresidential space or hotel rooms in this area. The ONLY thing that should be allowed is housing.

I live in the Willows neighborhood and the traffic over the past year has doubled, due to the Expansion of Facebook. I cannot get into or out of my residential driveway most weekdays between 4:30-6:30 PM due to cars lining up down the street waiting to get to Willow Road to get to the Dumbarton Bridge. Emergency vehicles are unable to get through, and it is affecting the health and well-being of our community.

I am shocked that Menlo Park is willing to add 6500 more jobs to the area without any adequate housing, or transportation solutions. And to read that only 5% of them would be living in the area will just amplify the problem! I was also shocked to read that for all the added problems this will cause, Menlo Park will only receive 1 M extra in income. This is ridiculous and truly not worth the price.

For the health of our City and our citizens, I urge you please do not approve ANY expansion of nonresidential space or hotel rooms in the M2 area. ONLY housing should be approved in this area.

Thank you,

F. Lupo

Durham St., Menlo Park

I28-1

From: [Romain Tanière](#)
To: [_connectmenlo](#)
Subject: Comment on the draft ConnectMenlo M-2 Area Zoning Update environmental impact report
Date: Sunday, July 10, 2016 5:12:59 PM

Dear Deanna,
Here's an additional comment on the draft ConnectMenlo M-2 Area Zoning Update environmental impact report:

Traffic concerns and congestion management are significant issues also deserving extensive study, particularly for those intersections in Menlo Park / East Palo Alto that may experience an increase in cut-through traffic from new commuters to the M-2 Area. For instance the **O'Brien Drive - Kavanaugh Drive between Willow Road and University Avenue** is already currently heavily used as pass-through corridors from U.S. Route 101 to Highway 84 and the Dumbarton Bridge. Traffic counts and an analysis of the diminution of service levels that may occur along these roadways are vital and should be assessed/mitigated.

I29-1

Thanks a lot for your consideration.
Romain Taniere
7 Clarence Court
East Palo Alto, CA 94303

From: aldeivnian@gmail.com [mailto:aldeivnian@gmail.com] **On Behalf Of** Adina Levin
Sent: Monday, July 11, 2016 3:55 PM
To: _connectmenlo; _Planning Commission
Subject: ConnectMenlo EIR comments

Dear Planning Commission and staff,

Following are several comments for the ConnectMenlo EIR.

Transportation Demand Management Goal

Currently, the ConnectMenlo plan includes a relatively models vehicle trip reduction requirement of 20%.

Menlo Park could (and should) take an approach from the San Mateo Rail Corridor Plan, which set tiered trip reduction goals, including an easier goal to begin with, and a steeper goal once future transportation improvements are implemented. For example, if and when we get better Dumbarton Corridor transit it would be realistic to have a stronger trip reduction goal. Therefore, the plan and mitigation should set a 20% goal initially, and a stronger goal of 25-30% once transit and active transportation improvements are in place.

Jobs and Housing - Phasing

The ConnectMenlo EIR shows that adding jobs near housing reduces Vehicle Miles Travelled, since some people are likely to take advantage of the opportunity for a shorter commute, if the opportunity is available. To ensure that the community gets the benefits of this reduction, it would be helpful to implement phasing in the plan, allowing buildout of the commercial space with triggers to ensure that corresponding housing has been built.

Thank you for your consideration,

- Adina
Adina Levin
650-646-4344

I30-1

From: Wendy Shindler
To: Nagaya, Nicole H; Chow, Deanna M; Cat Carlton; Perata, Kyle T
Subject: Input from Flood Triangle resident on the FB EIR & Connect Menlo/General Plan
Date: Monday, July 11, 2016 4:53:58 PM

Greetings

Ms. Carlton, Ms. Chow, Ms. Nagaya, Mr. Perata, , MP City Council, MP Transportation and Development departments, MP Transportation and Developments Commissions, Town of Atherton (All involved in developing the FB EIR and the Connect Menlo/General Plan update.

I'm a resident of the Flood Triangle neighborhood/Almanor Avenue. My comments are based on review of the two EIRs.

MP Environmental Report, June 2016:

"An environmental review says that Facebook's plan to build three 75-foot-tall buildings, adding 962,400 square feet at two proposed office buildings and 174,800 square feet at a 200-room hotel, plus 3,533 parking spots, could have some impacts determined to be "significant and unavoidable."

The new buildings would be constructed at the current 58-acre TE Connectivity location – bounded roughly by Constitution Drive, Chilco Street and Bayfront Expressway – after what's currently there is demolished. Compared with what exists there now, the new development would add 121,300 square feet of space.

The new office buildings, combined, could accommodate about 6,400 employees, the report said. The hotel would likely employ about 150 people. All three buildings are estimated to generate about 6,550 employees.

0. To mitigate traffic impacts, Facebook would set a trip cap and establish a transportation demand management program.

Forgive me for doubting that FB's mitigation will help the residents along Bay and in the Willows. It will not. Whether or not they created the problem, they are at fault for making it far, far worse. What exactly will the trip cap do to improve the situation - please quantify? What else is FB studying to address this? In what ways will they adjust their project to lessen the impact on residents?

1. In the near term, a cursory count showed the project could have 10 areas of "significant and unavoidable impact," related to traffic, and 19 by 2040.

I grew up on the East Coast in an urban town abutted on three sides by Boston. There is no such thing as "significant and unavoidable impact." There is significant impact to EPA and EMP, and there is also significant impacts to neighborhoods West of 101 - including the thousands of us who live along Bay Rd and Van Buren. Exactly what makes it unavoidable i these 10, soon to be 19 areas? When we know that, we know what pieces of the FB and Connect Menlo projects need further study and analysis.

3. No study was done of the Bay Rd / Ringwood intersection - five feeder roads and stop signs.

I31-1

I31-2

I31-3

I31-4

This EIR can't be considered complete unless it includes a study of this dangerous intersection during peak traffic hours when school is back in session.

I31-4
(cont.)

In the morning this intersection is clogged by rush-hour work traffic, school drop off traffic, kids and adults biking and walking to the high school and the two elementary schools. The only way to get to Hillview or the high school from Bay is to go through Lindenwood Ringwood entrance. If you try to get through on any of the other public streets, you're trapped (Bay, Ringwood, Middlefield, Ravenswood.).

4. "No thru Traffic" signs in Menlo and the Lindenwood neighborhood, and 'reduced speed' signs in Lindenwood from 25 to 15. This is no way to treat your neighbors. We are not non-local thru traffic we are neighborhood traffic trying to make the best of a bad situation - which is about to get considerably worse. All the local residents need mitigation from problems that will be greatly worsened by more kids at our schools - due to new employees moving in (not just into EPA and EMP - but all of the area cities.) and lack of proper east west routes for those who must drive across the city for school pick up and drop off.

I31-5

5. Net. Net. Although the the various projects hit different parts of Bay rd and nearby streets - they do not look at the area wholistically using scope to as the reason. the overall effect is to make Bay road all but impassible at peak travel time in the morning , afternoon, evening. Eacch of these projects needsto play well with the others. How will you make that happen?

I31-6

We need you to talk to each other and look at our area as a whole. How will you address the traffic flow along Bay Rd all the way from Willow to Marsh? The EIR's cannot be considered complete until this is studies and plans for mitigation are in place.

6. How will you manage further spillover when Marsh is reopened?

I31-7

7. What are the plans regarding water and air issues that may result from t his development. WHere is this fully anticipated in these documents?

I31-8

I will attend the meeting this evening and also post these questions and concerns to NextDoor so that we are all on the same page. It willl also go to city council, and commissionas.

I31-9

There are many things requiring further study before the plans will be ready for prime time. We appreciate all of your efforts so far and look forward to your further consideration.

Thank you,

Wendy Shindler

1009 Almanor Ave

Menlo Park

From: [Wendy Shindler](#)
To: [Wendy Shindler](#); [Nagaya, Nicole H](#); [Chow, Deanna M](#); [Cat Carlton](#); [Perata, Kyle T](#)
Subject: Re: Input from Flood Triangle resident on the FB EIR & Connect Menlo/General Plan
Date: Monday, July 11, 2016 5:09:20 PM

I forgot to include the General Plan Update. The two plans taken together make the situation particularly 'special' special for any one living off of or near Bay rd.

I32-1

Thank you,

Wendy

From: [Wendy Shindler](#)
To: [CCIN](#); [Planning Commission](#); [Bianca Walser](#); [Philip Mazzara](#); [Perata, Kyle T](#); [Chow, Deanna M](#)
Subject: Input from Flood Triangle resident on the FB EIR & Connect Menlo/General Plan
Date: Monday, July 11, 2016 5:50:45 PM

Dear Planning, transportation and City Council,

Many of us feel that the City, the Commissions, FB and other deciders (like Atherton) are not aware of the impact of these two EIRs on the thousands of residents and neighbors living along or near Bay Rd and Van Buran from Willow to Marsh, so yes, my comments get testy at times. Sorry.

Development is a fact of life and I'm fine with it...as long as it's well planned. I think for some involved, these are a bunch of unrelated, proposed projects and ideas that may or may not come to fruition. For those of us on the receiving end, we are getting hit from all sides and being told that the hit in 10-19 cases will be both significant and not mitigate-able.

Swap places with us for a moment. If it were your neighborhood, would you accept this kind position from your government? Significant and not mitigate-able? Perhaps some of those 10-19 areas need further study and analysis.

Those of us most directly and significantly impacted? We look to you, our City government, to have our backs.

Please don't let us down.

Thank you.
Wendy Shindler

I33-1

From: Skip Hilton <skiphilton@gmail.com>
Sent: Monday, July 11, 2016 5:44 PM
To: _Planning Commission
Cc: _CCIN
Subject: Support and Comment on the General Plan Update

Dear Members of the Planning Commission:

I would like to provide some input to your discussion of Draft EIR for the General Plan Update taking place tonight. In general, I support the General Plan. As I am out of town and unable to attend the town hall, I want to make sure you are hearing from residents that support the proposals for developing housing, shopping, and amenities in the Bayfront/M2 Area.

First off, I want to commend the City Council, Planning Commission, and other Menlo Park officials for working with Facebook on these issues. Rather than just fighting their desire to grow, they are tapping this hub of economic investment and activity to solve other problems and improve our city. This is a lot more than just mitigating traffic impacts. I believe these officials deserve commendation for doing the hard work and taking this collaborative approach. Keep it up.

I also commend Facebook for proposing to build housing that will accommodate their growing employee base, and reduce the commute burden and traffic impacts created by their organization as it continues to expand and grow. My hope is that this housing stock will also serve non-Facebook employees, and provide more affordable housing options to the limited inventory of expensive housing up and down the peninsula.

My concern is that some residents and housing proponents will advocate for higher requirements on Facebook and other developers in the M2 that are so stringent and high as to stifle all efforts to build and improve the area. We see the same problem with the Downtown Specific Plan - just zoning for a specific number of units for housing does not mean that those units will actually be built. The higher the burden we place on the investors and developers interesting in improving the area through zoning, the less likely these projects will come to fruition. As I read it, the General Plan allows for 5500 new workers in the Bayfront/M2. We need to make sure that the housing being proposed is actually built so that these workers have the option of living nearby, so we start fixing our jobs/housing imbalance rather than making it worse.

Menlo Park also sorely lacks housing that is accessible to low and middle-income workers. We are unlikely to find the space to build significant numbers of affordable housing units in our downtown corridor, although this is an ideal location due to public transit access. The second biggest "hub" for public transit should be, and could be the Bayfront/M2. There is ample space to build high density, affordable housing throughout the General Plan area. The best tool for this is to require 15% of the units entitled by the General Plan be set aside as affordable housing, and I encourage the Commission to make this recommendation. This BRM rate is equal to Palo Alto's percentage and higher than San Mateo's. As I understand it, Redwood City does not require inclusionary zoning at all. At this BMR requirement level we could add nearly 700 units of affordable housing based on the 4500 total housing units proposed - affordable housing which we desperately need.

Finally, there are some concerns that Facebook in particular may not be able to develop all of the housing units with the current zoning. I believe they would like to build the housing. However, given the amount of housing we would like to see, it is foreseeable that a lack of FAR or height allowance could hinder this housing development, and require a need to ask for additional FAR and height exceptions on a project-by-project basis. In that case there

I34-1

is a real possibility that the financial incentives encourage them to build just SOME of the housing that is entitled, but build ALL of the office space that is entitled - a result which does not solve the jobs/housing imbalance. I would like to see a mechanism for the city to push for this housing to be completed. One approach would be to unlock the entitled office space in tranches as housing is developed in kind.

**I34-1
(cont.)**

Regards,

Skip Hilton
148 Dunsmuir Way
Menlo Park, CA 94025
Suburban Park

--
Skip Hilton
skiphilton@gmail.com
[650-799-1992](tel:650-799-1992)

--
Skip Hilton
skiphilton@gmail.com
[650-799-1992](tel:650-799-1992)

July 11, 2016

Dear Menlo Park City Staff, Menlo Park City Council and San Mateo County Board of Supervisors:

The following comments are being submitted for both the Facebook and ConnectMenlo Draft EIRs. It is important to note that many of the concerns existed long before Facebook began its expansion in Menlo Park. In many cases, the mitigations for current and forthcoming development are things that should already be getting more attention from the City of Menlo Park. Because it is not clear that these matters are getting adequate attention from the City, they are being listed in this letter with hopes that the appropriate amount of development impact fees is actually used to mitigate the impacts of this unprecedented amount of development in Belle Haven. Below are some issues that need further consideration with respect to the Facebook and ConnectMenlo DEIRs.:

I35-1

Traffic

Residents have voiced concerns for over a year regarding the challenges experienced when trying to exit and enter Belle Haven during the morning and evening commutes. Due to the extremely heavy traffic on the portion of Willow Road bordering the Belle Haven community, residents often have to allocate 15 minutes of their commute just to exit the Belle Haven neighborhood in the morning. The evening commute presents equal if not greater challenges due to the traffic on Willow Road as a majority of the traffic is heading toward the Dumbarton Bridge.

I35-2

The amount of cut through traffic in Belle Haven continues to escalate at an alarming rate. The residential portion of Chilco Street has become the street of choice for cut through traffic. The 15 mph speed limit signs on Chilco near the Belle Haven School are almost never heeded. The no left turn sign on the corner of Chilco and Hamilton is also ignored. Those who do comply with the sign simply use other streets in the neighborhood in order to get to Hamilton Avenue and then proceed to Willow Road with hopes of avoiding a portion of the slow commute traffic on Bayfront Expressway. To date, the minimal changes that have been made within the neighborhood in order to control traffic have been largely ineffective. We needed more effective measures now.

I35-3

If there is a comprehensive plan in place to address neighborhood traffic, that plan needs to be made known to the general public. If there is no plan, resources must be allocated immediately to address our current traffic woes. Residents have expressed concerns that traffic impact fees are collected by our city in the face of development, however it is not evident that sufficient funds are being directed to the part of town most impacted by the development.

Capital Improvements, Infrastructure, Goods and Services

As the City prepares to benefit from the new revenue streams generated by all of the development it is imperative that the part of town which is most impacted by the development also see a corresponding reinvestment of the revenue. There will be a \$13.6 million impact fee from the Facebook project alone. The ongoing TOT from the hotels that will be built in the M-2 area, along with the increased property and sales taxes, need to have a plan for their allocation. That information needs to be made known to the public in a manner which allows us to see where the funds are going. At the very least, a portion of the fees should be used to do things such as improve the streetscapes on Belle Haven's busiest streets. The improvements that were made on a portion of Hamilton Avenue under the Redevelopment Agency (RDA) serve as reasonable example of what should be happening throughout the neighborhood. Under the RDA, the utilities were put underground and new sidewalks, streetlights and trees were installed.

I35-4

Because of the absence of many goods and services in Belle Haven, residents often travel to other cities to obtain basic goods and services. In many cases it is faster to commute to another city to shop than it is to commute to downtown Menlo Park. The population density of our City is increasing rapidly. Most of that growth is happening in or near Belle Haven in the form of residents who will occupy all of the new high density housing and the thousands of employees that will be added to the headcount at Facebook. With growth at this level, our City is poised to accommodate more than one area for shopping, dining and entertainment. As Downtown Menlo Park undergoes a renaissance, our city is uniquely positioned to also have what I will call an Uptown District. The Uptown District would not detract from our beautiful downtown area, but it would serve as an enhancement to what Menlo Park has to offer. The sooner we can get the Uptown portion of Menlo Park built, the sooner we can take more of our cars off the road and perhaps capture more tax revenue from the thousands of commuters from other cities that travel on Willow Road daily.

I35-5

Education

During the school year, a caravan of buses takes Belle Haven students to other school districts. There are also many parents driving their kindergarten through junior high aged children to schools outside of the neighborhood. I mention this commute phenomenon only to highlight the fact that Belle Haven residents are the only Menlo Park residents in the Ravenswood City School District (RCSD). The Willows used to be a part of (RCSD) but they successfully had their properties removed from the district. Some residents are currently looking into the possibility of forming a new school district which would include Belle Haven, the M-2 area and

the new Haven Avenue properties. The city limits of Menlo Park would serve as the boundary for the district. The desire would be to have Belle Haven School become a part of the new school district. Should this change happen, it could have an incredibly positive impact on the morning and evening commute patterns as it is likely that more local residents would opt to send their children to the neighborhood school.

**I35-5
(cont.)**

Housing and the Dumbarton Rail Corridor

The housing crisis in the Peninsula is unparalleled. Rents are soaring to levels we have never seen. Those who already own homes are benefiting from this sellers market, but those who rent are subject to the ever rising prices. My housing comments will focus on three issues that I think are often ignored in Menlo Park's discussion when considering the challenges of housing in Menlo Park. The three issues of concern are: the distribution of our housing stock, the effectiveness of helping Menlo Park residents who are being displaced, and the need to focus on activating the Dumbarton Rail Corridor.

When the City was sued for failure to update the housing element, the solution was to locate most of the needed housing in Belle Haven. Since the most recent update, there is discussion of building even more units of housing in and near the M-2 area of Menlo Park. Our city must plan to locate all forms of housing throughout Menlo Park, including affordable housing. To date, Belle Haven has been the City's primary repository for affordable housing, however that pattern must change to include an equitable distribution of affordable housing throughout our city.

I35-6

As the city develops affordable housing, it is important to ensure that Menlo Park residents are being considered for the affordable units being developed in Menlo Park. To state that you are concerned about residents being displaced, but not be able to target the residents that are at risk of being displaced is a disservice to your residents. Although there are agencies that maintain lists of San Mateo County residents who could qualify for affordable housing, the number of people on the lists far exceeds the availability of the housing. It would be beneficial for our City to maintain lists of residents who live in the various parts of Menlo Park and are at risk of displacement so that they can be given priority consideration for the affordable housing being built in their city.

Due to the high cost and low inventory of housing in the Peninsula, most people commute from the East Bay to the Peninsula via the Dumbarton Bridge. The activation of the Dumbarton Rail Corridor could have the largest impact on decreasing emissions in our city. A railway system that comes over the Dumbarton

Bridge and connects to the Caltrain system in Redwood City would have compounded benefits for our environment and quality of life in Menlo Park and the entire Peninsula. More effort must be put into assembling the local, regional and state political support for this project.

**I35-6
(cont.)**

I recognize that some of the information mentioned in my letter extends beyond the scope of commenting on the DEIRs. For that reason I have also addressed this letter to the Menlo Park City Council and the San Mateo County Board of Supervisors. It is important for our elected officials to be informed about some of the issues mentioned in this letter. I look forward to your responses and actions regarding the concerns about the traffic patterns and the need for more infrastructure and commercial improvements that will make the Belle Haven and M-2 areas more livable. By making the Belle Haven section of town more livable, there will be fewer vehicles on the road, a decrease in emissions, and an improvement in the quality of life.

I35-7

Kind Regards,

Sheryl Bims
Menlo Park Resident
Belle Haven Neighborhood

July 11, 2016

Dear Menlo Park City Staff, Menlo Park City Council &
San Mateo County Board of Supervisors:

My comments are **all inclusive for both Reports, Facebook and Connect Menlo**. I feel within the City of Menlo Park are many Neighborhoods and the bayside (aka) Belle Haven neighborhood seem to be the one neighborhood disconnected. I have noticed when some of the staff presents anything for Belle Haven, it is stated, the City of Menlo Park and Belle Haven, as if Belle Haven is not a neighborhood within the City? One of the reasons I never understood the meaning, "Connect Menlo" to what? When will we learn that Menlo Park is one City. It is little things that keep Communities divided. "Lets start by bridging the gap." Which has been said for many, many years.

I36-1

Education

I want to start by addressing the one thing that is always left out, Education! In all the public meetings and millions that are spent on Consultants, we fail to spend a dime on the one thing that is missing In the largest revenue driven neighborhood.

I36-2

We must do better in providing equal access to high quality education, which is A priority in this city, and we have failed to do so. Yes, we may say, how? That is why we hire consultants to find the ways. Every child within this city deserve the same high quality education. This has been going on long before facebook.

Much is said for development, too little about education!

Traffic

The residents have called for a study be done to calm the traffic in this Neighborhood, it has fallen on deaf ears.

We have suffered with speeding, cut through and all elements of Traffic that is growing every week. Other neighborhoods have put things in place to discourage cut through traffic, we have not.

The Northern part of this city is being impacted and we ask for very little when it is generating the most revenue and fees from the developers. The fees alone that is for improvements, seem to bypass this area.

If this community is has benefits needed, it will eliminate additional Traffic for those quick trips.

I36-3

House and Transportation

Affordable House along with displaced residents have been the focus and most concerns.

I have asked many times to identify, affordable and a number of people that are being displaced. We must investigate where housing can be developed and how to get it done. Remember we must balance that housing through-out the city. It is perceived, it should be in one part of the city, where density has far exceeded the numbers. Much work to be done!

I36-4

Dumbarton Rail certainly would be a welcome solution to some of The vehicle traffic that is one of the things face book has provided ways of eliminating some of the vehicle traffic. A serious study is needed by the city to address this growing problem.

I36-5

Infrastructure and Capital improvements

It seem, since RDA has been taken away it is very difficult to Include the Belle Haven into the General Budget. This has caused the neighborhood to go lacking in normal every day, basic needs.

The needs of the community have not kept up and benefited From the growth. Where has those funds gone? We have seen **No** change for simple needs of a normal community.

Our streetscape is deteriorating, and most have not been put in. Lots of infrastructure to be considered. (Piping for)
Sewage
Water

Respectfully,

Rose Bickerstaff
Menlo Park Resident
Belle Haven Neighborhood

I36-6

From: aldeivnian@gmail.com [mailto:aldeivnian@gmail.com] **On Behalf Of** Adina Levin
Sent: Tuesday, July 12, 2016 10:24 AM
To: Michele Tate; Sally Cadigan; megmcgrawscherer@gmail.com; lucycalder10@gmail.com; juliana_h_l@yahoo.com
Cc: Cogan, Jim C; Chow, Deanna M; Murphy, Justin I C
Subject: General Plan Housing Comments

Dear Housing Commissioners and staff,

Following are several comments that I would encourage you to include in comments to City Council regarding the ConnectMenlo EIR and plan.

I37-1

1) Jobs and Housing - Phasing

The ConnectMenlo EIR shows that adding jobs near housing reduces Vehicle Miles Travelled, since some people are likely to take advantage of the opportunity for a shorter commute, if the opportunity is available.

To ensure that the community gets the benefits of this reduction, it would be helpful to implement phasing in the plan, allowing buildout of the commercial space with triggers to ensure that corresponding housing has been built.

I37-2

2) More housing in other locations in city

The EIR shows that housing near jobs reduces VMT, but the overall scenarios studied in the plan result in worsening the jobs/housing balance. To address this concern, consider increasing housing in other locations in the city.

I37-3

3) Potential transportation mitigation with a higher share of BMR housing

Data shows that lower-income residents tend to drive less than wealthier residents. Therefore, it would be helpful to assess how much additional transportation impact mitigation would be gained by increasing the share of BMR housing.

4) BMR funding

As a policy matter for the plan, please investigate options for additional funding for BMR housing. It would be better to have a higher percentage of BMR housing, however, if the full obligation is put on market rate developers, this could result in an unwelcome outcome of reducing the overall amount of housing that is built. Even market rate housing has a protective anti-displacement effect, since if a well-off Facebook employee moves into a new market-rate unit, they will not be outbidding existing residents from older housing.

I37-4

Therefore, the City should explore sources of funding and tools such as Community Land Trusts, rehab programs, and other mechanisms to be able to increase the amount of BMR housing without risking the reduction of the overall amount of housing in the plan.

Thank you for your consideration,

- Adina
Adina Levin
650-646-4344

From: Neilson Buchanan [mailto:cnsbuchanan@yahoo.com]
Sent: Thursday, July 14, 2016 9:26 AM
To: Neilson Buchanan
Subject: San Jose Merc and Palo Alto Daily Post pull the news together

FYI. I hope important questions will ensue up and down the Peninsula long after the November election. This election cycle is a mere blip in time.

I am convinced that few of the municipal jurisdictions in the immediate future are able to step back and see the big picture. Cumulative impact is difficult for city governments but not impossible to grasp.

However, arcane local zoning, CEQA and rote EIRs cloud the big picture and impede rational planning. Ideally ordinary citizens and schools will awaken and raise the issues to their local elected officials. The scope of impact is well illustrated in the attached Daily Post article today about Burlingame.

How will dozens of city councils respond to just three simple questions? If every city in the Bay Area increased housing as discussed in the Burlingame article, then

Who will take command and control of regional transportation to serve that population? Certainly no city government.

What are the locations and design of schools, playgrounds and parks? Certainly local school districts working with the city governments

Is there enough water to support new population growth in scenarios of long term severe or moderate droughts? Certainly to be determined by somebody.

I39-1

Neilson Buchanan
155 Bryant Street
Palo Alto, CA 94301

650 329-0484
650 537-9611 cell
cnsbuchanan@yahoo.com

Attachment # I39-1

Coalition forms to combat city's development plans

MENLO PARK -- A new coalition has formed to oppose what it calls "the dangerous direction that our elected officials are taking" on development.

Steve Schmidt, a former Menlo Park mayor, is a core member of the coalition called Voters for Equitable & Responsible Growth (VERG).

Schmidt said it grew out of discussions among community members in recent weeks while the city reviewed a Facebook expansion project and the General Plan update at the same time.

"We just don't find that the commissioners and council people, who are our stewards, are really asking the right questions about (impacts to) schools and parks and residents," said Neilson Buchanan, a member of the coalition.

Councilman Ray Mueller said the coalition is prematurely blaming the council for following a standard review process.

"I appreciate concerns that are being raised by VERG, but I think it's unfortunate they are blaming the council for reviewing and doing an impact analysis of what came out of the (General Plan) visioning process," Mueller said.

The group's members consist of residents and people who work in Menlo Park, Palo Alto, East Palo Alto and Atherton. Along with Schmidt and Buchanan, Cafe Zoe owner Kathleen Daly, Belle Haven resident Martin Lamarque, Willows resident Jim Wiley and East Palo Alto Council of Tenants Education Fund president William Bryan Webster are core members who signed the coalition's announcement this week.

The coalition is concerned that neither the review of Facebook's expansion nor the review of the General Plan adequately addresses displacement of Belle Haven residents or traffic congestion.

In its announcement, the group accuses city officials of creating a climate favorable to office development.

"The impending Menlo Park General Plan Update will facilitate a boom of 50% population and 70% employee growth," the letter states. "This council has neglected to seek a balance between office buildings and the need for housing. Our communities are swamped by office commuters who have no choice but to seek housing in less expensive and distant communities."

Schmidt suggested the coalition would back a candidate for the council, which has two seats open in November.

"We're beating the bushes for at least one candidate to run against the incumbents," he said. The group has hired Shute, Mihaly & Weinberger LLP, a San Francisco law firm that on Monday issued a 19-page letter to the city stating its analysis of the Facebook expansion at 301-309 Constitution Drive violates the California Environmental Quality Act.

"After reviewing the DEIR, we conclude that it does not comport with CEQA because it fails to analyze traffic and transportation, fails to propose adequate mitigation measures to

address those impacts, and fails to properly assess and mitigate for cumulative impacts both in Menlo Park and in the greater Bay Area region," the letter states. "As a result of the DEIR's serious inadequacies, there can be no meaningful public review of the Project's population and housing impacts and transportation impacts."

Mayor Rich Cline said early Thursday said he was hopeful the city would be able to work with VERG to address its concerns.

"Angry emails and opportunistic lawyers sending threatening letters is democracy in action," Cline wrote in a text to The Daily News. "We shouldn't be defensive or surprised -- just open-minded."

Mueller said the draft General Plan update has been reviewed by a number of city commissions, including the Transportation Commission on Wednesday, and none have noted any CEQA issues.

"The approval for the document is a long way off," he said. "Until it's ready and done and we have the support of the entire city, it's not done, period."

The letter contends Menlo Park's review of the Facebook project didn't take into account the "direct population growth" that will result from 6,550 new employees along Constitution Drive by 2019.

Daly said she joined the coalition after hearing that the city had omitted a comment letter submitted by an East Palo Alto coalition on the Facebook expansion. That coalition -- Envision, Transform, Build - East Palo Alto -- forced Menlo Park four years ago to create a planning document that zoned for an additional 1,000 affordable housing units.

"As a small business owner with some sense of responsibility to help make life better for my employees, housing is personal," Daly said. "There's no good options. ... We're all just one rent payment away from something that could take the roof over your head away."

Daly said she has had many discussions with Mueller about her housing concerns and trusts his judgement.

"When I've seen a concern in Menlo Park, in my experience he's always been there and is willing to listen," she said.

Email Kevin Kelly at kkelly@bayareanewsgroup.com or call him at 650-391-1049.

THURSDAY, July 14, 2016

No. 1 in Palo Alto and the Mid-Peninsula

Daily
Post
Locally owned, independent

NEWS

City's population could skyrocket

Thousands of new homes may be built

BY EMILY MIBACH
Daily Post Staff Writer

Burlingame may face a 30% population increase by adding 4,171 homes by 2040, according to the draft of the city's general plan, which the Planning Commission reviewed in a study session last night.

Currently, there are multiple projects planned to provide 1,027 to 1,099 homes in the next few years, which would be part of the 4,171 benchmark. These projected numbers are from the Association of Bay Area Governments, better known as ABAG, which sets quotas for additional housing in the region.

Rezoning along Bayshore

One of the main points of the draft plan was looking at rezoning along Bayshore Freeway. Currently, there are warehouses along the freeway, and the general plan proposes to make the area a mixed-use zone, with homes and commercial uses.

However, during public comment, some residents were concerned about rising sea levels and how that could affect the zoning of a residential area.

"Just because there are flood zones doesn't mean we should ignore the

proposal," commission member Peter Gum said. "I'm not trying to be cavalier, we must address this issue, but I want to see this vision incorporated in the community."

Can schools handle influx?

Another question raised by some residents in attendance, as well as some commission members, was how the schools would handle a large influx of residents.

Laura Stetson and Dan Amsden, of planning firm MIG, who presented the draft general plan yesterday, said they have been in contact with the school boards that cover the region in order to brace the schools for incoming students.

Stetson and Amsden also floated the ideas of reconfigurations along California Avenue and El Camino Real, which they said polled favorably with their general plan focus groups.

However, Stetson said that they only wanted to poll residents to see if they were in favor of the reconfigurations before making any plans. They didn't reveal any plans for reconfigurations during the meeting.

A draft of the general plan, which is supposed to project to 2040, could be reviewed by the City Council in early fall, Stetson and Amsden said. The last complete general plan for the city was in 1969.

From: [Johnnie Walton](#)
To: [Chow, Deanna M](#)
Cc: [_connectmenlo](#); [Rachel Bickerstaff](#); [Opha Wray](#)
Subject: "Menlo Park General Plan Update EIR"
Date: Monday, July 18, 2016 11:54:49 AM

Hello Deanna Chow,

I wanted to ask that the 1.2.2 Final EIR (Chapter 1 introduction) be explained in detail to give a clear as possible understanding to residents of what is being stated here. To me it does not sound good for Belle Haven Residents. The last paragraph is the main focus of my concern. It sounds to me like this; "the unavoidable, significant effects on the environment" really means "the unavoidable, significant effects on the Belle Haven Residents". I say this because The Belle Haven area has been said to be the "bread and butter of the entire City for tax revenue" but yet the Belle Haven area has yet to reap any benefit from the revenue in any measurable way compared to any other part of the City of Menlo Park. Please prove me wrong by clearly explaining the section 1.2.2 last paragraph (Chapter 1 introduction) to the Draft EIR.

I40-1

Draft EIR Individual Chapters

- [Table of Contents](#)
- [Chapter 1 - Introduction](#)

1.2.2 FINAL EIR Upon completion of the 45-day review period for the Draft EIR, the City will review all written comments received and prepare written responses to each comment on the adequacy of the Draft EIR. A Final EIR will then be prepared, which contains all of the comments received, responses to comments raising environmental issues, and any changes to the Draft EIR. The Final EIR will then be presented to the City of Menlo Park for certification as the environmental document for the proposed project. All persons who commented on the Draft EIR will be notified of the availability of the Final EIR and the date of the public hearing before the City. All responses to comments submitted on the Draft EIR by agencies will be provided to those agencies at least 10 days prior to certification of the EIR. The City Council will make findings regarding the extent and nature of the impacts as presented in the EIR. The EIR will need to be certified as having been prepared in compliance with CEQA by the City prior to making a decision to approve or deny the proposed project. Public input is encouraged at all public hearings before the City. After the City Council certifies the EIR, it may then consider action on the proposed project. If approved, the City Council will adopt and incorporate into the project all feasible mitigation measures identified in the EIR and may also require other feasible mitigation measures. In some cases, the City Council may find that certain mitigation measures are outside the jurisdiction of the City to implement, or that no feasible mitigation measures have been identified for a given significant impact. In that case, the City Council will have to adopt a statement of overriding considerations that determines that economic, legal, social, technological, or other benefits of the proposed project outweigh the unavoidable, significant effects on the environment.

I40-2

Thanks,
 Johnnie Walton
 1109 Windermere Ave

From: John Templeton [mailto:blackmoneyww@gmail.com]

Sent: Monday, July 18, 2016 5:20 PM

To: _CCIN

Cc: Frederick Jordan, Sr.; Eva Paterson; Roy Clay Sr.; wbrumford@msn.com; tfuller@nytimes.com; Aleaziz, Hamed; Scott McGrew; David Louie; tvu@kqed.org; asstone@calbcc.org; joey.hill@asm.ca.gov; jonathan.krim@wsj.com; business@sfchronicle.com; lrowlands@mercurynews.com; business@mercurynews.com; techchronicles@sfgate.com; pchu@bizjournals.com; steve.trousdale@thomsonreuters.com; mkrey@investors.com; Palo Alto Weekly 1; dhajek@npr.org; pfsaiers@cbs.com; dculver@cbs.com; kdolan@forbes.com; alexandrasuich@economist.com; richard.waters@ft.com; josh.lipton@nbcuni.com; connie.guglielmo@cnet.com

Subject: Testimony on I1, I2 regarding environmental justice, fair housing and equal employment opportunity

Testimony, Menlo Park City Council, Regarding Agenda Item I1 and I2

John William Templeton, Curator, California African-American Freedom Trail

Last Sunday, two milestones went little noted—the unveiling of a statue honoring the father of California’s Fair Housing Act, W. Byron Rumford, and the recognition of the worst disaster of World War II, the Port Chicago Massacre. Both events are part of my book, *Our Roots Run Deep: the Black Experience in California, Vol. 3, 1950-2000*.

This summer, we have mapped 6,000 sites of interest for the California African-American Freedom Trail. Belle Haven is one of those places because of the middle class community in Ravenswood and because of the extraordinary impact of Roy L. Clay Sr. He opened his business, Rod-L Electronics and has continued to be a global leader since 1977.

Back in 2000, I came to Belle Haven with a proclamation from Gov. Gray Davis acknowledging Clay’s selection as a Silicon Valley Engineering Hall of Fame member.

Yesterday, I had the opportunity to discuss with him the proposal for the expansion of the Facebook campus and he shared the reservations which you should take very seriously.

Both the hundreds in Port Chicago and Assemblyman Rumford gave their lives in the pursuit of fair employment and housing.. However, the land use practices of the Peninsula cities have reversed much of the progress of the past 50 years.

Although you only have jurisdiction in your city, your decisions affect many throughout the region. Since the 2000 Census, the African-American population of Menlo Park has declined by a third.

Discriminatory hiring practices by companies such as Facebook are at the root of that decline. Fewer than 300 African-Americans in Menlo Park have managerial and professional jobs, according to the American Community Survey in 2014.

I41-1

However, those of us in San Francisco face similar displacement, as the African-American population has declined from 60,000 in 2000 to 45,000 in 2014. San Francisco Unified School District has seen its enrollment of black students drop from 10,000 to 4,400 from 2005 to 2015.

As editor of the *San Jose Business Journal* beginning in 1987, I can categorically reject the excuse of Facebook that it can not find qualified African-Americans. I made that point in testimony to the Senate Judiciary Committee in 1998 and to the House Judiciary Committee in 2003. Since 1998, I have done an annual report *Silicon Ceiling: Equal Opportunity and High Technology* and hosted the 50 Most Important African-Americans in Technology on Dr. Martin Luther King Jr.'s birthday since 1999.

Your counterparts in Palo Alto City Hall hosted the exhibition Soul of Technology honoring Roy Clay, the late Dr. Frank Greene, Ron Jones and Gerry Lawson among other African-American technical pioneers in 2009. Although Facebook was then just across the street, they did not participate.

To grow in a non-inclusive way since then is an act of defiance of best practices in workplace standards, which grew out of the 1934 general strike which led to the National Labor Relations Act and A. Philip Randolph's speech integrating the labor movement.

When your city government allows a company which has less than one percent African-American employment to expand, it sends out demographic shock waves across the region. It also shuts out other businesses from exercising their First Amendment rights, a point made by the National Newspaper Publishers Association last week in opposing plans by Facebook to arbitrarily change its algorithms.

The recent *Mercury News* article suggested that one third of those workers will live in San Francisco, adding to skyrocketing rents which are the highest in the country. Now, 25,000 African-Americans with graduate degrees live in the Bay Area, although only 2,000 African-American work in technology companies.

In our most recent *Silicon Ceiling 15*, we noted that only 20 percent of technology employers even listed themselves as equal opportunity employers, a shocking trend which is facilitated by local land use policy.

As a result, non-diverse workforces replicate stereotypes and bias through their mathematical formulas, leading to consumer racial profiling (CRP) in a variety of instances. If you're African-American, you see how Facebook's employees feel about you through the types of advertisements and posts which get directed to you and it can be quite disgusting at times.

By hosting a company of global reach, you have the responsibility to take the interests of that larger community into account. Before taking further action, I recommend that the environmental justice analysis be performed of the impact of Menlo Park businesses, traffic and employment patterns on racial inequality in the region. You should throw boulders into the unknown and plead ignorance.

**I41-1
(cont.)**

People 75 miles away should not face abrupt disruptions because of actions taken without their knowledge. It is equally unfortunate that those who have sacrificed for this country as veterans are being displaced by such policies. When Roy Clay started Rod-L, he made a point of hiring local workers and training them irrespective of their educational backgrounds so that progress would be equally shared. Let's not bury that legacy.

**I41-1
(cont.)**

Population

Total Population	32,026
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Housing Status**(in housing units unless noted)**

Total	13,085
Occupied	12,347
Owner-occupied	6,927
Population in owner-occupied (number of individuals)	18,972
Renter-occupied	5,420
Population in renter-occupied (number of individuals)	12,209
Households with individuals under 18	4,112
Vacant	738
Vacant: for rent	301
Vacant: for sale	76

Population by Sex/Age

Male	15,488
Female	16,538
Under 18	7,805
18 & over	24,221
20 - 24	1,354
25 - 34	4,507
35 - 49	7,588
50 - 64	5,731
65 & over	4,578

Population by Ethnicity

Hispanic or Latino	5,902
Non Hispanic or Latino	26,124

Population by Race

White	22,494
African American	1,551
Asian	3,157
American Indian and Alaska Native	156
Native Hawaiian and Pacific Islander	454
Other	2,776
Identified by two or more	1,438

1 96 of 96	Subject	Menlo Park city, California	
		Number	Percent
	Total population	30,785	100.0
	SEX AND AGE		
	Male	14,920	48.5
	Female	15,865	51.5
	Under 5 years	2,030	6.6
	5 to 9 years	2,028	6.6
	10 to 14 years	1,750	5.7
	15 to 19 years	1,400	4.5
	20 to 24 years	1,425	4.6
	25 to 34 years	5,345	17.4
	35 to 44 years	5,344	17.4
	45 to 54 years	4,100	13.3
	55 to 59 years	1,391	4.5
	60 to 64 years	1,083	3.5
	65 to 74 years	2,070	6.7
	75 to 84 years	1,935	6.3
	85 years and over	884	2.9
	Median age (years)	37.4	(X)
	18 years and over	24,048	78.1
	Male	11,433	37.1
	Female	12,615	41.0
	21 years and over	23,368	75.9
	62 years and over	5,519	17.9
	65 years and over	4,889	15.9
	Male	1,968	6.4
	Female	2,921	9.5
	RACE		
	One race	29,798	96.8
	White	22,274	72.4
	Black or African American	2,163	7.0
	American Indian and Alaska Native	136	0.4
	Asian	2,201	7.1
	Asian Indian	333	1.1
	Chinese	885	2.9
	Filipino	219	0.7
	Japanese	449	1.5

	Menlo Park city, California		Palo Alto city, California		San Francisco-Oakland-Hayward, CA Metro Area	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Total:	1,231	+/-225	1,422	+/-490	277,753	+/-1,803
Male:	547	+/-149	771	+/-259	130,748	+/-1,212
18 to 64 years:	476	+/-143	711	+/-243	112,946	+/-1,169
Veteran	21	+/-22	160	+/-119	12,943	+/-853
Nonveteran	455	+/-140	551	+/-209	100,003	+/-1,437
65 years and over:	71	+/-47	60	+/-40	17,802	+/-191
Veteran	65	+/-43	43	+/-32	9,503	+/-431
Nonveteran	6	+/-11	17	+/-23	8,299	+/-431
Female:	684	+/-153	651	+/-274	147,005	+/-1,080
18 to 64 years:	565	+/-149	514	+/-239	121,790	+/-1,023
Veteran	27	+/-30	0	+/-29	1,405	+/-259
Nonveteran	538	+/-150	514	+/-239	120,385	+/-1,005
65 years and over:	119	+/-48	137	+/-72	25,215	+/-243
Veteran	0	+/-26	0	+/-29	349	+/-118
Nonveteran	119	+/-48	137	+/-72	24,866	+/-253

	Menlo Park city, California		San Francisco-Oakland-Hayward, CA Metro Area	
	Estimate	Margin of Error	Estimate	Margin of Error
Total:	751	+/-192	143,612	+/-2,159
Male:	384	+/-143	68,071	+/-1,609
Management, business, science, and arts occupations	169	+/-92	22,351	+/-1,284
Service occupations	35	+/-39	14,181	+/-917
Sales and office occupations	130	+/-76	13,706	+/-861
Natural resources, construction, and maintenance occupations	18	+/-21	6,365	+/-700
Production, transportation, and material moving occupations	32	+/-38	11,468	+/-774
Female:	367	+/-120	75,541	+/-1,450
Management, business, science, and arts occupations	107	+/-63	28,438	+/-1,031
Service occupations	128	+/-62	17,267	+/-907
Sales and office occupations	129	+/-82	26,430	+/-1,225
Natural resources, construction, and maintenance occupations	0	+/-26	354	+/-128
Production, transportation, and material moving occupations	3	+/-9	3,052	+/-381

Geographical Mobility in the Past Year For Current Residence in the United States

Menlo Park city, California

Powered by [The American Community Survey](#)

	One Race						Two or More Races		
	White American	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Hispanic or Latino (any race)		
Total:	23,442	1,673	110	3,525	595	1,606	5,093	1,338	
Same house 1 year ago	20,040	1,418	73	2,731	541	1,452	4,524	1,131	
Moved within same county	1,039	161	10	130	0	69	339	94	
Moved from different county within same state	1,348	68	12	283	0	83	185	81	
Moved from different state	553	15	15	157	0	2	33	21	
Moved from abroad	462	11	0	224	54	0	12	11	

Source: U.S. Census Bureau, 2010-2014 American Community Survey 5-Year Estimates.

	Menlo Park city, California		San Francisco-Oakland-Hayward, CA Metro Area	
	Estimate	Margin of Error	Estimate	Margin of Error
Total:	462	+/-131	142,759	+/-2,426
Owner occupied	218	+/-102	45,869	+/-1,424
Renter occupied	244	+/-102	96,890	+/-2,683

PUBLIC HISTORIAN

John William Templeton

HIGHLIGHTS

Catalyst for a transformation of research towards the applied use of African American heritage for community, personal and global transformation. *Wanadu Aroo* (history advisor) to the *Amiru Songhai* (Paramount Chief) of the Songhoy People covering ten West African nations. Executive Producer, ReUNION: Education-Arts-Education instructional television network.

MILESTONES

NATIONAL CORRESPONDENT AFRO-AMERICAN NEWSPAPERS, BALTIMORE, MD – 1976

As White House beat reporter covered the first Presidential proclamation of Black History Month; caused construction of current building of Schomburg Center for Research in Black Culture with investigative article on research library funding in the New York Public Library.

PAGE, MOORLAND SPINGARN RESEARCH CENTER – 1972

Worked under Dorothy Porter, the dean of black archivists during her last year at Howard University's extensive archive of African and African American manuscripts, literature and recorded media.

EDITORIAL ASSISTANT, JOURNAL OF RELIGIOUS THOUGHT – 1975

Served as aide to Dr. J. DeOtis Roberts, editor of the leading scholarly journal in black theology and expert in liberation theology, at Howard University School of Religion.

INVESTIGATIVE INTERN, CENTER FOR NATIONAL SECURITY STUDIES/HARPERS WEEKLY – 1974

Extensive use of Freedom of Information Act to investigate military intelligence agencies. Jointly wrote article for Harpers Weekly with SNCC veteran Courtland Cox on FBI's Cointelpro operations against the black freedom movement.

HISTORY GRADUATE ASSOCIATE SOUTHEASTERN BLACK PRESS INSTITUTE UNIVERSITY OF NORTH CAROLINA, CHAPEL HILL, NC – 1977-78

Conducted oral history interviews with black newspaper editors in D.C., Virginia, Maryland, North and South Carolina and Georgia. Co-produced two-part documentary *We Wish To Plead Our Own Cause* on the UNC-TV Network statewide. Worked with advisory committee led by NNPA President Dr. Carlton B. Goodlett.

EXECUTIVE EDITOR, WINSTON-SALEM CHRONICLE – 1978

Created *Roots of Black Winston-Salem* series in concert with the release of Alex Haley's book and mini-series.

EDITOR, RICHMOND AFRO-AMERICAN & RICHMOND PLANET – 1980-84

Replaced Pulitzer juror Raymond H. Boone at country's oldest black newspaper to publish the first centennial edition in the history of the black press in 1983, winning four NNPA First Prize Merit Awards. Had building designated as an SDX/SPJ Historic Site in Journalism and street renamed John Mitchell Square.

PRESIDENT, JACKSON WARD PROJECT AREA COMMITTEE – 1982-86

As a resident and business operator, was picked by community to lead effort to revive country's oldest and largest black business district. After Maggie L. Walker National Historic Site opened, worked with National Park Service to create Jackson Ward National Historic District, the largest black historic business district in the nation.

1691 Turk St. San Francisco, CA 415-240-3537 venturata.com

EDITOR *OUR ROOTS RUN DEEP: THE BLACK EXPERIENCE IN CALIFORNIA, 1500-1900, SAN JOSE, CA* – 1991

After discovering that California's name was derived from a Spanish epic about an island nation populated solely by black women, found dozens of peer-reviewed and primary source documents for an anthology which brought the state's black history into the mainstream and classroom. Los Angeles black students experienced a two grade point average gain within weeks of reading the book.

CURATOR, *OUR ROOTS RUN DEEP EXHIBITION* – 1992-96

Presented first black history exhibition in the Historic State Capitol Museum sponsored by Assemblymember Barbara Lee, D-Oakland including portrait of Queen Calafia in Senate Budget Committee hearing room; also exhibited in Los Angeles Central Library and sixth floor gallery of new Main Library in San Francisco, Sonoma County Library, Allensworth State Historical Park. Exhibit peer reviewed by California State Library.

CO-EDITOR, *OUR ROOTS RUN DEEP: THE BLACK EXPERIENCE IN CALIFORNIA, VOL. 2, 1900-1950* – 1996

San Diego educator Agin Shaheed is great grandson of C.C. Flint, the black power broker at the end of the 19th century, and grandson of J. McFarland Ervin, first black administrator in Los Angeles schools. Working with his mother Jana Calvert, we edited and published the writings of Flint and Ervin and discovered the extent of California involvement in the fight to overturn racial segregation in employment, housing and accommodations, including UCLA alumni Dr. Ralph Bunche and Jackie Robinson.

PROFESSIONAL DEVELOPMENT TRAINER *IRISE SFUSD* – 1994-1996

Gave teachers at 20 schools in San Francisco Unified School District training in infusion of African American heritage in daily classroom experiences; credited by principals with driving gains in student performance

EDITOR, *DO NOT CALL US NEGROS: HOW MULTICULTURAL TEXTBOOKS PERPETUATE RACISM* – 1992

Published and edited the manuscript of Stanford Professor Emeritus Sylvia Wynter, the patron saint of Caribbean intellectuals, which analyzed the K-8 history/ social science textbook submission of Houghton Mifflin for its impact to demotivate African American students. Her paradigm for measuring racial discrimination in literature is regarded as the gold standard in the field.

AUTHOR, *THE BLACK QUEEN: HOW AFRICAN AMERICANS PUT CALIFORNIA ON THE MAP, VOL. 4 OUR ROOTS RUN DEEP: THE BLACK EXPERIENCE IN CALIFORNIA* – 1998

Created teacher supplement to the three volumes of *Our Roots Run Deep: the Black Experience in California* including thematic lesson plans, bibliography, 150 most important black Californians and maps.

PRODUCER, *KMTP-TV32* – 1993 - PRESENT

Produced 56:30 *Our Roots Run Deep* documentary showing black historic sites in downtown San Francisco, Oakland and Los Angeles, sponsored by Bank of America; aired in 1993; *Leidesdorff: A Man Without Boundaries*, sponsored by the Port of San Francisco, in 1997; *The King Behind King, Bridges, Chavez and Mandela* 2011; *Freedom Riders of the Cutting Edge*, 2009; *A Great Day in Gaming: From Queens to Silicon Valley: the Gerald A. Lawson Story*

GRANTEE, THE BLACK QUEEN: PRIMARY SOURCES IN CALIFORNIA HISTORY – 1997

Received grant from California Council for the Humanities for workshop at Bancroft Library, UC Berkeley on the 20th century primary sources of the James deTarr Abajian Collection with David Hilliard and Ericka Huggins helping to identify Black Panther artifacts.

CONSULTANT, AMERICAN REALTY&CONSTRUCTION – 1998

Retained to research the interaction between the San Francisco Redevelopment Agency and the Western Addition A1 and A2 area, specifically commitments made in land disposition agreements as part of their bid to purchase the Fillmore Center apartments. Report became Chapter 7 of *Our Roots Run Deep*, Vol. 3.

AUTHOR, GRAMPA JACK'S SECRET – 1996

An historical novel based on my research of nine generations of my family tree back to Mali in the 15th century. Cover notes by Dr. Hassimi Maiga, direct descendant of Askia Muhammad, ruler of the Songhay Empire, which covered ten current West African countries.

LICENSEE, GENERAL HISTORY OF AFRICA, UNESCO – 1994

In the earliest days of the Internet, gained permission from UNESCO in Paris for multimedia distribution of the eight volume scientific study. That meant reading and excerpting the 10,000 pages.

EDITOR *OUR ROOTS RUN DEEP: THE BLACK EXPERIENCE IN CALIFORNIA, VOL. 3, 1950-PRESENT* – 1998

Anthology of the pivotal postwar explosion of black population across the Golden State through the writings and speeches of the key figures. As contemporary as the news with chapters on the O.J. trial, Proposition 209 and the CIA and crack controversy.

RESCUER, SAN FRANCISCO SUN REPORTER MORGUE – 1996

With Amy Holloway and Max Millard, entered the abandoned medical office of Dr. Carlton B. Goodlett and San Francisco Sun Reporter at night after learning that newspaper's file cabinets had been left after the building was foreclosed after Goodlett's death. By negotiating with squatters in the middle of the night, carried 34 cartons of historic material in garbage bags to the nearby San Francisco African American Historical & Cultural Society where it became the Carlton B. Goodlett Collection

RESIDENT HISTORIAN, AFRICAN AMERICAN ART & CULTURE COMPLEX – 1996-2005

Created exhibition Dr. Carlton B. Goodlett: Physician, Publisher, Psychologist, Prophet using discoveries from subsequently demolished Sun Reporter building. Coordinated Fillmore Live programming for San Francisco Juneteenth Committee. Project Historian for city's largest oral history project, training seven community interviewers to conduct 300 interviews, working with S.F. African American Historical & Cultural Society, Holocaust Society of Northern California, and National Japanese American Historical Society for 64 persons honored in Gene Suttle Plaza.

CURATOR, CALIFORNIA ACADEMY OF SCIENCES – 1998-99

Created commissioned, peer reviewed exhibition California: A State of Natural Diversity on display during February 1998 and 1999. It showed African American explorers, farmers, miners, architects, engineers, soldiers, sailors and their imprint on the physical environment of California.

CURATOR TECH MUSEUM OF INNOVATION SAN JOSE – 1998

Developed Turning the Century: African-American Innovators from the Industrial Age and at the Dawn of the New Millennium portraying 20 inventors from the 19th century and 20 black Silicon Valley innovators with equally significant discoveries. Led to the creation of the 50 Most Important African Americans in Technology.

KEYNOTE, CALIFORNIA COUNCIL FOR THE PROMOTION OF HISTORY – 1997

Gave analysis of the Tourism Implications of African American Historic Sites for the leading organization of professional historians in the state at their Ventura conference.

ORGANIZER, 50 MOST IMPORTANT AFRICAN AMERICANS IN TECHNOLOGY – 1999

Worked with White House, congressional staff to present awards to previously unheralded African American scientists and entrepreneurs at the California African American Museum in Los Angeles. Symposium has continued yearly since then in Washington, D.C., Oakland, San Francisco.

CURATOR, JAZZGENESIS: BENJAMIN FRANKLIN "REB" SPIKES AND THE CENTRAL AVENUE JAZZ SCENE, 1921-1945 – 2004

Combined genealogy and archeology to follow the world's greatest saxophonist Spikes, and his brother pianist John Spikes, from the first jazz band in history on San Francisco's Barbary Coast to Los Angeles where they opened the first jazz record store at 12th and Central in 1921, were the first black producers of a jazz record, Ory's Creole Trombone, Nd operated a movie talent booking agency. Presented exhibit at William Grant Still Arts Center of LA Dept. Of Cultural Affairs. Found two original handwritten wax masters of Ory's Creole Trombone.

CHARRETTE PARTICIPANT, LORD CULTURAL RESOURCES – 2003

Retained to give a vision statement for the Museum of the African Diaspora to help the architects complete the new downtown museum at Third and Mission.

HISTORICAL CONSULTANT EMJOHNSON INTERESTS – 2002-2008

Created exhibition JazzGenesis: San Francisco and the Birth of Jazz which documented primary source record of the eight "black and tan" resorts in the 400 and 500 blocks of Pacific from 1901 through 1921. Exhibit was displayed in the Visitor Center of the then S.F. Convention and Visitor Bureau from 2008 to 2010. Created jazz film festival with Avery Clayton of the Clayton Museum in Culver City leading up to the opening of the Jazz Heritage Center.

POET, SAN FRANCISCO HOUSING DEVELOPMENT CORP – 2008

Created commissioned choreopoem More Mo Than You Know to describe the history of the Fillmore District. Performed for SFHDC's 25th anniversary at Rasselas Jazz Club.

CURATOR, THE BLACK QUEEN: CALIFORNIA BLACK HERITAGE CONFIRMED BY PUBLIC ART – 2005

First public showing of the California State Archives portrait of Queen Califia by Lucille Lloyd, prepared for the larger mural in the Senate Budget Committee hearing room in the State Capitol. Combined with Maynard Dixon/Frank von Sloun murals in the Room of the Dons at the Mark Hopkins Hotel and exclusive works by James Gayles and TheArthur Wright, we examine how the founding narrative of California had been interpreted by artists. Exhibited in the San Francisco African American Historical & Cultural Society Gallery at Ft. Mason and at William Grant Still Art Center in Los Angeles as the city's official Black History Month display.

PANELIST, ASSOCIATION FOR THE STUDY OF AFRICAN AMERICAN LIFE AND HISTORY, ATLANTA – 2006

Gave updated presentation on tourism implications of African American history with panelists from Penn State and the National Archives and Records Administration during the 91st annual conference of the organization which sponsors Black History Month.

CONTRIBUTOR OXFORD UNIVERSITY PRESS, NEW YORK CITY – 2006

Wrote African Americans in the West for the Oxford Encyclopedia of African American History, 1619-1890, the Age of Frederick Douglass covering 23 states west of the Mississippi.

KEYNOTER IMPACT 209 UCLA – 2007

Commissioned by Equal Justice Center to prepare a contrahistory analysis of the effect of Proposition 209 as compared to the trends in evidence before its passage. Made findings during lunch speech at Impact 209 symposium at UCLA School of Law.

KEYNOTER, CALIFORNIA COUNCIL FOR THE SOCIAL STUDIES – OAKLAND, CA 2008

Conducted survey of social science teachers on their capacity to provide culturally responsive instruction in California history. Presented findings in speech Black Heritage as Gap Closer and gave tour of African American and Chinese historic sites jointly with Chinese American Historical Society.

CONSULTANT, TEACHING AMERICAN HISTORY – 2007

Trained 30 San Francisco Unified social studies teachers in San Francisco African American history as an intervention strategy for improving student outcomes for project funded by a national initiative of the U.S. Dept. Of Education, led by the district's social science curriculum advisor.

GRANTEE, HISTORIC PRESERVATION FUND COMMITTEE, – 2007

Obtained grant award from fund generated by S. F. Redevelopment Agency in legal settlement to support preservation studies. Created context statement Invisible Pioneers with Dr. Johnetta Richards of San Francisco State and architect Miles Stevens. Findings peer reviewed by Dr. Douglas Daniels of UC-Santa Barbara and Peter Wiley, author of National Trust Guide to San Francisco Landmarks.

PRINCIPAL INVESTIGATOR, CITY OF SAN JOSE – 2010

As subcontractor to Stevens and Associates, prepared a historic resource evaluation of African American history in San Jose for the San Jose Redevelopment Agency as part of plan to build new facility for the African American Community Service Agency.

HISTORIAN/INTERVIEWEE THE BLACK ROCK (MASTAMIND PRODUCTIONS) 2006

Worked with filmmaker Kevin Epps to interpret his primary source research into the several hundred black prisoners at Alcatraz, integrate into the script and serve as narrator for some of the inmate records and their writings in highly acclaimed documentary now shown daily at the national park.

CURATOR, SFSOUL: TASTE THE EXCITEMENT – 2005

Tracked down all 60 African American restaurants, took pictures and created an exhibit to confirm what no one believed, including long-time residents, the vitality of African American restaurants at the Bayview branch of the San Francisco Public Library. Resulted in several new restaurants, including Food and Wine Top 10 New Restaurant Farmer Brown, Cafe Golo and Bayou. Also, gave exposure to chef Tanya Holland, now California Chef of the Year.

ORGANIZER, PRESERVING CALIFORNIA BLACK HERITAGE ANNUAL CONFERENCE – 2007 TO PRESENT

Beginning with first event at Ingleside Presbyterian Church, spotlighted the need for broad public understanding of historic character of black institutions, homes and communities. Hold events in the historic sites and provide professional development for educators on applying the content. 2012 conference visited seven black and two white churches over nine days founded before 1852 which all played a part in the abolition of slavery for the 150th anniversary of the Emancipation Proclamation. Sept 13, 2014 conference features invited speakers Anthony Jackson, director of California State Parks, Supt. of Public Instruction Tom Torlakson, Mark Oliver, assistant to the Secretary of Interior for education and volunteerism.

PLAYWRIGHT, QUEEN CALAFIA: RULER OF CALIFORNIA – 2008

Wrote one-woman play depicting a university professor making a career changing presentation in the Room of the Dons at the Mark Hopkins Hotel when the murals by Maynard Dixon and Frank von Sloun command her attention, in fact her very being. Presented staged reading starring Ursaline Bryant at William Grant Still Arts Center in Los Angeles and Ajuana Black at the Buriel Clay Theater in San Francisco.

CAKEWALK: AN HISTORICAL NOVEL ABOUT THE UNSUNG CREATORS OF JAZZ MUSIC – 2010

A chronicle of the 14 year period between 1906 and 1921 when "black and tan " resorts founded by Pullman porters, frequented by Buffalo soldiers, dominated entertainment in the waterfront area of San Francisco, with a subplot of the parallel 14 year process to confirm the role of San Francisco in the creation of jazz.

PRINCIPAL INVESTIGATOR, POTRERO PROGRESS – 2010

Created a high school summer session for the Economic Opportunities Council's Potrero Family Resource Center From Salt to San Francisco General as a demonstration of the infusion of African American history into classroom settings. Worked with UCSF, S.F. State, Fish and Wildlife Service, California Institute for Regenerative Medicine, S.F. General to weave history, science, arts and math. Students described it to evaluators as a "dream come true."

CLERK OF SESSION, NEW LIBERATION PRESBYTERIAN CHURCH – 2007

Wrote history of church founded by Western Addition Community Organization founder Rev. Hannibal Williams and presented as short film. Organized Circle of Elders violence reduction program using history to connect with Western Addition gang leaders to bring them to a gathering with ministers, law enforcement, business leaders that resulted in an 18-month cessation of shootings in the neighborhood.

AUTHOR, COME TO THE WATER: SHARING THE RICH BLACK EXPERIENCE IN SAN FRANCISCO – 2010

Textbook designed to Core Common Subjects standards on African American heritage in San Francisco. Book used for four annual 7 week courses on city's black heritage from January to March in conjunction with National Park Service, S.F. Public Library and Port of San Francisco. Participants include Pioneer Urbanites author Dr. Douglas Daniels.

SOUL OF TECHNOLOGY EXHIBIT, CITY OF PALO ALTO – 2009

Display of Palo Alto standouts like Silicon Valley Engineering Hall of Fame members Roy Clay Sr. and Dr. Frank S. Greene and the 50 Most Important African Americans in Technology in Palo Alto City Hall throughout February.

LET YOUR LIGHT SHINE: THE LASERS OF DR. ROBERT LAWRENCE THORNTON TECH MUSEUM OF INNOVATION – 2011

Holder of 50 patents in optoelectronics and first black to win a doctorate in applied physics from Stanford, Thornton was two-time winner of Xerox' corporation wide award for the most patent as the creator of the technology behind the laser printer and Blu-Ray among many industrial applications. Exhibit is part of a six week narrative on the electromagnetic spectrum for ReUNION.

GOLD RUSH ABOLITIONISTS: THE CALIFORNIA MOVEMENT TO EMANCIPATION, –

State archivists discovered the resolution ratifying the 13th Amendment in a Capitol closet and asked me to investigate the document and its context. The resulting exhibition for the Legislative Black Caucus researched the role of black and white members of the Underground Railroad including black churches predating the Civil War, white abolitionist churches and the connection of the transcontinental railroad and Emancipation Proclamation. Online version included a 30 day lesson plan for schools.

CURATOR, STUDENTS AND SCHOLARS MARCHING FOR CIVIL RIGHTS: THE UNITED SAN FRANCISCO FREEDOM MOVEMENT 2013

The third in the Year of Jubilee trilogy, this exhibit came from interviews and artifacts of the leaders of the campaign of demonstrations between 1963 and 1965 which resulted in 375 agreements with employers to desegregate workforces and spawned successor Free Speech, antiwar and environmental movements. Located in Newark, NJ the 18 year old leader of the Palace Hotel sitin in March 1964. Presented in local hotels opened up because of the campaign.

MAIN SPEAKER, TRIBUTE TO REV. THOMAS STARR KING – 2013

The Grand Masonic Lodge of California and the Prince Hall Grand Lodge of California joined in a tribute to the former pastor of First Unitarian Universalist Church in Union Square known for pro-Union speeches that turned sentiment from Confederate sympathizers. *Starr King spoke at all the black churches and lodges and was the only white speaker at the Grand jubilee to mark the Emancipation Proclamation in 1863.*

CREATOR, AFRICAN AMERICAN FREEDOM TRAIL – 2013

Developed trail to show the continuity of the African American freedom struggle in San Francisco across. National borders, languages and specific neighborhoods drawing from an extensive data base gleaned fro a search of every black oublication in the city from 1854 to 1985. Designed brochure for San Francisco Travel, negotiated three year agreement to present on their web site through the Super Bowl season and followed through on research paradigm presented to the American Educational Research Association.

EXECUTIVE PRODUCER, REUNION:EDUCATION-ARTS-HERITAGE 2012- PRESENT

Featured in a Presidential Session of the American Educational Research Association in 2013, and scheduled to present to AERA in May 2015 to report findings from our instructional television network designed to give psycho-social intervention to far-below proficient learners by infusing norms of success in history and current society with four hours daily programming, an hour each to different grade levels.

CATALOGER CLARENCE GATSON COLLECTION 2013-14

Assisted the family of the late style editor, staff photographer and production manager for the San Francisco Sun Reporter from 1968 to 1992 to gather, categorize and appraise 20,000 photos and negatives with Dr. James Taylor, political science chair at the University of San Francisco, Dr. Dorothy Tsuruta, Africana studies chair of San Francisco State, Tyrone Cannon, dean of USF libraries, and Naomi Jelks, African American librarian at San Francisco Public Library. Negotiated a three year licensing deal with Project Gado and Getty Images for the family.

CONSULTANT, COMMISSION ON RESEARCH IN BLACK EDUCATION – 2002

Collated 72 submissions from leading education faculty for this special unit of the American Education Research Association designed to gather best practices for teaching African American students for the summary report.

SUBJECT MATTER EXPERT, ENVIRONMENTAL PROTECTION AGENCY, REGION 9 – 2013

Gave videoconference on history of environmental justice to offices throughout the Western states. Used the Bayview Hunters Point area as a demonstration of the issues involved.

ORGANIZER, SAVING THE MANUSCRIPTS OF GAO AND TIMBUKTU – 2013

As an advisor to Dr. Hassimi O. Maiga, *Amiru Songhai*, arranged his first public call for the world to save the UNESCO World Heritage Sites of Gao, Djenne and Timbuktu, which house the manuscripts of their universities from the 11th through 15th centuries, at Marcus Books and San Francisco State; travelled to Washington for Senate hearings, consulted with Sens. Chris Coons, D-DE and Saxby Chambliss and assistant secretary of state for African affairs Johnnie Carson as the U.S. eventually collaborated with the French to drive Al Qaeda from the areas occupied in Mali.

ITINERARY PLANNER, AFFORDABLE HOUSING AND COMMUNITY DEVELOPMENT SECTION, AMERICAN BAR ASSOCIATION – 2006

Arranged panel discussion and tour for ABA section on displacement, community benefits and fair housing issues in the Western Addition area of San Francisco, using Chapter 7 of *Our Roots Run Deep*, Vol. 3, *The Cutting Edge of Urban Removal*.

