City of Menlo Park
Initial Study Checklist
Housing Element Update (2015-2023) and
Zoning Ordinance Amendment (Housing Element Implementation) Project

The proposed Housing Element Update (2015–2023) and Zoning Ordinance Amendment (Housing Element Implementation) is a project under the California Environmental Quality Act (CEQA). This Initial Study was prepared by The Planning Center | DC&E for the City of Menlo Park (City), Community Development Department, Planning Division. This Initial Study was prepared pursuant to the CEQA (Public Resources Code Sections 21000 et seq.), CEQA Guidelines (Title 14, Section 15000 et seq. of the California Code of Regulations).

1.	**Project Title:**	Housing Element Update (2015–2023) and Zoning Ordinance Amendments (Housing Element Implementation) Project
2.	**Lead Agency Name and Address:**	City of Menlo Park
3.	**Contact Person and Phone Number:**	Deanna Chow Senior Planner (650) 330-6733
4.	**Project Location:**	Menlo Park, CA
5.	**Project Sponsor's Name and Address:**	City of Menlo Park Planning Division 701 Laurel Street Menlo Park, CA 94025
6.	**General Plan Land Use Designation:**	Citywide (various designations)
7.	**Zoning:**	Citywide (various districts)
8.	**Surrounding Land Uses and Setting:**	See page 7 of this Initial Study
9.	**Description of Project:**	See page 7 of this Initial Study
10.	**Other Required Approvals:**	The Project and environmental review will be adopted and approved by the City of Menlo Park, without oversight or permitting by other agencies. Following City approval, the State Department of Housing and Community Development (HCD) will be asked to certify the City's Housing Element.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

☐ Aesthetics	☐ Agriculture & Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology & Soils
☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials	☐ Hydrology & Water Quality
☐ Land Use	☐ Mineral Resources	☐ Noise
☐ Population & Housing	☐ Public Services	☐ Recreation
☐ Transportation/Traffic	☐ Utilities & Service Systems	☐ Mandatory Findings of Significance

Determination:
On the basis of this initial evaluation:

☒ I find that the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature	Date
Deanna Chow	Senior Planner
Printed Name	Title

A. OVERVIEW AND BACKGROUND

This Initial Study checklist was prepared to assess the environmental effects of the proposed Housing Element Update (2015–2023) and Zoning Ordinance Amendments (Housing Element Implementation), herein referred to as "proposed Project." This Initial Study consists of a depiction of the existing environmental setting, as well as the project description, followed by a description of various environmental effects that may result from the proposed Project. A detailed project description and environmental setting discussion are provided below.

B. LOCATION

Menlo Park is located in the San Francisco Bay Area, in San Mateo County. Figure 1 shows Menlo Park's regional location. Menlo Park is situated near the southern end of the San Francisco Bay Peninsula, approximately halfway between San Francisco and San Jose. The city is bordered by Atherton and Redwood City to the north, East Palo Alto to the east, and Palo Alto and Woodside to the south. The city covers approximately 18 square miles, of which approximately 12 square miles consist of San Francisco Bay and wetlands.

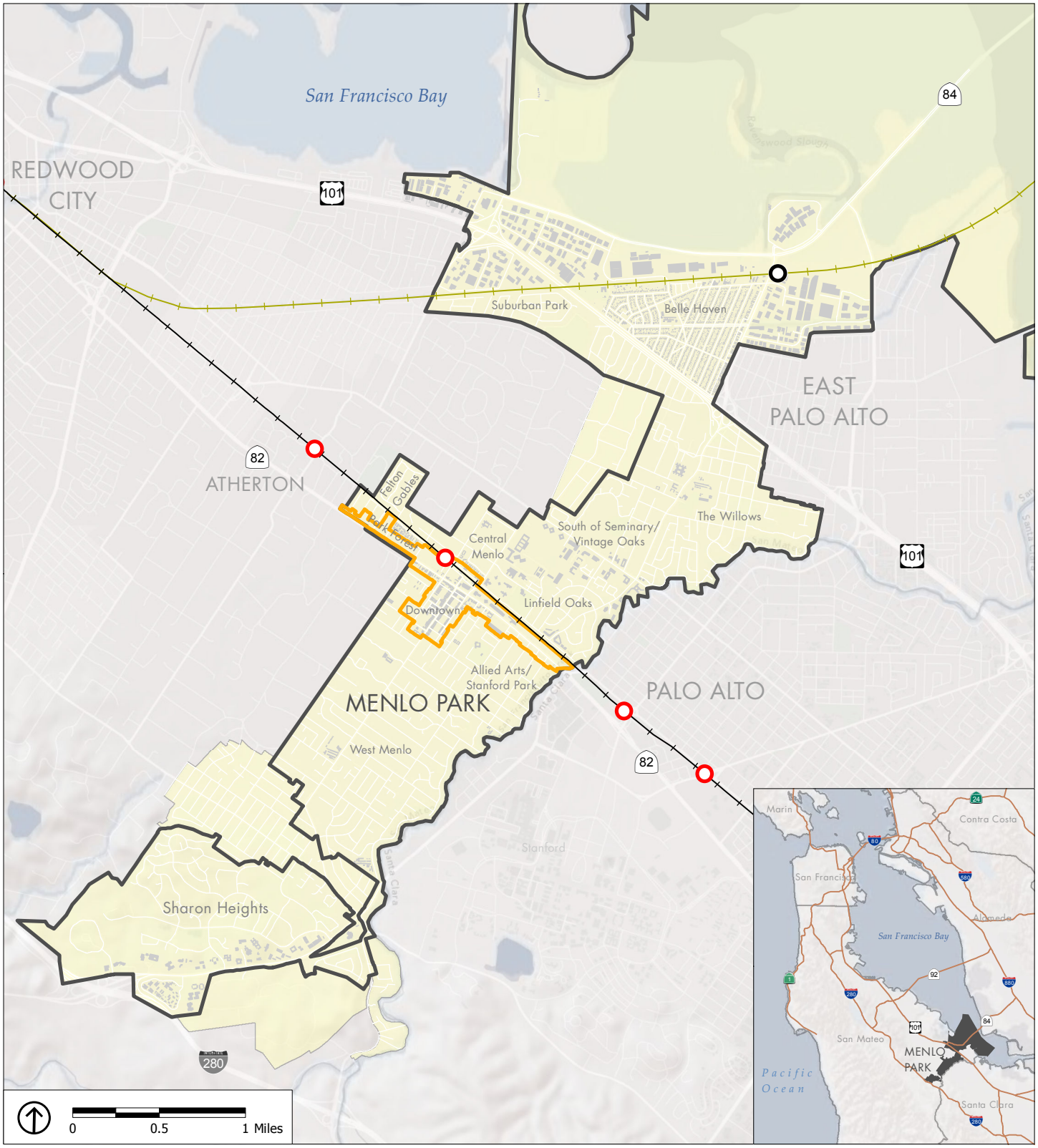
The Menlo Park sphere of influence (SOI) includes incorporated City lands and those areas which may be considered for future annexation by the City. The Menlo Park SOI is regulated by the San Mateo Local Agency Formation Commission (LAFCo), which determines the unincorporated communities that would be best and most likely served by City agencies and hence, represent areas with the greater potential for annexation by the City. Once property is annexed into the City, future development is subject to the standards prescribed by the City's General Plan, Municipal Code, and other City regulations.

The SOI designation for the City includes unincorporated West Menlo Park, Week End Acres, Menlo Oaks, as well as the Stanford Linear Accelerator. The potential future development under the proposed Project does not include any area outside the City Limits; however, for the purposes of this environmental review, the City's SOI defines the Study Area boundaries.

Interstate 280 and Highway 101 provide north-south access to San Francisco to the north and San Jose to the south. For purposes of this document, State Route 82 also runs north-south through the City. State Route 84 provides access to the East Bay across the Dumbarton Bridge, the western end of which touches down in Menlo Park. A Caltrain station is located in downtown Menlo Park, with service to San Francisco and San Jose. The city is shown in its local context in Figure 2.

Source: City of Menlo Park; The Planning Center | DC&E, 2012; ESRI 2010; FHA 2002.

FIGURE I
REGIONAL LOCATION



Source: City of Menlo Park; The Planning Center | DC&E, 2012; ESRI 2010; FHA 2002.

- Potential Station Location
- CalTrain Stations
- CalTrain ROW
- Dumbarton Rail Corridor
- El Camino Real/Downtown Specific Plan
- City Limits
- Sphere of Influence

FIGURE 2
LOCAL CONTEXT

C. EXISTING SETTING

The proposed Project includes the implementation of several Housing Element programs, an update to the current Housing Element and associated amendments to the Zoning Ordinance.

1. Housing Element

The Housing Element is one of seven State-mandated elements of the City's General Plan. Housing Element law requires local jurisdictions to plan for and allow the construction of a share of the region's projected housing needs. This share is called the Regional Housing Needs Allocation (RHNA). State law mandates that each jurisdiction provide sufficient land to accommodate a variety of housing opportunities for all economic segments of the community, so as to meet or exceed the RHNA. The Association of Bay Area Governments (ABAG), as the regional planning agency, calculates the RHNA for individual jurisdictions within San Mateo County, including Menlo Park.

On May 21, 2013, the City of Menlo Park adopted its Housing Element through the 2014 planning period and the Environmental Assessment[1] for the City of Menlo Park Housing Element Update, General Plan Consistency Update, and associated Zoning Ordinance amendments. The State Housing and Community Development Department (HCD) certified the Housing Element on June 18, 2013.

The current Housing Element demonstrated that the City had adequate capacity to meet the RHNA requirements for the 1999-2006 and 2007-2014 planning periods. The next Housing Element cycle is for the planning period 2015–2023. The City of Menlo Park's allocation for the 2015-2023planning period is 655 dwelling units. The Housing Element for the 2015-2023planning period is required to be adopted by January 31, 2015. Local governments that adopt their Housing Element on time will not have to adopt another housing element for eight years, instead of every four years.

2. Municipal Code

The City of Menlo Park Zoning Ordinance is the mechanism used to implement the goals, objectives, and policies of the General Plan and to regulate all land use within the city. The Zoning Ordinance is found in Title 16 (Zoning) of the Menlo Park Municipal Code. The stated purpose of the Zoning Ordinance is "to preserve and extend the charm and beauty inherent to the residential character of the city; to regulate and limit the density of population; encourage the most appropriate use of land; to conserve land and stabilize the value of property; to provide adequate open space for light, air and fire protection; to lessen traffic congestion; to facilitate the provision of community facilities; to encourage tree and shrub planting; to encourage building construction of pleasing design; to provide the economic and social advantages of a planned community." The Zoning Ordinance: establishes various districts within the boundaries of the city; enacts restrictions for erecting, constructing, altering, or maintaining certain buildings; and identifies particular trades or occupations that can make use of certain land use designations. The Zoning Ordinance includes development regulations that set forth: height and bulk limits for buildings; open space standards that shall be required around buildings; and other appropriate regulations to be enforced in each district.

[1] California Government Code Section 65759(a)(2) provides that when a city is ordered by a court to bring its General Plan, which includes the Housing Element, into compliance, the City shall prepare an environmental assessment, the content of which shall substantially conform to the required content of a Draft Environmental Impact Report (EIR).

The following Chapters of the Zoning Ordinance would be amended under the proposed Project:

- Chapter 16.04 Definitions. This chapter provides definitions of terms and phrases used in the Zoning Ordinance that are technical or specialized, or that may not reflect common usage.
- Chapter 16.79 Secondary Dwelling Units. The stated purpose of this chapter is "to set forth criteria and regulations to control the development of secondary dwelling units within the single-family residential zoning districts."
- Chapter 16.68. Accessory Buildings and/or Structures. This chapter outlines how accessory buildings and/or structures may be constructed with or subsequent to the construction of the main building on the subject property.
- Chapter 16.61 (tentative). Reasonable Accommodation. This chapter implements Housing Element Program H3.C (Procedures for Reasonable Accommodation) for consistency with the Federal Fair Housing Act and the California Fair Employment and Housing Act.
- Chapter 16.99 (tentative). Emergency Shelter for the Homeless Overlay. This chapter implements the current Housing Element Program H3.A (Zone for Emergency Shelter for the Homeless) for compliance with State law Senate Bill 2 (SB 2).[2]
- Others Sections of the Zoning Ordinance to create an internally consistent document to reflect the proposed amendments described above.

D. PROJECT DESCRIPTION

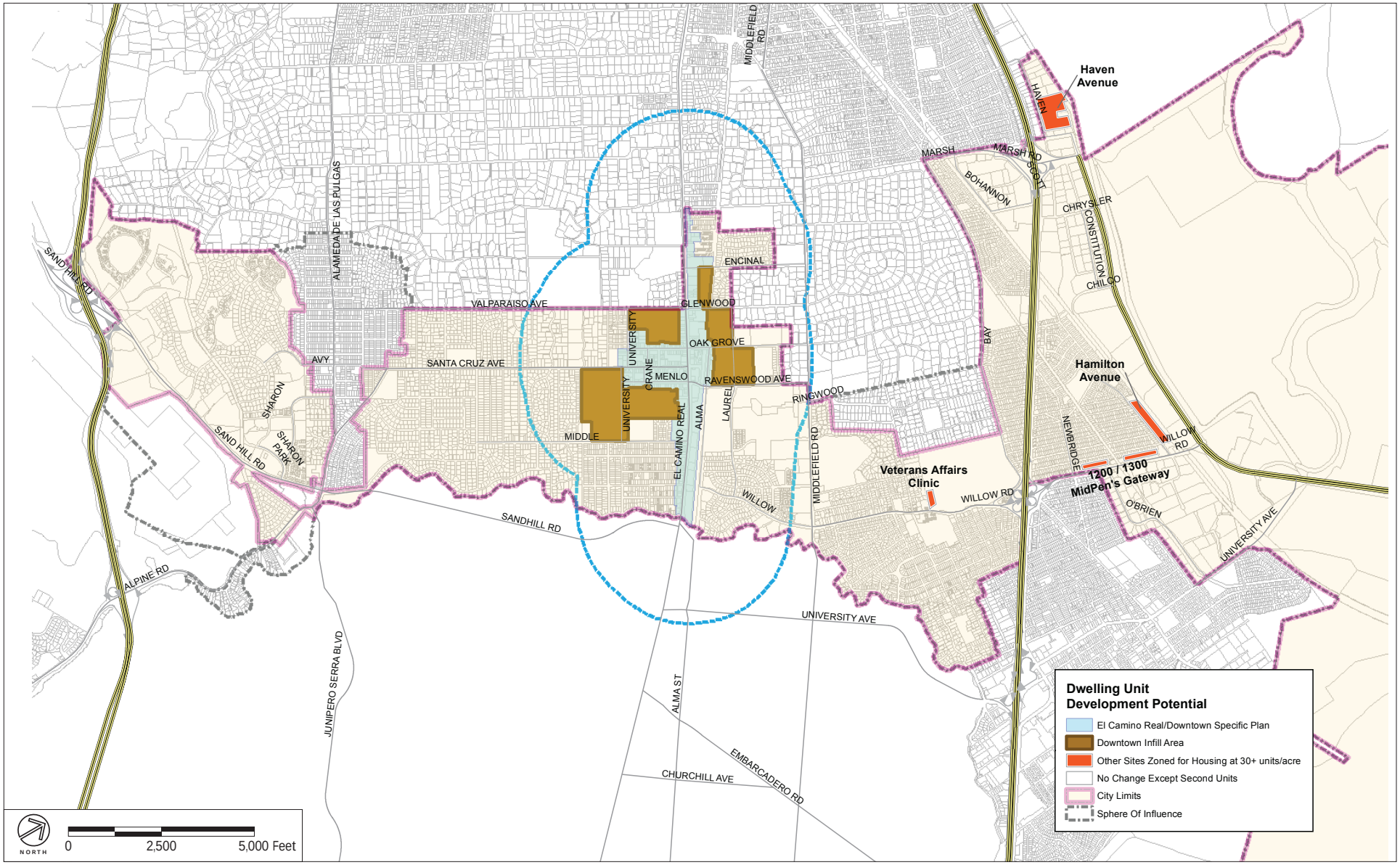
The proposed Project includes 1) an update to the current Housing Element and 2) Zoning Ordinance amendments to implement existing Housing Element programs. The proposed Housing Element update, which supports the goals and policies of the City's current Housing Element, provides policies and implementing programs to further the goals of the City. The proposed Zoning Ordinance amendments would implement specific programs in the current Housing Element (2007-2014), some of which are required for compliance with State law. The following describes the two key components of the proposed Project:

1. Housing Element Update (2015–2023)

The proposed Project includes an update to the City's Housing Element (2007–2014), in compliance with Government Code Section 65580 *et seq*. The proposed Housing Element includes updated policies and programs that are intended to guide the City's housing efforts through the 2015-2023 RHNA planning period. As described above, the City of Menlo Park's RHNA for the 2015-2023 planning period is 655 dwelling units. As shown in Table 1, the City can accommodate this housing allocation through a combination of built or approved housing and existing zoning for higher density housing.[3] Potential future housing locations are illustrated on Figure 3.

