

## **4.9 LAND USE AND PLANNING**

This chapter describes the existing land use character in the City of Menlo Park and evaluates the potential environmental impacts from future development that could occur by adopting and implementing the proposed project described in Chapter 3, Project Description, of this Draft EIR.

### **4.9.1 ENVIRONMENTAL SETTING**

#### **4.9.1.1 REGULATORY FRAMEWORK**

This section describes existing regional and local regulations and plans that pertain to land use in Menlo Park. There are no federal regulations applicable to the proposed project in this chapter.

#### **State Regulations**

##### *Cortese-Knox Act*

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000<sup>1</sup> establishes a Local Agency Formation Commission (LAFCo) in each county in California, and authorizes these commissions to review, approve, or deny proposals for boundary changes and incorporations for cities, counties, and special districts. The LAFCo establishes a “sphere of influence” (SOI) for cities within their jurisdiction that describes the city’s probable future physical boundaries and service area. The Menlo Park SOI is regulated by the San Mateo County LAFCo. The Menlo Park SOI is shown on Figure 3-4 in Chapter 3, Project Description, of this Draft EIR.

##### *Senate Bill 375*

In order to aid in reaching the goals set by Assembly Bill (AB) 32, Senate Bill (SB) 375 directs the California Air Resources Board (CARB) to set regional targets for reducing greenhouse gas (GHG) emissions from cars and light trucks. Using the template provided by the State’s Regional Blueprint Planning Program, to accomplish this goal, the bill works to align transportation and land use planning in order to reduce vehicle miles traveled (VMT) through modified land use patterns. There are five basic parts to the bill which contribute to this goal: 1) creation of regional targets for GHG emissions reduction tied to land use; 2) a requirement that regional planning agencies create a Sustainable Communities Strategy (SCS) to meet those targets, or an Alternative Planning Strategy (APS) if the strategies in the SCS would not reach the target set by CARB, even if that plan is in conflict with local plans; 3) a requirement that regional transportation funding decisions be consistent with the SCS; 4) a requirement that the Regional Housing Needs Allocation numbers conform to the SCS; and 5) new California Environmental Quality Act (CEQA) exemptions and streamlining for projects that conform to the SCS.

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<sup>1</sup> California Government Code, Section 56000-56001.

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### Regional Regulations

#### *Association of Bay Area Governments Projections 2013*

The Association of Bay Area Governments (ABAG) is the official comprehensive planning agency for the San Francisco Bay region, which is composed of the nine counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma, and contains 101 jurisdictions. ABAG is responsible for taking the overall regional housing needs allocation provided by the State and preparing a formula for allocating that housing need by income level across its jurisdiction.<sup>2</sup> Project population as it relates to ABAG's projections are discussed in Chapter 4.11, Population and Housing, of this Draft EIR. ABAG produces growth forecasts on four-year cycles so that other regional agencies, including the Metropolitan Transportation Commission (MTC) and the Bay Area Air Quality Management District (BAAQMD), can use the forecast to make project funding and regulatory decisions.

The ABAG projections are the basis for the regional Ozone Attainment Plan and Regional Transportation Plan (RTP), each of which are discussed in Chapters 4.2, Air Quality and 4.13, Transportation and Circulation, of this Draft EIR. In this way, ABAG projections have practical consequences that shape growth and environmental quality. The general plans, zoning regulations and growth management programs of local jurisdictions inform the ABAG projections. The ABAG projections are also developed to reflect the impact of "smart growth" policies and incentives that could be used to shift development patterns from historical trends toward a better jobs-housing balance, increased preservation of open space, and greater development and redevelopment in urban core and transit-accessible areas throughout the ABAG region.

#### *Plan Bay Area, Strategy for a Sustainable Region*

The MTC and ABAG's *Plan Bay Area* is the Bay Area's RTP/ Sustainable Community Strategy (SCS). The Final Plan Bay Area was adopted on July 18, 2013.<sup>3</sup> *Plan Bay Area* was prepared by MTC in partnership with the Association of Bay Area Governments (ABAG), the Bay Area Air Quality Management District (BAAQMD), and the Bay Conservation and Development Commission (BCDC). Each of the agencies involved in the SCS has a different role in regional governance. ABAG primarily deals with regional land use, housing, environmental quality, and economic development, while MTC is tasked with regional transportation planning, coordinating, and financing. BAAQMD is responsible for regional air pollution regulation. BCDC's focus is to preserve, enhance, and ensure responsible use of San Francisco Bay. The update to *Plan Bay Area, Plan Bay Area 2040*, is currently underway. The SCS sets a development pattern for the region, which, when integrated with the transportation network and other transportation measures and policies, would reduce greenhouse gas (GHG) emissions from transportation (excluding goods movement) beyond the per capita reduction targets identified by California Air Resources Board (CARB). Implementation of *Plan Bay Area* would achieve a 16 percent per capita reduction of GHG emissions by 2035 and a 10 percent per capita reduction by 2020 from 2005 conditions.<sup>4</sup>

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<sup>2</sup> ABAG Finance Authority, Affordable Housing Financing. <http://www.abag.ca.gov/services/finance/fan/housing.htm>, accessed on December 29, 2015.