EDUCATION

B.A. *CUM LAUDE* JOURNALISM JOHN H. JOHNSON SCHOOL OF COMMUNICATIONS, HOWARD UNIVERSITY Graduate Research Associate, Department of Black Studies and School of Journalism, UNC-Chapel Hill; Minority Science Writers Seminar, Council for the Advancement of Science Writing; Stanford Professional Publishing Course, Stanford School Redesign Network

AWARDS

HUMAN RIGHTS AWARD 2013 CHURCH WOMEN UNITED SAN FRANCISCO

Profiles of Excellence Circle 7, KGOTV 2011 Library Laureate 2002, Friends of the San Francisco Public Library; Sesquicentennial Commendation, California Sesquicentennial Commission.

Dear Community Development Department:

According to the July 20, 2016 issue of "The Almanac", Menlo Park could be on its way to destruction by 2040 "if the city adopts proposed zoning changes and developers take advantage of the maximum amount of growth allowed." ("Boom in Population and Jobs Raise Concerns"). Not only would Menlo Park see its city devastated, but so would the other cities on the Peninsula. Menlo Park can say "NO!"

Too much emphasis has been placed on the EFFECT - High Cost of Housing, Traffic Congestion, Noise Pollution, and Unemployment.

When our attention is turned to the CAUSE of all this mess, most of the problems will greatly lessen and some will dissolve. The issue that needs to be addressed is that of OVERPOPULATION. One does not pour oil or gasoline on a house or forest fire. One dumps water, foam, or dirt on the fire, something to cool it or suffocate it, so it has no food or oxygen. Someone who is overweight should consume less food and exchange fruit and vegetables for so many carbohydrates. We need to stop feeding the problem.

Why not teach and encourage couples to have SMALL families - one or two children and explain why this is an intelligent and caring thing to do – how it affects each individual and the health and wellbeing of our planet?

Instead of bringing in large corporations from other parts of the state/states, why not keep businesses at a reasonable size and hire only local people? When need be, pay a portion of their schooling for the job. Employees staying on for a set number of years would then be reimbursed for their education.

Again we don't need more jobs and people. We need fewer people. Packed sardines are not good company and they do nothing to enhance our environment.

Thank you for letting me share these seeds for thought.

Jackie Leonard-Dimmick

I42-1

Ms. Deanna Chow Via Email

Planning Division

City of Menlo Park

701 Laurel street

Menlo Park, CA

connectmenlo@menlopark.org

RE. Connect Menlo DEIR

Dear Ms. Chow: July 27, 2016

INTRODUCTION

The ConnectMenlo DEIR fails to include the analysis of proposed development or changes of use required (<http://www.menlopark.org/1017/Development-guidelines>) by Menlo Park's Transportation Impact Analysis (TIA) Guidelines and Circulation System Assessment (CSA) documents. There is no analysis of "potential cut-through traffic generated by the project impacting other city Neighborhoods (TIA VII F). There are no required traffic distributions, assignments, routes, gateways, or even required ITE trip generation numbers. Although the DEIR purports to describe regulatory framework of Federal, State, Regional, and Local Regulations, 4.13-1 through 4.13.10, neither the TIA nor CSA are included.

The DEIR has arbitrarily, without Council approval, replaced the existing City Council approved TIA, <http://menlopark.org/DocumentCenter/Home/View/302> , (Exh. A, hereto) and CSA requirements and standards for analyzing traffic and neighborhood safety <https://dl.dropboxusercontent.com/u/24295500/Menlo%20Park%20CSA%20Document.pdf> (Exh. B hereto). New DEIR methodologies include MPM, a travel demand methodology purportedly based upon c/cag models, DTA, a new dynamic traffic assignment methodology, as well TAZ methodologies and VTM methodologies. As the comments by East Palo Alto, Atherton, and other commenters and experts point out the DEIR fails to include "any actual data regarding the model structure, which is essential for the reader to interpret the project. . ." and no "descriptions and details of procedures to allow the reader to understand and interpret its implications"

I43-1

Both TIA And CSA Analysis is required to determine environmental Impacts and mitigations by City requirements, and if those requirements are to be changed in any way by ConnectMenlo the changes in analysis and impacts found under other analyses compared to the TIA and CSA.

MENLO PARK TIA AND CSA

Compliance with the TIA was required for the Stanford and Greenheart projects among others. In fact, Ray Mueller requested more specific compliance for the Stanford Project, which generated a traffic report demonstrating significant traffic issues (speed and volume) in the Allied arts and other areas. Stanford then reduced its proposed commercial project by 25%, reducing TIA traffic projections and neighborhood distribution.

Staff report 15-122-CC, July 21, 2015, supporting amendment of the TIA for limited change of use projects in the M2 area , recently stated the importance of the city's TIA Guidelines: " The Transportation Impact Analysis Guidelines (TIA) define the process, requirements and standards for determining a development project's potential impacts upon the [City's] transportation Network." The staff report also noted that the TIA Guidelines were adapted by the city council in 2001.

TIA reports shall include conditions described based upon the most recent Circulation System Assessment (CSA) document, which was adapted by City Council in 2004. TIA guidelines require: 1. Traffic projections are to be based upon project trip generation rates "from Institute of Transportation Engineer's (ITE) publication "Trip Generation" latest version; 2. Trip distribution and assignment based upon CSA (including trip assignment between and city gateways and trip routes used to and from project) and, and (3) Impacts according to specified standards. Traffic impacts are determined by LOS delays, as well as traffic impacts on minor arterial, collector and local streets, if traffic counts exceed certain limited thresholds will be reached. For example a net projected increase of only 25 trips per day is an impact on Local Street, if existing traffic is less than 1,350 per day.

The TIA Guidelines also require analysis of the project in relation to the relevant polices of the General Plan Circulation Element and analysis of "potential cut-through traffic generated by the project impacting other city neighborhoods" as well as bicycle and pedestrian safety and San Mateo county congestion management.

The Menlo Park CSA requires an assumed distribution of generated traffic for development or changes in use. Distributions are based upon ITE trip generation and distributed on a recommended set of trip distribution

I43-1
(cont.)

percentages for each of residential, office, and retail use historically determined by surveys and interviews. The origins and destinations of each category were assigned to specific "gateways" based on the preferred routes to and from Menlo Park, with separate assignments made for each of four areas of the city: 1, Sharon heights/sand hill road, 2 West Menlo Park/ Downtown/El Camino Real, 3 West of US 101 (between cal train and US 101) and 4 East of US 101. Often trips were allocated to two routes using estimated percentages. Local trips were divided based upon household travel diary and interviews and divided into nine neighborhoods. The data for the CSA was kept in the City's Traffix computer program, and may or may not have migrated into the City's current computer traffic program.

I43-1
(cont.)

The Circulation System Assessment (CSA) document notes require that "in distributing trips generated from a development project to their origins or destinations, route selection should be based on the fastest routes available, preferably based on a travel time study. Potential cut-through traffic through residential neighborhoods should also be identified in the travel time study."

CONCLUSION:

The DEIR must be revised to include the TIA and CSA requirements, and if any changes to them, must be revised to include a specific comparison of any changes to the requirements or impacts resulting from application of the TIA and CSA.

Respectfully submitted,

George C. Fisher

1121 Cotton Street

Menlo Park, CA.

Transportation Impact Analysis Guidelines

The following projects would generally be exempt from the requirements of the Transportation Impact Analysis Guidelines unless their geographic location or type of use prompt such study (subject to the City's discretion):

1. Residential projects under five units
2. Commercial projects where the total new or added square footage is 10,000 square feet or less
3. Change of use projects in the M-2 area that include a Transportation Demand Management (TDM) Program (see City's [TDM Guidelines](#)) effective in reducing equivalent peak hour trips below the level generated by a commercial project 10,000 square feet or less (bullet 2 above)
4. Other projects that are determined to be exempt or categorically exempt under CEQA

All other projects involving a change of use and/or new construction will be required to submit a Transportation Impact Analysis performed by a qualified consultant selected by the City and paid for by the project applicant.

The Transportation Impact Analysis shall include the following:

- I. Executive Summary
- II. Introduction
 - A. Project Description
 - B. Study Scope
- III. Existing Conditions – Conditions should be described based upon information found in the most recent Circulation System Assessment (CSA) document when applicable. The CSA existing traffic counts and information should be used as existing conditions.
 - A. Description of existing street system serving the site (Number of lanes, classification, etc.)
 - B. CSA existing traffic volumes – ADT's and AM & PM peak hours (Figure to be included in report)
 - C. CSA existing levels of service – AM & PM (Table to be included in report)
 - D. Public transit (Service providers to the area)
 - E. On and off-street parking conditions/availability
 - F. Pedestrian and bicycling conditions in the project area
- IV. Cumulative Analysis – Near Term conditions without project should be discussed using the most recent CSA near term traffic counts and information. Project traffic should then be added to the CSA near term traffic counts. If the project build-out is beyond the CSA near term data, future conditions should be projected to the first year of assumed project occupancy. A supplemental list of planned and or/approved projects will be provided to the consultants for inclusion in the analysis process. For large projects of regional magnitude (projects generating 100 or more trips during peak hours), the consultants will analyze the impacts of the project for a span of ten years from the existing conditions.

- H. Analyze project using the requirements outlined in the San Mateo County Congestion Management Plan Land Use Analysis Program guidelines, if applicable.

VI. Mitigation

- A. Discuss specific mitigation measures in detail to address significant impacts, which may occur as a result of the addition of project traffic (provide table comparing before and after mitigation). Analysis shall focus on mitigating significant impacts to a non-significant level, but must also identify measures, which would reduce adverse, although not significant, impacts. All feasible and reasonable mitigation requirements that could reduce adverse impacts of the project should be identified, whether or not there are significant impacts caused by the project. The goal of mitigation should be such that there are no net adverse impacts on the circulation network. Mitigation measures may include roadway improvements, operational changes, Transportation Demand Management or Transportation Systems Management measures, or changes in the project. If roadway or other operational measures would not achieve this objective, the consultant shall identify a reduction in the project size, which would with other measures, reduce impacts below the significant level. All mitigation measures must first be discussed with the City Transportation Division before they are included in the report.
- B. Discuss possible mitigation measures to address future traffic conditions with the project. All feasible and reasonable mitigation measures that would reduce such impacts, whether at the significant level or below shall be identified. Mitigation measures should be designed to address the project's share of impacts. Measures that should be jointly required of the project and any other on-going related projects in a related geographical area should also be identified, as applicable.
- C. Discuss possible mitigation measures to address any site circulation or access deficiencies.
- D. Discuss possible mitigation measures to address any parking deficiencies.
- E. Discuss possible mitigation measures to address any impacts on pedestrian amenities, bicycle access, safety and bus/shuttle service.

VII. Alternatives

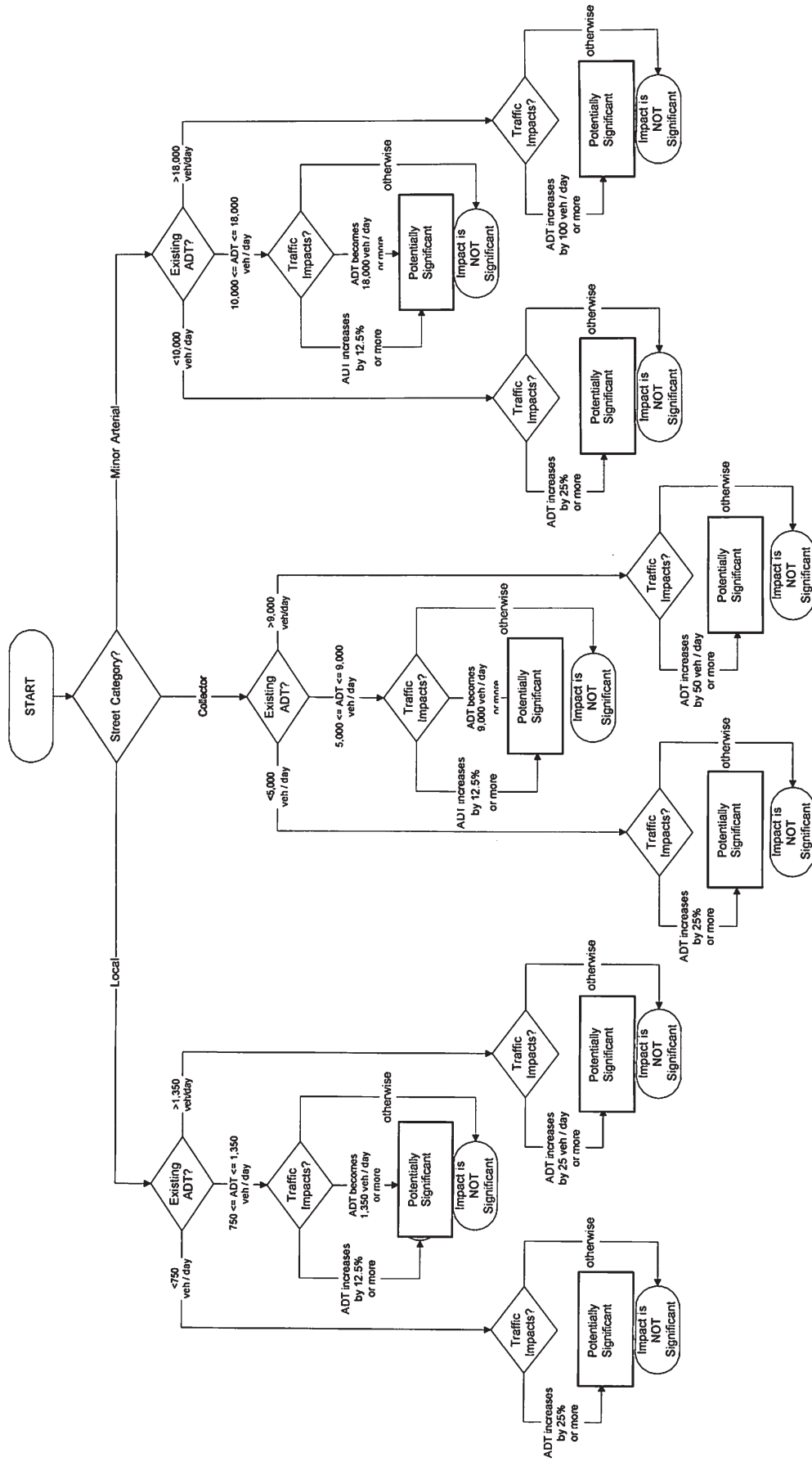
- A. In the event any potentially significant impacts are identified in the Transportation Impact Analysis, alternatives to the proposed project shall be evaluated or considered to determine what the impacts of an alternative project or use might be. The alternatives to be considered shall be determined in consultation with the Director of Community Development and the Transportation Manager.

VIII. Summary and Conclusions

- A. Assess level of significance of all identified impacts after mitigation.

- B. In certain circumstances as determined by the Transportation Manager, analysis may be necessary for impacts on minor arterial, collector and local streets. If any of the thresholds listed below are exceeded, the analysis should make a recommendation as to whether the traffic impact is considered potentially "significant".
1. On minor arterial streets, a traffic impact may be considered potentially significant if the existing Average Daily Traffic Volume (ADT) is: (1) greater than 18,000 (90% of capacity), and there is a net increase of 100 trips or more in ADT due to project related traffic; (2) the ADT is greater than 10,000 (50% of capacity) but less than 18,000, and the project related traffic increases the ADT by 12.5% or the ADT becomes 18,000 or more; or (3) the ADT is less than 10,000, and the project related traffic increases the ADT by 25%.
 2. On collector streets, a traffic impact may be considered potentially significant if the existing Daily Traffic Volume (ADT) is: (1) greater than 9,000 (90% of capacity), and there is a net increase of 50 trips or more in ADT due to project related traffic; (2) the ADT is greater than 5,000 (50% of capacity) but less than 9,000, and the project related traffic increases the ADT by 12.5% or the ADT becomes 9,000 or more; or (3) the ADT is less than 5,000, and the project related traffic increases the ADT by 25%.
 3. On local streets, a traffic impact may be considered potentially significant if the existing Daily Traffic Volume (ADT) is: (1) greater than 1,350 (90% of capacity), and there is a net increase of 25 trips or more in ADT due to project related traffic; (2) the ADT is greater than 750 (50% of capacity) but less than 1,350, and the project related traffic increases the ADT by 12.5% or the ADT becomes 1,350; or (3) the ADT is less than 750, and the project related traffic increases the ADT by 25%.
- C. Discuss project site circulation and access and identify any deficiencies.
- D. Discuss compliance of project site parking with adopted City code including loading and disabled spaces. If a shared parking arrangement is proposed, an analysis of the adequacy of this aspect shall be provided. Discuss any off-site parking impacts (such as neighborhood parking intrusion) of the project.
- E. Analyze project in relation to relevant policies of the Circulation Element of the General Plan.
- F. Analyze potential cut-through traffic generated by the project impacting other City neighborhoods.
- G. Pedestrian conditions and bicycle access, including safety issues, should be discussed.

Significance Criteria for Street segments



Upon receipt by the City of a Transportation Impact Analysis indicating that a project may have potentially significant traffic impacts, the applicant shall have the option of proceeding directly with the preparation of an EIR in accordance with the City's procedures for preparation of an EIR, or requesting a determination by the City Council as to whether a negative declaration, mitigated negative declaration or an EIR is most appropriate for the project.

NOTES:

1. The Highway Capacity Manual Special Report 209 (HCM), latest version shall be used for intersection analysis. The consultant shall use the Citywide Transportation¹ model with the HCM analysis.
2. The most recent Circulation System Assessment (CSA) shall be used for all information regarding existing and near term conditions.
3. Traffic counts that may be required beyond the counts contained in the CSA document shall be less than 6 months old.
4. The consultant shall submit proposed assumptions to the Transportation Manager for review and approval prior to commencement of the Analysis relating to the following:
 1. trip rates
 2. trip distribution
 3. trip assignment
 4. study intersections
 5. roadways to be analyzed
4. The consultant shall submit all traffic count sheets to the City's Transportation Division.
5. Figures of existing and any proposed intersection configurations should be provided in the appendix.
6. Trip generation rates from Institute of Transportation Engineer's (ITE) publication, "TRIP Generation", latest version should be used.
7. Street widening and on-street parking removal are mitigation measures which may be technically feasible, but which are generally considered undesirable. If such measures appear potentially appropriate to the consultant, they should consult the Transportation Division in preparing the impact analysis and mitigation recommendations. If such measures are to be proposed, alternate mitigation measures, which would be equally effective, should also be identified.
8. Existing uses at the site, which would be removed as part of the project, may be deducted from the calculation of the project traffic based on their traffic distribution patterns.
9. Refer to the San Mateo County Congestion Management Program (CMP) Land Use Impact Analysis Program guidelines for performing CMP analysis.

¹ As of January 2014, the City utilizes a VISTRO analysis model, as the successor for the TRAFFIX program, for transportation analysis.



PUBLIC WORKS DEPARTMENT

Council Meeting Date: October 26, 2004
Staff Report #: 04-213

Agenda Item #: D-1

CONSENT: Adoption of a Resolution Adopting the 2004 Circulation System Assessment Document (CSA Document)

RECOMMENDATION

Staff recommends that the City Council adopt a resolution adopting the 2004 Circulation System Assessment Document (CSA Document).

BACKGROUND

The CSA Document is a database containing the most recent statistics and information on the City's traffic conditions and circulation system, which are necessary to conduct transportation impact analysis studies. As part of the City's current policy related to the implementation of the California Environmental Quality Act (CEQA), a transportation impact study is often required when reviewing proposed development projects. Such studies are conducted according to the criteria described in the Transportation Impact Analysis Guidelines (TIA Guidelines), which were adopted by the City Council in 2002 (see Attachment C). The CSA document is used as the main source of data for transportation impact studies. The updated version of the CSA document is included as Attachment A.

In accordance with Item II-2 in the Implementation Program of the 1994 General Plan Circulation and Transportation Element, the CSA document has to be updated regularly to reflect field conditions. Staff conducts citywide traffic counts regularly to monitor traffic conditions on streets and at signalized intersections within city boundaries. The traffic counts are performed biennially since the year-to-year change in traffic conditions is negligible, as supported by historical data.

ANALYSIS

The previous version of the CSA document was based on the 2002 traffic counts. The 2004 updated version of the CSA document is based on citywide traffic counts that were performed in 2004.

The purpose of the CSA document is to provide traffic engineers with a consistent database to be used in analyzing the traffic impacts of development projects. There are generally three scenarios used in reviewing the impacts of new projects on city streets and intersections: 1) existing scenario, 2) near term scenario and 3) near term plus project scenario. The CSA Document includes the existing scenario and the near term scenario.

Existing Scenario

The existing scenario contains peak-period turning movement data, the existing levels of service and 24-hour traffic volumes.

Table 1 in Attachment A shows the current conditions under the existing scenario that will be used to determine project traffic impacts as specified in the TIA Guidelines (Part V, point A). Currently, most of the City's signalized intersections are operating within the acceptable range of Levels of Service (LOS) A through D. For the most part, the 2004 Levels of Service are comparable to 2002 conditions. During the AM peak-hour, all intersections are operating within the acceptable range of Levels of Service. During the PM peak-hour, two intersections are operating at Level of Service E; Bayfront Expressway at Willow Road and Bayfront Expressway at Marsh Road. Both intersections are owned and operated by Caltrans.

Table 2 in Attachment A shows the traffic volumes under the existing scenario for the street segments at various locations in the city. For the most part the traffic volumes on the streets have decreased compared to the 2002 data. This table will be used as the basis to determine traffic impacts from development projects on street segments as specified in Part V, point B of the TIA Guidelines.

The Near-Term Scenario

The near-term scenario contains near-term traffic volumes and near-term Levels of Service. The near-term scenario, which is also called the background scenario, considers the cumulative traffic impacts of all development projects within the city that are going to be built and occupied within two years, and includes the estimated traffic generated by such projects.

The list of these projects is provided by the Planning Division. Projects that are going to be built and occupied by the time the next round of city-wide counts are conducted will be taken off the list since their traffic will be reflected in the count results. This avoids double counting traffic from the same development project.

Since new development projects are submitted to the City for approval on an ongoing basis, the list of projects will change continuously, as will the near-term scenario. Tables 3 and 4 in Attachment A show the current cumulative list of projects and the associated Levels of Service for the City's intersections.

Since the City's street network is also affected by regional developments, it is necessary to take regional traffic growth into account in the near-term scenario. A regional growth factor is used for this purpose. This is obtained by conducting a regression analysis on historical data. The results of the linear regression analysis, conducted by staff and using available historical data, shows that traffic on the arterials and collectors grew approximately one percent per year. The same growth factor is utilized in the near-term scenario.

Data regarding existing and near term scenario traffic volumes and Levels of Service will be stored in a database. As new development projects are proposed and analyzed,

information regarding land use type, traffic generation rates and trip distribution will be entered into the database. The database can then be used to calculate Levels of Service at signalized intersections, forecast the traffic impacts of new developments, conduct citywide forecasts, test different mitigation measures and compare alternative scenarios.

Near-Term Plus Project Scenario

The "near-term plus project" scenario for a particular development project is created by adding a new development zone into the database. This new zone contains the land-use type, the development intensity and the trip generation rates for that particular project.

The next step is to distribute the generated trips. This starts with determining the origins and destinations (O/D) of the trips. Unless there is better information on trip O/D available for a particular project (e.g. through a special trip distribution study), the peak-hour O/D percentages in Table 5 in Attachment A will be used. These trip O/D percentages are obtained from the following different studies conducted in the last several years: Household Interview Survey (1999), Employee Transportation Survey (2000) and Pedestrian Interview Survey (1998).

The subsequent step after determining trip O/D is gateway and route assignment based on the preferred routes to and from Menlo Park. The gateway assignment in Table 6 of Attachment A is established using estimated travel times based on the assumption that drivers tend to select the fastest routes to get to their destinations. This assumption is widely accepted, especially for time-sensitive trips such as commuter trips.

IMPACT ON CITY RESOURCES

There is no additional impact on City resources associated with the adoption of the updated CSA Document proposed in this staff report.

POLICY ISSUES

The adoption of the CSA document is consistent with Item II-2 in the Implementation Program in the 1994 General Plan Circulation and Transportation Element:

"The City shall update the guidelines for the calculation of levels of service and preparation of traffic impact reports in Menlo Park. The guidelines shall reflect updated field measurements and future updates to the 1985 Highway Capacity Manual."

ENVIRONMENTAL REVIEW

The proposed CSA Document is categorically exempt under Class 1 of the current California Environmental Quality Act Guidelines.

Dino Teddyputra
Transportation Planner

Jamal Rahimi
Transportation Manager

PUBLIC NOTICE: Public Notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting.

ATTACHMENTS:

- A. Updated CSA Document 2004 – Table of Content
- B. Resolution
- C. Transportation Impact Analysis (TIA) Guidelines

ATTACHMENT A

CIRCULATION SYSTEM ASSESSMENT DOCUMENT (CSA DOCUMENT) TABLE OF CONTENTS

The Circulation System Assessment (CSA) Document contains data needed for preparing Transportation Impact Analysis. The data items are listed below. Please see Transportation Impact Analyses (TIA) Guidelines for detailed descriptions of the format, methodology and criteria used in preparing transportation impact studies for land development projects within the City of Menlo Park.

Other data such as speed surveys, traffic signal timing plans and traffic accidents are available from the Transportation Division upon request.

Existing Scenario (data collected in 2004):

1. Peak-hour turning movements at signalized intersections
(Format: Traffix file)
2. Existing Levels of Service at signalized intersections
(Format: Traffix file, table 1)
3. ADT volumes on major arterials and collectors
(Format: map in Autocad, table 2)

Near-term Scenario (within two years):

1. Planned and approved projects (location, land-use type, intensity, trip generation rate)
(Format: Traffix file)
2. Near-term peak-hour turning movements projections AM and PM,
(Format: Traffix file)
3. Origin and Destination by trip purpose
(Format: Traffix file)
4. Trip distribution (route selection)
(Format: Traffix file, see also note on trip distribution for Traffix model)
5. Near-term levels of service AM and PM,
(Format: Traffix file)

Notes:

1. As a source for trip generation rates, "Trip Generation" from the Institute of Transportation Engineers (latest edition) should be used.
2. "Highway Capacity Manual 2000" from the Transportation Research Board should be used for capacity analyses.
3. In distributing trips generated from a new development project to their origins or destinations, route selection should be based on the fastest routes available, preferably based on a travel time study. Potential cut-through traffic through residential neighborhoods should also be identified in the travel time study.

Table 1: Existing Scenario LOS and Delay Times of Signalized Intersections

Existing Scenario AM and PM Peak Hour Level of Service Intersection (ID& Street Names)		Existing AM		Existing PM	
		LOS	Avg Ctr Del (sec)	LOS	Avg Ctr Del (sec)
#1	Addison Wesley & Sand Hill Rd.	A	7.9	A	8.4
#2	Saga Ln. & Sand Hill Rd.	B	12.0	B	14.6
#3	Branner Dr. & Sand Hill Rd.	A	4.3	A	4.8
#4	Sharon Park Dr. & Sand Hill Rd.	B	13.9	B	16.3
#5	Alpine/Santa Cruz & Junipero Serra	C	28.5	C	34.5
#6	Santa Cruz Ave. & Sand Hill Rd.	D	39.3	D	44.9
#7	Oak Ave. & Sand Hill Rd.	B	11.4	A	8.1
#11	University Dr. (S) & Santa Cruz Ave.	C	21.6	C	29.1
#12	Laurel St. & Oak Grove Ave.	B	12.5	B	11.0
#13	Laurel St. & Ravenswood Ave.	B	16.4	B	12.4
#14	Middlefield Rd. & Ravenswood Ave.	C	23.3	C	30.5
#15	Middlefield Rd. & Ringwood Ave.	C	25.3	C	30.9
#16	Middlefield Rd. & Willow Rd.	D	36.6	D	50.5
#17	Gilbert Ave. & Willow Rd.	A	7.9	B	16.2
#18	Coleman Ave. & Willow Rd.	B	15.9	A	8.5
#19	Durham St. & Willow Rd.	B	19.0	B	13.9
#20	Bay Rd. & Marsh Rd.	B	14.2	B	15.2
#21	Bohannon/ Florence & Marsh Rd.	C	24.1	D	35.6
#22	Scott D./Robison at Marsh Rd.	C	20.7	C	23.0
#23	Sand Hill Circle & Sand Hill Rd.	D	37.9	D	42.3
#24	El Camino Real & Encinal Ave.	C	22.6	B	19.1
#25	El Camino Real & Valparaiso/Glenwood	D	46.4	D	43.2
#26	El Camino Real & Oak Grove Ave.	C	33.2	D	35.5
#27	El Camino Real & Santa Cruz Ave.	C	26.1	C	27.9
#28	El Camino Real & Ravenswood Ave.	D	52.4	D	56.7
#29	El Camino Real & Roble Ave.	B	13.4	C	24.4
#30	El Camino Real & Middle Ave.	C	23.5	C	24.5
#31	El Camino Real & Cambridge Ave.	B	17.4	B	15.5
#32	Bay Rd. & Willow Rd.	B	16.7	B	17.3
#33	Newbridge St. & Willow Rd.	D	36.8	D	35.3
#34	O'Brien Dr. & Willow Rd.	B	11.4	B	13.7
#35	Ivy Dr. & Willow Rd.	B	15.3	B	12.0
#36	Hamilton Ave. & Willow Rd.	B	12.3	B	17.4
#37	Bayfront Exp. & Willow Rd.	D	36.4	E	62.2
#38	Bayfront Exp. & University Ave.	B	19.0	C	26.8
#39	O'Brien Dr. & University Ave.	A	5.4	B	11.6
#40	Bayfront Exp. & Chilco St.	B	13.9	B	11.1
#41	Bayfront Exp. & Chrysler Dr.	A	7.9	C	20.3
#42	Bayfront Exp. & Marsh Rd.	B	14.7	E	66.8
#44	US 101 SB Ramps & Marsh Rd.	B	15.2	C	21.4
#45	US 101 NB Ramps & Marsh Rd.	B	13.6	B	17.5
#46	Valparaiso Ave. & University Dr.	B	17.2	B	17.4

Table 2 : Average Daily Traffic Volume by Location

AVERAGE DAILY TRAFFIC VOLUME - 24 HOUR TWO-WAY TRAFFIC

by Location

LOCATION	veh/day	LOCATION	veh/day
ALAMEDA DE LAS PULGAS			
Valparaiso-City Limits	15,700	MIDDLEFIELD ROAD	
Avy-Valparaiso	13,900	Oak Grove-Ravenswood	14,100
Santa Cruz-Avy	13,000	Ravenswood-Willow	21,100
ALMA STREET			
Oak Grove-Ravenswood	1,500	Willow-City Limits	17,700
Ravenswood-Willow	3,400	NEWBRIDGE STREET	
ALPINE ROAD			
I-280-Junipero Serra	18,400	Chilco-Willow	6,700
AVY AVENUE			
Alameda de las Pulgas-Santa Cruz	5,400	Willow-City Limits	10,600
City Limits-Alameda de las Pulgas	4,300	O'BRIEN DRIVE	
BAY ROAD			
Marsh-Flood Park	5,800	Willow-Kavanaugh	6,000
Flood Park-Ringwood	6,100	Kavanaugh-University	2,500
Ringwood-Willow	6,300	OAK GROVE AVENUE	
BOHANNON DRIVE			
Marsh - Campbell	1,800	Middlefield-Laurel	9,000
CHILCO STREET			
Bayfront - Constitution	5,700	Laurel-El Camino	9,900
CHRYSLER DRIVE			
Bayfront - Constitution	4,000	El Camino-Crane	8,800
CONSTITUTION STREET			
Chrysler-Chilco	1,900	Crane-University	6,200
CRANE STREET			
Oak Grove-Santa Cruz	2,400	RAVENSWOOD AVENUE	
Santa Cruz-Menlo	2,800	Middlefield-Laurel	17,000
EMERALD AVENUE			
Middlefield-Laurel	3,400	Laurel-Alma	18,100
Laurel-El Camino	4,700	Alma-El Camino	23,900
GLENWOOD AVENUE			
El Camino-Laurel	5,500	RINGWOOD AVENUE	
HAMILTON AVENUE			
Chilco-Willow	2,900	Bay-Middlefield	6,600
HAVEN AVENUE			
City Limits-Bayfront/Marsh	6,000	SAND HILL ROAD	
JUNIPERO SERRA BOULEVARD			
City Limits-Alpine	14,400	City Limits-Santa Cruz	30,200
LAUREL STREET			
Glenwood-Oak Grove	3,100	Santa Cruz-Sharon Park	31,000
Oak Grove-Ravenswood	3,600	Sharon Park-I-280	29,900
Ravenswood-Willow	4,300	SANTA CRUZ AVENUE	
MARSH ROAD			
Scott-Bohannon	34,000	El Camino-Crane	11,300
Bohannon-Bay	27,600	Crane-University	10,300
Bay City Limits	21,600	University-Olive	17,200
MENLO AVENUE			
El Camino-Crane	11,000	Olive-Avy/Orange	18,800
Crane-University	7,600	Avy/Orange-Alameda de las Pulgas	11,700
MIDDLE AVENUE			
El Camino-University	7,900	Alameda de las Pulgas-Sand Hill	24,900
University-Olive	6,600	Sand Hill-Junipero Serra	26,800
MIDDLEFIELD ROAD			
Bayfront-O'Brien		SCOTT DRIVE	
O'Brien-Newbridge	48,500	Marsh - Campbell	3,000
Newbridge-Bay	51,000	SHARON PARK DRIVE	
Bay-Middlefield	26,900	Sand Hill- Sharon Rd.	8,600
Middlefield-Laurel	4,400	SHARON ROAD	
Laurel-Alma	2,200	Alameda de las Pulgas-Sharon Park	3,800
		UNIVERSITY AVENUE (ROUTE 109)	
		O'Brien-Bayfront Expressway	23,600
		UNIVERSITY DRIVE	
		Valparaiso-Oak Grove	4,700
		Oak Grove-Santa Cruz	6,700
		Santa Cruz-Menlo	9,600
		Menlo-Middle	5,800
		VALPARAISO AVENUE	
		El Camino-University	11,900
		University-Cotton	11,900
		Cotton-Alameda de las Pulgas	9,500
		WILLOW ROAD	
		Bayfront-O'Brien	No Data

Table 3: Current list of near-term development projects as of July, 2004

No.	PROJECT ADDRESS	TYPE OF USE	SIZE	UNITS OF MEASURE	STATUS
1	525 El Camino Real (Safeway)	Commercial	77,366	sf	Proposed Replace
		Commercial	-83,292	sf	
2	3603 Haven Avenue (Mark Foster)	Industrial	96,403	sf	Proposed Replace (Outside storage, illegal uses)
		Industrial	-5,597	sf	
3	2493 Sand Hill Road (Olefinus)	Office	8,600	sf	New construction Approved by PC on 12/16/03.
4	1253 Willow Road (Police/City Service Center)	Office	3,800	sf	Proposed Proposed
		Retail	5,096	sf	
5	110 Linfield Drive (Burge)	Residential	23	du	Proposed Replace
		Office	-17,500	sf	
6	175 Linfield Drive (Consolidated Freight)	Residential	36	du	Proposed Replace
		Office	-38,000	sf	
7	297 Terminal Avenue (Habitat for Humanity)	Residential	22	du	Proposed Replace
			-1	du	
8	505-557 Hamilton Avenue (Hamilton Park/Housing)	Residential	50	du	Proposed
9	1421-1425 San Antonio Way	Residential	5	du	Proposed Replace
		Residential	-1	du	
10	99F-1002 Willow Road	Residential	13	du	Proposed Replace Replace
		Residential	-1	du	
		Vacant	3,146	sf	
11	460 El Camino Real	Residential	16	du	Proposed Replace Proposed
		Commercial	-12,016	sf	
		office	26,800	sf	
12	Derry 580 Oak Grove	Residential	136	du	Proposed Replace Proposed
		Commercial	-21,290	sf	
		Commercial	17,500	sf	
13	1702-1706 El Camino Real	Residential	36	du	Proposed Replace Replace Proposed Replace
		Restaurant	-7,000	sf	
		Hotel	28	rooms	
		Hotel	41	rooms	
	Storage	-1,500	sf		

sf = square feet
du = dwelling units

Table 4: Near-Term Scenario LOS and Delay Times of Signalized Intersections

Near Term Scenario AM and PM Peak Hour Level of Service Intersection (ID& Street Names)		Near Term AM		Near Term PM	
		LOS	Avg Ctr Del (sec)	LOS	Avg Ctr Del (sec)
#1	Addison Wesley & Sand Hill Rd.	B	10.2	A	8.5
#2	Saga Ln. & Sand Hill Rd.	B	14.2	B	14.7
#3	Brannef Dr. & Sand Hill Rd.	A	4.3	A	4.8
#4	Sharon Park Dr. & Sand Hill Rd.	B	15.5	B	16.8
#5	Alpine/Santa Cruz & Junipero Serra	B	20.5	C	32.5
#6	Santa Cruz Ave. & Sand Hill Rd.	C	35.2	D	38.4
#7	Oak Ave. & Sand Hill Rd.	A	6.1	A	4.9
#11	University Dr. (S) & Santa Cruz Ave.	C	21.7	C	29.6
#12	Laurel St. & Oak Grove Ave.	B	12.5	B	11.0
#13	Laurel St. & Ravenswood Ave.	B	16.4	B	12.3
#14	Middlefield Rd. & Ravenswood Ave.	C	30.4	C	31.8
#15	Middlefield Rd. & Ringwood Ave.	C	25.7	C	31.4
#16	Middlefield Rd. & Willow Rd.	D	36.6	D	50.5
#17	Gilbert Ave. & Willow Rd.	A	7.4	B	17.2
#18	Coleman Ave. & Willow Rd.	B	16.1	A	8.6
#19	Durham St. & Willow Rd.	B	19.2	B	14.0
#20	Bay Rd. & Marsh Rd.	B	17.9	B	15.3
#21	Bohannon/Florence & Marsh Rd.	C	24.0	D	36.0
#22	Scott Dr/Poison at Marsh Rd.	C	20.6	C	22.8
#23	Sand Hill Circle & Sand Hill Rd.	D	36.4	D	37.3
#24	El Camino Real & Encinal Ave.	C	23.8	B	19.1
#25	El Camino Real & Valparaiso/Glenwood	C	25.3	D	43.3
#26	El Camino Real & Oak Grove Ave.	D	47.8	D	35.9
#27	El Camino Real & Santa Cruz Ave.	C	25.3	C	28.3
#28	El Camino Real & Ravenswood Ave.	D	47.8	E	57.8
#29	El Camino Real & Roble Ave.	B	13.5	C	25.2
#30	El Camino Real & Middle Ave.	C	23.5	C	26.0
#31	El Camino Real & Cambridge Ave.	B	17.4	B	15.6
#32	Bay Rd. & Willow Rd.	B	17.0	B	18.0
#33	Newbridge St. & Willow Rd.	D	35.9	C	35.7
#34	O'Brien Dr. & Willow Rd.	B	12.6	B	13.9
#35	Ivy Dr. & Willow Rd.	B	15.9	B	12.8
#36	Hamilton Ave. & Willow Rd.	B	14.5	B	18.4
#37	Bayfront Exp. & Willow Rd.	C	25.9	E	63.3
#38	Bayfront Exp. & University Ave.	B	18.1	C	27.3
#39	O'Brien Dr. & University Ave.	A	5.4	B	11.6
#40	Bayfront Exp. & Chilco St.	B	14.1	B	11.2
#41	Bayfront Exp. & Chrysler Dr.	A	8.0	C	20.3
#42	Bayfront Exp. & Marsh Rd.	B	18.2	E	68.2
#44	US 101 SB Ramps & Marsh Rd.	B	14.4	C	22.0
#45	US 101 NB Ramps & Marsh Rd.	B	14.2	C	20.4

**NOTE ON TRIP DISTRIBUTION
FOR TRAFFIX MODEL**

The Menlo Park Circulation System Assessment (CSA) requires an assumed distribution of generated traffic for each development project included in the background (approved) development scenario. This note describes a recommended set of trip distribution percentages for three types of land use development projects:

1. Residential
2. Employment (office, research and development, industrial)
3. Commercial (retail)

A development project that includes more than one type of land use may use a weighted average trip distribution.

The trip distributions were first defined based on the desired origins and destinations for peak hour trips to and from each land use type. The origin/destination directions were then assigned to specific road "gateways" that are included in the CSA Traffic model.

TRIP ORIGINS AND DESTINATIONS

The basic citywide origins and destinations for each land use type are based on the most recent available survey information for each activity. The overall distribution percentages are listed in Table 1. The sources for each land use type are described below.

Table 5: Peak Hour Origins and Destinations of Menlo Park Trips

Origin/Destination	Residential	Employment	Commercial
Menlo Park	34%	8%	51%
Atherton	4	1	1
Redwood City	6	9	8
East Palo Alto	1	1	4
Portola Valley/Woodside	1	1	1
Unincorporated Adjacent	6	1	1
Other San Mateo County	6	11	7
Palo Alto	16	8	13
Stanford	5	2	5
Other Santa Clara County	18	33	6
San Francisco	1	5	2
East Bay	2	20	1
TOTAL	100%	100%	100%

Residential

The trip distribution for residential land uses is derived from the household interview surveys conducted in 1999. Over 200 households in Menlo Park kept detailed diaries of all of their activities for a two-day period. The origins and destinations were tabulated for each trip type, including work trips, school trips, shopping trips and other trips. During peak hours, it is often assumed that about 50 percent of the trips are home-work commute trips and 50 percent are other non-commute purposes. Therefore, the residential origin and destination percentages listed in Table 1 represent an average of (1) the percentages for work trips and (2) the total percentages for non-work trips (school, shopping, other).

Employment

The trip distribution for employment land uses was taken directly from the residence locations reported in the City of Menlo Park 1999 Employee Transportation Survey (January, 2000). The employee survey report included a combined percentage of 10.2 percent for Menlo Park, Atherton and Portola Valley, and a combined percentage of 10.1 percent for Redwood City and Woodside. These percentages were allocated as 8 percent for Menlo Park, 1 percent for Atherton, 1 percent for the unincorporated areas adjacent to Menlo Park and Atherton, 1 percent for Portola Valley/Woodside and 9 percent for Redwood City. The employee survey report included a percentage of 9.6 percent for Palo Alto, which was allocated as 8 percent Palo Alto and 2 percent Stanford based on relative populations and the draw of the Stanford Shopping Center area.

Commercial

The trip distribution for commercial land uses is derived from the pedestrian interview surveys conducted in 1998. The surveys included interviews of 360 persons at five businesses (Safeway, Rite-Aid, Trader Joe's, Peet's, Kepler's) as well as two transit stops serving downtown Menlo Park. The surveys included questions on the place that each person was coming from and going to next. The percentages in Table 1 represent the total for origins and destinations of trips to and from the downtown business area.

GATEWAY ASSIGNMENTS

The origins and destinations of trips were assigned to specific "gateways" based on the preferred routes to and from Menlo Park (Table 2). Separate assignments were made for four areas of the city:

1. Sharon Heights/Sand Hill Road
2. West Menlo Park/Downtown/El Camino Real
3. West of U.S. 101 (between Caltrain and U.S. 101)
4. East of U.S. 101

In many cases, the trips were allocated to two routes using estimated percentages. For example, for the West Menlo Park area, it was assumed that trips to and from northern San Mateo County would be split between I-280 (two-thirds) and U.S. 101 (one-third). The total percentages for each gateway were summed up for use in the CSA Traffix model.

Local Trips

The local trips within Menlo Park were divided into four areas based on information reported household travel diary and interview survey conducted in 1999. Origins and destinations of Menlo Park resident trips were identified by nine Menlo Park neighborhoods. The percentages of trips for each neighborhood were summarized and used for the allocation of trips within Menlo Park.

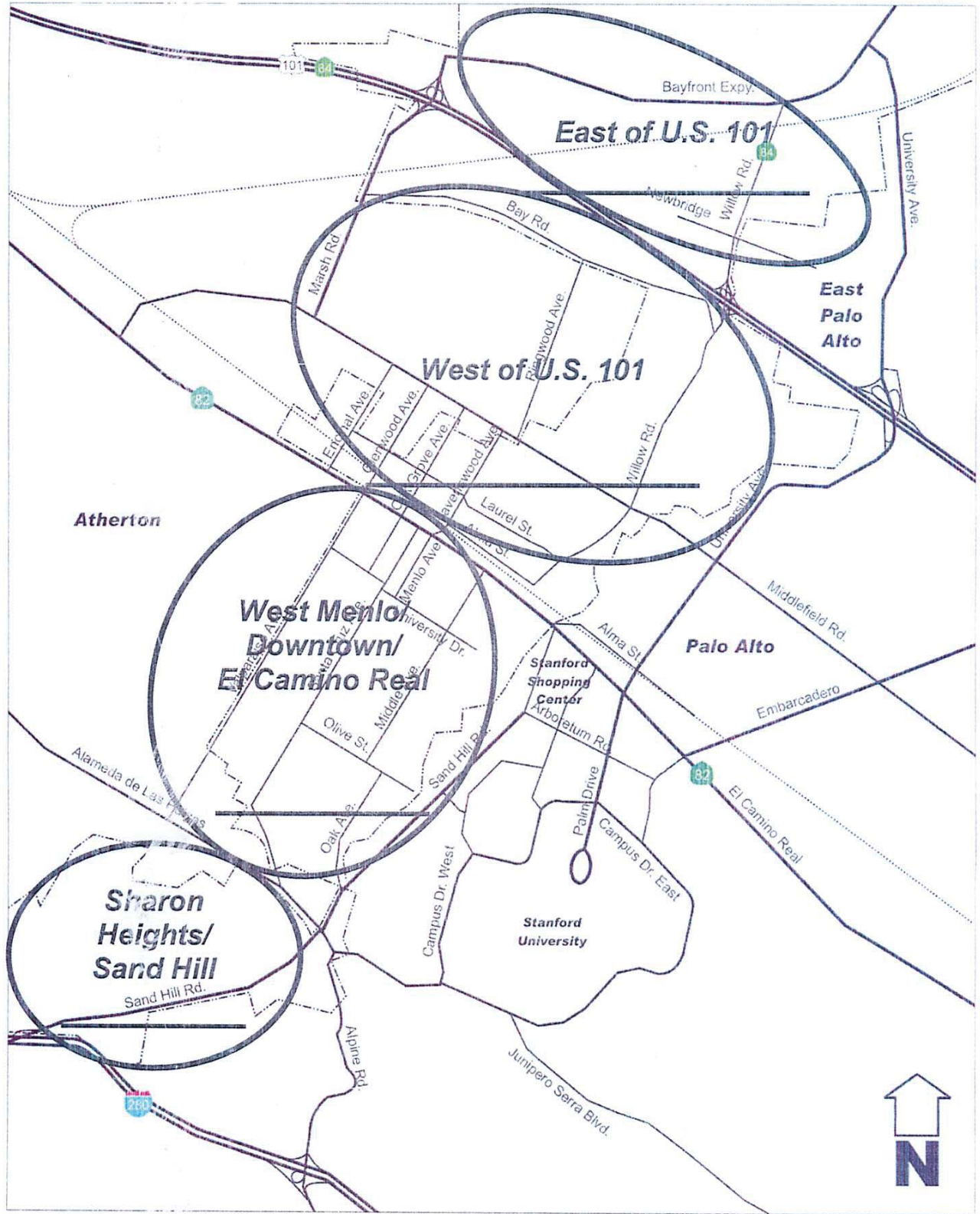
Within the CSA Traffix model, the local trips for each neighborhood are assigned to a representative "gateway" location as follows:

1. Sharon Heights Local: Sharon Park Drive/Shopping Center area
2. West Menlo/Downtown Local: Downtown area bounded by University Drive, El Camino Real, Menlo Avenue, Roble Avenue
3. West of U.S. 101 Local: Willows area east of Willow Road near Gilbert Avenue
4. East of U.S. 101 Local: Belle Haven area near Newbridge Street and Chilco Street

These four representative local destinations should be adequate for studies of traffic added by smaller development projects. Studies of larger projects may consider disaggregating the local neighborhood trips to additional representative locations in order to avoid overloading the access routes to these four representative locations.

**Table 6:
Menlo Park CSA Traffic Model Gateway Percentages**

Gateway	Residential				Employment				Commercial			
	Sharon Heights	West Menlo	West of US 101	East of US 101	Sharon Heights	West Menlo	West of US 101	East of US 101	Sharon Heights	West Menlo	West of US 101	East of US 101
1. I-280 North	10%	5%	2%	-	20%	12%	4%	-	13%	7%	2%	-
2. I-280 South	18	9	-	-	33	16	-	-	6	3	-	-
3. Sand Hill West	1	1	1	1	1	1	1	1	1	1	1	1
4. SR 84 East	2	2	2	2	20	20	20	20	1	1	1	1
5. US 101 South	-	9	18	26	-	17	33	37	-	3	6	13
6. US 101 North	-	2	5	7	-	4	12	10	-	2	7	7
7. Alameda North	13	6	2	-	7	4	-	-	6	4	-	-
8. El Camino North	-	10	5	4	-	7	5	3	-	6	5	2
9. Alpine South	-	-	-	-	-	-	-	-	-	-	-	-
10. Junipero South	8	5	-	-	4	3	-	-	7	4	-	-
11. Sand Hill East	14	3	-	-	7	1	-	-	15	3	-	-
12. Middlefield South	-	-	19	12	-	-	10	5	-	-	19	10
14. El Camino South	1	14	3	1	-	7	1	1	-	15	3	1
15. Middlefield North	-	-	9	13	-	-	6	14	-	-	5	10
16. Local Sharon Hts	10	5	2	-	2	1	-	-	15	8	3	-
17. Local Downtown	20	26	25	5	5	6	6	1	31	38	38	8
18. Local Willows	3	3	7	3	1	1	2	1	5	5	10	5
19. Local Belle Haven	-	-	-	26	-	-	-	7	-	-	-	42
TOTAL	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%



Menlo Park CSA Traffic Model
Traffic Distribution Districts

ATTACHMENT B

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MENLO PARK
ADOPTING THE 2004
CIRCULATION SYSTEMS ASSESSMENT DOCUMENT**

The City of Menlo Park, acting by and through its City Council, having considered and been fully advised in the matter and good cause appearing therefor,

BE IT AND IT IS HEREBY FURTHER RESOLVED by the City Council of the City of Menlo Park that the City Council does adopt the 2004 Circulation System Assessment Document, a copy of which the document is attached hereto.

I, SILVIA VONDERLINDEN, City Clerk of the City of Menlo Park, do hereby certify that the above and foregoing Resolution was duly and regularly passed and adopted at a meeting by said Council on October 26, 2004, by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City on this ____ day of _____, 2004.

SILVIA VONDERLINDEN, City Clerk

ATTACHMENT "C"

Transportation Impact Analysis Guidelines

The following projects would generally be exempt from the requirements of the Transportation Impact Analysis Guidelines unless their geographic location or type of use prompt such study (subject to the City's discretion):

- Residential projects under five units
- Commercial projects where the total new or added square footage is 10,000 square feet or less
- Other projects that are determined to be exempt or categorically exempt under CEQA

All other projects involving a change of use and/or new construction will be required to submit a Transportation Impact Analysis performed by a qualified consultant selected by the City and paid for by the project applicant.

The Transportation Impact Analysis shall include the following:

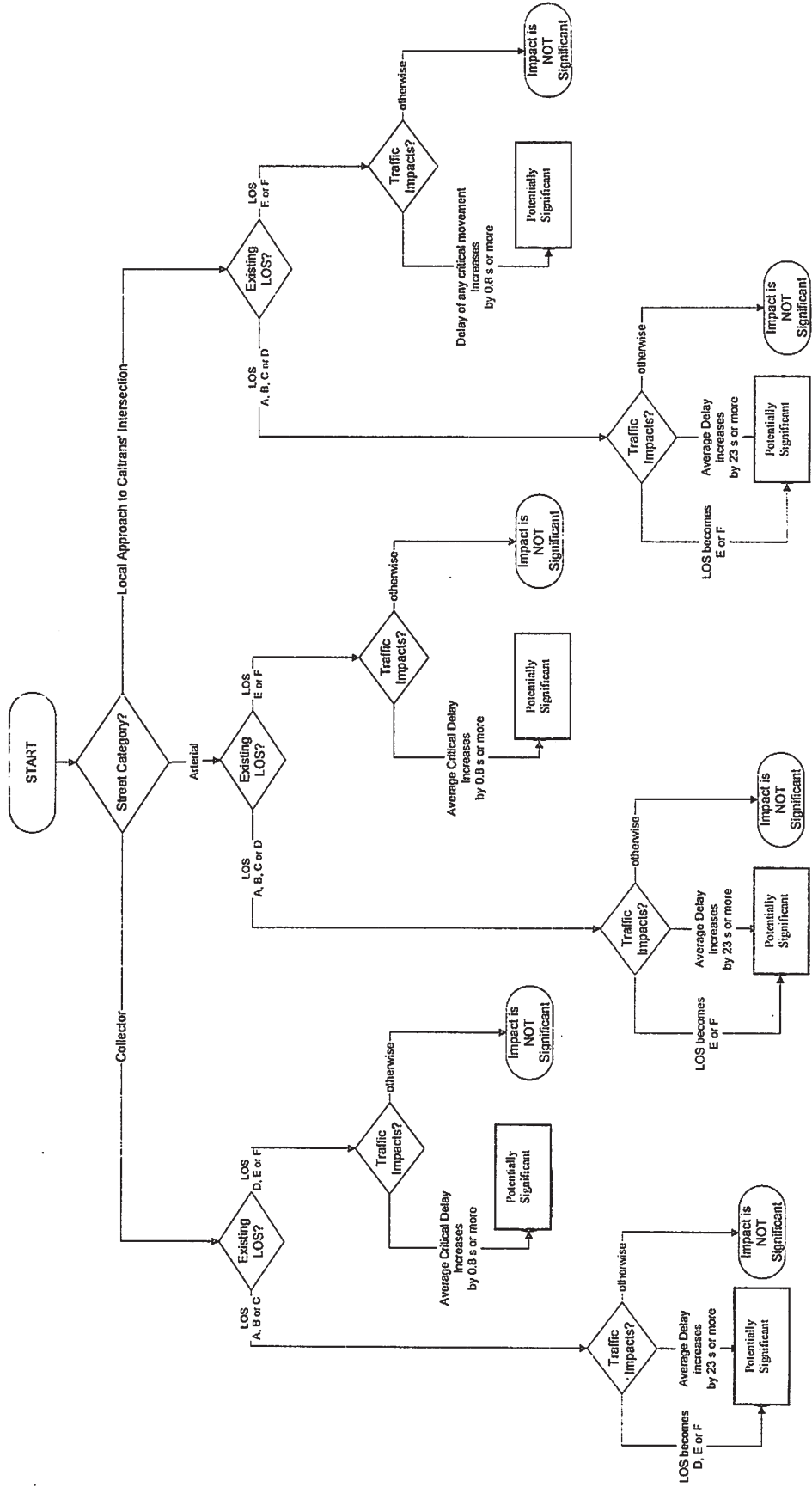
- I. Executive Summary
- II. Introduction
 - A. Project Description
 - B. Study Scope
- III. Existing Conditions – Conditions should be described based upon information found in the most recent Circulation System Assessment (CSA) document when applicable. The CSA existing traffic counts and information should be used as existing conditions.
 - A. Description of existing street system serving the site (Number of lanes, classification, etc.)
 - B. CSA existing traffic volumes – ADT's and AM & PM peak hours (Figure to be included in report)
 - C. CSA existing levels of service – AM & PM (Table to be included in report)
 - D. Public transit (Service providers to the area)
 - E. On and off-street parking conditions/availability
 - F. Pedestrian and bicycling conditions in the project area
- IV. Cumulative Analysis – Near Term conditions without project should be discussed using the most recent CSA near term traffic counts and information. Project traffic should then be added to the CSA near term traffic counts. If the project build-out is beyond the CSA near term data, future conditions should be projected to the first year of assumed project occupancy. A supplemental list of planned and or/approved projects will be provided to the consultants for inclusion in the analysis process. For large projects of regional magnitude (projects generating 100 or more trips during peak hours), the

consultants will analyze the impacts of the project for a span of ten years from the existing conditions.

- A. Description of new or planned changes to the street system serving the site including changes in on-street parking
- B. Near term volumes – ADT's and AM & PM peak hours
 - 1. List project trip generation rates
 - 2. Discuss trip distribution
 - 3. Discuss impact of project traffic on intersections in the project vicinity
- C. Near term levels of service – AM & PM for both near term and near term plus project analysis. Table to be included in report. Also a comparison table of existing conditions including a column showing the difference in seconds of delay between existing, near term conditions and near term conditions with project and percent of increase.

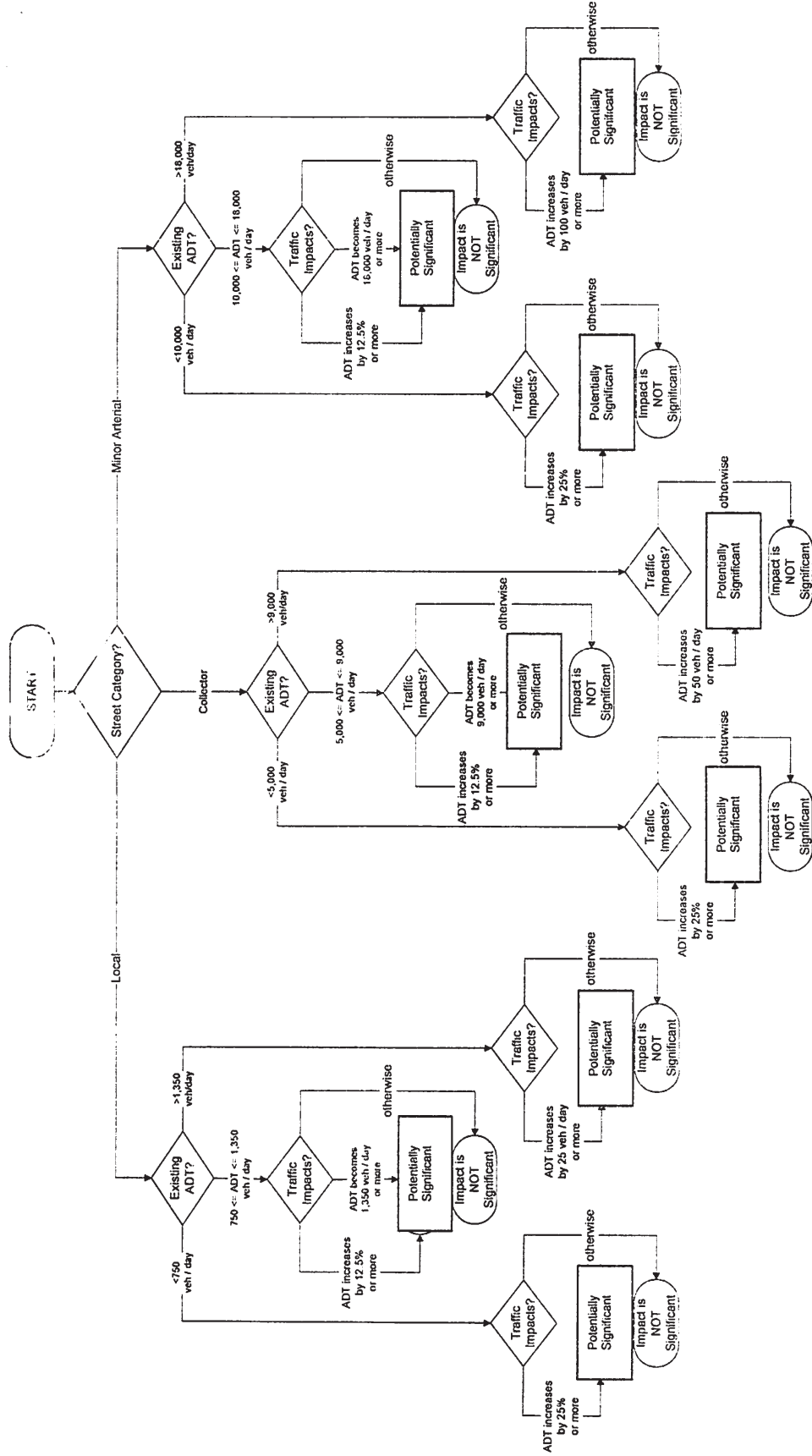
V. Analysis

- A. Discuss impacts of CSA near term conditions and CSA near term conditions with project
 - 1. A Project is considered to have a potentially "significant" traffic impact if the addition of project traffic causes an intersection on a collector street operating at LOS "A" through "C" to operate at an unacceptable level (LOS "D", "E" or "F") or have an increase of 23 seconds or greater in average vehicle delay, whichever comes first. A potential "significant" traffic impact shall also include a project that causes an intersection on arterial streets or local approaches to State controlled signalized intersections operating at LOS "A" through "D" to operate at an unacceptable level (LOS "E" or "F") or have an increase of 23 seconds or greater in average vehicle delay, whichever comes first.
 - 2. A project is also considered to have a potentially "significant" traffic impact if the addition of project traffic causes an increase of more than 0.8 seconds of average delay to vehicles on all critical movements for intersections operating at a near term LOS "D" through "F" for collector streets and at a near term LOS "E" or "F" for arterial streets. For local approaches to State controlled signalized intersections, a project is considered to have a potentially "significant" impact if the addition of project traffic causes an increase of more than 0.8 seconds of delay to vehicles on the most critical movements for intersections operating at a near term LOS "E" or "F".



- B. In certain circumstances as determined by the Transportation Manager, analysis may be necessary for impacts on minor arterial, collector and local streets. If any of the thresholds listed below are exceeded, the analysis should make a recommendation as to whether the traffic impact is considered potentially "significant".
1. On minor arterial streets, a traffic impact may be considered potentially significant if the existing Average Daily Traffic Volume (ADT) is: (1) greater than 18,000 (90% of capacity), and there is a net increase of 100 trips or more in ADT due to project related traffic; (2) the ADT is greater than 10,000 (50% of capacity) but less than 18,000, and the project related traffic increases the ADT by 12.5% or the ADT becomes 18,000 or more; or (3) the ADT is less than 10,000, and the project related traffic increases the ADT by 25%.
 2. On collector streets, a traffic impact may be considered potentially significant if the existing Daily Traffic Volume (ADT) is: (1) greater than 9,000 (90% of capacity), and there is a net increase of 50 trips or more in ADT due to project related traffic; (2) the ADT is greater than 5,000 (50% of capacity) but less than 9,000, and the project related traffic increases the ADT by 12.5% or the ADT becomes 9,000 or more; or (3) the ADT is less than 5,000, and the project related traffic increases the ADT by 25%.
 3. On local streets, a traffic impact may be considered potentially significant if the existing Daily Traffic Volume (ADT) is: (1) greater than 1,350 (90% of capacity), and there is a net increase of 25 trips or more in ADT due to project related traffic; (2) the ADT is greater than 750 (50% of capacity) but less than 1,350, and the project related traffic increases the ADT by 12.5% or the ADT becomes 1,350; or (3) the ADT is less than 750, and the project related traffic increases the ADT by 25%.
- C. Discuss project site circulation and access and identify any deficiencies.
- D. Discuss compliance of project site parking with adopted City code including loading and disabled spaces. If a shared parking arrangement is proposed, an analysis of the adequacy of this aspect shall be provided. Discuss any off-site parking impacts (such as neighborhood parking intrusion) of the project.
- E. Analyze project in relation to relevant policies of the Circulation Element of the General Plan.
- F. Analyze potential cut-through traffic generated by the project impacting other City neighborhoods.
- G. Pedestrian conditions and bicycle access, including safety issues, should be discussed.

Significance Criteria for Street segments



- H. Analyze project using the requirements outlined in the San Mateo County Congestion Management Plan Land Use Analysis Program guidelines, if applicable.

VI. Mitigation

- A. Discuss specific mitigation measures in detail to address significant impacts, which may occur as a result of the addition of project traffic (provide table comparing before and after mitigation). Analysis shall focus on mitigating significant impacts to a non-significant level, but must also identify measures, which would reduce adverse, although not significant, impacts. All feasible and reasonable mitigation requirements that could reduce adverse impacts of the project should be identified, whether or not there are significant impacts caused by the project. The goal of mitigation should be such that there are no net adverse impacts on the circulation network. Mitigation measures may include roadway improvements, operational changes, Transportation Demand Management or Transportation Systems Management measures, or changes in the project. If roadway or other operational measures would not achieve this objective, the consultant shall identify a reduction in the project size, which would with other measures, reduce impacts below the significant level. All mitigation measures must first be discussed with the City Transportation Division before they are included in the report.
- B. Discuss possible mitigation measures to address future traffic conditions with the project. All feasible and reasonable mitigation measures that would reduce such impacts, whether at the significant level or below shall be identified. Mitigation measures should be designed to address the project's share of impacts. Measures that should be jointly required of the project and any other on-going related projects in a related geographical area should also be identified, as applicable.
- C. Discuss possible mitigation measures to address any site circulation or access deficiencies.
- D. Discuss possible mitigation measures to address any parking deficiencies.
- E. Discuss possible mitigation measures to address any impacts on pedestrian amenities, bicycle access, safety and bus/shuttle service.

VII. Alternatives

- A. In the event any potentially significant impacts are identified in the Transportation Impact Analysis, alternatives to the proposed project shall be evaluated or considered to determine what the impacts of an alternative project or use might be. The alternatives to be considered shall be determined in consultation with the Director of Community Development and the Transportation Manager.

VIII. Summary and Conclusions

- A. Assess level of significance of all identified impacts after mitigation.

Upon receipt by the City of a Transportation Impact Analysis indicating that a project may have potentially significant traffic impacts, the applicant shall have the option of proceeding directly with the preparation of an EIR in accordance with the City's procedures for preparation of an EIR, or requesting a determination by the City Council as to whether a negative declaration, mitigated negative declaration or an EIR is most appropriate for the project.

NOTES:

1. The Highway Capacity Manual Special Report 209 (HCM), latest version shall be used for intersection analysis. The consultant shall use the Citywide TRAFFIX model with the HCM analysis.
2. The most recent Circulation System Assessment (CSA) shall be used for all information regarding existing and near term conditions.
3. Traffic counts that may be required beyond the counts contained in the CSA document shall be less than 6 months old.
4. The consultant shall submit proposed assumptions to the Transportation Manager for review and approval prior to commencement of the Analysis relating to the following:
 1. trip rates
 2. trip distribution
 3. trip assignment
 4. study intersections
 5. roadways to be analyzed
4. The consultant shall submit all traffic count sheets to the City's Transportation Division.
5. Figures of existing and any proposed intersection configurations should be provided in the appendix.
6. Trip generation rates from Institute of Transportation Engineer's (ITE) publication, "TRIP Generation", latest version should be used.
7. Street widening and on-street parking removal are mitigation measures which may be technically feasible, but which are generally considered undesirable. If such measures appear potentially appropriate to the consultant, they should consult the Transportation Division in preparing the impact analysis and mitigation recommendations. If such measures are to be proposed, alternate mitigation measures, which would be equally effective, should also be identified.
8. Existing uses at the site, which would be removed as part of the project, may be deducted from the calculation of the project traffic based on their traffic distribution patterns.
9. Refer to the San Mateo County Congestion Management Program (CMP) Land Use Impact Analysis Program guidelines for performing CMP analysis.

July 26, 2016

M.P. Planning Commission

I'm very concerned about traffic, as a result of plans to add more residents, jobs etc in Menlo Park. There has already been an increase in cars waiting in long lines to enter important streets. Please reduce the planned numbers.
Anne Kirkbride, Day Laurel Dr.