[2] Senate Bill 2, in effect as of January 1, 2008, clarifies and strengthens housing element law to ensure zoning encourages and facilitates emergency shelters and limits the denial of emergency shelters, and transitional and supportive housing under the Housing Accountability Act. The law facilitates efforts to address the critical needs of homeless populations and persons with special needs throughout all communities in California, without discretionary review by the local government. Generally, SB 2 amends housing element law regarding planning and approval for emergency shelters, and transitional and supportive housing.

[3] 2015-2023 City of Menlo Park Draft Housing Element, page 108, December 12, 2013.



Source: City of Menlo Park Planning Division, GIS Services, November 20, 2013.

FIGURE 3

POTENTIAL FUTURE HOUSING LOCATIONS

TABLE 1 ***CITY OF MENLO PARK'S ABILITY TO ADDRESS THE REQUIRED RHNA FOR THE 2015-2023 PLANNING PERIOD***

Category	Total Units
Required 2015-2023 RHNA	655
UNITS IN THE PIPELINE AS OF DECEMBER 2, 2013	
3639 Haven Avenue (Anton Menlo)	393
605 Willow Road (Willow Housing – VA/CORE)	60
Scattered Site Units Pre-2012 Zoning	11
New Second Units	7
Subtotal	***471***
Residual 2015-2023 RHNA (subtracting "Units in the Pipeline")	184
NEW UNITS POTENTIAL UNDER THE 2015-2023 HOUSING ELEMENT	
El Camino Real/Downtown Specific Plan Zoning	680
New Housing on Infill Sites Around Downtown	70
New Second Units	40
Conversions to Second Units	35
High Density Opportunity Sites	433
Scattered Site Units Pre-2012 Zoning	194
Subtotal	***1,452***
Remaining Adjusted RHNA	-1,268

Source: 2015-2023 City of Menlo Park Draft Housing Element, page 108, December 12, 2013.

2. Zoning Ordinance Amendment (Housing Element Implementation)

Under the proposed Project, the City would implement several programs identified in the current Housing Element. Programs include ordinance amendments related to the following:

- Emergency Shelter for the Homeless Overlay Zone: For compliance with Senate Bill 2, the City must rezone to allow an emergency shelter for the homeless in at least one zone without a conditional use permit or any other discretionary process. The definition of Emergency Shelter is "housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay." The proposed Zoning Ordinance amendment would 1) create an overlay zone where emergency shelters, up to a maximum of 16 beds in totality throughout the City, would be a permitted use and 2) establish written and objective performance standards as part of the overlay zone in the Zoning Ordinance.
- Zone for Transitional and Supportive Housing and Residential Care Facilities: To comply with SB 2, the Housing Element must demonstrate that transitional and supportive housing are permitted as a residen-

tial use and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. Similarly, residential care facilities must also be treated as a residential use. The proposed amendment would include modifications to the definition of "dwelling" to include transitional and supportive housing, and residential care facilities.

- Procedures for Reasonable Accommodation: A series of federal and state laws (Federal Fair Housing Amendments Act of 1988, California's Fair Employment and Housing Act, and the State's Housing Element law) have been enacted to prohibit policies that act as a barrier to individuals with disabilities who are seeking housing. The proposed Project includes the establishment of procedures for seeking reasonable accommodation for individuals with disabilities to ensure equal access to housing.

- Secondary Dwelling Units and Accessory Buildings/Structures: The proposed approach would include modifications to Chapter 16.79 (Secondary Dwelling Units) and Chapter 16.68 (Accessory Buildings and/or Structures) and would be two-pronged; including modifications to the existing secondary dwelling unit ordinance to allow for the conversion of legally permitted and constructed accessory buildings/structures (meeting certain criteria) into secondary dwelling units while simultaneously amending the accessory building/structure language to more clearly distinguish how and where an accessory building or structure could be used. The proposed Project could result in modifications to the development regulations, including setbacks, wall and overall height, floor area, daylight plane, and parking. Additionally, a reduction in the minimum lot area threshold (from 6,000 square feet to 5,750 square feet) for when a use permit is required for a secondary dwelling unit would be included in the Zoning Ordinance amendment.

Specifically, implementation of the Housing Element Programs H3.A, H3.B, H3.C, and H4.F, described below, would modify the Zoning Ordinance to ensure that there are adequate opportunities for a variety of housing types in Menlo Park.

- Program H3.A (Zone for Emergency Shelter for the Homeless): The City will establish an overlay zone to allow emergency shelters for the homeless to address the City's need for providing at least 16 beds to address homeless needs in the community. Appropriate locations for the overlay zoning will be evaluated based on land availability, physical or environmental constraints (e.g. flooding, chemical contamination, slope instability), location (e.g., proximity to services, jobs, and transit), available acreage (i.e. vacant or non-vacant sites), compatibility with surrounding uses, and the realistic capacity for emergency shelters. In reviewing potential non-vacant sites, the potential for reuse or conversion of existing buildings to emergency shelters will be considered. The City will also investigate the use of local churches providing temporary shelter for the homeless. In addition, the City will establish written and objective standards in the Zoning Ordinance covering:
  a) Maximum number of beds.
  b) Off-street parking based upon demonstrated need.
  c) Size and location of on-site waiting and intake areas.
  d) Provision of on-site management.
  e) Proximity to other shelters.
  f) Length of stay.
  g) Lighting.
  h) Security during hours when the shelter is open.

  The City has identified the Veterans Affairs (VA) Clinic property, herein referred to as the "VA property" and additional areas immediately adjacent for the new Homeless Facility Overlay zone. The proposed overlay zone covers almost 100 acres of land, which provides adequate capacity and opportunity for a homeless facility to be developed to address the City's need for a 16-bed unsheltered homeless facility.

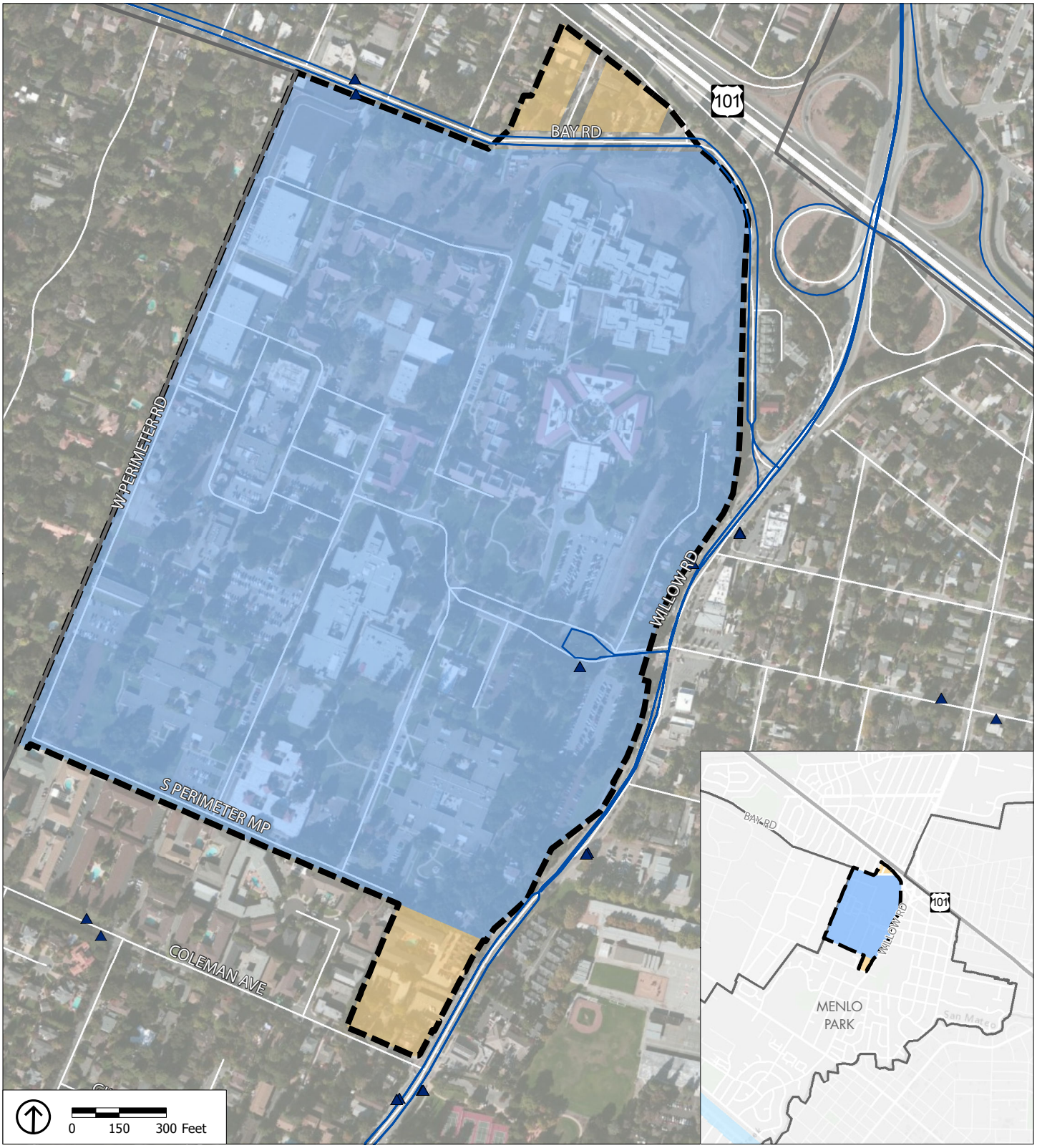
As shown on Figure 4, the VA property is comprised of 95 acres within the Public Facility (PF) zoning district and 4.5 acres within the Multi-Family Residential (R3) zoning district. This 4.5-acre area within the R3 zoning district includes 26 parcels, ranging in size and use as follows:

- one vacant parcel (.12 acres in size)
- two parcels with 12 and 30 units each (0.4 and 1 acre in size),
- twelve parcels have from 2 to 4 units (parcels ranging from 0.1 to 0.2 acres in size),
- four parcels with 1 unit (parcels ranging from to 0.1 to .14 acre in size)
- five condominium units and
- two parcels that have other uses (a church and a commercial use).

Homeless serving land uses are located near this proposed location and seven-day bus service is available along Willow Road to the east.

- Program H3.B (Zone for Transitional and Supportive Housing[4]): Amend the definition of "dwelling" to specifically allow residential care facilities, transitional and supportive housing as required by State law. Transitional and supportive housing shall be considered a residential use subject only to those restrictions that apply to other residential dwellings of the same type in the same zone. In addition, the proposed Project includes an amendment to accommodate residential care facilities. Similarly, residential care facilities for 6 or fewer residents must also be treated as a residential use.
- Program H3.C (Adoption of Procedures for Reasonable Accommodation): Establish internal review procedures and/or ordinance modifications to provide individuals with disabilities reasonable accommodation in rules, policies, practices, and procedures that may be necessary to ensure equal access to housing. The purpose of these procedures and/or ordinance modifications is to provide a process for individuals with disabilities to make requests for reasonable accommodation in regard to relief from the various land use, zoning, or building laws, rules, policies, practices, and/or procedures of the City.
- Program H4.E (Modify Secondary Dwelling Unit Development Standards and Permit Process): Continue to encourage secondary dwelling units, and modify the City's current regulations to reduce the minimum lot size to 5,750 square feet, and consider allowances for larger secondary dwelling units, flexibility in height limits, reduced fees (possible reduction in both Planning/Building fees and impact fees as a result of the small size of the units), flexibility in how parking is provided on site and a greater City role in publicizing and providing guidance for the approval of secondary dwelling units as part of the General Plan update. Specifics would be developed as part of program implementation.

[4] **Supportive Housing:** Permanent rental housing linked to a range of support services designed to enable residents to maintain stable housing and lead fuller lives. This type of housing has no limit on length of stay, is occupied by the *target population* (such as low-income persons with disabilities and certain other disabled persons) and is linked to onsite or offsite services. **Transitional Housing:** Rental housing that calls for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. Transitional housing is a type of supportive housing used to facilitate the movement of homeless individuals and families to permanent housing. **Residential Care Facilities:** These include housing that address the needs of special segments of the population, including special care for the chronically ill, seniors, special need adults or youths, etc. The California Department of Social Services, Community Care Licensing Division, issues licenses for residential facilities that provide 24-hour non-medical care for children, adults and the elderly.



Source: City of Menlo Park; The Planning Center | DC&E, 2014; ESRI 2010; FHA 2002.

Zoning
- Public Facilities(PF)
- Multi-family Residential (R3)

- Bus Stops
- Bus Routes
- Potential Emergency Shelter for the Homeless Overlay Zone Area
- City Limits

FIGURE 4

POTENTIAL EMERGENCY SHELTER OVERLAY ZONING

- Program H4.F (Establish a Process and Standards to Allow the Conversion of Accessory Buildings and Structures to a Secondary Dwelling Unit) Allow converted accessory buildings/structures that do not comply with the current secondary dwelling unit ordinance to be reviewed through a new process that establishes an allowance for one or more exceptions from the secondary dwelling unit development regulations. Modify the existing development regulations of accessory buildings/structures to more clearly distinguish how accessory buildings/structures can be used (such as modifying the regulations to prohibit living areas without main dwelling unit setbacks and/or the number of plumbing fixtures) and consider reduction or waiver of fees.

The proposed Zoning Ordinance Amendment would also include a change to the development standards for secondary dwelling units within the single-family residential zoning districts. Under the proposed Project the current minimum lot area of 6,000 square feet would be reduced to 5,750 square feet, which would increase the total number of secondary units that could be built.