<sup>3</sup> It should be noted that the Bay Area Citizens filed a lawsuit on MTC's and ABAG's adoption of Plan Bay Area.

<sup>4</sup> Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG), 2013, Final Plan Bay Area, Strategy for a Sustainable Region, page 96.

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In 2008, the MTC and ABAG initiated a regional effort (FOCUS) to link local planned development with regional land use and transportation planning objectives. Through this initiative, local governments identified Priority Development Areas (PDAs). The PDAs form the implementing framework for *Plan Bay Area*. The PDAs are areas along transportation corridors which are served by public transit that allow opportunities for development of transit-oriented, infill development within existing communities that are expected to host the majority of future development. Overall, well over two-thirds of all regional growth by 2040 is allocated within PDAs. The PDAs throughout the Bay area are expected to accommodate 80 percent (or over 525,570 units) of new housing and 66 percent (or 744,230) of new jobs.<sup>5</sup> The El Camino Real and Downtown PDA in Menlo Park is located along both sides of El Camino Real Corridor from the City's border with Atherton to the San Mateo-Santa Clara County line.

While *Plan Bay Area* distributes future growth across the Bay Area region in order to meet its GHG emissions reduction, housing, and other performance targets, it is not intended to override local land use control. Cities and counties, not MTC or ABAG, are ultimately responsible for the manner in which their local communities continue to be built out in the future. For this reason, cities and counties are not required to revise their land use policies and regulations, including [their] general plan, to be consistent with the regional transportation plan or an alternative planning strategy. Rather than increase regional land use control, *Plan Bay Area* facilitates implementation by expanding incentives and opportunities available to local jurisdictions to support growth in PDAs. In addition to funding transportation and planning projects in PDAs, *Plan Bay Area* sets the stage for cities and counties to increase the efficiency of the development process, if they choose, for projects consistent with *Plan Bay Area* and other state legislation.<sup>6</sup> To read more about *Plan Bay Area: Jobs-Housing Connection Scenario*, go to [www.OneBayArea.Org](http://www.OneBayArea.Org).

### *San Francisco Bay Conservation and Development Commission*

In 1969, the McAteer-Petris Act designated the San Francisco Bay Conservation and Development Commission (BCDC) as the agency responsible for the protection of the San Francisco Bay and its natural resources. BCDC fulfills this mission through the implementation of the *San Francisco Bay Plan* (Bay Plan), an enforceable plan that guides the future protection and use of San Francisco Bay and its shoreline. The Bay Plan includes a range of policies on public access, water quality, fill, and project design. The Bay Plan also designates shoreline areas that should be reserved for water-related purposes like sports, industry, and public recreation, airports, and wildlife areas. Impacts related to biological resources and water quality are discussed in Chapter 4.3, Biological Resources, and Chapter 4.8, Hydrology and Water Quality, of this Draft EIR, respectively.

### *San Francisco Bay Basin Water Quality Control Plan*

Watershed management is a strategy for protecting water quality in all water bodies by looking at all components that make up a watershed area, including land uses and their effects on drainage. The San

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<sup>5</sup> Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG), 2013, Final Plan Bay Area, Strategy for a Sustainable Region.

<sup>6</sup> *Plan Bay Area* website, Frequently Asked Questions page: Does *Plan Bay Area* override local land use control?, <http://planbayarea.org/about/faq.html>, accessed on January 4, 2016.

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Francisco Bay Regional Water Quality Control Board (RWQCB) adopted a *Water Quality Control Plan* for the San Francisco Bay Basin (the Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the Basin Plan, which includes wetlands in and near the study area.<sup>7</sup> The most recent amendments were incorporated into the Basin Plan as of June 2013. The Basin Plan is discussed in more detail in Chapter 4.8, Hydrology and Water Quality, of this Draft EIR.