I44-1

From: [Alan Brown](#)
To: [connectmenlo](#)
Subject: Comment General Plan and M-2 Area Zoning Update (ConnectMenlo) Draft Environmental Impact Report (EIR)
Date: Friday, July 29, 2016 5:09:08 PM

My comment is rather general: the traffic situation in Belle Haven is already quite terrible during rush hours. I wish to see two things in particular:

- 1) A clear plan for mitigating traffic issues, so the time for residents living in the Belle Haven neighborhood does not degrade further. This could be some combination of road enhancements and mass transit improvements.
- 2) A tax plan that would charge new developments (including Facebook) for their portion of services needed, proportional to the burden they place on the system. This would include transportation, Fire, and Police services.

I45-1

I45-2

Thank You,
Alan Brown
1155 Carlton Ave, Menlo Park
650-465-6147

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From: [Romain Tanière](#)
To: [connectmenlo](#)
Subject: General Plan and M-2 Area Zoning Update (ConnectMenlo) Draft Environmental Impact Report (EIR) New Comment
Date: Friday, July 29, 2016 5:06:30 PM

Dear Deanna,
Here's an additional comment on the draft ConnectMenlo M-2 Area Zoning Update environmental impact report:

Some of the Kavanaugh / Hamilton / O'Brien (Menlo Park-East Palo Alto) neighbors/businesses have expressed an interest in getting more pedestrian/bicycle access/connections within the existing Menlo Park-East Palo Alto city streets and the expanded Facebook Menlo Science & Technology Park campus (old Prologis campus) which borders East Palo Alto. For examples some low costs/easy lit pathways could be created between Adams Court/Hamilton Court, Kelly Court/Hamilton Avenue, O'Brien Drive/Hamilton, in Menlo Park, etc... Right now, you have to make some detours through non pedestrian friendly Willow Road / O'Brien Drive / University Avenue / Bayfront Express way to get in-between some of the East Palo Alto / Belle Haven neighborhoods instead of walking/biking on these desired lit pedestrian/cyclist pathways that should be encouraged as part of the new plan.

I46-1

Thanks a lot for your consideration.
Romain Taniere
7 Clarence Court
East Palo Alto, CA 94303

From: Gary Lauder gary@lauderpartners.com
 Subject: M-2 DEIR Comments
 Date: August 1, 2016 at 5:30 PM
 To: connectmenlo@menlopark.org

Deanna Chow
 Planning Division
 City of Menlo Park

Dear Ms. Chow,

While I am a member of the Atherton Transportation Committee, I am not speaking on behalf of it nor Atherton, but rather as a private citizen concerned about the welfare of all citizens in the area, not just my town. The traffic impacts of the development plans in the M-2 Zone will be substantial. Since many of the affected roads and intersections were already very congested, the congestion impact of the incremental traffic will be disproportionate. The graph below shows the relationship between the level of congestion and incremental vehicles. Many streets in MP are on the far right (steep) part of the curve, so the Transportation Impact Fees (TIF) should be appropriately high to fund the many ways that traffic can be alleviated.

I47-1

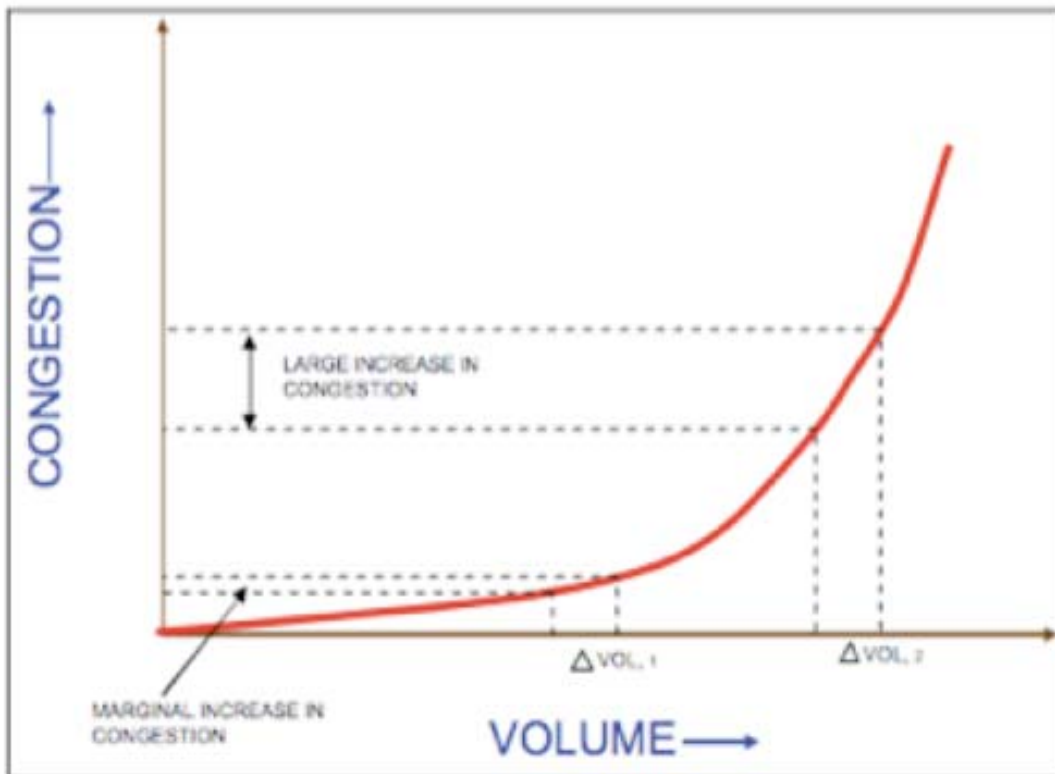


Figure 1: Illustration showing the effect of incremental vehicle volume on congestion.

From: <http://www.examiner.com/article/why-aaa-is-wrong-about-congestion-and-bike-lanes>

Many of the traffic impacts were described as being "significant and unavoidable." Calling it "unavoidable" betrays an attitude of hopelessness and intellectual poverty that we have come to expect — but should not accept — from local government that has the intellect and resources to actually avoid them. Those resources would be obtained via TIFs and other means.

I47-2

The time that people waste stuck in traffic is valuable. For more on that, see my 11-min. presentation: <http://bit.ly/GML-TEDx> When the value of people's time is multiplied by the vast numbers of people delayed, it becomes evident that investing in the additional capacity to accelerate traffic has a high return on investment.

The main opportunity to decongest this area's congestion would be via improving the 2 intersections of: Bayfront (84) & Willow and Bayfront (84) & University. As I explained in a letter to the MP City Council on 2/23/16 (http://lauderpartners.com/MP/Memo_to_MP_City_Council_re_Willow-101_Interchange.html), the monies destined for replacing the interchange of 101 & Willow should instead be redirected to upgrading the 2 Bayfront intersections. Not fixing those prior to replacing the 101 interchange would be even worse. There are many potential ways of improving affected roads such that the word "unavoidable" should only be used after having already tried the following (among others):

I47-3

I47-4

bridges, tunnels, non-grade crossings, additional turn lanes, additional lanes, eminent domain, roundabouts, etc.

I47-4
(cont.)

I am not advocating for MP to pay for all this. I think that the appropriate thing would be for all developers to pay TIFs for its incremental traffic (at very high rates given the points above) toward projects that would also be paid for by Caltrans, MP and perhaps also incremental tolls collected on the Dumbarton bridge.

I47-5

California state law mandates that any time a new traffic signal is considered, a roundabout must be considered for that location as an alternative. Roundabouts often provide more throughput than traffic lights, and they are much safer (90% reduction in fatalities). That would be a better form of intersection than the reconfigured traffic light planned for 280 & Sand Hill.

I47-6

Turn restrictions in order to reduce cut-through traffic do not reduce congestion, they just shift it elsewhere.

We are an advanced society that suffers from traffic problems due to having given up on solving problems using hundred year old technology (bridges, tunnels, etc.). One rationalization for the hopelessness is believing in "induced demand" — the notion that more capacity just invites more traffic such that it doesn't help. I believe that that perspective misreads the data and that actually it is a result of pent-up demand.

I47-7

Menlo Park has some of the worst traffic in the Bay Area, which has the worst in the country, so I hope that will not succumb to the doctrine of hopelessness. It's not "unavoidable."

Thanks,

-Gary Lauder

PS: for more background, see: <http://lauderpartners.com/MP/>



From: [Rich Truempler](#)
To: [Chow, Deanna M](#); [_connectmenlo](#)
Subject: Connect Menlo DEIR Comment Letter
Date: Monday, August 01, 2016 2:07:43 PM

Deanna Chow, Principal Planner

City of Menlo Park/Community Development Department

701 Laurel Street

Menlo Park, CA 94025

Re: Draft EIR for the General Plan Land Use and Circulation Elements and M-2 Area Zoning Update

Dear Ms. Chow,

We appreciate staff's time and effort through the General Plan Update (GPU) process. We have actively participated over the last two years and appreciate that the City has incorporated some of our suggestions into the draft policy and zoning regulations. We have now reviewed the above referenced Draft EIR and offer for your consideration several suggestions, we believe, will help the City meet its stated goals in the M-2.

At the last City Council meeting the City's consultant stated that the "no project" alternative was actually worse for the environment than the proposed project. The primary reason for this is because the intent of the GPU is to encourage housing development in the M-2, allowing people to be located closer to employment in the Bayshore Area.

Unfortunately there are still proposed policies that will likely prevent the development of market rate rental housing, which is a form of affordable housing, especially in light of home values in Menlo Park.

Upon review of the Draft EIR, we believe that the modifications and/or clarifications requested below are all consistent with the environmental analysis presented in the Draft EIR and would not require any changes or recirculation thereof.

We believe the following issues need to be addressed to preserve the viability of the development of rental housing:

Recycled Water

We support the use of recycled water when it is available at a municipal scale. We ask for a specific exclusion for residential development from the proposed policy, so that projects greater than 250,000 square feet are not mandated to

I48-1

I48-2

find their own source of non-potable water, if a municipal system is not available. Water recycling is much more efficient when done at scale, and given the long term need for greater water efficiency, development in the M2 should support Menlo Park’s effort to bring recycled water to the entire city.

To preserve the viability of development of rental housing in the M-2 we suggest that all residential projects be required to dual plumb, so that when recycled water is available they can comply with a mandate to tie into that system. Additionally, to help ameliorate the concerns regarding future water capacity in a multi-year drought scenario, we suggest that new projects be required to adopt a water budget that is 20% lower than the baseline assumed in the WSE, which is comparable to the reduction gained through utilization of greywater for City approved uses.

**I48-2
(cont.)**

Renewable Energy

We support the requirement to utilize renewable energy, but because apartments have extensive equipment on the roofs, the requirement to produce 30% of electric demand on-site is not possible. In discussions with city staff we have been told the intent of the language to the “maximum extent feasible” in the draft is to enable flexibility, but we are concerned that such language is too vague and can lead to legal challenges that could seriously impact the development of rental housing.

I48-3

To preserve the viability of development of rental development housing we suggest that the policy require that 100% of the energy be produced from renewable sources can be from *any* combination of the following: purchase of renewable electricity, purchase of certified renewable energy credits, or installation of local renewable energy generation. If solar panels are a desired policy, then we suggest a more realistic requirement would be to require solar panels on upper levels of parking garages and open parking lots to the extent feasible, as determined by city staff.

Height

We appreciate the consideration for the proposed height in the DEIR for the R-MU zoning designation. In order to achieve the density goals required to off-set the impacts of a flourishing economy and help address the chronic structural shortage of housing, the draft R-MU regulations need to be modified to reflect maximum allowable height of 85 feet as described in the DEIR (table 4.1-2).

I48-4

Commercial FAR

We understood the mandate was to not downzone properties, but rather incentivize the development of housing. Initial discussions at GPAC as evidenced by the zoning comparison table produced by the City was to allow commercial and office development in the R-MU district as a function of housing.

I48-5

The language stated that commercial/office uses would be up to 25% of the *gross floor area* built. The implication is that the bonus density is realized through the creation of housing. The draft zoning designation now states that commercial/office uses can be no more than 25% of the *site area*; which is an effective downzoning.

**I48-5
(cont.)**

We ask that the City revise the draft R-MU designation language to state that commercial/office shall be 25% the gross floor area built, and would support a policy that requires housing to be built prior to any commercial. This change should not impact the DEIR as it does not increase the total amount of residential or commercial contemplated in the study area.

We respectfully request the City to consider these comments. We have been consistent in advocating these points throughout the process, and think our goals align with the community in that all growth should be augmented by the creation of new housing in the M-2. There are other issues that we still hope the City will consider in order to preserve the viability of the development of rental housing in the M-2, such as the proposed affordable housing requirements, proposed community amenities, and other contemplated impact fees.

I48-6

Richard Truempler

Vice President, Real Estate Development

rtruempler@sobrato.com

The **Sobrato** Organization • 10600 N. De Anza Blvd., Suite 200 • Cupertino, CA 95014
(408) 446-0700 office • (408) 796-6505 direct

August 1, 2016

Dear City of Menlo Park,

Subject: Comments regarding the General Plan Update Draft EIR.

The General Plan Update (GPU) is a much-needed and overdue effort because the General Plan's all-important Land Use and Circulation Elements have not been updated comprehensively since 1994. At that time, the planning horizon was 2010. It was already out of date when I served on the Planning Commission from 2000-2004. This DEIR reveals for the first time to my knowledge what the existing conditions are in Menlo Park and the magnitude of change ahead as represented by Cumulative Projects (4 of 5 of the largest ones have not been approved yet¹), the remaining buildout of the 1994 General Plan, and the proposed zoning changes for the Bayfront area.

The grim picture the DEIR paints of Menlo Park's future over the next two decades, if one can actually decipher it, is one of immense gridlock, and an aggravated housing crisis with the inequities that come along with such an imbalance of jobs and housing. The City is projected to grow by 50% in population and 70% in jobs. Although only a portion of this growth is the subject of this DEIR, the document demonstrates:

- The Jobs/Housing Imbalance Worsens – The current jobs/housing ratio of Menlo Park is one of the worst in the region and the DEIR shows it will worsen. To be sure, the Project represents an improvement of jobs/housing balance over existing conditions, but that alone is not enough to outweigh the jobs/housing ratio for the Cumulative Projects, the largest of which have not yet been approved. See the graphic on the next page that shows the jobs/housing ratio of 9.7 of the approved and pending projects (yes, only one new home for every 9.7 new workers), and the jobs/housing ratio of 4.40 for the buildout potential of the current General Plan (part of the Project's combined ratio of 1.8).
The Bohannon Menlo Gateway project, which adds approximately 1 Million SF of office and hotel space but no housing, already is under construction.
- Extreme Traffic Conditions – the DEIR shows that even without the Project, 23 intersections would not operate acceptably by 2040 (some do not now). The DEIR Appendices show that a number of intersections deteriorate to the point that the average intersection delay per vehicle turns from seconds to minutes.

Since this is the first glimpse of current conditions and our community's future with all the proposed growth, it is a prime opportunity to identify ways the City can manage the negative impacts, including managing the pace of growth. The DEIR conveys few solutions and in a number of places merely concludes that the impacts are Significant and Unavoidable. This begs the question of how could they be unavoidable when the City itself controls most of the levers that relate to Land Use and Circulation, and those are the very topics of the GPU that is part of this Project. The City also controls funding and the zoning and other Municipal Code provisions that can help achieve and maintain a high quality of life for residents and businesses.

It is striking that many of the impacts portrayed in the DEIR relate to the current General Plan and growth related to "cumulative projects" that include approved projects that are not constructed yet plus proposed projects. While not specifically addressed in the DEIR because these are not part of the defined Project, this is the right time for our decisionmakers and community to discuss the overall picture of growth and the impacts that come along with it. Such discussions should include the possibility of pacing growth to the ability of the infrastructure (e.g., schools, playing fields, water supply) to support it

My general and specific comments follow.

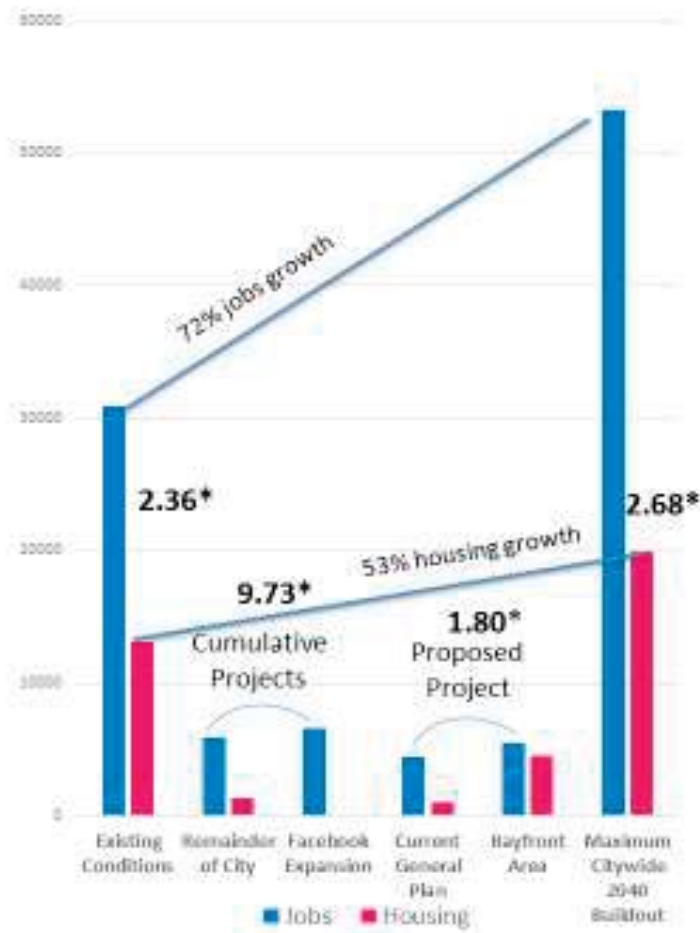
Thank you for your consideration.

Patti Fry
Menlo Park resident and former Planning Commissioner

¹ Potential projects in the Cumulative Projects pipeline include the proposed Greenheart and Stanford projects on El Camino Real, SRI renovation project, and Facebook Expansion project. The Bohannon Menlo Gateway is under construction, and also is included in the Cumulative Projects list

I49-1

CHANGES IN JOBS AND HOUSING
CITYWIDE
FROM 2016 TO 2040
With Jobs/Housing Ratios



* Jobs/Housing Ratio

Source: General Plan Update DEIR page 3-29

I49-2

GENERAL COMMENTS

Background

There are 3 main components of the "Project"

1. Re-do of virtually every Goal, Policy, Program description in the Land Use (LU) and Circulation (Circ) Elements of the General Plan. These are intended “to reduce and/or avoid impacts to the environment as a result of future development”. These do not incorporate measurable standards, funding mechanisms, enforcement so require subsequent actions that make them effective as tools to guide the future through the Land Use and Circulation Elements.
2. Reaffirmation of the buildout potential in the existing General Plan. This is for future projects. Currently proposed projects in the pipeline are considered in the document as "Cumulative Projects" along with approved projects that are not constructed yet. Part of the remaining buildout is considered a component of the Project
3. New zoning in the Bayfront Area (aka M-2) that increases development potential and that requires adherence to green building standards and provision of community amenities for certain projects. Zoning remains unchanged in the remainder of the city. This is the other component of the Project.

I49-3

General observations and concerns about the DEIR:

- Unclear and Inconsistent Project definition – From a Land Use perspective, the Project is both the proposed changes to the Bayfront Area and the remaining buildout of the current General Plan. The DEIR needs to explain how the Project’s remaining buildout potential under the current General Plan was calculated. While presumably that involves approved projects, the DEIR needs to show its calculations. See table below that compares the 1994 General Plan buildout with what is provided in this DEIR as Existing Conditions and this part of the Project;

	Full Buildout Potential 1994 General Plan Page III-4*	Existing Conditions DEIR Page 3-29	Difference between Full Buildout and Existing	Project – Current General Plan DEIR Page 3-29
Non-residential SF	18.89 million	14.6 million	4.29	1.8 million
Residential Units	20,042	13,100	6,942	1,000
Population	35,285 (by 2010)	32,900	2,385	2,580
Employment	29,202	30,900	(1,698)	4,400
<i>*Full buildout potential, based on maximum theoretical development potential, as described on pages III-2 and III-3 of 1994 General Plan</i>				

I49-4

Note that the 1994 General Plan assumed worker densities of 500 SF/worker whereas current conditions are much lower (approximately 150 SF/worker in recent Facebook projects). This is important because the DEIR states that there is capacity for more growth under the current Plan.

DEIR 4.11-16 states “The City currently has the capacity to accommodate 1,000 housing units, 2,580 new residents and 4,400 new employees and the proposed project has been prepared to consider the relationship of the proposed new development potential to the existing setting, and as such includes measures...to accommodate the projected new growth.” But that capacity is only for the Bayfront Area. This is one of many examples of how the Project is described inconsistently.

• Misrepresents consistency with regional planning.

This amount of growth, 53% population growth, 72% employment growth is portrayed as consistent with regional planning even though ABAG's 2013 projections for the same period are 15% and 13%, respectively. There is an implication that the next ABAG projections will simply incorporate MP's plans; the DEIR 2-26 states "...when the regional growth projections are updated they will incorporate the propose project, which would reduce this impact to a less-than-significant level". This is not an appropriate conclusion.

Plan Bay Area emphasizes growth along transit corridors and in Priority Development Areas (PDA) where 80% of regional growth is expected to occur, with a ratio of 1.4 jobs/housing growth in the PDA's.

Menlo Park's only PDA is along El Camino Real in the ECR/Downtown Specific Plan area. According to this document, about 2/3 of the Project's population growth would occur in Bayfront area, and more than 50% of the jobs growth would be there, too, not in its PDA. This growth is not close to transit, which could exacerbate traffic congestion and worsen numerous environmental factors (e.g., greenhouse gases, air pollution). That is inconsistent with Plan Bay Area's objectives.

I49-5

• The DEIR provides incomplete information. - Complete information is not readily available so that the public can make informed decisions. Examples

○ Goals, Policies, Programs - while the new LU and Circ Goals, Policies, Programs (GPP) are provided in the document and the old ones are in the Appendices (where there is no index), there is no comparison of the proposed, totally revised Goals, Policies, Programs for the Land Use and Circulation Elements with the current ones. I saw something like this about year ago and cannot find it on the city website without opening every agenda, and I know that some changes have been made since that time anyway. This makes it impossible to evaluate what may have been lost from the prior GPP and to confirm statements asserting that the new GPP's better protect the community.

I49-6

○ Vehicle Miles Traveled (VMT) - there is no evidence of how the current and future Vehicle Miles Traveled were determined, what trips are taken and from where to where. Since the DEIR states there is a VMT reduction that affects traffic, air quality etc, this is important information. It doesn't pass the common sense test, and there's no proof of this assertion.

I49-7

○ Cut-through traffic - there is no information about neighborhood cut-through traffic even though current city policies require this analysis to be done. The city's new traffic model shows a number of intersections that would have "underserved" traffic with upstream and downstream congestion but there is no information about what happens to that traffic. At the recent Town Hall (July 11th), it was confirmed that traffic, like water, will flow where there is the least resistance. That means increased neighborhood cut-through traffic and related safety and quality of life concerns.

I49-8

○ Gridlock – critical information about potential gridlock is obfuscated and hidden. Example – the future traffic delay at a number of intersections is identified as >50 seconds when the actual average delay per vehicle actually deteriorates to the point it is calculated to be minutes in duration. In one case (at Bayfront Expy and Adams), the average delay per vehicle becomes >40 minutes). This information is buried in the Appendices, which has no index.

I49-9

The traffic model, Vistro, does not even capture delays that result from “unserved demand” and “upstream and downstream congestion”. (DEIR 4.13-52), so the impacts may be quite understated and need to be acknowledged as such, and further analyzed.

I49-9
(cont.)

- Impact of pending projects – the amount of growth represented by proposed major projects is not readily visible. The Facebook Expansion project is shown in a separate column, but the proposed Greenheart (1300 El Camino), Stanford (500 El Camino), and SRI renovation projects are not. This information would help decisionmakers understand where there could be leverage in terms of improving the jobs/housing balance and addressing traffic impacts of these projects in the citywide growth context. For example, the city could require project modification or additional mitigation measures (e.g., through conditions of approval or negotiated terms) of these projects.

I49-10

- Maximum buildout – The DEIR does not disclose the theoretical maximum buildout that could occur from the Project’s zoning changes. It only discloses the projected amount through 2040. It is my understanding that acceptance of this GPU means that, like with the 1994 General Plan, the acceptance also would approve the Land Use provisions that allow future growth beyond the amount studied within the 2040 planning horizon. While subsequent environmental review would be required to go beyond the 2040 buildout, this theoretical maximum buildout information is important to be available for both the ECR/D SP area and the Bayfront area, separately, for decisionmakers and the community to understand the magnitude of potential future growth and potential strategies to manage the growth and its impacts.

I49-11

While the El Camino Real/Downtown Specific Plan has a development cap, that cap can be exceeded with additional environmental review and approval. It would be very helpful to have the Specific Plan’s theoretical maximum buildout provided as part of the background information for analysis of the proposed Land Use Element and 2040 projections. That calculation was not performed for the Specific Plan when it was adopted. Because this GPU involves an update of the Land Use and Circulation Elements, the Specific Plan area’s potential development is a major component of the city’s future.

- Proposed Zoning Ordinance Amendment – The changes to the existing Zoning Ordinance are not provided for analysis to determine whether assertions about what it contains are valid.

I49-12

- Incorrect information - In too many places, the DEIR only examines impacts and mitigation measures in the Bayfront Area, not the entire Project, which includes the citywide buildout under the current General Plan. This inconsistency serves to provide misleading information about potential impacts.

For example, the table that purports to show that VMT decreases, on DEIR 4.2-33, compares the Proposed Project 2040 with the General Plan 2040, but the difference in population and employment is only the Bayfront Area, not the full Project (i.e., that includes remaining buildout under the current general Plan).

I49-13

Similarly the water analysis is about the Bayfront Area, not the entire Project compared to Existing Conditions.

I49-14

- Commendable zoning changes are limited to the Bayfront area - these include required minimum amount of housing in a mixed-use zoning district, required community benefits, provisions for green building methods, etc. These zoning changes do not apply to the rest of the city where approximately 60% of the future growth from Existing Conditions to 2014 is projected to occur (counting approved, under-construction, and proposed projects), some of it possibly in the near term.

I49-15

- Mitigation measures - Most of the mitigation measures for impacts are not specific or proven, thus impossible to determine if they are feasible or realistic. Nearly all of the mitigation measures are references to new Goals, Policies, and Programs (GPP) in the proposed Land Use and Circulation Elements. Few (if any) of these GPP have a measurable standard, funding, enforcement mechanism, or proof that they actually work.

In numerous places throughout the DEIR, the mitigation is merely a reference to proposed Land Use and Circulation Element Goals, Policies, and Programs. None of these contain standards or monitoring mechanisms that require actual mitigation; they are unenforceable. For example, in the Air Quality section, DEIR 4.2-24, there is reference to Policy OSC-4.1 “**Encourage** to the extent feasible balance and match between job and housing”. This does not define a specific action (e.g., a “shall” statement), a standard (e.g., a specific jobs/housing ratio). This does not constitute an actual mitigation.

I49-16

The actual standards and implementation measures need to be specified before projects could be approved. In most cases, the mitigation measures and their funding could be identified long after the projects happen. Since one goal is to streamline future project approvals, it is particularly important to ensure potential impacts are adequately identified and adequate mitigation measures are in place **before** projects get approved. Ideally, these measures also are incorporated into pending projects

- The Project Alternatives are too limited - The Project Alternatives, other than the No Project Alternative, are limited to the Bayfront area. The DEIR should examine some that address development in the rest of the City (possibly also address proposed but not approved projects)

Given the magnitude of impacts, additional Alternatives should be considered. The GPU and DEIR should also add, potentially as new mitigations:

- Modify zoning in the rest of Menlo Park so that it provides a better (and defined) balance of jobs and housing and puts less of any future development outside the PDA. Such rezoning could be considered mitigation in certain sections of the DEIR.
- Pace, through the approval process, employment growth in chunks related to growth in housing and transit improvements (i.e., contingent upon such changes)
- Add requirement to identify needed transit improvements and funding mechanism and committed plan before employment growth is approved
- Establish a jobs-housing ratio as a standard, and measure growth against it.

I49-17

These could be in the form of zoning changes, overall approval process changes, and housing programs. Some of these may not require a new EIR and could be implemented relatively quickly.

I49-17
(cont.)

ADDITIONAL SPECIFIC COMMENTS, by section of the GPU DEIR:

DEIR 3-29: In Cumulative Projects, the table groups together as “reasonably foreseeable” projects both pending projects and approved projects (some of the latter are under construction). The Cumulative Projects in Remainder of the City should be split out into separate columns with Approved Projects in a separate column from each of the 4 major Pending Projects (i.e., their non-residential SF, hotel rooms, residential units, population and employees). That information is provided for the Facebook Expansion project, but inexplicably not for the other 3 major pending projects (e.g., Stanford and Greenheart projects on El Camino Real, the SRI renovation project).

I49-18

The non-residential SF for hotels should be presented consistently for all columns. The hotel SF is not included in total non-residential SF for either the Facebook Expansion project or proposed Bayfront Area. This skews the data and any analysis of it.

I49-19

The DEIR should provide explanations for how the number of employees were calculated for each increment of growth (e.g., for each of the columns on page 3-29).

I49-20

DEIR 4-3: The ranges are very broad for numbers of employees by type of use (e.g., 155-450 SF/office worker). The recent Facebook project and the currently proposed Facebook project show office employee densities near 150 SF/employee. The DEIR should explain why this current technology practice is not applied to the calculations for the DEIR projections, and should show how other assumptions were applied. In other words, the DEIR should show its work for each pending Cumulative project from the DEIR’s list, and for each column of the Project, as portrayed on DEIR 3-29. Where the office employee density assumptions are different than for the recent Facebook Expansion project DEIR, the DEIR should explain why there is a difference.

I49-21

The DEIR seems to apply the 2040 ABAG population per household assumption to arrive at population growth. The DEIR should explain why the City’s own current ratio is not utilized.

I49-22

DEIR 4-4 There is an assertion that the General Plan and zoning update would be “largely self-mitigating” but fails to disclose that the zoning update only applies to the Bayfront Area, not citywide, and not even to the full Project as it is defined (i.e., does not include the remaining citywide buildout under the current General Plan)

I49-23

DEIR 4-5 The list of projects omits the Stanford medical center expansion, which is in the Planning Area. The Stanford campus in Redwood City project also is likely to have a major impact that is greater than regional projections.

I49-24

The DEIR states “*The cumulative impact analysis in this Draft EIR relies on a projections approach supplemented by the list approach that, when considered with the effects of the proposed project, may result in cumulative effects.*” The DEIR needs to explain in plain English what this means and how the approach was implemented.

I49-25

Because the DEIR reveals population, housing, and employment growth far in excess of regional planning agency growth projects, the projections approach may hide impacts that are far in excess of what might occur at the much lower growth levels. The DEIR should take a conservative approach of identifying potential impacts by examining cumulative impacts that reflect the growth shown between Existing Conditions and Maximum Citywide 2040 Buildout.

**I49-25
(cont.)**

Further, on DEIR 4-6, only the proposed projects in Bayfront Area are highlighted, which implies that the only impacts examined are in the Bayfront Area whereas the Project involves citywide development and adoption of proposed new citywide Land Use and Circulation Goals, Plans, and Programs (GPP).

I49-26

The DEIR needs to explain how exactly the cumulative impacts were assessed.

DEIR 4.1 Aesthetics: The DEIR speaks only to potential impacts in Bayfront Area. The Project includes citywide buildout under Current General Plan. For example, DEIR 4.1-14 Higher buildings are “not expected to generate a substantial increase in light and glare.” But the DEIR does not explain why that conclusion is reached. There is no evidence of that, and the only zoning changes relate to the Bayfront Area, not citywide to the rest of the entire Project, including to the Facebook Expansion project. There is no current requirement to address light and glare, so the impact should be considered potentially Significant and mitigation could be a requirement to address this.

I49-27

DEIR 4.2 Air Quality – the section suggests the a live-work-play environment and TDM requirements reduce trips and therefore air pollution. But it does not show how a reduction below current levels results. Further, the TDM requirements apply only to the Bayfront Area and the live-work-play environment may only occur in the Bayfront Area, not in the citywide portion of the Project. A conclusion of LTS is inappropriate, particularly because traffic and congestion will increase. Impacts could be Significant.

There is a reference to consistency with Plan Bay Area (PBA), resulting in a reduction of a reduction of Greenhouse Gases (GHG), and assertions that Vehicle Miles Traveled (VMT) will decrease citywide. But the Project promotes growth that is not in a Priority Development Area close to transit, so it is inconsistent with regional PBA strategies. The DEIR needs to show how VMT declines from existing conditions. With an increased housing shortage that results from the Project (Bayfront Area plus Citywide Buildout), and housing shortages in nearby communities, the DEIR needs to explain how VMT decreases overall and per capita, especially because it makes clear that VMT is sensitive to where people live and work and where services are. Because the remaining General Plan buildout, part of the Project, has less new housing relative to the number of new workers, it is likely that most new workers will commute and that their commute will not be local.

I49-28

Regarding public health issues, the DEIR only discusses the Bayfront Area, not the remainder of the Project.

I49-29

There is reference to TDM program requirement to reduce trips below standard use rates, but there is no evidence of how much such a requirement actually works to reduce impacts. Traffic and traffic-related impacts increase, and TDM can only lessen that increase. It still increases.

I49-30

Additionally, the proposed GPP only require projects to “consider” impacts when development decisions

I49-31

are being made (e.g., 4.2-26 local planning and development decisions are required “to consider impacts to air quality”). There is no requirement to mitigate the impacts or not approve the projects if impacts reach a defined threshold.

**I49-31
(cont.)**

4.3 Biological Resources – This section omits mention of potential impacts on biological resources, particularly on the wildlife refuge, of the increased presence of more people in close proximity, new light and noise and vibration sources (described in the Noise section) during construction and in the evening and early morning hours. With proposed Residential Mixed-Use development proposed on the part of the Facebook campus that is surrounded on 3 sides by the refuge, there is potential for Significant impacts. Potential mitigation should be identified by a qualified biologist; these could include restrictions on the type of housing (if any) allowed within certain distances of the refuge, on light and glare, and on noise and vibration both during construction and during times that might affect wildlife.

I49-32

On DEIR 4.3-20, there is reference that there are Noise & Safety Element GPP’s that “require planning and development decisions to consider” but there are no standards and no requirement to address. These do not constitute mitigation.

I49-33

4.5 Geology, Soils, and Seismicity – Although the DEIR states there is risk that should be considered in project approvals for such geological impacts such as seismic shaking, ground failure, unstable geologic units, it concludes the potential impacts are LTS. The risks are Significant and could be at least partially mitigated. The DEIR needs to explain how “consideration” of these risks in development decisions is an actual mitigation, and how current building codes mitigate the risks adequately to LTS levels.

I49-34

4.6 Greenhouse Gas Emissions - This section describes that the city has failed to achieve its Climate Action Plan goals, yet it describes that merely updating the goals as THE mitigation. An updated plan and future Council decisions cannot be relied upon as mitigations at this time.

The DEIR concludes that a lowered VMT reduces GHG but the GHG goal is a total emissions goal, not just a per capita goal. Conclusions depend on accurate assessment of VMT.

I49-35

The DEIR states that it is consistent with regional planning efforts and points to the ECR/D SP area, which is a PDA, “The proposed project would continue to identify this area for mixed use, and includes policies that are in-line with the regional objectives for land use and transportation.” But, the PBA promotes development along transit corridors, and particularly in PDA’s. The Project does not. Further, the buildout of the ECR/D SP and current GP demonstrate that the current citywide zoning does not promote a jobs/housing balance.

4.7 Hazards – The DEIR says there are LTS impacts on emergency response. But the information provided from both the Fire District and Police suggest otherwise. The requirement only to “consider” potential impacts is insufficient mitigation

In Cumulative impacts, the DEIR points to “*Policy CIRC-2.14: Impacts of New Development. Require new development to mitigate its impacts on the safety (e.g., collision rates) and efficiency (e.g., vehicle miles traveled (VMT) per capita) of the circulation system. New development should minimize cut-through and high-speed vehicle traffic on residential streets; minimize the number of vehicle trips; provide appropriate bicycle, pedestrian, and transit connections, amenities and improvements in proportion with the scale of proposed projects; and facilitate appropriate or adequate response times and access for emergency vehicles*” DEIR 4.7-28+ and concludes the impact is LTS. But there is a potential Significant impact, particularly because of the greatly increased traffic congestion. The GPP provides no standard, and no definition of what “minimize” means in the context of cut-through and high-speed traffic,

I49-36

number of vehicle trips, etc. This is unenforceable and ineffective without a measurable standard and enforcement mechanism.

**I49-36
(cont.)**

DEIR 5 Alternatives to the Project – the DEIR should examine additional Alternatives to the Project that involve more than just the Bayfront Area and would reduce environmental impacts such as:

- Residential Citywide Alternative - that increases zoning for housing to a defined level of jobs/housing ratio, such as at or below Existing conditions, and tying non-residential growth to the provision of housing (not just the zoning for it to be possible) so that the ratio would not deteriorate
- Reduced Non-Residential Citywide Alternative (i.e., for entire Project, including Bayfront Area) to achieve a desired jobs/housing balance

I49-37

Additional zoning tweaks could be made to promote housing. For example, in single family residential zones, to allow development up to the maximum FAL MINUS an amount of Sf appropriate for a secondary dwelling unit, and to require space on a lot for such a unit. For example, if a new SFR could build 3,500 SF (plus a basement!), the tweak could be to allow the main residence to be only 3,000 SF (plus a basement) to leave 500 SF for a secondary dwelling unit. The secondary unit would not be required, but the project would have to leave sufficient SF and space for it to be built in the future. The recent craze of demolitions and rebuilds provides opportunities to implement a program like this.

I49-38

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July 29, 2016

Deanna Chow
Planning Division
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025-2483
[Also sent to connectmenlo@menlopark.org]

Re.: Draft EIR for the Menlo Park General Plan

Dear Deanna:

Though I am a member of the Board of Directors of the Menlo Park Fire Protection District, I am making these comments on behalf of myself only, as a resident of the City of Menlo Park. Many of them do pertain to public safety, but they are not views or positions that have been adopted by the Board or are necessarily shared by the Fire Chief.

I have grouped my comments to help focus them and to avoid repeating the same comments in several sections which would have occurred were I to have addressed the EIR section by section. One of my overall concerns regarding the document is that it propagates confusion through obfuscation. Rather than bring lucidity to issues confronted by decision makers, it presents too much information—most of it irrelevant to meaningful decisions—that ends up obscuring the points that truly need discussion. It is also an intellectually dishonest document, which I believe can only be rectified by engaging a new consultant to review and revise the first draft. I will clarify what I mean below.

I will begin with some “global” comments and then present specific concerns afterward. These comments will document that the report is biased, inadequate, misleading, and erroneous.

GENERAL COMMENTS

Biased—Advocacy Instead of Objectivity

I find the tone of the document defensive and biased. Rather than be an objective recitation of the facts, it

I50-1

I50-2

Letter re DEIR, 7/29/16, p. 2

I50-2
(cont.)

ends up sounding like advocacy for the most intensive development options.

One obvious example of this is the discussion of population and housing on page 4.11-21 (*italics added for emphasis*):

Because the planning documents for regional growth do not include the new development potential under the proposed project, implementation of the proposed project would introduce growth where adequate planning in the region has not yet occurred. ABAG prepares forecasts of the region's population and employment every two to four years. Amongst other sources, ABAG's projections take into account local planning documents for the nine-county region, such as the City of Menlo Park's General Plan. As such, while the proposed project exceeds the regional projections, both the General Plan and regional forecasts are long-range planning tools that assist local governments to identify policies that address changing environments. Accordingly, following adoption of the proposed project, the regional forecasts will be updated to take into account the new growth potential for Menlo Park; thus, bringing the two long- range planning tools into better alignment.

I50-3

Therefore, until the regional projections are updated, while the proposed project would provide adequate planning in the study area to accommodate the new growth and would not make a cumulatively considerable contribution to the displacement of housing or people, impacts related to exceeding regional growth without adequate regional planning would be significant.

This suggests that the problems of 53% growth in population and 72% increase in employees do not present a real issues for infrastructure, and so forth, but is only a temporary planning issue until ABAG can update its numbers. This is bureaucratic sophism at its worst.

This "reality according to planners" world view is also seen on page 4.11-16:

The City currently has the capacity to accommodate 1,000 housing units, 2,580 new residents and 4,400 new employees and the proposed project has been prepared to consider the relationship of the proposed new development potential to the existing setting, and as such includes measures, as listed above, to accommodate the projected new growth.

I50-4

Frankly, I do not understand what this assertion even means. I am guessing that it means that there is room under the current plan for more residents and more employees, but I would argue that in many areas, the city's current infrastructure is inadequate to accommodate those numbers physically, in the real world. In other words, the City of Menlo Park does not have the physical capacity to add more residents and employees.

Letter re DEIR, 7/29/16, p. 3

I recommend that the report be rewritten by a new consultant who is objective.

I50-5

Biased-Shell Game with Numbers

The problem here involves the baseline for determining the incremental impacts. What a normal person would do is look at what exists and then at what will exist (in 2040), and discuss how that differences will be addressed. Since the city's general plan has not been updated, it would make sense for the new general plan to study the incremental differences from the old general plan. There might be a question of what to do with projects that have been approved completely because a reasonable person might include them in the definition of "existing." However, pending projects and undefined new projects should all be included in the study of the impacts of the new general plan. That means Facebook should be included, too.

As described in the "Bad Faith" comments above, the report again jumps around with what the numbers really are on page 4.11.17:

As shown in Table 4.11-2, implementation of the proposed project plus cumulative development would result in a total of 6,780 new households in the study area for a total of 19,880 households for the buildout horizon year 2040. Therefore, population in the study area could increase by 17,450 residents for a total of 50,350 residents by 2040. By comparison, as shown in Table 4.11-1 further above, ABAG anticipates 1,870 new households and 5,500 new residents in the study area, for a total of 16,360 households and 43,200 residents by 2040. The proposed project plus cumulative development therefore, represents a 38 percent rate increase for population (53 percent compared to 15 percent) and a 40 percent increase for households (53 percent compared to 13 percent) above what was projected in the regional growth forecasts.

I50-6

With respect to employees, implementation of the proposed project plus cumulative development would result in a total of up to 22,350 new employees in the study area for a total of 53,250 employees by 2040. By comparison, as shown in Table 4.11-1 further above, ABAG anticipates 4,230 new employees by 2040 in the study area. Therefore, the proposed project plus cumulative development would result in a 59 percent rate increase for employees (72 percent compared to 13 percent) when compared to regional growth projections.

In other words, according to the report, population does not really grow 53% because 15% was already assumed, so the new growth is only 38%. Similarly, the number of employees only increases 59% because the 72% real increase already included an estimated 13% growth, so it must be subtracted.

Letter re DEIR, 7/29/16, p. 4

The point of view here is that of the planner and not that of someone who lives or works in the community.

Rather than address the impacts caused by development, the narrative devolves into a blame games: which development should be blamed for causing the impacts that will be faced by Menlo Park residents? Every effort is made by the report to place the blame for problems caused by development on other projects not covered by the EIR. If they are caused by another project, they do not have to be mitigated as part of this project and, thus, the impacts are not mitigated even though all of the projects, including this one, contribute to a serious degradation of the quality of life in Menlo Park.

The shell game is not just theoretical; it affects the impacts that the EIR is supposed to document. Because the numbers jump around and it is difficult to ascertain the referenced baseline, the actual impacts are not adequately documented.

As I recommended above, I believe that the report should be rewritten by a new consultant who seeks clarity and understanding, rather than obfuscation of the issues.

Biased-Distorted Reporting

In most cases, the biases in the document are obscured by definitions, the definition of the "project" (which is not even a project), and shifting baselines. Sometimes, however, the reporting is just untrue. For example, here is the EIR's conclusion about the impact on schools (page 4.12-42):

The number of students generated by the proposed project in each district appears to be consistent with enrollment trends and planned school facility expansions. It is unknown exactly where school facility expansions would occur to support the cumulative increase in population. As specific school expansion or improvement projects are identified, additional project specific, environmental analyses would be required to be completed by each school district.

In conclusion, with the payment of mandatory developer impact fees as previously described, the proposed project would have a less-than-significant impact on school facilities.

Significance Without Mitigation: Less than significant.

I50-6
(cont.)

I50-7

I50-8

Letter re DEIR, 7/29/16, p. 5

In sum, the report states that the growth is normal and already planned for. This is at odds with what school officials said (quoted from the appendices; italics added):

Maurice Ghysels, Superintendent Menlo Park City School District

The District target capacity with the expanded school is 3,300 students with average classes of 360 students per grade level. Beyond this limit the District will need to expand existing schools or build new schools. *Because the availability of land is limited at the schools, especially its single middle, school expansion is not possible. The elementary schools are built out completely and further expansion would aggravate local traffic.*

Please note that while the Bayfront area is not in the Menlo Park City School District, however the increased employment from the area will have a direct impact to the MPCSD. MPCSD is a high performing school District, which is very attractive to parents. Many of the new employees with have families (current and future) may find the District attractive and locate in the MPCSD boundary. *We have seen that with the current Facebook expansion and job market that housing demands remain high. MPCSD has seen a 38% student growth in the last 10 years. I have attached our most updated projection that does not include the proposed project.*

Kevin Sved, Planning and Development Consultant Ravenswood City School District

The projected cost of critical and educational program needs for school facilities alone exceeds \$250 million. The District is currently in the process of determining priorities and creating a funding plan to begin the implementation of the Facilities Master Plan. *At this time, there is no set timeline for the construction of new or expanded facilities.*

The student population projection study referenced above did not take into account the scale of growth described in the 2040 Buildout cited in the ConnectMenlo proposed General Plan updates. With the addition of the proposed 14,150 new residents and 9,900 new employees, we would anticipate a significant need for new and expanded school facilities.

James Lianides, Superintendent Sequoia Union High School District

With a planned increase of 5430 residential units, the project will have a significant impact on Menlo- Atherton, which is the District's largest and most impacted high school in terms of enrollment.

This project could drive the high school beyond its projected enrollment of 2600 and cause over-crowding. None of the District's projections include these housing units (and the potential for high school aged children living in them). The District facility master plan for Menlo-Atherton High School does not allocate any construction dollars to the school to build for an enrollment beyond 2600. (In fact, six portable rooms are slated to remain on the campus in front of the aquatic facility to create capacity for the last part of the planned enrollment growth.)

In sum, this project will result in direct costs to build new facilities (classrooms, offices, athletic space, etc.) to the District.

In other words, schools have not planned for growth of this magnitude. They are ill equipped to provide this massive

I50-8
(cont.)

Letter re DEIR, 7/29/16, p. 6

increase. The distortion of the facts by the consultant represents a serious problem. Without reviewing every single original document and every single interview, policy makers and the public are unable to know what the real impacts are.

I50-8
(cont.)

I recommend that the revisions to the DEIR be made by an objective consultant who will report honestly the impacts of the project.

I50-9

Biased—Absence of Common Sense

Most of the impacts reported vary with population in a linear manner. In short, it would be expected that a 53% increase in residents and a 72% increase in employees (Table 4.11-2) would result in increasing traffic, students, medical calls, and water usage by amounts varying from 50% to 75%. Some of the impacts might be less, but some important ones will even be more. Traffic delays, for example, once they reach gridlock levels, could approach infinite levels with much smaller changes to population.

I50-10

This document defies common sense. By fragmenting "the project" and dealing with impacts in a piecemeal fashion, its conclusions suggest that residential and employment population changes of epic proportions will, for the most part, be insignificant.

I recommend that the city redefine the "project" to include all development that either has not been approved or, better still, not yet built.

I50-11

Inadequate—Failure to Address Mitigations

An EIR is required to address the "mitigation" of the impacts of development. That means lessening the negative consequences of the development under consideration. Paying a fee is not a mitigation. It is, instead, a form of tax on the development that is paid to a government agency. In theory, some of these fees are supposed to bear some relationship to—and actually be used to cover—the cost of lessening the consequences, but a fee itself is not a mitigation. The EIR is inadequate insofar as it fails to address how such fees could be spent to lessen the impacts of the proposed development.

I50-12

Letter re DEIR, 7/29/16, p. 7

In the next section, school impact fees will be examined as the clearest example of how impact fees deal with marginal impacts, not full impacts, and typically assume some base of existing operations. In other words, adding 60 children to a school district with 1,000 students might require only two portable classrooms; adding 60 children to a rural area without any school facilities at all would require the purchase of land and the construction of a new school building with a gym, an auditorium, a business office, teachers' offices, bathrooms, and so forth. The two new classrooms might require an expenditure of, say, \$500,000; the new school building would require an expenditure of \$10 million, or more.

I50-12
(cont.)

In sum, impact fees are only reasonable approximations of the actual economic impacts if the impacts are relatively small compared to the base (because that represents the conditions under which they were calculated). In this case, the development is so massive, impact fees cannot be assumed to be adequate to fund additional infrastructure. Impact fees cannot create more land, build more roads, or locate more water. Without addressing the specific impacts and how they can be lessened, the EIR is inadequate for making appropriate land use decisions.

I recommend that the EIR address the actual mitigation steps that may or may not be funded by mitigation fees to determine if they are, in fact, adequate.

SPECIFIC COMMENTS

Inadequate, Misleading, Erroneous—Failure to Assess the Actual Reduction in Public Safety

This is an area with which I am most familiar. My comments are specific and wide-ranging. The report is inadequate in dealing with the following impacts:

I50-13

- HAZ-7 (page 2-19): Emergency response and emergency evacuation routes will be impacted severely by additional traffic. They are already seriously compromised, as the Menlo Park Fire Protection District (MPFPD) reported in a recent Standards of Cover study. The LTS ("less than significant") conclusion is absurd on its face and not supported factually.

I50-14

• HAZ-9 (page 2-20): Some of the industrial growth projected will be in the area of genetic engineering. There is a significant possibility of increased hazards as a result. The LTS conclusion is not supported factually.

I50-15
(cont.)

• HYDRO-2 (page 2-21): One of the proposed sources of water for both fire sprinkler systems and fire suppression needs is groundwater reservoirs. The LTS conclusion is not supported factually.

I50-16

• PS-1 and PS-2 (page 2-26): The number of calls, especially those for medical assistance, is roughly proportional to the number of residents and the number of employees. More calls will require more staff and more equipment. While impact fees, if they existed, might cover some of these costs, there are practical limits to the amount of expansion possible. A fire station can be built larger to accommodate one additional piece of equipment without the acquisition of additional land, for example, but doubling its capacity would require a second station or additional land (which almost always comes at the expense of residential housing, exacerbating other of the impacts (e.g., POP-2 and POP-3). Furthermore, most of the increased density will require higher structures, which will require equipment not currently available and water pressures not currently available (and not discussed in the DEIR). Existing emergency routes cannot be expanded, so response time will suffer. That may necessitate the building of additional stations (not currently contemplated by MPFPD) or unusual and extraordinarily expensive equipment (e.g., helicopters). The LTS conclusion is absurd and not supported factually.

I50-17

• TRANS-1a, TRANS-1b (pages 2-27, 2-28): It is not feasible to create additional roadways. Congestion seriously hinders emergency response. The conclusion should be "SU" for both impacts because there are no feasible solutions. These comments apply equally to the CIRC-1 Goal and its Policy CIRC-1.6 and Policies CIRC-1.E and CIRC-1.F (pages 4.13-77, 4.13-78).

I50-18

• TRANS-5 (pages 2-32): This impact commentary states that "implementation of the proposed project would not result in inadequate emergency access." Its support represents the ultimate in Pollyanna fantasy when it comes to traffic congestion (pages 4.13-79, 4.13.80):

I50-19

Letter re DEIR, 7/29/16, p. 9

Policy CIRC-3.3 requires the City to support efforts to fund emerging technological transportation advancements, including connected and autonomous vehicles, emergency vehicle pre-emption, sharing technology, electric vehicle technology, electric bikes and scooters, and innovative transit options. This policy is implemented by Program CIRC-3.B, which requires the City to equip all new traffic signals with pre-emptive traffic signal devices for emergency services. Existing traffic signals without existing pre-emptive devices will be upgraded as major signal modifications are completed. Within Section IV, Safety (S), of the Open Space/Conservation, Noise and Safety Elements, the proposed project includes Policy S-1.30, which requires the City to encourage City-Fire District coordination in the planning process and require all development applications to be reviewed and approved by the MPFPD prior to project approval, and Policy S-1.38, which requires that all private roads be designed to allow access for emergency vehicles as a prerequisite to the granting of permits and approvals for construction.

None of the proposed technological advances—autonomous vehicles, electric vehicles, or innovative transit—pertains to emergency access. Pre-emptive traffic signals mean that an emergency vehicle can be given a green light at an intersection, but if the intersection or roadway is congested, the color of the light is immaterial. Similarly, private road access does nothing to reduce congestion. The fact that the MPFPD will examine development plans has no bearing whatsoever on traffic congestion.

Sometimes, the EIR narrative seems to be Alice-in-Wonderland nonsense:

As discussed under TRANS-1, the implementation of the proposed project would result in increased traffic congestion and delay at some study intersections that could be used for emergency vehicle access routes. This additional traffic congestion could potentially slow emergency response and evacuation. However, future development permitted under the proposed project would be concentrated on sites that are already developed where impacts related to inadequate emergency access would not likely occur. The proposed project does not propose any new major roadways or other physical features through existing neighborhoods that would obstruct emergency access to evacuation routes. Substantial land use changes would occur to the land use map in the Bayfront Area where substantial new development potential would be permitted. However, future development in the Bayfront Area would rely on existing roadway infrastructure and would not obstruct existing emergency access to evacuation routes.

What does this paragraph mean? It acknowledges the likelihood of additional congestion, but it suggests that because the sites are “already developed...impacts related to inadequate emergency access would not likely occur.” Why would that be true? The text acknowledges that no “new major roadways” would be built, but it views that as a positive because, if built, they would “obstruct emergency

**I50-19
(cont.)**

I50-20

Letter re DEIR, 7/29/16, p. 10

access to evacuation routes.” Further, the narrative ignores the substantial cut-through traffic that already exists and would be exacerbated, thereby obstructing residents’ access to emergency and evacuation routes.

I50-20
(cont.)

All of this is double talk. The “existing roadway infrastructure” is already seriously congested during four to six hours of every day, requiring MPFPD vehicles to drive through neighboring Palo Alto and to drive into oncoming traffic on the Dumbarton Bridge. Adding congestion will obstruct existing emergency access even further.

The narrative goes on to assert that somehow policies and regulations will minimize congestion, but there is no explanation of how that would occur (pages 4.13.80):

Future development under the proposed project, as part of the City’s project approval process, would be required to comply with existing regulations, including General Plan policies and Zoning regulations that have been prepared to minimize impacts related to emergency access. The City, throughout the 2040 buildout horizon, would implement the General Plan programs that require the City’s continued coordination with MPPD and MPFPD to establish circulation standards, adopt an emergency response routes map, and equip all new traffic signals with pre-emptive traffic signal devices for emergency services. Furthermore, the implementation of proposed Zoning would help to minimize traffic congestion that could impact emergency access and provide additional funding to support adequate emergency services. Adherence to the State and City requirements combined with compliance the City’s General Plan and Zoning regulations would ensure that the adoption of the proposed project would result in *less-than-significant* impacts with respect to inadequate emergency access.

I50-21

The LTS conclusion that the rules will “ensure” adequate public safety is absurd and not supported by anything other than pie-in-the-sky fantasy and nonsensical double-speak.

- UTIL-1, UTIL-2, UTIL-3 (pages 2-36, 2-37): Not only will additional water be required for fire sprinklers and fire suppression, the existing water pressure is insufficient in many areas for the greater heights of buildings. Water pressure has not been addressed.

I50-22

The section of the EIR that deals directly with Fire Protection Services (4.12.1) has numerous problems and errors:

I50-23

Letter re DEIR, 7/29/16, p. 11

- The discussion of impact fees is inadequate (page 4.12-7):

...As of June 30, 2015, the projected unfunded amount for capital improvement projects is \$29 million. To help with the unfunded amount for capital improvement projects, the MPFPD completed a NEXUS Impact Fee study. The MPFPD Board of Directors has approved the NEXUS Impact Fee study and once adopted by the City of Menlo Park, which is anticipated prior to the approval of the proposed project, all new development applicants in the MPFPD service area will be required to pay applicable impact fees.

The statement "once adopted by the City of Menlo Park" is speculative and without foundation. Though the request to adopt the impact fees was submitted to the city months ago, the city has not scheduled any hearings on impact fees and there is no schedule for their adoption. In the meantime, massive development is currently being approved by the city without any impact fees being assessed to developers. To date, there is no indication that the city will adopt the fees.

- The argument about the triggers for increased services is based on misleading information and is made in bad faith (page 4.12-8; italics added):

As stated in the FY 2015/2016 MPFPD Budget, the MPFPD has capital improvement plans in place to expand its facilities to accommodate future demand including Station 77. The FY 2015/2016 MPFPD Budget indicates that [sic] the need to expand Station 77, which predates the proposed project. *Therefore, the proposed project does not in and of itself require this expansion.*

This is typical of the game playing that negates the value of the entire EIR. The city has been studying the M-2 for as long as 10 years and the plans for intensification of use had been known for a long time. Moreover, the Facebook expansion, which is not considered part of the "project"—but should have been—has been discussed for several years. In addition, other projects were proposed for the M-2, including a large General Motors facility that was later cancelled, so the MPFPD had every reason to understand that massive development was contemplated and to prepare for it. Suggesting that the M-2 intensification of use does not require an expansion is both false and non-objective.

**I50-23
(cont.)**

Letter re DEIR, 7/29/16, p. 12

- The facts regarding "impact fees" are false (page 4.12-9):

The MPFPD requires developers in their service area to pay impact fees to help implement the MPFPD's capital improvement plans, which include specific improvements to ensure the MPFPD can adequately serve its service area and population.

The MPFPD does not have the authority to levy impact fees and, therefore, cannot require developers to pay them. It must be done by the City of Menlo Park. At present, impact fees do not exist and the city has never communicated any willingness to levy them. Further, there is no assurance that even if the city does levy fees, they will be the fees requested by the MPFPD to cover the costs incurred.

I recommend that the DEIR be rewritten completely with respect to its impact on emergency services.

Inadequate, Misleading, Erroneous—Understated Impacts on Public Schools

While fees are named as a primary mitigation in many areas of the report, the clearest example of the inadequacy of this is in the section pertaining to schools (page 5-13)

... The payment of development impact fees is deemed to fully mitigate the impacts of new development on school facilities, per California Government Code Section 65995.

In summary, while the No Project Alternative would generate less residential growth and subsequently fewer students, impacts would be still be *similar* when compared to the proposed project given the future development under each scenario would be required to pay development impact fees to fully mitigate impacts to schools.

The fact that school impact fees are the full legal recourse available to schools does not mean that they are sufficient to mitigate the impact of development. The report suggests that a small development would have the same economic impact—essentially none—as massive development. That is, at best, ignorance and, at worst, more of the advocacy and distortions that were cited above.

School impact fees deal with incremental impacts at the margin, not the full impacts. Typically, they assume some base of existing operations that do not have to be replicated. Adding 60 children to a school district with 1,000 students might require only two portable classrooms, costing \$500,000. Adding 60 children to a rural area

**I50-24
(cont.)**

I50-25

Letter re DEIR, 7/29/16, p. 13

without any school facilities at all would require the purchase of land and the construction of a new school building with a gym, an auditorium, a business office, teachers' offices, bathrooms, and so forth, requiring an expenditure of \$10 million, or more. The impacts are different because their effects are measured by the relative change they represent, not by the absolute change.

An increase of population in excess of 50% will require an increase in school facilities in excess of 50%. That will require significant additions to land and facilities that no longer represent an increment to the existing facilities, but a quantum jump that will not be covered by the legislatively dictated level of impact fees. No effort was made by the consultants to ascertain the extent and cost of additional facilities that would be required by such a massive increase in population.

I recommend that the EIR address the actual mitigation steps that may or may not be funded by mitigation fees to determine if they are, in fact, adequate.

Inadequate, Misleading, Erroneous—Other Understated Impacts

There are numerous understated impacts in other areas of the report:

- POP-1, POP-2, and POP-4 (pages 2-25, 2-26):

The fact that more jobs are being proposed and likely to be generated by office development than are housing units means that the jobs-housing imbalance will be exacerbated. Moreover, the number of jobs is probably understated because the space per employee has been overstated, meaning that for a given size of development, more employees will be hired, requiring even more housing (and, of course, leading to more congestion).

The impact is considered "significant" at this point, but once ABAG updates its numbers, the impacts will be considered "less than significant" (page 2-26):

There are no available mitigation measures available to reduce this impact. However, when the regional growth projections are updated they will incorporate the proposed project, which would reduce this impact to a less-than-significant level.

**I50-25
(cont.)**

I50-26

Letter re DEIR, 7/29/16, p. 14

This is bureaucratic double talk at its worst. How a plan could change a physical impact from "significant" to "less than significant" is incomprehensible.

The narrative also makes assertions that are opinions rather than facts (page 4.11-5; italics added):

The developable area of Menlo Park is already largely built out, and the study area is *well served* by utility and transportation infrastructure.

There is no support for Menlo Park being "well served by utility and transportation infrastructure."

• PS-5, PS-6, PS-7, and PS-10 (pages 2-26, 2-27, 4.12-44, 4.12-45):

The narrative supports the assertion that additions of greater than 50% in both resident and employee populations would require no additional amenities, such as parks (and libraries, tennis courts, etc.) defies common sense.

The discussion of the impact on libraries represents another fantastical and incoherent flight of fantasy that places the blame for impacts elsewhere (PS-10, pages 4.12-44, 4.12-45; italics added):

A significant environmental impact could result if implementation of the proposed project would result in the need for new or physically altered library facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives.

As described in Chapter 3, Project Description, of this Draft EIR, the proposed project would introduce new residents by the buildout horizon year 2040. These changes would likely result increase the demand for library services, which could result in expansion or construction of new or physically altered libraries resulting in significant environmental impacts.

As described under Section, 4.12.5.1, Environmental Setting, under subheading "Existing Conditions," *the Menlo Park Library indicated that future expansion would be needed to accommodate future growth in Menlo Park without the project; therefore, the proposed project does not in and of itself require the expansion of the library.*

General Plan buildout would occur over a 24-year horizon, which would result in an *incremental increase in demand for fire protection [sic!] services to be accommodated by the Menlo Park Library.* The Menlo Park Library includes long-range strategies to ensure adequate library facilities are provided to sufficiently meet the demands of the existing and future residents of Menlo Park. Additionally, the increased property taxes from new development in Menlo Park that could occur under the proposed project would result in

I50-26
(cont.)

I50-27

I50-28

Letter re DEIR, 7/29/16, p. 15

additional funding being available to the Menlo Park Library to support the provision of adequate services.

Suggesting that the library will provide fire protection services is absurd on its face. The statement is likely an error resulting from the writer's cutting and pasting of previous statements regarding other public services, which demonstrates the bad-faith intent to minimize the impact of the project on all public services. In other words, the impacts are denied without thought or analysis (or, apparently, even proofreading).

Without any calculations, the report simply assumes that additional taxes will be sufficient to fund equivalent library services for a larger population. This is sloppy and inadequate analysis. Once again, it results in a conclusion of "less than significant."

The report is riddled with similar unsupported opinions, but it is unreasonable to expect an unpaid citizen to do a more thorough analysis than a consulting firm being paid \$1 million for its efforts. The only reasonable way to obtain an objective view of the impacts of the proposed changes in the general plan is to engage a different consultant to review and revise its conclusions.

* * * * *

In sum, the DEIR is dishonest, biased, inadequate, misleading, and erroneous. It must be reviewed and rewritten by a different and more objective consultant.

If you have any questions, you may reach me at my office (650-424-1155, X1).

Yours truly,



Charles D. Bernstein
650-424-1155 (w)
cbernstein@headsup.org

CDB/ms

I50-28
(cont.)

I50-29

From: [Cecilia Taylor](#)
To: [Chow, Deanna M](#)
Subject: August 1st DEIR Comment Letter
Date: Monday, August 01, 2016 4:57:50 PM

August 1st, 2016

Deanna Chow City of Menlo Park
Planning Division
701 Laurel Street
Menlo Park, CA 94025

Re: Comments on Connect Menlo Draft Environmental Impact Report

Dear Deanna Chow,

We appreciate the opportunity to comment on the Draft EIR for the Menlo Park General Plan Update. As residents of Menlo Park, in the Belle Haven area, we have deep concerns about the changes being proposed for our community. The proposed action for land use and circulation elements are intended to guide development and conservation in Menlo Park. We feel this process is moving too quickly. Belle Haven community and the surrounding communities need additional workshops in order to digest this massive document.

I51-1

The proposed zoning changes we are looking at are long-term, we can only assume, what our neighborhood will look like over the next 24 years and this is a concern. The development regulations and design standards for Bayfront are a part of Belle Haven’s backyard. We are analyzing environmental impacts on our city’s traffic, population growth, public services, air quality ,noise, and aesthetics, and much more. All of which will have significant irreversible changes to our community.

I51-2

We are concerned about public safety, with increased traffic, walking is dangerous around Hamilton Ave, Ivy Drive, and Newbridge Ave, especially when crossing Willow Road. Currently, we can see the cut-through traffic increasing in Belle Haven. The number of vehicles running and sliding through stop signs, drivers ignoring traffic signage, and bicyclist not using etiquettes and rules. We have automobiles, delivery trucks, buses, shuttles, and construction machinery and large construction vehicles all driving daily through the Belle Haven neighborhood. Pedestrian safety must become an immediate priority. This is a significant impact.

I51-3

Pedestrians are not safe in some designated areas with bicyclist. The pedestrian area is too small and very close to the two- way traffic of bicycles. Our children use the neighborhood to travel.

The General Plan suggesting for a “bonus”, is a concern. There is no

I51-4

guarantee how high the developer will build. The bonus can be optional. Many of the services offered through the bonus need to be addressed by the City of Menlo Park. The height limit can be 50 feet and if you still want to offer the bonus it can be from 40 to 50 feet. The incentive for developers is the location. Belle Haven is a great location and is becoming more popular. Developers will make great financial gains from developing in our community.

I51-4

We believe 65-foot buildings are a significant negative impact on the aesthetics of our community. It contributes to greenhouse gasses and some residents will lose privacy in their front and back yard.

I51-5

The traffic congestion concerns are a significant issue in our community, particularly for those intersections in Belle Haven and East Palo Alto that may experience an increase in cut-through traffic from commuters. This is dangerous for our children who commute round trip to and from school as a pedestrian, walking and/or biking. During commute hours our children are unable to cross some major intersections as a result of no safety officers being present and vehicles who ignore traffic laws, running stop lights and stop signs, ignoring limit line rules by blocking crosswalks and 'keep clear' street statement.

I51-6

As Residents of Menlo Park, Belle Haven area, we have grave concerns about the changes being proposed for our community. The most important human aspects of our lives are not being addressed - Socio-Economics. How can you address environmental impact without including this very important piece?