E. POTENTIAL PHYSICAL CHANGES

Altogether, the proposed Project does not include actions that could directly or indirectly result in substantial physical changes to the environment. The proposed Project would enable the City of Menlo Park to meet its housing needs and facilitate future development to meet the needs of at-risk populations by providing housing types designed for these groups.

The potential future housing permitted under the proposed Project would not increase development potential in Menlo Park beyond what was considered in the General Plan and the current Housing Element (2007-2014), but rather would allow for special-needs housing[5] and secondary dwelling units where residential housing is currently permitted. The amendments related to reasonable accommodations and amnesty for existing secondary dwelling units include procedural guidance for potential applicants. No land use or zoning changes that would redesignate areas from one use to another (e.g. commercial to residential) would be required to accommodate these uses. New special-needs housing is considered a residential use and is subject to those restrictions that apply to other residential dwellings of the same type in the same zone, as are secondary dwelling units.

The proposed Emergency Shelter for the Homeless Overlay Zone would include urbanized areas within the city and would not increase development potential. As described in Policy H3.A, the Emergency Shelter for the Homeless Overlay Zone would be located in close proximity to services, jobs, and transit.

The General Plan Housing Element and the Zoning Ordinance are regulatory documents that establish goals and polices that guide development, as well as outline various districts within the boundaries of the city and restrictions for erecting, constructing, altering, or maintaining certain buildings, identifying certain trades or occupations, and makes certain uses of lands. No specific development projects have been identified or are proposed as part of the Project: therefore, the proposed Project does not directly result in development in and of itself. When specific implementing projects are identified, the development applications for such individual projects, as required, would be submitted separately to the City for review. All such development is

[5] Special-needs housing refers to Supportive and Transitional housing, Residential Care Facilities, as well as Reasonable Accommodations.

required to be analyzed for conformance with the General Plan, Zoning Ordinance, and other applicable federal, State and local requirements; comply with the applicable requirements of CEQA; and obtain all necessary clearances and permits. Throughout this Initial Study, applicable General Plan goals, policies and programs are identified to bolster consistency with mandatory regulation and illustrate where the City has already taken action to address a potential impact.

F. ENVIRONMENTAL CHECKLIST

AESTHETICS Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State scenic highway?	☐	☐	☒	☐
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

a) Would the project have a substantial adverse effect on a scenic vista?

Potential future development permitted under the proposed Project would have the potential to affect scenic vistas and/or scenic corridors if new or intensified development blocked views of areas that provide or contribute to such vistas. Potential effects could include blocking views of a scenic vista/corridor from specific publically accessible vantage points or the alteration of the overall scenic vista/corridor itself. Such alterations could be positive or negative, depending on the characteristics of individual future developments and the subjective perception of observers.

Scenic corridors are considered an enclosed area of landscape, viewed as a single entity that includes the total field of vision visible from a specific point, or series of points along a linear transportation route. Public view corridors are areas in which short-range, medium-range, and long-range views are available from publicly accessible viewpoints, such as from city streets. However, scenic vistas are generally interpreted as long-range views of a specific scenic feature (e.g. open space lands, mountain ridges, bay, or ocean views).

Menlo Park's main thoroughfares include the El Camino Real, which is developed with traditional strip center developments and bisects the downtown area comprised of pedestrian-scale, one- to three-story buildings. The Middlefield Road and Sand Hill Road thoroughfares include landscaped office parks with mid-rise buildings interspersed with landscaped parking areas, as does the Highway 101 corridor. While the City has no designated scenic corridors, a section of Interstate 280 (I-280) within the Study Area is considered a scenic highway per the California Scenic Highways Program.[6]

[6] Caltrans, California Scenic Highway Mapping Program, Route 280 Photo Album, http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm, accessed on November 19, 2012.

Potential future development permitted under the proposed Project would allow for special-needs housing, secondary dwelling units, and accessory building/structures in Residential zoning districts where residential uses currently exist and are accounted for in the 2007-2014 Housing Element. Modifications to the development regulations for secondary dwelling units and accessory buildings/structures would provide greater flexibility, but would generally be consistent with existing development standards. The nature of this type of development would not be of such form, mass, or scale to block views of scenic vistas and/or scenic corridors. Furthermore, potential future residential and emergency shelter facilities permitted under the proposed Project would be subject to the general development standards for the particular zoning district affected by the proposed Project as set forth in City Municipal Code Chapters. Compliance with the general development standards as well as the following General Plan goals and policies identified in the Open Space and Conservation Element would address the preservation of scenic vistas and corridors in the city.

Open Space and Conservation Element

- Goal OSC-1: Protect and Enhance Open Space and Natural Resources. Protect, conserve and enhance valuable natural resources, open areas and designated open space lands rich in scenic value, wildlife or of a fragile ecological nature through conservation and restoration efforts. The approach to natural resources include:
    - Preserve the natural state, unique appeal, and visual amenities of Menlo Park's bay lands and shoreline.
    - Protect the wildlife habitat, scenic value and natural character of San Francisquito Creek and other riparian corridors.
    - Protect sensitive species and natural communities.
    - Preserve open areas needed for protection from natural hazards.
    - Maintain, preserve, and enhance contiguous open space on Stanford lands within Menlo Park's unincorporated sphere of influence.
    - Protect lands that have inherent qualities to provide visual amenity, including topographic features, views or vistas, street landscape areas, scenic water areas, creeks and the San Francisco Bay.
    - Provide landscaped areas that visually and environmentally enhance the community.
- Policy OSC1.1: Natural Resources Integration with Other Uses. Protect Menlo Park's natural environment and integrate creeks, utility corridors, and other significant natural and scenic features into development plans.
- Policy OSC1.6: South Bay Salt Pond Restoration Project and Flood Management Project. Continue to support and participate in Federal and State efforts related to the South Bay Salt Pond Restoration Project and flood management project. Provide public access to the Bay for the scenic enjoyment and recreation opportunities as well as conservation education opportunities related to the open Bay, the sloughs, and the marshes.
- Policy OSC1.11: Sustainable Landscape Practices. Encourage the enhancement of boulevards, plazas and other urban open spaces in high-density and mixed-use residential developments, commercial and industrial areas with landscaping practices that minimize water usage.

- Policy OSC1.13: Yard and Open Space Requirements in New Development. Ensure that required yard and open spaces are provided for as part of new multi-family residential, mixed-use, commercial, and industrial development.
- Policy OSC1.14: Protection of Conservation and Scenic Areas. Protect conservation and scenic areas from deterioration or destruction by vandalism, private actions or public actions.
- Policy OSC1.15: Heritage Trees. Protect Heritage Trees, including during construction activities through enforcement of the Heritage Tree Ordinance (Chapter 13.24 of the Municipal Code).

As discussed above, potential future development permitted under the proposed Project would be subject to the general development standards within the City's Municipal Code. Accordingly, the proposed Project would not be expected to significantly alter scenic viewsheds in the zoning districts affected by the proposed Project and overall impacts to scenic corridors and vistas within the city would be less than significant. Implementation of the listed General Plan goals and policies would further ensure that impacts on scenic vistas would be *less than significant*.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State scenic highway?

The California Scenic Highway Program, maintained by the California Department of Transportation (Caltrans), protects scenic State highway corridors from changes that would diminish the aesthetic value of lands adjacent to the highways. Caltrans designated the segment of I-280 that runs from the Santa Clara County line to the San Bruno city limit as a scenic highway.[7] This State-designated scenic highway runs approximately 1 mile along the southern edge of the City. Caltrans describes the scenic value of I-280 as follows: "The motorist is offered middleground forest and mountain vistas, background water and mountain panoramas, and enclosed lake and mountain ridge views as the route traverses the environmentally fragile valley created by the San Andreas Earthquake Fault."[8]

The only potential future development that could occur within the I-280 viewshed would be that associated with a secondary housing unit in an existing residential district and would not impact views along the scenic highway corridor. Accordingly, impacts related to scenic highways would be *less than significant*.

c) Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

As discussed in Section I.a above, potential development permitted as a result of the proposed Project would be restricted to the existing built environment. Potential development under the proposed Project would be required to comply with enumerated development standards set forth in the City's Municipal Code to ensure compatibility with adjoining land uses. Additionally, implementation of the General Plan goals and policies listed below would protect the existing visual character or quality of the city and its surroundings. Accordingly, future development permitted under the proposed Project would result in a *less-than-significant* impact to visual character.

[7] California Department of Transportation website, Officially Designated State Scenic Highways, http://www.dot.ca.gov/hq/LandArch/scenic/schwy.htm, accessed September 25, 2012.

[8] Caltrans, California Scenic Highway Mapping Program, Route 280 Photo Album, http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm, accessed on November 19, 2012.

Land Use and Circulation Element

- Goal IA: To maintain and improve the character and stability of Menlo Park's existing residential neighborhoods while providing for the development of a variety of housing types. The preservation of open space shall be encouraged.
- Policy IA-1: New construction in existing neighborhoods shall be designed to emphasize the preservation and improvement of the stability and character of the individual neighborhood.
- Policy IA-2: New residential developments shall be designed to be compatible with Menlo Park's residential character.
- Policy IA-4: Residential uses may be combined with commercial uses in a mixed use project, if the project is designed to avoid conflicts between the uses, such as traffic, parking, noise, dust, and odors.

Open Space and Conservation Element

- Policy OSC1.11: Sustainable Landscape Practices. Encourage the enhancement of boulevards, plazas, and other urban open spaces in high-density and mixed-use residential developments, commercial and industrial areas with landscaping practices that minimize water usage.

2007-2014 Housing Element

- Policy H2.5: The City will encourage good management practices, rehabilitation of viable older housing, and long-term maintenance and improvement of neighborhoods.
- Goal H4: Use land efficiently to meet community housing needs at a variety of income levels, implement sustainable development practices, and blend well-designed new housing into the community.
- Policy H4.3: The City will review proposed new housing in order to achieve excellence in development design through an efficient process and will encourage infill development on vacant and underutilized sites that is harmonious with the character of Menlo Park residential neighborhoods. New construction in existing neighborhoods shall be designed to emphasize the preservation and improvement of the stability and character of the individual neighborhood. The City will also encourage innovative design that creates housing opportunities that are complementary to the location of the development. It is the City's intent to enhance neighborhood identity and sense of community by ensuring that all new housing will (1) have a sensitive transition with the surrounding area, (2) avoid unreasonably affecting the privacy of neighboring properties, or (3) avoid impairing access to light and air of structures on neighboring properties.
- Policy H4.11: The City will encourage the development of well-designed new second units (e.g. carriage houses, attached independent living units, small detached living units) and the legalization of existing second units or conversion of accessory buildings or structures to safe and habitable secondary dwelling units as an important way to provide affordable housing in combination with primary residential uses on low-density lots.

d) Would the project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Substantial light and glare comes mainly from commercial areas, safety lighting, traffic on major arterials and the freeway, and street lights. Future potential development permitted under the proposed Project does not

include any land use changes that would redesignate any existing land uses (e.g. residential to commercial, etc.). Light pollution, in most of the city is minimal, and is restricted primarily to street lighting along major arterials streets and Highway 101, and to night-time illumination of commercial buildings, shopping centers, and industrial buildings. Light spillage from residential areas, particularly older neighborhoods, is mostly well-screened by trees. Potential special-needs housing and secondary dwelling units permitted under the proposed Project would occur in already largely built-out residential areas where street and site lighting currently exist and are accounted for in the 2007-2014 Housing Element. With regards to the proposed Emergency Shelter for the Homeless Overlay Zone, which could include the VA property in the Public Facility (PF) zoning district and nearby properties in the Multi-Family Residential (R3) zoning district, the proposed Project includes performance standards that dictate the design of exterior security lighting for Emergency Shelters to minimize glare and spillover to adjacent uses.

The goals and policies in the General Plan listed above in Sections I.a and I.c would ensure that light and glare associated with potential future development under the proposed Project are minimized. Similar to the discussions in Sections I.a and I.c above, potential future development permitted under the proposed Project would be required to comply with enumerated general development standards set forth in the City's Municipal Code to ensure compatibility with adjoining land uses. These factors contribute to a *less-than-significant* impact with respect to light and glare.

AGRICULTURE AND FORESTRY RESOURCES Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with an existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or of conversion of forest land to non-forest use?	☐	☐	☐	☒

a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Maps pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency categorize land within the city as primarily Urban and Built-Up Land.[9] There are no agricultural lands identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance within the City of Menlo Park. Therefore, there would be *no impact*.

b) Would the project conflict with an existing zoning for agricultural use, or a Williamson Act contract?

The California Land Conservation (Williamson) Act 2010 Status Report identifies land in Santa Mateo County that is currently under Williamson Act contract. [10] However, as discussed in response to Section II.a, there is no agricultural land within Menlo Park, and, therefore, implementation of the proposed Project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. Consequently, there would be *no impact*.

c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

According to 2003 mapping data from the California Department of Forestry and Fire Protection, the City does not contain any woodland or forest land cover; [11] thus, the City does not contain land zoned for Timberland Production and *no impact* would occur.

d) Would the project result in the loss of forest land or conversion of forest land to non-forest use??

For the reasons provided in response to Sections II.a through II.c, there would be *no impact* in relation to the conversion of farmland to non-agricultural use or forest land to non-forest use.

e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or of conversion of forest land to non-forest use?

See Sections II.a through II.d above.

AIR QUALITY Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒

[9] California Department of Conservation, 2010, San Mateo County Important Farmland 2010, ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2010/smt10.pdf, accessed on September 23, 2013.

[10] California Department of Conservation, 2010, California Land Conservation (Williamson) Act 2010 Status Report, page 23, http://www.conservation.ca.gov/dlrp/lca/stats_reports/Documents/2010%20Williamson-%20Act%20Status%20Report.pdf, accessed on September 23, 2013.

[11] Zoning Map And General Plan Land Use Diagram, City of Menlo Park, 2010, http://www.menlopark.org/departments/pln/zmap/zmapi.pdf, accessed on September 23, 2013.

AIR QUALITY Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant**	**No Impact**
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project area is in non-attainment under applicable federal or State ambient air quality standards (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

The Bay Area Air Quality Management District (BAAQMD) is the regional air quality agency for the San Francisco Bay Area Air Basin (SFBAAB), which comprises all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara Counties; the southern portion of Sonoma County; and the southwestern portion of Solano County. Accordingly, the City is subject to the rules and regulations imposed by the BAAQMD, as well as the California ambient air quality standards adopted by the California Air Resources Board (CARB) and national ambient air quality standards adopted by the United States Environmental Protection Agency (U.S. EPA).

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

Potential future development permitted under the proposed Project could potentially have significant impacts on air quality through additional automobile trips associated with additional housing units. However, the BAAQMD does not require project specific analysis for projects proposing less than 520 apartments/condominiums or resulting in less than 2,000 vehicle trips per day. If a project does not exceed either of these thresholds, it is typically assumed to have a less than significant impact on air quality. While no projects have been identified or are proposed as part of the proposed Project, it is not anticipated to result in any potential future development that would meet or exceed the current BAAQMD standards for air quality impacts.