### *Stanford University Habitat Conservation Plan*

Stanford University in partnership with U.S. Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration (NOAA Fisheries) developed a Habitat Conservation Plan (HCP) in order to maintain populations of species covered under the Environmental Species Act (ESA) inhabiting land owned by Stanford University. The HCP sets forth goals and objectives that aim to enhance and protect listed species' habitat, including riparian vegetation, creeks, grasslands, and seasonal wetlands. The HCP and Final Environmental Impact Statement was published in November 2012 and the HCP was updated in March 2013.<sup>8</sup> The conservation goals and objectives set forth by the HCP apply to all land owned by Stanford University which totals 8,180 acres in four cities: Palo Alto, Menlo Park, Woodside, and Portola Valley. Portions of Menlo Park and unincorporated San Mateo County are located within the Stanford University HCP area.<sup>9</sup>

### *Airport Land Use Comprehensive Plans*

There are no heliports within the study area; however, Stanford University Hospital does operate one heliport, which is located approximately 0.4-mile to the southeast of the nearest border with Menlo Park.

The City of Menlo Park does not host any public or private airports or airstrips. Menlo Park is located approximately 6 miles to the northwest of Moffet Federal Airfield, 14 miles to the northwest of the San Jose International Airport, 15 miles to the southeast of San Francisco International Airport, and 18 miles to the south of Oakland International Airport. The study area is also located in close proximity to two smaller airports; with portions of Menlo Park as near as 2 miles from the Palo Alto Airport and other areas of the study area as near as approximately 4 miles from the San Carlos Airport. Additional small airports in the vicinity include the Hayward Executive Airport, at 11 miles away, and the Half Moon Bay airport, at 16 miles away.

The Comprehensive Land Use Plan (CLUP) for the Palo Alto Airport was adopted by the Santa Clara County Airport Land Use Commission in 2008. The CLUP is intended to safeguard the general welfare of the inhabitants within the vicinity of Palo Alto Airport and ensure that new surrounding uses do not affect continued safe airport operation. Specifically, the CLUP seeks to protect the public from the adverse effects of aircraft noise, to ensure that people and facilities are not concentrated in areas susceptible to

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<sup>7</sup> California Regional Water Quality Control Board San Francisco Bay Region (Region 2), 2007, San Francisco Bay Basin (Region 2) Water Quality Control Plan (Basin Plan).

<sup>8</sup> Stanford University Habitat Conservation Plan, <http://hcp.stanford.edu/about.html>, accessed on December 22, 2015.

<sup>9</sup> Stanford University Habitat Conservation Plan, <http://hcp.stanford.edu/documents.html>, accessed on December 29, 2015.

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aircraft accidents, and to ensure that no structures or activities adversely affect navigable airspace.<sup>10</sup> Menlo Park does not fall within the Airport Influence Area of this facility, and none of the noise or safety zones for the Palo Alto airport fall within the boundaries of Menlo Park; however, extreme eastern portions of Menlo Park in the vicinity of O'Connor Street and Byers Avenue fall within the 354-foot FAR Part 77 Surfaces for the Palo Alto Airport.<sup>11</sup>

### Local Regulations

This section describes existing land use plans, policies, and regulations that pertain to land use in Menlo Park. However this is not an exhaustive list and land use plans, policies, and regulations that concentrate on specific environmental topics, other than land use and planning, are described in the relevant topical chapters of this Draft EIR.

#### *Menlo Park General Plan*

The City of Menlo Park's General Plan is a legal document, required by state law, which serves as the City of Menlo Park's "constitution" for development and the use of its land. It is a comprehensive, long-range document, detailing proposals for the physical development of the city, and of any land outside its boundaries but within its designated SOI. Under state law, a city's general plan is the primary planning document and all other city plans and policies must be consistent with the adopted general plan.

The general plan is required to address the specified provisions of each of the seven mandated elements, including land use, circulation, housing, conservation, open space, noise and safety, to the extent that the provisions are locally relevant. The current Menlo Park General Plan is a dynamic document consisting of elements that establish long-term goals and policies to guide daily decision-making for the development and conservation in Menlo Park through year 2023. The elements of the current General Plan include the following:

- Land Use and Circulation (adopted December 1, 1994 with amendments though May 21, 2013)
- Housing (2015 - 2023) (adopted April 1, 2014)
- Open Space and Conservation, and Noise and Safety (adopted May 21, 2013)

All development in the city must conform to the land use designations outlined in the Menlo Park General Plan. Goals, policies and programs contained in the Land Use Element of the General Plan provide guidance on how land use designations should be developed to contribute to the overall character of Menlo Park.

#### *Menlo Park Municipal Code*

Besides the General Plan, the City of Menlo Park Municipal Code is the primary tool that regulates physical development in Menlo Park. The Municipal Code contains all ordinances for the city, and

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<sup>10</sup> Santa Clara County Airport Land Use Commission, 2008. *Comprehensive Land Use Plan Santa Clara County*, page 1-1, November 19.

<sup>11</sup> Santa Clara County Airport Land Use Commission, 2008. *Comprehensive Land Use Plan Santa Clara County*, Figures 4, 5, 6, 7, and 8, November 19.

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identifies land use categories, site development regulations, and other general provisions that ensure consistency between the General Plan and proposed development projects.