I51-7

Here are a list of our major concerns:

1. The Draft EIR ignores the indirect displacement of current and/or already displaced Belle Haven residents. The City of Menlo Park to our knowledge does not keep track of displacement including foreclosures. There is an existing housing affordability gap and the EIR proposes no solutions to an "area of controversy in Belle Haven".

I51-8

2. The Draft EIR did not mention that the Belle Haven Community will be affected by housing impact; only East Palo Alto.

I51-9

3. The Draft EIR indirectly ignores integrated affordability.

I51-10

4. Despite creating many new jobs, the EIR does not address first source hiring. Currently the percentage of Belle Haven residents employed locally by the developers is extremely low. And as a result, increases the amount of traffic entering and exiting the Belle Haven Community. The General Plan needs to include local first source hiring in all current and future developments. The community needs to be considered first. The general plan needs to create a

I51-11

policy that enforces all development projects to partner with the community and ensure local first source hiring with high quality paying salaries from their employment pool. Currently, a small percentage of the community is able to walk or bike to work. Most of the employees who work in Belle Haven area commute into the community. And most of the Belle Haven residents commute out for employment. This has significant impact.

**I51-11
(cont.)**

5. With the job growth the EIR anticipates, this will increase the Vehicle Miles Traveled for the new employees hired since they will not be living in the Belle Haven Community. This decreases the air quality of a community already impacted heavily by traffic and health problems as a result of the poor air quality caused by the increased vehicle trips.

I51-12

6. The EIR does not mention the impact of the 777 Hamilton Avenue units. Our concerns are traffic and the lack of integrated affordable housing. This impacts our air quality and our quality of life.

I51-13

7. The lack of affordable units will create an environmental impact because lower-income workers will continued to be pushed out and will have to commute from farther distances increasing traffic and greenhouse gases. The EIR ignores economic displacement. San Mateo County is one of the most expensive areas of California to reside. And as popularity for current businesses in the Belle Haven area increases so will the cost of living in the area. Rents will rise and while wages stays the same.

I51-14

For every one tech job there are three to four new service sector jobs created. And unfortunately these wages are insufficient for the cost of living in this area.

8. Traffic congestion is a significant issue in our community. In particular the intersections in Belle Haven and East Palo Alto that may experience an increase in cut-through traffic from commuters. Streets and intersections of particular concern are Willow Road and Hamilton Avenue, Ivy Drive and Willow Road, Chilco Street and Hamilton Avenue, Willow Road and Newbridge Ave. Bayfront Expressway and Willow Road, Bayfront Expressway and University Avenue. Some of these streets are heavily used currently as pass-through corridors from U.S. Route 101 to Highway 84, Bayfront Expressway and the Dumbarton Bridge. To date there is no planned relief.

I51-15

9. This is dangerous for our children who commute round trip to and from school as a pedestrian, walking and/or biking. During commute hours our children are unable to cross some major intersections as a result of no safety officers being present and vehicles who ignore traffic laws, running stop lights and stop signs, ignoring limit line rules by blocking crosswalks and keep clear street statement.

I51-16

10. "Measures to mitigate (i.e., avoid, minimize, rectify, reduce, eliminate, or compensate for) significant impacts accompany each impact discussion as needed". Consequently the Belle Haven Community being faced with two Environmental Impact Reports is a reason to haunt this process until the community is fully informed.

I
I51-17
I

11. The lack of affordable housing units will create an environmental impact because lower-income workers will be pushed out and will have to commute from farther distances increasing traffic and greenhouse gasses. The EIR ignores economic displacement. San Mateo County is one of the most expensive areas of California to reside. And as popularity for current business in the Belle Haven area increases so will the cost of living in the area.

I
I51-18
I

How can we make plans for 24 years when we have yet to solve the traffic issues and waiting for developers to do it is not an option? There are immediate measures that can be taken. These simple items can be done immediately. Safety in the community needs to come first.

1. Repaint all crosswalks, make more visible.
2. Adjust all three major lights (Hamilton, Ivy Drive, Newbridge Street to give time for pedestrians to walk without competing with vehicles.
3. Increase the number of stop signs and make the signage more visible.
4. Do not open up the street to 777 Hamilton Ave. Add a street that goes across the tracks and out to Bay Front.
5. Increase police presence and issue tickets.
6. Add yellow lighted safety crosswalk in Belle Haven.
7. Repaint Keep Clear sign in from of the Fire Station.
8. Paint Keep Clear on Willow and Ivy Drive.

I
I51-19
I

Thank you,

Cecilia Taylor
Annielka Pérez
Bridget Louie
Chantaell Barker
Elsy Valencia
Alejandra Bailon
Salvador Tinajero
Lorena Calderon
Mario Pérez
Franck Jimenez

Maria Cano
Rocio Lemus
Esmirna Ramirez
Adrienne Ali
Kamal Ali
Toni Ali
Presia Washington
Jason Winn
Erika Donaldson
Vicky Robledo
Alfred Taylor
Pam Jones
Kadar Bey
Terri Epidendio
Quality Of Love, Quality Of Service

From: [Stephan Van Pelt](#)
To: [_connectmenlo](#)
Subject: Attn: ConnectMenlo EIR
Date: Monday, August 01, 2016 4:16:54 PM

To: Menlo Park Community Development Department,

Comments on ConnectMenlo DEIR sections TRANS-1, TRANS-5, Circ 1.6, Circ 2.1, and Land Use Regional Regulation regarding Airports.

Reading through all these sections following the thread of Emergency Vehicle Response Times, the conclusions seem to be the problem is not going to get much worse. The problem I see with the statistics on these dozens of pages is they are AVERAGES for traffic and congestion. And the Response Times are for merely getting to the victim. When there is a medical emergency, those involved care not only about the response time to get to them, but even more important is the time to get them to the Trauma or Burn center for the worst case accidents. Several suggestions are:

- 1) The statistics from Menlo Fire Protection district show 63% of their responses are for Medical Incidents but tell us nothing about the overall time to get the patient to the hospital nor what the outcome is. We need to have better statistics in these areas.
- 2) If the Medical Emergency is serious Burns or serious Trauma, the centers for those conditions do not exist in San Mateo County; those patients must be transported to Santa Clara or San Francisco County facilities.
- 3) We all know there are parts of most workdays where much of our area is in gridlock, especially in parts of the M-2. Unfortunately Average statistics do not adequately convey this.
- 4) To seriously address the most critical Medical Emergencies is going to require helicoptering the victim to a Burn or Trauma unit in another county. We need to seriously consider creating Safe Landing Zones for emergency helicopters. These would need to be marked with radar targets and be free of obstructions. In fact these are really needed much of the time beyond the M-2 area. Any area north of the CalTrain tracks within Menlo Park and East Palo Alto is a candidate.
- 5) This is not meant to demean the efforts of our first responders at all, we just need to up our game for everyone's sake. And realize, the recipients of these new services would most likely be first responders.

I52-1

Sincerely, Steve Van Pelt, a resident of Menlo Park

To Menlo Park Community Development Department,

Comments on Table 4.13-1 in the ConnectMenlo DEIR:

This Table is labelled "Existing Public Transit Service" but I find the list incomplete and somewhat arbitrary. As a test I scheduled a trip on transit from the far corner of the M-2, specifically from Haven and Bayfront to Menlo Park Caltrain Station departing at 7:00 am on a Monday. I used the Google Traffic app for transit and got many choices. The first one uses the Stanford Marguerite BOH shuttle which takes 35 minutes to complete the trip and its free. There are 25 such Marguerite trips per weekday, but none is mentioned in the EIR. This oversight should be fixed.

As a second test I challenged Google Traffic to plan a trip from Haven and Bayfront to the Fremont BART station. This could not be done with just one simple route, but it gave me many variations that included AC Transit buses DB, DB1 and U; Marguerites BOH and AE-F and Samtrans buses 170, and 281. Only some of these are mentioned in this Transportation and Circulation section.

More importantly, there are many Facebook shuttles that allow many Facebook employees to avoid using their cars. Characterizing the current attributes of these trips and the possibilities they offer for the future as Facebook adds employees is extremely important.

Perhaps the most important aspect of all is the Demand Management scoring of Marguerites which enjoy a round-trip score because they allow the public on their shuttles; whereas Facebook shuttle trips are just one-way. Adding this aspect to Facebook's service could be a win for Facebook and a win for the public. After all, the public would generally use the Facebook shuttle on its return trip when it is empty.

Sincerely, Steve Van Pelt, a resident of Menlo Park

I53-1

1 Neilson Buchanan.

2 MR. WILEY: Honorable Planning

3 Commissioners --

4 COMMISSIONER STREHL: Do you want to pull
5 the mic a little closer to you?

6 MR. WILEY: Honorable Planning

7 Commissioners --

8 COMMISSIONER STREHL: Thank you.

9 MR. WILEY: -- I'm Jim Wiley from the
10 Willows neighborhood of Menlo Park.

11 The mid-Peninsula has reached a tipping
12 point. Housing shortages and prices caused by the
13 growing employment population have reached unprecedented
14 levels.

15 Traffic's become intolerable due to
16 commuters trying to reach their homes in communities
17 miles from their jobs.

18 Frustrated by the congestion, commuters
19 turn to Google-owned app Waze that sends drivers through
20 residential neighborhoods in both morning and afternoon.

21 Peninsula residents and small business
22 owners from neighborhoods impacted by excessive growth in
23 the mid-Peninsula have drawn a line in the sand. We have
24 formed an organization called VERG, Voters for Equitable
25 and Responsible Growth.

P01-1

1 VERG will be a new voice demanding the
2 elected officials to think like residents and act like
3 leaders capable of enacting sensible land use policies.

4 Members include Jim Wiley from the
5 Willows, Neilson Buchanan from downtown north in Palo
6 Alto, Martin Lamarque of Belle Haven, William Bryant
7 Webster, president of the East Palo Alto Council of
8 Tenant's Education Fund, Kathleen Daly, the owner of Cafe
9 Zoe, and Steve Schmidt, former Menlo Park mayor.

10 The General Plan update and the M-2 area
11 zoning update will cause impacts to many local
12 residential streets, intersection and streets in Menlo
13 Park, East Palo Alto, Palo Alto, resident -- Redwood City
14 and Atherton that don't have traffic lights.

15 There are many local residential
16 neighborhood streets impacted by overflow cut-through
17 traffic.

18 The EIR acknowledges that traffic now
19 seeks routes with faster travel times rather than staying
20 on congested arterials by utilizing mobile phone
21 applications.

22 However, it fails to analyze and propose
23 any mitigations for impacts on the many local residential
24 streets caused by the combination of mobile phone traffic
25 congestion routing and the additional of traffic

**P01-1
(cont.)**

1 generated by the proposed traff -- General Plan update.

2 I've circulated two maps. The first one
3 shows a particular situation that I think we're all
4 familiar with, and that is that University Avenue backs
5 up most days all the way, almost into downtown Palo Alto.

6 It certainly backs up as far as Chaucer,
7 and at that point, traffic starts finding ways around it.

8 And the map shows that they take either
9 routes through Crescent Park or Menlo Park, and if you
10 now look at the intersection of Willow, of University and
11 Chaucer, on -- on a typical day when it's backed up, only
12 two or three cars a minute can get through that
13 intersection, yet that intersection isn't analyzed by the
14 EIR.

15 The next map shows -- two maps show a
16 close-up of the -- that intersection with all the lines
17 in red where the traffic is routing around. Black
18 indicates the traffic's not moving.

19 If we do nothing about this, in a few
20 years, our streets are all going to be not moving.

21 Two specific examples of this general
22 problem are in Menlo Park Willows and the Palo Alto
23 Crescent Park neighborhoods.

24 The Willows is surrounded by four major
25 arterials. Traffic already diverts into Menlo Park

**P01-1
(cont.)**

1 Willows when University Avenue and Willow Road are
2 gridlocked.

3 The Palo Alto Crescent Park neighborhood
4 is bisected by University Avenue. Traffic already
5 diverts on to Palo Alto Crescent Park residential streets
6 when University Avenue becomes gridlocked.

7 The Menlo Park Willows and Crescent Park
8 Palo Alto neighborhoods experience more impacts in the PM
9 when the intersection of University and Woodland Avenue
10 is operating at absolute maximum capacity during the --
11 during that time.

12 Any additional traffic congestion caused
13 by the General Plan and M-2 zoning update will just cause
14 longer and longer backups on these local residential
15 neighborhood streets.

16 COMMISSIONER STREHL: Mr. Wiley, you're
17 over your three minutes, so if you could --

18 MR. WILEY: Okay.

19 COMMISSIONER STREHL: -- wrap it up.

20 MR. WILEY: Two more sentences?

21 COMMISSIONER STREHL: Okay.

22 MR. WILEY: VERG requests that the Final
23 EIR include full analysis and suggested mitigations for
24 cut-through traffic in the residential neighborhoods.

25 Thank you very much.

P01-1
(cont.)

P01-2

1 COMMISSIONER STREHL: Thank you.

2 We have now Neilson Buchanan and followed
3 by Martin Lamarque.

4 MR. BUCHANAN: My name is Neilson
5 Buchanan. I live at 155 Bryant in Palo Alto, within a
6 stone's throw of the pedestrian bridge that connects our
7 two cities, and that's a theme I'd like to pick up on,
8 which is the connection between our cities, because there
9 are significant connections.

10 I've been a keen observer of this
11 unprecedented economic opportunity that has fallen to our
12 Bay Area. Cities have embraced the opportunity of that
13 economic gain.

14 However, now we're beginning to learn what
15 is it like to live with sustained years of that kind of
16 growth.

17 It not only is the amount of growth, but
18 it's also the public's understanding of how much growth
19 and what -- and how we're going to be able to live with
20 it and the impact.

21 It's -- it's my observation from a very
22 high level is that all the small cities on the Peninsula
23 are simply struggling to understand the growth, much less
24 manage it.

25 I certainly can't speak to the staff here

**P01-2
(cont.)**

1 of Menlo Park, but I know the staff in Palo Alto very
2 well. The city manager is on record of saying "the
3 world's coming at me. We're drinking from a fire hose,
4 literally, and I've got sixty-eight people to work on
5 problems."

6 As a result of that, problems and ability
7 to mitigate, adapt and anticipate are really queue'd up,
8 and if I had time, I would explain my own neighborhoods,
9 those around University Avenue, how we basically became a
10 2,000 car commercial parking lot in a square mile before
11 public understanding caught hold and we could actually
12 create interference with that.

13 In fact, the take-away I would ask you is
14 to take a look at the job/housing ratios. If it's any
15 one thing that's going to be critical, it's not just
16 Facebook or that -- you have to look at -- at all of
17 them, and I've seen nobody that can refute that the job/
18 housing ratio won't get anything but more worse.

19 The bottom line is that the housing and
20 social displacement of that is so serious that no one's
21 really thought through that at all.

22 You know your hot spots. We know our hot
23 spots. Redwood City knows its hot spots, but the truth
24 of it is nobody knows what to do.

25 Basically different cities, if we don't

**P01-2
(cont.)**

1 watch it, we're going to break it. It's called -- break
2 it is the quality of life in our neighborhoods, and
3 who's -- nobody's going to be around to fix it by the
4 time we realize it.

5 Let me close very quickly with just two
6 comments from -- from Palo Alto. One is in your packet,
7 there's a summary of accidents on Middlefield and
8 Everett.

9 Willows feed into Palo Alto on
10 Middlefield, and we may have the worst accident rate in
11 the whole Peninsula at Everett and Middlefield. That's
12 worth looking into.

13 It's keen to me because my daughter and
14 grandsons live within a hundred feet of that
15 intersection. So I've literally seen and heard the
16 impacts. It's amazing.

17 Last but not least, I participated in the
18 submission of a comment letter from Palo Alto that was a
19 rude awakening for me to find out exactly how cities
20 comment to one another.

21 I can tell you from -- from firsthand
22 experience that the average citizen has no idea of a
23 com -- of what needs to be commented on.

24 The Planning Commission spent about an
25 hour and the Planning Director appropriately told the

**P01-2
(cont.)**

1 Planning Commissioners you can't possibly master two EIRs
2 this big.

3 Staff asked for permission to make
4 comments to the Commissioners and summarize the
5 professional planners' findings on the EIRs.

6 So what you have coming from Palo Alto is
7 a sincere appropriate response from the Director of
8 Planning. It does not come from the Pla -- the City
9 Manager, it does not come from the City Council and it
10 certainly doesn't come from citizens.

11 As I recall, there was one citizen in the
12 room when the Planning Commission reviewed the comment
13 letters, and that was me.

14 Thank you very much. I'd like to
15 introduce Martin Lamarque from Belle Haven Menlo Park.
16 Thank you.

17 COMMISSIONER STREHL: And following
18 Martin, we will Adina Levin.

19 MR. LAMARQUE: Good evening, members of
20 the Commission. As you know, I get very nervous when I
21 have to speak in public, mainly due to my bad English. I
22 apologize for that. I hope you understand what I have to
23 say.

24 But the anxiety of having to stand here
25 and speak in public is not as big as my anxiety of having

P01-2
(cont.)

P01-3

1 to drive back home into Belle Haven around this time.

2 COMMISSIONER STREHL: Can you speak a
3 little closer to the mic, please?

4 MR. LAMARQUE: It has --

5 COMMISSIONER STREHL: Thank you.

6 MR. LAMARQUE: It has taken up to one
7 hour to go from Middlefield to the other side of the
8 overpass on 101. I don't think the EIR has taken enough
9 of a close look to the problems that we have been
10 creating with all this development and we haven't seen
11 half of it.

12 We see objections to extending the time
13 for public understanding and comment on this development,
14 and everything that the plan promises us a way of
15 mitigation is something that we're going to have to wait
16 years to see if they work or not.

17 Given the impact that we're already seeing
18 down there, my guess is that nobody is planning enough
19 for mitigation.

20 Let me try to put a human face on this --
21 on this problem on the other side. The housing problem.
22 I was sitting in someone's backyard the other day and I
23 smell the unspeakable smell of refried beans, family from
24 the next backyard.

25 I told my friend "oh, that smells like a

**P01-3
(cont.)**

1 -- somebody's barbecue," and she said, "No. That is a
2 family who is renting a shack in the back of that house
3 with no kitchen privileges."

4 So they cook their dinner outside every
5 night, unless of course it is raining. In that case,
6 they have to feed the kids junk food.

7 This is a family of a father, a mother and
8 two teenaged kids. The father was born and raised in
9 Belle Haven. He at one point able to buy a house, but he
10 then lost in the housing crash.

11 Nobody's taking into account that there
12 was a problem with housing in Belle Haven even before
13 anybody contemplated this huge new development, and I
14 don't expect Facebook and I don't expect my City officers
15 to solve all the problems, but I expect to at least try
16 to find some solution before they make this problems
17 worse.

18 Those app -- apps that you talk about are
19 very nice because you can see where it's red, doesn't
20 help us because I come from San Jose every day, and it
21 doesn't matter where I look.

22 I have to get across 101, and whether it
23 is Embarcadero, whether it is University, whether it is
24 Willow, God forbid, a mile long line to get off and you
25 have even box going around the clover to try to get

**P01-3
(cont.)**

1 across.

2 Sometimes I drive all the way to Marsh and
3 come back. Well, guess what? In the last month, the
4 traffic is all the way down to Marsh from Chilco.

5 So --

6 COMMISSIONER STREHL: We have to wrap it
7 up.

8 MR. LAMARQUE: Yeah. So we are not
9 against development, but we need to be sensible about it
10 and think about the future.

11 Thank you.

12 COMMISSIONER STREHL: Thank you very
13 much.

14 Now have Adina Levin followed by Patti
15 Fry. Is Adina here?

16 MS. LEVIN: Yeah. Adina Levin, and I'm a
17 Menlo Park resident and I sit on the Transportation
18 Commission, but I'm making these comments representing
19 myself.

20 So I have three different comments to make
21 on the EIR.

22 The first is with regard to the
23 Transportation Demand Management trip reduction goals.
24 So as -- as a mitigation, the plans sets a goal of twenty
25 percent. However, there are some larger transportation

P01-3
(cont.)

P01-4

1 improvements that are being contemplated in an earlier
2 stage that could significantly help reduce those trips
3 further.

4 So I would suggest that the City take an
5 approach that the City of San Mateo used when they did
6 their Rail Corridor plan, which is to have tiered trip
7 reductions goals and have a lower goal initially and a
8 stronger goal on perhaps twenty-five to thirty percent if
9 and when those significant future transportation
10 improvements occur. That's -- so that's comment number
11 one.

12 And then two comments relating to housing
13 and the jobs/housing balance. So it is great to see that
14 the plan calls for a mix of jobs and housing, and the EIR
15 clearly shows that when you put housing near jobs, that
16 does reduce vehicle miles traveled, but it would not be
17 good for the City if there was a -- a swing all the way
18 and we had all of the jobs before we had any of the
19 housing built.

20 So a recommendation would be to have some
21 kind of mechanism to have the commercial development to
22 be available in -- in phases and to be able to say okay.
23 We haven't had any housing built prior. We can't have
24 more offices until we have some of the housing built.

25 And then number three, building on a

**P01-4
(cont.)**

1 comment that was made in the public community session,
2 since the EIR reveals the benefits in terms of vehicle
3 miles traveled in terms of improving the City's jobs/
4 housing balance and yet the current General Plan keeps
5 the jobs/housing balance get worse, can the EIR
6 contemplate, and then as a policy can the City Council
7 look into potential increasing housing elsewhere in the
8 City to help the City not move backward, but move
9 somewhat forward towards that jobs/housing balance and
10 towards ameliorating the transportation impact of the
11 growth.

12 Thank you.

13 COMMISSIONER STREHL: Thank you.

14 So we have Patti , Miss Fry, followed by
15 Diane Bailey.

16 MS. FRY: Good evening. Patti Fry, Menlo
17 Park.

18 I want to start by talking about kind of a
19 famous study called the Invisible Gorilla, and it's where
20 there are some -- the experiment had three people wearing
21 white jerseys and three people wearing black jerseys and
22 they were to pass a basketball back and forth between
23 each other.

24 And the observers were to count how many
25 times the people with white jerseys passed the

P01-4
(cont.)

P01-5
(cont.)

1 basketball.

2 At the end, the observers were asked
3 whether they saw the red gorilla, and a person had
4 wandered through the players in a red gorilla suit, and a
5 lot of the people, the observers never saw the red
6 gorilla because they were so concentrating on the white
7 shirt.

8 So what I would like to say is that this
9 General Plan update is the first update of our General
10 Plan since 1994 for the land use and circulation elements
11 and the overall policies and so on.

12 This is the first comprehensive update
13 since 1994, yet almost everything, including many places
14 in the EIR, still focus only on the white shirts, which
15 is the M-2 zoning changes.

16 But the game and the red gorilla is all
17 the rest of the growth, too.

18 So if you look at the Draft EIR on page
19 3-29, there's a chart that shows the existing development
20 and 2040, and in between are four columns.

21 Each of those four columns represent some
22 of the growth that will occur between now and then. One
23 of the columns really ought to be broken out because it
24 comprises projects that have been approved and some that
25 are -- have been proposed and haven't happened yet.

**P01-5
(cont.)**

1 So for all the great mitigations and self-
2 mitigating aspects of the M-2 zoning, they're not
3 happening to the rest of the community.

4 So when the -- the EIR concludes that
5 "there are significant and unavoidable impacts in certain
6 areas," it's only looking at the one part and not looking
7 at the opportunities to modify policies, modify programs,
8 translate those into the zoning ordinance, and I'm not
9 talking about down-zoning or anything like that.

10 I'm talking about the kinds of things that
11 are in the M-2 zoning, like if somebody wants to
12 Develop -- develop a project and something zoned mixed
13 use, they have to put housing in there and they have to
14 do it first or they have to do a certain amount. There
15 are things that we can do to self-mitigate this mess
16 that's facing us.

17 The difference between existing and 2040
18 shows for the very first time -- we've never seen this
19 picture before. Shows a growth that's fifty percent of
20 our community, fifty percent from now to 2040 in terms of
21 population and housing, if the housing gets built, and
22 more than seventy percent commercial growth, and that's a
23 built-in imbalance between housing and jobs.

24 We need to figure out how to deal with
25 that, and -- so let's pay attention to the whole game.

**P01-5
(cont.)**

1 Thank you.

2 COMMISSIONER STREHL: Thank you.

3 So we have Diane Bailey followed by Gita
4 Dev.

5 MS. BAILEY: Good evening, Honorable
6 Planning Commission. My name's Diane Bailey. I'm
7 director of Menlo Spark. We're a local independent non-
8 profit working to help the City of Menlo Park become
9 climate neutral by 2025, and I want to start out by
10 expressing many thanks to the staff and consultants who
11 have been working really hard throughout this planning
12 process, and I think they've done excellent work here,
13 but I think most of the time, you're only hearing the
14 criticism.

15 And I also want to note that I think staff
16 has done an excellent job tackling these red gorillas,
17 these -- these very large and complicated regional issues
18 of transportation and housing.

19 I want to note that I strongly support the
20 recommendations voiced by Adina Levin on transportation
21 and housing, and I want to focus on the environmental
22 energy and green building provisions in the plan that has
23 been proposed and just note that these are really
24 critical to ensuring that we don't experience a sharp
25 uptick in carbon emissions from the new buildings that

P01-6

1 we're contemplating.

2 Staff has proposed a very elegant and
3 cost-effective approach that allows development to occur
4 while preserving our ability to meet our climate targets
5 which are so important to the long-term sustainability of
6 this area.

7 We have a lot more challenges when it
8 comes to transportation for sure, and you're hearing
9 about that a lot today at all of these meetings, and
10 we'll be submitting detailed comments on those.

11 I want to note that a lot of cities of
12 similar size to Menlo Park that have actively supported
13 alternatives to driving have accomplished up to twenty
14 percent or more reduction of cars on the road, and this
15 could serve us very well here in Menlo Park.

16 And I know a lot of the projects that are
17 moving forward, improving bicycle safety and improving
18 access to public transit have set us on a path to do
19 that.

20 And so we are on the path to start
21 tackling some of these -- these challenges that you're
22 hearing about.

23 I simply want to encourage consideration
24 of how the General Plan impacts our climate plan and
25 future of sustainability alongside and together with the

**P01-6
(cont.)**

1 critical issues of housing and mobility.

2 And lastly, I want to point out that we
3 see affordable housing and green building standards as
4 really going hand-in-hand and complementary, and that's
5 because oftentimes low income families are paying much
6 higher utility bills, and this really cuts into their
7 monthly budgets because they can often live in drafty,
8 old inefficient housing.

9 So let's really prioritize the most
10 efficient solar, zero net energy buildings for affordable
11 housing and get those built quickly, and that way
12 residents can cut their monthly living costs and we can
13 show how green building standards and affordable housing
14 can go hand in hand.

15 Thank you very much, and we'll be sending
16 more detailed written comments.

17 COMMISSIONER STREHL: Thank you very
18 much.

19 So we have Gita Dev followed by -- I think
20 it's Melsa -- I can't read your writing. I apologize.
21 So go for it.

22 MS. DEV: Good evening, Commissioners.
23 My name is Gita Dev. I'm representing the Sierra Club
24 Loma Prieta chapter.

25 I want to talk about two things. While I

P01-6
(cont.)

P01-7

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1 agree with a lot of everyone has said, I want to focus on
2 two different items. One of them is probably related
3 actually to the M-2 area.

4 a lot of good work has been done, and we
5 understand that, you know, it's more than twenty years of
6 updates, so here's a lot of ground to cover.

7 In the M-2 area with the intensification,
8 there are the two areas that we're really concerned
9 about.

10 One of them -- and both related to
11 habitat. As you're aware, the Don Edwards Refuge borders
12 Menlo Park. In a very significant way, we are investing
13 hugely in this area.

14 And in Men -- in Palo Alto and Mountain
15 View, they also have this issue, and one of the things is
16 there's an opportunity here which I think we maybe are
17 not taking advantage of to the extent that we should.

18 While the EIR talks about mitigation and
19 avoiding harm to the habitat, there's actually an
20 opportunity to look at it a little bit more vision -- in
21 a more visionary way and say Menlo Park is gifted in
22 being allowed to have this amazing resource alongside the
23 M-2 area.

24 However, in response to that, we probably
25 should have a habitat overlay zone or some rules about

**P01-7
(cont.)**

1 how development should happen in the M-2 area.

2 Facebook has been very good about it.

3 However, we should codify it and look at it as an
4 opportunity to make the transition between M-2 and the
5 refuge, something we can all be very proud of.

6 And in relation to that, we notice that
7 there is housing being proposed on the Sun Microsystems
8 site, which is new Facebook, and again the sensitivity of
9 habitat to people who are there twenty-four hours is
10 something we're very concerned about.

11 So again, I think the sensitivity with
12 which these habitats overlay is that -- this is something
13 that was done in Mountain View/North Bayshore, and I can
14 leave this with Deanna.

15 But the idea that this is a very special
16 area and needs special attention is something that we can
17 do rather than just mitigating against harm.

18 We can rather enhance that edge, including
19 the fact that housing is a real problem in that area. So
20 how that housing is done, what are the rules under which
21 housing could be done.

22 I've heard Facebook say this is just for
23 very temporary housing, for interns who are here for just
24 a few months. There will be no cats. There will be no
25 pets. There'll be very little, you know, outdoor spaces

**P01-7
(cont.)**

1 where it would impact.

2 So thank you so much.

3 COMMISSIONER STREHL: Thank you.

4 I think I bungled somebody's name. I

5 think it was Maya Paris. Sorry, I couldn't --

6 MS. PERKINS: I bet that's me.

7 COMMISSIONER STREHL: That's you. okay.

8 And following Maya -- Maya will be David Countryman.

9 MS. CHOW: Through the chair --

10 COMMISSIONER STREHL: Yes.

11 MS. CHOW: -- David Countryman is no

12 longer present.

13 COMMISSIONER STREHL: Pardon?

14 MS. CHOW: David Countryman is no longer

15 present.

16 COMMISSIONER STREHL: Oh, okay. Fine.

17 Maybe he'll come back in.

18 MS. PERKINS: Hi. My name's Maya Perkins

19 and I'm a resident of Menlo Park. Thank you, Planning

20 Commission, for your service. We really appreciate it.

21 So a couple comments. My first is I would

22 like to see more affordable housing. I think right now

23 it's at fifteen percent. I think thirty percent is much

24 more appropriate.

25 I would also like to see this affordable

P01-7
(cont.)

P01-8

1 housing, this thirty percent spread throughout the City
2 of Menlo Park.

3 My understanding right now is it's at
4 fifteen percent and I'm not clear if that's fifteen
5 percent off the top or fifteen percent off the whole
6 4,500 units.

7 And so I would like that clarified, but
8 I'd also like it to be thirty percent affordable housing
9 throughout the City of Menlo Park.

10 I would like to see the commercial
11 development once that's done or as it's being done for it
12 to trigger minimum retail requirements, affordable
13 housing and transportation.

14 And so similar to what has been said, I
15 don't think we should just be able to fill up all
16 commercial development and then get housing when and if
17 it happens or retail if it happens or transportation at
18 some point.

19 I think that there should be milestones so
20 we can be assured that you will get retail, affordable
21 housing and transportation.

22 I would also like to add that I -- I think
23 an important piece of -- of the affordable housing and
24 the transportation, also the environmental concerns, is
25 first source hiring. I would like to see the new

**P01-8
(cont.)**

1 development that comes in have a requirement for first
2 source hiring so that residents who live close to -- to
3 the new construction can have an opportunity to work for
4 the local businesses. I think that that is really
5 important.

6 Where -- there are going to be a huge
7 flood of people and jobs into the community which I think
8 is -- is mostly really good and really beneficial, but in
9 order for it to be really good and really beneficial, the
10 local community has to benefit from it, and I think that
11 first source hiring, affordable housing and
12 transportation are ways to get that done.

13 I would also like to add that -- that I
14 heard my friend Charlie talk about amenities, and you
15 said something about how, you know, if we don't have
16 development, then we're not to get amenities, and it just
17 does not sit right for me.

18 It just feels almost like a threat, like
19 you better get this development or you're not going to
20 get these important things that you need, and a lot of
21 the amenities that are coming in are actually really
22 needed in our community.

23 We don't have a pharmacy. Once I get
24 home, I basically can't leave, and so there are things
25 that we need. We just need them, and I don't like to

**P01-8
(cont.)**

1 hear that if we don't have whatever is being proposed,
2 then we're not going to get the things that our families
3 need to survive.

4 Thank you.

5 COMMISSIONER STREHL: Thank you.

6 Is David Countryman here? Okay. We'll go
7 with the next speaker, which is Pam Jones.

8 MS. JONES: Good evening and thank you.
9 And I appreciate that you are -- at least finally someone
10 is considering extending the time for written comments
11 and -- and will pass that on to the City Council who has
12 ultimately the responsibility.

13 I can't see where a long-term plan is
14 going to be derailed so much in a two-week delay, two- to
15 three-week delay as what's occurring now.

16 I just have one point, and that is I
17 recognize that the Environmental Impact Report does not
18 consider people as part of the environment, not directly,
19 at any rate.

20 And I find that curious when I look at
21 what is significant and unavoidable, and the first item
22 is air quality.

23 In our community, which for me is Belle
24 Haven, if we were to do statistics on the people with the
25 number -- especially children -- with respiratory

P01-8
(cont.)

P01-9

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1 problems and how it is exacerbated by poor air quality, I
2 think we would find a fairly high rate of
3 hospitalizations and emergency room visits.

4 But since that's not part of what we do in
5 an EIR, you would not have benefit of that information.

6 I am not one that is -- cannot recognize
7 that we are going to move forward with something, and I
8 would rather be a part of whatever the new way is over in
9 Belle Haven.

10 So my suggestion for something like this
11 situation would be to free of charge install air
12 purifiers in all the homes in Belle Haven where it's
13 most -- mostly affected, and maybe something even really
14 innovative for the apartments that are going to be along
15 Willow Road.

16 As a person that would qualify to live in
17 a new apartments there, I could not live there because of
18 the amount of pollution that would be coming from the
19 traffic on Willow Road.

20 Again, thank you and especially for
21 consideration the delay -- oops. Not a delay.

22 COMMISSIONER STREHL: Thank you.

23 So I don't have any more cards up here.
24 Is there any other public comment? No other public
25 comment?

P01-9
(cont.)

Gita Dev
PC mtg
7/11/16

Excerpt from : Mountain View North Bayshore Precise Plan

5.1 Habitat Overlay Zone

The Habitat Overlay Zone (HOZ) provides standards and guidelines to regulate site development adjacent to sensitive habitat. The intent is to protect sensitive habitat by guiding building placement adjacent to high-value habitat locations, limiting new impervious surface, minimizing light pollution, and guiding landscape design.

There are three distinct habitat types within and adjacent to North Bayshore: burrowing owl; egret rookery; and open water, creeks, and storm drain facilities. For each habitat type, there are requirements for site development, which apply to all new construction and additions in that zone. The size of the HOZ varies depending on the importance and sensitivity of the habitat, with larger buffers adjacent to burrowing owl habitat and smaller buffers adjacent to Permanente Creek.

Standards

1. Habitat Overlay Zone.

All new construction proposed within an overlay zone shall comply with the overlay zone standards. Figure 24 shows the approximate boundaries of each HOZ. Project applicants shall work with the City to determine the precise edge of habitat from which to measure the edge of the HOZ boundary.

2. Burrowing owl HOZ

. In Shoreline Park immediately north of the Plan Area, the City supports an ongoing burrowing owl monitoring and management program. The following are standards for new construction and renovations designed to protect and enhance burrowing owl habitat adjacent to North Bayshore.

a. Overlay District Boundaries

. Boundaries shall be 250 feet as measured from the edge of the burrowing owl habitat.

b. Building placement in the HOZ

. New construction shall not be placed inside the burrowing owl HOZ, except where allowed based on the exceptions described below.

c. Impervious surface

. New impervious surface shall not be constructed closer to burrowing owl habitat than existing impervious surfaces, and no net increase in impervious surface shall occur within the HOZ.

The edge of habitat is defined as the edge of the habitat area in 2014.

The HOZ boundary is defined as the extent of the overlay zone. The boundary is calculated by measuring a straight-line distance from the edge of habitat for each HOZ type. The distance is defined by the standards for each HOZ type. This buffer is consistent with the standard construction buffer for occupied burrowing owl burrows that is required by the Santa Clara Valley Habitat Plan. ICF International. 2012. Final Santa Clara Valley Habitat Plan. Prepared for the City of Gilroy, City of Morgan Hill, City of San Jose, County of Santa Clara, Santa Clara Valley Transportation Authority, and Santa Clara Valley Water District. August 2012.

Burrowing owl mitigation area in Shoreline Park.

d. Landscape design

. No new trees or shrubs capable of exceeding 15 feet in height that could provide perches for avian predators of burrowing owls, and no dense woody vegetation that could hide mammalian predators, shall be planted in the HOZ. New landscaping in the HOZ should consist of herbaceous plants.

e. Low intensity outdoor lighting

. Outdoor lighting shall be low intensity (LZ 2) and shall utilize full cutoff fixtures to reduce the amount of light reaching these sensitive habitats.

f. Raptor perch deterrents adjacent to burrowing owl habitat

. For new construction in the HOZ, raptor perch deterrents shall be placed on the edges of building roofs or other structures (e.g., light poles or electrical towers) facing the burrowing owl habitat and with a clear view of burrowing owls.

g. Construction near burrowing owl habitat

. A preconstruction survey for burrowing owls shall be conducted by a qualified biologist according to the latest California Department of Fish and Wildlife protocol prior to any external construction or large-scale/intensive landscaping, involving heavy equipment or loud noise occurring within the HOZ. If nesting burrowing owls are detected, the HOZ should be free from any external construction or large-scale/intensive landscaping, involving heavy equipment or loud noise until the young have fledged and are independent of the adults, or until monitoring by a qualified biologist determines the nest is no longer active. During the non-breeding season, the HOZ should be free from any external construction or large-scale/intensive landscaping, involving heavy equipment or loud noise around active burrows unless the procedures for monitoring burrowing owls during construction, as described by the Santa Clara Valley Habitat Plan, are implemented.

h. Rodenticides.

No rodenticides will be used within the burrowing owl HOZ. Elsewhere in the Precise Plan area, rodenticide use should be limited to that necessary to protect infrastructure and human health, but otherwise, non-chemical means of rodent management should be used to avoid secondary poisoning of burrowing owls and other raptors

PC mtg
7/11/16

Voters for Equitable & Responsible Growth

Jim Wiley, The Willows Menlo Park, CA
650 999-0096

Martin Lamarque Belle Haven Menlo Park CA
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Neilson Buchanan, Downtown North Palo Alto CA
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Peninsula residents and small business owners from neighborhoods impacted by excessive office growth in the Mid-Peninsula have drawn a line in the sand. **Voters For Equitable & Responsible Growth** (VERG) will be a new voice demanding their elected officials to think like residents and act like leaders capable of enacting sensible land use policy.

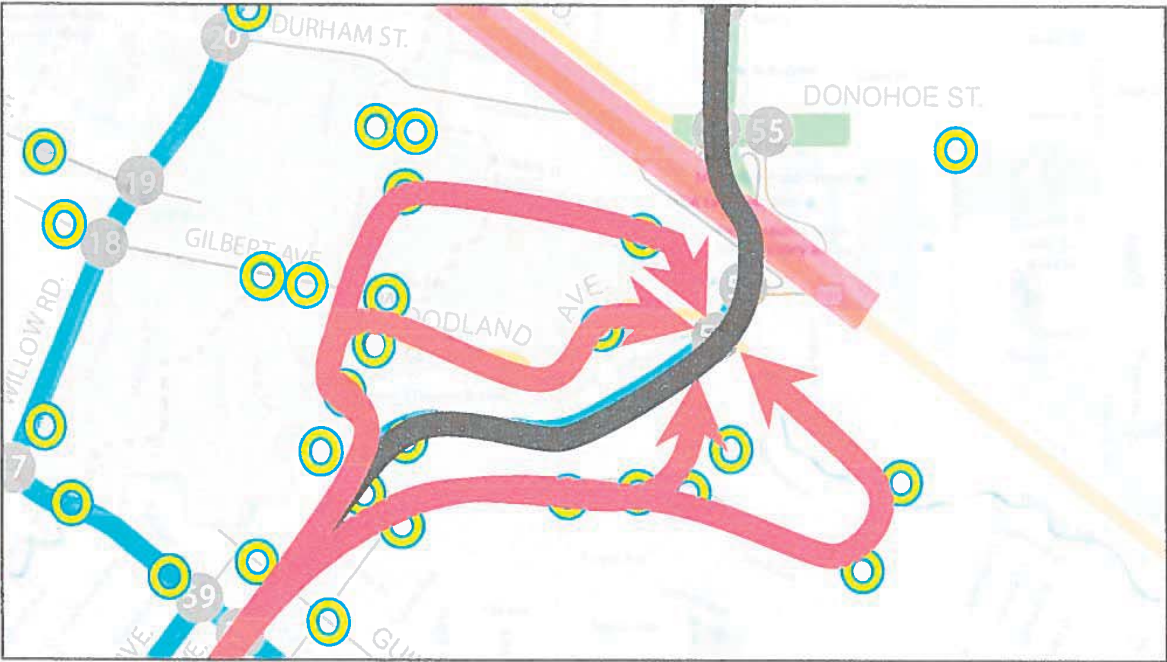
The Mid Peninsula has reached the tipping point. Housing shortages and prices caused by the growing employee population have reached unprecedented levels. Traffic has become intolerable due to commuters trying to reach their homes in communities miles from their jobs. Frustrated by the congestion, commuters turn to the Google-owned app Waze that sends drivers through residential neighborhoods. Morning and afternoon cut through traffic traveling at excessive speeds has changed neighborhoods and created unsafe streets.

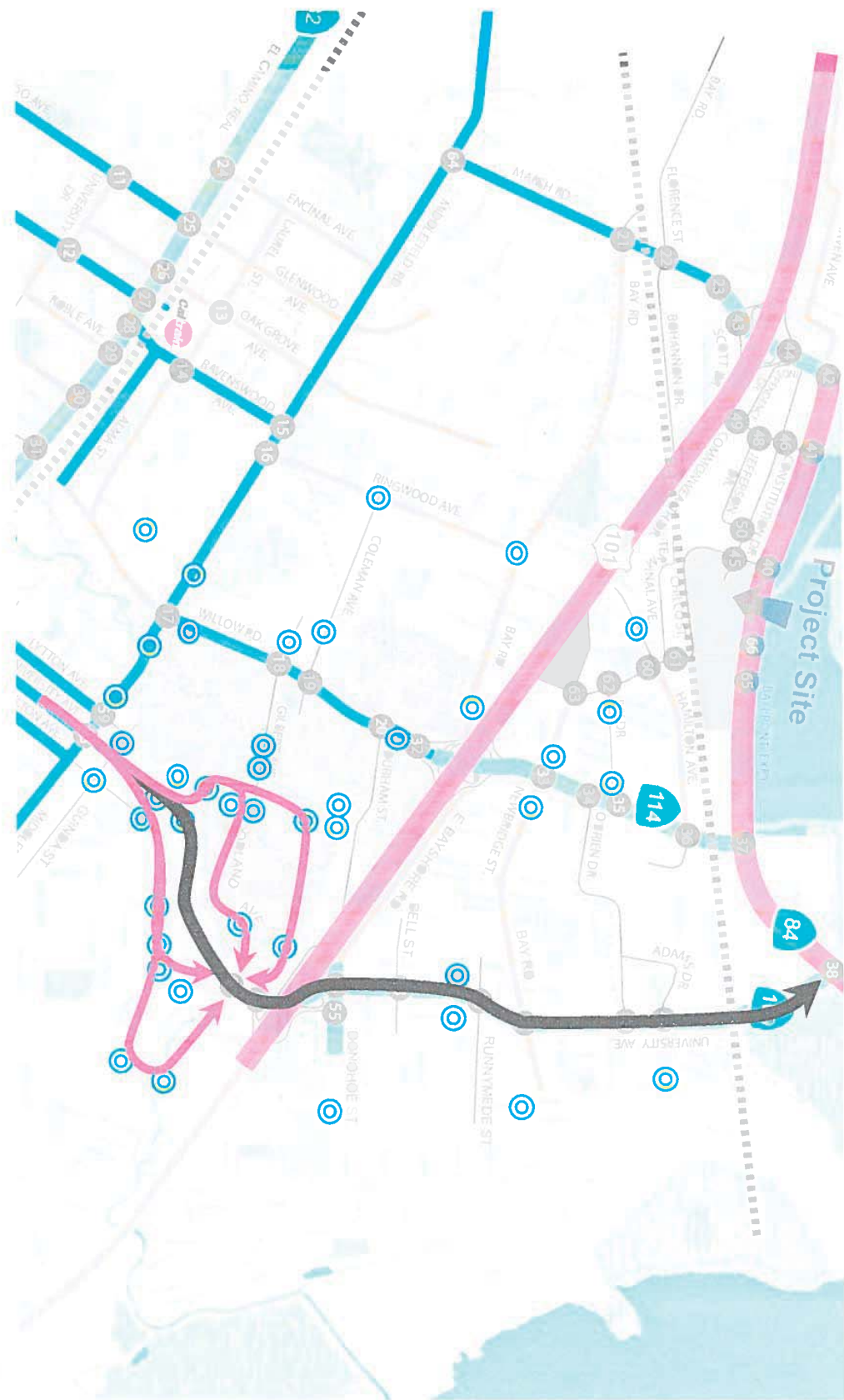
The most recent commercial development proposal by Facebook in Menlo Park will create an office complex of 2.6 million square feet. The employee population after the new addition will be approximately 13,000, a number that is more than twice the population of Belle Haven, a neighborhood that is adjacent to the massive Facebook campus.

Voters For Equitable & Responsible Growth is a group of residents from neighborhoods on the Mid Peninsula who believe that the Menlo Park City Council has gone too far. The Council has encouraged office developers to think of Menlo Park as a town where there are few restraints on commercial development. The impending Menlo Park General Plan Update will facilitate a boom of 50% population and 70% employee growth. This council has neglected to seek a balance between office buildings and the need for housing. Our communities are swamped by office commuters who have no choice but to seek housing in less expensive and distant communities. Displacement of current residents is on the rise causing the loss of a valuable segment of our diverse community. Teachers, sales clerks, waiters, graduate students, auto mechanics, librarians, dental hygienists and other workers are being priced out of the Mid-Peninsula.

We will be submitting our comments on the Facebook and General Plan Draft Environmental Impact Reports. It is our intention to marshal our communities for a

7/11/16





APPENDIX B:
REVISED TRANSPORTATION DATA



2040 PLUS PROJECT CONDITIONS
DATA



2040 Plus Project Conditions, Impacted Locations where Impacts May be Reduced or Eliminated with 20% Trip Reduction Required in Zoning Ordinance

No.	Street	From	To	Classification	2014	2040	2040	2040 Net Change from Existing Conditions With Project ^c	Growth Estimated, Reduced by 20%	Change compared to 2040 Plus Project conditions	% Change compared to 2040 Plus Project conditions	Change compared to 2014 Existing conditions	Threshold?	Still Significant?
					Existing	No Project	Plus Project							
1	Alameda De Las Pulgas	Avy Ave.	Santa Cruz Ave.	Minor Arterial	12,450	14,710	14,810	2,360	14340	-470	-3%	1,890	12.5	Yes
2	Alameda De Las Pulgas	Valparaiso Ave.	Avy Ave.	Minor Arterial	15,330	18,250	18,130	2,800	17570	-560	-3%	2,240	12.5	Yes
3	Alameda De Las Pulgas	City Limit	Valparaiso Ave.	Minor Arterial	16,140	19,330	19,280	3,140	18650	-630	-3%	2,510	12.5	Yes
5	Alma St.	Willow Rd.	Ravenswood Ave.	Collector	3,240	4,910	5,070	1,830	4700	-370	-7%	1,460	25	No
6	Alpine Rd.	City Limit	Junipero Serra Blvd.	Minor Arterial	23,310	26,330	26,170	2,860	25600	-570	-2%	2,290	trips	Yes
9	Bay Rd.	Greenwood Dr.	Marsh Rd.	Collector	5,550	10,190	10,190	4,640	9260	-930	-9%	3,710	12.5	Yes
10	Bay Rd.	Ringwood Ave.	Greenwood Dr.	Collector	5,660	10,100	10,110	4,450	9220	-890	-9%	3,560	12.5	Yes
11	Bay Rd.	Willow Rd.	Ringwood Ave.	Collector	7,580	9,580	9,670	2,090	9250	-420	-4%	1,670	12.5	Yes
13	Chilco St.	Constitution Dr.	Bayfront Expwy.	Collector	7,000	17,380	9,320	2,320	8860	-460	-5%	1,860	12.5	Yes
15	Constitution Dr.	Chilco St.	Chrysler Dr.	Collector	2,360	6,680	5,300	2,940	4710	-590	-11%	2,350	25	Yes
18	Encinal Ave.	El Camino Real	Laurel St.	Collector	5,600	6,050	6,420	820	6260	-160	-2%	660	12.5	No
19	Encinal Ave.	Laurel St.	Middlefield Rd.	Collector	4,950	5,840	6,280	1,330	6010	-270	-4%	1,060	25	No
21	Hamilton Ave.	Willow Rd.	Chilco St.	Collector	2,770	3,480	3,470	700	3330	-140	-4%	560	25	No
22	Bayfront Haven Ave.	Bayfront Expwy./Marsh Rd.	City Limit	Collector	7,400	15,120	17,490	10,090	15470	-2,020	-12%	8,070	12.5	Yes
23	Junipero Serra Blvd.	City Limit	Alpine Rd.	Primary Arterial	16,010	18,530	18,370	2,360	17900	-470	-3%	1,890	12.5	No
24	Laurel St.	Oak Grove Ave.	Glenwood Ave.	Collector	4,060	5,520	5,570	1,510	5270	-300	-5%	1,210	25	Yes
25	Laurel St.	Ravenswood Ave.	Oak Grove Ave.	Collector	4,410	6,190	5,800	1,390	5520	-280	-5%	1,110	25	Yes
26	Laurel St.	Willow Rd.	Ravenswood Ave.	Collector	4,470	5,590	5,640	1,170	5410	-230	-4%	940	25	No
27	Marsh Rd.	City Limit	Bay Rd.	Minor Arterial	22,850	25,180	26,080	3,230	25430	-650	-2%	2,580	trips	Yes
28	Marsh Rd.	Bay Rd.	Bohannon Dr.	Primary Arterial	25,830	33,040	33,930	8,100	32310	-1,620	-5%	6,480	trips	Yes
29	Marsh Rd.	Bohannon Dr.	Scott Dr.	Primary Arterial	32,410	42,390	43,410	11,000	41210	-2,200	-5%	8,800	trips	Yes
35	Middlefield Rd.	Willow Rd.	Ravenswood Ave.	Minor Arterial	19,680	21,920	21,790	2,110	21370	-420	-2%	1,690	trips	Yes
36	Middlefield Rd.	City Limit	Willow Rd.	Minor Arterial	18,420	21,810	22,310	3,890	21530	-780	-3%	3,110	12.5	Yes
37	Newbridge St.	Willow Rd.	Chilco St.	Collector	7,070	12,160	8,000	930	7810	-190	-2%	740	12.5	No
38	Oak Grove Ave.	University Dr.	Crane St.	Collector	6,350	7,670	7,430	1,080	7210	-220	-3%	860	12.5	Yes
39	Oak Grove Ave.	Crane St.	El Camino Real	Collector	7,700	10,940	10,540	2,840	9970	-570	-5%	2,270	12.5	Yes
40	Oak Grove Ave.	El Camino Real	Laurel St.	Collector	9,570	11,760	11,490	1,920	11110	-380	-3%	1,540	trips	Yes
42	O'Brien Dr.	Kavanaugh Dr.	Willow Rd.	Collector	6,370	7,880	13,750	7,380	12270	-1,480	-11%	5,900	12.5	Yes
43	O'Brien Dr.	University Ave.	Kavanaugh Dr.	Collector	3,280	3,600	5,610	2,330	5140	-470	-8%	1,860	25	Yes
44	Ravenswood Ave.	El Camino Real	Alma St.	Minor Arterial	23,980	25,690	25,910	1,930	25520	-390	-2%	1,540	trips	Yes
47	Ringwood Ave.	Middlefield Rd.	Bay Rd.	Collector	7,300	9,500	8,660	1,360	8390	-270	-3%	1,090	12.5	Yes
48	Sand Hill Rd.	I-280	Sharon Park Dr.	Primary Arterial	28,050	30,120	29,900	1,850	29530	-370	-1%	1,480	trips	Yes
49	Sand Hill Rd.	Santa Cruz Ave.	Sharon Park Dr.	Primary Arterial	30,790	33,870	33,570	2,780	33010	-560	-2%	2,220	trips	Yes
50	Sand Hill Rd.	Santa Cruz Ave.	City Limit	Minor Arterial	32,740	35,010	35,170	2,430	34680	-490	-1%	1,940	trips	Yes
51	Santa Cruz Ave.	Junipero Serra Blvd.	Sand Hill Rd.	Minor Arterial	26,480	30,860	30,810	4,330	29940	-870	-3%	3,460	trips	Yes
52	Santa Cruz Ave.	Sand Hill Rd.	Alameda de las Pulgas	Minor Arterial	23,230	26,730	26,850	3,620	26130	-720	-3%	2,900	trips	Yes
59	Sharon Park Dr.	Sand Hill Rd.	Sharon Rd.	Collector	9,970	10,610	10,470	500	10370	-100	-1%	400	trips	Yes
68	Willow Rd.	Alma St.	Laurel St.	Collector	3,360	5,010	5,180	1,820	4820	-360	-7%	1,460	25	Yes
69	Willow Rd.	Laurel St.	Middlefield Rd.	Collector	5,250	7,620	7,820	2,570	7310	-510	-7%	2,060	12.5	Yes
70	Willow Rd.	Middlefield Rd.	Gilbert Ave.	Minor Arterial	24,330	23,610	24,460	130	24430	-30	0%	100	trips	Yes

2040 Plus Project Conditions, Impacted Locations where Impacts May be Reduced or Eliminated with 20% Trip Reduction Required in Zoning Ordinance

No.	Street	From	To	Classification	2014	2040	2040	2040 Net Change from Existing Conditions With Project ^e	Growth Estimated, Reduced by 20%	Change compared to 2040 Plus Project conditions	% Change compared to 2040 Plus Project conditions	Change compared to 2014 Existing conditions	Threshold?	Still Significant?
					Existing	No Project	Plus Project							
71	Chilco St.	Hamilton Ave.	Terminal Ave.	Local	4,780	10,990	8,280	3,500	7580	-700	-8%	2,800	trips	yes
72	Chilco St.	Ivy Dr.	Hamilton Ave.	Local	2,650	8,280	5,990	3,340	5320	-670	-11%	2,670	trips	yes
73	Chilco St.	Newbridge St.	Ivy Dr.	Local	2,110	7,210	4,030	1,920	3650	-380	-9%	1,540	trips	Yes
75	Willow Rd.	Gilbert Ave.	Coleman Ave.	Minor Arterial	24,350	24,520	25,920	1,570	25610	-310	-1%	1,260	trips	yes
76	Willow Rd.	Coleman Ave.	Durham St.	Minor Arterial	41,190	41,290	42,640	1,450	42350	-290	-1%	1,160	trips	yes
77	Willow Rd.	Durham St.	Bay Rd.	Minor Arterial	34,150	35,850	37,720	3,570	37010	-710	-2%	2,860	trips	yes
78	Chilco St.	Terminal Ave.	Constitution Dr.	Local	5,100	11,250	8,490	3,390	7810	-680	-8%	2,710	12.5	yes
81	Adams Dr.	University Dr.	Adams Ct.	Local	1,260	3,490	7,760	6,500	6460	-1,300	-17%	5,200	12.5	yes
82	Olive St.	Santa Cruz Ave.	Middle Ave.	Local	2,450	2,560	2,560	110	2540	-20	-1%	90	trips	yes
83	Olive St.	Middle Ave.	Oak Ave.	Local	3,050	3,280	3,270	220	3230	-40	-1%	180	trips	yes
85	Linfield Dr.	Middlefield Rd.	Waverley St.	Local	1,760	1,770	1,790	30	1780	-10	-1%	20	trips	No
86	Waverley St.	Laurel St.	Linfield Dr.	Local	1,650	1,860	1,900	250	1850	-50	-3%	200	trips	yes
87	Ivy Dr.	Chilco St.	Willow Rd.	Local	3,200	3,910	4,980	1,780	4620	-360	-7%	1,420	trips	yes

	Capacity	90% capacity	50% capacity	
Primary Arterial		20000	18000	10000
Minor Arterial		20000	18000	10000
Collector		10000	9000	5000
Local		1500	1350	750
Thresholds	>90%	>50%	<50%	
Primary Arterial		100	12.50%	25%
Minor Arterial		100	12.50%	25%
Collector		50	12.50%	25%
Local		25	12.50%	25%

STUDY INTERSECTION INDEX



Appendix K - Study Intersection Index

Study Intersections				
Int No.	VISTRO ID	Intersection	Control	Jurisdiction
1	234	Sand Hill Rd. & Hwy 280 NB Off-Ramp	Signal	Caltrans
2	233	Sand Hill Rd. & Hwy 280 NB On-Ramp	Signal	Caltrans
3	103	Sand Hill Rd. & Addison-Wesley	Signal	Menlo Park
4	156	Saga Ln. & Sand Hill Rd.	Signal	Menlo Park
5	157	Branner Dr. & Sand Hill Rd.	Signal	Menlo Park
6	162	Sharon Park Dr. & Sand Hill Rd.	Signal	Menlo Park
7	107	Alpine Rd./Santa Cruz Ave. & Junipero Serra Blvd.	Signal	Menlo Park
8	39	Santa Cruz Ave. & Sand Hill Rd.	Signal	Menlo Park
9	132	Oak Ave./Vine Rd. & Sand Hill Rd.	Signal	Menlo Park
10	181	Santa Cruz Ave. & Elder Ave.	Signal	Menlo Park
11	88	Valparaiso Ave. & University Dr.	Signal	Menlo Park
12	38	Santa Cruz Ave. & University Dr. (S)	Signal	Menlo Park
13	28	Oak Grove Ave. & Laurel St.	Signal	Menlo Park
14	26	Ravenswood Ave. & Laurel St.	Signal	Menlo Park
15	9	Middlefield Rd. & Ravenswood Ave.	Signal	Menlo Park
16	10	Middlefield Rd. & Ringwood Ave.	Signal	Menlo Park
17	25	Middlefield Rd. & Willow Rd.	Signal	Menlo Park
18	24	Willow Rd. & Gilbert Ave.	Signal	Menlo Park
19	23	Willow Rd. & Coleman Ave.	Signal	Menlo Park
20	22	Willow Rd. & Durham St.	Signal	Menlo Park
21	4	Marsh Rd. & Bay Rd.	Signal	Menlo Park
22	3	Marsh Rd. & Bohannon Dr.	Signal	Menlo Park
23	2	Marsh Rd. & Scott Dr.	Signal	Menlo Park
24	29	El Camino Real & Encinal Ave.	Signal	Caltrans
25	30	El Camino Real & Glenwood Ave.	Signal	Caltrans
26	31	El Camino Real & Oak Grove Ave.	Signal	Caltrans
27	32	El Camino Real & Santa Cruz Ave.	Signal	Caltrans
28	33	El Camino Real & Ravenswood Ave.	Signal	Caltrans
29	34	El Camino Real & Roble Ave.	Signal	Caltrans
30	35	El Camino Real & Middle Ave.	Signal	Caltrans
31	36	El Camino Real & Cambridge Ave.	Signal	Caltrans
32	21	Willow Rd. & Bay Rd.	Signal	Menlo Park
33	20	Willow Rd. & Newbridge St.	Signal	Caltrans
34	19	Willow Rd. & O'Brien Dr.	Signal	Caltrans
35	18	Willow Rd. & Ivy Dr.	Signal	Caltrans
36	17	Willow Rd. & Hamilton Ave.	Signal	Caltrans
37	16	Willow Rd. & Bayfront Expwy.	Signal	Caltrans
38	15	Bayfront Expwy. & University Ave.	Signal	Caltrans
39	74	University Ave. & O'Brien Dr.	Signal	Caltrans
40	195	Bayfront Expwy. & Chilco St.	Signal	Caltrans
41	196	Bayfront Expwy. & Chrysler Dr.	Signal	Caltrans
42	163	Bayfront Expwy. & Marsh Rd.	Signal	Caltrans
43	1	Marsh Rd. & US 101 SB	Signal	Caltrans
44	110	Marsh Rd. & US 101 NB	Signal	Caltrans
45	207	Chilco St. & Constitution Dr.	All-way Stop	Menlo Park
46	215	Chrysler Dr. & Constitution Dr.	All-way Stop	Menlo Park
47	58	University Ave. & Adams Dr.	Side-street Stop	Caltrans
48	214	Chrysler Dr. & Jefferson Dr.	Side-street Stop	Menlo Park
49	213	Chrysler Dr. & Independence Dr.	Side-street Stop	Menlo Park
50	209	Jefferson Dr. & Constitution Dr.	Side-street Stop	Menlo Park
51	247	University Ave. & Bay Rd.	Signal	Caltrans
52	245	University Ave. & Runnymede St.	Signal	Caltrans
53	246	University Ave. & Bell St.	Signal	Caltrans
54	77	University Ave. & Donohoe St.	Signal	Caltrans
55	249	Donohoe St. & Capitol Ave./US 101 NB Ramps	Signal	Caltrans
56	243	University Ave. & US 101 SB Ramps	Signal	Caltrans
57	111	University Ave. & Woodland Ave.	Signal	East Palo Alto
58	14	University Ave. & Middlefield Rd.	Signal	Palo Alto
59	13	Middlefield Rd. & Lyton Ave.	Signal	Palo Alto
60	131	Chilco St. & Hamilton Ave.	All-way Stop	Menlo Park
61	71	Chilco St. & Terminal Ave.	All-way Stop	Menlo Park
62	206	Chilco St. & Ivy Dr.	All-way Stop	Menlo Park
63	204	Chilco St. & Newbridge St.	All-way Stop	Menlo Park
64	5	Marsh Rd. & Middlefield Rd.	Signal	Menlo Park
65	201	Bayfront Expressway & Building 20	Signal	Menlo Park
66	199	Bayfront Expressway & Building 21	Signal	Menlo Park

TRAVEL DEMAND MODEL AND
DTA DOCUMENTATION



Transportation Technical Appendices

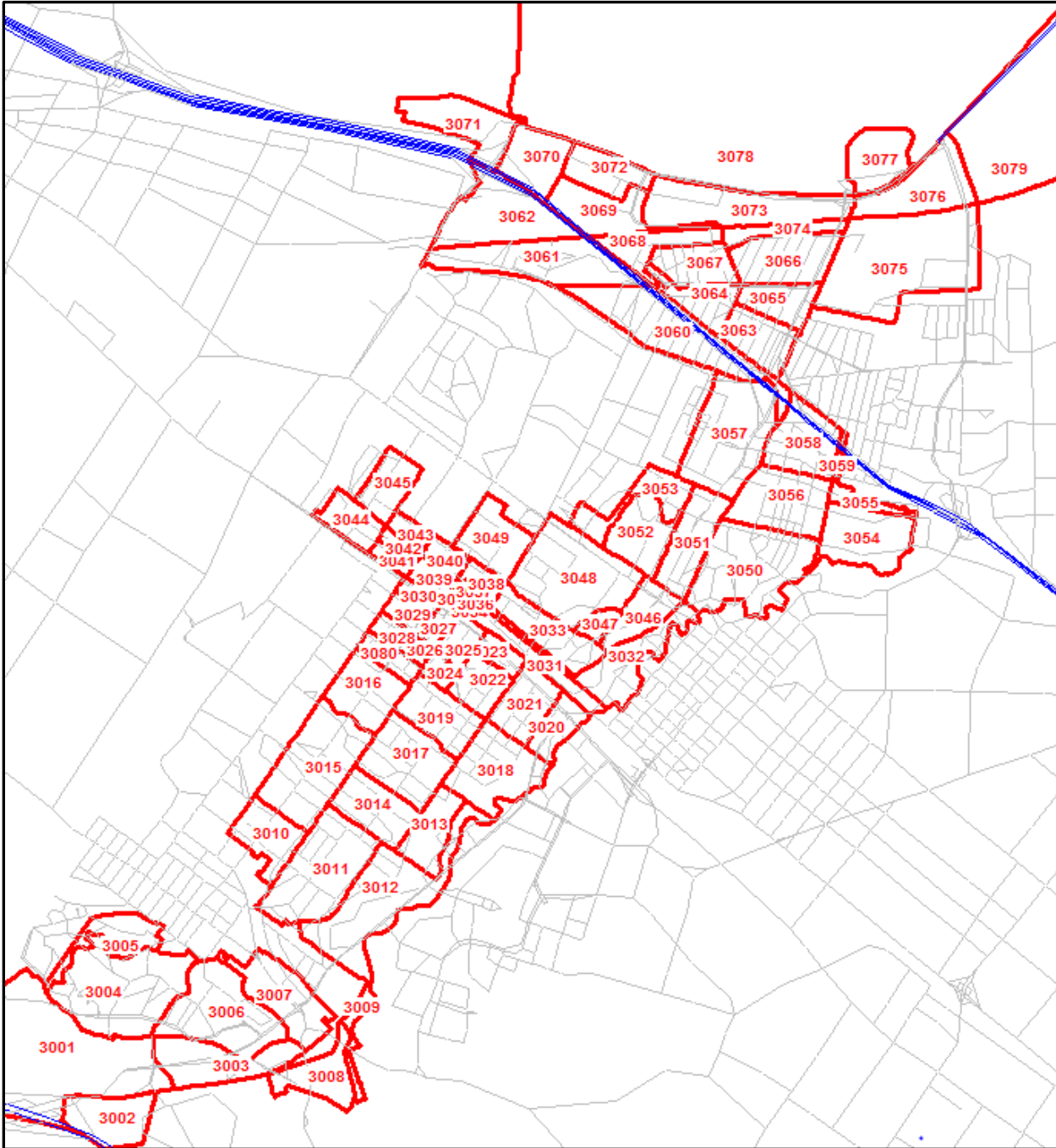
Travel Demand Model and DTA Documentation

- Menlo Park Traffic Analysis Zones (TAZ)
- Menlo Park Land Use by TAZ
- DTA Primer and Sample Plots Comparing MPM and DTA Outputs
- Menlo Park Model Validation
- Lawrence Liao Resume