Residential development in proximity to Highway 101, I-280, and State Routes 84 and 82, and Caltrain tracks could expose sensitive receptors to human health risks associated with toxic air contaminants (TACs). Concentrations of TACs such as diesel particulate matter are much higher near railroads traveled by locomotives and heavily traveled highways and intersections, and prolonged exposure can cause health risks such as cancer, birth defects, and neurological damage. Potential future development permitted under the proposed Project would not increase development potential, but rather would allow for special-needs housing and secondary dwelling units in Residential zoning districts where residential uses currently exist and are accounted for in the 2007-2014 Housing Element. Residential zoning districts are located throughout the City and in some cases are near major thoroughfares. The Emergency Shelter for the Homeless Overlay Zone would include the VA property in the Public Facility (PF) zoning district and additional adjacent areas in the Multi-Family Residential (R3) zoning district in close proximity to services, jobs, and transit and near major thoroughfares. While no projects have been identified or are proposed as part of the proposed Project, potential future development permitted under the proposed Project, as necessary (i.e. subject to discretionary review), would be subject to separate environmental review as required under CEQA.

Given the proposed Project would not exceed BAAQMD standards of significance for air quality impacts and compliance with applicable and mandatory regulation (i.e. CEQA), potential future development permitted under the proposed Project would have *no impact* with respect to air quality.

b) Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

See Section III.a above.

c) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project area is in non-attainment under applicable federal or State ambient air quality standards (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

The Bay Area 2010 Clean Air Plan is the current control strategy to reduce ozone, particulate matter (PM), air toxins, and greenhouse gases (GHGs) for the City of Menlo Park. The 2010 Clean Air Plan was based on the ABAG population and employment projections for the San Francisco Bay area, including growth that would be accommodated under the City's General Plan. The BAAQMD monitors air quality at several locations in the San Francisco Bay Air Basin. Historically, problematic criteria pollutants in urbanized areas include ozone, particulate matter, and carbon monoxide. Combustion of fuels and motor vehicle emissions are a major source of each of these three criteria pollutants. Menlo Park is within the San Francisco Bay Area Air Ozone non-attainment area as delineated by the U.S. EPA.

As discussed in Section III.a above, potential future development permitted under the proposed Project would not increase development potential (no new automobile trips or additional housing units), but rather would allow for new types of special-needs housing and secondary dwelling units in Residential zoning districts where residential uses currently exist and are accounted for in the 2007-2014 Housing Element. The Emergency Shelter for the Homeless Overlay Zone would include the VA property in the Public Facility (PF) zoning district and additional adjacent areas in the Multi-Family Residential (R3) zoning district. Therefore, no increase of criteria air pollutants would occur as a result of potential future development permitted under the proposed Project and impacts would be *less than significant.*

d) Would the project expose sensitive receptors to substantial pollutant concentrations?

See Section III.a above.

e) Would the project create objectionable odors affecting a substantial number of people?

Odors are also an important element of local air quality conditions. Specific activities allowed within each land use category can raise concerns related to odors on the part of nearby neighbors. Major sources of odors include restaurants and wastewater treatment plants. While sources that generate objectionable odors must comply with air quality regulations, the public's sensitivity to locally produced odors often exceeds regulatory thresholds.

The type of housing and emergency shelter development that would be permitted under the proposed Project is not considered a major source of odor and would not create objectionable odors to surrounding sensitive land uses. Accordingly, there would be *no impact.*

BIOLOGICAL RESOURCES Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Have a substantial adverse effect, either directly or through habitat modifications, on a plant or animal population, or essential habitat, defined as a candidate, sensitive or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.), through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f) Conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on a plant or animal population, or essential habitat, defined as a candidate, sensitive or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Special status plants include those listed as "Endangered," "Threatened," or "Candidate for Listing" by the California Department of Fish and Wildlife (CDFW) or the U.S. Fish and Wildlife Service (USFWS), that are included in the California Rare Plant Rank, or that are considered special-status in local or regional plans, policies, or regulations. Special status animals include those listed as "Endangered," "Threatened," or "Candidate for Listing" by the CDFW or the USFWS, that are designated as "Watch List," "Species of Special Concern," or "Fully Protected" by the CDFW, or that are considered "Birds of Conservation Concern" by the USFWS. There are occurrences of plant and animal species with special-status within the city limits.[12]

Potential future development permitted under the proposed Project would not increase development potential, but rather would allow for new types of or modified residential housing and secondary dwelling units in Residential zoning districts where residential uses currently exist and are accounted for in the 2007-2014 Housing Element. The Emergency Shelter for the Homeless Overlay Zone would be located on the VA property in the Public Facility (PF) zoning district and additional adjacent areas in the Multi-Family Residen-

[12] City of Menlo Park, 2013, Environmental Assessment for the Housing Element Update, General Plan Consistency Update, and Zoning Ordinance Amendments, approved by the City Council on May 21, 2013.

tial (R3) zoning district. Potential impacts from construction of the proposed Project would most likely be related to the removal of trees and other vegetation in these habitats during the nesting season of the migratory birds found in Menlo Park.

The following General Plan goals and policies protect special-status species associated with potential future development.

Land Use and Circulation Element

- Policy IA-3: Quality design and usable open space shall be encouraged in the design of all new residential developments.
- Policy IA-4: Residential uses may be combined with commercial uses in a mixed use project, if the project is designed to avoid conflicts between the uses, such as traffic, parking, noise, dust, and odors.
- Policy IA-7: Development of secondary residential units on existing developed residential lots shall be encouraged consistent with adopted City standards.
- Goal IG: To promote the preservation of open-space lands for recreation, protection of natural resources, the production of managed resources, protection of health and safety, and/or the enhancement of scenic qualities.
- Policy IG-6: The City shall encourage the retention of open space on large tracts of land through consideration of various alternatives to future development including rezoning consistent with existing uses, cluster development, acquisition of a permanent open space easement, and/or transfer of development rights.
- Policy IG-8: The Bay, its shoreline, San Francisquito Creek, and other wildlife habitat and ecologically fragile areas shall be maintained, and preserved to the maximum extent possible. The City shall work in cooperation with other jurisdictions to implement this policy.
- Policy IG-10: Extensive landscaping should be included in public and private development, including greater landscaping in large parking areas. Where appropriate, the City shall encourage placement of a portion of the required parking in landscape reserve until such time as the parking is needed. Plant material selection and landscape and irrigation design shall adhere to the City's Water Efficient Landscaping Ordinance.
- Policy IH-3: Plant material selection and landscape and irrigation design for City parks and other public facilities and in private developments shall adhere to the City's Water Efficient Landscaping Ordinance (Chapter 12.44 of the Municipal Code).

Open Space and Conservation Element

- Goal OSC1: Protect and Enhance Open Space and Natural Resources: Protect, conserve and enhance valuable natural resources, open areas and designated open space lands rich in scenic value, wildlife or of a fragile ecological nature through conservation and restoration efforts. The approach to natural resources include:
    - Preserve the natural state, unique appeal, and visual amenities of Menlo Park's bay lands and shoreline.

  - Protect the wildlife habitat, scenic value, and natural character of San Francisquito Creek and other riparian corridors.
  - Protect sensitive species and natural communities.
  - Preserve open areas needed for protection from natural hazards.
  - Maintain, preserve, and enhance contiguous open space on Stanford lands within Menlo Park's unincorporated sphere of influence.
  - Protect lands that have inherent qualities to provide visual amenity, including topographic features, views or vistas, street landscape areas, scenic water areas, creeks, and the San Francisco Bay.
  - Provide landscaped areas that visually and environmentally enhance the community.
- Policy OSC1.1: Natural Resources Integration with Other Uses. Protect Menlo Park's natural environment and integrate creeks, utility corridors, and other significant natural and scenic features into development plans.
- Policy OSC1.2: 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.
- Policy OSC1.3: Sensitive Habitats. Require new development on or near sensitive habitats to provide baseline assessments prepared by qualified biologists, and specifies requirements about the baseline assessments.
- Policy OSC1.4: Habitat Enhancement. Require new development to minimize the disturbance of natural habitats and vegetation, and requires revegetation of disturbed natural habitat areas with native or non-invasive naturalized species.
- Policy OSC1.5: Invasive, Non-Native Plant Species. Avoid the use of invasive, non-native species, as identified on the lists of invasive plants maintained at the California Invasive Plant Inventory and United States Department of Agriculture invasive and noxious weeds database, or other authoritative sources, in landscaping on public property.
- Policy OSC1.7: San Francisquito Creek Joint Powers Authority. Continue efforts through San Francisquito Creek Joint Powers Authority to enhance the value of the creek as a community amenity for trails and open space, conservation, and educational opportunities.
- Policy OSC1.8: Regional Open Space Preservation Efforts. Support regional and sub-regional efforts to acquire, develop, and maintain open space conservation lands.
- Policy OSC-1.9: Federal, State, and County Open Space and Conservation Programs. Make maximum use of federal, State, and county programs wherever possible in all matters concerned with open space and conservation.
- Policy OSC1.11: Sustainable Landscape Practices. Encourage the enhancement of boulevards, plazas and other urban open spaces in high-density and mixed-use residential developments, commercial and industrial areas with landscaping practices that minimize water usage.
- Policy OSC1.15: Heritage Trees. Protect Heritage Trees, including during construction activities through enforcement of the Heritage Tree Ordinance (Chapter 13.24 of the Municipal Code).

Implementation of these General Plan policies as well as compliance with federal and State laws, including but not limited to, the Migratory Bird Treaty Act, Clean Water Act, Federal and California Endangered Species Acts, and California Native Plant Protection Act would ensure impacts to special-status species associated with potential future development that could occur through implementation of the proposed Project would be *less than significant*.

b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

The recognized sensitive natural communities of Menlo Park are its wetlands and oak woodlands.

While some existing Residential zoning districts are located adjacent to San Francisquito Creek, a valuable urban riparian habitat, construction of second dwelling units in existing residential districts housing in this area would not result in the conversion of creek channel habitat or removal of vegetation from within the banks of the creek. Construction of second units could result in removal of vegetation such as trees and shrubs not within the creek itself, but riparian habitat adjacent to the creek. Where the creek enters residential neighborhoods, the creek is narrow and incised, and homes on lots bordering the creek are edged by steep creek banks.[13] In instances of large lots and/or tall trees, vegetation on the residential lots immediately adjacent could provide additional nesting and foraging opportunities for riparian-associated species, particularly birds and bats. Generally, impacts would be limited to removal of vegetation (to trees or bushes) on already developed lots.

Removal of trees over 15 inches in diameter (10 inches in diameter for native Oaks) would trigger the Heritage Tree Ordinance, which requires a tree replacement ratio of one tree planted for one Heritage Tree removed.

The Emergency Shelter for the Homeless Overlay Zone would include the VA property in the Public Facility (PF) zoning district and additional adjacent areas in the Multi-Family Residential (R3) zoning district, which is not adjacent to coastal salt ponds. Therefore, potential future development as a result of implementing the proposed Project area would occur on lands that are currently developed and would not increase runoff potential that could directly impact the salt ponds. Furthermore, wetlands and other waters are protected under the federal Clean Water Act and the State's Porter-Cologne Water Quality Control Act are under the jurisdiction of the U.S. Army Corps of Engineers and the San Francisco Bay Regional Water Quality Control Board. Federal and State regulations require avoidance of impacts to the extent feasible, and compensation for unavoidable losses of jurisdictional wetlands and waters. The General Plan goals, policies, and programs described in Section IV.a above would reduce impacts to sensitive habitats (i.e. oak woodlands and riparian habitats). These goals, policies, and actions provide a comprehensive approach for addressing and mitigating the direct and indirect impacts of anticipated development on or near riparian habitat or other sensitive natural communities. Therefore, implementation of the proposed Project, in combination with Municipal Code Chapters 13.24 (Heritage Tree Ordinance) and 12.44 (Water-Efficient Landscaping), which prohibits the use of invasive and/or noxious plant species in landscaping, and federal and State laws, would reduce potential impacts to sensitive habitats to a *less-than-significant* level.

[13] San Francisquito Creek Join Powers Authority, 2006. San Francisquito Creek Bank Stabilization and Revegetation Master Plan. Accessed January 10, 2013 from http://www.menlopark.org/creek/ECRSection4.pdf.

c) Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.), through direct removal, filling, hydrological interruption or other means?

See Section IV.b above.

d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

San Francisquito Creek provides a valuable wildlife movement corridor and nursery site, despite its location within the urbanized setting of the Study Area. As discussed in Sections IV.b and IV.c, the Residential zoning districts affected by secondary dwelling units could be developed on existing residential lots along the creek. Construction of secondary dwelling units on lots adjacent to the creek would not necessitate alteration of the creek or removal of vegetation within the creek channel. Hence, travel of species within the creek channel would not be obstructed under the proposed Project. However, construction of secondary dwelling units on lots adjacent to the creek may necessitate removal of vegetation along creek banks, or result in obstructions along the creek banks. There are numerous policies in the Land Use and Circulation, and Open Space and Conservation Elements of the General Plan that serve to protect and enhance sensitive biological resources and the important wildlife habitat the San Francisquito Creek provides. Therefore, compliance with the goals and policies listed under Sections IV.b and IV.c above, in combination with Municipal Code Chapters 13.24 (Heritage Tree Ordinance) and 12.44 (Water-Efficient Landscaping), and federal and State laws, would ensure that impacts to the wildlife movement corridor and nursery site that the San Francisquito Creek supports would be *less than significant*.

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Chapter 13.24 of the City's Municipal Code is known as the "Heritage Tree Ordinance" protects the stands of oak, bay and other trees in the City. The preservation of these trees is necessary for the health and welfare of the citizens of this city in order to preserve the scenic beauty and historical value of trees, prevent erosion of topsoil and sedimentation in waterways, protect against flood hazards and landslides, counteract the pollutants in the air, maintain the climatic balance, and decrease wind velocities. It is the intent of Chapter 13.24 to establish regulations for the removal of heritage trees within the city in order to retain as many trees as possible consistent with the purpose of the chapter and the reasonable economic enjoyment of private property. If potential future development under the proposed Project were to impact a heritage tree, it would be required to comply with the City's Heritage Tree Ordinance before any tree could be removed. Tree removal permits would be secured before any qualifying tree removal action occurred. Potential future development permitted under the proposed Project would have to comply with this City ordinance. With adherence to the General Plan policies described in Section IV.a and City's Heritage Tree Ordinance, no conflicts are anticipated, and impacts would be considered *less than significant*.

f) Would the project conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan?

There are no adopted Habitat Conservation Plans (HCPs) or Natural Community Conservation Plans within the city limit. At the time of writing this Initial Study, Stanford University is preparing an HCP that has not yet been adopted. The Final Environmental Impact Statement for the Stanford HCP has been published and

HCP implementation is pending the approval of the Incidental Take Permit application with USFWS.[14] Portions of the City's SOI are within unincorporated San Mateo County are included in the Stanford HCP, but no potential housing under the Housing Element are located in the Stanford HCP. Once adopted, any development that takes place within the Stanford HCP boundaries would be subject to the standards set forth in the Stanford HCP. Consequently, there would be *no impact*.

CULTURAL RESOURCES Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations Section 15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations Section 15064.5?	☐	☐	☒	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

a) Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

The types of cultural resources that meet the definition of historical resources under CEQA generally consist of districts, sites, buildings, structures, and objects that are significant for their traditional, cultural, and/or historical associations. Commonly, the two main resource types that are subject to impact, and that may be impacted by potential future development allowed under the proposed Project, are historical archaeological deposits and historical architectural resources, as discussed below. Human remains are addressed in Section V.d below

Cultural resources are protected by federal and State regulations and standards, including, but not limited to, the National Historic Preservation Act, the California Public Resources Code, and CEQA. If the potential future development under the proposed Project or adjacent properties are found to be eligible for listing on the California Register, the development would be required to conform to the current Secretary of the Interior's Standards for Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, and Restoring Historic Buildings, which require the preservation of character defining features which convey a building's historical significance, and offers guidance about appropriate and compatible alterations to such structures.