The Municipal Code is organized by title, chapter, and section. Title 2, Administration and Personnel, Title 15, Subdivisions, and Title 16, Zoning, include regulations that are most relevant to land use planning in Menlo Park and are summarized below. While other parts of the Municipal Code address specific technical issues that also affect land use and development, these are summarized where relevant in other chapters of this Draft EIR. For example, Chapter 16.54, which deals with historic preservation, is described in Chapter 4.4, Cultural Resources, and Chapter 8.06, contains the noise standards that are discussed in Chapter 4.10, Noise.

### Title 2, Administration and Personnel

Chapter 2.12, Planning Commission, establishes and creates the City planning commission under the authority in Section 65300 et seq. of the State Government Code. Under Section 2.12.040, the planning commission and all the members thereof are granted powers and duties provided by the Conservation and Planning Act. The Planning Commission acts as the primary advisory body to the City Council on land use matters, including consideration of rezoning proposals, conditional development permits, general and specific plans, and issues recommendations regarding such plans and certain types of development proposals and land use activities.

### Title 15, Subdivisions

Chapters 15.04 through 15.40 include subdivision regulations to ensure the orderly development of subdivisions and condominiums. The planning commission is designated as the advisory agency and is granted all the powers and duties provided by the Subdivision Map Act (Section 15.04.030). Chapter 15.16 specifically establishes the design and improvement standards, which outline provisions for the required amount of parkland dedication for new subdivisions. The formula used to calculate the required acreage of land to be dedicated or the fee due in lieu of the required land dedication is based on 5 acres per 1,000 persons (Section 15.16.020).

### Title 16, Zoning

The Menlo Park Zoning Ordinance implements the land use designations in the General Plan by establishing comprehensive zoning rules for the city. Chapter 16.02, General Provisions, states that the 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.

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### Zoning Districts and Map

Chapter 16.08, Districts Established – General Regulations, includes the specific zoning regulations and development standards for each zoning district. Chapter 16.90, Map – Boundaries, includes the zoning map, which establishes and delineates various districts in Menlo Park.

A targeted update to the Zoning designations within the Bayfront Area is an integral component of the proposed ConnectMenlo project. Zoning districts in the Bayfront Area are currently viewed as out of date, since they do not adequately respond to the types of uses that are in demand and being considered for the Bayfront Area.

### El Camino Real/Downtown Specific Plan

Specific plans are adopted for the systematic implementation of the general plan for a defined smaller portion of a community's planning area. A specific plan must specify in detail the development standards and requirements relating to density, lot size and shape, siting of buildings, setbacks, circulation, drainage, landscaping, architecture, water, sewer, public facilities, grading, open space, financing and any other element needed for proper development of the property.

Chapter 16.58, SP-ECR/D El Camino Real/Downtown Specific Plan, states the purpose and intent of the ECR/D Specific Plan district is to preserve and enhance community life, character and vitality through public space improvements, mixed use infill projects sensitive to the small-town character of Menlo Park and improved connectivity. The areas subject to the land use designations of the ECR/D Specific Plan comprise approximately 3.5 percent of Menlo Park's developable area. The ECR/D Specific Plan was adopted in 2012 and applies to Downtown Menlo Park and areas along El Camino Real. The ECR/D Specific Plan encourages improvements to the Downtown's streetscape and parking facilities and allows new mixed-use development along El Camino Real. The ECR/D Specific Plan contains a number of tailored land use designations, which allow a mix of commercial, including retail, office, hotel, as well as residential, depending on the location within the ECR/D Specific Plan area. No new development potential is proposed within the ECR/D Specific Plan area under the ConnectMenlo project.

### Architectural Control

Chapter 16.68, Buildings, includes Section 16.68.020, Architectural Control, which sets forth the standards requiring architectural control review for development in Menlo Park. Under Section 16.68.020, the planning commission, architectural committee, or community development director will review architectural drawings, including elevations of the proposed building or structure, proposed landscaping or other treatment of the grounds around such building or structure, and proposed design of, and access to, required parking facilities for all building permit applications, with the exception of single-family dwellings, duplexes, and accessory buildings. Applications are only approved where specified findings are made.

### *Comprehensive Bicycle Development Plan*

The 2005 Comprehensive Bicycle Development Plan (Bike Plan) provides a broad vision, strategies, and actions for the improvement of bicycling in the City. The Bike Plan recommends the enhancement of the

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existing network and several long-term projects. The Bike Plan also outlines new educational and promotional programs aimed at bicyclists and motorists. These programs include bicycle parking improvements, multi-modal (transit) support facilities, bicycle safety and education programs for cyclists and motorists, safe routes to schools programs, community and employer outreach programs, continued development of bikeway network maps, and bike-to-work and school day events, among others.