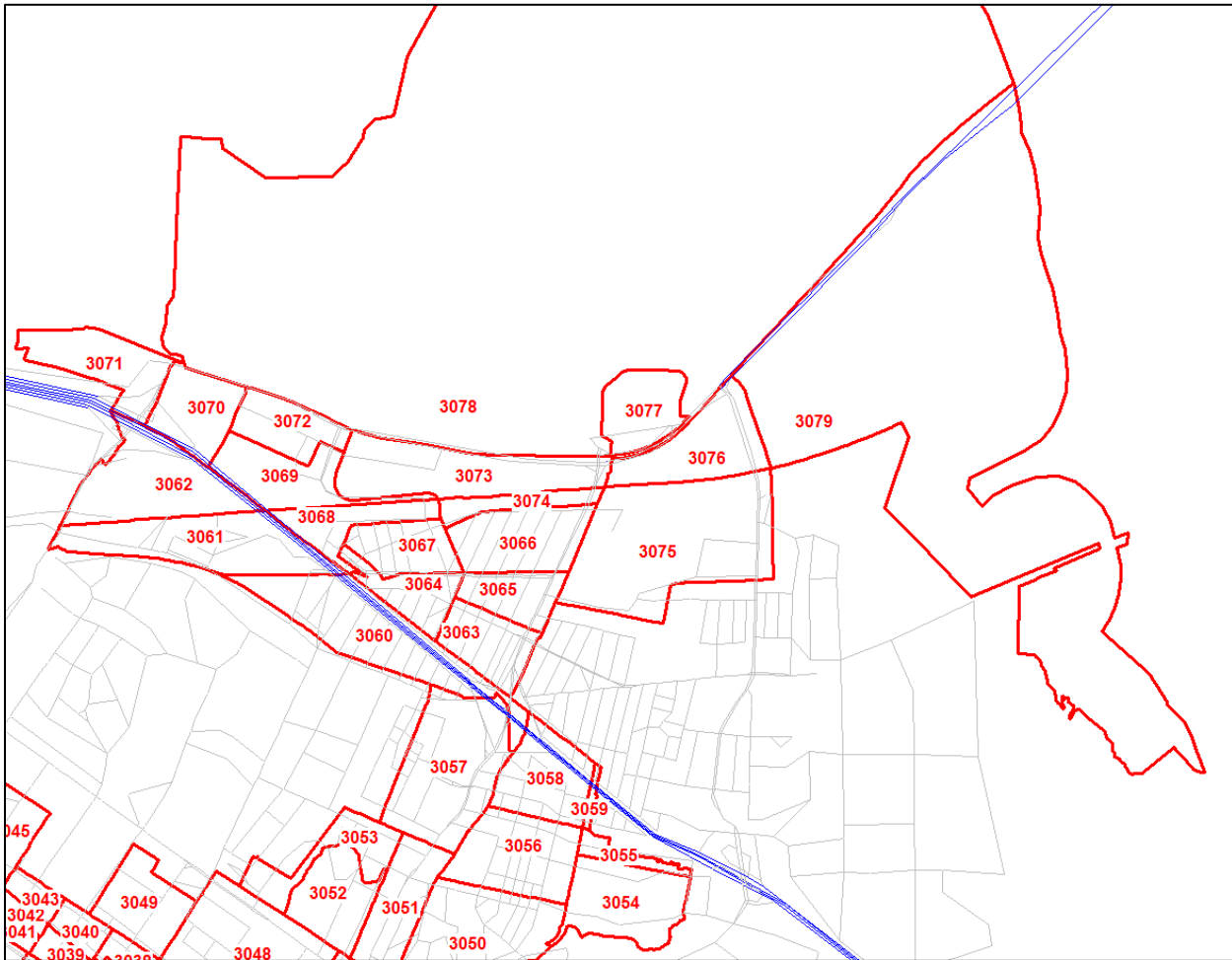


Menlo Park Model Traffic Analysis Zones

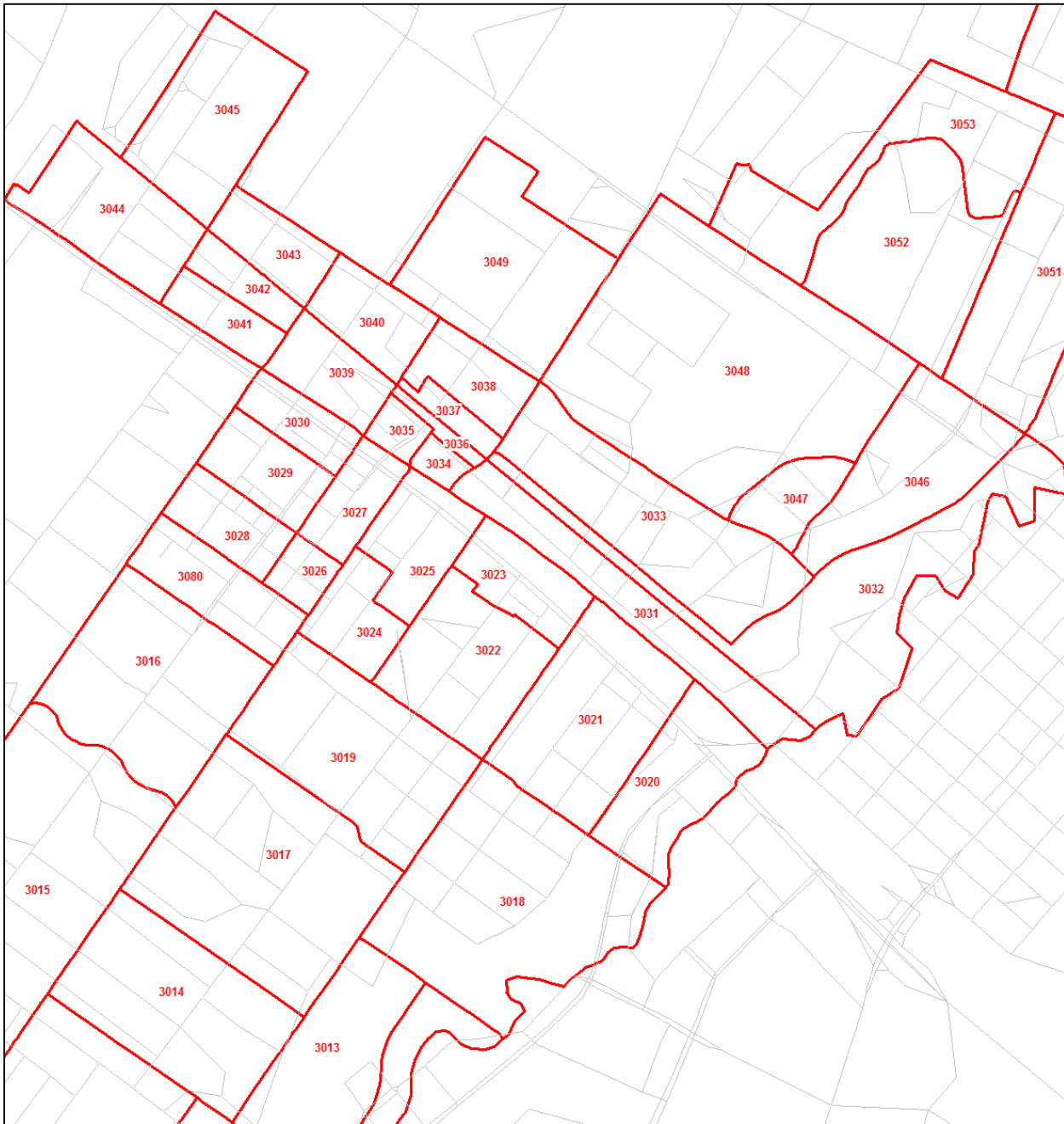
Menlo Park



Menlo Park North



Menlo Park Downtown



TAZ	2013			2020			2020B			2040A			2040B			2040C		
	HH	POP	EMP	HH	POP	EMP	HH	POP	EMP	HH	POP	EMP	HH	POP	EMP	HH	POP	EMP
3009	0	0	0	0	0	0	0	0	0	4	10	0	4	10	0	4	10	0
3010	147	386	10	147	386	10	147	386	10	165	432	10	165	432	10	165	432	10
3011	301	863	11	301	863	11	301	863	11	316	902	11	316	902	11	316	902	11
3012	278	819	88	278	819	88	278	819	88	296	865	88	296	865	88	296	865	88
3013	117	321	4	117	321	4	117	321	4	132	360	4	132	360	4	132	360	4
3014	146	424	9	151	437	9	151	437	9	166	475	9	166	475	9	166	475	9
3015	246	705	115	246	705	115	246	705	115	261	744	115	261	744	115	261	744	115
3016	61	186	36	61	186	36	61	186	36	77	227	36	77	227	36	77	227	36
3017	219	615	53	219	615	53	219	615	53	234	654	53	234	654	53	234	654	53
3018	261	696	35	261	696	35	261	696	35	276	735	35	276	735	35	276	735	35
3019	629	1188	95	629	1188	95	629	1188	95	725	1435	95	725	1435	95	725	1435	95
3020	127	320	66	132	333	66	132	333	66	172	436	80	172	436	80	172	436	80
3021	285	604	240	290	617	240	290	617	240	324	704	254	324	704	254	324	704	254
3022	383	661	159	383	661	159	383	661	159	399	702	159	399	702	159	399	702	159
3023	93	165	129	93	165	129	93	165	129	113	216	143	113	216	143	113	216	143
3024	71	119	407	74	127	427	74	127	427	95	181	441	95	181	441	95	181	441
3025	127	217	600	142	256	631	142	256	631	171	330	646	171	330	646	171	330	646
3026	0	0	257	0	0	257	0	0	257	18	46	271	18	46	271	18	46	271
3027	0	1	466	0	1	466	0	1	466	18	47	480	18	47	480	18	47	480
3028	188	384	221	188	384	221	188	384	221	201	417	221	201	417	221	201	417	221
3029	119	208	178	119	208	187	119	208	187	135	249	191	135	249	191	135	249	191
3030	65	122	167	80	161	154	80	161	154	105	225	169	105	225	169	105	225	169
3031	0	0	418	170	437	937	170	437	937	196	504	951	196	504	951	196	504	951
3032	193	455	323	193	455	323	193	455	323	203	481	571	203	481	571	203	481	571
3033	181	372	633	181	372	633	181	372	633	181	372	649	181	372	649	181	372	649
3034	0	0	415	0	0	457	0	0	457	0	0	457	0	0	457	0	0	457
3035	29	42	263	29	42	263	29	42	263	47	88	278	47	88	278	47	88	278
3036	0	20	5	0	20	5	0	20	5	0	20	5	0	20	5	0	20	5
3037	0	0	37	0	0	37	0	0	37	3	8	40	3	8	40	3	8	40
3038	252	409	123	252	409	123	252	409	123	255	417	125	255	417	125	255	417	125
3039	70	79	105	272	598	697	272	598	697	290	644	711	290	644	711	290	644	711
3040	213	422	9	213	422	9	213	422	9	239	489	9	239	489	9	239	489	9
3041	6	11	240	6	11	329	6	11	329	24	57	344	24	57	344	24	57	344
3042	128	277	14	144	318	14	144	318	14	144	318	14	144	318	14	144	318	14
3043	42	107	4	42	107	4	42	107	4	42	107	4	42	107	4	42	107	4
3044	209	366	245	233	428	228	233	428	228	251	474	242	251	474	242	251	474	242
3045	110	310	9	110	310	9	110	310	9	126	351	9	126	351	9	126	351	9
3046	198	446	120	198	446	120	198	446	120	208	472	146	208	472	146	208	472	146
3047	85	178	3	85	178	3	85	178	3	85	178	3	85	178	3	85	178	3
3048	140	311	3046	140	311	3047	140	311	3047	140	311	3074	140	311	3074	140	311	3074
3049	178	373	133	178	373	133	178	373	133	198	424	133	198	424	133	198	424	133
3050	710	1743	78	710	1743	78	710	1743	78	731	1797	97	731	1797	97	731	1797	97
3051	196	743	98	196	743	98	196	743	98	212	784	124	212	784	124	212	784	124
3052	15	36	330	15	36	330	15	36	330	36	90	330	36	90	330	36	90	330
3053	130	286	21	130	286	21	130	286	21	130	286	21	130	286	21	130	286	21
3054	268	667	55	268	667	55	268	667	55	277	690	55	277	690	55	277	690	55

TAZ	2013			2020			2020B			2040A			2040B			2040C		
	HH	POP	EMP	HH	POP	EMP	HH	POP	EMP	HH	POP	EMP	HH	POP	EMP	HH	POP	EMP
3055	97	225	0	97	225	0	97	225	0	97	225	0	97	225	0	97	225	0
3056	365	873	196	371	888	196	371	888	196	393	945	228	393	945	228	393	945	228
3057	474	994	1718	534	1148	1718	534	1148	1718	534	1148	1718	534	1148	1718	534	1148	1718
3058	325	848	79	325	848	79	325	848	79	334	871	161	334	871	161	334	871	161
3059	30	74	0	30	74	0	30	74	0	31	77	0	31	77	0	31	77	0
3060	415	1069	226	415	1069	226	415	1069	226	416	1072	243	416	1072	243	416	1072	243
3061	401	1192	100	401	1192	101	401	1192	101	401	1192	101	401	1192	101	401	1192	101
3062	0	0	1226	0	0	1226	0	0	1226	0	0	1492	0	0	1492	0	0	1492
3063	304	1303	62	304	1303	62	304	1303	62	310	1318	62	310	1318	62	335	1383	62
3064	187	789	58	187	789	58	187	789	58	193	804	58	193	804	58	193	804	58
3065	210	860	21	252	968	47	252	968	47	252	968	68	252	968	68	302	1096	68
3066	398	1788	96	398	1788	96	398	1788	96	493	2032	153	493	2032	153	518	2096	213
3067	168	749	111	168	749	111	168	749	111	168	749	111	168	749	111	168	749	111
3068	56	266	3	56	266	3	56	266	3	56	266	3	56	266	3	56	266	3
3069	0	0	1255	0	0	1318	0	0	1318	0	0	1875	0	0	1875	0	0	2708
3070	0	0	1264	0	0	3386	0	0	3386	0	0	3566	0	0	3566	500	1285	4189
3071	0	0	1002	540	1388	738	540	1388	738	575	1478	1418	575	1478	1418	675	1735	1921
3072	0	0	421	0	0	421	0	0	421	0	0	571	0	0	571	400	1028	1344
3073	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3074	61	215	99	256	716	30	256	716	30	276	768	78	276	768	78	276	768	78
3075	1	5	2654	1	5	2659	1	5	2659	1	5	4031	1	5	4031	1901	4888	6816
3076	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3077	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3078	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3079	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3080	71	167	22	71	167	22	71	167	22	71	167	22	71	167	22	71	167	22

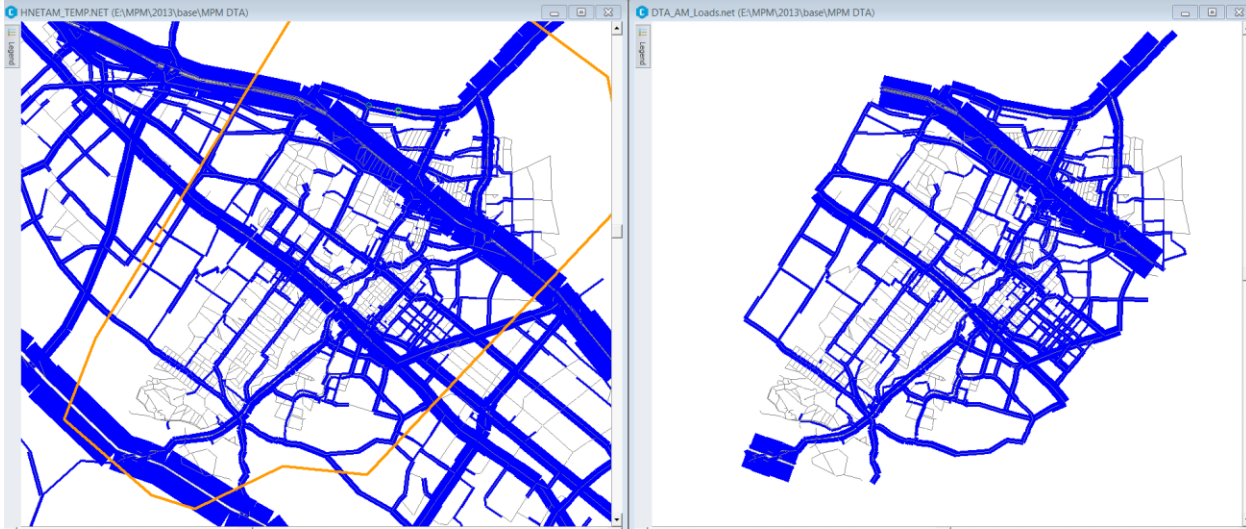
Sample Plots

A well-known issue with the static traffic assignment in traditional travel demand models is the overestimation of link volumes because physical congestion is not represented in vehicle routing. It is not unusual to see unrealistic volume-to-capacity ratios, sometimes greater than 1.5, in future conditions. This overestimation issue is especially problematic during the severe peak hour congestion because not all trips can reach their destinations during the peak hour. The Dynamic Traffic Assignment (DTA) model, that simulates the progression of vehicles on the network with physical congestion explicitly considered, was implemented to provide a more realistic forecast of vehicle routing under peak hour congestions. Vehicles will reroute when a link is complete blocked, hence, the volume-to-capacity ratios will rarely exceed one. For more detailed discussion, please refer to section “1.3 Static versus Dynamic Models” in the “DTA Primer”.

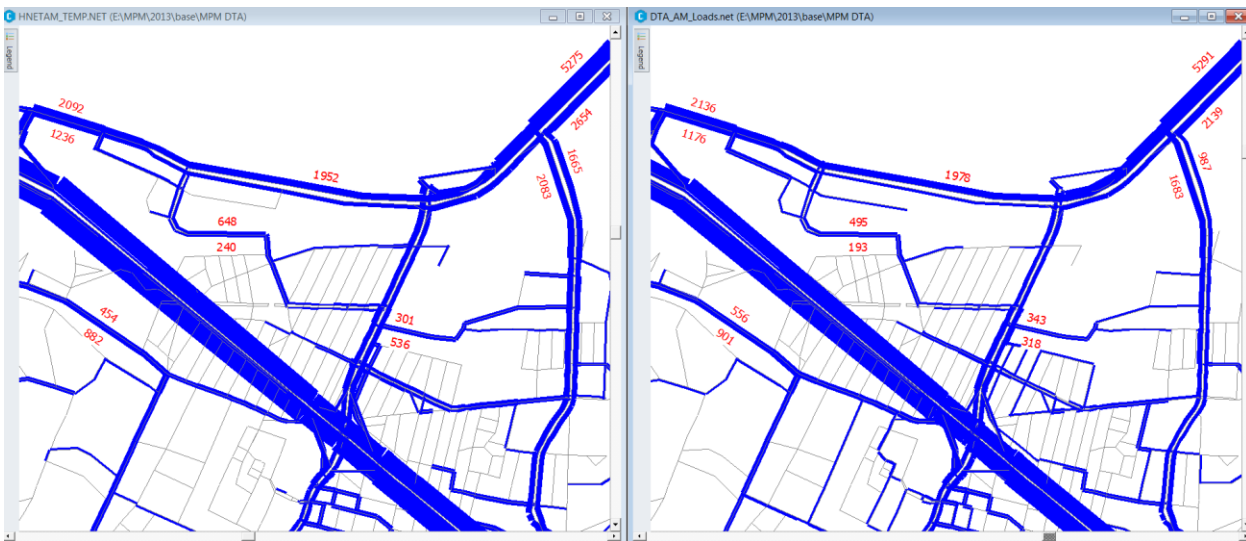
For more information on Dynamic Traffic Assignment, please refer to the primer located on the Transportation Research Board’s website. A hyperlink is provided here: <http://www.trb.org/Publications/Blurbs/165620.aspx>

The following screenshots shows a comparison of the 2013 AM Peak Hour Volumes between the static assignment (left) and DTA (right). The scales of the bandwidth plots are both 250 vehicle per pixel. It can be seen that the overall travel patterns between the two traffic assignment methods are consistent.

2013 AM Static Assignment vs. Dynamic Traffic Assignment in Travel Demand Models

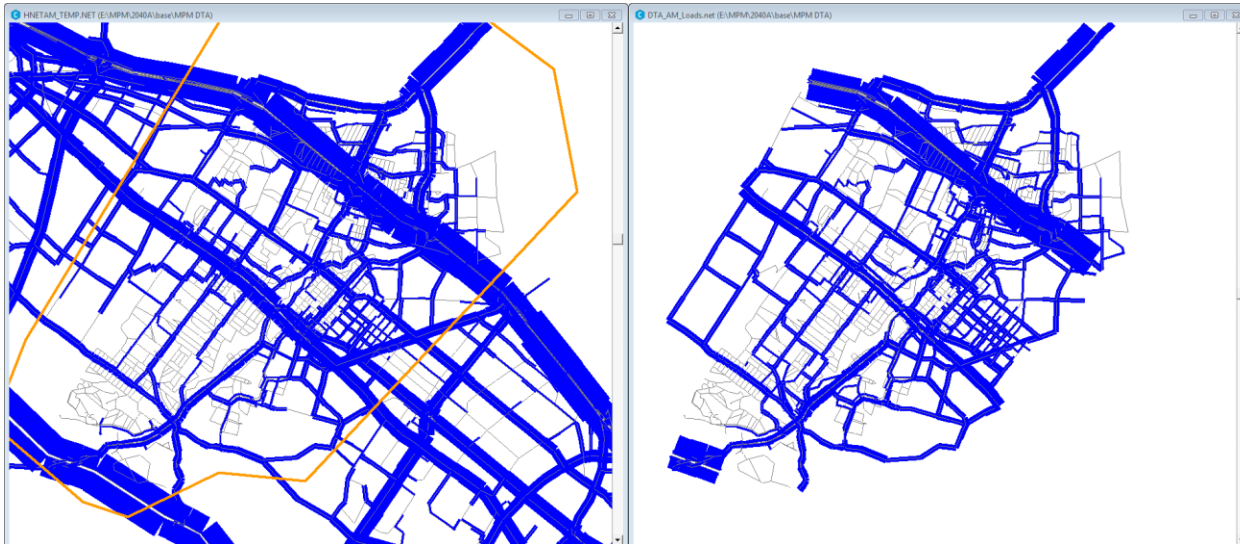


Zooming into the area between 84 and 101 and University and Marsh Road, it can be seen that the AM peak hour volumes are comparable. The main difference is that some of the outbound link volumes, such as East bound 84 to the Dumbarton Bridge, in the DTA (right) map are lower because not all trips can make it through the study area during the peak hour. This congestion effect cannot be captured in static traffic assignment.

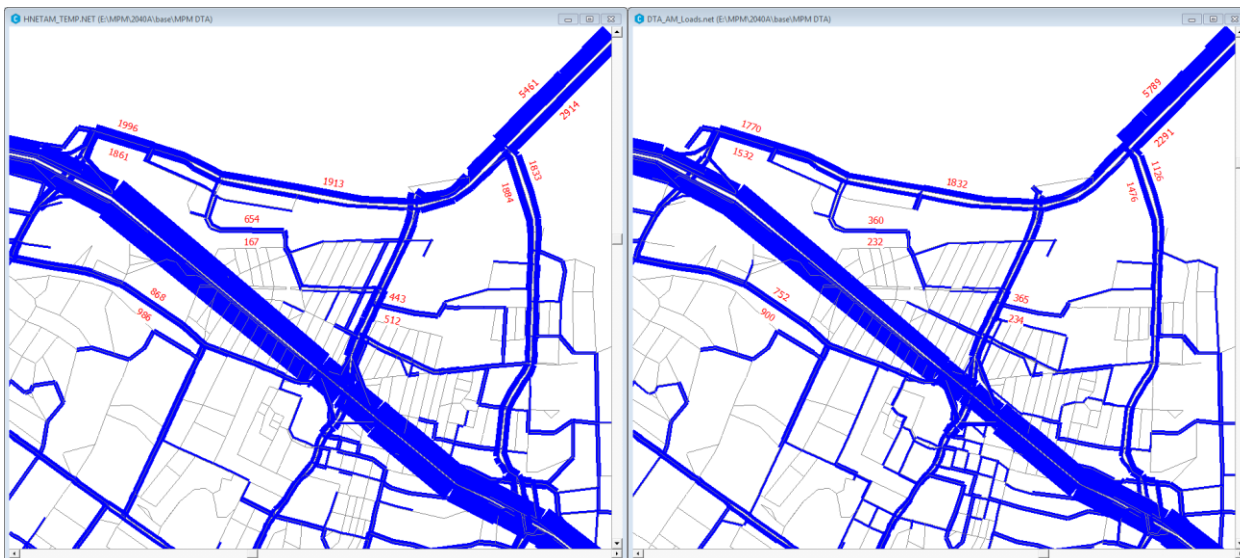


The following screenshot shows a comparison of the 2040 AM Peak Hour volumes between the static assignment (left) and DTA (right). The scales of the bandwidth plots are both 250 vehicle per pixel. It can be seen that the overall travel patterns between the two traffic assignment methods are consistent.

2040 AM Static Assignment vs. Dynamic Traffic Assignment in Travel Demand Models

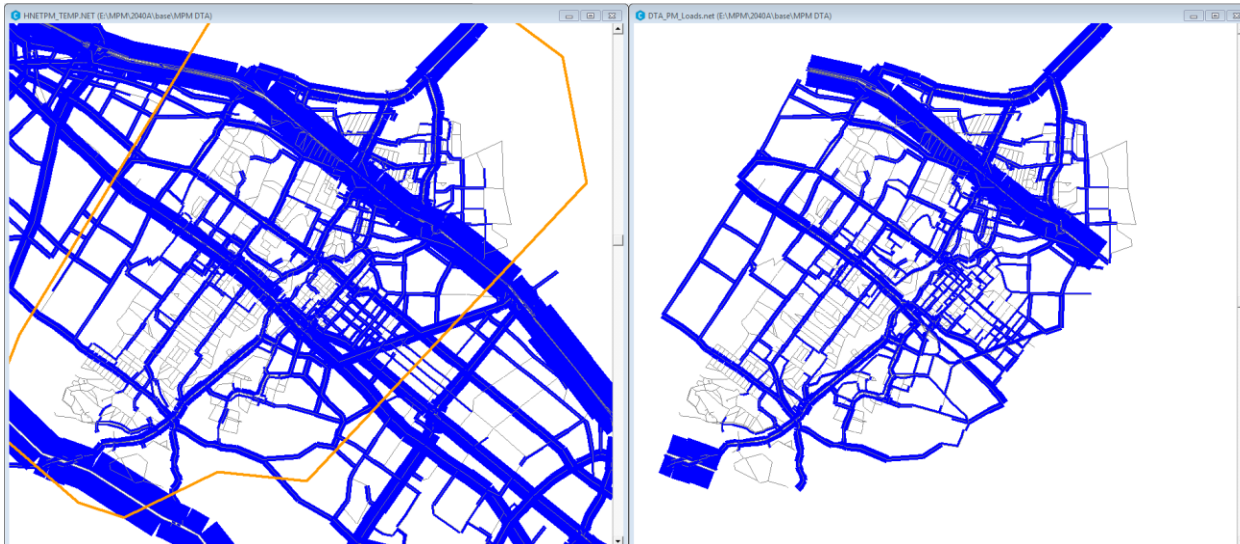


Zooming into the area between 84 and 101 and University and Marsh Road, it can be seen that the AM peak hour volumes are comparable. The main difference is that some of the outbound link volumes, such as East bound 84 to the Dumbarton Bridge, in the DTA (right) map are lower because not all trips can make it through the study area during the peak hour. This congestion effect cannot be captured in static traffic assignment.

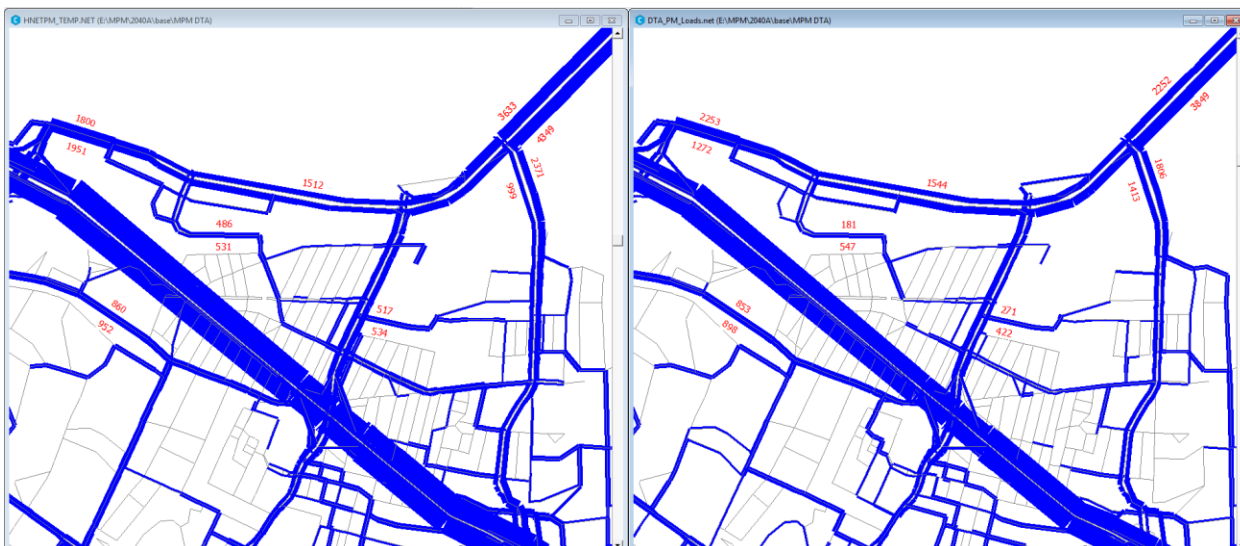


The following screenshot shows a comparison of the 2040 PM Peak Hour volumes between the static assignment (left) and DTA (right). The scales of the bandwidth plots are both 250 vehicle per pixel. It can be seen that the overall travel patterns between the two traffic assignment methods are consistent.

2040 PM Static Assignment vs. Dynamic Traffic Assignment in Travel Demand Models



Zooming into the area between 84 and 101 and University and Marsh Road, it can be seen that the PM peak hour volumes are comparable. The main difference is that some of the outbound link volumes, such as East bound 84 to the Dumbarton Bridge, in the DTA (right) map are lower because not all trips can make it through the study area during the peak hour. This congestion effect cannot be captured in static traffic assignment.



MPM Development Summary

- The Menlo Park Model (MPM) was developed based on the CCAG-VTA Model received on 7/9/15.
- The version of CCAG-VTA was still under development by VTA at that time. Three model years, namely, 2013, 2020, and 2040, were obtained.
- A “windowing” approach was applied to enhance network and zonal details within the Menlo Park city boundary plus sphere of influence. The model outside of study area will be identical to the CCAG-VTA Model.
- The draft MTC TM2 network was used to create detailed network within city boundary.
- The number of TAZ within city boundary increased from 24 in CCAG-VTA Model to 80 in MPM.
- Land use data input was created in collaboration with the city staff for each scenario
- A Dynamic Traffic Assignment (DTA) model was created for each of the AM and PM peak hour within the study area.

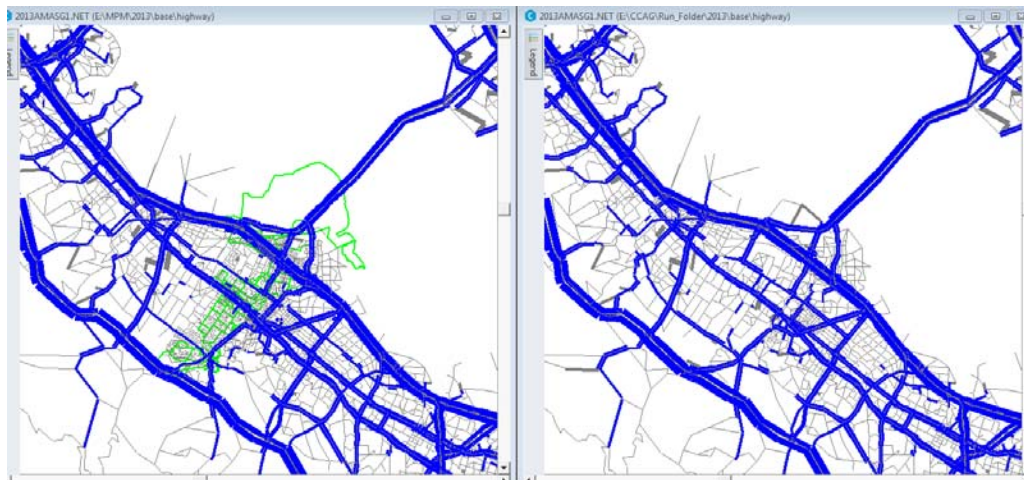
Validation Results

Consistency with CCAG-VTA Model Outside of MPM Study Area

The 2013 AM Peak Hour assigned networks from CCAG-VTA and MPM models were used to verify the consistency. The comparisons, which are shown in Appendix A, illustrate that the regional travel patterns between the MPM and the CCAG-VTA model are consistent.

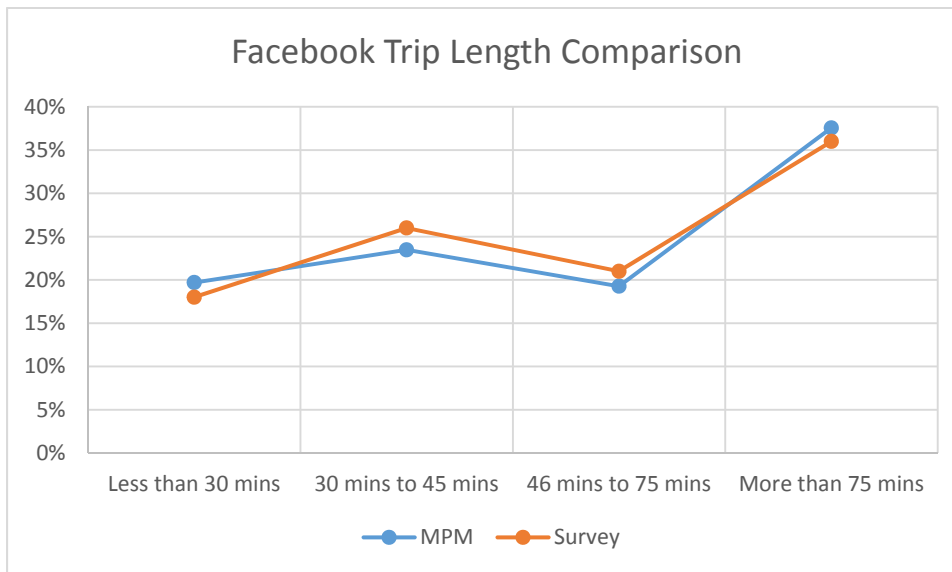
Consistency with CCAG-VTA Model Inside of MPM Study Area

The overall MPM AM Peak Hour travel pattern through the MPM study area, outlined by green boundary, is shown as bandwidth in the left window below, with the CCAG-VTA bandwidth on the right. The MPM travel pattern seems consistent with CCAG-VTA result overall. The MPM travel pattern in the study area seems more distributed than CCAG-VTA Model probably because the enhanced network and zonal details.



Facebook Campus Trips Travel Time Distribution

The two Facebook campus zones are treated as special generators in the MPM. The trip generation, distribution, mode choice and peak hour factors were specified off-model based on the travel data from Facebook. As an example, the travel time distribution, or commonly known in modeling as trip length distribution, of Facebook trips in MPM, shown below, is matching the travel data very well.



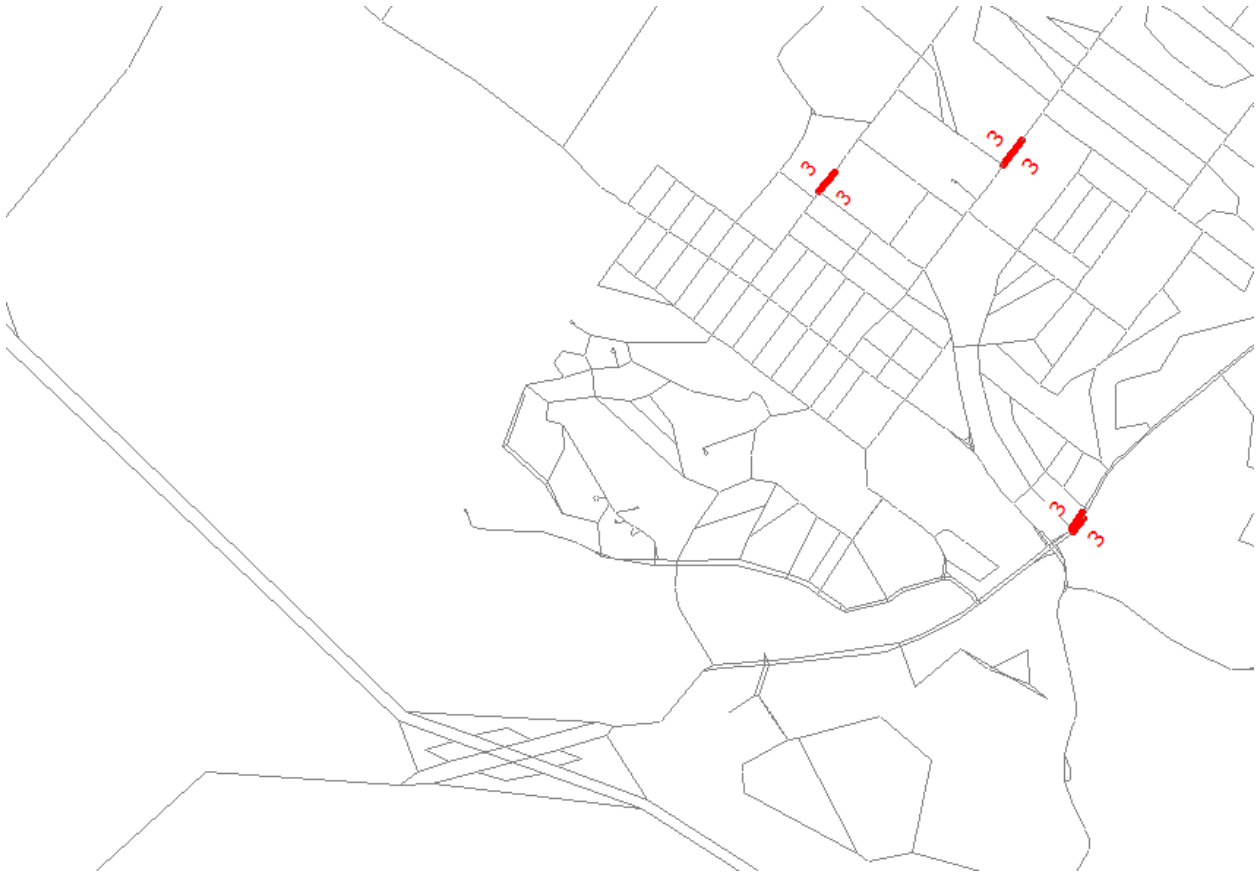
Travel Time	Survey	MPM
Less than 30 mins	18%	20%
30 mins to 45 mins	26%	23%
46 mins to 75 mins	21%	19%
More than 75 mins	36%	38%
Avg Trip Length	68.9	66.9

Screenline Validation

The daily and AM/PM peak hour volume-to-count at five screenlines, made up of selected count locations, were compared to check the general travel patterns in the study area. The five screenlines are:

Screenline	Description
1	Hamilton Ave, Ivy Dr., Newbridge St.
2	Marsh Rd, and Willow Rd West of US-101
3	Valparaiso Ave, Santa Cruz Ave, and Sand Hill Rd. East of I-280
4	US-101 South of Willow Interchange
5	Dumbarton Bridge







MPM MODEL ADT SL VALIDATION

SCREENLINE	VOL	COUNT	V-C	(V-C)/C	MAX	<MAX	DEVS
1	12360	12274	86	0.01	0.33	YES	0.02
2	59830	59900	-70	-0.00	0.18	YES	-0.01
3	30535	59300	-28765	-0.49	0.18	---	-2.67
4	203209	211000	-7791	-0.04	0.14	YES	-0.27
5	67290	50000	17290	0.35	0.20	---	1.74

MPM MODEL AM PH SL VALIDATION

SCREENLINE	VOL	COUNT	V-C	(V-C)/C	MAX	<MAX	DEVS
1	956	775	181	0.23	0.65	YES	0.36
2	3096	4799	-1703	-0.35	0.48	YES	-0.74
3	2135	2157	-22	-0.01	0.59	YES	-0.02

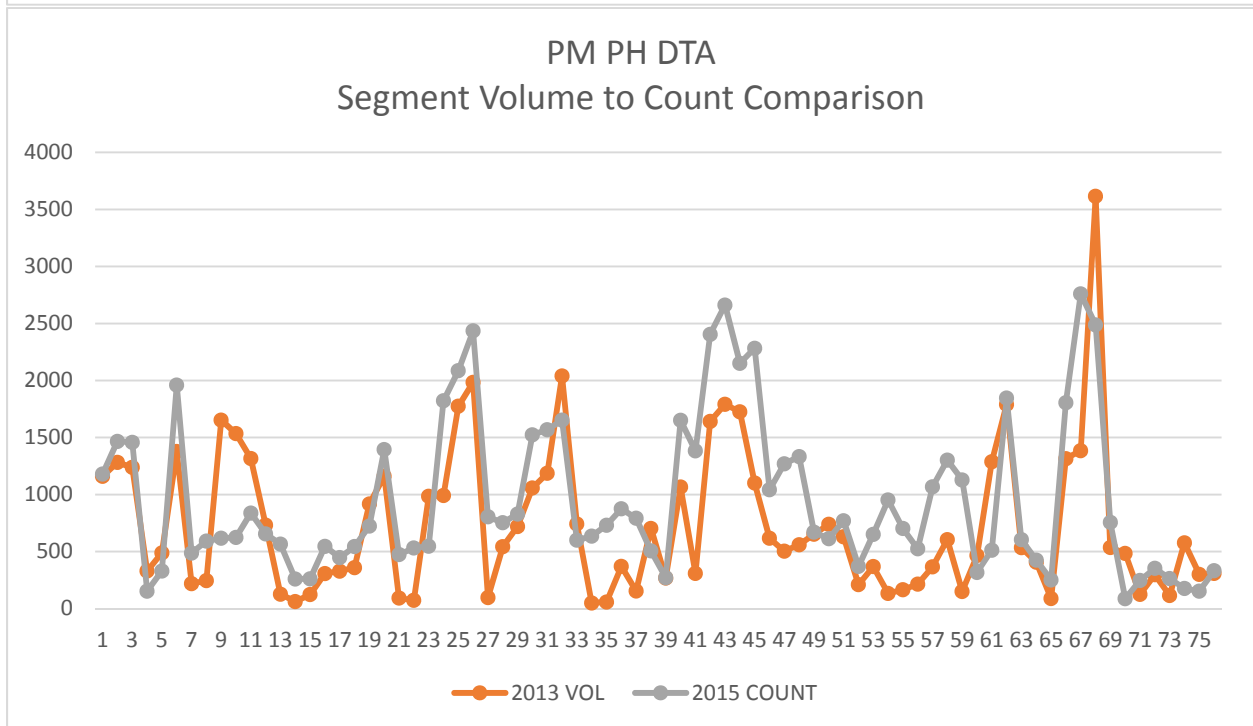
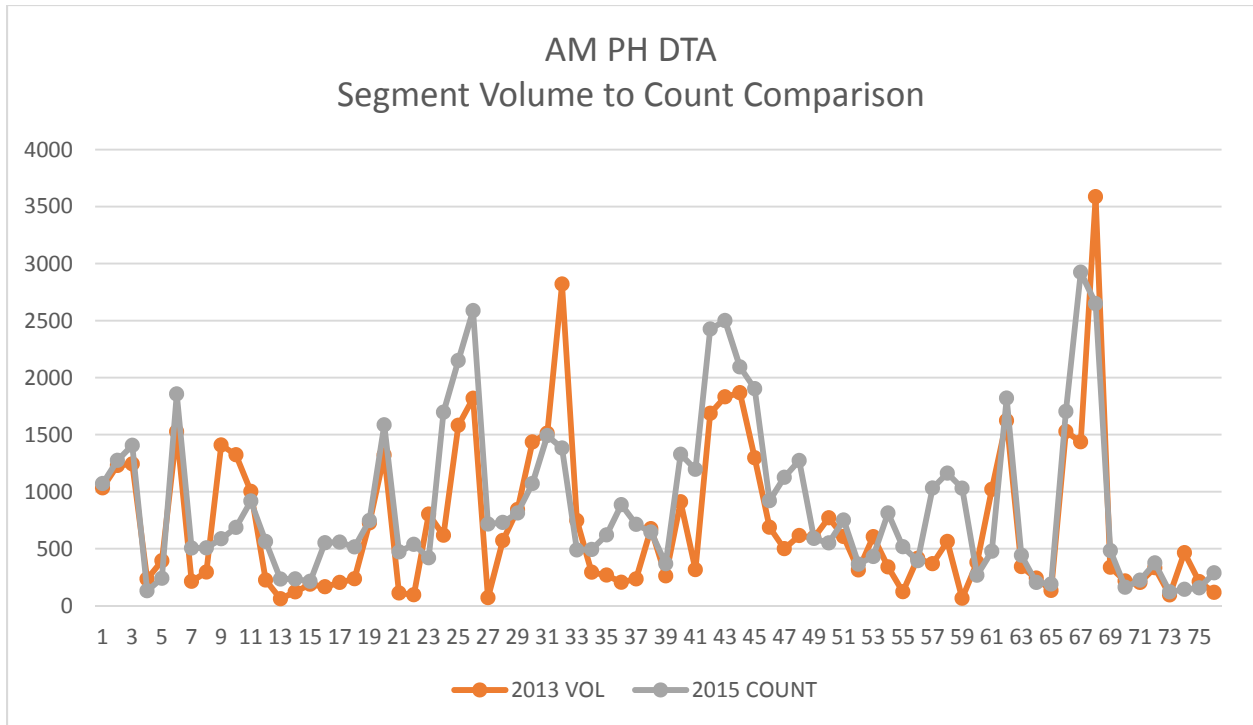
MPM MODEL PM PH SL VALIDATION

SCREENLINE	VOL	COUNT	V-C	(V-C)/C	MAX	<MAX	DEVS
1	974	932	42	0.04	0.64	YES	0.07
2	3437	4573	-1136	-0.25	0.49	YES	-0.51
3	3423	2338	1085	0.46	0.58	YES	0.80

Note: no peak hour counts available at screenline 4 and 5

AM/PM Peak Hour Study Segment Volume-to-Count Comparison

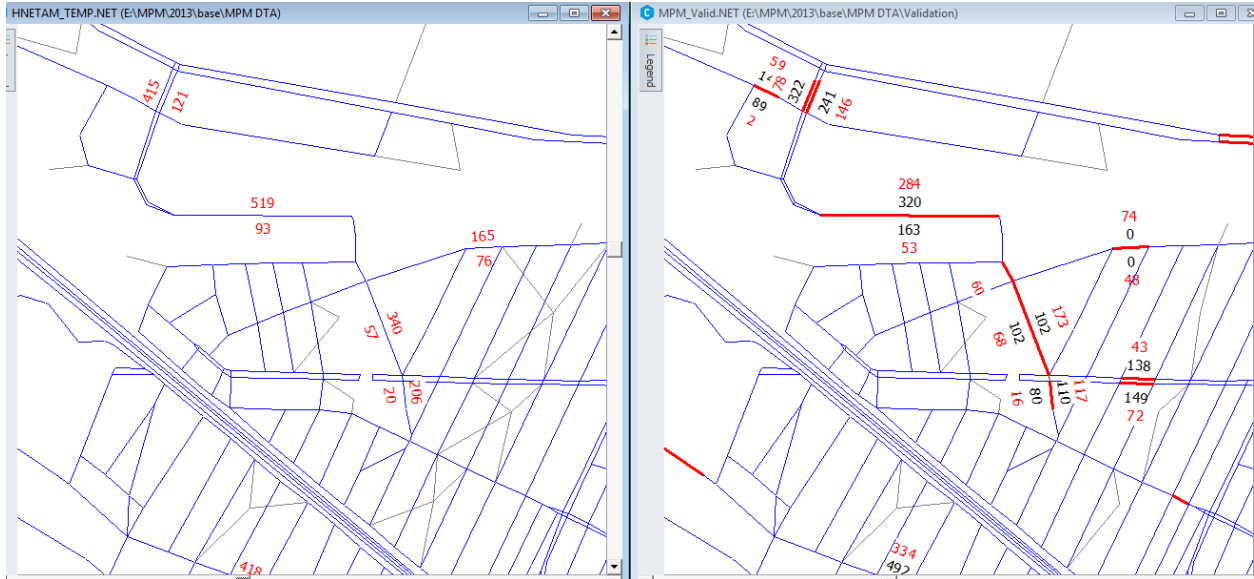
The 2013 peak hour volumes at study segments were compared to the 2015 counts to check the overall pattern. The validation statistics are shown in Appendix B. Although from different years, 78% of AM segments and 76% of PM segments passed the Caltrans Guidelines on maximum allowable deviations for volume-to-count comparison.



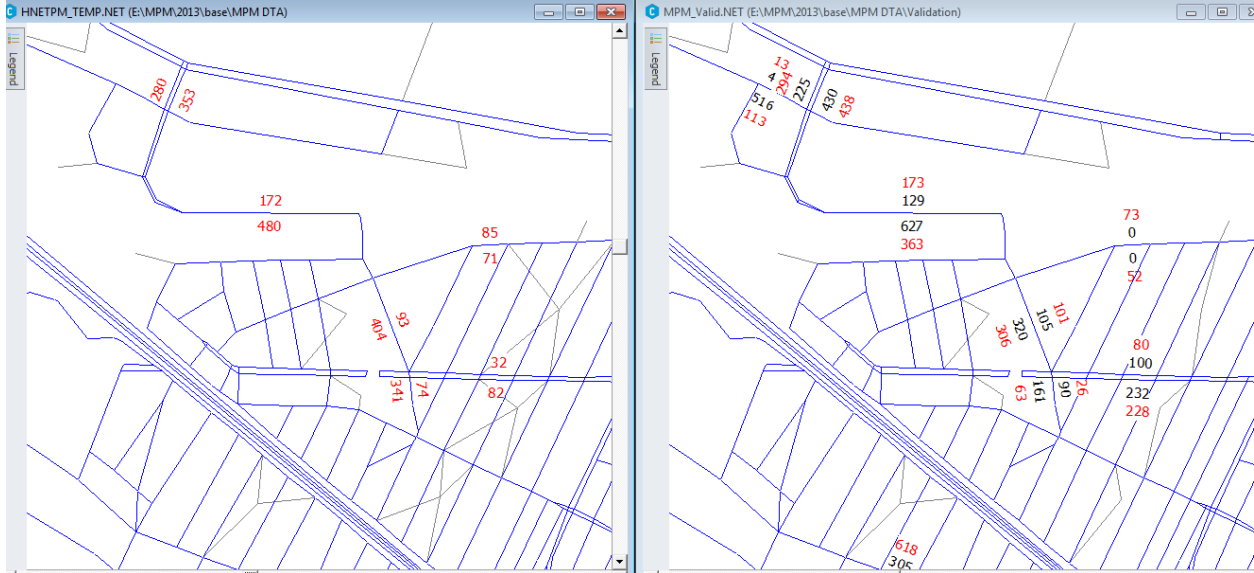
Chilco St. Validation

- Red numbers: Volume
- Black numbers: Count

2013 AM PH (STA vs. DTA)

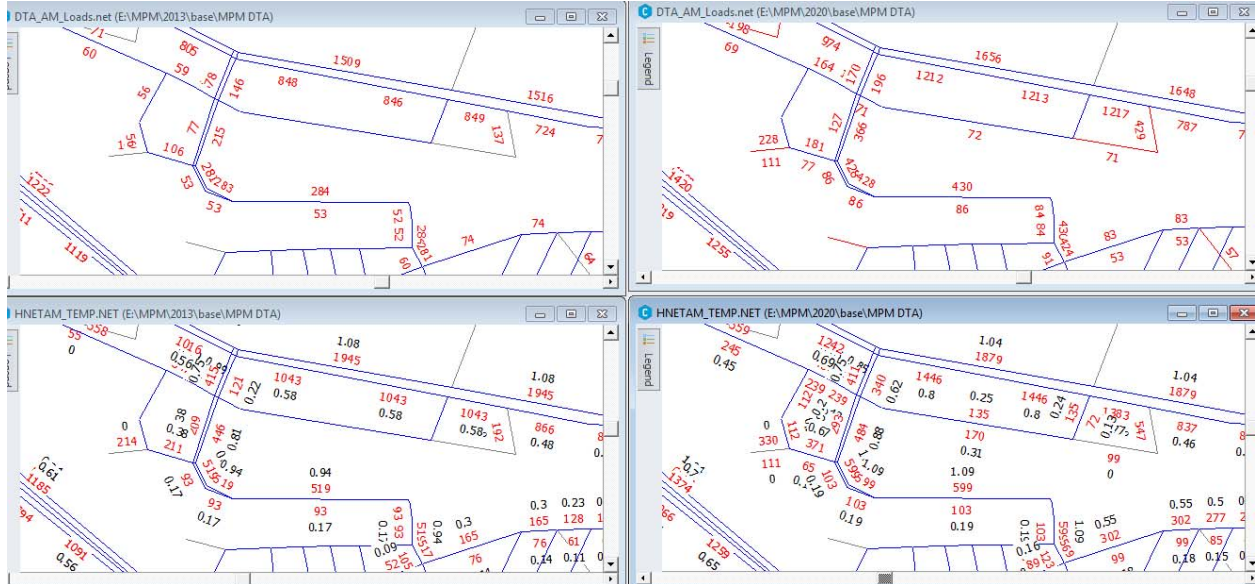


2013 PM PH (STA vs. DTA)



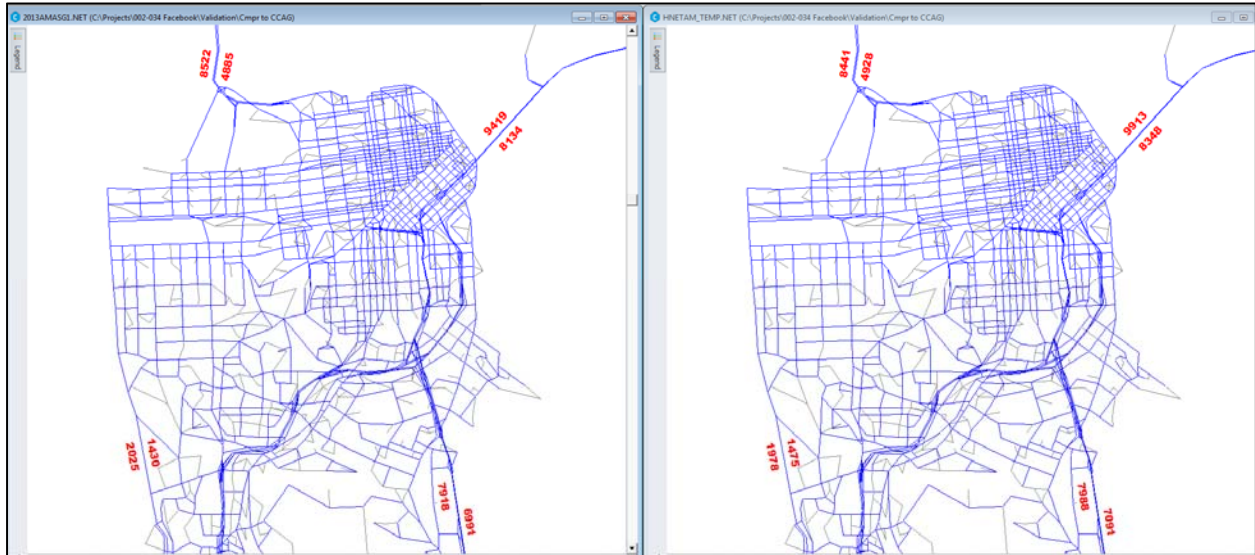
2013 vs 2020 AM PH forecasts (DTA on top; STA on bottom)

- Red numbers: Volume
- Black numbers: V/C



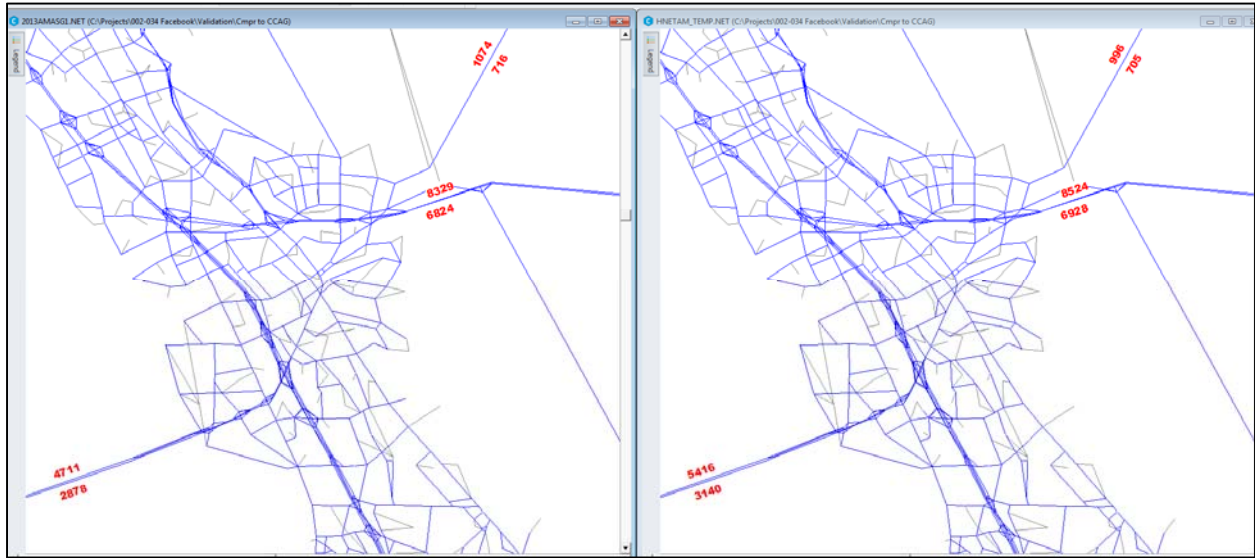
Appendix A. 2013 AM Peak Hour Volume Comparison (CCAG Model vs MPM)

Bay Bridge - Golden Gate Bridge and other SF links



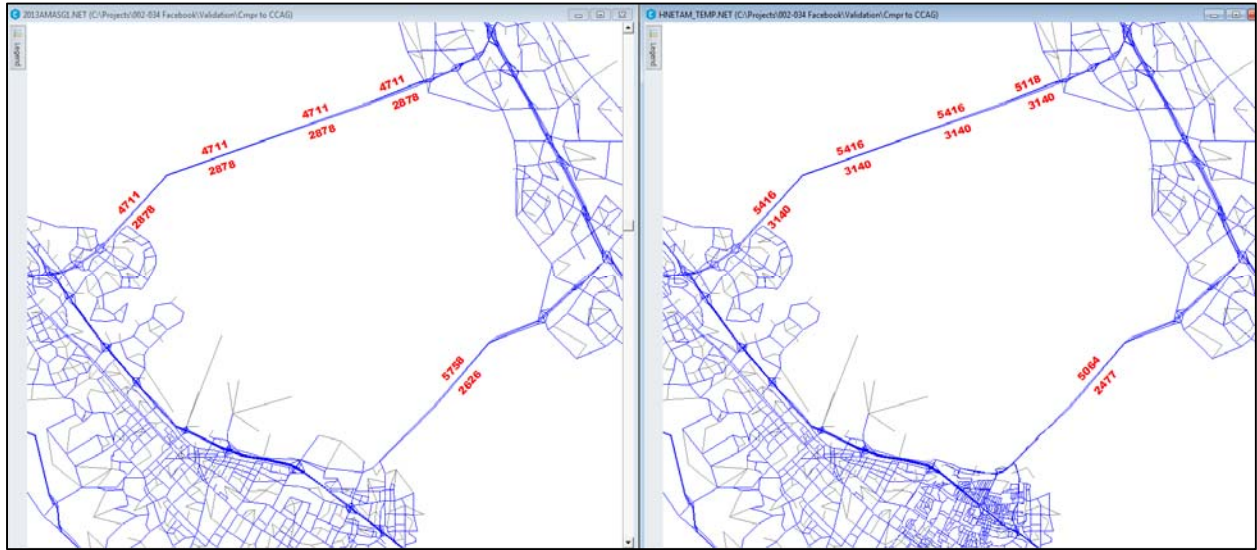
Roadway Segment	CCAG	MPM
NB Great Highway	1,430	1,475
SB Great Highway	2,025	1,978
NB GG Bridge	4,885	4,928
SB GG Bridge	8,522	8,441
NB US 101	6,891	7,091
SB US 101	7,918	7,988
WB Bay Bridge	9,419	9,913
EB Bay Bridge	8,134	8,348

East Bay



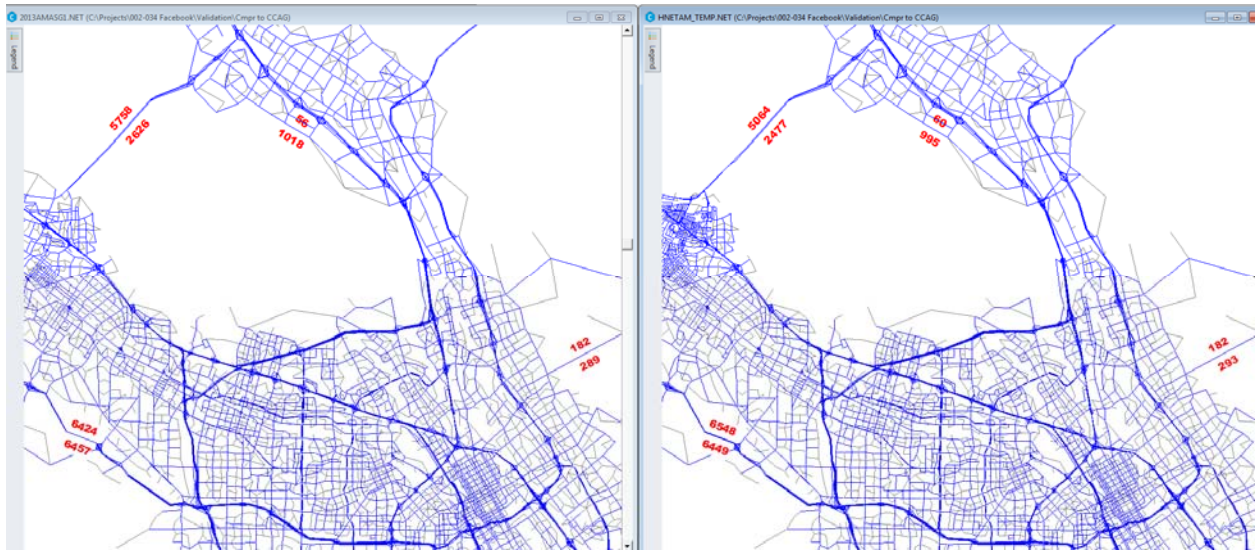
Roadway Segment	CCAQ	MPM
WB San Mateo Bridge	4,711	5,416
EB San Mateo Bridge	2,878	3,140
WB I-580	8,329	8,524
EB I-580	6,824	6,928
NB Crow Canyon Rd	716	705
SB Crow Canyon Rd	1,074	996

San Mateo Bridge vs. Dumbarton Bridge



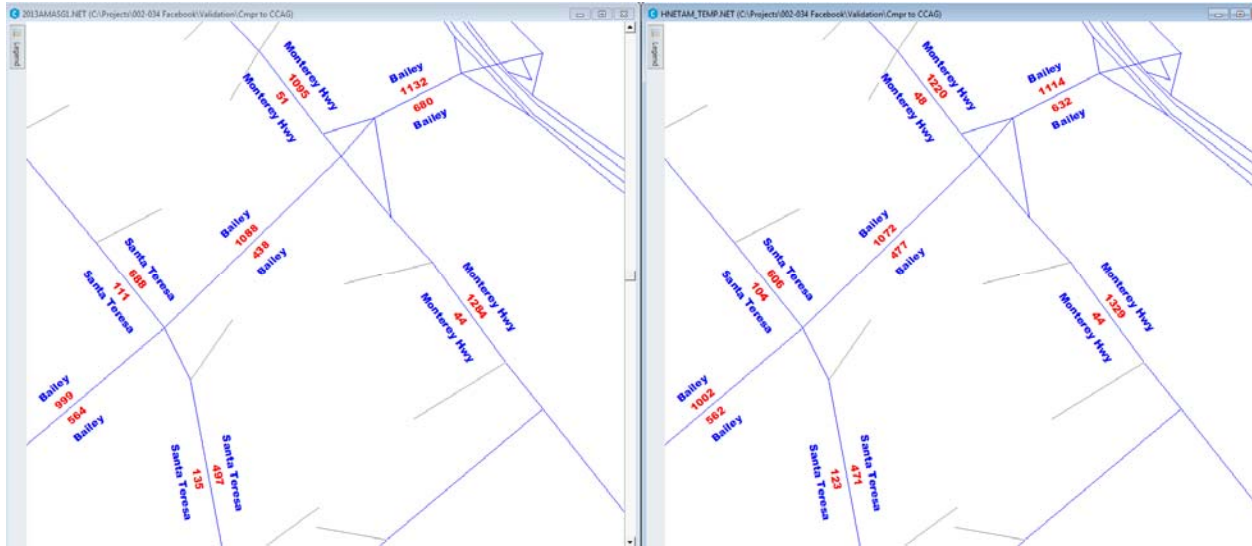
Road Segment	CCAG	MPM
WB San Mateo Bridge	4,711	5,416
EB San Mateo Bridge	2,878	3,140
WB Dumbarton Bridge	5,758	5,064
EB Dumbarton Bridge	2,626	2,477

South Bay



Road Segment	CCAG	MPM
WB Dumbarton Bridge	5,758	5,064
EB Dumbarton Bridge	2,626	2,477
WB Cherry St between Mowry and Stevenson	56	60
EB Cherry St between Mowry and Stevenson	1,018	995
WB Sierra Rd E. of Piedmont	182	181
EB Sierra Rd E. of Piedmont	288	293
WB I-280 W. of El Monte Rd	6,424	6,548
EB I-280 W. of El Monte Rd	6,457	6,449

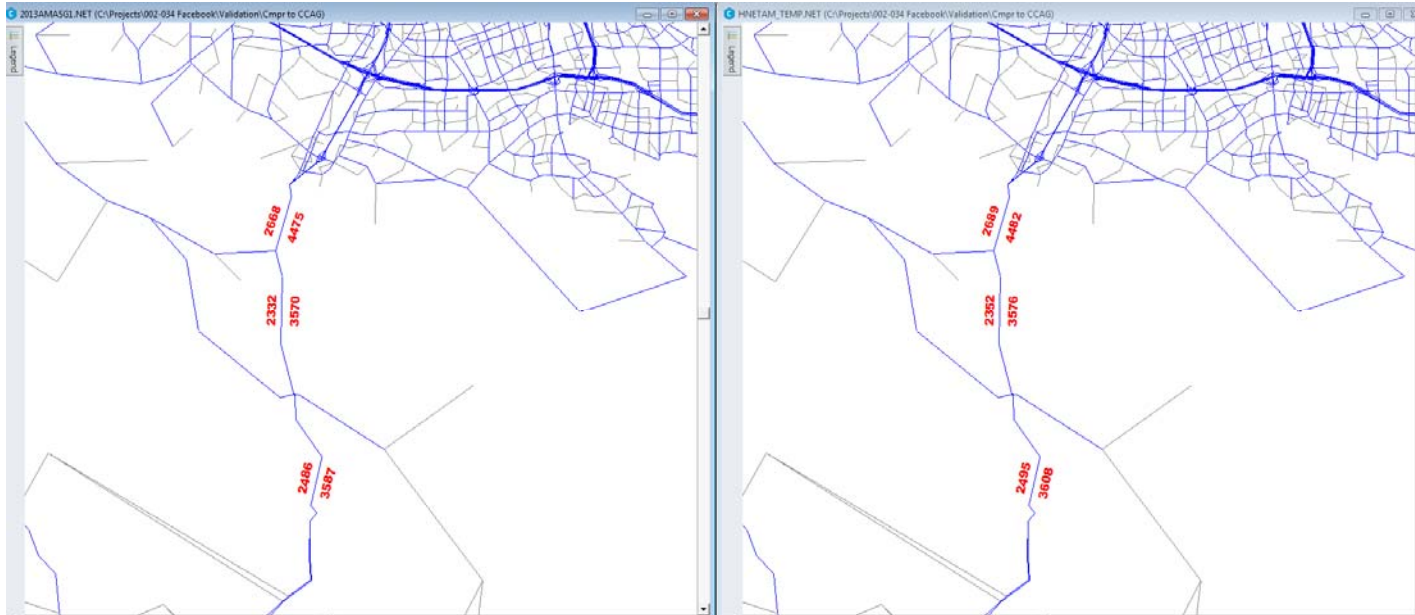
US 101 near Bailey Ave



Note: Street names are only available for display in this particular zone

Road Segment	CCAG	MPM
NB Bailey Rd S. of US 101	680	632
SB Bailey Rd S. of US 101	1,132	1,114
NB Bailey Rd S. of Monterey Hwy	438	477
SB Bailey Rd S. of Monterey Hwy	1,088	1,072
NB Bailey Rd S. of Saint Teresa Blvd	564	562
SB Bailey Rd S. of Saint Teresa Blvd	999	1,002
WB Saint Teresa Blvd W. of Bailey	688	606
EB Saint Teresa Blvd W. of Bailey	111	104
WB Saint Teresa Blvd E. of Bailey	497	471
EB Saint Teresa Blvd E. of Bailey	135	123
WB Monterey Hwy W. of Bailey	1,095	1,220
EB Monterey Hwy W. of Bailey	51	48
WB Monterey Hwy E. of Bailey	1,284	1,329
EB Monterey Hwy E. of Bailey	44	44