Historical and pre-contact archaeological deposits that meet the definition of historical resources under CEQA could be damaged or destroyed by ground-disturbing activities associated with potential future development allowed under the proposed Project. Should this occur, the ability of the deposits to convey their significance, either as containing information important in prehistory or history, or as possessing traditional or cultural significance to Native American or other descendant communities, would be materially impaired.

[14] Stanford University, Stanford University Habitat Conservation Plan Project Schedule, http://hcp.stanford.edu/schedule.html, accessed on September 23, 2013.

It is highly improbable that archaeological deposits and/or architectural resources associated with the historic period of Menlo Park would be impacted by potential future development as this development would be concentrated in and around a highly urban area, where development will have a lesser impact on historical archeological and/or architectural resources.

Implementation of the following General Plan goal and polices would provide for the identification of archaeological deposits prior to actions that may disturb such deposits; the preservation and protection of such deposits; the evaluation of unanticipated finds made during construction; and the protection and respectful treatment of human remains associated with archaeological deposits. Furthermore, this goal and policies would protect historical resources in the Study Area by providing for the early detection of potential conflicts between development and resource protection, and by preventing or minimizing the material impairment of the ability of archaeological deposits to convey their significance through excavation or preservation.

Open Space and Conservation Element

- Policy OSC1.15: Heritage Trees: Protect Heritage Trees, including during construction activities through enforcement of the Heritage Tree Ordinance (Chapter 13.24 of the Municipal Code).
- Goal OSC3: Protect and Enhance Historic Resources: Protect and enhance cultural and historical resources for their aesthetic, scientific, educational, and cultural values.
- Policy OSC3.1: Prehistoric or Historic Cultural Resources Investigation and Preservation. Preserve historical and cultural resources to the maximum extent practical.
- Policy OSC3.2: Prehistoric or Historic Cultural Resources Protection. Require significant historic or prehistoric artifacts be examined by a qualified consulting archaeologist or historian for appropriate protection and preservation, and to ensure compliance with local, state and federal regulations.
- Policy OSC3.3: Archaeological or Paleontological Resources Protection. Protect prehistoric or historic cultural resources either on-site or through appropriate documentation as a condition of removal. Require that when a development project has sufficient flexibility, avoidance and preservation of the resource shall be the primary mitigation measure, unless the City identifies superior mitigation. If resources are documented, undertake coordination with descendants and/or stakeholder groups, as warranted.
- Policy OSC3.4: Prehistoric or Historic Cultural Resources Found During Construction. Require that if cultural resources, including archaeological or paleontological resources, are uncovered during grading or other on-site excavation activities, construction shall stop until appropriate mitigation is implemented.
- Policy OSC3.5: Consultation with Native American Tribes: Consult with those Native American tribes with ancestral ties to the Menlo Park city limits regarding General Plan Amendments and land use policy changes.
- Policy OSC3.6: Identification of Potential Historic Resources: Identify historic resources for the historic district in the Zoning Ordinance and require design review of proposals affecting historic buildings.

Land Use and Circulation Element

- Policy IA-2: New residential developments shall be designed to be compatible with Menlo Park's residential character.

- Policy IA-7: Development of secondary residential units on existing developed residential lots shall be encouraged consistent with adopted City standards.
- Policy IH-11: Buildings, objects, and sites of historic and/or cultural significance should be preserved.

2007-2014 Housing Element

- Policy H4.3: The City will review proposed new housing in order to achieve excellence in development design through an efficient process and will encourage infill development on vacant and underutilized sites that is harmonious with the character of Menlo Park residential neighborhoods. New construction in existing neighborhoods shall be designed to emphasize the preservation and improvement of the stability and character of the individual neighborhood.
- The City will also encourage innovative design that creates housing opportunities that are complementary to the location of the development. It is the City's intent to enhance neighborhood identity and sense of community by ensuring that all new housing will (1) have a sensitive transition with the surrounding area, (2) avoid unreasonably affecting the privacy of neighboring properties, or (3) avoid impairing access to light and air of structures on neighboring properties.

Implementation of the goal and policies identified above, as well as compliance with federal and State laws, would reduce potential impacts to historical resources to a *less-than-significant* level.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Archaeological deposits that meet the definition of unique archaeological resources under CEQA could be damaged or destroyed by ground disturbing activities associated with future potential development under the proposed Project.[15] Should this occur, the ability of the deposits to convey their significance, either as containing information important in prehistory or history, or as possessing traditional or cultural significance to Native American or other descendant communities, would be materially impaired. In addition to the likely presence of unrecorded Native American archaeological sites, it is highly improbable that significant archaeological deposits exist in the Study Area.

However, as described above in Section V.a, the General Plan includes a goal and several policies that would address potential impacts to archaeological deposits. Any potential future development would provide for the identification of archaeological deposits prior to actions that may disturb such deposits; the preservation and protection of such deposits; the evaluation of unanticipated finds made during construction; and the protection and respectful treatment of human remains associated with archaeological deposits.

Compliance with General Plan policies would provide for the protection of archaeological deposits in the Study Area by providing for the early detection of potential conflicts between development and resource protection, and by preventing or minimizing the material impairment of the ability of archaeological deposits to

[15] If the cultural resource in question is an archaeological site, CEQA Guidelines Section 15064.5(c)(1) requires that the lead agency first determine if the site is a historical resource as defined in CEQA Guidelines Section 15064.5(a). If the site qualifies as a historical resource, potential adverse impacts must be considered through the process that governs the treatment of historical resources. If the archaeological site does not qualify as a historical resource but does qualify as a unique archaeological site, then it is treated in accordance with PRC Section 21083.2 (CEQA Guidelines Section 15064.5(c)(3)). In practice, most archaeological sites that meet the definition of a unique archaeological resource will also meet the definition of a historical resource.

convey their significance through excavation or preservation. Implementation of the goal and policies identified above, as well as compliance with federal and State laws, would reduce potential impacts to archaeological deposits to a *less-than-significant* level.

c) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

No known fossils or unique paleontological resources or unique geologic features are present in the Study Area; however, geological formations underlying Menlo Park have the potential for containing paleontological resources (i.e. fossils). There could also be fossils of potential scientific significance in other geological formations that are not recorded in the database. It is possible that ground-disturbing construction associated with potential future development under the proposed Project could reach significant depths below the ground surface. Should this occur, damage to, or destruction of, paleontological resources could result, which would prevent the realization of their scientific data potential through documentation and analysis.

The General Plan Open Space and Conservation Element includes two policies that will provide for the mitigation of impacts to paleontological resources. Policy OSC3.3 protect prehistoric or historic cultural resources either on-site or through appropriate documentation as a condition of removal and Policy OSC3.4 requires that if cultural resources, including archaeological or paleontological resources, are uncovered during grading or other on-site excavation activities, construction shall stop until appropriate mitigation is implemented.

The policies described above provide for the protection of paleontological resources in the Study Area by providing for work to stop to prevent additional disturbance of finds discovered during construction, and providing for the recovery of scientifically consequential information that would offset the loss of the resource. Implementation of the policies identified above, as well as compliance with federal and State laws, would reduce potential impacts to paleontological resources to a *less-than-significant* level.

d) Would the project disturb any human remains, including those interred outside of formal cemeteries?

Human remains associated with pre-contact archaeological deposits could exist in the Study Area, and could be encountered during at the time potential future development occurs. The associated ground-disturbing activities, such as site grading and trenching for utilities, have the potential to disturb human remains interred outside of formal cemeteries. Descendant communities may ascribe religious or cultural significance to such remains and may view their disturbance as an unmitigable impact. Disturbance of unknown human remains would be a significant impact.

However, any human remains encountered during ground-disturbing activities are required to be treated in accordance with California Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98 and the California Code of Regulations Section 15064.5(e) (CEQA), which state the mandated procedures of conduct following the discovery of human remains.

According to the provisions in CEQA, if human remains are encountered at the site, all work in the immediate vicinity of the discovery shall cease and necessary steps to ensure the integrity of the immediate area shall be taken. The San Mateo County Coroner shall be notified immediately. The Coroner shall then determine whether the remains are Native American. If the Coroner determines the remains are Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours, who will, in turn,

notify the person the NAHC identifies as the Most Likely Descendant (MLD)[16] of any human remains. Further actions shall be determined, in part, by the desires of the MLD. The MLD has 48 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery. If the MLD does not make recommendations within 48 hours, the owner shall, with appropriate dignity, reinter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD's recommendations, the owner or the descendent may request mediation by the NAHC. Through mandatory regulatory procedures described above impacts to human remains would be *less than significant*.

GEOLOGY AND SOILS Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides, mudslides or other similar hazards?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Section1803.5.3 of the California Building Code, creating substantial risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

[16] "Native American Most Likely Descendant' is a term used in an official capacity in *CEQA Guidelines* Section 15064.5(e), and other places, to refer to Native American individuals assigned the responsibility/opportunity by NAHC to review and make recommendations for the treatment of Native American human remains discovered during project implementation. Section 5097.98 of the Public Resources Code and Section 7050.5 of the Health and Safety Code also reference Most Likely Descendants.

a) Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: i) rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42; ii) strong seismic ground shaking; iii) seismic-related ground failure, including liquefaction; iv) landslides, mudslides, or other similar hazards?

There are no Alquist-Priolo Earthquake Fault Zones that have been mapped within the Study Area and the potential for ground rupture is therefore considered low for any potential future housing in the Study Area. However, in the event of a large, magnitude 6.7 or greater seismic event, much of the Study Area is projected to experience "strong" to "very strong" ground shaking, with the most intense shaking forecast for the northeastern part of the Study Area.[17] Similarly, certain northeastern parts of the Study Area, particularly those areas underlain by Bay Muds, are judged to have a very high potential for seismically-induced liquefaction. However, all future residential development would be subject to existing federal, State, and local regulations and the following General Plan goal and policies:

Safety Element

- Goal S-1: Assure a Safe Community. Minimize risk to life and damage to the environment and property from natural and human-caused hazards, and assure community emergency preparedness and a high level of public safety services and facilities.
- Policy S1.3: Hazard Data and Standards. Integrate hazard data (geotechnical, flood, fire, etc.) and risk evaluations into the development review process and maintain, develop and adopt up-to-date standards to reduce the level of risk from natural and human-caused hazards for all land use.
- Policy S1.7: California Building Standards Code. Encourage the reduction of seismically vulnerable buildings and buildings susceptible to other hazards through enforcement of the California Building Standards Code and other programs.
- Policy S1.13: Geotechnical Studies. Require site-specific geologic and geotechnical studies for land development or construction in areas of potential land instability as shown on the State and/or local geologic hazard maps or identified through other means.
- Policy S1.14: Potential Land Instability. Prohibit development in areas of potential land instability identified on State and/or local geologic hazard maps, or identified through other means, unless a geologic investigation demonstrates hazards can be mitigated to an acceptable level as defined by the State of California.
- Policy S1.5: New Habitable Structures. Require that all new habitable structures to incorporate adequate hazard mitigation measures to reduce identified risks from natural and human-caused hazards.

Compliance with existing federal, State, and local regulations and the goal and policies listed above would ensure that the impacts associated with seismic hazards are minimized to the maximum extent practicable. Consequently, overall, associated seismic hazards impacts would be *less than significant*.

[17] California Seismic Safety Commission (CSSC), California Geological Survey (CGS), California Emergency Management Agency (CalEMA), and United States Geological Survey (USGS), *Earthquake Shaking Potential for the San Francisco Bay Region*, 2003, http://quake.abag.ca.gov/earthquakes/sanmateo/, accessed on November 11, 2013.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Unstable geologic units are known to be present within the Study Area. The impacts of such unstable materials include, but may not be limited to, subsidence in the diked baylands, where the underlying fill has been described as highly compressible. Such subsidence has been exacerbated by historical groundwater overdraft. Areas underlain by thick colluvium or poorly engineered fill as well as low-lying areas along the Bay margins may also be prone to subsidence. Potential housing locations that lie in the northeastern part of the Study Area atop mapped artificial fill, could be at greater risk for subsidence. However, compliance with General Plan Policy S1.13, which requires site-specific geologic and geotechnical studies for land development or construction in areas of potential land instability as shown on the State and/or local geologic hazard maps or identified through other means, would reduce the potential impacts to future development from an unstable geologic unit or soil to a *less-than-significant* level.

c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Unstable geologic units are known to be present within the Study Area. The impacts of such unstable materials include, but may not be limited to subsidence in the diked baylands, where the underlying fill has been described as highly compressible. Such subsidence has been exacerbated by historical groundwater overdraft. Areas underlain by thick colluvium or poorly engineered fill as well as low-lying areas along the Bay margins may also be prone to subsidence. Substantial soil erosion or loss of topsoil during construction could undermine structures and minor slopes, and this could be a concern of nearly all future development under the proposed Project. However, compliance with existing regulatory requirements, such as implementation of erosion control measures as specified in the City of Menlo Park Engineering Division's Grading and Drainage Control Guidelines, would reduce impacts from erosion and the loss of topsoil. Examples of these control measures include hydroseeding or short-term biodegradable erosion control blankets; vegetated swales, silt fences, or other inlet protection at storm drain inlets; post-construction inspection of drainage structures for accumulated sediment; and post-construction clearing of debris and sediment from these structures. Furthermore, the future development permitted by the proposed Project would be concentrated on highly urban sites, where development would result in limited soil erosion or loss of topsoil. In addition, compliance with General Plan Policy S1.13, which requires site-specific geologic and geotechnical studies for land development or construction in areas of potential land instability as shown on the State and/or local geologic hazard maps or identified through other means, would reduce the potential impacts to future development from an unstable geologic unit or soil to a less-than-significant level. Therefore, adherence to existing regulatory requirements would ensure that impacts associated with substantial erosion and loss of topsoil during the future development of the housing sites would be *less than significant*.

d) Would the project be located on expansive soil, as defined in Section1803.5.3 of the California Building Code, creating substantial risks to life or property?

The pattern of expansive soils within the Study Area is such that expansive soils (denoted by soils with high linear extensibility and plasticity index) are most prevalent in the northeastern part of the Study Area, in the neighborhoods that lie closest to San Francisco Bay. However, development of housing would be subject to the California Building Code (CBC) regulations and provisions, as adopted in Chapter 12.04 of the City's Municipal Code and enforced by the City during plan review prior to building permit issuance. The CBC contains specific requirements for seismic safety, excavation, foundations, retaining walls, and site demolition, and also regulates grading activities, including drainage and erosion control. Furthermore, requirements for geologic/geotechnical reports at development locations identified as "potential problem areas" are bolstered by various goals, programs, and policies within the Seismic Safety and Safety Element of the General Plan as

listed under Section VI.a above. Thus, compliance with existing regulations and policies would ensure impacts to the future development permitted under the proposed Project would be reduced to a *less-than-significant* level.

e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Potential future development under the proposed Project would occur in the existing built environment. Connection to the sewer system is available in these areas; therefore, *no impact* regarding the capacity of the soil in the area to accommodate septic tanks or alternate wastewater disposal systems would occur.