### *Sidewalk Master Plan*

The 2009 *City of Menlo Park Sidewalk Master Plan (Sidewalk Plan)*<sup>12</sup> identifies segments with no standard walkway or discontinuous walkway facilities; identifies opportunities and constraints for future walkway facilities; recommends changes and additions to existing programs, policies, and municipal codes; and develops prioritization criteria and procedures for installing standard sidewalks.<sup>13</sup> The Sidewalk Plan identified priority streets as those roadways that provide network connectivity and access to important pedestrian destinations, such as schools, parks, and downtown. The priority streets make up over a third of the roadways under Menlo Park's jurisdiction. As with bicycle improvements, the prioritization and budgeting of individual sidewalk improvements takes place through City Council approval of the five-year CIP, which incorporates public comment.

### *Menlo Park Climate Action Plan*

The City's Climate Action Plan (CAP) was first adopted in May 2009<sup>14</sup> and identifies local emissions reduction strategies designed to help meet AB 32 targets. The CAP recommends various community and municipal strategies for near-term and mid-term considerations. The emissions reduction strategies are generally focused on community actions, since more than 99 percent of the emissions are from community sources. In June 2014, the City Council approved an updated 5-year CAP Strategy, which accounted for the current staffing levels and budget resources available post-Great Recession. The most recent status update to the City's CAP Strategy was conducted in October 2015. The 2015 Update includes updated emissions inventories through year 2013. The 2015 CAP Update and Status Report reiterates that based on the latest inventory and trend, the City is not likely to meet State AB 32 goals to reduce emissions to 1990 levels by 2020 and 80 percent below 1990 levels by 2050, unless significant local policies and programs are implemented to achieve this statewide goal. Consequently, the 2015 Update recommends additional near-term strategies to achieve the City's goals. New policies and programs would require City Council approval prior to implementation.<sup>15</sup> The CAP is discussed more in Chapter 4.6, Greenhouse Gas Emissions, of this Draft EIR.

### *San Mateo County General Plan*

The San Mateo County General Plan provides background information and guides growth in the unincorporated areas of San Mateo County. There are three unincorporated areas within the Menlo Park SOI: 1) the area near Ringwood Avenue between Bay Road and Middlefield Avenue referred to as Menlo

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<sup>12</sup> City of Menlo Park, 2009. *Sidewalk Master Plan*.

<sup>13</sup> City of Menlo Park, 2009. *Sidewalk Master Plan*.

<sup>14</sup> City of Menlo Park, 2009. *Climate Action Plan*.

<sup>15</sup> City of Menlo Park, 2015. Climate Action Plan Update and Status Report. October.

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Oaks, 2) the Alameda de Las Pulgas District, which extends along Alpine Road, referred to as West Menlo Park and 3) the Stanford Linear Accelerator. Land use activities in these unincorporated areas, especially Alameda de Las Pulgas, influence conditions in Menlo Park. The San Mateo County General Plan includes primarily medium-to-high density residential and neighborhood commercial land uses along Alameda de Las Pulgas. Additionally, the City is considering annexation of two areas in the SOI; the University Heights area on Crocus Court near Alameda de las Pulgas and the vacant Stanford-owned land on Sand Hill Road, including the Hewlett Foundation at 2121 Sand Hill Road.

### 4.9.1.2 EXISTING CONDITIONS

This section describes the existing land use, and land use designations and zoning districts in Menlo Park. A general plan land use designation refers to broad categories of different types of land uses, such as Single-Family Residential or Retail/Commercial, that are included and mapped within the General Plan. Each category establishes the general types of uses that are allowed by policy on a parcel with that designation. Each designation allows a range of possible intensities and the zoning district implements the land use designations. Existing land use refers to the use currently in place on a property, regardless of the general plan land use designation or zoning district.

As previously stated, the new development potential under the proposed project would only occur in limited areas within the Bayfront Area. Therefore, the following describes the existing conditions for the Bayfront Area only.

### Existing Land Use Designations and Zoning Districts

Currently, the Bayfront Area includes Residential/Residential Mixed-Use, Industrial/Business Park, Open Space/Conservation Area and Commercial General Plan land use designations. The existing Zoning districts, which implement the General Plan land use designations, include the following:

- R-4-S (AHO) (High-Density Residential District, Special, Affordable Housing Overlay)
- R4-S (Residential)
- C-2-B (Neighborhood Commercial, Restrictive)
- C-2-S (Neighborhood Commercial, Special)
- C-4 (General Commercial)
- C-4(X) (General Commercial, Conditional)
- F-P (Flood Plain)
- M-2 (General Industrial)
- M-3(Commercial Business Park)

### Existing Land Uses

As shown on Figure 3-3 in Chapter 3, Project Description, of this Draft EIR, the Bayfront Area comprises the northern-most portion of Menlo Park. The Bayfront Area is generally bounded by San Francisco Bay to the north; Redwood City to the west; East Palo Alto to the southeast; and the Menlo Park neighborhoods of Belle Haven, Flood Triangle, Suburban Park, and Lorelei Manor to the south.