Hwy 17



Road Segment	CCAG	MPM
NB Hwy 17 N. of Bear Creek Rd	4,475	4,482
SB Hwy 17 N. of Bear Creek Rd	2,668	2,689
NB Hwy 17 S. of Bear Creek Rd	3,570	3,576
SB Hwy 17 S. of Bear Creek Rd	2,332	2,352
NB Hwy 17 S. of Hwy 35	3,587	3,608
SB Hwy 17 S. of Hwy 35	2,486	2,495

Appendix B

MPM MODEL AM PEAK HOUR VALIDATION

LOCATION	VOL	COUNT	V-C	(V-C)/C	MAX	<MAX	DEVS
1	1033	1070	-37	-0.03	0.64	YES	-0.05
2	1229	1274	-45	-0.04	0.63	YES	-0.06
3	1243	1406	-163	-0.12	0.62	YES	-0.19
4	234	130	104	0.80	0.68	---	1.18
5	394	240	154	0.64	0.67	YES	0.96
6	1526	1857	-331	-0.18	0.60	YES	-0.30
7	213	505	-292	-0.58	0.66	YES	-0.87
8	295	507	-212	-0.42	0.66	YES	-0.63
9	1409	586	823	1.40	0.66	---	2.13
10	1323	686	637	0.93	0.65	---	1.42
11	1002	917	85	0.09	0.64	YES	0.14
13	224	563	-339	-0.60	0.66	YES	-0.91
15	61	233	-172	-0.74	0.67	---	-1.10
16	121	235	-114	-0.48	0.67	YES	-0.72
17	188	213	-25	-0.12	0.67	YES	-0.17
18	165	552	-387	-0.70	0.66	---	-1.06
19	203	557	-354	-0.64	0.66	YES	-0.96
20	236	515	-279	-0.54	0.66	YES	-0.82
22	725	746	-21	-0.03	0.65	YES	-0.04
23	1322	1586	-264	-0.17	0.62	YES	-0.27
24	111	472	-361	-0.76	0.66	---	-1.15
25	95	537	-442	-0.82	0.66	---	-1.25
26	802	420	382	0.91	0.67	---	1.37
27	617	1696	-1079	-0.64	0.61	---	-1.04
28	1581	2150	-569	-0.26	0.59	YES	-0.45

29	1819	2587	-768	-0.30	0.57	YES	-0.52
31	70	716	-646	-0.90	0.65	---	-1.38
32	571	729	-158	-0.22	0.65	YES	-0.33
33	843	813	30	0.04	0.65	YES	0.06
34	1435	1070	365	0.34	0.64	YES	0.53
35	1513	1491	22	0.01	0.62	YES	0.02
36	2820	1382	1438	1.04	0.62	---	1.67
37	746	488	258	0.53	0.66	YES	0.80
38	293	493	-200	-0.41	0.66	YES	-0.61
39	268	620	-352	-0.57	0.66	YES	-0.87
40	205	886	-681	-0.77	0.65	---	-1.19
41	235	713	-478	-0.67	0.65	---	-1.03
42	675	646	29	0.05	0.66	YES	0.07
43	261	367	-106	-0.29	0.67	YES	-0.43
45	910	1328	-418	-0.31	0.63	YES	-0.50
46	316	1195	-879	-0.74	0.63	---	-1.16
48	1686	2426	-740	-0.31	0.58	YES	-0.53
49	1831	2500	-669	-0.27	0.57	YES	-0.47
51	1867	2094	-227	-0.11	0.59	YES	-0.18
52	1297	1903	-606	-0.32	0.60	YES	-0.53
53	688	921	-233	-0.25	0.64	YES	-0.39
54	499	1126	-627	-0.56	0.64	YES	-0.88
55	614	1273	-659	-0.52	0.63	YES	-0.82
56	597	590	7	0.01	0.66	YES	0.02
57	771	550	221	0.40	0.66	YES	0.61
59	606	751	-145	-0.19	0.65	YES	-0.30
60	313	364	-51	-0.14	0.67	YES	-0.21
61	605	431	174	0.40	0.66	YES	0.61
62	339	812	-473	-0.58	0.65	YES	-0.90
63	122	516	-394	-0.76	0.66	---	-1.15

64	416	395	21	0.05	0.67	YES	0.08
65	367	1031	-664	-0.64	0.64	---	-1.01
66	563	1162	-599	-0.52	0.63	YES	-0.81
67	65	1030	-965	-0.94	0.64	---	-1.46
68	380	267	113	0.42	0.67	YES	0.63
69	1020	477	543	1.14	0.66	---	1.72
70	1623	1820	-197	-0.11	0.60	YES	-0.18
71	342	442	-100	-0.23	0.66	YES	-0.34
72	241	204	37	0.18	0.67	YES	0.27
73	134	190	-56	-0.30	0.67	YES	-0.44
75	1528	1703	-175	-0.10	0.61	YES	-0.17
76	1437	2924	-1487	-0.51	0.56	YES	-0.91
77	3587	2649	938	0.35	0.57	YES	0.62
78	337	483	-146	-0.30	0.66	YES	-0.46
81	216	161	55	0.34	0.68	YES	0.50
82	204	223	-19	-0.09	0.67	YES	-0.13
83	332	374	-42	-0.11	0.67	YES	-0.17
84	94	121	-27	-0.22	0.68	YES	-0.32
85	465	143	322	2.25	0.68	---	3.32
86	210	156	54	0.35	0.68	YES	0.51
87	116	287	-171	-0.60	0.67	YES	-0.89

PERCENT OF LINKS PASSED: 78%

*** AM PH %RMSE by Link Class Test ***

Facility Type	%RMSE	MAX	Validation
INTERSTATE&RAMPS	32.6%	< 40%	PASS
PRINCIPAL ARTERL	50.9%	< 40%	
COLLECTORS	51.9%	< 40%	
Overall	57.5	< 40%	

*** AM PH %ERR by Functional Class Test ***

Function Class	V/C %Err	MAX	Validation
INTERSTATE&RAMPS	-23.7%	< 7%	
PRINCIPAL ARTERL	-19.1%	< 10%	
COLLECTOR	-15.3%	< 15%	
OVERALL	-19.0		

MPM MODEL PM PEAK HOUR VALIDATION

LOCATION	VOL	COUNT	V-C	(V-C)/C	MAX	<MAX	DEVS
1	1160	1180	-20	-0.02	0.63	YES	-0.03
2	1282	1466	-184	-0.13	0.62	YES	-0.20
3	1238	1458	-220	-0.15	0.62	YES	-0.24
4	329	153	176	1.15	0.68	---	1.70
5	488	330	158	0.48	0.67	YES	0.71
6	1377	1960	-583	-0.30	0.60	YES	-0.50
7	219	487	-268	-0.55	0.66	YES	-0.83
8	245	592	-347	-0.59	0.66	YES	-0.89
9	1653	617	1036	1.68	0.66	---	2.56
10	1534	624	910	1.46	0.66	---	2.22
11	1316	838	478	0.57	0.65	YES	0.88
13	732	655	77	0.12	0.66	YES	0.18
15	126	565	-439	-0.78	0.66	---	-1.18
16	62	259	-197	-0.76	0.67	---	-1.13
17	123	261	-138	-0.53	0.67	YES	-0.79
18	307	546	-239	-0.44	0.66	YES	-0.66
19	328	447	-119	-0.27	0.66	YES	-0.40
20	359	544	-185	-0.34	0.66	YES	-0.51
22	918	724	194	0.27	0.65	YES	0.41
23	1161	1394	-233	-0.17	0.62	YES	-0.27
24	92	474	-382	-0.81	0.66	---	-1.22
25	73	531	-458	-0.86	0.66	---	-1.30
26	984	547	437	0.80	0.66	---	1.21
27	991	1822	-831	-0.46	0.60	YES	-0.75
28	1774	2086	-312	-0.15	0.59	YES	-0.25
29	1983	2435	-452	-0.19	0.58	YES	-0.32

31	97	805	-708	-0.88	0.65	---	-1.36
32	543	753	-210	-0.28	0.65	YES	-0.43
33	720	829	-109	-0.13	0.65	YES	-0.20
34	1058	1523	-465	-0.31	0.62	YES	-0.49
35	1186	1568	-382	-0.24	0.62	YES	-0.39
36	2040	1652	388	0.23	0.61	YES	0.38
37	742	600	142	0.24	0.66	YES	0.36
38	49	635	-586	-0.92	0.66	---	-1.41
39	57	731	-674	-0.92	0.65	---	-1.41
40	370	875	-505	-0.58	0.65	YES	-0.89
41	154	792	-638	-0.81	0.65	---	-1.24
42	703	506	197	0.39	0.66	YES	0.59
43	267	271	-4	-0.01	0.67	YES	-0.02
45	1066	1651	-585	-0.35	0.61	YES	-0.58
46	308	1383	-1075	-0.78	0.62	---	-1.25
48	1642	2405	-763	-0.32	0.58	YES	-0.55
49	1792	2662	-870	-0.33	0.57	YES	-0.58
51	1725	2151	-426	-0.20	0.59	YES	-0.34
52	1101	2283	-1182	-0.52	0.58	YES	-0.89
53	617	1042	-425	-0.41	0.64	YES	-0.64
54	503	1270	-767	-0.60	0.63	YES	-0.96
55	560	1332	-772	-0.58	0.63	YES	-0.93
56	652	670	-18	-0.03	0.65	YES	-0.04
57	739	613	126	0.21	0.66	YES	0.31
59	630	770	-140	-0.18	0.65	YES	-0.28
60	210	370	-160	-0.43	0.67	YES	-0.65
61	368	651	-283	-0.43	0.66	YES	-0.66
62	133	952	-819	-0.86	0.64	---	-1.34
63	165	702	-537	-0.77	0.65	---	-1.17
64	214	524	-310	-0.59	0.66	YES	-0.90

65	366	1068	-702	-0.66	0.64	---	-1.03
66	605	1302	-697	-0.54	0.63	YES	-0.85
67	150	1128	-978	-0.87	0.64	---	-1.36
68	465	317	148	0.47	0.67	YES	0.70
69	1288	512	776	1.52	0.66	---	2.29
70	1790	1846	-56	-0.03	0.60	YES	-0.05
71	534	604	-70	-0.12	0.66	YES	-0.18
72	407	425	-18	-0.04	0.66	YES	-0.06
73	88	251	-163	-0.65	0.67	YES	-0.96
75	1315	1806	-491	-0.27	0.61	YES	-0.45
76	1385	2760	-1375	-0.50	0.56	YES	-0.88
77	3615	2487	1128	0.45	0.58	YES	0.79
78	536	756	-220	-0.29	0.65	YES	-0.45
81	484	87	397	4.56	0.68	---	6.71
82	124	246	-122	-0.49	0.67	YES	-0.74
83	297	353	-56	-0.16	0.67	YES	-0.24
84	115	264	-149	-0.56	0.67	YES	-0.84
85	576	176	400	2.27	0.68	---	3.36
86	300	153	147	0.96	0.68	---	1.42
87	309	332	-23	-0.07	0.67	YES	-0.11

PERCENT OF LINKS PASSED: 76%

*** PM PH %RMSE by Link Class Test ***

Facility Type	%RMSE	MAX	Validation
INTERSTATE&RPMP	22.0%	< 40%	PASS
PRINCIPAL ARTERL	52.4%	< 40%	
COLLECTORS	59.4%	< 40%	
Overall	58.7	< 40%	

*** PM PH %ERR by Functional Class Test ***

Function Class	V/C %Err	MAX	Validation
INTERSTATE&RPMP	-8.2%	< 7%	
PRINCIPAL ARTERL	-25.7%	< 10%	
COLLECTOR	-10.2%	< 15%	PASS
OVERALL	-23.1		

Lawrence Liao
DIRECTOR OF TRAVEL DEMAND MODELING
Project Role: Lead Travel Demand Modeler



Lawrence Liao has more than 17 years of experience in the areas of travel demand forecasting and software tool development. Mr. Liao has developed or updated travel demand models at various levels – from cities, counties, MPOs to states. He has also provided travel modeling support for various projects, such as traffic impact studies, general plan update, environmental impact reports/environmental impact statements, corridor studies, transit-oriented development, corridor system management plans, managed lane modeling, as well as federal research projects. In addition, Mr. Liao also developed customized software tools to postprocess microsimulation model output and facilitate data exchange across software platforms.

Mr. Liao is experienced in all major travel demand modeling software packages, including Cube, TransCAD, EMME, VISUM, Tranplan, and MinUTP, as well as, common programming languages, such as, Python, Java, MS Office VBA, C++, Pascal, and Fortran.

Mr. Liao is one of only five **certified Cube Trainers** in the world and is a former technical support lead at Citilabs -- the vendor for **Cube-Avenue Dynamic Traffic Assignment (DTA) software**. Mr. Liao has provided Cube technical support, conducted numerous Cube model training, and is an expert in Cube-Voyager/TP+ scripting.

PROJECT EXPERIENCE

DTA Modeling Experience

- Evaluated **Cube Avenue and Dynameq DTA software options** for the Community Planning Association of Southwest Idaho, Community Planning Association of Southwest Idaho, Boise ID Area MPO
- Assisted in the Greater Eureka **TransModeler DTA model** development
- Received training for **DynusT DTA software** through the second Strategic Highway Research Program SHRP 2 Project C10
- Co-authored **research papers on DTA**
 - “A Comparison of Traffic Models: Part II Results”, California Partners of Advanced Transportation and Highway (PATH) Working Paper, UCB-ITS-PWP-97-15, 1997
 - “A Comparison of Traffic Models: Part I Framework”, California PATH Research Report, UCB-ITS-96-22, 1996
 - “Estimating Dynamic O-D Matrices Using Advanced Technologies”, Presented at 74th Annual Meeting of Transportation Research Board

YEARS EXPERIENCE:

17

AREAS OF EXPERTISE:

- Travel Demand Model Development/Update
- Travel Demand Model Application
- Certified Cube Trainer
- Software Development

PROFESSIONAL HISTORY:

	TJKM	
2014	-	Present
Cambridge Systematics		
2008	-	2014
Arup		
2007	-	2008
Fehr and Peers		
2003	-	2007
Citilabs		
1999	-	2002

EDUCATION:

M.Eng. Transportation,
 University of California,
 Berkeley

MS Industrial Engineering,
 University of New Haven, CT

BS Industrial Engineering,
 Tunghai University, Taiwan



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Travel Demand Modeling On-Call

- Metropolitan Planning Commission (MTC) -- Dynamic Transit Assignment Technical Support
- Caltrans -- Statewide Travel Demand Modeling On-Call
- Bay Area Rapid Transit (BART) – Planning On-Call
- San Francisco County Transportation Authority (SFCTA) – Planning On-Call
- Community Planning Association of Southwest Idaho, Boise ID Area MPO
- Wasatch Front Regional Council, Salt Lake City, UT Area MPO

Travel Demand Model Development/Update

- Community Planning Association of Southwest Idaho, Boise ID MPO
- City of Hercules, CA
- Solano Transportation Authority, CA (STA)
- Los Angeles County Metropolitan Transportation Authority
- California High Speed Rail Model
- California Statewide Travel Demand Model
- The Three County Model, covering Stanislaus, San Joaquin, and Merced Counties
- San Francisco Bay Area Water Emergency Transportation Authority
- San Joaquin Valley Goods Movement Study – Phase III
- Converted 8 San Joaquin Valley MPO models from MINUTP to TP+

Travel Demand Model Application

- Napa County Transportation Plan Update, NCTPA
- Strategic Highway Research Program SHRP 2 Project C10
- FHWA - Travel and Emissions Impacts of Highway Operations Strategies
- I-635 (LBJ Freeway) Managed Lane traffic and revenue study



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APPENDIX C:
PROPOSED BAYFRONT AREA
ZONING UPDATE



LIFE SCIENCES DISTRICT (LS)



Chapter 16.XX
LS – LIFE SCIENCES DISTRICT

Sections:

- 16.XX.010 Purpose.
- 16.XX.015 Definitions.
- 16.XX.020 Permitted uses.
- 16.XX.030 Administratively permitted uses.
- 16.XX.040 Conditional uses.
- 16.XX.050 Development regulations.
- 16.XX.060 Additional bonus development regulations.
- 16.XX.070 Community amenities required for bonus development.
- 16.XX.080 Parking standards.
- 16.XX.090 Transportation demand management
- 16.XX.100 New connections.
- 16.XX.110 Required street improvements.
- 16.XX.120 Design standards.
- 16.XX.130 Green and sustainable building.

16.XX.010 Purpose.

The purpose and intent of the Life Sciences district is to:

- (1) Attract research and development and light industrial and uses particularly those that support bioscience and biomedical product development and manufacturing and/or are potentially revenue generating businesses.
- (2) Allow administrative and professional office uses and other services that support light industrial and research and development sites and nearby.
- (3) Provide quality employment opportunities and promote emerging technology, entrepreneurship, and innovation.
- (4) Facilitate the creation of a thriving business environment with goods and services that support adjacent neighborhoods as well as the employment base.

16.XX.015 Definitions.

Terms are defined in the City's Municipal Code Chapter 16.04 unless otherwise stated in this chapter.

16.XX.020 Permitted uses.

Permitted uses in the Life Sciences district are as follows:

- (1) Light industrial and research and development and ancillary uses, except when requiring hazardous material review;
- (2) Administrative and professional offices in buildings not exceeding twenty thousand (20,000) square feet of gross floor area;
- (3) Retail sales establishments, excluding the sale of beer, wine and alcohol;
- (4) Eating establishments, excluding the sale of beer, wine, and alcohol or live entertainment, and/or that are portable;
- (5) Personal services, excluding tattooing, piercing, palm-reading, or similar services;
- (6) Recreational and fitness center facilities privately operated, not exceeding twenty thousand (20,000) square feet of gross floor area;
- (7) Community education/training center, which provides free or low-cost educational and vocational programs to help prepare local youth and adults for entry into college and/or the local job market.

16.XX.030 Administratively permitted uses.

Uses allowed in the Life Sciences district, subject to obtaining an administrative permit, are as follows:

- (1) Any outside storage of material, equipment or vehicles associated with the main use;
- (2) Eating establishments, including the sale of beer and wine only, and/or those that have live music or other live entertainment;
- (3) Research and development and light industrial uses, including uses involving hazardous materials;
- (4) Diesel generators.

16.XX.040 Conditional uses.

Conditional uses allowed in the Life Sciences district, subject to obtaining a use permit per Municipal Code Chapter 16.82, are as follows:

- (1) Administrative and professional offices in buildings greater than twenty thousand (20,000) square feet of gross floor area;
- (2) Eating and drinking establishments with alcohol sales, or that are portable;
- (3) Retail sales establishments with alcohol sales;
- (4) Special uses, in accordance with Chapter 16.78 of this title, including private recreational facilities exceeding twenty thousand (20,000) square feet of gross floor area;
- (5) Uses identified in 16.XX.020, 16.XX.030, and 16.XX.040 proposing Bonus level development, in accordance with Section 16.XX.060;
- (6) Public utilities, in accordance with Chapter 16.76 of this title.

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16.XX.050 Development regulations.

Development regulations in the Life Sciences district are as follows:

<i>Regulation</i>	<i>Definition</i>	<i>Base level</i>	<i>Bonus level</i>	<i>Notes/Additional Requirements</i>
<i>Minimum lot area</i>	Minimum area of building site (includes public access easements).	25,000 square feet	25,000 square feet	
<i>Minimum lot dimensions</i>	Minimum size of a lot calculated using lot lines.	100 feet width 100 feet depth	100 feet width 100 feet depth	
<i>Minimum setback at street</i>	Minimum linear feet building can be sited from property line adjacent to street.	5 feet	5 feet	Setbacks shall be measured from the property line. In instances where there will be a sidewalk easement, measure the setback from the back of the sidewalk. See build-to area requirements in Section 16.XX.120(1).
<i>Maximum setback at street</i>	Maximum linear feet building can be sited from front property line.	35 feet	35 feet	See build-to area requirements in Section 16.XX.120 (1).
<i>Minimum interior side and rear setbacks</i>	Minimum linear feet building can be sited from interior and rear property lines.	10 feet	10 feet	See Section 16.XX.120 (5) if property is required to have a paseo. Interior side setback may be reduced to 0 feet for the entire building mass where there is retail frontage.
<i>Maximum floor area ratio</i>	Maximum permitted ratio of the total square footage of the gross floor area of all buildings on a lot to the square footage of the lot.	55% plus 10% commercial	125% plus 10% commercial	Per community amenities requirements of Section 16.XX.070. FAR not used in LS area may be transferred via permanent purchase into LS-B area.
<i>Maximum commercial floor area</i>	Maximum permitted ratio of commercial square footage of the gross floor area of all buildings on a lot to the square footage of the lot.	10%	10%	
<i>Maximum height</i>	Maximum building height not including roof utilities.	35 feet	110 feet (6 stories)	A parapet used to screen mechanical equipment is not included in the maximum height. The maximum allowed height for rooftop mechanical equipment is 14 feet, except for elevator towers and associated equipment, which may be 20 feet. Per community amenities requirements of Section 16.XX.070.
<i>Average height</i>	The average of building heights on one site that cannot be exceeded.	35 feet	4.5 stories	For calculation purposes, a story is defined as 15 feet.
<i>Minimum open space requirement</i>	Minimum portion of the building site open, unobstructed and unoccupied.	30%	30%	See Section 16.XX.120 (4) for open space requirements.

16.XX.060 Additional bonus development regulations.

A development may seek an increase in floor area ratio and/or height as established in the Bonus level per Section 16.XX.050 of this Chapter in areas denoted as LS-B district on the City Zoning Map, subject to obtaining a use permit per Chapter 16.82 and providing community amenities consistent with Section 16.XX.070.

16.XX.070 Community amenities required for bonus development.

To be eligible for bonus floor area ratio and/or height, a project shall provide one or more community amenities, either through construction of the amenity, which is preferable, or payment of a fee.

- (1) An applicant's proposal for community amenities shall be subject to review by the Planning Commission in conjunction with a Use Permit or Conditional Development Permit. Consideration by the Planning Commission shall include differentiation between amenities proposed to be provided on-site and amenities proposed to be provided off-site, which may require a separate discretionary review and environmental review per the California Environmental Quality Act.
- (2) A community amenity shall be provided utilizing any one of the following three mechanisms:
 - (A) Part of the Project. An applicant, as part of the project, designs and constructs one or more of the community amenities provided that the value of the amenity or amenities is reasonably equivalent to the value defined in subsection (3) or per nexus study. Once any one of these community amenities is provided, it will no longer be an option available to other applicants. Prior to approval of the Final Occupancy Permit for any portion of the project, the applicant shall complete (or bond for) the construction and installation of the community amenities included in the project and shall provide documentation sufficient for the City Manager or designee to certify compliance with this section. The amenities proposed by the applicant shall be selected from a list of amenities adopted by the City Council pursuant to resolution.
 - (B) Impact Fee Payment. If the City has adopted an impact fee that identifies a square foot fee for community amenities, an applicant for the bonus development shall pay 120% of the fee provided that the fee adopted by the Council is less than full cost recovery. In the alternative, the applicant may design and construct one or more those amenities identified in the nexus study in an amount equal to the fee payment.
 - (C) Agreement. An applicant may propose amenities to be included in an agreement, including a development agreement. The amenities proposed by the applicant shall be selected from a list of amenities adopted by the City Council pursuant to resolution. If an impact fee per square foot has

been identified through an impact fee, the proposal for amenities shall be reasonably equivalent to the value of the fee, otherwise the value shall be reasonably equivalent to the value defined in subsection (3). The timing of the provision of the community amenities shall be identified in the agreement.

- (3) **Bonus Value Calculation.** An applicant shall provide, at their expense, an appraisal performed within ninety (90) days of the application date by a licensed appraisal firm approved by (and with form and content approved by) the Community Development Director that sets a single value per square foot of the finished floor area of the development ("floor area-foot" value). The City, at applicant's expense, may obtain a second appraisal also by a licensed appraisal firm that identifies floor area-foot value. If the two appraisals are obtained, the average of the two appraisals shall be utilized to set the floor area-foot value. The value of the community amenities shall be fifty percent for the floor area-foot value multiplied by the amount of gross floor area that is proposed beyond the base-level zoning.
- (4) All community amenities, except affordable housing, must be provided within the area between U.S. Highway 101 and the San Francisco Bay in the City of Menlo Park. Affordable housing may be located anywhere housing is allowed in the City of Menlo Park.

16.XX.080 Parking standards.

Development in the Life Sciences district shall meet the following parking requirements.

<i>Land Use</i>	<i>Minimum Spaces (Per 1,000 Sq. Ft.)</i>	<i>Maximum Spaces (Per 1,000 Sq. Ft.)</i>	<i>Minimum Bicycle Parking¹</i>
<i>Office</i>	2	3	
<i>Light Industrial, Research and Development</i>	1.5	2.5	1 per 5,000 sq. ft. of gross floor area; Minimum 2 spaces
<i>Retail</i>	2.5	3.3	For Office and Research Development:
<i>Financial services</i>	2	3.3	80% for long-term ² and 20% for short-term ²
<i>Eating and drinking establishment</i>	2.5	3.3	
<i>Personal services</i>	2	3.3	For all other commercial uses:
<i>Private recreation</i>	2	3.3	20% for long-term ² and 80% for short-term ²
<i>Daycare facility</i>	2	3.3	
<i>Publicly accessible parking lot or structure</i>			1 space per 20 vehicle spaces
<i>Other</i>	At Community Transportation Manager discretion	At Transportation Manager discretion	At Transportation Manager discretion

¹ See Section 16.XX.120 (7) and the latest edition of best practice design standards in Association of Pedestrian and Bicycle Professionals Bicycle Parking Guidelines.

² Long-term parking is for use over several hours or overnight, typically used by employees and residents. Short-term parking is considered visitor parking for use from several minutes to up to a couple of hours.

Parking facilities may be shared at the discretion of the City's Transportation Manager if multiple uses cooperatively establish and operate the facilities, if these uses generate parking demands primarily during different hours than the remaining uses, and if a sufficient number of spaces are provided to meet the maximum cumulative parking demand of the participating uses at any time. An individual development proposal may incorporate a shared parking study to account for the mixture of uses, either on-site or within a reasonable distance. However, the precise shared parking supply impact would be subject to review and approval based on the specific design and site conditions. Project applicants may also be allowed to meet the minimum parking requirements through the use of nearby off-site facilities at the discretion of the Transportation Manager.

16.XX.090 Transportation demand management.

New construction and building additions of an existing building involving ten thousand (10,000) or more square feet of gross floor area, or a change of use of ten thousand (10,000) or more square feet of gross floor area shall develop a Transportation Demand Management (TDM) plan necessary to reduce associated vehicle trips to at least twenty (20) percent below standard generation rates for uses on the project site.

- (1) Eligible TDM measures may include but are not limited to:
 - (A) Participation in a local Transportation Management Association (TMA) that provides documented, ongoing support for alternative commute programs;
 - (B) Appropriately located transit shelter(s);
 - (C) Preferred parking for carpools or vanpools;
 - (D) Designated parking for car-share vehicles;
 - (E) Requiring drivers to pay directly for using parking facilities;
 - (F) Public and/or private bike share program; Provision or subsidy of carpool, vanpool, shuttle, or bus service, including transit passes for site occupants;
 - (G) Required alternative work schedules and/or telecommuting;
 - (H) Passenger loading zones for carpools and vanpools at main building entrance;
 - (I) Safe, well-lit, accessible, and direct route to the nearest transit or shuttle stop or dedicated, fully accessible bicycle and pedestrian trail;
 - (J) Car share membership for employees or residents;
 - (K) Emergency Ride Home programs;
 - (L) Green Trip Certification.

- (2) Measures receiving TDM credit shall be:
- (A) Documented in a TDM plan developed specifically for each project and noted on project site plans, if and as appropriate;
 - (B) Guaranteed to achieve the intended reduction over the life of the development, as evidenced by annual reporting provided to the satisfaction of the City's Transportation Manager;
 - (C) Required to be replaced by appropriate substitute measures if unable to achieve intended trip reduction in any reporting year, failure to do so will result in revocation of permit;
 - (D) Administered by a representative whose updated contact information is provided to the Transportation Manager.

16.XX.100 New connections.

Proposed development will be required to provide new pedestrian, bicycle, and/or vehicle connections to support connectivity and circulation as denoted in the City Zoning Map. These connections may be in the form of either a public street or a paseo as denoted in the City Zoning Map and are pursuant to the standards in Section 16.XX.120. Streets shall meet the requirements of the adopted City of Menlo Park street classification map in the General Plan Circulation Element.

- (1) If the location of new connection is split between parcel/ownership, the first applicant must set aside the required right-of-way through dedication or a public access easement and bond for the completion of the new connection, or reach agreement with the other property owner(s) to allow the first applicant to complete the entire new connection;
- (2) If the location of new connection is located on multiple properties with the same owner, applicant may move the connection up to 50 feet in either direction from what is shown on the City Zoning Map for enhanced connectivity, and/or other considerations, subject to the approval of the City's Public Works Director;
- (3) For phased project implementation, applicant must show implementation plan for the new connection and the City may require a bond or right of way dedication or public access easement prior to the completion of the first phase;
- (4) The land area dedicated for new connections in the form of public streets (right-of-way) will be subtracted from the total lot area to determine the site's Floor Area Ratio;
- (5) The land area dedicated for new connections in the form of paseos will require a public access easement (PAE). The area of the PAE is included in the total lot area to determine the site's Floor Area Ratio.

16.XX.110 Required street improvements.

For new construction, building additions, and interior alterations of an existing building, or a combination thereof, affecting ten thousand (10,000) or more square feet of gross floor area, the Public Works Director shall require the project to provide street improvements on public street edges of the property that comply with adopted City of Menlo Park street construction requirements for the adjacent street type. When these are required by the Public Works Director these do not count as public benefit pursuant to Section 16.XX.070.

- (1) Improvements shall include curb, gutter, sidewalk, street trees, and street lights;
- (2) Overhead electric distribution lines of less than sixty (60) kilovolts and communication lines shall be placed underground along the property frontage;
 - (A) The Public Works Director may allow a Deferred Frontage Improvement Agreement, including a bond to cover the full cost of the improvements and installation to accomplish needed improvements in coordination with other street improvements at a later date.

16.XX.120 Design standards.

All new construction, regardless of size, and building additions and/or exterior alterations affecting 10,000 square feet or more of gross floor area of an existing building shall adhere to the following design standards, subject to architectural control established in Section 16.68.020. For building additions and/or exterior alterations, the applicable design standards apply only to the new construction. The existing building and new addition and/or alteration shall have an integrated design. Design standards may be modified subject to approval of a use permit established in Section 16.82.030 or a conditional use permit per Section 16.82.050.

- (1) Relationship to the street. The following standards regulate the siting and placement of buildings, parking areas, and other features in relation to the street. The dimensions between building facades and the street and types of features allowed in these spaces are critical to the quality of the pedestrian experience.

<i>Standard</i>	<i>Definition</i>	<i>Base level</i>	<i>Bonus level fronting a Local street*</i>	<i>Bonus level fronting a Boulevard, Thoroughfare, Mixed Use Collector, or Neighborhood street*</i>	<i>Notes/Additional Requirements</i>
<i>Build-to Area Requirement (see Figure 1)</i>	The minimum building frontage at the ground floor or podium level, as a percentage of the street frontage length, that must be located within the area of the lot between the minimum and maximum setback lines parallel to the street.	Minimum 40% of frontage	Minimum 40% of frontage	Minimum 60% of frontage	Ground-floor retail uses must be a minimum 75% of frontage.
<i>Corner Build-to Area Requirement</i>	The minimum building frontage, as a percentage of the street frontage length, that must be located within the build-to area, defined as the area of the lot between the minimum and maximum setback lines parallel to streets on a corner lot.	75% of building frontage must be located within build-to area.	75% of building frontage must be located within build-to area.	75% of building frontage must be located within build-to area.	Exception: If public plaza is provided pursuant to open space standards in 16.XX.120 (4) and bounded by buildings at least two sides.
<i>Frontage Landscaping</i>	The percentage of the setback area devoted to groundcover and vegetation. Trees may or may not be within the landscaped area. For this requirement, the setback area is the area between the property line and the face of the building.	Minimum of 40% (50% of which shall provide on-site infiltration of stormwater runoff). No maximum.	Minimum of 25% (50% of which should provide on-site infiltration of stormwater runoff). Maximum of 40%.	Minimum of 25% (50% of which should provide on-site infiltration of stormwater runoff). Maximum of 40%.	Setback areas adjacent to active ground-floor uses, including lobbies, retail sales, and eating and drinking establishments are excepted. In the case of a PUE adjacent to the street, frontage landscaping requirement may be measured from street right-of-way instead of property line.
<i>Frontage Uses</i>	Allowable frontage uses in order to support a positive integration of new buildings into the streetscape character.	No restrictions	No restrictions	Setback areas parallel to street not used for frontage landscaping must provide pedestrian circulation (e.g., entryways, stairways, accessible ramps), other publicly accessible open spaces (e.g., plazas, gathering areas, outdoor seating areas), access to parking, bicycle parking, or other uses that the Planning Commission deems appropriate.	Commercial uses shall be a minimum of 50 feet in depth. Publicly accessible open space is further defined and regulated in Section 16.XX.120 (4).
<i>Surface Parking Along Street Frontage (See Figure 2, A)</i>	Surface parking may be located along the street. The maximum percentage of linear frontage of property adjacent to the street allowed to be off-street surface parking.	Maximum of 35%	Maximum of 35%	Maximum of 25%	.

*See the General Plan Circulation Element Street Classification Map for street types.

Figure 1. Build-to Area

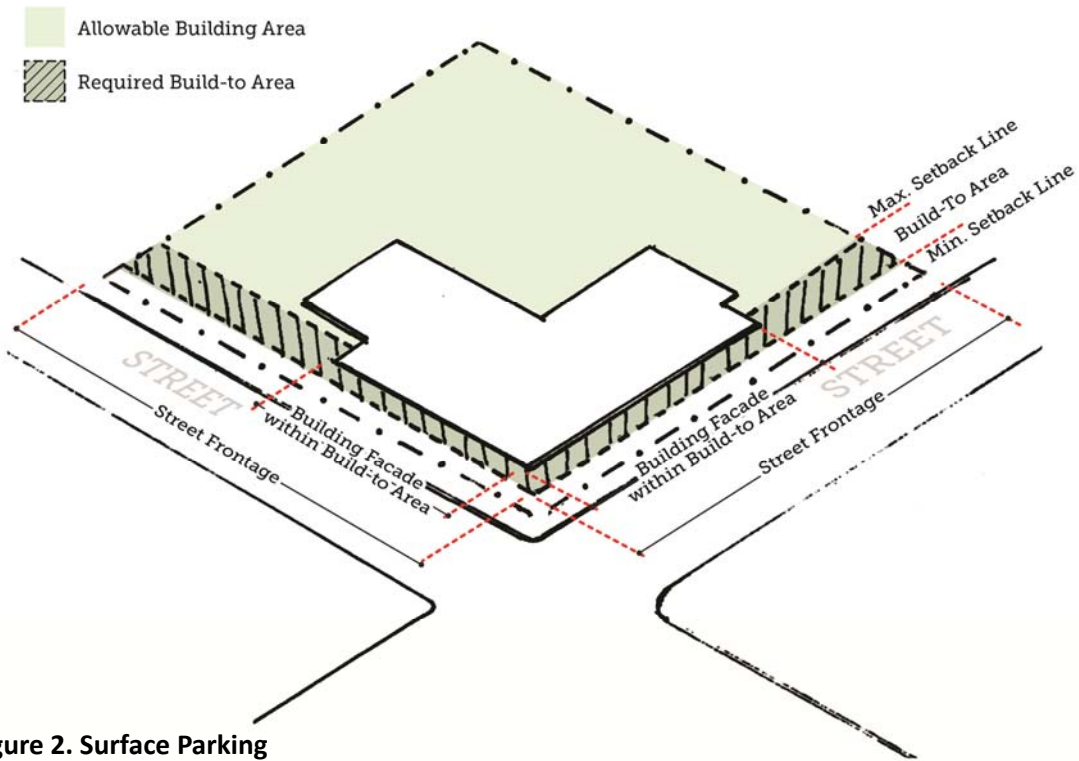
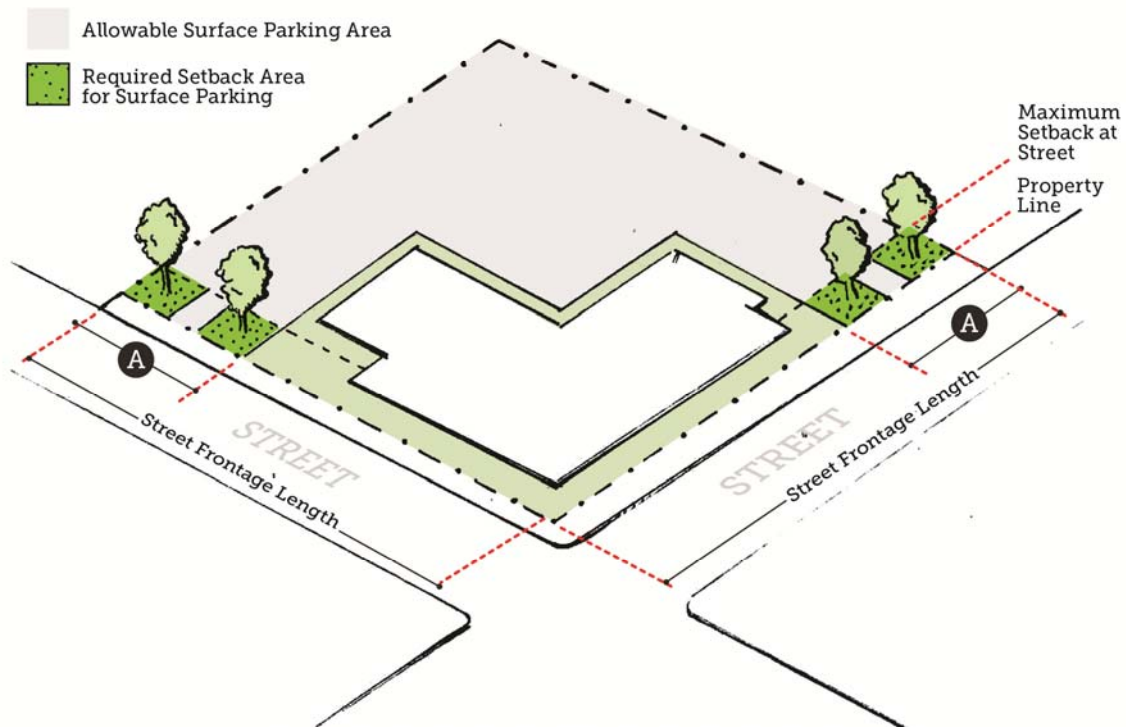


Figure 2. Surface Parking

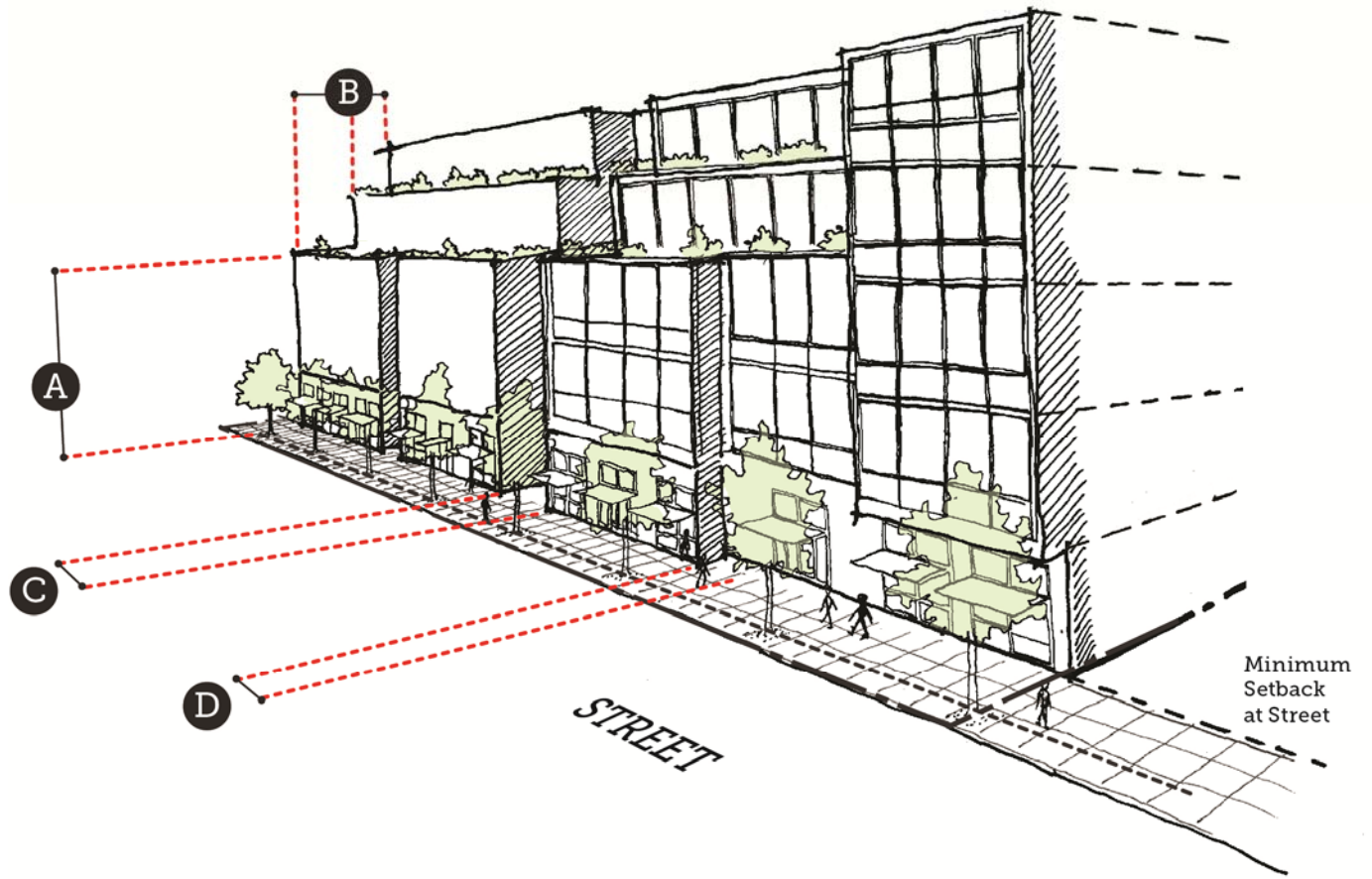


(2) Building mass and scale. The following standards regulate building mass, bulk, size, and vertical building planes to minimize the visual impacts of large buildings and maximize visual interest of building facades as experienced by pedestrians.

Standard and Figure 3 label (in Caps)	Definition	Base level	Bonus level fronting a Local street*	Bonus level fronting a Boulevard, Thoroughfare, Mixed Use Collector, or Neighborhood street*	Notes/Additional Requirements
<i>Base Height</i> A	The maximum height of a building at the setback line adjacent to street.	35 feet	45 feet	45 feet	
<i>Minimum Stepback</i> B	The horizontal distance a building's upper story(ies) must be set back above the Base level height.	N/A	10' for a minimum of 75% of the building face along public street(s).	10' for a minimum of 75% of the building face along public street(s).	A maximum of 25% of the building face along public streets may be excepted from this standard in order to provide a significant vertical feature, such as a tower.
<i>Building Projections</i>	The maximum depth of allowable building projections, such as balconies or bay windows, from the required stepback for portions of the building above the ground floor.	6 feet	6 feet	6 feet	
<i>Building Modulation</i> C & D	A major building modulation is a break in the building plane from the ground level to the top of the buildings' base height that provides visual variety, reduces large building volumes, and provides spaces for entryways and publicly accessible spaces.	One every 200 feet or a minimum of one per façade, whichever is greater	One every 200 feet or a minimum of one per façade, whichever is greater	One every 200 feet or a minimum of one per façade, whichever is greater	Modulation is required regardless of build-to area. Parking is not allowed in the modulation recess. Building projections with 3 feet to 6 feet depth may satisfy this requirement in-lieu of a recess.

*See the General Plan Circulation Element Street Classification Map for street types.

Figure 3. Building Mass and Scale



(3) Ground-floor exterior. The following standards regulate the ground-floor façade of buildings in order to enhance pedestrian experience, as well as visual continuity along the street.

Standard and Figure 4 label (in Caps)	Definition	Base level	Bonus level fronting a Local or Interior Access street*	Bonus level fronting a Boulevard, Thoroughfare, Mixed Use Collector, or Neighborhood street*	Notes/Additional Requirements
Building Entrances A	The minimum ratio of entrances to building length along a public street or paseo.	One entrance per public street frontage	One entrance per public street frontage	One entrance per public street frontage	Entrances at building corners may be used to satisfy this requirement. Stairs must be located in locations convenient to building users.
Ground-floor Transparency B	The minimum percentage of the ground-floor façade area that must provide visual transparency, such as clear glass windows, doors, etc.	25%; 50% for commercial uses	25%	40%	Windows shall not be opaque or mirrored.
Minimum Ground Floor Height Along Street Frontage C	The minimum height between the ground-level finished floor to the second level finished floor along the street.	N/A	15 feet	15 feet	
Garage Entrances	Width of garage entry/door along street frontage.	Maximum 12-foot opening for one-way entrance; Maximum 24-foot opening for two-way entrance.	Maximum 12-foot opening for one-way entrance; Maximum 24-foot opening for two-way entrance.	Maximum 12-foot opening for one-way entrance; Maximum 24-foot opening for two-way entrance.	Garage entrances must be separated by a minimum of 100 feet to ensure all entrances/exits are not grouped together or resulting in an entire stretch of sidewalk unsafe and undesirable for pedestrians.
Awnings, Signs, and Canopies D	The maximum depth of awnings, signs, and canopies that project horizontally from the face of the building.	7 feet	7 feet	7 feet	A minimum vertical clearance of 8 feet from finished grade to the bottom of the projection is required.

*See the General Plan Circulation Element Street Classification Map for street types.

Figure 4. Ground-Floor Exterior



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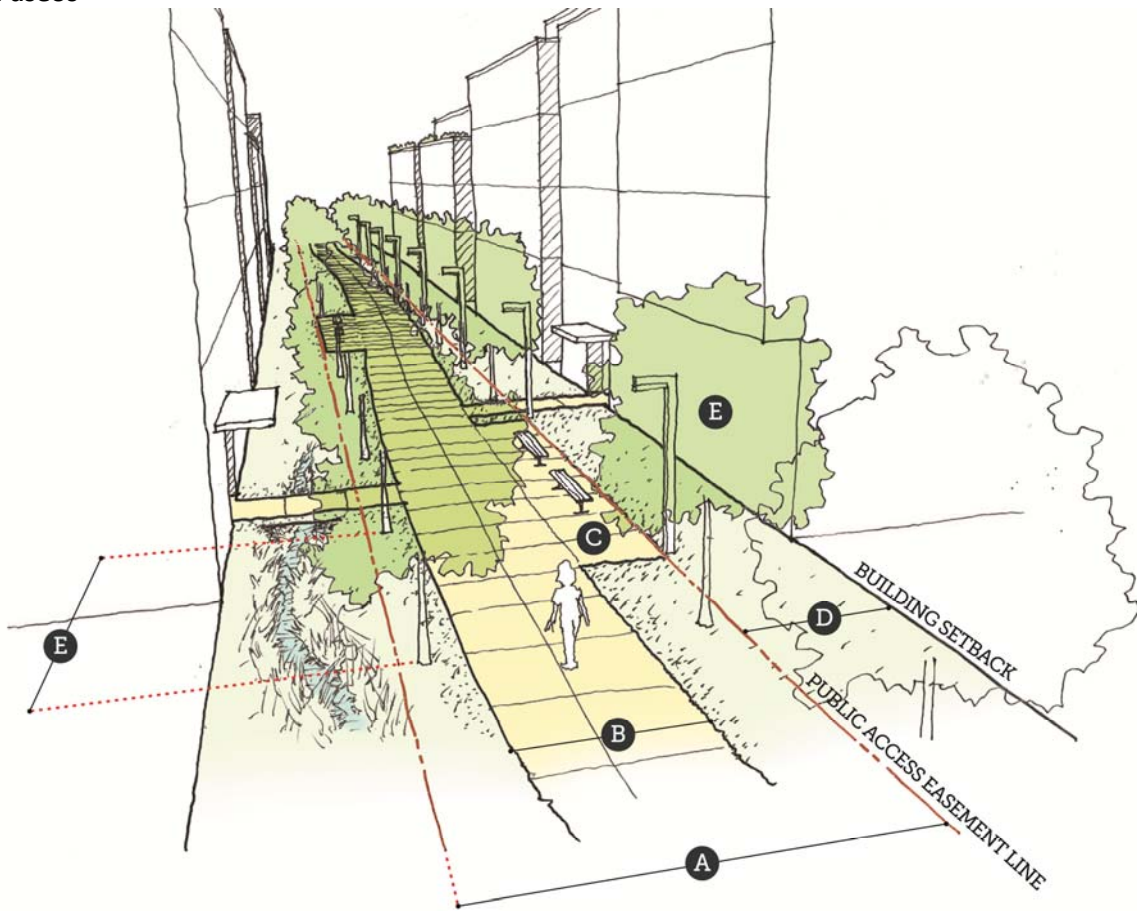
- (4) Open space. All development in the Life Sciences district shall provide a minimum amount of open space equal to thirty (30) percent of the total lot area, with a minimum amount of publicly accessible open space equal to fifty (50) percent of the total open space area.
- (A) Publicly accessible open space consists of areas unobstructed by fully enclosed structures with a mixture of landscaping and hardscape that provides seating and places to rest, places for gathering, passive and/or active recreation, pedestrian circulation, or other similar use as determined by the Planning Commission. Publicly accessible open space types include, but are not limited to paseos, plazas, forecourts and entryways, and outdoor dining areas. Publicly accessible open space must:
- (i) Contain site furnishings, art, or landscaping;
 - (ii) Be on the ground floor or podium level;
 - (iii) Be at least partially visible from a public right-of-way such as a street or paseo;
 - (iv) Have a direct, accessible pedestrian connection to a public right-of-way or easement.
- (B) Quasi-public and private open spaces, which may or may not be accessible to the public, include patios, balconies, roof terraces, and courtyards.
- (C) All open space shall:
- (i) Interface with adjacent buildings via direct connections through doors, windows, and entryways;
 - (ii) Be integrated as part of building modulation and articulation to enhance building façade and should be sited and designed to be appropriate for the size of the development and accommodate different activities, groups and both active and passive uses;
 - (iii) Be incorporated into the landscaping design of the project and include:
 - a. Sustainable stormwater features;
 - b. A minimum landscaping bed no less than three (3) feet in length or width and five (5) feet in depth for infiltration planting;
 - c. Native species able to grow to their maximum size without shearing.
- (D) All exterior landscaping counts towards open space requirements.

(5) Paseos. A paseo is defined as a pedestrian and bicycle path that provides a member of the public access through one or more parcels and to public streets and/or other paseos. Paseos must meet the following standards:

- (A) Paseos may be located within the required side setback areas. Paseos may not be located within the minimum setback at street except where it connects to that street;
- (B) Paseos must be publicly accessible established through a public access easement, but they remain private property;
- (C) Paseos count as publicly accessible open space.

Standard and Figure 5 label (in Caps)	Definition	Bonus level	Notes/Additional Requirements
Paseo Width A	The minimum dimension in overall width of the paseo, including landscaping and hardscape components.	20 feet	
Pathway Width B	The minimum and maximum width of the paved, hardscape portion of the paseo, which provides the pathway for pedestrians.	10 feet minimum; 14 feet maximum	The paseo pathway shall be connected to building entrances with hardscaped pathways. Pathways may be used for emergency vehicle access use and allowed a maximum paved width exemption to accommodate standards of the Menlo Park Fire Protection District with prior approval by Transportation Manager.
Furnishing Zones C	Requirements for pockets of hardscape areas dedicated to seating, adjacent to the main pedestrian pathway area.	Minimum dimension of 5 feet wide by 20 feet long, provided at a minimum interval of 100 feet.	Furnishing zones must include benches or other type of seating and pedestrian-scaled lighting.
Paseo Frontage Setback D	The minimum setback for adjacent buildings from the edge of the paseo property line.	10 feet	A minimum of 50% of the setback area between the building and paseo shall be landscaped (50% of which should provide on-site infiltration of stormwater runoff.) Plants should be climate-adapted species, able to grow to their maximum size without shearing, and provide screening of at least 1-3 feet in height.
Trees E	The size and spacing of trees that are required along the paseo.	Small canopy trees with a maximum mature height of 40 feet and canopy diameter of 25 feet, planted at maximum intervals of 40 feet.	Trees must be planted within the paseo width, with the tree canopy allowed to overhang into the setback.
Landscaping	The minimum percentage of the paseo that is dedicated to vegetation.	20%	On-site infiltration of stormwater runoff is required.
Lighting	Pedestrian-oriented street lamps.	One light fixture every 40 feet.	Use energy efficient lighting per Title 24. Lights shall be located a minimum of 20 feet from trees.

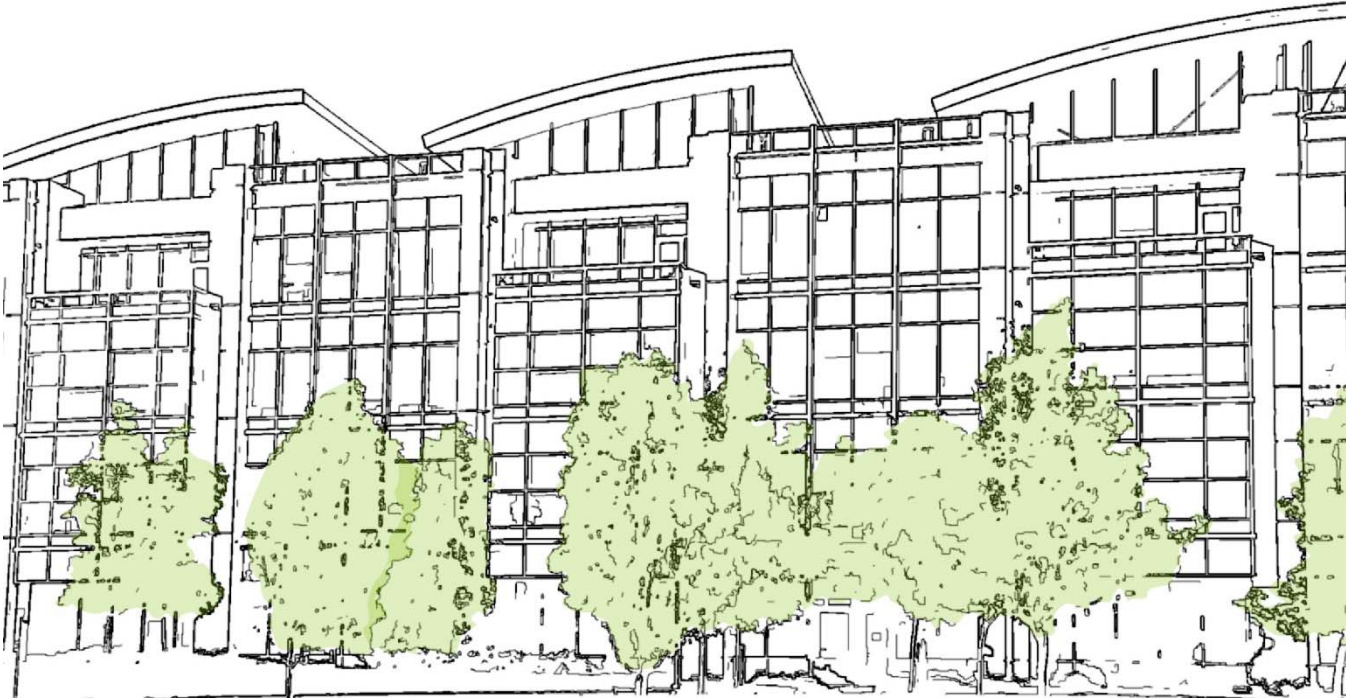
Figure 5. Paseos



(6) Building design.

- (A) Main building entrances shall face the street or a publicly accessible courtyard. Building and/or frontage landscaping shall bring the human scale to the edges of the street. Retail building frontage shall be parallel to the street.
- (B) Utilities, including meters, backflow prevention devices, etc., shall be concealed or integrated into the building design to the extent feasible, as determined by the Public Works Director.
- (C) Projects shall include dedicated, screened, and easily accessible space for recycling, compost, and solid waste storage and collection.
- (D) Trash and storage shall be enclosed and attractively screened from public view.
- (E) Materials and colors of utility, trash, and storage enclosures shall match or be compatible with the primary building.
- (F) Building materials shall be durable and high-quality to ensure adaptability and re-use over time. Glass paneling and windows shall be used to invite outdoor views and introduce natural light into interior spaces. Stucco shall not be used on more than fifty (50) percent of the building facade. When stucco is used, it must be smooth troweled.
- (G) Roof lines and eaves adjacent to street-facing facades shall vary across a building, including a four-foot minimum height modulation to break visual monotony and create a visually interesting skyline as seen from public streets (see Figure 6).
- (H) Rooftop elements including mechanical equipment, stair and elevator towers shall be concealed in a manner that incorporates building color and architectural and structural design and shall not exceed twenty (20) percent of roof area. Mechanical equipment does not include solar panels, wind turbines and other passive collection systems, and thus do not count towards the twenty (20) percent maximum.

Figure 6. Roof Lines



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(7) Access and parking.

- (A) Shared entrances to retail and office uses shall be used where possible.
- (B) Service access and loading docks shall be located on local or interior access streets and to the rear of buildings, and shall not be located along a publicly accessible open space.
- (C) Above-ground garages shall be screened (with perforated walls, vertical elements or materials that provide visual interest at the pedestrian scale) or located behind buildings that are along public streets.
- (D) Garage and surface parking access shall be screened or set behind buildings located along a publicly accessible open space or paseo.
- (E) Surface parking lots shall be buffered from adjacent buildings by a minimum six (6) feet of paved pathway or landscaped area (see Figure 7, label A).
- (F) Surface parking lots shall be screened with landscaping features such as trees, planters, and vegetation, including a twenty (20) foot deep landscaped area along sidewalks, as measured from the setback line adjacent to street, or paseos (see Figure 7, label B). The portion of this area not devoted to driveways shall be landscaped. Trees shall be planted at a ratio of 1 per 400 square feet of required setback area for surface parking.
- (G) Surface parking lots shall be planted with at least one (1) tree with a minimum size of a twenty-four (24) inch box for every eight (8) parking spaces (see Figure 7, label C). Required plantings may be grouped where carports with solar panels are provided.
- (H) Surface parking can be located along a paseo for a maximum of forty (40) percent of a paseo's length (see Figure 7, label D).
- (I) Short-term bicycle parking shall be located within fifty (50) feet of lobby or main entrances. Long-term bicycle parking facilities shall protect against theft and inclement weather, and consist of a fully enclosed, weather-resistant locker with key locking mechanism or an interior locked room or enclosure. Long-term parking shall be provided in locations that are convenient and functional for cyclists. Bicycle parking shall be (See Figure 8):
 - (i) Consistent with the latest edition of the Association of Pedestrian and Bicycle Professionals Bicycle Parking Guide;
 - (ii) Designed to accommodate standard six (6) foot bicycles;
 - (iii) Paved or hardscaped;
 - (iv) Accessed by an aisle in the front or rear of parked bicycles of at least five (5) feet;
 - (v) At least five (5) feet from vehicle parking spaces;

- (vi) At least thirty (30) inches of clearance in all directions from any obstruction, including but not limited to other racks, walls, and landscaping;
 - (vii) Lit with no less than one (1) footcandle of illumination at ground level;
 - (viii) Space-efficient bicycle parking such as double-decker lift-assist and vertical bicycle racks are also permitted.
- (J) Pedestrian connections shall be provided, with a minimum hardscape width of six (6) feet, to sidewalks to all building entries, parking areas, and publicly accessible open spaces, and shall be clearly marked with signage directing pedestrians to common destinations.
- (K) Entries to parking areas and other important destinations shall be clearly identified for all travel modes with such wayfinding features as marked crossings, lighting, and clear signage.

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Figure 7. Surface Parking Access

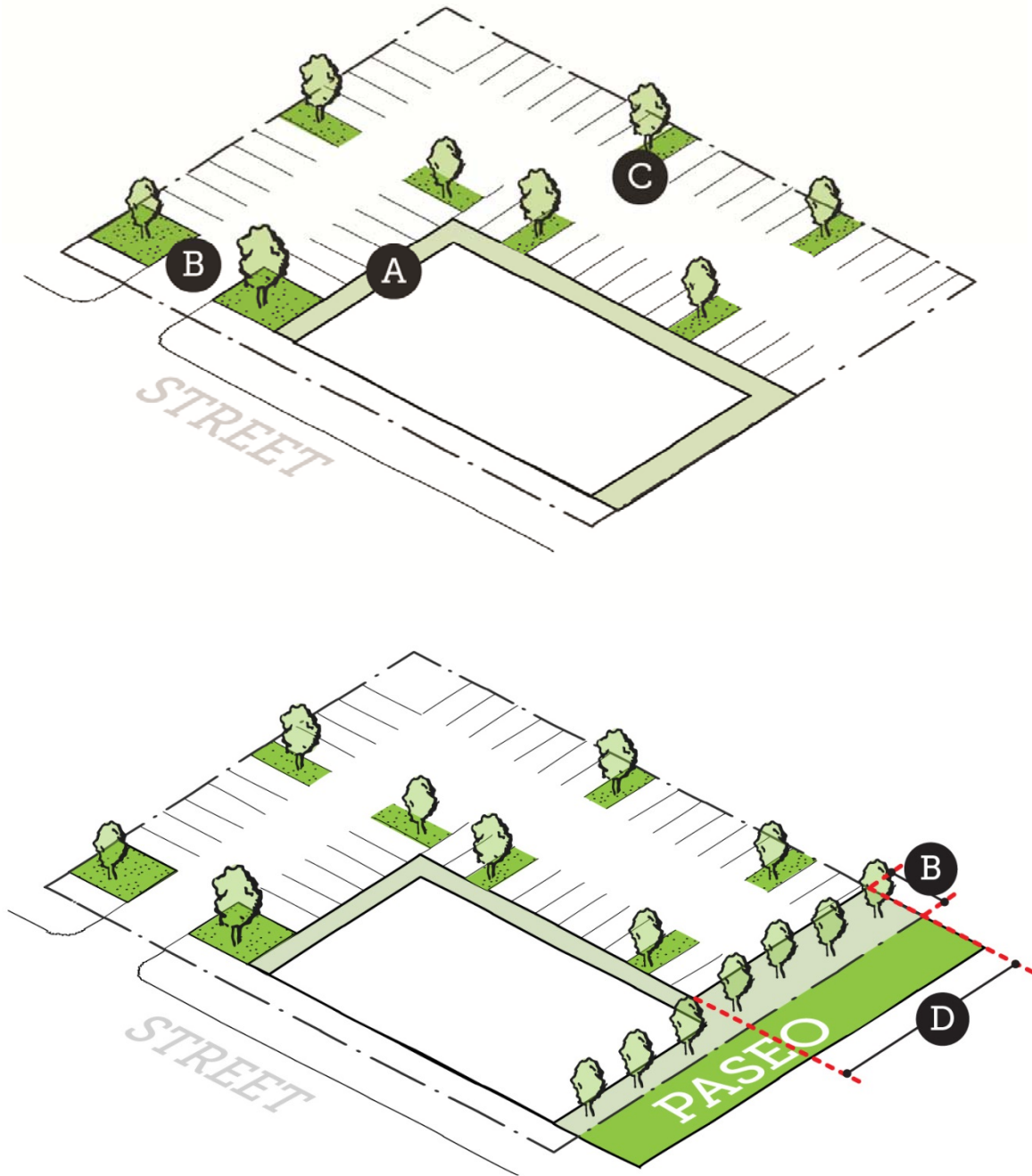
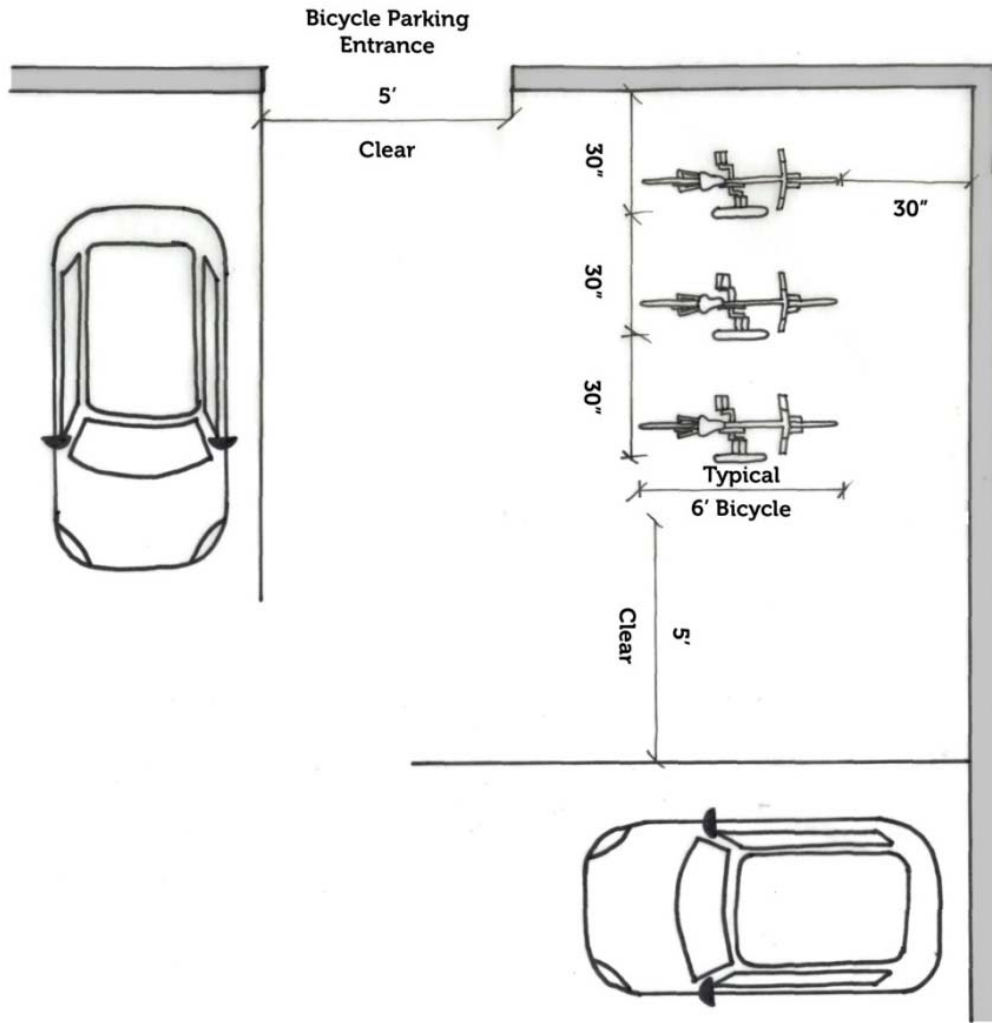


Figure 8. Bicycle Parking



16.XX.130 Green and sustainable building.