GREENHOUSE GAS EMISSIONS Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs?	☐	☐	☒	☐

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

In 2006, California adopted Assembly Bill 32 (AB 32), the Global Warming Solutions Act of 2006. AB 32 established a statewide GHG emissions reduction goal to reduce statewide GHG emissions levels to 1990 levels by 2020. Assembly Bill 32 established a legislative short-term (2020) mandate for State agencies in order to set the State on a path toward achieving the long-term GHG reduction goal of Executive Order S-03-05 to stabilize carbon dioxide (CO_2) emissions by 2050. The City of Menlo Park adopted a 2011 *Climate Action Plan Assessment Report* to ensure consistency with statewide efforts to reduce GHG emissions under AB 32 in 2011.

The General Plan Housing Element and the Zoning Ordinance are regulatory documents that establish goals and polices that guide development, as well as outline various districts within the boundaries of the city and restrictions for erecting, constructing, altering, or maintaining certain buildings, identifying certain trades or occupations, and makes certain uses of lands. The proposed Project does not directly result in development in and of itself. Before any development can occur in the city, all such development is required to be analyzed for conformance with the General Plan, Zoning Ordinance, and other applicable local and State requirements; comply with the requirements of CEQA; and obtain all necessary clearances and permits.

Future development in Menlo Park could contribute to global climate change through direct and indirect emissions of GHG from transportation sources, energy (natural gas and purchased energy), water/wastewater use, waste generation, and other off-road equipment (e.g. landscape equipment, construction activities). Potential future development under the proposed Project would not increase development potential in Menlo Park beyond what was considered in the General Plan and the current Housing Element (2007-2014). Consequently, implementation of the proposed Project would result in a *less-than-significant* impact related to contributing to GHG emissions that could have a significant effect on the environment and conflicting with an applicable plan adopted for the purpose of reducing GHG emissions.

b) Would the project conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs?

See Section VII.a above.

HAZARDS AND HAZARDOUS MATERIALS Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐

a) Would the project create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?

State-level agencies, in conjunction with the U.S. EPA and Occupational Safety and Health Administration (OSHA) regulate removal, abatement, and transport procedures for asbestos-containing materials. Asbestos-containing materials (ACMs) are materials that contain asbestos, a naturally-occurring fibrous mineral that has been mined for its useful thermal properties and tensile strength. Releases of asbestos from industrial, demolition, or construction activities are prohibited by these regulations and medical evaluation and monitoring is required for employees performing activities that could expose them to asbestos. Additionally, the regulations include warnings that must be heeded and practices that must be followed to reduce the risk for asbestos emissions and exposure. Finally, federal, State, and local agencies must be notified prior to the onset of demolition or construction activities with the potential to release asbestos.

Lead-based paint (LBP), which can result in lead poisoning when consumed or inhaled, was widely used in the past to coat and decorate buildings. Lead poisoning can cause anemia and damage to the brain and nervous system, particularly in children. Like ACMs, LBP generally does not pose a health risk to building occupants when left undisturbed; however, deterioration, damage, or disturbance will result in hazardous exposure. In 1978, the use of LBP was federally banned by the Consumer Product Safety Commission. Therefore, only buildings built before 1978 are presumed to contain LBP, as well as buildings built shortly thereafter, as the phase-out of LBP was gradual.

The U.S. EPA prohibited the use of polychlorinated biphenyls (PCBs) in the majority new electrical equipment starting in 1979, and initiated a phase-out for much of the existing PCB-containing equipment. The inclusion of PCBs in electrical equipment and the handling of those PCBs are regulated by the provisions of the Toxic Substances Control Act, 15 U.S.C. Section 2601 et seq. (TSCA). Relevant regulations include labeling and periodic inspection requirements for certain types of PCB-containing equipment and outline highly specific safety procedures for their disposal. The State of California likewise regulates PCB-laden electrical equipment and materials contaminated above a certain threshold as hazardous waste; these regulations require that such materials be treated, transported, and disposed accordingly. At lower concentrations for non-liquids, regional water quality control boards may exercise discretion over the classification of such wastes.

The California Division of Occupational Safety and Health's (Cal OSHA) Lead in Construction Standard is contained in Title 8, Section 1532.1 of the California Code of Regulations. The regulations address all of the following areas: permissible exposure limits (PELs); exposure assessment; compliance methods; respiratory protection; protective clothing and equipment; housekeeping; medical surveillance; medical removal protection (MRP); employee information, training, and certification; signage; record keeping; monitoring; and agency notification.

Potentially hazardous building materials (i.e. ACM, lead-based paint, PCBs, mercury) may be encountered during the demolition of existing structures, if required under the proposed Project. The removal of these materials (if present) by contractors licensed to remove and handle these materials in accordance with existing federal, State, and local regulations would insure that risks associates with the transport, storage, use, and disposal of such materials would be less than significant.

Common cleaning substances, building maintenance products, paints and solvents, and similar items would likely be stored, and used, at the future housing and emergency shelter developments that could occur under the proposed Project. These potentially hazardous materials, however, would not be of a type or occur in sufficient quantities to pose a significant hazard to public health and safety or the environment. Consequently, associated impacts from implementation of the proposed Project would be *less than significant.*

b) Would the project 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?

As described in Section VIII.a above, the storage and use of common cleaning substances, building maintenance products, and paints and solvents in the potential development planned for under the proposed Project could likely occur; however, these potentially hazardous substances would not be of a type or occur in sufficient quantities on-site to pose a significant hazard to public health and safety or the environment. Consequently, overall, associated hazardous materials impacts would be *less than significant.*

Furthermore, compliance with the following General Plan goal and policies would ensure impacts would be minimized.

Safety Element

- Goal S1: Assure a Safe Community. Minimize risk to life and damage to the environment and property from natural and human-caused hazards, and assure community emergency preparedness and a high level of public safety services and facilities.
- Policy S1.3: Hazard Data and Standards. Integrate hazard data (geotechnical, flood, fire, etc.) and risk evaluations into the development review process and maintain, develop and adopt up-to-date standards to reduce the level of risk from natural and human-caused hazards for all land use.
- Policy S1.5: New Habitable Structures. Require that all new habitable structures to incorporate adequate hazard mitigation measures to reduce identified risks from natural and human-caused hazards.
- Policy S1.16: Hazardous Materials Regulations. Review and strengthen, if necessary, regulations for the structural design and/or uses involving hazardous materials to minimize risk to local populations. Enforce compliance with current State and local requirements for the manufacturing, use, storage, transportation, and disposal of hazardous materials, and the designation of appropriate truck routes in Menlo Park.
- Policy S1.19: Disposal of Existing Hazardous Materials on Sites Planned for Housing. Require that sites planned for housing be cleared of hazardous materials (paint, solvents, chlorine, etc.) and the hazardous materials disposed in compliance with State and Federal laws.
- Policy S1.18: Potential Hazardous Materials Conditions Investigation. Require developers to conduct an investigation of soils, groundwater and buildings affected by hazardous-material potentially released from prior land uses in areas historically used for commercial or industrial uses, and to identify and implement mitigation measures to avoid adversely affecting the environment or the health and safety of residents or new uses.
- Policy S1.17: Potential Exposure of New Residential Development to Hazardous Materials. Minimize risk associated with hazardous materials by assessing exposure to hazardous materials of new residential development and sensitive populations near existing industrial and manufacturing areas. Minimize risk associated with hazardous materials.

c) Would the project emit hazardous emissions or handle hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?

While the majority of schools in Menlo Park are within ¼-mile of a zone affected by the proposed Project, the implementation of the proposed Project allows for new special-needs housing and secondary dwelling units in Residential zoning districts where residential uses currently exist and are accounted for in the 2007-2014 Housing Element. Furthermore, the Emergency Shelter for the Homeless Overlay Zone would include the VA property in the Public Facility (PF) zoning district and additional adjacent areas in the Multi-Family Residential (R3) zoning district. As such there would be no increase in the risk of hazardous emissions as discussed above in Sections VIII.a and VIII.b above. As a result impacts to schools would be *less than significant*.

d) Would the project be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?

Records searches of the Envirostor database identify that there are locations within the City that are listed under the Spills, Leaks, Investigation, and Cleanups (SLIC) program and as locations of former Leaking Underground Fuel Tanks (LUFTs). However, because any secondary dwelling unit that could be permitted under the proposed Project would occur on a site where existing residential uses currently exist, and the Emergency Shelter for the Homeless Overlay Zone would be located on the VA property and adjacent Residential zoning districts, which were not identified as hazardous sites; therefore, no impact would occur. [18] Continued compliance with applicable federal, State, and local regulations, (see Section VIII.a) and implementation of the following General Plan goal and policies would ensure that associated impacts are reduced to the maximum extent practicable. Therefore, any potential future development that could occur under the proposed Project would not create a significant hazard to the public or the environment by virtue of being identified as a hazardous materials site and impacts related to existing hazardous material sites would be *less than significant*.

Safety Element

- Goal S1: Assure a Safe Community. Minimize risk to life and damage to the environment and property from natural and human-caused hazards, and assure community emergency preparedness and a high level of public safety services and facilities.
- Policy S1.3: Hazard Data and Standards. Integrate hazard data (geotechnical, flood, fire, etc.) and risk evaluations into the development review process and maintain, develop and adopt up-to-date standards to reduce the level of risk from natural and human-caused hazards for all land use.
- Policy S1.5: New Habitable Structures. Require that all new habitable structures to incorporate adequate hazard mitigation measures to reduce identified risks from natural and human-caused hazards.
- Policy S1.16: Hazardous Materials Regulations. Review and strengthen, if necessary, regulations for the structural design and/or uses involving hazardous materials to minimize risk to local populations. Enforce compliance with current State and local requirements for the manufacturing, use, storage, transportation and disposal of hazardous materials, and the designation of appropriate truck routes in Menlo Park.
- Policy S1.17: Potential Exposure of New Residential Development to Hazardous Materials. Minimize risk associated with hazardous materials by assessing exposure to hazardous materials of new residential development and sensitive populations near existing industrial and manufacturing areas. Minimize risk associated with hazardous materials.
- Policy S1.18: Potential Hazardous Materials Conditions Investigation. Require developers to conduct an investigation of soils, groundwater and buildings affected by hazardous-material potentially released from prior land uses in areas historically used for commercial or industrial uses, and to identify and implement mitigation measures to avoid adversely affecting the environment or the health and safety of residents or new uses.
- Policy S1.19: Disposal of Existing Hazardous Materials on Sites Planned for Housing. Require that sites planned for housing be cleared of hazardous materials (paint, solvents, chlorine, etc.) and the hazardous materials disposed in compliance with State and federal laws.

[18] City of Menlo Park, 2013, Environmental Assessment for the Housing Element Update, General Plan Consistency Update, and Zoning Ordinance Amendments, approved by the City Council on May 21, 2013.

e) For a project within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

The Study Area is located approximately 2 miles from Palo Alto Airport, but no portions of the city are within the airport safety zones established by the Palo Alto Airport Comprehensive Land Use Plan.[19] The Study Area is more than 2 miles from the San Francisco International and San Carlos Airports to the north and Moffett Federal Airlifted to the south. Given the distances from the nearest public use airports, the Study Area would not be subject to any airport safety hazards. The proposed Project would also not have an adverse effect on aviation safety or flight patterns. Thus, there would be *no impact* related to public airport hazards.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

The Stanford University Hospital operates one heliport, which is located approximately 0.4-mile to the southeast of border with Menlo Park. Due to limited and sporadic heliport use for medical emergencies, and distance to Menlo Park, there would be *no impact* related to safety hazards for people residing or working in zoning districts affected by the proposed Project. Thus, there would be *no impact* related to private airstrip hazards.

g) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The proposed Project does not include potential land use changes that would impair or physically interfere with the ability to implement the City's Emergency Operation Plan (adopted in 2011) or the City's Disaster Preparedness Manual. Implementation of the following General Plan goal and policies would ensure that new development in the Study Area would not conflict with emergency operations in the Study Area.

Safety Element

- Goal S1: Assure a Safe Community. Minimize risk to life and damage to the environment and property from natural and human-caused hazards, and assure community emergency preparedness and a high level of public safety services and facilities.
- Policy S1.5: New Habitable Structures. Require that all new habitable structures incorporate adequate hazard mitigation measures to reduce identified risks from natural and human-caused hazards.
- Policy S1.11: Visibility and Access to Address Safety Concerns. Require that residential development be designed to permit maximum visibility and access to law enforcement and fire control vehicles consistent with privacy and other design considerations.
- Policy S1.29: Fire Equipment and Personnel Access. Require adequate access and clearance, to the maximum extent practical, for fire equipment, fire suppression personnel, and evacuation for high occupancy structures in coordination with the Menlo Park Fire Protection District.
- Policy S1.38: Emergency Vehicle Access. Require that all private roads be designed to allow access for emergency vehicles as a prerequisite to the granting of permits and approvals for construction.

[19] Santa Clara County Airport Land Use Commission, 2008, Palo Alto Airport Comprehensive Land Use Plan, Figure 7, http://www.sccgov.org/sites/planning/Plans%20-%20Programs/Airport%20Land-Use%20Commission/Docu-ments/PAO-adopted-11-19-08-CLUP.pdf, accessed on September 6, 2012.

- Policy S1.30: Coordination with the Menlo Park Fire District. Encourage City-Fire District coordination in the planning process and require all development applications to be reviewed and approved by the Menlo Park Fire Protection District prior to project approval.

Therefore, implementation of the listed policies and programs, and compliance with the provisions of the California Fire Code (CFC) and the CBC would ensure that potential future development under the proposed Project would result in a *less-than-significant* impact with respect to interference with an adopted emergency response plan or emergency evacuation plan.

b) Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

The Study Area is located in a highly urbanized area and is not surrounded by woodlands or vegetation that would provide fuel load for wildfires. As determined by CAL FIRE's Wildlife Urban Interface Fire Threat data, the Study Area is not designated as having high, very high, or extreme fire threat. All housing sites are currently developed, containing limited amount vegetation, and are neither located on or directly adjacent to forested areas that could contribute to hazardous fire conditions.

All development in the Study Area would be constructed pursuant to the CBC, CFC, and the Menlo Park Fire Protection District (MPFPD) Code. In addition, the MPFPD conducts a weed-abatement program throughout its jurisdiction to minimize fire risk on empty or unmaintained parcels. As noted above in Section VIII.g, the General Plan goals and policies would reduce the risk of loss, injury, or death resulting from wildland fire and impacts would be *less than significant*.

HYDROLOGY AND WATER QUALITY Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a significant lowering of the local groundwater table level?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems?	☐	☐	☒	☐
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☒	☐

HYDROLOGY AND WATER QUALITY Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant**	**No Impact**
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☒	☐
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j) Expose people or structures to a significant risk of inundation by seiche, tsunami, or mudflow?	☐	☐	☒	☐

a) Would the project violate any water quality standards or waste discharge requirements?

As previously stated in the Project Description, no specific projects have been identified or are proposed as part of the Project. However, potential future development, redevelopment, or modifications associated with development permitted by the proposed Project could affect drainage patterns and increase the overall amount of impervious surfaces, thus creating changes to stormwater flows and water quality. Increasing the total area of impervious surfaces can result in a greater potential to introduce pollutants to receiving waters. Urban runoff can carry a variety of pollutants, such as oil and grease, metals, sediments, and pesticide residues from roadways, parking lots, rooftops, and landscaped areas and deposit them into an adjacent waterway via the storm drain system. New construction could also result in the degradation of water quality with the clearing and grading of sites, releasing sediment, oil and greases, and other chemicals to nearby water bodies. However, future development permitted by the proposed Project would be located in the urbanized areas of Menlo Park, all of which have already been developed and currently have a high percentage of impervious surfaces.