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The Bayfront Area contains major regional transportation links, including US Highway 101, Bayfront Expressway (State Route 84), Willow Road (State Route 114), and University Avenue (State Route 109) all of which are utilized heavily to provide access to the Dumbarton Bridge.

Current uses in the Bayfront Area include a mix of generally low-intensity offices, research and development, warehousing, and light manufacturing. The Bayfront Area is currently undergoing a major expansion of office uses, with Facebook currently occupying over 1 million square feet, including the recently completed west campus expansion. In addition, Facebook is currently proposing to redevelop the former Raychem/TE Connectivity site with another approximately 1 million square feet of office campus and hotel. This project is referred to as the Facebook Campus Expansion Project and is currently undergoing independent environmental review and is addressed in the Draft EIR as a cumulative project (see Chapter 4, Environmental Evaluation).

### 4.9.2 STANDARDS OF SIGNIFICANCE

Implementation of the proposed project would result in a significant impact related to land use and planning if it would:

1. Physically divide an established community.
2. Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the proposed 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.
3. Conflict with any applicable habitat conservation plan or natural community conservation plan.

### 4.9.3 IMPACT DISCUSSION

This section analyzes potential project-specific and cumulative impacts to land use and planning.

While many of the goals and policies in the City's current General Plan are germane to current conditions, the updates to the Land Use and Circulation Elements both integrate the extensive community input on preserving existing residential neighborhoods, creating new land uses, sustainability, innovation, and enact strategies that would be effective in creating the most functional circulation system possible. Accordingly, under the proposed project, the General Plan land use designations, street classification system, and goals, policies and programs of the Land Use and Circulation Elements would be amended.

Under the proposed project, the Zoning Ordinance would also be amended for consistency with the proposed land use changes. Three new zoning districts are proposed in the Bayfront Area to create a live/work/play environment. Additional amendments to allow mixed use in the C-2-B district and to streamline the existing hazardous material permitting process as discussed in Chapter 4.8, Hazards and Hazardous Materials, of this Draft EIR are also proposed.

Relevant General Plan goals, policies, and programs and Zoning regulations to ensure the proposed project would not divide and existing community, conflict with an applicable regulatory document or

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conflict with any applicable habitat conservation plan or natural community conservation plan are discussed below.

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### **LU-1 Implementation of the proposed project would not physically divide an established community.**

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Implementation of the proposed project would have a significant environmental impact if it were sufficiently large enough or otherwise configured in such a way as to create a physical barrier or other physical division within an established community. The physical division of an established community typically refers to the construction of a physical feature (such as a wall, interstate highway, or railroad tracks) or the removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying areas. An example of a physical feature that would divide an existing community is an airport, roadway, or railroad track through an existing community that could constrain travel from one side of the community to another or impair travel to areas outside of the community.

As discussed in Chapter 3, Project Description, of this Draft EIR, the proposed project includes updates to the Land Use and Circulation Elements of the Menlo Park General Plan and Bayfront Area Zoning Update, which increases the development potential in the Bayfront Area only. Updates to land uses designations under the proposed project are centralized within the Bayfront Area only and are generally consistent with existing uses. As discussed under Section 4.9.1.2, Existing Conditions, above, the Bayfront Area is primarily composed of light industry warehouses, research and development (R&D), and business parks. The development proposed as part of the project would be located on sites either developed and/or underutilized, and/or in close proximity to existing development. Under the proposed project additional land use designations such as office, life sciences, and mixed use residential would be permitted within the Bayfront Area, and include design standards to create paseos and improvements for connecting and improved mobility, and would not physically dividing any existing communities.

Future development under the proposed project would generally retain the existing roadway patterns and could include circulation improvements such as new streets, paseos, access points, sidewalks and bike paths, and are intended to improve circulation. These improvements do not propose any new major roadways or other physical features through parcels designated for residential use or other communities that would create new barriers in the study area. Therefore, while several parcels designated for residential uses are proposed within the Bayfront Area, the proposed project would not divide existing established community. Impacts related to the division of an existing community would be *less than significant*.

Furthermore, future development under the proposed project would be required to be consistent with the General Plan polices and Zoning Ordinance that promote cohesive and compatible neighborhoods and prevent new development from dividing existing uses where different land uses abut one another.