In addition to meeting all applicable regulations specified in Municipal Code Title 12 (Buildings and Construction), the following provisions shall apply to projects.

(1) Green building.

(A) Any new construction, addition or alteration of a building shall be required to comply with tables 16.XX.010.A and 16.XX.010.B

(2) Energy.

(A) All new construction will meet 100% of energy demand (electricity and natural gas) through on-site generation as required in tables 16.XX.010.A and 16.XX.0101.B, and any combination of the following measures:

- (i) Purchase of 100% renewable electricity through Peninsula Clean Energy or Pacific Gas and Electric Company in an amount equal to the annual energy demand of the project;
- (ii) Purchase and installation of local renewable energy generation within the City of Menlo Park in an amount equal to the annual energy demand of the project;
- (iii) Purchase of certified renewable energy credits annual in an amount equal to the annual energy demand of the project.

TABLE 16.XX.010.A: RESIDENTIAL GREEN BUILDING REQUIREMENTS

PROJECT TYPE	NEW CONSTRUCTION			ADDITIONS AND/OR ALTERATIONS		
	10,000 sq. ft. – 25,000 sq. ft.	25,001 sq. ft. – 100,000 sq. ft.	100,001 sq. ft. and above	1 sq. ft. to 1,000 sq. ft./of conditioned area, volume or size	1,001 sq. ft. – 25,000 sq. ft. of conditioned area, volume or size	25,001 sq. ft. and above of conditioned area, volume or size
Green Building Certification	Designed to meet LEED Silver BD+C*	Designed to meet LEED Silver BD+C*	Designed to meet LEED Gold BD+C*	CALGreen Mandatory	Designed to meet LEED Silver ID+C*	Designed to meet LEED Gold ID+C*
EV Chargers	<p><u>Pre-Wire**</u></p> <ul style="list-style-type: none"> For EV chargers in 5% of total number of parking stalls. <p><u>Install EV Chargers***</u></p> <ul style="list-style-type: none"> Install a minimum of 2 in the pre-wire locations. 	<p><u>Pre-Wire**</u></p> <ul style="list-style-type: none"> For EV chargers in 5% of total number of parking stalls. <p><u>Install EV Chargers***</u></p> <ul style="list-style-type: none"> Install a total of 2 plus 1% of the total parking stalls in the pre-wire locations. 	<p><u>Pre-Wire**</u></p> <ul style="list-style-type: none"> For EV chargers in 5% of total number of parking stalls. <p><u>Install EV Chargers***</u></p> <ul style="list-style-type: none"> Install a total of 6 plus 1% of the total parking stalls in the pre-wire locations. 	N/A (Voluntary)	N/A (Voluntary)	N/A (Voluntary)
On-Site Energy Generation	30% of maximum extent feasible as determined by the On-Site Renewable Energy Feasibility Study****	30% of maximum extent feasible as determined by the On-Site Renewable Energy Feasibility Study****	30% of maximum extent feasible as determined by the On-Site Renewable Energy Feasibility Study****	N/A (Voluntary)	N/A (Voluntary)	N/A (Voluntary)
Energy Reporting	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.

*Designed to meet LEED standards is defined as follows: a) Applicant must submit appropriate LEED checklist and verifying cover letter from a project LEED AP with the project application, b) Applicant must complete all applicable LEED certification documents prior to final building permit issuance to be reviewed either for LEED certification, or for verification by a third party approved by the City for which the applicant will pay for review and/or certification.

**Pre-wire is defined as conduit and wire installed from electrical panel board to junction box at parking stall, with sufficient electrical service to power chargers at all pre-wire locations.

***Charger is defined as follows: One electric vehicle (EV) charger or charger head reaching each designated EV parking stall and delivering a minimum of 240 V and 40 AMPs such that it can be used by all electric vehicles.

**** On-Site Renewable Energy Feasibility Study shall demonstrate the following cases: 1. Maximum on-site generation potential. 2. Solar feasibility for roof and parking areas (excluding roof mounted HVAC equipment). 3. Maximum solar generation potential solely on the roof area.

TABLE 16.XX.010.B: NON-RESIDENTIAL GREEN BUILDING REQUIREMENTS

PROJECT TYPE	NEW CONSTRUCTION			ADDITIONS AND/OR ALTERATIONS		
	10,000 sq. ft. – 25,000 sq. ft.	25,001 sq. ft. – 100,000 sq. ft.	100,001 sq. ft. and above	1 sq. ft. – 1,000 sq. ft. of conditioned area, volume or size	1,001 sq. ft.– 25,000 sq. ft. of conditioned area, volume or size	25,001 sq. ft. and above of conditioned area, volume or size
Green Building Requirement						
Green Building Certification	Designed to meet LEED Silver BD+C *	Designed to meet LEED Silver BD+C *	Designed to meet LEED Gold BD+C *	CALGreen Mandatory	Designed to meet LEED Silver ID+C *	Designed to meet LEED Gold ID+C *
EV Chargers	<p><u>Pre-Wire**</u></p> <ul style="list-style-type: none"> For EV chargers in 5% of total number of parking stalls. <p><u>Install EV Chargers***</u></p> <ul style="list-style-type: none"> Install a minimum of 2 in the pre-wire locations. 	<p><u>Pre-Wire**</u></p> <ul style="list-style-type: none"> For EV chargers in 5% of total number of parking stalls. <p><u>Install EV Chargers***</u></p> <ul style="list-style-type: none"> Install a total of 2 plus 1% of the total parking stalls in the pre-wire locations. 	<p><u>Pre-Wire**</u></p> <ul style="list-style-type: none"> For EV chargers in 5% of total number of parking stalls. <p><u>Install EV Chargers***</u></p> <ul style="list-style-type: none"> Install a total of 6 plus 1% of the total parking stalls in the pre-wire locations. 	N/A (Voluntary)	Install conduit, wiring and electrical service for EV Chargers for 5% of parking spaces AND a minimum of 2 chargers***	Install conduit, wiring and electrical service for EV Chargers for 5% of parking spaces AND a minimum of 2 + (1% spaces) chargers***
On-Site Energy Generation	30% of maximum extent feasible as determined by the On-Site Renewable Energy Feasibility Study****	30% of maximum extent feasible as determined by the On-Site Renewable Energy Feasibility Study****	30% of maximum extent feasible as determined by the On-Site Renewable Energy Feasibility Study****	N/A (Voluntary)	N/A (Voluntary)	N/A (Voluntary)
Energy Reporting	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.

*Designed to meet LEED standards is defined as follows: a) Applicant must submit appropriate LEED checklist and verifying cover letter from a project LEED AP with the project application, b) Applicant must complete all applicable LEED certification documents prior to final building permit issuance to be reviewed either for LEED certification, or for verification by a third party approved by the City for which the applicant will pay for review and/or certification.

**Pre-wire is defined as conduit and wire installed from electrical panel board to junction box at parking stall, with sufficient electrical service to power chargers at all pre-wire locations.

***Charger is defined as follows: One electric vehicle (EV) charger or charger head reaching each designated EV parking stall and delivering a minimum of 240 V and 40 AMPs such that it can be used by all electric vehicles.

****On-site Renewable Energy Feasibility Study shall demonstrate the following cases: 1. Maximum on-site generation potential. 2. Solar feasibility for roof and parking areas (excluding roof mounted HVAC equipment). 3. Maximum solar generation potential solely on the roof area.

(3) Water use efficiency and recycled water.

- (A) Single pass cooling systems shall be prohibited in all new buildings.
- (B) All new buildings shall be built and maintained without the use of well water.
- (C) Applicants for a new building(s) one hundred thousand (100,000) square feet or more in gross floor area shall prepare and submit a proposed water budget and accompanying calculations following the methodology approved by the City. The water budget and calculations shall be reviewed and approved by the City's Public Works Director prior to certification of occupancy. Twelve (12) months after the date of the certification of occupancy, the building owner shall submit data and information sufficient to allow the City to compare the actual water use to the allocation in the approved water budget. In the event that actual water consumption exceeds the water budget, a water conservation program, as approved by the City's Public Works Director, shall be implemented. Twelve (12) months after City approval of the water conservation program, the building owner shall submit data and information sufficient to allow the City to determine compliance with the conservation program. If water consumption exceeds the budgeted amount, the City's Public Works Director may prohibit the use of water for irrigation or enforce compliance as an infraction pursuant to Chapter 1.12 of the Municipal Code until compliance with the water budget is achieved.
- (D) All new buildings shall be dual plumbed for the internal use of recycled water.
- (E) All new buildings two hundred and fifty (250,000) square feet or more in gross floor area shall use an alternate water source for all City approved non-potable applications. An alternative water source may include, but is not limited to, treated non-potable water such as graywater. An Alternate Water Source Assessment shall be submitted that describes the alternative water source and proposed non-potable application. Approval of the Alternate Water Source Assessment, the alternative water source and its proposed uses shall be approved by the City's Public Works Director and Community Development Director.
- (F) Potable water shall not be used for dust control on construction projects.
- (G) Potable water shall not be used for decorative features, unless the water recirculates.

(4) Hazard mitigation and sea level rise resiliency.

- (A) The first floor elevation of all new buildings shall be twenty four (24) inches above the Federal Emergency Management Agency base flood elevation (BFE) to account for sea level rise. Where no BFE exists, the first floor (bottom of floor beams) elevation shall be 24 inches above the existing grade. The

building design and protective measures shall not create adverse impacts on adjacent sites as determined by the City.

(B) Prior to building permit issuance, all new buildings shall pay any required fee or proportionate fair share for the funding of sea level rise projects, if applicable.

(5) Waste management.

(A) Applicants shall submit a zero-waste management plan to the City, which will cover how the applicant plans to minimize waste to landfill and incineration in accordance with all applicable state and local regulations. Applicants shall show in their zero-waste plan how they will reduce, recycle and compost wastes from the demolition, construction and occupancy phases of the building. For the purposes of this ordinance, Zero Waste is defined as ninety (90) percent overall diversion of non-hazardous materials from landfill and incineration, wherein discarded materials are reduced, reused, recycled, or composted. Zero Waste plan elements shall include the property owner's assessment of the types of waste to be generated during demolition, construction and occupancy, and a plan to collect, sort and transport materials to uses other than landfill and incineration.

(6) Bird-friendly design.

(A) No more than ten (10) percent of façade surface area shall have non-bird-friendly glazing.

(B) Bird-friendly glazing includes, but is not limited to opaque glass, covering of clear glass surface with patterns, paned glass with fenestration patterns, and external screens over non-reflective glass.

(C) Occupancy sensors or other switch control devices shall be installed on non-emergency lights and shall be programmed to shut off during non-work hours and between 10 PM and sunrise.

(D) Placement of buildings shall avoid the potential funneling of flight paths towards a building façade.

(E) Glass skyways or walkways, freestanding glass walls, and transparent building corners shall not be allowed.

(F) Transparent glass shall not be allowed at the rooflines of buildings, including in conjunction with green roofs.

(G) A project may receive a waiver from one or more of the items (A) to (F) listed above, subject to the submittal of a site specific evaluation from a qualified biologist and review and approval by the Planning Commission.

OFFICE DISTRICT (O)



Chapter 16.XX
O – OFFICE DISTRICT

Sections:

- 16.XX.010 Purpose.
- 16.XX.015 Definitions.
- 16.XX.020 Permitted uses.
- 16.XX.030 Administratively permitted uses.
- 16.XX.040 Conditional uses.
- 16.XX.050 Development regulations.
- 16.XX.060 Additional bonus development regulations.
- 16.XX.070 Community amenities required for bonus development.
- 16.XX.080 Parking standards.
- 16.XX.090 Transportation demand management.
- 16.XX.100 New connections.
- 16.XX.110 Required street improvements.
- 16.XX.120 Design standards.
- 16.XX.130 Green and sustainable building.

16.XX.010 Purpose.

The purpose and intent of the Office district is to:

- (1) Accommodate and encourage large-scale administrative and professional office development.
- (2) Provide retail and service uses at administrative and professional office sites and nearby.
- (3) Provide quality employment opportunities and promote emerging technology, entrepreneurship, and innovation.
- (4) Facilitate the creation of a “live/work/play” environment with goods and services that support adjacent neighborhoods as well as the employment base.
- (5) Accommodate light industrial and research and development uses that do not pose hazards to or disrupt adjacent businesses or neighborhoods.

16.XX.015 Definitions.

Terms are defined in the City’s Municipal Code Chapter 16.04 unless otherwise stated in this chapter.

16.XX.020 Permitted uses.

Permitted uses in the Office district are as follows:

- (1) Administrative and professional offices and ancillary uses in buildings two hundred fifty thousand (250,000) or less square feet of gross floor area;
- (2) Light industrial and research and development, except when requiring hazardous material review ();
- (3) Hotel, in a location identified on the adopted City of Menlo Park Zoning Map;
- (4) Financial services, including banks and other financial institutions;
- (5) Retail sales establishments, excluding the sale of beer, wine and alcohol;
- (6) Eating establishments, excluding the sale of beer, wine and alcohol, live entertainment, and/or that are portable ;
- (7) Personal services, excluding tattooing, piercing, palm-reading, or similar services;
- (8) Recreational facilities privately operated, twenty thousand (20,000) or less square feet of gross floor area;
- (9) Community education/training center, which provides free or low-cost educational and vocational programs to help prepare local youth and adults for entry into college and/or the local job market.

16.XX.030 Administratively permitted uses.

Uses allowed in the Office district, subject to obtaining an administrative permit per Municipal Code Chapter 16.82, are as follows:

- (1) Any outside storage of material, equipment or vehicles associated with the main use (Ord 931 § 5, 2004);
- (2) Child day care center;
- (3) Eating establishments, including beer and wine only, and/or that have live music or other live entertainment;
- (4) Research and development and light industrial uses, including uses involving hazardous materials;
- (5) Diesel generators.

16.XX.040 Conditional uses.

Conditional uses allowed in the Office district, subject to obtaining a use permit per Municipal Code Chapter 16.82, are as follows:

- (1) Administrative and professional offices in buildings greater than two hundred fifty thousand (250,000) square feet of gross floor area;
- (2) Hotel in locations not specifically shown on the City Zoning Map;

- (3) Eating and drinking establishments with alcohol sales, or that are portable;
- (4) Retail sales establishments with alcohol sales;
- (5) Movie theater;
- (6) Automobile dealership, provided that all vehicles for sale or being serviced are contained in enclosed buildings;
- (7) Special uses, in accordance with Chapter 16.78 of this title, including private recreational facilities exceeding twenty thousand (20,000) square feet of gross floor area;
- (8) Uses identified in 16.XX.020, 16.XX.030, and 16.XX.040 proposing Bonus level development, in accordance with Section 16.XX.060 of this Chapter;
- (9) Public utilities, in accordance with Chapter 16.76 of this title.

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16.XX.050 Development regulations.

Development regulations in the Office district are as follows:

<i>Regulation</i>	<i>Definition</i>	<i>Base level</i>	<i>Bonus level</i>	<i>Notes/Additional Requirements</i>
<i>Minimum lot area</i>	Minimum area of building site (includes public access easements).	25,000 square feet	25,000 square feet	
<i>Minimum lot dimensions</i>	Minimum size of a lot calculated using lot lines.	100 feet width 100 feet depth	100 feet width 100 feet depth	
<i>Minimum setback at street</i>	Minimum linear feet building can be sited from property line adjacent to street.	5 feet	5 feet	Setbacks shall be measured from the property line. In instances where there will be a sidewalk easement, measure the setback from the back of the sidewalk. See build-to area requirements in Section 16.XX.120(1).
<i>Maximum setback at street</i>	Maximum linear feet building can be sited from property line adjacent to street.	25 feet	25 feet	See build-to area requirements in Section 16.XX.120 (1).
<i>Minimum interior side and rear setbacks</i>	Minimum linear feet building can be sited from interior and rear property lines.	10 feet	10 feet	See Section 16.XX.120 (5) if property is required to have a paseo. Interior side setback may be reduced to 0 feet for the entire building mass where there is retail frontage.
<i>Maximum floor area ratio</i>	Maximum permitted ratio of the total square footage of the gross floor area of all buildings on a lot to the square footage of the lot.	45% (plus 10% commercial and 175% hotel, if allowed)	100% (plus 25% commercial)	Per community amenities requirements of Section 16.XX.070.
<i>Maximum commercial floor area ratio</i>	Maximum permitted ratio of commercial square footage of the gross floor area of all buildings on a lot to the square footage of the lot.	10%	25%	
<i>Maximum height</i>	Maximum building height not including roof utilities.	35 feet; except hotels: 110 feet and 10 stories	110 feet and 6 stories	A parapet used to screen mechanical equipment is not included in the maximum height. The maximum allowed height for rooftop mechanical equipment is 14 feet, except for elevator towers and associated equipment, which may be 20 feet. Per community amenities requirements of Section 16.XX.070.
<i>Average height</i>	The average of building heights on one site that cannot be exceeded.	35 feet	4.5 stories except hotels	For calculation purposes, a story is defined as 15 feet.
<i>Minimum open space requirement</i>	Minimum portion of the building site open, unobstructed and unoccupied.	30%	30%	See Section 16.XX.120 (4) for open space requirements.

16.XX.060 Additional bonus development regulations.

A development may seek an increase in floor area ratio and/or height as established in Bonus level per Section 16.XX.050 of this Chapter in areas denoted as O-B district on the City Zoning Map, subject to obtaining a use permit per Chapter 16.82 and providing community amenities consistent with Section 16.XX.070.

16.XX.070 Community amenities required for bonus development.

To be eligible for bonus floor area ratio and/or height, a project shall provide one or more community amenities, either through construction of the amenity, which is preferable, or payment of a fee.

- (1) An applicant's proposal for community amenities shall be subject to review by the Planning Commission in conjunction with a Use Permit or Conditional Development Permit. Consideration by the Planning Commission shall include differentiation between amenities proposed to be provided on-site and amenities proposed to be provided off-site, which may require a separate discretionary review and environmental review per the California Environmental Quality Act.
- (2) A community amenity shall be provided utilizing any one of the following three mechanisms:
 - (A) Part of the Project. An applicant, as part of the project, designs and constructs one or more of the community amenities provided that the value of the amenity or amenities is reasonably equivalent to the value defined in subsection (3) or per nexus study. Once any one of these community amenities is provided, it will no longer be an option available to other applicants. Prior to approval of the Final Occupancy Permit for any portion of the project, the applicant shall complete (or bond for) the construction and installation of the community amenities included in the project and shall provide documentation sufficient for the City Manager or designee to certify compliance with this section. The amenities proposed by the applicant shall be selected from a list of amenities adopted by the City Council pursuant to resolution.
 - (B) Impact Fee Payment. If the City has adopted an impact fee that identifies a square foot fee for community amenities, an applicant for the bonus development shall pay 120% of the fee provided that the fee adopted by the Council is less than full cost recovery. In the alternative, the applicant may design and construct one or more those amenities identified in the nexus study in an amount equal to the fee payment.
 - (C) Agreement. An applicant may propose amenities to be included in an agreement, including a development agreement. The amenities proposed by the applicant shall be selected from a list of amenities adopted by the City Council pursuant to resolution. If an impact fee per square foot has

been identified through an impact fee, the proposal for amenities shall be reasonably equivalent to the value of the fee, otherwise the value shall be reasonably equivalent to the value defined in subsection (3). The timing of the provision of the community amenities shall be identified in the agreement.

- (3) **Bonus Value Calculation.** An applicant shall provide, at their expense, an appraisal performed within ninety (90) days of the application date by a licensed appraisal firm approved by (and with form and content approved by) the Community Development Director that sets a single value per square foot of the finished floor area of the development ("floor area-foot" value). The City, at applicant's expense, may obtain a second appraisal also by a licensed appraisal firm that identifies floor area-foot value. If the two appraisals are obtained, the average of the two appraisals shall be utilized to set the floor area-foot value. The value of the community amenities shall be fifty percent for the floor area-foot value multiplied by the amount of gross floor area that is proposed beyond the base-level zoning.
- (4) All community amenities, except affordable housing, must be provided within the area between U.S. Highway 101 and the San Francisco Bay in the City of Menlo Park. Affordable housing may be located anywhere housing is allowed in the City of Menlo Park.

16.XX.080 Parking standards.

Development in the Office district shall meet the following parking requirements.

<i>Land Use</i>	<i>Minimum Spaces (Per 1,000 Sq. Ft.)</i>	<i>Maximum Spaces (Per 1,000 Sq. Ft.)</i>	<i>Minimum Bicycle Parking¹</i>
<i>Office</i>	2	3	
<i>Light Industrial, Research and Development</i>	1.5	2.5	1 per 5,000 sq. ft. of gross floor area; Minimum two spaces
<i>Retail</i>	2.5	3.3	
<i>Financial services</i>	2	3.3	For Office and Research Development:
<i>Eating and drinking establishment</i>	2.5	3.3	80% for long-term ² and 20% for short-term ²
<i>Personal services</i>	2	3.3	For all other commercial uses:
<i>Private recreation</i>	2	3.3	20% for long-term ² and 80% for short-term ²
<i>Daycare facility</i>	2	3.3	
<i>Hotel</i>	0.75 spaces per guest room	1.1 spaces per guest room	
<i>Publicly accessible parking lot or structure</i>			One space per 20 vehicle spaces
<i>Other</i>	At Community Transportation Manager discretion	At Transportation Manager discretion	At Transportation Manager discretion

¹ See Section 16.XX.120 (7) and the latest edition of best practice design standards in Association of Pedestrian and Bicycle Professionals Bicycle Parking Guidelines.

² Long-term parking is for use over several hours or overnight, typically used by employees and residents. Short-term parking is considered visitor parking for use from several minutes to up to a couple of hours.

Parking facilities may be shared at the discretion of the City's Transportation Manager if multiple uses cooperatively establish and operate the facilities, if these uses generate parking demands primarily during different hours than the remaining uses, and if a sufficient number of spaces are provided to meet the maximum cumulative parking demand of the participating uses at any time. An individual development proposal may incorporate a shared parking study to account for the mixture of uses, either on-site or within a reasonable distance. However, the precise shared parking supply impact would be subject to review and approval based on the specific design and site conditions. Project applicants may also be allowed to meet the minimum parking requirements through the use of nearby off-site facilities at the discretion of the Transportation Manager.

16.XX.090 Transportation demand management.

New construction and building additions of an existing building involving ten thousand (10,000) or more square feet of gross floor area, or a change of use of ten thousand (10,000) or more square feet of gross floor area shall develop a Transportation Demand Management (TDM) plan necessary to reduce associated vehicle trips to at least twenty (20) percent below standard generation rates for uses on the project site. Each individual applicant will prepare its own TDM plan and provide an analysis to the satisfaction of the City's Transportation Manager of the impact of that TDM program.

- (1) Eligible TDM measures may include but are not limited to:
 - (A) Participation in a local Transportation Management Association (TMA) that provides documented, ongoing support for alternative commute programs;
 - (B) Appropriately located transit shelter(s);
 - (C) Preferred parking for carpools or vanpools;
 - (D) Designated parking for car-share vehicles;
 - (E) Requiring drivers to pay directly for using parking facilities;
 - (F) Public and/or private bike share program;
 - (G) Provision or subsidy of carpool, vanpool, shuttle, or bus service, including transit passes for site occupants;
 - (H) Required alternative work schedules and/or telecommuting;
 - (I) Passenger loading zones for carpools and vanpools at main building entrance;
 - (J) Safe, well-lit, accessible, and direct route to the nearest transit or shuttle stop or dedicated, fully accessible bicycle and pedestrian trail;
 - (K) Car share membership for employees or residents;

- (L) Emergency Ride Home programs;
- (M) Green Trip Certification.

(2) Measures receiving TDM credit shall be:

- (A) Documented in a TDM plan developed specifically for each project and noted on project site plans, if and as appropriate;
- (B) Guaranteed to achieve the intended reduction over the life of the development, as evidenced by annual reporting provided to the satisfaction of the City's Transportation Manager;
- (C) Required to be replaced by appropriate substitute measures if unable to achieve intended trip reduction in any reporting year;
- (D) Administered by a representative whose updated contact information is provided to the Transportation Manager.

16.XX.100 New connections.

Proposed development will be required to provide new pedestrian, bicycle, and/or vehicle connections to support connectivity and circulation as denoted in the City Zoning Map. These connections may be in the form of either a public street or a paseo as denoted in the City Zoning Map and are pursuant to the standards in Section 16.XX.120. Streets shall meet the requirements of the adopted City of Menlo Park street classification map in the General Plan Circulation Element.

- (1) If the location of new connection is split between parcel/ownership, the first applicant must set aside the required right-of-way through dedication or a public access easement and bond for the completion of the new connection, or reach agreement with the other property owner(s) to allow the first applicant to complete the entire new connection;
- (2) If the location of new connection is located on multiple properties with the same owner, applicant may move the connection up to 50 feet in either direction from what is shown on the City Zoning Map for enhanced connectivity, and/or other considerations, subject to the approval of the City's Public Works Director;
- (3) For phased project implementation, applicant must show implementation plan for the new connection and the City may require a bond or right of way dedication or public access easement prior to the completion of the first phase;
- (4) The land area dedicated for new connections in the form of public streets (right-of-way) will be subtracted from the total lot area to determine the site's Floor Area Ratio;

- (5) The land area dedicated for new connections in the form of paseos will require a public access easement (PAE). The area of the PAE is included in the total lot area to determine the site's Floor Area Ratio.

16.XX.110 Required street improvements.

For new construction, building additions, and interior alterations of an existing building, or a combination thereof, affecting ten thousand (10,000) or more square feet of gross floor area, the Public Works Director shall require the project to provide street improvements on public street edges of the property that comply with adopted City of Menlo Park street construction requirements for the adjacent street type. When these are required by the Public Works Director these do not count as public benefit pursuant to Section 16.XX.070.

- (1) Improvements shall include curb, gutter, sidewalk, street trees, and street lights;
- (2) Overhead electric distribution lines of less than sixty (60) kilovolts and communication lines shall be placed underground along the property frontage;
 - (A) The Public Works Director may allow a Deferred Frontage Improvement Agreement, including a bond to cover the full cost of the improvements and installation to accomplish needed improvements in coordination with other street improvements at a later date.

16.XX.120 Design standards.

All new construction, regardless of size, and building additions and/or exterior alterations affecting 10,000 square feet or more of gross floor area of an existing building shall adhere to the following design standards, subject to architectural control established in Section 16.68.020. For building additions and/or exterior alterations, the applicable design standards apply only to the new construction. The existing building and new addition and/or alteration shall have an integrated design. Design standards may be modified subject to approval of a use permit established in Section 16.82.030 or a conditional use permit per Section 16.82.050.

- (1) Relationship to the street. The following standards regulate the siting and placement of buildings, parking areas, and other features in relation to the street. The dimensions between building facades and the street and types of features allowed in these spaces are critical to the quality of the pedestrian experience.

<i>Standard</i>	<i>Definition</i>	<i>Base level</i>	<i>Bonus level fronting a Local street*</i>	<i>Bonus level fronting a Boulevard, Thoroughfare, Mixed Use Collector, or Neighborhood street*</i>	<i>Notes/Additional Requirements</i>
<i>Build-to Area Requirement (see Figure 1)</i>	The minimum building frontage at the ground floor or podium level, as a percentage of the street frontage length, that must be located within the area of the lot between the minimum and maximum setback lines parallel to the street.	Minimum 40% of frontage	Minimum 40% of frontage	Minimum 60% of frontage	Ground-floor retail uses must be a minimum 75% of frontage.
<i>Corner Build-to Area Requirement</i>	The minimum building frontage, as a percentage of the street frontage length, that must be located within the build-to area, defined as the area of the lot between the minimum and maximum setback lines parallel to streets on a corner lot.	75% of building frontage must be located within build-to area.	75% of building frontage must be located within build-to area.	75% of building frontage must be located within build-to area.	Exception: If public plaza is provided pursuant to open space standards in 16.XX.120 (4) and bounded by buildings on at least two sides.
<i>Frontage Landscaping</i>	The percentage of the setback area devoted to ground cover and vegetation. Trees may or may not be within the landscaped area. For this requirement, the setback area is the area between the property line and the face of the building.	Minimum of 40% (50% of which shall provide on-site infiltration of stormwater runoff). No maximum.	Minimum of 25% (50% of which should provide on-site infiltration of stormwater runoff). Maximum of 40%.	Minimum of 25% (50% of which should provide on-site infiltration of stormwater runoff). Maximum of 40%.	Setback areas adjacent to active ground-floor uses, including lobbies, retail sales, and eating and drinking establishments are excepted. In the case of a PUE adjacent to the street, frontage landscaping requirement may be measured from street right-of-way instead of property line.
<i>Frontage Uses</i>	Allowable frontage uses in order to support a positive integration of new buildings into the streetscape character.	No restrictions	No restrictions	Setback areas parallel to street not used for frontage landscaping must provide pedestrian circulation (e.g., entryways, stairways, accessible ramps), other publicly accessible open spaces (e.g., plazas, gathering areas, outdoor seating areas), access to parking, bicycle parking, or other uses that the Planning Commission deems appropriate.	Hotels are allowed to use this area for guest arrivals/drop-off zone. Commercial uses shall be a minimum of 50 feet in depth. Publicly accessible open space is further defined and regulated in Section 16.XX.120 (4).
<i>Surface Parking Along Street Frontage (See Figure 2, A)</i>	Surface parking may be located along the street. The maximum percentage of linear frontage of property adjacent to the street allowed to be off-street surface parking.	Maximum of 35%	Maximum of 35%	Maximum of 25%	

*See the General Plan Circulation Element Street Classification Map for street types.

Figure 1. Build-to Area

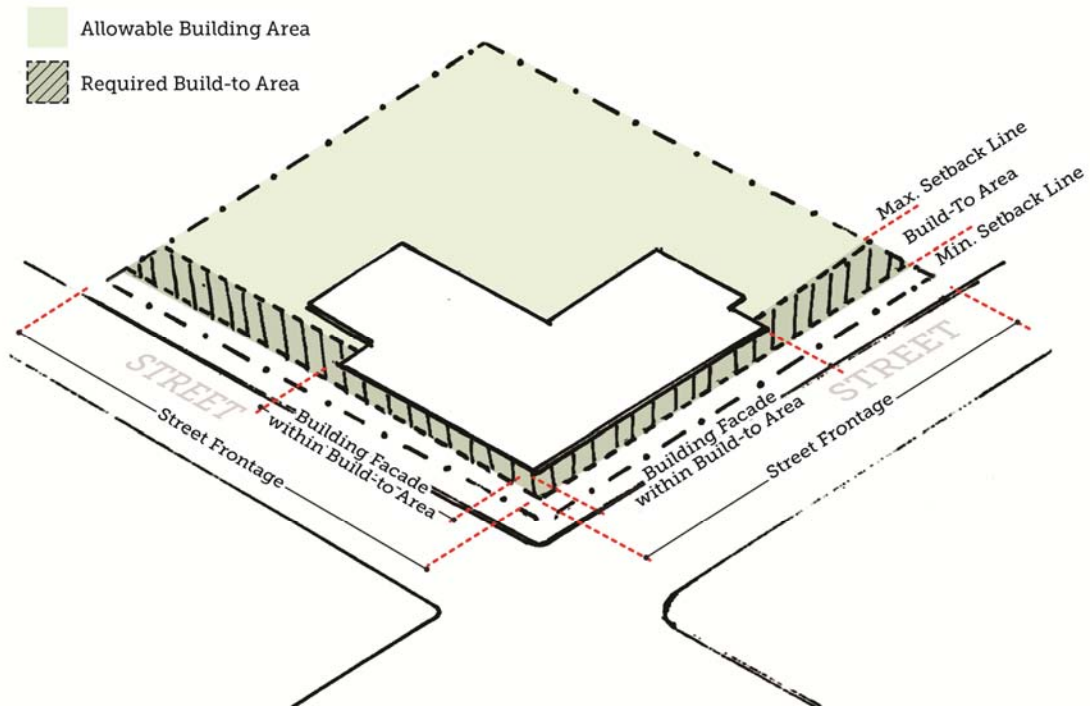
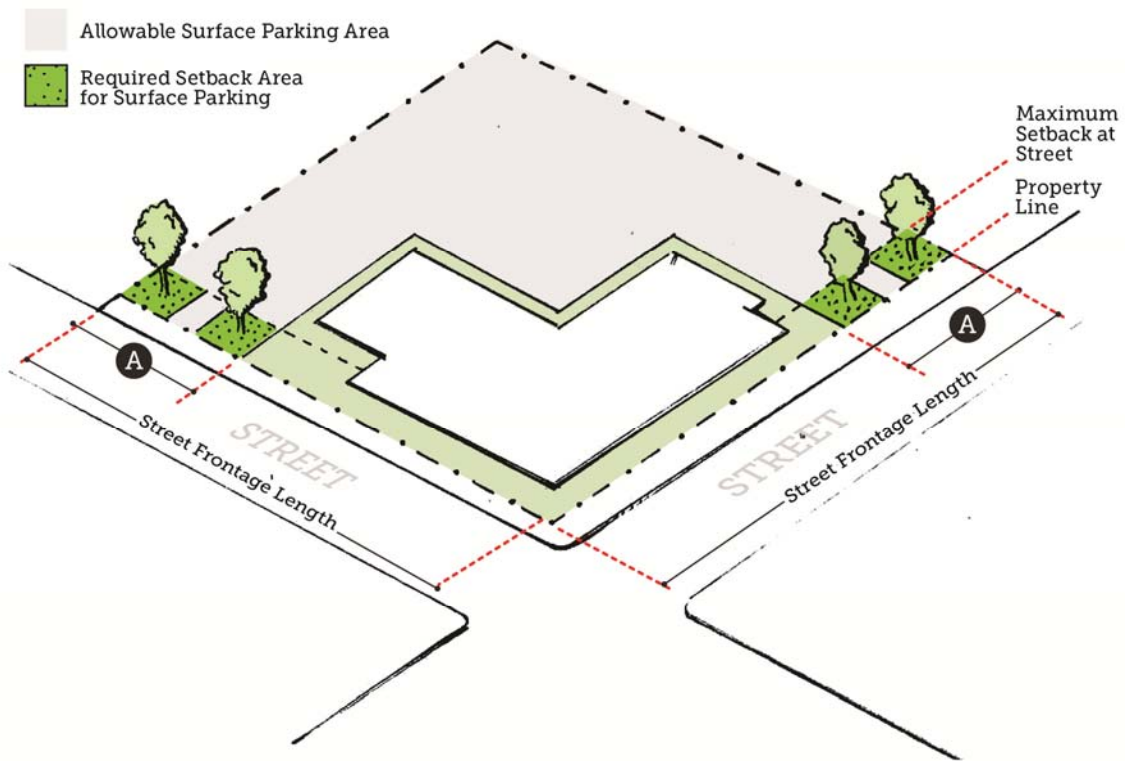


Figure 2. Surface Parking

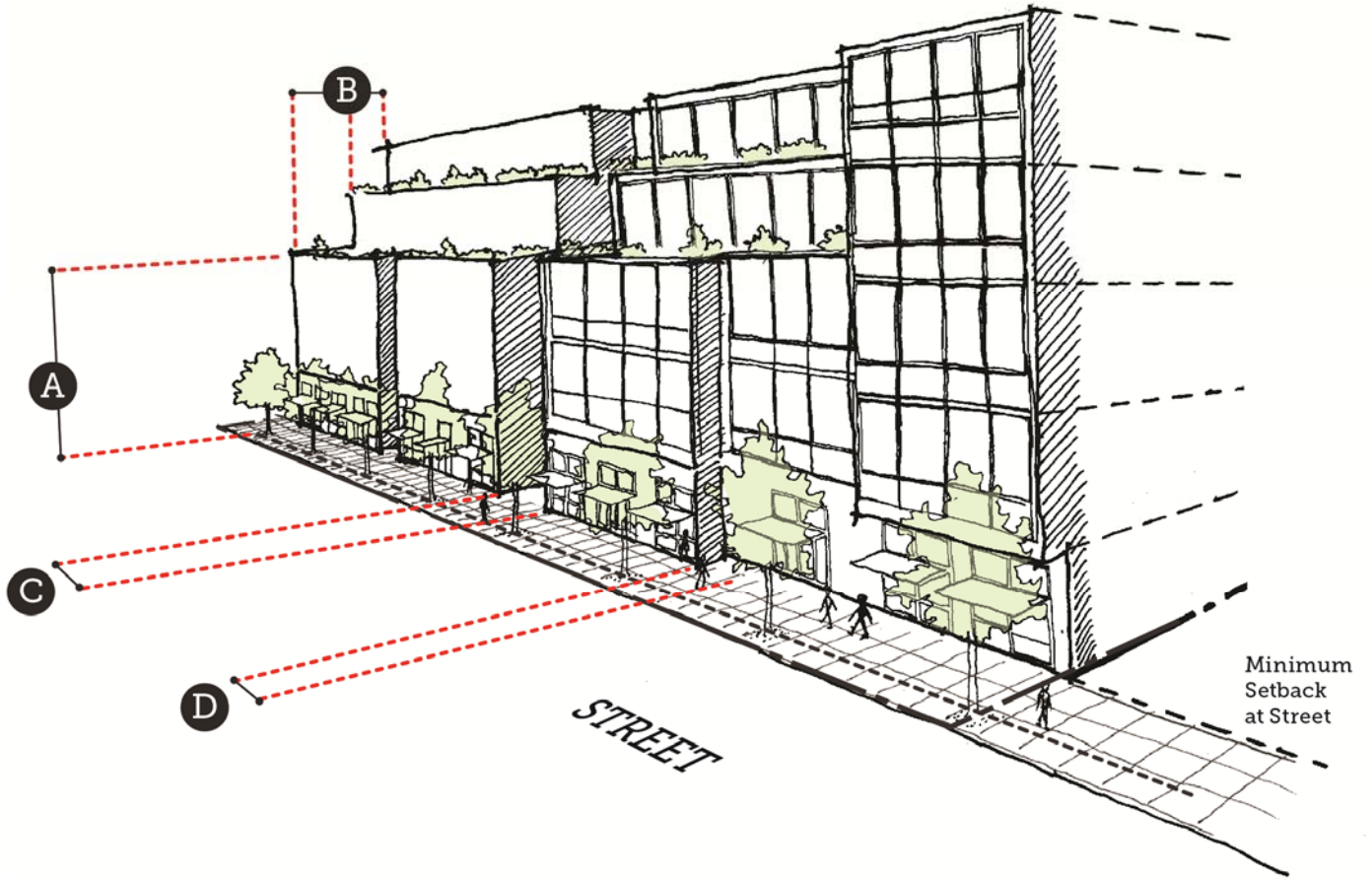


- (2) Building mass and scale. The following standards regulate building mass, bulk, size, and vertical building planes to minimize the visual impacts of large buildings and maximize visual interest of building facades as experienced by pedestrians.

Standard and Figure 3 label (in Caps)	Definition	Base level	Bonus level fronting a Local street*	Bonus level fronting a Boulevard, Thoroughfare, Mixed Use Collector, or Neighborhood street*	Notes/Additional Requirements
Base Height A	The maximum height of a building at the setback line adjacent to the street.	35 feet	45 feet	45 feet	
Minimum Stepback B	The horizontal distance a building's upper story(ies) must be set back above the Base level height.	N/A	10' for a minimum of 75% of the building face along public street(s)	10' for a minimum of 75% of the building face along public street(s)	A maximum of 25% of the building face along public streets may be excepted from this standard in order to provide a significant vertical feature, such as a tower. Exception: hotels shall step back a minimum of 15 feet above 60 feet and an additional 10 feet for buildings 75 feet.
Building Projections	The maximum depth of allowable building projections, such as balconies or bay windows, from the required stepback for portions of the building above the ground floor.	6 feet	6 feet	6 feet	
Building Modulations C & D	A major building modulation is a break in the building plane from the ground level to the top of the buildings' base height that provides visual variety, reduces large building volumes and provides spaces for entryways and publicly accessible spaces.	One every 200 feet or a minimum of one per façade, whichever is greater	One every 200 feet or a minimum of one per façade, whichever is greater	One every 200 feet or a minimum of one per façade, whichever is greater	Modulation is required regardless of build-to area. Parking is not allowed in the modulation recess. Building projections with 3 feet to 6 feet depth may satisfy this requirement in-lieu of a recess.

*See the General Plan Circulation Element Street Classification Map for street types.

Figure 3. Building Mass and Scale



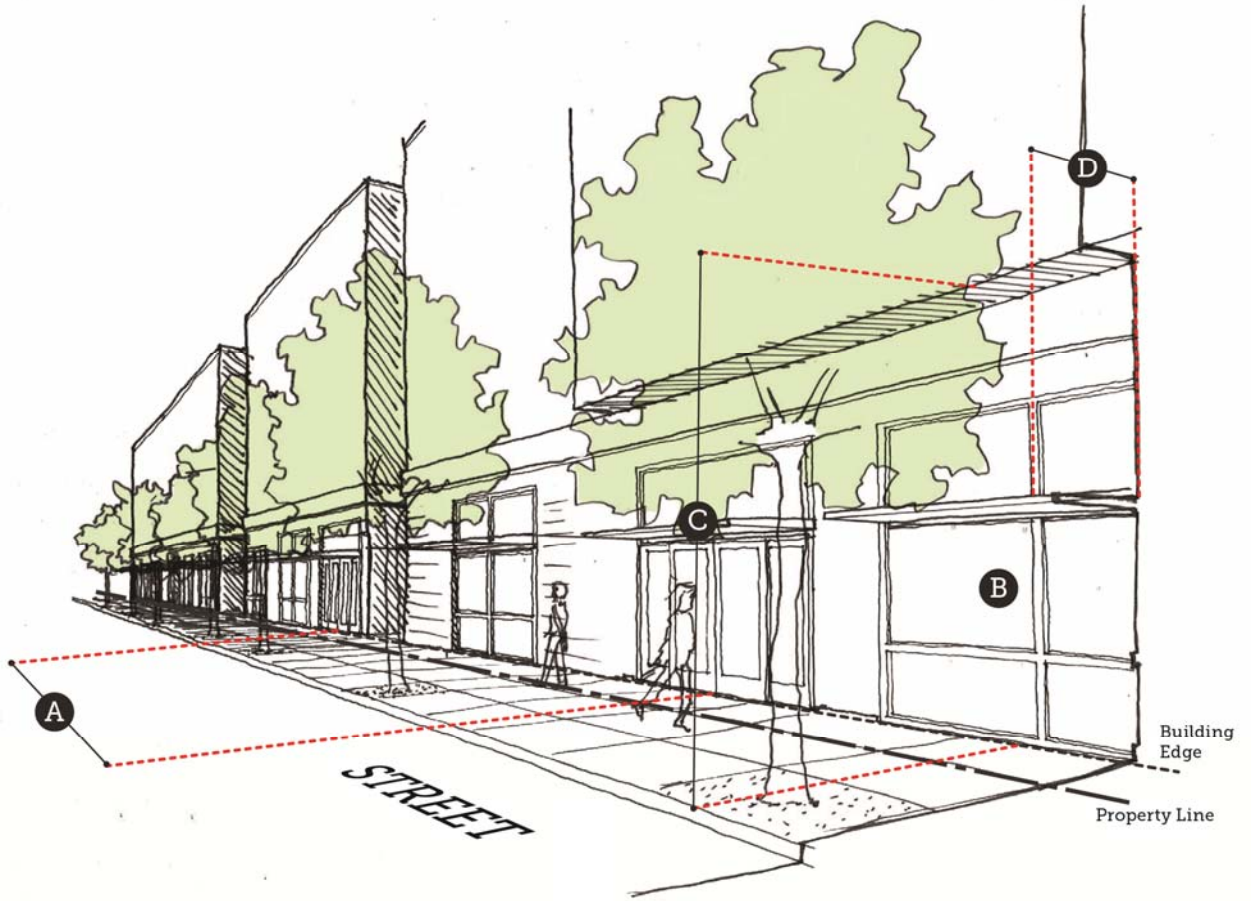
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(3) Ground-floor exterior. The following standards regulate the ground-floor façade of buildings in order to enhance pedestrian experience, as well as visual continuity along the street.

Standard and Figure 4 label (in Caps)	Definition	Base level	Bonus level fronting a Local street*	Bonus level fronting a Boulevard, Thoroughfare, Mixed Use Collector, or Neighborhood street*	Notes/Additional Requirements
Building Entrances A	The minimum ratio of entrances to building length along a public street or paseo.	One entrance per public street frontage	One entrance per public street frontage	One entrance per public street frontage	Entrances at building corners may be used to satisfy this requirement. Stairs must be located in locations convenient to building users.
Ground-floor Transparency B	The minimum percentage of the ground-floor façade area that must provide visual transparency, such as clear-glass windows, doors, etc.	30%; 50% for commercial uses	50%	50%	Windows shall not be opaque or mirrored.
Minimum Ground Floor Height Along Street Frontage C	The minimum height between the ground-level finished floor to the second level finished floor along the street.	n/a	15 feet	15 feet	
Garage Entrances	Width of garage entry/door along street frontage.	Maximum 12-foot opening for one-way entrance; Maximum 24-foot opening for two-way entrance.	Maximum 12-foot opening for one-way entrance; Maximum 24-foot opening for two-way entrance.	Maximum 12-foot opening for one-way entrance; Maximum 24-foot opening for two-way entrance.	Garage entrances must be separated by a minimum of 100 feet to ensure all entrances/exits are not grouped together or resulting in an entire stretch of sidewalk unsafe and undesirable for pedestrians.
Awnings, Signs, and Canopies D	The maximum depth of awnings, signs, and canopies that project horizontally from the face of the building.	7 feet	7 feet	7 feet	A minimum vertical clearance of 8 feet from finished grade to the bottom of the projection is required.

*See the General Plan Circulation Element Street Classification Map for street types.

Figure 4. Ground-Floor Exterior



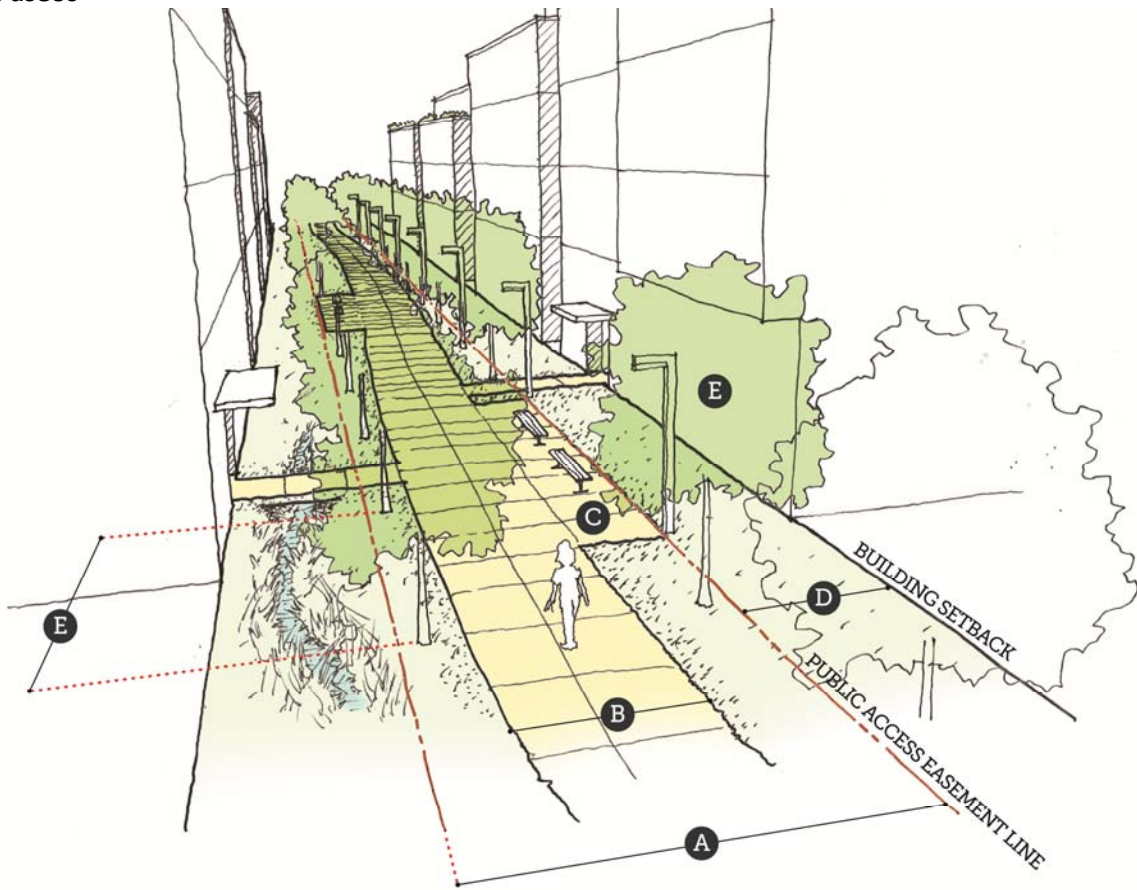
- (4) Open space. All development in the Office district shall provide a minimum amount of open space equal to thirty (30) percent of the total lot area, with a minimum amount of publicly accessible open space equal to fifty (50) percent of the total open space area.
- (A) Publicly accessible open space consists of areas unobstructed by fully enclosed structures with a mixture of landscaping and hardscape that provides seating and places to rest, places for gathering, passive and/or active recreation, pedestrian circulation, or other similar use as determined by the Planning Commission. Publicly accessible open space types include, but are not limited to paseos, plazas, forecourts and entryways, and outdoor dining areas. Publicly accessible open space must:
- (i) Contain site furnishings, art, or landscaping;
 - (ii) Be on the ground floor or podium level;
 - (iii) Be at least partially visible from a public right-of-way such as a street or paseo;
 - (iv) Have a direct, accessible pedestrian connection to a public right-of-way or easement.
- (B) Quasi-public and private open spaces, which may or may not be accessible to the public, include patios, balconies, roof terraces, and courtyards.
- (C) All open spaces shall:
- (i) Interface with adjacent buildings via direct connections through doors, windows, and entryways;
 - (ii) Be integrated as part of building modulation and articulation to enhance building façade and should be sited and designed to be appropriate for the size of the development and accommodate different activities, groups and both active and passive uses;
 - (iii) Be incorporated into the landscaping design of the project and include:
 - (iv) Sustainable stormwater features;
 - (v) A minimum landscaping bed no less than three (3) feet in length or width and five (5) feet in depth for infiltration planting;
 - (vi) Native species able to grow to their maximum size without shearing.
- (D) All exterior landscaping counts towards open space requirements.

(5) Paseos. A paseo is defined as a pedestrian and bicycle path that provides a member of the public access through one or more parcels and to public streets and/or other paseos. Paseos must meet the following standards:

- (A) Paseos may be located within the required side setback areas. Paseos may not be located within the minimum setback at street except where it connects to that street;
- (B) Paseos must be publicly accessible established through a public access easement, but they remain private property;
- (C) Paseos count as publicly accessible open space.

Standard and Figure 5 label (in Caps)	Definition	Bonus level	Notes/Additional Requirements
Paseo Width A	The minimum dimension in overall width of the paseo, including landscaping and hardscape components.	20 feet	
Pathway Width B	The minimum and maximum width of the paved, hardscape portion of the paseo, which provides the pathway for pedestrians.	10 feet minimum; 14 feet maximum	The paseo pathway shall be connected to building entrances with hardscaped pathways. Pathways may be used for emergency vehicle access use and allowed a maximum paved width exemption to accommodate standards of the Menlo Park Fire Protection District with prior approval by Transportation Manager.
Furnishing Zones C	Requirements for pockets of hardscape areas dedicated to seating, adjacent to the main pedestrian pathway area.	Minimum dimension of 5 feet wide by 20 feet long, provided at a minimum interval of 100 feet.	Furnishing zones must include benches or other type of seating and pedestrian-scaled lighting.
Paseo Frontage Setback D	The minimum setback for adjacent buildings from the edge of the paseo property line.	10 feet	A minimum of 50% of the setback area between the building and paseo shall be landscaped (50% of which should provide on-site infiltration of stormwater runoff.) Plants should be climate-adapted species, able to grow to their maximum size without shearing, and provide screening of at least 1-3 feet in height.
Trees E	The size and spacing of trees that are required along the paseo.	Small canopy trees with a maximum mature height of 40 feet and canopy diameter of 25 feet, planted at maximum intervals of 40 feet.	Trees must be planted within the paseo width, with the tree canopy allowed to overhang into the setback.
Landscaping	The minimum percentage of the paseo that is dedicated to vegetation.	20%	On-site infiltration of stormwater runoff is required.
Lighting	Pedestrian-oriented street lamps.	One light fixture every 40 feet.	Use energy efficient lighting per Title 24. Lights shall be located a minimum of 20 feet from trees.

Figure 5. Paseos

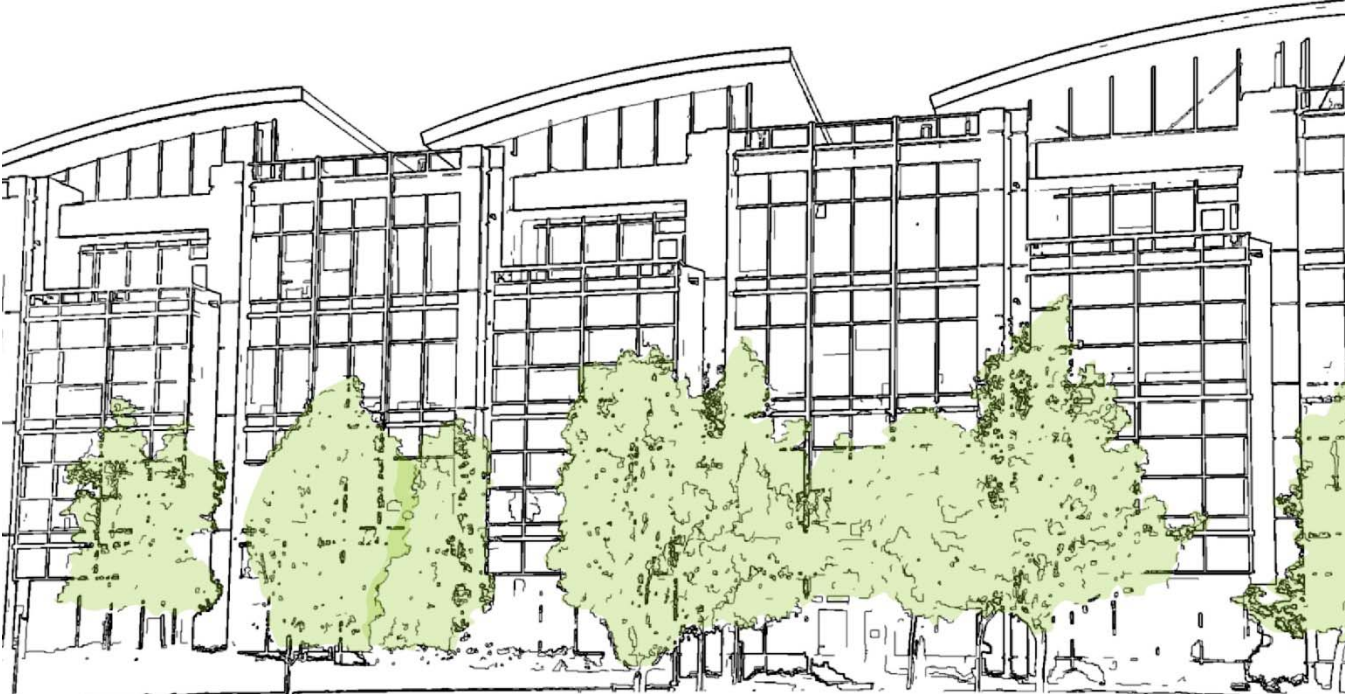


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(6) Building design.

- (A) Main building entrances shall face the street or a publicly accessible courtyard. Building and/or frontage landscaping shall bring the human scale to the edges of the street. Retail building frontage shall be parallel to the street.
- (B) Utilities, including meters, backflow prevention devices, etc., shall be concealed or integrated into the building design to the extent feasible, as determined by the Public Works Director.
- (C) Projects shall include dedicated, screened, and easily accessible space for recycling, compost, and solid waste storage and collection.
- (D) Trash and storage shall be enclosed attractively screened from public view.
- (E) Materials and colors of utility, trash, and storage enclosures shall match or be compatible with the primary building.
- (F) Building materials shall be durable and high-quality to ensure adaptability and re-use over time. Glass paneling and windows shall be used to invite outdoor views and introduce natural light into interior spaces. Stucco shall not be used on more than fifty (50) percent of the building facade. When stucco is used, it must be smooth troweled.
- (G) Roof lines and eaves adjacent to street-facing facades shall vary across a building, including a four-foot minimum height modulation to break visual monotony and create a visually interesting skyline as seen from public streets (see Figure 6).
- (H) Rooftop elements including mechanical equipment, stair and elevator towers shall be concealed in a manner that incorporates building color and architectural and structural design and shall not exceed twenty (20) percent of roof area. Mechanical equipment does not include solar panels, wind turbines and other passive collection systems, and thus do not count towards the twenty (20) percent maximum.

Figure 6. Roof Lines



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- (7) Access and parking.
- (A) Shared entrances to retail and office uses shall be used where possible.
 - (B) Service access and loading docks shall be located on local or interior access streets and to the rear of buildings, and shall not be located along a publicly accessible open space.
 - (C) Above-ground garages shall be screened (with perforated walls, vertical elements or materials that provide visual interest at the pedestrian scale) or located behind buildings that are along public streets.
 - (D) Garage and surface parking access shall be screened or set behind buildings located along a publicly accessible open space or paseo.
 - (E) Surface parking lots shall be buffered from adjacent buildings by a minimum six (6) feet of paved pathway or landscaped area (see Figure 7, label A).
 - (F) Surface parking lots shall be screened with landscaping features such as trees, planters, and vegetation, including a twenty (20) foot deep landscaped area along sidewalks, as measured from the setback line adjacent to the street, or paseos (see Figure 7, label B). The portion of this area not devoted to driveways shall be landscaped. Trees shall be planted at a ratio of 1 per 400 square feet of required setback area for surface parking.
 - (G) Surface parking lots shall be planted with at least one (1) tree with a minimum size of a twenty-four (24) inch box for every eight (8) parking spaces (see Figure 7, label C). Required plantings may be grouped where carports with solar panels are provided.
 - (H) Surface parking can be located along a paseo for a maximum of forty (40) percent of a paseo's length (see Figure 7, label D).
 - (I) Short-term bicycle parking shall be located within fifty (50) feet of lobby or main entrance. Long-term bicycle parking facilities shall protect against theft and inclement weather, and consist of a fully enclosed, weather-resistant locker with key locking mechanism or an interior locked room or enclosure. Long-term parking shall be provided in locations that are convenient and functional for cyclists. Bicycle parking shall be (see Figure 8):
 - (i) Consistent with the latest edition of the Association of Pedestrian and Bicycle Professionals Bicycle Parking Guide;
 - (ii) Designed to accommodate standard six (6) foot bicycles;
 - (iii) Paved or hardscaped;
 - (iv) Accessed by an aisle in the front or rear of parked bicycles of at least five (5) feet;

- (v) At least five (5) feet from vehicle parking spaces;
 - (vi) At least thirty (30) inches of clearance in all directions from any obstruction, including but not limited to other racks, walls, and landscaping;
 - (vii) Lit with no less than one (1) footcandle of illumination at ground level;
 - (viii) Space-efficient bicycle parking such as double-decker lift-assist and vertical bicycle racks are also permitted.
- (J) Pedestrian access shall be provided, with a minimum hardscape width of six (6) feet, to sidewalks to all building entries, parking areas, and publicly accessible open spaces, and shall be clearly marked with signage directing pedestrians to common destinations.
- (K) Entries to parking areas and other important destinations shall be clearly identified for all travel modes with such wayfinding features as marked crossings, lighting, and clear signage.

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Figure 7. Surface Parking Access

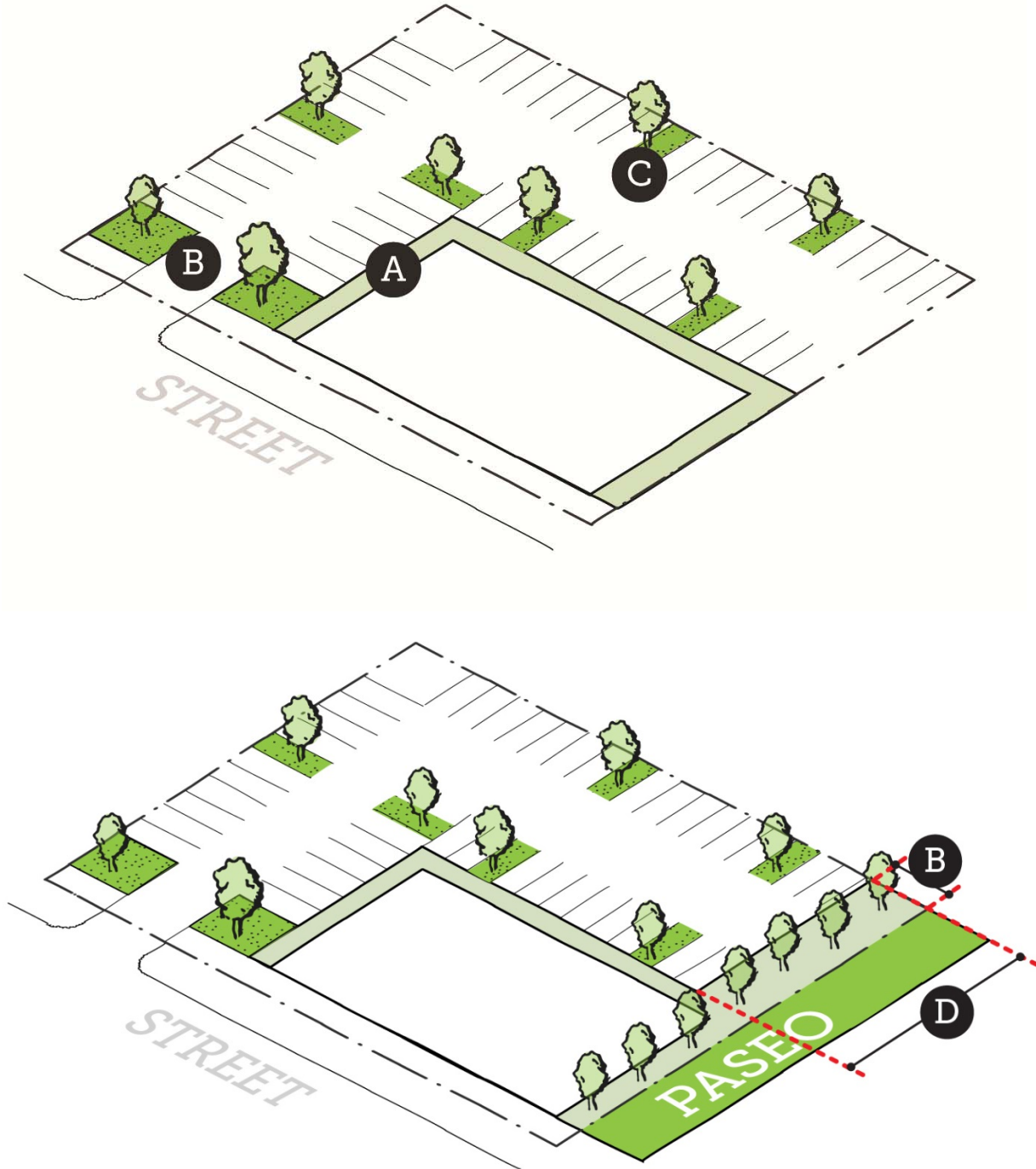
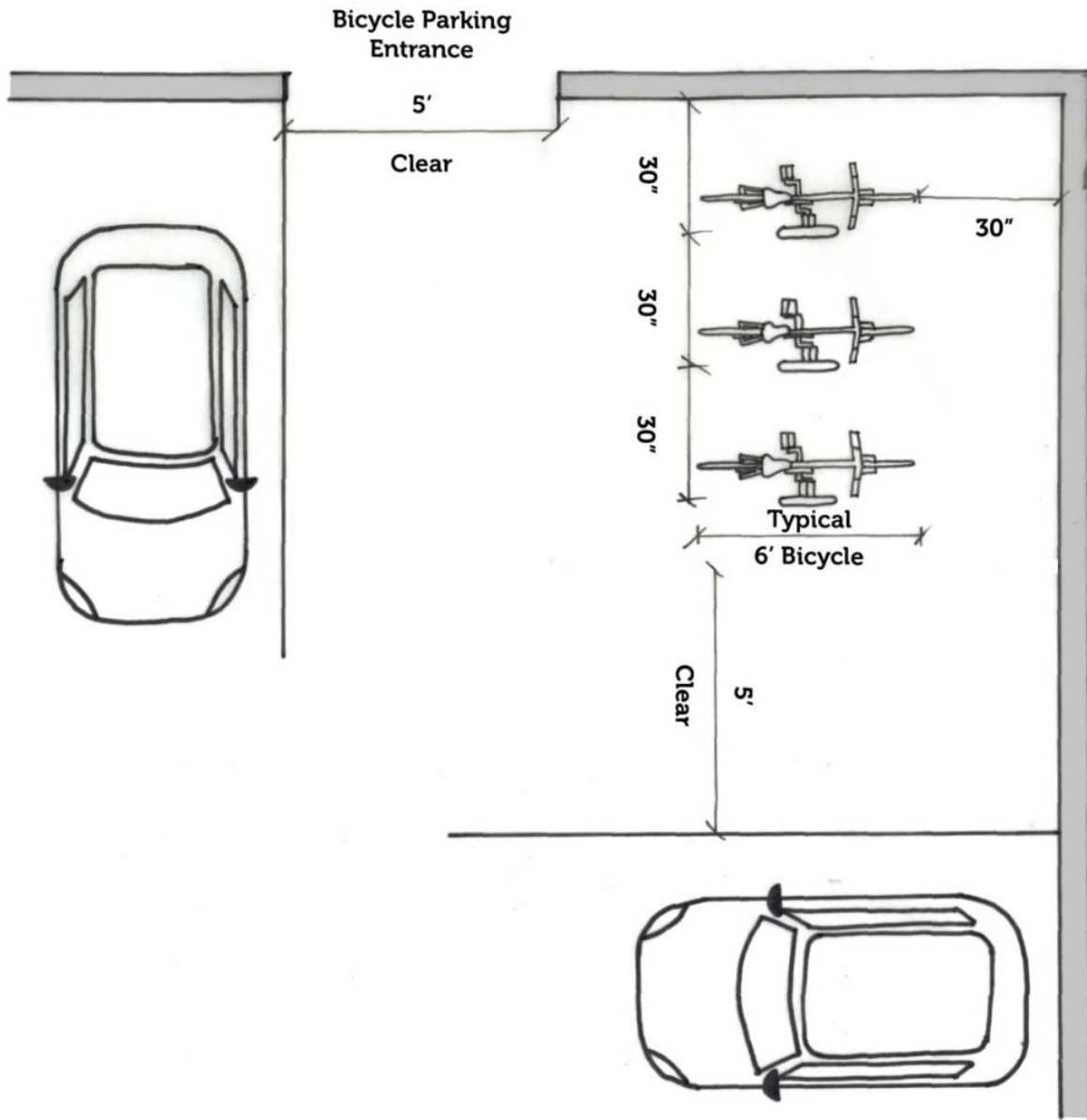


Figure 8. Bicycle Parking



16.XX.130 Green and sustainable building.