Water quality in stormwater runoff is regulated locally by the San Mateo Countywide Water Pollution Prevention Program (SMCWPPP), which include the C.3 provisions set by the San Francisco Bay Regional Water Quality Control Board (RWQCB). Adherence to these regulations requires new development or redevelopment projects to incorporate treatment measures, an agreement to maintain them, and other appropriate source control and site design features that reduce pollutants in runoff to the maximum extent practicable. Many of the requirements consider Low Impact Development (LID) practices such as the use of on-site infiltration through landscaping and vegetated swales that reduce pollutant loading. Incorporation of these measures can even improve on existing conditions.

In addition, the potential housing will be required to comply with the National Pollutant Discharge Elimination System (NPDES) Permit and implementation of the construction Storm Water Pollution Prevention Plan (SWPPP) that require the incorporation of Best Management Practices (BMPs) to control sedimentation, erosion, and hazardous materials contamination of runoff during construction. Additionally, the City of Menlo Park Public Works Department requires development or redevelopment projects that replace or introduce more than 10,000 square feet of impervious surfaces to prepare a Hydrology Report that requires site design measures to maximize pervious areas, source control measures to keep pollutants out of stormwater, use of construction BMPs, and post construction treatment measures.

The following policies identified in the Land Use and Circulation Element would further ensure potential impacts to water quality would not occur with the implementation of the proposed Project.

<u>Land Use and Circulation Element</u>

- Policy IG-10: Extensive landscaping should be included in public and private development, including greater landscaping in large parking areas. Where appropriate, the City shall encourage placement of a portion of the required parking in landscape reserve until such time as the parking is needed. Plant material selection and landscape and irrigation design shall adhere to the City's Water Efficient Landscaping Ordinance.

While the proposed Project would permit special-needs housing, secondary dwelling units and emergency shelters to occur in Menlo Park, it does not contain any policies that would directly or indirectly result in violations of water quality standards. Therefore, implementation of the proposed Project would have a *less-than-significant* impact on water quality.

b) Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a significant lowering of the local groundwater table level?

Potential future development under the proposed Project would have a significant environmental impact if it would result in a net deficit in aquifer volume or a lowering of the local groundwater table level. Other physical changes that could occur as a result of implementing the proposed Project would occur within the existing built environment in areas where existing development occurs and would not interfere with groundwater recharge. The proposed Project would not result in any additional development potential in the city beyond what was considered in the current Housing Element (2007-2014) and no additional water demand would occur. Consequently, impacts would be *less than significant.*

c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

The proposed Project would result in a significant environmental impact if it would require modifications to drainage patterns that could lead to substantial erosion of soils, siltation, or flooding. Such drainage pattern changes could be caused by grade changes, the exposure of soils for periods of time during which erosion could occur, or alterations to creekbeds. Potential future development as a result of the proposed Project would occur within the built environment and would not involve the direct modification of any watercourse. If unforeseen excessive grading or excavation were required, then pursuant to the State Water Quality Control Board (SWQCB) Construction General Permit, a SWPPP would be required to be prepared and implemented for the qualifying projects under the proposed Project, which would ensure that erosion, siltation, and flooding is prevented to the maximum extent practicable during construction. Overall, construction associated with potential future development permitted under the proposed Project would not result in substantial erosion, siltation, or flooding either on- or off-site, and associated impacts would be *less than significant.*

d) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial flooding on- or off-site?

See Section IX.c above.

e) Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems?

Physical changes that could occur as a result of implementing the proposed Project could increase impervious surfaces that could create or contribute to runoff water that would exceed the City's stormwater drainage systems. However, the type of anticipated development associated with the proposed Project would be restricted to the existing built environment. The impacts related to stormwater drainage runoff would be *less than significant*.

f) Would the project provide otherwise substantially degrade water quality?

A principal source of water pollutants is stormwater runoff containing petrochemicals and heavy metals from parking lots and roadways. Given that the proposed Project would not create such surfaces or increase vehicular use of existing parking lots and roadways, implementation of the proposed Project would not contribute to these types of water pollutants. As discussed under Section IX.c and IX.d, where excessive construction related grading or excavation is required, pursuant to the SWQCB Construction General Permit, a SWPPP would be required to be prepared and implemented for the qualifying projects under the proposed Project, which would reduce polluted runoff to the maximum extent practicable during construction phases. Furthermore, implementation of the proposed Project would be subject to the oversight and review processes and standards outlined in Section IX.a. As such, compliance with these existing regulations would result in *less-than-significant* water quality impacts.

g) Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

The areas/properties affected by implementing the proposed Project could be within the identified FEMA-designated 100-year Special Flood Hazard Areas (SFHAs). The type of anticipated development associated with special-needs housing, secondary dwelling units and emergency shelters would be restricted to the existing built environment in areas where development currently exists.

The City of Menlo Park and San Mateo County have adopted local standards for construction in floodplain areas in Municipal Code Chapter 12.42, Flood Damage Prevention. Construction within SFHAs is governed by the City's Municipal Code Chapter 12, Section 12.42.51, Standards of Construction, which sets forth standards for development that would minimize flood hazard risks, including anchoring and flood-proofing; limitations on use for structures below the base flood elevation; use of materials and utility equipment resistant to flood damage; the requirement that electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities be designed and/or located to prevent water from entering or accumulating within the components during flood conditions; and the requirement that all new and replacement water supply and sanitary sewage systems be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from systems into floodwaters. Compliance with these City Municipal Code requirements would reduce potential flood hazards.

Furthermore, the following General Plan policies protect housing within the 100-year Flood Zone and restrict the placement of structures, which would impede or redirect flood flows:

<u>Land Use and Circulation Element</u>

- Policy IH-10: The City shall continue to participate in the National Flood Insurance Program. To this end, the City shall work to keep its regulations in full compliance with standards established by the Federal Emergency Management Agency.

Safety Element

- Policy S1.5: New Habitable Structures. Require that all new habitable structures to incorporate adequate hazard mitigation measures to reduce identified risks from natural and human-caused hazards.
- Policy S1.22: Flood Damage Prevention. Apply standards for any construction projects (new structures and existing structures proposed for substantial improvement) in areas of special flood hazard in accord-

ance with FEMA and the Flood Damage Prevention Ordinance, including the use of flood-resistant construction materials and construction methods that minimize flood damage. Locate new essential public facilities outside of flood zones, such as City operations facilities, police and fire stations, and hospitals, to the extent feasible.

- Policy S1.28: Sea Level Rise. Consider sea level rise in siting new facilities or residences within potentially affected areas.

Potential future development under the proposed Project would be required to comply with these existing regulations. Consequently, implementation of the proposed Project would result in *less-than-significant* impacts.

b) Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?

See Section IX.g above.

i) Would the project expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?

According to mapping compiled by ABAG, portions of Menlo Park are within the Searsville and Felt Dam inundation zones. Dam inundation zones are based on the highly unlikely scenario of a total catastrophic dam failure occurring in a very short period of time. Existing State and local regulations address the potential for flood hazards as a result of dam failure. The Searsville and Felt dams are under the jurisdiction of the California Department of Water Resources, Division of Safety of Dams (DSOD), which conducts annual inspections and reviews all aspects of dam safety.

The inundation maps for the Searsville and Felt Dams were prepared in 1974.[20] Therefore, the currently mapped inundation zones may no longer be valid. The Searsville Dam has lost over 90 percent of its original water storage capacity due to sedimentation and there are current proposals for its removal.[21]

In addition, the following General Plan policies would further reduce potential impacts due to dam inundation to a *less-than-significant* level.

Safety Element

- Policy S1.23: Potential Dam Inundation. Consider potential risks from dam inundation in the development approval process.
- Policy S1.24: Dam Safety. Support programs by the California Division of Safety of Dams to retrofit or replace dams or to increase earthquake resistance of dams and mitigate impacts of dam failures. State efforts to inspect dams and evaluate dam safety requirements shall also be supported.

Given, the unlikely nature of dam failure, the regulatory oversight by the DSOD, and City policies to address the impact of flooding from dam inundation during the development process, the impact of flooding as a result of the failure of a dam or levee is considered to be *less than significant.*

[20] Stanford University, 1974. *Guide to the Flood (inundation) Studies for Searsville, Lagunita, and Felt Dams. SCM0331.*
[21] Stanford University, 2007. *Searsville Lake: Position of the Jaspar Ridge Advisory Committee. – October 2007.*

j) Would the project potentially be inundated by seiche, tsunami, or mudflow?

According to the CalEMA tsunami inundation map for emergency planning, Redwood Point Quadrangle, only the most northern portion of Menlo Park that consists mainly of sloughs and undeveloped land, is within the tsunami inundation zone.[22] No areas/properties affected by the proposed Project are within the tsunami inundation zone. Because there are no large bodies of water, such as reservoirs or lakes, within Menlo Park and only a very small portion of the City is within the tsunami inundation zone, there is no risk of tsunamis or seiches impacting the potential future development under the proposed Project. In addition, the city is outside of the impacted zones for earthquake-induced landslides or rainfall-induced landslides.[23] Therefore, there is no expectation of mudflows or debris slides to occur within Menlo Park or at the potential housing sites. In addition, the following General Plan policies would further reduce potential impacts due to tsunamis to a *less-than-significant* level.

Safety Element

- Policy S1.21: Flood and Tsunami Hazard Planning and Mapping. Consider the threat of flooding and tsunamis in planning and management practices to minimize risk to life, environment and property and maintain up-to-date tsunami hazard zones maps and flood maps as new information is provided by FEMA and other regional agencies. Modify land use plans in areas where tsunamis and flooding are hazards, and permit only uses that will sustain acceptable levels of damage and not endanger human lives in the event of inundation
- Policy S1.28: Sea Level Rise. Consider sea level rise in siting new facilities or residences within potentially affected areas.

LAND USE Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

a) Would the project physically divide an established community?

Implementation of the proposed Project would not involve any structures, land use designations, or other features (i.e. freeways, railroad tracks) that would physically divide an established community. The type of anticipated development associated with the proposed Project would be restricted to the existing built environment in areas and would not physically divide an established community; thus, *no impact* would occur.

[22] CalEMA, 2009. *Tsunami Inundation Map for Emergency Planning, State of California – County of San Mateo, Redwood Point Quadrangle, Palo Alto Quadrangle.*

[23] Association of Bay Area Governments (ABAG). *Landslide Maps and Information: Earthquake Induced Landslides and Rainfall Induced Landslides.* Accessed on January 17, 2013 at http://quake.abag.ca.gov/landslides/.

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

The General Plan and Zoning Ordinance are the primary planning documents for the City of Menlo Park. The proposed Project would enable the City of Menlo Park to meet its housing needs required by State law and facilitate future development to meet the needs of at-risk populations by providing housing types designed for these groups consistent with the City's 2007-2014 General Plan Housing Element. Future potential development permitted under the proposed Project does not include any land use or zoning changes that would re-designate land uses or zoning districts, but would allow for special-needs housing, including emergency shelters for the homeless, and secondary dwelling units in zoning districts where residential uses currently exist and are accounted for in the 2007-2014 Housing Element. The nature of this type of development would not be of such form, mass, or scale that would be inconsistent with existing residential development patterns. Therefore, impacts regarding conflicts with applicable plans, policies, or regulations would be *less than significant*.

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

As discussed above in Section IV.f above, there are no habitat conservation plans or natural community conservation plans within the city limits, therefore implementation of the proposed Project will not conflict with any such plans. Consequently, there would be *no impact*.

MINERAL RESOURCES Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Result in the loss of availability of a known mineral resource that would be of value to the region or the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒

a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region or the state?

While the proposed Project would permit development in the Study Area, it would not result in the loss of known mineral resources or substantially limit the availability of mineral resources over the long term. Industrial-scale solar salt production from sea water has occurred in the vicinity of Menlo Park since the 1800s. The salt ponds nearest to the Study Area are the Ravenswood and Redwood City Plant sites. The Ravenswood site has undergone restoration to wildlife habitat as part of the South Bay Salt Pond Restoration project, and is no longer in industrial operation. The Redwood City Plant site is owned by Cargill Salt and remains in production.[24] Implementation of the proposed Project would not affect ongoing production at the Redwood City Plant salt ponds. Therefore, there would be *no impact* to known mineral resources.

[24] San Francisco Bay Conservation and Development Commission, 2005, "Salt Ponds" Staff Report, Figure 3, http://www.bcdc.ca.gov/pdf/planning/reports/salt_ponds.pdf, accessed on September 25, 2013.

b) Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

See Section XI.a above.

NOISE Would the project result in:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or other applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to or generate excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐

a) Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or other applicable standards of other agencies?

The type of anticipated development associated with special-needs housing, secondary dwelling units and an emergency shelter would be restricted to the existing built environment in areas where residential and non-residential uses are currently permitted. The current Housing Element (2007-2014) and its Environmental Assessment anticipated and directly stipulated the proposed amendments to the Zoning Ordinance. The provisions of the proposed Project would not contravene any aspects of the General Plan, including land use designations, noise limits, or other restrictions that address noise impacts. Though future potential development permitted under the proposed Project may potentially be noise-generating during construction phases, all potential future development pursued under the proposed Project would be subject to the oversight and review processes and standards that are envisioned by the General Plan, established within the City Municipal Code, and/or otherwise required by the State and federal regulations.

Title 8 (Peace, Safety and Morals), Chapter 8 (Noise) of the City Municipal Code regulates excessive sound and vibration in residential areas of the City of Menlo Park. Additionally, the General Plan Land Use and Circulation Element and Noise Element includes the following goals, policies, and programs to guide public and private planning to attain and maintain acceptable noise levels.

Noise Element

- Goal N1: Achieve Acceptable Noise Levels. It is the goal of Menlo Park to have acceptable noise levels. Excessive noise is a concern for many residents of Menlo Park. These concerns can be managed with proper mitigation or through the implementation of the City's noise ordinance. The City of Menlo Park recognizes the issue of noise and has standards to protect the peace, health, and safety of residents and the community from unreasonable noise from any and all sources in the community and to strive to locate uses compatible to the area to minimize escalation of noise from mobile and stationary sources.
- Policy N1.1: Compliance with Noise Standards. Consider the compatibility of proposed land uses with the noise environment when preparing or revising community and/or specific plans. Require new projects to comply with the noise standards of local, regional, and building code regulations, including but not limited to the City's Municipal Code, Title 24 of the California Code of Regulations, the California Green Building Code, and subdivision and zoning.
- Policy N1.3: Exterior and Interior Noise Standards for Residential Use Areas. Strive to achieve acceptable interior noise levels and exterior noise levels for backyards and/or common usable outdoor areas in new residential development, and reduce outdoor noise levels in existing residential areas where economically and aesthetically feasible.
- Policy N1.6: Noise Reduction Measures. Encourage the use of construction methods, state-of-the-art noise abating materials and technology and creative site design including, but not limited to, open space, earthen berms, parking, accessory buildings, and landscaping to buffer new and existing development from noise and to reduce potential conflicts between ambient noise levels and noise-sensitive land uses. Use sound walls only when other methods are not practical or when recommended by an acoustical expert.
- Policy N1.8: Potential Annoying or Harmful Noise. Preclude the generation of annoying or harmful noise on stationary noise sources, such as construction and property maintenance activity and mechanical equipment.