Compliance with the regulations established under Title 15 of the Municipal Code would ensure the orderly development of subdivisions and condominiums in Menlo Park. In addition, Chapter 16.02 of the Zoning Ordinance directs decision makers to consider public health, safety, general welfare, traffic

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conditions, and “orderly development” when making land use and zoning decisions. Additionally, the proposed Land Use (LU) Element and Circulation (CIRC) Element, which would be adopted as part of the proposed project, and existing Housing (H) Element, contain general goals and policies that would require local planning and development decisions to consider land use impacts, including the division of an established community. The following General Plan goals and policies would serve to promote cohesive and compatible neighborhoods under the proposed project:

- **Goal LU-1:** Promote the orderly development of Menlo Park and its surrounding area.
  - **Policy LU-1.1: Land Use Patterns.** Cooperate with the appropriate agencies to help assure a coordinated land use pattern in Menlo Park and the surrounding area.
  - **Policy LU-1.2: Transportation Network Expansion.** Integrate regional land use planning efforts with development of an expanded transportation network focusing on mass transit rather than freeways, and support multimodal transit development that coordinates with Menlo Park land uses.
  - **Policy LU-1.3: Land Annexation.** Work with interested neighborhood groups to establish steps and conditions under which unincorporated lands within the City's sphere of influence may be annexed.
  - **Policy LU-1.4: Unincorporated Land Development.** Request that San Mateo County consider Menlo Park's General Plan policies and land use regulations in reviewing and approving new developments in unincorporated areas in Menlo Park's sphere of influence.
- **Goal LU-2:** Maintain and enhance the character, variety and stability of Menlo Park's residential neighborhoods.
  - **Policy LU-2.3: Mixed Use Design.** Allow mixed-use projects with residential units if project design addresses potential compatibility issues such as traffic, parking, light spillover, dust, odors, and transport and use of potentially hazardous materials.
  - **Policy LU-2.9: Compatible Uses.** Promote residential uses in mixed-use arrangements and the clustering of compatible uses such as employment center, shopping areas, open space and parks, within easy walking and bicycling distance of each other and transit stops.
- **Goal LU-4:** Promote the development and retention of business uses that provide goods or services needed by the community that generate benefits to the City, and avoid or minimize potential environmental and traffic impacts.
  - **Policy LU-4.5: Business Uses and Environmental Impacts.** Allow modifications to business operations and structures that promote revenue generating uses for which potential environmental impacts can be mitigated.
- **Goal H-2:** Maintain, protect, and enhance existing housing and neighborhoods.
  - **Policy H-2.1: Maintenance, Improvement and Rehabilitation of Existing Housing.** Encourage the maintenance, improvement, and rehabilitation of the City's existing housing stock, the preservation of the City's affordable housing stock, and the enhancement of community stability to maintain and improve the character and stability of Menlo Park's existing residential

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neighborhoods while providing for the development of a variety of housing types. The provision of open space and/or quality gathering and outdoor spaces shall be encouraged.

- **Goal CIRC-2:** Increase accessibility for and use of streets by pedestrians, bicyclists, and transit riders.
  - **Policy CIRC-2.14: Impacts of New Development.** Require new development to mitigate its impacts on the safety (e.g., collision rates) and efficiency (e.g., vehicle miles traveled (VMT) per capita) of the circulation system. New development should minimize cut-through and high-speed vehicle traffic on residential streets; minimize the number of vehicle trips; provide appropriate bicycle, pedestrian, and transit connections, amenities and improvements in proportion with the scale of proposed projects; and facilitate appropriate or adequate response times and access for emergency vehicles.
- **Goal H-4:** 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 H-4.3: Housing Design.** 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.

As mentioned above, implementation of the proposed project does not propose any new major roadways or other physical features through existing residential neighborhoods or other communities that would create new barriers in the study area, but rather implements measures to increase connectivity. In addition, future development would be required to ensure the orderly development of subdivisions and condominiums per regulations established under Title 15 and Chapter 16.02 of Menlo Park's Municipal Code. Furthermore, future development under the proposed project, as part of the City's project approval process, would be required to comply with existing regulations, including General Plan policies that have been prepared to minimize impacts related to the physical division within an established community. Therefore, the adoption of the proposed project would result in *less-than-significant impacts* with respect to the physical division of an established community.

**Significance Without Mitigation:** Less than significant.

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**LU-2 Implementation of the proposed project would not conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.**

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This section discusses future development consistency with the General Plan and how the proposed project is consistent with other applicable land use plans, policies, and regulations that concentrate on land use and planning. Consistency with applicable land use plans, policies, and regulations that concentrate on specific environmental topics (e.g., air quality, greenhouse gas emissions, etc.) are discussed in the relevant topical chapter(s) of this Draft EIR.