In addition to meeting all applicable regulations specified in Municipal Code Title 12 (Buildings and Construction), the following provisions shall apply to projects

(1) Green building.

- (A) Any new construction, addition or alteration of a building shall be required to comply with tables 16.XX.010.A and 16.XX.010.B

(2) Energy.

- (A) All new construction will meet 100% of energy demand (electricity and natural gas) through on-site generation as required in tables 16.XX.010.A and 16.XX.0101.B, and any combination of the following measures:
 - (i) Purchase of 100% renewable electricity through Peninsula Clean Energy or Pacific Gas and Electric Company in an amount equal to the annual energy demand of the project;
 - (ii) Purchase and installation of local renewable energy generation within the City of Menlo Park in an amount equal to the annual energy demand of the project;
 - (iii) Purchase of certified renewable energy credits annual in an amount equal to the annual energy demand of the project.

TABLE 16.XX.010.A: RESIDENTIAL GREEN BUILDING REQUIREMENTS

PROJECT TYPE	NEW CONSTRUCTION			ADDITIONS AND/OR ALTERATIONS		
	10,000 sq. ft. – 25,000 sq. ft.	25,001 sq. ft. – 100,000 sq. ft.	100,001 sq. ft. and above	1 sq. ft. to 1,000 sq. ft./ of conditioned area, volume or size	1,001 sq. ft. – 25,000 sq. ft. of conditioned area, volume or size	25,001 sq. ft. and above of conditioned area, volume or size
Green Building Requirement	10,000 sq. ft. – 25,000 sq. ft.	25,001 sq. ft. – 100,000 sq. ft.	100,001 sq. ft. and above	1 sq. ft. to 1,000 sq. ft./ of conditioned area, volume or size	1,001 sq. ft. – 25,000 sq. ft. of conditioned area, volume or size	25,001 sq. ft. and above of conditioned area, volume or size
Green Building Certification	Designed to meet LEED Silver BD+C*	Designed to meet LEED Silver BD+C*	Designed to meet LEED Gold BD+C*	CALGreen Mandatory	Designed to meet LEED Silver ID+C*	Designed to meet LEED Gold ID+C*
EV Chargers	<p><u>Pre-Wire**</u></p> <ul style="list-style-type: none"> For EV chargers in 5% of total number of parking stalls. <p><u>Install EV Chargers***</u></p> <ul style="list-style-type: none"> Install a minimum of 2 in the pre-wire locations. 	<p><u>Pre-Wire**</u></p> <ul style="list-style-type: none"> For EV chargers in 5% of total number of parking stalls. <p><u>Install EV Chargers***</u></p> <ul style="list-style-type: none"> Install a total of 2 plus 1% of the total parking stalls in the pre-wire locations. 	<p><u>Pre-Wire**</u></p> <ul style="list-style-type: none"> For EV chargers in 5% of total number of parking stalls. <p><u>Install EV Chargers***</u></p> <ul style="list-style-type: none"> Install a total of 6 plus 1% of the total parking stalls in the pre-wire locations. 	N/A (Voluntary)	N/A (Voluntary)	N/A (Voluntary)
On-Site Energy Generation	30% of maximum extent feasible as determined by the On-Site Renewable Energy Feasibility Study****	30% of maximum extent feasible as determined by the On-Site Renewable Energy Feasibility Study****	30% of maximum extent feasible as determined by the On-Site Renewable Energy Feasibility Study****	N/A (Voluntary)	N/A (Voluntary)	N/A (Voluntary)
Energy Reporting	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.

*Designed to meet LEED standards is defined as follows: a) Applicant must submit appropriate LEED checklist and verifying cover letter from a project LEED AP with the project application, b) Applicant must complete all applicable LEED certification documents prior to final building permit issuance to be reviewed either for LEED certification, or for verification by a third party approved by the City for which the applicant will pay for review and/or certification.

**Pre-wire is defined as conduit and wire installed from electrical panel board to junction box at parking stall, with sufficient electrical service to power chargers at all pre-wire locations.

***Charger is defined as follows: One electric vehicle (EV) charger or charger head reaching each designated EV parking stall and delivering a minimum of 240 V and 40 AMPs such that it can be used by all electric vehicles.

**** On-Site Renewable Energy Feasibility Study shall demonstrate the following cases: 1. Maximum on-site generation potential. 2. Solar feasibility for roof and parking areas (excluding roof mounted HVAC equipment). 3. Maximum solar generation potential solely on the roof area.

TABLE 16.XX.010.B: NON-RESIDENTIAL GREEN BUILDING REQUIREMENTS

PROJECT TYPE	NEW CONSTRUCTION			ADDITIONS AND/OR ALTERATIONS		
	10,000 sq. ft. – 25,000 sq. ft.	25,001 sq. ft. – 100,000 sq. ft.	100,001 sq. ft. and above	1 sq. ft. – 1,000 sq. ft. of conditioned area, volume or size	1,001 sq. ft. – 25,000 sq. ft. of conditioned area, volume or size	25,001 sq. ft. and above of conditioned area, volume or size
Green Building Certification	Designed to meet LEED Silver BD+C *	Designed to meet LEED Silver BD+C *	Designed to meet LEED Gold BD+C *	CALGreen Mandatory	Designed to meet LEED Silver ID+C *	Designed to meet LEED Gold ID+C *
EV Chargers	<p><u>Pre-Wire**</u></p> <ul style="list-style-type: none"> For EV chargers in 5% of total number of parking stalls. <p><u>Install EV Chargers***</u></p> <ul style="list-style-type: none"> Install a minimum of 2 in the pre-wire locations. 	<p><u>Pre-Wire**</u></p> <ul style="list-style-type: none"> For EV chargers in 5% of total number of parking stalls. <p><u>Install EV Chargers***</u></p> <ul style="list-style-type: none"> Install a total of 2 plus 1% of the total parking stalls in the pre-wire locations. 	<p><u>Pre-Wire**</u></p> <ul style="list-style-type: none"> For EV chargers in 5% of total number of parking stalls. <p><u>Install EV Chargers***</u></p> <ul style="list-style-type: none"> Install a total of 6 plus 1% of the total parking stalls in the pre-wire locations. 	N/A (Voluntary)	Install conduit, wiring and electrical service for EV Chargers for 5% of parking spaces AND a minimum of 2 chargers***	Install conduit, wiring and electrical service for EV Chargers for 5% of parking spaces AND a minimum of 2 + (1% spaces) chargers***
On-Site Energy Generation	30% of maximum extent feasible as determined by the On-Site Renewable Energy Feasibility Study****	30% of maximum extent feasible as determined by the On-Site Renewable Energy Feasibility Study****	30% of maximum extent feasible as determined by the On-Site Renewable Energy Feasibility Study****	N/A (Voluntary)	N/A (Voluntary)	N/A (Voluntary)
Energy Reporting	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.

*Designed to meet LEED standards is defined as follows: a) Applicant must submit appropriate LEED checklist and verifying cover letter from a project LEED AP with the project application, b) Applicant must complete all applicable LEED certification documents prior to final building permit issuance to be reviewed either for LEED certification, or for verification by a third party approved by the City for which the applicant will pay for review and/or certification.

**Pre-wire is defined as conduit and wire installed from electrical panel board to junction box at parking stall, with sufficient electrical service to power chargers at all pre-wire locations.

***Charger is defined as follows: One electric vehicle (EV) charger or charger head reaching each designated EV parking stall and delivering a minimum of 240 V and 40 AMPs such that it can be used by all electric vehicles.

****On-site Renewable Energy Feasibility Study shall demonstrate the following cases: 1. Maximum on-site generation potential. 2. Solar feasibility for roof and parking areas (excluding roof mounted HVAC equipment). 3. Maximum solar generation potential solely on the roof area.

- (3) Water use efficiency and recycled water.
- (A) Single pass cooling systems shall be prohibited in all new buildings.
 - (B) All new buildings shall be built and maintained without the use of well water.
 - (C) Applicants for a new building(s) one hundred thousand (100,000) square feet or more in gross floor area shall prepare and submit a proposed water budget and accompanying calculations following the methodology approved by the City. The water budget and calculations shall be reviewed and approved by the City's Public Works Director prior to certification of occupancy. Twelve (12) months after the date of the certification of occupancy, the building owner shall submit data and information sufficient to allow the City to compare the actual water use to the allocation in the approved water budget. In the event that actual water consumption exceeds the water budget, a water conservation program, as approved by the City's Public Works Director, shall be implemented. Twelve (12) months after City approval of the water conservation program, the building owner shall submit data and information sufficient to allow the City to determine compliance with the conservation program. If water consumption exceeds the budgeted amount, the City's Public Works Director may prohibit the use of water for irrigation or enforce compliance as an infraction pursuant to Chapter 1.12 of the Municipal Code until compliance with the water budget is achieved.
 - (D) All new buildings shall be dual plumbed for the internal use of recycled water.
 - (E) All new buildings two hundred and fifty (250,000) square feet or more in gross floor area shall use an alternate water source for all City approved non-potable applications. An alternative water source may include, but is not limited to, treated non-potable water such as graywater. An Alternate Water Source Assessment shall be submitted that describes the alternative water source and proposed non-potable application. Approval of the Alternate Water Source Assessment, the alternative water source and its proposed uses shall be approved by the City's Public Works Director and Community Development Director.
 - (F) Potable water shall not be used for dust control on construction projects.
 - (G) Potable water shall not be used for decorative features, unless the water recirculates.
- (4) Hazard mitigation and sea level rise resiliency.
- (A) The first floor elevation of all new buildings shall be twenty four (24) inches above the Federal Emergency Management Agency base flood elevation (BFE) to account for sea level rise. Where no BFE exists, the first floor (bottom of floor beams) elevation shall be 24 inches above the existing grade.

The building design and protective measures shall not create adverse impacts on adjacent sites as determined by the City.

(B) Prior to building permit issuance, all new buildings shall pay any required fee or proportionate fair share for the funding of sea level rise projects, if applicable.

(5) Waste management.

(A) Applicants shall submit a zero-waste management plan to the City, which will cover how the applicant plans to minimize waste to landfill and incineration in accordance with all applicable state and local regulations. Applicants shall show in their zero-waste plan how they will reduce, recycle and compost wastes from the demolition, construction and occupancy phases of the building. For the purposes of this ordinance, Zero Waste is defined as ninety (90) percent overall diversion of non-hazardous materials from landfill and incineration, wherein discarded materials are reduced, reused, recycled, or composted. Zero Waste plan elements shall include the property owner's assessment of the types of waste to be generated during demolition, construction and occupancy, and a plan to collect, sort and transport materials to uses other than landfill and incineration.

(6) Bird-friendly design.

(A) No more than ten (10) percent of façade surface area shall have non-bird-friendly glazing.

(B) Bird-friendly glazing includes, but is not limited to opaque glass, covering of clear glass surface with patterns, paned glass with fenestration patterns, and external screens over non-reflective glass.

(C) Occupancy sensors or other switch control devices shall be installed on non-emergency lights and shall be programmed to shut off during non-work hours and between 10 PM and sunrise.

(D) Placement of buildings shall avoid the potential funneling of flight paths towards a building façade.

(E) Glass skyways or walkways, freestanding glass walls, and transparent building corners shall not be allowed.

(F) Transparent glass shall not be allowed at the rooflines of buildings, including in conjunction with green roofs.

(G) A project may receive a waiver from one or more of the items (A) to (F) listed above, subject to the submittal of a site specific evaluation from a qualified biologist and review and approval by the Planning Commission.

RESIDENTIAL MIXED USE
DISTRICT (R-MU)



Chapter 16.XX
R-MU – RESIDENTIAL MIXED USE DISTRICT

Sections:

- 16.XX.010 Purpose.
- 16.XX.015 Definitions.
- 16.XX.020 Permitted uses.
- 16.XX.030 Administratively permitted uses.
- 16.XX.040 Conditional uses.
- 16.XX.050 Development regulations.
- 16.XX.060 Additional bonus development regulations.
- 16.XX.070 Community amenities required for bonus development.
- 16.XX.080 Parking standards.
- 16.XX.090 Transportation demand management.
- 16.XX.100 New connections.
- 16.XX.110 Required street improvements.
- 16.XX.120 Design standards.
- 16.XX.130 Green and sustainable building.

16.XX.010 Purpose.

The purpose and intent of the Residential Mixed Use district is to:

- (1) Provide high density housing to complement nearby employment;
- (2) Encourage mixed-use development with a quality living environment and neighborhood-serving retail and services on the ground floor that are oriented to the public, and promote a live/work/play environment with pedestrian activity;
- (3) Blend with and complement existing neighborhoods through site regulations and design standards that minimize impacts to adjacent uses;

16.XX.015 Definitions.

Terms are defined in the City’s Municipal Code Chapter 16.04 unless otherwise stated in this chapter.

16.XX.020 Permitted uses.

Permitted uses in the Residential-Mixed Use district are as follows:

- (1) Twenty (20) to thirty (30) dwelling units per acre, which is a required component of any development in the R-MU district;
- (2) Administrative and professional office not exceeding twenty thousand (20,000) square feet of gross floor area;
- (3) Financial services, including banks and other financial institutions;
- (4) Retail sales establishments twenty thousand (20,000) or less square feet of gross floor area and excluding the sale of beer, wine and alcohol;
- (5) Eating establishments, excluding the sale of beer, wine and alcohol, live entertainment, and/or that are portable;
- (6) Personal services, excluding tattooing, piercing, palm-reading, or similar services;
- (7) Recreational facilities privately operated, twenty thousand (20,000) or less square feet of gross floor area;
- (8) Community education/training center, which provides free or low-cost educational and vocational programs to help prepare local youth and adults for entry into college and/or the local job market.

16.XX.030 Administratively permitted uses.

Uses allowed in the Residential-Mixed Use district, subject to obtaining an administrative permit per Municipal Code Chapter 16.82, are as follows:

- (1) Eating establishments, including the sale of beer and wine only, and/or those that have live music or other live entertainment;
- (2) Child day care center.

16.XX.040 Conditional uses.

Conditional uses allowed in the Residential-Mixed Use district, subject to obtaining a use permit per Municipal Code Chapter 16.82, are as follows:

- (1) Multi-family residential exceeding thirty (30) dwelling units per acre, subject to requirements in Section 16.XX.060;
- (2) Workforce/corporate housing north of Bayfront Expressway;
- (3) Home occupations;

- (4) Administrative and professional offices greater than twenty thousand (20,000) square feet of gross floor area;
- (5) Research and development uses, excluding uses involving hazardous materials;
- (6) Eating and drinking establishments with alcohol sales, or that are portable;
- (7) Retail sales establishments greater than twenty thousand (20,000) square feet of gross floor area and/or with alcohol sales;
- (8) Personal services, including tattooing, piercing, palm-reading, or similar services;
- (9) Movie theater;
- (10) Special uses, in accordance with Chapter 16.78 of this title, including private recreational facilities exceeding twenty thousand (20,000) square feet of gross floor area;
- (11) Uses identified in 16.XX.020, 16.XX.030, and 16.XX.040 proposing Bonus level development, in accordance with Section 16.XX.060;
- (12) Public utilities, in accordance with Chapter 16.76 of this title.

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16.XX.050 Development regulations.

Development regulations in the Residential-Mixed Use district are as follows:

<i>Regulation</i>	<i>Definition</i>	<i>Base level</i>	<i>Bonus level</i>	<i>Notes/Additional Requirements</i>
<i>Minimum lot area</i>	Minimum area of building site (includes public access easements).	20,000 square feet	25,000 square feet	
<i>Minimum lot dimensions</i>	Minimum size of a lot calculated using lot lines	100 feet width 100 feet depth	100 feet width 100 feet depth	
<i>Minimum setback at street</i>	Minimum linear feet building can be sited from property line adjacent to street.	0 feet	0 feet	See build-to area requirements in Section 16.XX.120(1).
<i>Maximum setback at street</i>	Maximum linear feet building can be sited from property line adjacent to street.	25 feet	25 feet	See build-to area requirements in Section 16.XX.120 (1). Maximum setback may be 50 feet along Willow Road for surface parking where ground floor commercial uses are provided.
<i>Minimum interior side and rear setbacks</i>	Minimum linear feet building can be sited from interior and rear property lines.	10 feet	10 feet	See Section 16.XX.120 (5) if property is required to have a paseo. Interior side setback may be reduced to 0 feet for the entire building mass where there is retail frontage.
<i>Maximum residential floor area ratio</i>	Maximum permitted ratio of residential square footage of the gross floor area of all buildings on a lot to the square footage of the lot.	60% to 90%	200%	Floor area ratio shall increase on an even gradient from 60% for 20 du/ac to 90% for 30 du/ac.
<i>Density</i>	The number of dwelling units in an acre.	20 du/acre to 30 du/acre	>30 du/acre to 100 du/acre	A percentage of total dwelling units built in Bonus level shall be affordable per Section 16.XX.070.
<i>Maximum commercial floor area ratio</i>	Maximum permitted ratio of commercial square footage of the gross floor area of all buildings on a lot to the square footage of the lot.	15%	25%	Commercial permitted subject to residential development.
<i>Maximum height</i>	Maximum building height not including roof utilities and mechanical equipment.	40 feet	70 feet	A parapet used to screen mechanical equipment is not included in the maximum height. The maximum allowed height for rooftop mechanical equipment is 14 feet, except for elevator towers and associated equipment, which may be 20 feet. Per community amenities requirements of Section 16.XX.070.
<i>Minimum open space requirement</i>	Minimum portion of the building site open, unobstructed and unoccupied.	25%	25%	See Section 16.XX.120 (4) for open space requirements.

16.XX.060 Additional bonus development regulations.

A development may seek an increase in floor area ratio and/or height as established in the Bonus level per Section 16.XX.050 of this Chapter in areas denoted as R-MU-B district on the City Zoning Map, subject to obtaining a use permit per Chapter 16.82 and providing:

- (1) Community amenities consistent with Section 16.XX.070;
 - (A) A minimum of fifteen (15) percent of total units on-site must be affordable housing units for low, very low, and extremely low income households. However, with the approval of the Planning Commission, these units may be provided anywhere in the City of Menlo Park. This affordable unit requirement is in addition to the City's below market rate requirements per Section 16.96.

16.XX.070 Community amenities required for bonus development.

To be eligible for bonus floor area ratio and/or height, a project shall provide one or more community amenities, either through construction of the amenity, which is preferable, or payment of a fee.

- (1) An applicant's proposal for community amenities shall be subject to review by the Planning Commission in conjunction with a Use Permit or Conditional Development Permit. Consideration by the Planning Commission shall include differentiation between amenities proposed to be provided on-site and amenities proposed to be provided off-site, which may require a separate discretionary review and environmental review per the California Environmental Quality Act.
- (2) A community amenity shall be provided utilizing any one of the following three mechanisms:
 - (A) Part of the Project. An applicant, as part of the project, designs and constructs one or more of the community amenities to the parameters identified in this section, provided that the value of the amenity or amenities is reasonably equivalent to the value defined in subsection (3) or per nexus study. Once any one of these community amenities is provided, it will no longer be an option available to other applicants. Prior to approval of the Final Occupancy Permit for any portion of the project, the applicant shall complete (or bond for) the construction and installation of the community amenities included in the project and shall provide documentation sufficient for the City Manager or designee to certify compliance with this section. The amenities proposed by the applicant shall be selected from a list of amenities adopted by the City Council pursuant to resolution.
 - (B) Impact Fee Payment. If the City has adopted an impact fee that identifies a square foot fee for community amenities, an applicant for the bonus development shall pay 120% of the fee provided that the fee adopted by the Council is less than full cost recovery. In the alternative, the applicant may

design and construct one or more those amenities identified in the nexus study in an amount equal to the fee payment.

(C) Agreement. An applicant may propose amenities to be included in an agreement, including a development agreement. The amenities proposed by the applicant shall be selected from a list of amenities adopted by the City Council pursuant to resolution. If an impact fee per square foot has been identified through an impact fee, the proposal for amenities shall be reasonably equivalent to the value of the fee, otherwise the value shall be reasonably equivalent to the value defined in subsection (3). The timing of the provision of the community amenities shall be identified in the agreement.

(3) Bonus Value Calculation. An applicant shall provide, at their expense, an appraisal performed within ninety (90) days of the application date by a licensed appraisal firm approved by (and with form and content approved by) the Community Development Director that sets a single value per square foot of the finished floor area of the development ("floor area-foot" value). The City, at applicant's expense, may obtain a second appraisal also by a licensed appraisal firm that identifies floor area-foot value. If the two appraisals are obtained, the average of the two appraisals shall be utilized to set the floor area-foot value. The value of the community amenities shall be fifty percent for the floor area-foot value multiplied by the amount of gross floor area that is proposed beyond the base-level zoning.

(4) All community amenities, except affordable housing, must be provided within the area between U.S. Highway 101 and the San Francisco Bay in the City of Menlo Park. Affordable housing may be located anywhere housing is allowed in the City of Menlo Park.

16.XX.080 Parking standards.

Development in the R-MU district shall meet the following parking requirements.

<i>Land Use</i>	<i>Minimum Spaces (Per Unit or 1,000 Sq. Ft.)</i>	<i>Maximum Spaces (Per Unit or 1,000 Sq. Ft.)</i>	<i>Minimum Bicycle Parking¹</i>
<i>Residential Units</i>	1 per unit	1.5 per unit	1.5 long-term ² per unit; 10% additional short-term ² for guests
<i>Office</i>	2	3	1 per 5,000 sq.ft. of gross floor area Minimum two spaces
<i>Research and Development</i>	1.5	2.5	
<i>Retail</i>	2.5	3.3	For Office and Research Development:
<i>Financial services</i>	2	3.3	80% for long-term ² and 20% for short-term ²
<i>Eating and drinking establishment</i>	2.5	3.3	For all other commercial uses: 20% for long-term ² and 80% for short-term ²)
<i>Personal services</i>	2	3.3	
<i>Private recreation</i>	2	3.3	
<i>Daycare facility</i>	2	3.3	
<i>Publicly accessible parking lot or structure</i>			One space per 20 vehicle spaces
<i>Other</i>	At Community Transportation Manager discretion	At Transportation Manager discretion	At Transportation Manager discretion

¹ See Section 16.XX.120 (7) and the latest edition of best practice design standards in Association of Pedestrian and Bicycle Professionals Bicycle Parking Guidelines.

² Long-term parking is for use over several hours or overnight, typically used by employees and residents. Short-term parking is considered visitor parking for use from several minutes to up to a couple of hours.

- (1) Parking spaces shall be unbundled from the price of residential units such that parking is sold or rented separately, except in cases where parking is physically connected to only one unit. However, the Planning Commission may grant an exception from this requirement for projects which include financing for affordable housing that requires that costs for parking and housing be bundled together.
- (2) Parking facilities may be shared at the discretion of the City’s Transportation Manager if multiple uses cooperatively establish and operate the facilities, if these uses generate parking demands primarily during different hours than the remaining uses, and if a sufficient number of spaces are provided to meet the maximum cumulative parking demand of the participating uses at any time. An individual development proposal may incorporate a shared parking study to account for the mixture of uses, either on-site or within a reasonable distance. By virtue of the existing diversity of nearby uses, parcels in the district would effectively have lower parking rates. However, the precise shared parking supply impact would be subject to review and approval based on the specific design and site conditions. Project applicants may also be allowed to meet the minimum parking requirements through the use of nearby off-site facilities at the discretion of the Transportation Manager.

16.XX.090 Transportation demand management.

New construction and building additions of an existing building involving ten thousand (10,000) or more square feet of gross floor area, or a change of use of ten thousand (10,000) or more square feet of gross floor area shall develop a Transportation Demand Management (TDM) plan necessary to reduce associated vehicle trips to at least twenty (20) percent below standard generation rates for uses on the project site. Each individual applicant will prepare its own TDM plan and provide an analysis to the satisfaction of the City's Transportation Manager of the impact of that TDM program.

- (1) Eligible TDM measures may include but are not limited to:
 - (A) Participation in a local Transportation Management Association (TMA) that provides documented, ongoing support for alternative commute programs;
 - (B) Appropriately located transit shelter(s);
 - (C) Preferred parking for carpools or vanpools;
 - (D) Designated parking for car-share vehicles;
 - (E) Requiring drivers to pay directly for using parking facilities;
 - (F) Public and/or private bike share program;
 - (G) Provision or subsidy of carpool, vanpool, shuttle, or bus service, including transit passes for site occupants;
 - (H) Required alternative work schedules and/or telecommuting for non-residential uses;
 - (I) Passenger loading zones for carpools and vanpools at main building entrance;
 - (J) Safe, well-lit, accessible, and direct route to the nearest transit or shuttle stop or dedicated, fully accessible bicycle and pedestrian trail;
 - (K) Car share membership for employees or residents;
 - (L) Emergency Ride Home programs;
 - (M) Green Trip Certification.
- (2) Measures receiving TDM credit shall be:
 - (A) Documented in a TDM plan developed specifically for each project and noted on project site plans, if and as appropriate;
 - (B) Guaranteed to achieve the intended reduction over the life of the development, as evidenced by annual reporting provided to the satisfaction of City's Transportation Manager;

- (C) Required to be replaced by appropriate substitute measures if unable to achieve intended trip reduction in any reporting year;
- (D) Administered by a representative whose updated contact information is provided to the Transportation Manager.

16.XX.100 New connections.

Proposed development will be required to provide new pedestrian, bicycle, and/or vehicle connections to support connectivity and circulation as denoted in the City Zoning Map. These connections may be in the form of either a public street or a paseo as denoted in the City Zoning Map and are pursuant to the standards in Section 16.XX.120. Streets shall meet the requirements of the adopted City of Menlo Park street classification map in the General Plan Circulation Element.

- (1) If the location of new connection is split between parcel/ownership, the first applicant must set aside the required right-of-way through dedication or a public access easement and bond for the completion of the new connection, or reach agreement with the other property owner(s) to allow the first applicant to complete the entire new connection;
- (2) If the location of new connection is located on multiple properties with the same owner, applicant may move the connection up to 50 feet in either direction from what is shown on the City Zoning Map for enhanced connectivity, and/or other considerations, subject to the approval of the City's Public Works Director;
- (3) For phased project implementation, applicant must show implementation plan for the new connection and the City may require a bond or right of way dedication or public access easement prior to the completion of the first phase;
- (4) The land area dedicated for new connections in the form of public streets (right-of-way) will be subtracted from the total lot area to determine the site's Floor Area Ratio;
- (5) The land area dedicated for new connections in the form of paseos will require a public access easement (PAE). The area of the PAE is included in the total lot area to determine the site's Floor Area Ratio.

16.XX.110 Required street improvements.

For new construction, building additions, and interior alterations of an existing building, or a combination thereof, affecting ten thousand (10,000) or more square feet of gross floor area, the Public Works Director shall require the project to provide street improvements on public street edges of the property that comply with adopted City of Menlo Park street construction requirements for the adjacent street type. When these are

required by the Public Works Director these do not count as community amenities pursuant to Section 16.XX.070.

- (1) Improvements shall include curb, gutter, sidewalk, street trees, and street lights;
- (2) Overhead electric distribution lines of less than sixty (60) kilovolts and communication lines shall be placed underground along the property frontage;
- (3) The Public Works Director may allow a Deferred Frontage Improvement Agreement, including a bond to cover the full cost of the improvements and installation to accomplish needed improvements in coordination with other street improvements at a later date.

16.XX.120 Design standards.

All new construction, regardless of size, and building additions and/or exterior alterations affecting 10,000 square feet or more of gross floor area of an existing building shall adhere to the following design standards, subject to architectural control established in Section 16.68.020. For building additions and/or exterior alterations, the applicable design standards apply only to the new construction. The existing building and new addition and/or alteration shall have an integrated design. Design standards may be modified subject to approval of a use permit established in Section 16.82.030 or a conditional use permit per Section 16.82.050.

- (1) Relationship to the street. The following standards regulate the siting and placement of buildings, parking areas, and other features in relation to the street. The dimensions between building facades and the street and types of features allowed in these spaces are critical to the quality of the pedestrian experience.

Standard	Definition	Base level	Bonus level fronting a Local street*	Bonus level fronting a Boulevard, Thoroughfare, Mixed Use Collector, or Neighborhood street*	Notes/Additional Requirements
Build-to Area Requirement (see Figure 1)	The minimum building frontage at the ground floor or podium level, as a percentage of the street frontage length, that must be located within the area of the lot between the minimum and maximum setback lines parallel to the street.	Minimum 40% of frontage	Minimum 40% of frontage	Minimum 60% of frontage	Ground-floor retail uses must be a minimum 75% of frontage.
Corner Build-to Area Requirement	The minimum building frontage, as a percentage of the street frontage length, that must be located within the build-to area, defined as the area of the lot between the minimum and maximum setback lines parallel to streets on a corner lot.	75% of building frontage must be located within build-to area	75% of building frontage must be located within build-to area	75% of building frontage must be located within build-to area	Exception: If public plaza is provided pursuant to open space standards in 16.XX.120 (4) and bounded by buildings on at least two sides.
Frontage Landscaping	The percentage of the setback area devoted to ground cover and vegetation. Trees may or may not be within the landscaped area. For this requirement, the setback area is the area between the property line and the face of the building.	Minimum of 40% (50% of which shall provide on-site infiltration of stormwater runoff.) No maximum.	Minimum of 40% (50% of which shall provide on-site infiltration of stormwater runoff.) No maximum.	Minimum of 25% (50% of which should provide on-site infiltration of stormwater runoff.) Maximum of 40%.	Setback areas adjacent to active ground-floor uses, including lobbies, retail sales, and eating and drinking establishments are excepted. In the case of a PUE adjacent to the street, frontage landscaping requirement may be measured from street right-of-way instead of property line.
Frontage Uses	Allowable frontage uses in order to support a positive integration of new buildings into the streetscape character.	No restrictions	No restrictions	Setback areas parallel to street not used for frontage landscaping must provide pedestrian circulation (e.g., entryways, stairways, accessible ramps), other publicly accessible open spaces (e.g., plazas, gathering areas, outdoor seating areas), access to parking, bicycle parking, or other uses that the Planning Commission deems appropriate.	Hotels are allowed to use this area for guest arrivals/drop-off zone. Commercial uses shall be a minimum of 50 feet in depth. Publicly accessible open space is further defined and regulated in Section 16.XX.120 (4).
Surface Parking Along Street Frontage (See Figure 2, A)	Surface parking may be located along the street if set back appropriately. The maximum percentage of linear frontage of property adjacent to the street allowed to be off-street surface parking.	Maximum of 35%	Maximum of 35%	Maximum of 25%	

*See the General Plan Circulation Element Street Classification Map for street types.

Figure 1. Build-to Area

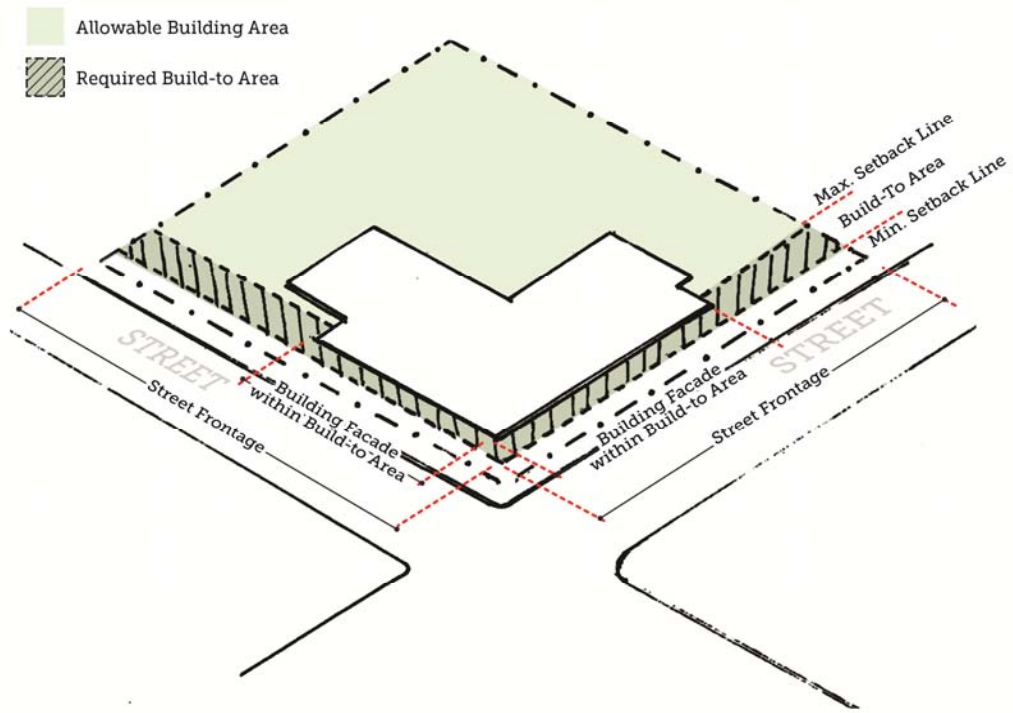
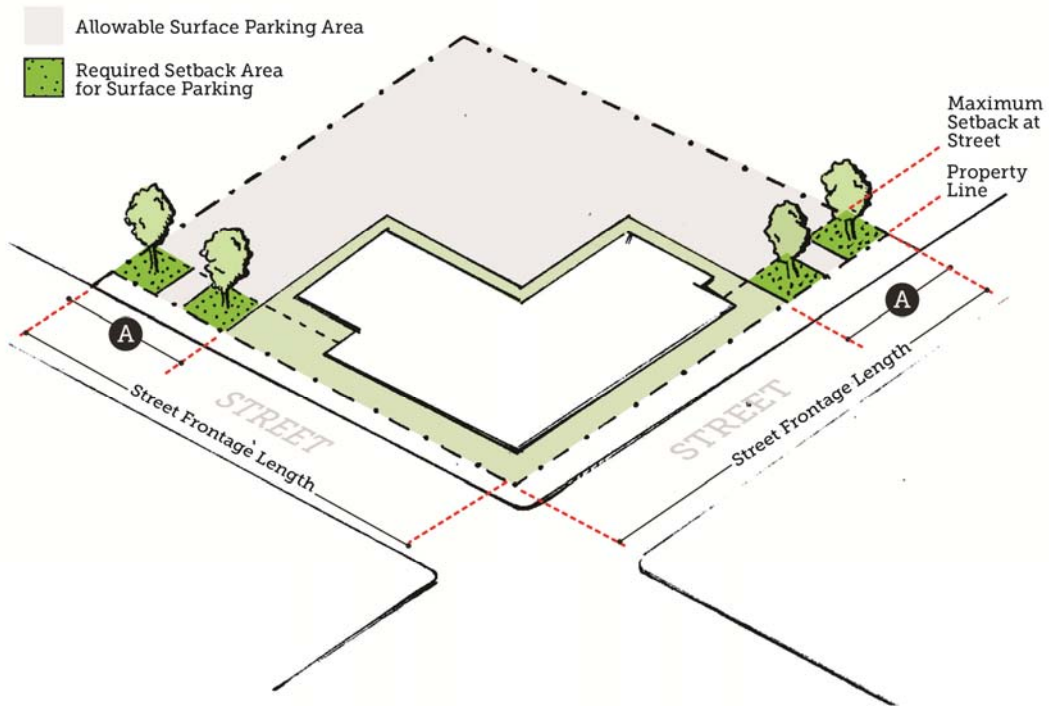


Figure 2. Surface Parking



(2) Building mass and scale. The following standards regulate building mass, bulk, size, and vertical building planes to minimize the visual impacts of large buildings and maximize visual interest of building facades as experienced by pedestrians.

Standard and Figure 3 Label (in Caps)	Definition	Base level	Bonus level fronting a Local street*	Bonus level fronting a Boulevard, Thoroughfare, Mixed Use Collector, or Neighborhood street*	Notes/Additional Requirements
Base Height A	The maximum height of a building at the setback line adjacent to the street.	40 feet	45 feet	45 feet	
Minimum Stepback B	The horizontal distance a building's upper story(ies) must be set back above the Base level height.	N/A	10' for a minimum of 75% of the building face along public street(s)	10' for a minimum of 75% of the building face along public street(s)	A maximum of 25% of the building face along public street(s) may be excepted from this standard in order to provide significant vertical features.
Building Projections	The maximum depth of allowable building projections, such as balconies or bay windows, from the required stepback for portions of the building above the ground floor.	6 feet	6 feet	6 feet	
Building Modulation C & D	A major modulation is a break in the building plane from the ground level to the top of the buildings' base height that provides visual variety, reduces large building volumes, and provides spaces for entryways and publicly accessible spaces. A minor modulation is a recess in a building plane, providing further visual variety.	Major modulation: Minimum of one recess of 15 feet wide by 10 feet deep per 200 feet of façade length Minor modulation: Minimum recess of 5 feet wide by 5 feet deep per 50 feet of façade length			Modulation is required regardless of build-to area. Parking is not allowed in the modulation recess. Building projections with 3 feet to 6 feet depth may satisfy this requirement in-lieu of a recess.

*See the General Plan Circulation Element Street Classification Map for street types.

Figure 3. Building Mass and Scale



(3) Ground-floor exterior. The following standards regulate the ground-floor façade of buildings in order to enhance pedestrian experience, as well as visual continuity along the street.

Standard and Figure 4 label (in Caps)	Definition	Base level	Bonus level fronting a Local street*	Bonus level fronting a Boulevard, Thoroughfare, Mixed Use Collector, or Neighborhood street*	Notes/Additional Requirements
Building Entrances A	The minimum ratio of entrances to building length along a public street or paseo.	One entrance every 100 feet of building length or every building length along a public street or paseo, whichever is greater	One entrance every 100 feet of building length or every building length along a public street or paseo, whichever is greater	One entrance every 100 feet of building length or every building length along a public street or paseo, whichever is greater	Entrances at building corners may be used to satisfy this requirement. Stairs must be located in locations convenient to building users.
Ground-floor Transparency B	The minimum percentage of the ground-floor façade area that must provide visual transparency, such as clear-glass windows, doors, etc.	30% for residential uses; 50% for commercial uses	30% for residential uses; 50% for commercial uses	30% for residential uses; 50% for commercial uses	Windows shall not be opaque or mirrored.
Minimum Ground Floor Height Along Street Frontage C	The minimum height between the ground-level finished floor to the second level finished floor along the street.	N/A	10 feet for residential uses; 15 feet for commercial uses	10 feet for residential uses; 15 feet for commercial uses	Where individual residential units' entries face a street, finish floor shall be elevated 24 inches minimum above sidewalk level.
Garage Entrances	Width of garage entry/door along street frontage	Maximum 12-foot opening for one-way entrance; Maximum 24-foot opening for two-way entrance.	Maximum 12-foot opening for one-way entrance; Maximum 24-foot opening for two-way entrance.	Maximum 12-foot opening for one-way entrance; Maximum 24-foot opening for two-way entrance.	Garage entrances must be separated by a minimum of 100 feet to ensure all entrances/exits are not grouped together or resulting in an entire stretch of sidewalk unsafe and undesirable for pedestrians.
Awnings, Signs, and Canopies D	The maximum depth of awnings, signs, and canopies that project horizontally from the face of the building.	7 feet	7 feet	7 feet	A minimum vertical clearance of 8 feet from finished grade to the bottom of the projection is required.

*See the General Plan Circulation Element Street Classification Map for street types.

Figure 4. Ground-floor Exterior



(4) Open space. All development in the Residential-Mixed Use district shall provide a minimum amount of open space equal to twenty-five (25) percent of the total lot area, with a minimum amount of publicly accessible open space equal to twenty-five (25) percent of the total open space area.

(A) Publicly accessible open space consists of areas unobstructed by fully enclosed structures with a mixture of landscaping and hardscape that provides seating and places to rest, places for gathering, passive and/or active recreation, pedestrian circulation, or other similar use as determined by the Planning Commission. Publicly accessible open space types include, but are not limited to paseos, plazas, forecourts and entryways, and outdoor dining areas. Publicly accessible open space must:

- (i) Contain site furnishings, art, or landscaping;
- (ii) Be on the ground floor or podium level;
- (iii) Be at least partially visible from a public right-of-way such as a street or paseo;
- (iv) Have a direct, accessible pedestrian connection to a public right-of-way or easement.

(B) Quasi-public and private open spaces, which may or may not be accessible to the public, include patios, balconies, roof terraces, and courtyards.

(C) Residential developments shall have a minimum of common open space and private open space. These requirements are counted towards the minimum amount of open space equal to twenty-five (25) percent of the total lot area.

- (i) One hundred (100) square feet of open space per unit shall be created as common open space or a minimum of eighty (80) square feet of open space per unit created as private open space, where private open space shall have a minimum dimension of six (6) feet by six (6) feet;
- (ii) In the case of a mix of private and common open space, such common open space shall be provided at a ratio equal to one and one-quarter (1.25) square feet for each one (1) square foot of private open space that is not provided.
- (iii) Depending on the number of dwelling units, common open space shall be provided to meet the following criteria:
 - a. Ten (10) to fifty (50) units: minimum of one (1) space, twenty (20) feet minimum dimension (four hundred (400) sf total, minimum);
 - b. Fifty-one (51) to one hundred (100) units: minimum of one (1) space, thirty (30) feet minimum dimension (nine hundred (900) sf total, minimum);
 - c. One hundred one (101) or more units: minimum of one (1) space, forty (40) feet minimum dimension (one thousand six hundred (1,600) sf total, minimum).

(D) All open spaces shall:

- (i) Interface with adjacent buildings via direct connections through doors, windows, and entryways;
- (ii) Be integrated as part of building modulation and articulation to enhance building façade and should be sited and designed to be appropriate for the size of the development and accommodate different activities, groups and both active and passive uses;
- (iii) Be incorporated into the landscaping design of the project and include:
 - a. Sustainable stormwater features;
 - b. A minimum landscaping bed no less than three (3) feet in length or width and five (5) feet in depth for infiltration planting;
 - c. Native species able to grow to their maximum size without shearing.

(E) All exterior landscaping counts towards open space requirements.

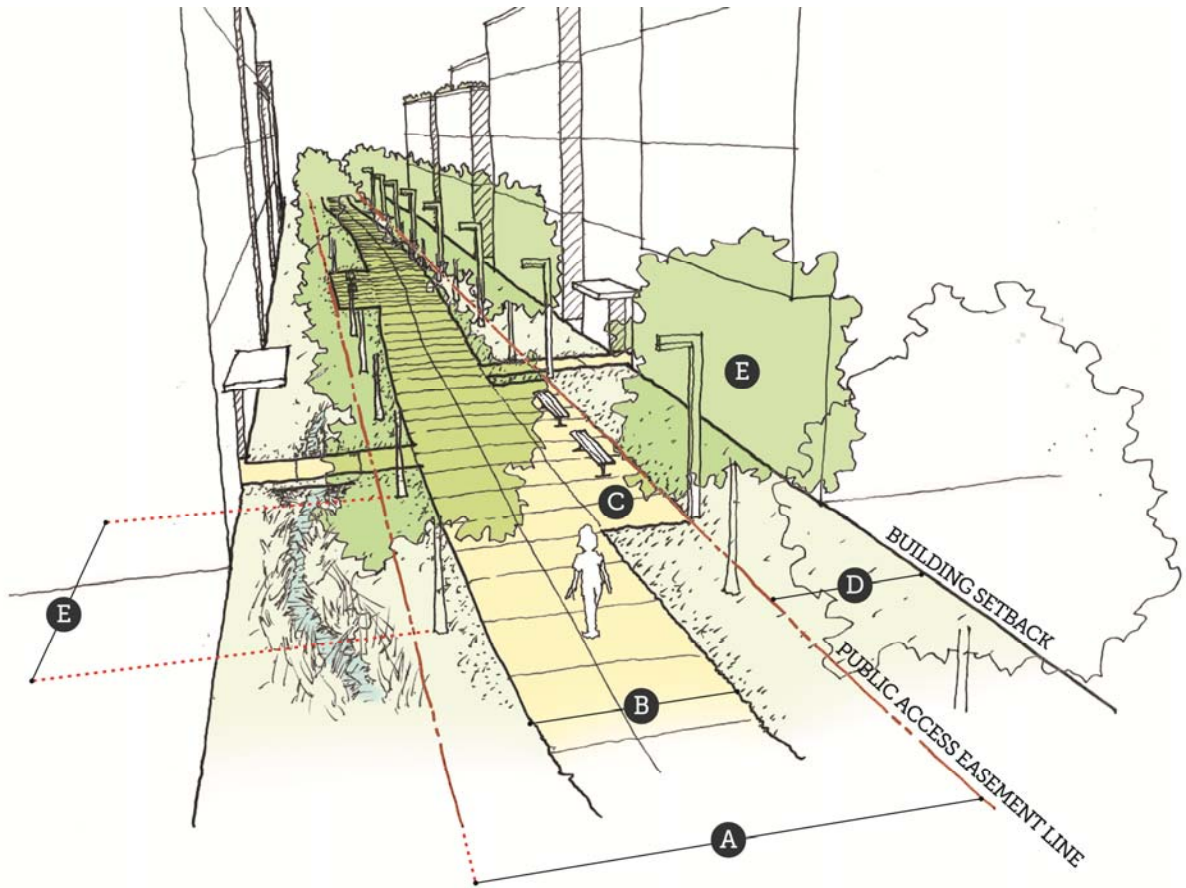
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(5) Paseos. A paseo is defined as a pedestrian and bicycle path that provides a member of the public access through one or more parcels and to public streets and/or other paseos. Paseos must meet the following standards:

- (A) Paseos may be located within the required side setback areas. Paseos may not be located within the minimum setback at street except where it connects to that street;
- (B) Paseos must be publicly accessible established through a public access easement, but they remain private property;
- (C) Paseos count as publicly accessible open space.

Standard and Figures 5 label (in Caps)	Definition	Required Paseo per Section 16.XX.100	Notes/Additional Requirements
Paseo Width A	The minimum dimension in overall width of the paseo, including landscaping and hardscape components.	20 feet	
Pathway Width B	The minimum and maximum width of the hardscape portion of the paseo, which provides the pathway for pedestrians.	10 feet minimum; 14 feet maximum	The paseo pathway shall be connected to building entrances with hardscaped pathways. Pathways may be used for emergency vehicle access use and allowed a maximum paved width exemption to accommodate standards of the Menlo Park Fire Protection District with prior approval by Transportation Manager.
Furnishing Zones C	Requirements for pockets of hardscape areas dedicated to seating, adjacent to the main pedestrian pathway area.	Minimum dimension of 5 feet wide by 20 feet long, provided at a minimum interval of 100 feet.	Furnishing zones must include benches or other type of seating and pedestrian-scaled lighting.
Paseo Frontage Setback D	The minimum setback for adjacent buildings from the edge of the paseo property line.	5 feet	A minimum of 50% of the setback area between the building and paseo shall be landscaped (50% of which should provide on-site infiltration of stormwater runoff.) Plants should be climate-adapted species, able to grow to their maximum size without shearing, and provide screening of at least 1-3 feet in height.
Trees E	The size and spacing of trees that are required along the paseo.	Small canopy trees with a maximum mature height of 40 feet and canopy diameter of 25 feet, planted at maximum intervals of 40 feet.	Trees must be planted within the paseo width, with the tree canopy allowed to overhang into the setback.
Landscaping	The minimum percentage of the paseo that is dedicated to vegetation.	20%	On-site infiltration of stormwater runoff is required.
Lighting	Pedestrian-oriented street lamps.	One light fixture every 40 feet.	Use energy efficient lighting per Title 24. Lights shall be located a minimum of 20 feet from trees.

Figure 5.Paseos



(6) Building design.

- (A) Main building entrances shall face the street or a publicly accessible courtyard. Building and/or frontage landscaping shall bring the human scale to the edges of the street. Retail building frontage shall be parallel to the street.
- (B) Utilities, including meters, backflow prevention devices, etc., shall be concealed or integrated into the building design to the extent feasible.
- (C) Projects shall include dedicated, screened, and easily accessible space for recycling, compost, and solid waste storage and collection.
- (D) Trash and storage shall be enclosed and attractively screened from public view.
- (E) Materials and colors of utility, trash, and storage enclosures shall match or be compatible with the primary building.
- (F) Building materials shall be durable and high-quality to ensure adaptability and re-use over time. Glass paneling and windows shall be used to invite outdoor views and introduce natural light into interior spaces. Stucco shall not be used on more than fifty (50) percent of the building facade. When stucco is used, it must be smooth troweled.
- (G) Roof lines and eaves adjacent to street-facing facades shall vary across a building, including a four-foot minimum height modulation to break visual monotony and create a visually interesting skyline as seen from public streets (see Figure 6).
- (H) Rooftop elements including mechanical equipment, stair and elevator towers shall be concealed in a manner that incorporates building color and architectural and structural design and shall not exceed twenty (20) percent of roof area. Mechanical equipment does not include solar panels, wind turbines and other passive collection systems, and thus do not count towards the twenty (20) percent maximum.

Figure 6. Roof Lines



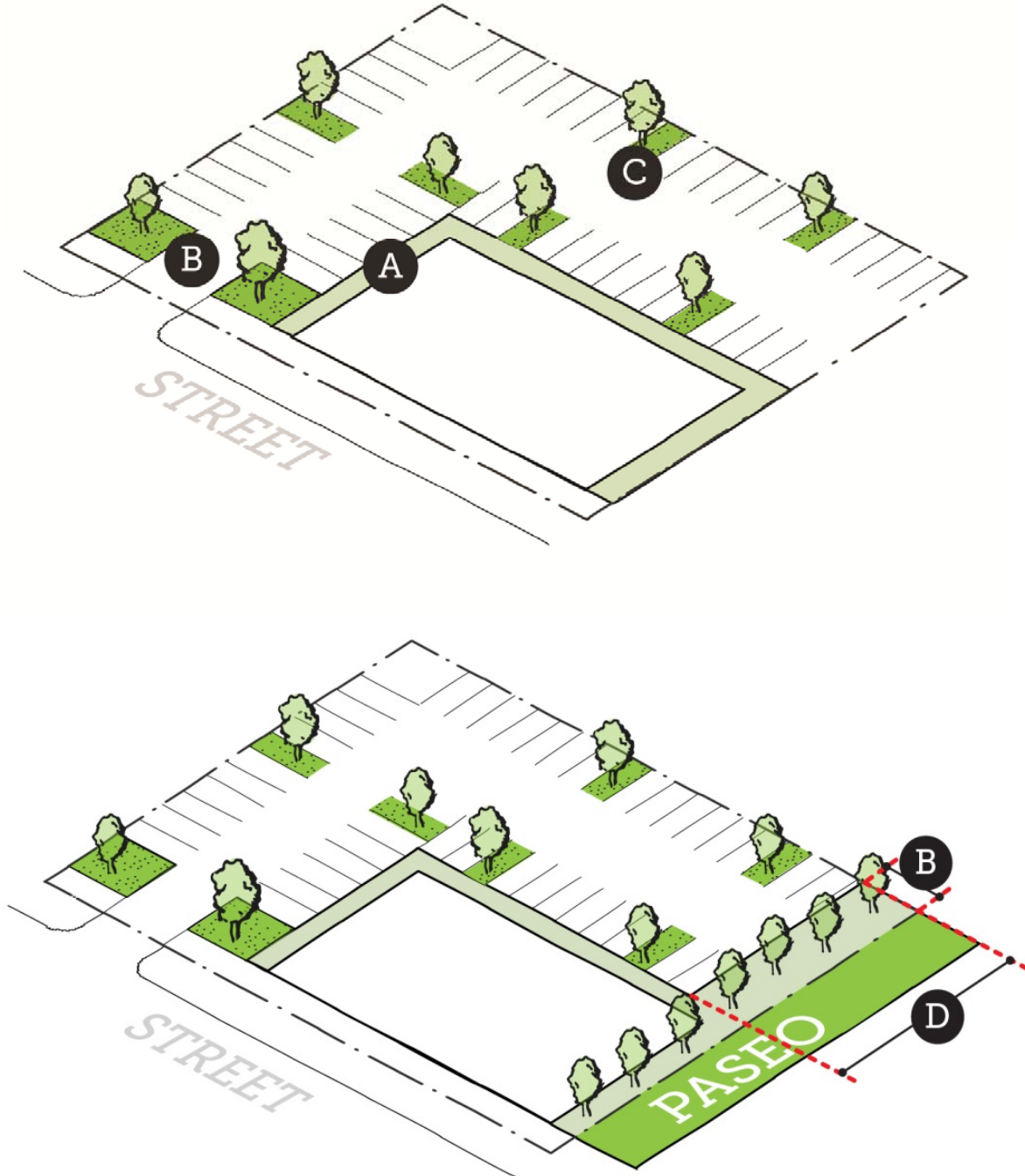
(7) Access and parking.

- (A) Shared entrances to parking for retail and residential uses shall be used where possible.
- (B) Service access and loading docks shall be located on local or interior access streets and to the rear of buildings, and shall not be located along a publicly accessible open space.
- (C) Above-ground garages shall be screened (with perforated walls, vertical elements or materials that provide visual interest at the pedestrian scale) or located behind buildings that are along public streets.
- (D) Garage and surface parking access shall be screened or set behind buildings located along a publicly accessible open space and paseos.
- (E) Surface parking lots shall be buffered from adjacent buildings by a minimum six (6) feet of paved pathway or landscaped area (see Figure 7, label A).
- (F) Surface parking lots shall be screened with landscaping features such as trees, planters, and vegetation, including a twenty (20) foot deep landscaped area along sidewalks, as measured from the setback line adjacent to the street, or paseos (see Figure 7, label B). The portion of this area not devoted to driveways shall be landscaped. Trees shall be planted at a ratio of 1 per 400 square feet of required setback area for surface parking.
- (G) Surface parking lots shall be planted with at least one (1) tree with a minimum size of a twenty-four (24) inch box for every eight (8) parking spaces (see Figure 7, label C). Required plantings may be grouped where carports with solar panels are provided.
- (H) Surface parking can be located along a paseo for a maximum of forty (40) percent of a paseo's length (see Figure 7, label D).
- (I) Short-term bicycle parking shall be located within fifty (50) feet of lobby or main entrance. Long-term bicycle parking facilities shall protect against theft and inclement weather, and consist of a fully enclosed, weather-resistant locker with key locking mechanism or an interior locked room or enclosure. Long-term parking shall be provided in locations that are convenient and functional for cyclists. Bicycle parking shall be (see Figure 8):
 - (i) Consistent with the latest edition of the Association of Pedestrian and Bicycle Professionals Bicycle Parking Guide;
 - (ii) Designed to accommodate standard six (6) foot bicycles;
 - (iii) Paved or hardscaped;
 - (iv) Accessed by an aisle in the front or rear of parked bicycles of at least five (5) feet;

- (v) At least five (5) feet from vehicle parking spaces;
 - (vi) At least thirty (30) inches of clearance in all directions from any obstruction, including but not limited to other racks, walls, and landscaping;
 - (vii) Lit with no less than one (1) footcandle of illumination at ground level;
 - (viii) Space-efficient bicycle parking such as double-decker lift-assist and vertical bicycle racks are also permitted.
- (J) Pedestrian access shall be provided, with a minimum hardscape width of six (6) feet, to sidewalks to all building entries, parking areas, and publicly accessible open spaces, and shall be clearly marked with signage directing pedestrians to common destinations.
- (K) Entries to parking areas and other important destinations shall be clearly identified for all travel modes with such wayfinding features as marked crossings, lighting, and clear signage.

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Figure 7. Surface Parking Access



16.XX.130 Green and sustainable building.

In addition to meeting all applicable regulations specified in Municipal Code Title 12 (Buildings and Construction), the following provisions shall apply to projects.

(1) Green building.

- (A) Any new construction, addition or alteration of a building shall be required to comply with tables 16.XX.010.A and 16.XX.010.B

(2) Energy.

- (A) All new construction will meet 100% of energy demand (electricity and natural gas) through on-site generation as required in tables 16.XX.010.A and 16.XX.0101.B, and any combination of the following measures:
 - (i) Purchase of 100% renewable electricity through Peninsula Clean Energy or Pacific Gas and Electric Company in an amount equal to the annual energy demand of the project;
 - (ii) Purchase and installation of local renewable energy generation within the City of Menlo Park in an amount equal to the annual energy demand of the project;
 - (iii) Purchase of certified renewable energy credits annual in an amount equal to the annual energy demand of the project.

TABLE 16.XX.010.A: RESIDENTIAL GREEN BUILDING REQUIREMENTS

PROJECT TYPE	NEW CONSTRUCTION			ADDITIONS AND/OR ALTERATIONS		
	10,000 sq. ft. – 25,000 sq. ft.	25,001 sq. ft. – 100,000 sq. ft.	100,001 sq. ft. and above	1 sq. ft. to 1,000 sq. ft./ of conditioned area, volume or size	1,001 sq. ft. – 25,000 sq. ft. of conditioned area, volume or size	25,001 sq. ft. and above of conditioned area, volume or size
Green Building Certification	Designed to meet LEED Silver BD+C*	Designed to meet LEED Silver BD+C*	Designed to meet LEED Gold BD+C*	CALGreen Mandatory	Designed to meet LEED Silver ID+C*	Designed to meet LEED Gold ID+C*
EV Chargers	<p><u>Pre-Wire**</u></p> <ul style="list-style-type: none"> For EV chargers in 5% of total number of parking stalls. <p><u>Install EV Chargers***</u></p> <ul style="list-style-type: none"> Install a minimum of 2 in the pre-wire locations. 	<p><u>Pre-Wire**</u></p> <ul style="list-style-type: none"> For EV chargers in 5% of total number of parking stalls. <p><u>Install EV Chargers***</u></p> <ul style="list-style-type: none"> Install a total of 2 plus 1% of the total parking stalls in the pre-wire locations. 	<p><u>Pre-Wire**</u></p> <ul style="list-style-type: none"> For EV chargers in 5% of total number of parking stalls. <p><u>Install EV Chargers***</u></p> <ul style="list-style-type: none"> Install a total of 6 plus 1% of the total parking stalls in the pre-wire locations. 	N/A (Voluntary)	N/A (Voluntary)	N/A (Voluntary)
On-Site Energy Generation	30% of maximum extent feasible as determined by the On-Site Renewable Energy Feasibility Study****	30% of maximum extent feasible as determined by the On-Site Renewable Energy Feasibility Study****	30% of maximum extent feasible as determined by the On-Site Renewable Energy Feasibility Study****	N/A (Voluntary)	N/A (Voluntary)	N/A (Voluntary)
Energy Reporting	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.

*Designed to meet LEED standards is defined as follows: a) Applicant must submit appropriate LEED checklist and verifying cover letter from a project LEED AP with the project application, b) Applicant must complete all applicable LEED certification documents prior to final building permit issuance to be reviewed either for LEED certification, or for verification by a third party approved by the City for which the applicant will pay for review and/or certification.

**Pre-wire is defined as conduit and wire installed from electrical panel board to junction box at parking stall, with sufficient electrical service to power chargers at all pre-wire locations.

***Charger is defined as follows: One electric vehicle (EV) charger or charger head reaching each designated EV parking stall and delivering a minimum of 240 V and 40 AMPs such that it can be used by all electric vehicles.

**** On-Site Renewable Energy Feasibility Study shall demonstrate the following cases: 1. Maximum on-site generation potential. 2. Solar feasibility for roof and parking areas (excluding roof mounted HVAC equipment). 3. Maximum solar generation potential solely on the roof area.

TABLE 16.XX.010.B: NON-RESIDENTIAL GREEN BUILDING REQUIREMENTS

PROJECT TYPE	NEW CONSTRUCTION			ADDITIONS AND/OR ALTERATIONS		
	10,000 sq. ft. – 25,000 sq. ft.	25,001 sq. ft. – 100,000 sq. ft.	100,001 sq. ft. and above	1 sq. ft. – 1,000 sq. ft. of conditioned area, volume or size	1,001 sq. ft.– 25,000 sq. ft. of conditioned area, volume or size	25,001 sq. ft. and above of conditioned area, volume or size
Green Building Certification	Designed to meet LEED Silver BD+C *	Designed to meet LEED Silver BD+C *	Designed to meet LEED Gold BD+C *	CALGreen Mandatory	Designed to meet LEED Silver ID+C *	Designed to meet LEED Gold ID+C *
EV Chargers	<p><u>Pre-Wire**</u></p> <ul style="list-style-type: none"> For EV chargers in 5% of total number of parking stalls. <p><u>Install EV Chargers***</u></p> <ul style="list-style-type: none"> Install a minimum of 2 in the pre-wire locations. 	<p><u>Pre-Wire**</u></p> <ul style="list-style-type: none"> For EV chargers in 5% of total number of parking stalls. <p><u>Install EV Chargers***</u></p> <ul style="list-style-type: none"> Install a total of 2 plus 1% of the total parking stalls in the pre-wire locations. 	<p><u>Pre-Wire**</u></p> <ul style="list-style-type: none"> For EV chargers in 5% of total number of parking stalls. <p><u>Install EV Chargers***</u></p> <ul style="list-style-type: none"> Install a total of 6 plus 1% of the total parking stalls in the pre-wire locations. 	N/A (Voluntary)	Install conduit, wiring and electrical service for EV Chargers for 5% of parking spaces AND a minimum of 2 chargers***	Install conduit, wiring and electrical service for EV Chargers for 5% of parking spaces AND a minimum of 2 + (1% spaces) chargers***
On-Site Energy Generation	30% of maximum extent feasible as determined by the On-Site Renewable Energy Feasibility Study****	30% of maximum extent feasible as determined by the On-Site Renewable Energy Feasibility Study****	30% of maximum extent feasible as determined by the On-Site Renewable Energy Feasibility Study****	N/A (Voluntary)	N/A (Voluntary)	N/A (Voluntary)
Energy Reporting	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.	Enroll in EPA Energy Star Building Portfolio Manager and submit documentation of compliance as required by the City.

*Designed to meet LEED standards is defined as follows: a) Applicant must submit appropriate LEED checklist and verifying cover letter from a project LEED AP with the project application, b) Applicant must complete all applicable LEED certification documents prior to final building permit issuance to be reviewed either for LEED certification, or for verification by a third party approved by the City for which the applicant will pay for review and/or certification.

**Pre-wire is defined as conduit and wire installed from electrical panel board to junction box at parking stall, with sufficient electrical service to power chargers at all pre-wire locations.

***Charger is defined as follows: One electric vehicle (EV) charger or charger head reaching each designated EV parking stall and delivering a minimum of 240 V and 40 AMPs such that it can be used by all electric vehicles.

****On-site Renewable Energy Feasibility Study shall demonstrate the following cases: 1. Maximum on-site generation potential. 2. Solar feasibility for roof and parking areas (excluding roof mounted HVAC equipment). 3. Maximum solar generation potential solely on the roof area.

(3) Water use efficiency and recycled water.

- (A) Single pass cooling systems shall be prohibited in all new buildings.
- (B) All new buildings shall be built and maintained without the use of well water.
- (C) Applicants for a new building(s) one hundred thousand (100,000) square feet or more in gross floor area shall prepare and submit a proposed water budget and accompanying calculations following the methodology approved by the City. The water budget and calculations shall be reviewed and approved by the City's Public Works Director prior to certification of occupancy. Twelve (12) months after the date of the certification of occupancy, the building owner shall submit data and information sufficient to allow the City to compare the actual water use to the allocation in the approved water budget. In the event that actual water consumption exceeds the water budget, a water conservation program, as approved by the City's Public Works Director, shall be implemented. Twelve (12) months after City approval of the water conservation program, the building owner shall submit data and information sufficient to allow the City to determine compliance with the conservation program. If water consumption exceeds the budgeted amount, the City's Public Works Director may prohibit the use of water for irrigation or enforce compliance as an infraction pursuant to Chapter 1.12 of the Municipal Code until compliance with the water budget is achieved.
- (D) All new buildings shall be dual plumbed for the internal use of recycled water.
- (E) All new buildings two hundred and fifty (250,000) square feet or more in gross floor area shall use an alternate water source for all City approved non-potable applications. An alternative water source may include, but is not limited to, treated non-potable water such as graywater. An Alternate Water Source Assessment shall be submitted that describes the alternative water source and proposed non-potable application. Approval of the Alternate Water Source Assessment, the alternative water source and its proposed uses shall be approved by the City's Public Works Director and Community Development Director.
- (F) Potable water shall not be used for dust control on construction projects.
- (G) Potable water shall not be used for decorative features, unless the water recirculates.

(4) Hazard mitigation and sea level rise resiliency.

- (A) The first floor elevation of all new buildings shall be twenty four (24) inches above the Federal Emergency Management Agency base flood elevation (BFE) to account for sea level rise. Where no BFE exists, the first floor (bottom of floor beams) elevation shall be 24 inches above the existing grade. The

building design and protective measures shall not create adverse impacts on adjacent sites as determined by the City.

(B) Prior to building permit issuance, all new buildings shall pay any required fee or proportionate fair share for the funding of sea level rise projects, if applicable.

(5) Waste management.

(A) Applicants shall submit a zero-waste management plan to the City, which will cover how the applicant plans to minimize waste to landfill and incineration in accordance with all applicable state and local regulations. Applicants shall show in their zero-waste plan how they will reduce, recycle and compost wastes from the demolition, construction and occupancy phases of the building. For the purposes of this ordinance, Zero Waste is defined as ninety (90) percent overall diversion of non-hazardous materials from landfill and incineration, wherein discarded materials are reduced, reused, recycled, or composted. Zero Waste plan elements shall include the property owner's assessment of the types of waste to be generated during demolition, construction and occupancy, and a plan to collect, sort and transport materials to uses other than landfill and incineration.

(6) Bird-friendly design.

(A) No more than ten (10) percent of façade surface area shall have non-bird-friendly glazing.

(B) Bird-friendly glazing includes, but is not limited to opaque glass, covering of clear glass surface with patterns, paned glass with fenestration patterns, and external screens over non-reflective glass.

(C) Occupancy sensors or other switch control devices shall be installed on non-emergency lights and shall be programmed to shut off during non-work hours and between 10 PM and sunrise.

(D) Placement of buildings shall avoid the potential funneling of flight paths towards a building façade.

(E) Glass skyways or walkways, freestanding glass walls, and transparent building corners shall not be allowed.

(F) Transparent glass shall not be allowed at the rooflines of buildings, including in conjunction with green roofs.

(G) A project may receive a waiver from one or more of the items (A) to (F) listed above, subject to the submittal of a site specific evaluation from a qualified biologist and review and approval by the Planning Commission.