Compliance with these existing regulations would ensure that the proposed Project would neither cause new noise impacts nor exacerbate any existing ones. Accordingly, noise impacts associated with implementing the proposed Project would be *less than significant*.

b) Would the project result in exposure of persons to or generate excessive groundborne vibration or groundborne noise levels?

Potential future development associated with the proposed Project would not include any new roads or transportation infrastructure and therefore would not itself result directly in any new transportation-related sources of vibration. The construction of special-needs housing, secondary dwelling units and emergency shelters would not include vibration-generating equipment and would not result in long-term operational vibration impacts. *No impact* related to long-term vibration would occur. Any impacts associated with construction would be temporary and short-term. General Plan policies to reduce potential vibration impacts are listed below.

Noise Element

- Policy N1.6: Noise Reduction Measures. Encourage the use of construction methods, state-of-the-art noise abating materials and technology, and creative site design including, but not limited to, open space, earthen berms, parking, accessory buildings, and landscaping to buffer new and existing development

from noise and to reduce potential conflicts between ambient noise levels and noise-sensitive land uses. Use sound walls only when other methods are not practical or when recommended by an acoustical expert.

- Policy N1.3: Exterior and Interior Noise Standards for Residential Use Areas. Strive to achieve acceptable interior noise levels and exterior noise levels for backyards and/or common usable outdoor areas in new residential development, and reduce outdoor noise levels in existing residential areas where economically and aesthetically feasible.
- Policy N1.7: Noise and Vibration from New Non-Residential Development. Design non-residential development to minimize noise impacts on nearby uses. Where vibration impacts may occur, reduce impacts on residences and businesses through the use of setbacks and/or structural design features that reduce vibration to levels at or below the guidelines of the Federal Transit Administration near rail lines and industrial uses.

Methods to reduce vibration during construction would include the use of smaller equipment, use of static rollers instead of vibratory rollers, and drilling piles as opposed to pile driving. Compliance with these General Plan policies together with no long-term vibration impacts would ensure impacts would be *less than significant*.

c) Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Potential impacts from future residential development would stem mainly from the addition of vehicles along roadways in the city. However, no additional vehicles are anticipated under the proposed Project beyond what was previously analyzed under the current Housing Element (2007-2014). The type of development envisioned under the proposed Project would be compatible with nearby residential land uses and are either already developed and/or in close proximity to existing residential and residential-serving development. As discussed above in Section XII.a, because residential uses are not typically associated with high levels of stationary noise generation and would be largely developed and near other residential uses, it is unlikely that any developments subsequent to the future development under the proposed Project would directly contribute to greater increase in ambient noise levels in their surrounding areas. Therefore, the impact would be *less than significant*.

In addition, implementation of the following General Plan policies as well as those listed under Section XII.a and XII.b would ensure the impacts identified above would be *less than significant*.

Noise Element

- Policy N1.10: Nuisance Noise. Minimize impacts from noise levels that exceed community sound levels through enforcement of the City's Noise Ordinance. Control unnecessary, excessive, and annoying noises within the City where not preempted by Federal and State control through implementation and updating of the Noise Ordinance.
- Policy N1.5: Planning and Design of New Development to Reduce Noise Impacts. Design residential developments to minimize the transportation-related noise impacts to adjacent residential areas and encourage new development to be site planned and architecturally designed to minimize noise impacts on noise-sensitive spaces. Proper site planning can be effective in reducing noise impacts.

d) Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Based on applicable criteria stipulated by the Menlo Park noise ordinance, a significant impact would occur if construction of the future potential development under the proposed Project would:

- Occur outside the hours of 8:00 a.m. and 6:00 p.m. Monday through Friday; and
- Utilizes equipment that results in noise levels exceeding 85 dBA at a distance of 50 feet.

Development of the future potential development associated with the proposed Project could cause temporary noise impacts during construction at adjacent land uses. The future special-needs housing, secondary dwelling units and emergency shelter(s) could be located in proximity of noise-sensitive residential areas. Specific site plans and construction details have not been developed. Construction would be localized and would occur intermittently for varying periods of time. Because specific project-level information is not available at this time, it is not possible to quantify the construction noise impacts at specific sensitive receptors.

Construction is performed in distinct steps, each of which has its own mix of equipment, and, consequently, its own noise characteristics. However, despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase. The highest noise impacts during construction would occur from operation of heavy earthmoving equipment and truck haul that would occur with construction. The City restricts the hours of construction activities[25] to the least noise-sensitive portions of the day (i.e. between 8:00 a.m. and 6:00 p.m. for Monday through Friday).

Prior to construction of each future development under the proposed Project, for projects that are not subject to separate environmental review, construction noise impacts would be addressed through compliance with the City's General Plan and Zoning Ordinance through the City's building permitting process. Several methods can be implemented to reduce noise during construction such as equipment selection, selecting staging areas as far as possible from nearby noise sensitive areas and temporary construction walls.

Implementation of the General Plan goals, policies, and programs listed in Section XII.a through XII.c would ensure these impacts identified above are *less than significant*.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

There are no areas of Menlo Park which fall within an airport land use plan for any of the airports located in close proximity to the Study Area. Although a small portion of Menlo Park falls within 2 miles of the Palo Alto Airport, this area is not covered by the airport's influence area.[26] All other airports are located 4 miles or more away from the Study Area. Therefore, implementation of the proposed Project would not result in exposure to excessive aircraft noise levels and the impact would be *less than significant*.

[25] Except for emergency work of public service utilities or by variance.

[26] Santa Clara County Airport Land Use Commission, 2008. Palo Alto Airport Comprehensive Land Use Plan, Figure 7, http://www.sccgov.org/sites/planning/Plans%20-%20Programs/Airport%20Land-Use%20Commission/Documents/PAO-adopted-11-19-08-CLUP.pdf, accessed on September 25, 2013.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

There are no private airstrips located within Menlo Park. The Stanford University Hospital does operate one heliport, which is located approximately 0.4-mile to the southeast of border with Menlo Park. Due to limited and sporadic heliport use for medical emergencies, and distance to Menlo Park, there would be *no impact* related to excessive noise levels related to private airstrips.

POPULATION AND HOUSING Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

a) Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The proposed Project would be considered to result in a substantial and unplanned level of growth if estimated buildout exceeded local and regional growth projections (e.g. by proposing new homes or businesses). Implementation of the proposed Project would not result in any additional housing beyond what was considered in the current Housing Element (2007-2014) and thus would not directly induce substantial population growth. Additionally, the proposed Project would not extend roads or other infrastructure, and thus would not indirectly induce substantial population growth. Thus, a *less-than-significant* impact would occur in relation to population growth.

b) Would the project displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere?

Because the proposed Project only involves changes to the permitting of uses and in no way increases the restrictiveness of the Zoning Ordinance, nothing in the Zoning Ordinance would serve to displace housing or people. The proposed Project prescribes standards, but does not mandate the exact use of the land. Therefore, market conditions and a variety of other factors will be the primary determinates of the increase or decrease in the number of housing units and residents in Menlo Park. Consequently, impacts with respect to displacing housing units or residents would be *less than significant*.

c) Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

See Section XIII.a above.

PUBLIC SERVICES Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

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

The primary purpose of a public services impact analysis is to examine the impacts associated with physical improvements to public service facilities required to maintain acceptable service ratios, response times or other performance objectives. Public service facilities need improvements (i.e. construction of new, renovation or expansion of existing) as demand for services increases. Increased demand is typically driven by increases in population. The proposed Project would have a significant environmental impact if it would exceed the ability of public service providers to adequately serve the residents of the city, thereby requiring construction of new facilities or modification of existing facilities. As discussed in Section XII, Population and Housing, above, the proposed Project would not directly or indirectly result in population growth. The proposed Project does not include the construction of any new public service facilities or expansion of existing facilities. The proposed Project would not increase development potential beyond what was considered in the current Housing Element (2007-2014). Further, the provisions of the proposed Project would not contravene any aspects of the General Plan, including land use designations and allowed building intensities that could impact demand for City services. Implementation of the proposed Project would therefore neither cause new impacts in regard to provision of City services nor exacerbate any existing ones; thus, *no impact* would occur.

RECREATION	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?	☐	☐	☐	☒

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

Because implementation of the proposed Project would not directly or indirectly result in population growth as discussed in Section XII, Population and Housing, above, it also would not increase the use of existing parks or facilities. Additionally, implementation of the proposed Project does not include nor require the construction or expansion of recreational facilities. For these reasons, implementation of the proposed Project would have *no impact* on recreation.

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

See Section XV.a above.

TRANSPORTATION/TRAFFIC Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, 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) 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 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 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?	☐	☐	☐	☒

a) Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, 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?

The proposed Project would have no effect on the circulation system of Menlo Park as it would not increase development potential and would not directly or indirectly result in population growth. As such, implementation of the proposed Project would not conflict with any applicable plan, ordinance, or policy which estab-

lishes measures of effectiveness for the performance of the circulation system. Consequently, impacts would be *less than significant*.

b) Would the project 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?

See Section XVI.a above.

c) Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

The proposed Project does not include any strategy or measure that would directly or indirectly affect air traffic patterns. Therefore, *no impact* would result.

d) Would the project substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?

The proposed Project does not include any strategy that would promote the development of hazardous road design features or incompatible uses. Therefore, *no impact* would occur.

e) Would the project result in inadequate emergency access?

No part of the proposed Project would result in the development of uses or facilities that would degrade emergency access. Therefore, there would be *no impact*.

f) Would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

The proposed Project will have no impact on policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. While the proposed Project (i.e. the Emergency Shelter for the Homeless Overlay Zone) does include provisions that are dependent on the location of public transit stops, potential future development permitted as a result of the proposed Project will only be reactive to the location of bus stops and will have no effect on the placement of bus stops or any other aspect of the public transportation system. Therefore, *no impact* will occur.

UTILITIES AND SERVICE SYSTEMS Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒

UTILITIES AND SERVICE SYSTEMS Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant**	**No Impact**
d) Have insufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

a) Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

The West Bay Sanitary District (WBSD) provides wastewater collection and conveyance services to Menlo Park. Wastewater from the City of Menlo Park is treated by the South Bayside Systems Authority (SBSA). Sanitary wastewater treatment requirements are established in the NPDES Permit issued by the San Francisco Bay RWQCB, which currently allows for the expansion to 29 million gallons per day (MGD) of average dry weather flow.[27] Based on its demand projection, the SBSA does not anticipate that this expansion would be required before the year 2030.[28] The NPDES Permit also sets out a framework for compliance and enforcement. As the discharger named in the NPDES Permit (Order No. R2-2012-0062), the SBSA implements and enforces a pretreatment program for effluent discharged into San Francisco Bay. SBSA proposes its waste water treatment plant (WWTP) upgrade through its Stage 2 Program, and the upgrade is expected to comply with RWQCB requirements as well as State standards. The proposed Project would not increase development potential beyond what was anticipated in the current Housing Element (2007-2014). Therefore, construction and operation resulting from potential future development permitted under the proposed Project would have *no impact* with regard to the wastewater treatment requirements of the San Francisco Bay RWQCB and the capacity of the SBSA WWTP to serve the projected General Plan demand in addition to its existing commitments.

b) Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Given the proposed Project would not increase development potential beyond what was anticipated in the current Housing Element (2007-2014) it would not result in new population that would require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; thus*, no impact* would occur.

[27] South Bayside Systems Authority, Teresa Herrera, personal correspondence with The Planning Center | DC&E, January 21, 2013.

[28] South Bayside Systems Authority, Teresa Herrera. Personal correspondence with The Planning Center | DC&E, January 21, 2013.

c) Would the project require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Given the proposed Project would not increase development potential beyond what was anticipated in the current Housing Element (2007-2014) it would not result in new population that would require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; thus, *no impact* would occur.

d) Would the project have insufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

The proposed Project would not increase development potential beyond what was anticipated in the current Housing Element (2007-2014). Given no additional demand to water supply would occur there would be *no impact* to water supply as a result of implementing the proposed Project.

e) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

See Section XVII.a and XVII.b above.

f) Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

The proposed Project would not increase development potential beyond what was anticipated in the current Housing Element (2007-2014). Given the fact that no additional solid waste generation is anticipated under the proposed Project, *no impact* to the Ox Mountain Landfill as a result of implementing the proposed Project would occur.

g) Would the project comply with federal, state, and local statutes and regulations related to solid waste?

The proposed Project will have no effect on the solid waste disposal and recycling system of Menlo Park as it will not increase development potential and would not directly or indirectly result in population growth. As such, implementation of the proposed Project would not conflict with any applicable plan, ordinance, or policy which establishes measures of effectiveness for the performance of the solid waste disposal and recycling system.

In compliance with State Law Senate Bill 1016, the City would continue to aim for the California Integrated Waste Management Board (CIWMB) target of 7.5 pounds of waste per person per day through the source reduction, recycling, and composting programs coordinated by RethinkWaste. Menlo Park's disposal rate in 2011 was 5.5 pounds of waste per person per day, which was well below the CIWMB target of 7.5 pounds of waste per person per day.[29] Compliance with various waste reduction policies and programs in place, the City would continue to meet or perform better than the State mandated target.

Additionally, Menlo Park has adopted a Source Reduction and Recycling Element (SRRE), a Household Hazardous Waste Element (HHWE), and a Non-Disposal Facility Element (NDFE) in compliance with the California Integrated Waste Management Act. Implementation of strategies and programs from these plans allowed the City to meet the State mandated waste diversion goal of 50 percent in 2011. In addition, when the City adopts a Zero Waste Policy, future development under the proposed Project would be required to meet

[29] Rebecca Fotu, City of Menlo Park. Email correspondence with The Planning Center |DC&E, January 2, 2013.

a 75-percent diversion rate by 2020 and a 90-percent diversion rate by 2030 through various CAP strategies. These programs are sufficient to ensure that any potential future development in Menlo Park would not compromise the ability to meet or perform better than the State\-mandated target.

There would be *no impact* to solid waste as a result of implementing the proposed Project.

MANDATORY FINDINGS OF SIGNIFICANCE	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant**	**No Impact**
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

The Housing Element (2007-2014) and its Environmental Assessment anticipated and directly stipulated the proposed amendments to the Zoning Ordinance. The provisions of the proposed special-needs housing, secondary dwelling units and the Emergency Shelter for the Homeless Overlay Zone would not contravene any aspects of the General Plan, including land use designations and allowed building intensities, that would lead to increased population or development, impacts to wildlife, cumulative effects, or other substantial adverse effects on human beings. All structures, programs, and projects pursued under the proposed Project would adhere to the vision established within the General Plan and all subsequent land use designations and zoning districts. Furthermore, the proposed Project does not result in any new development potential beyond what was considered in the 2013 Environmental Assessment. Implementation of the proposed Project would therefore neither cause new impacts in regard to these issues nor would it exacerbate any existing impacts. Therefore, through mandatory regulatory compliance and consistency with General Plan policies, implementation of the proposed Project would have a *less-than-significant* impact with regards to the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory, nor have impacts that are individually limited,

but cumulatively considerable, nor does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

See Section XVIII above.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

See Section XVIII above.