### Menlo Park General Plan and Zoning Ordinance

The General Plan and Zoning Ordinance are the primary planning documents for the City of Menlo Park. The proposed updates are intended to ensure consistency between the General Plan and Zoning Ordinance. Because the General Plan is the overriding planning document for the City, and because the proposed project involves amending the General Plan and Zoning Ordinance to increase consistency; therefore, consistency impacts in this regard would be *less than significant* and no mitigation measures are required.

As described in Chapter 3, Project Description, the goals, policies and programs of the General Plan are established to guide daily decision-making for the development and conservation in Menlo Park. Policies and programs are at the same level of importance, and are both intended to support the goals. In most cases, goals have both policies and programs. However, it is also possible for a goal to be supported exclusively by policies or programs. The General Plan's policies set out the guidelines that will be used by City staff and the Planning Commission in their review of land development projects and in decision-making about City actions. A policy indicates a commitment of the local legislative body to a particular course of action. The policies of the Menlo Park General Plan have been carefully prepared to reduce and/or avoid impacts to the environment as a result of future development in the city to the extent feasible. Zoning is one of the primary means of implementing the General Plan. For properties in Menlo Park, a parcel's Zoning designation stems directly from its General Plan land use designation, with the Zoning designation acting as a means to implement the General Plan by refining the specific uses and development standards for that parcel.

Future projects that are inconsistent with the applicable goals, policies and programs in the General Plan and supporting Zoning standards would be considered a *significant* impact.

**Impact LU-2.** Future development proposals in Menlo Park could be inconsistent with the applicable goals, policies and programs in the General Plan that have been prepared to reduce and/or avoid impacts to the environment and the supporting Zoning standards.

**Mitigation Measure LU-2:** Prior to project approval, as part of the project application process, future development in Menlo Park is required to demonstrate consistency with the applicable goals, policies,

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and programs in the General Plan and the supporting Zoning standards to the satisfaction of the City of Menlo Park's Community Development Department. A future project is consistent with the General Plan and Zoning standards if, considering all its aspects, it will further the goals, policies and programs of the General Plan and supporting Zoning standards and not obstruct their attainment.

**Significance With Mitigation:** Less than significant.

### Other Land Use Plans

The proposed and existing General Plan goals, policies and programs would be adopted as part of the proposed project and would require local planning and development decisions to consider land use impacts. This section describes the General Plan goals, policies and programs that future development in Menlo Park would be required to be consistent with, thereby ensuring the proposed project would be consistent with the applicable land use regulations adopted for the purpose of avoiding or mitigating an environmental effect.

#### *Association of Bay Area Governments Projections 2013*

For a discussion of the proposed project's consistency with regional housing projections, see Chapter 4.11, Population and Housing, of this Draft EIR.

#### *Plan Bay Area*

As described in Section 4.9.1.1, Regulatory Framework, local jurisdictions are not required to change land use designations to be consistent with *Plan Bay Area*. However, this section evaluates the proposed project's consistency with this important regional planning document. For a discussion of the proposed project's consistency with the regional housing projections in *Plan Bay Area*, see Chapter 4.11, Population and Housing, of this Draft EIR. For a discussion of the proposed project's consistency with *Plan Bay Area* as it relates to greenhouse gas emissions, see Chapter 4.6, Greenhouse Gas Emissions, of this Draft EIR.

There is one PDA in Menlo Park located along both sides of El Camino Real Corridor from the City's northern border with Atherton to the San Mateo-Santa Clara County line. The proposed project continues the same land use designations as established in the ECR/D Specific Plan, which proposes various commercial, office, mixed-use and residential uses for the PDA. The mix, range, and intensity of uses are consistent with the *Plan Bay Area*.

The following goals and policies in the proposed Land Use (LU) and Circulation (CIRC) Elements would encourage the reduction of vehicle usage and encourage a mix of land uses and densities to promote non-vehicular travel and decrease GHG emissions, thereby ensuring consistency with *Plan Bay Area*:

- **Goal LU-4:** Promote the development and retention of business uses that provide goods or services needed by the community that generate benefits to the City, and avoid or minimize potential environmental and traffic impacts.

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- **Policy LU-4.5: Business Uses and Environmental Impacts.** Allow modifications to business operations and structures that promote revenue generating uses for which potential environmental impacts can be mitigated.
- **Goal LU-5: Strengthen Downtown and the El Camino Real Corridor** as a vital, competitive shopping area and center for community gathering, while encouraging preservation and enhancement of Downtown’s atmosphere and character as well as creativity in development along El Camino Real.
  - **Policy LU-5.1: El Camino Real/Downtown Specific Plan.** Implement the El Camino Real/Downtown Specific Plan to ensure a complementary mix of uses with appropriate siting, design, parking, and circulation access for all travel modes.
  - **Policy LU-5.2: El Camino Real/Downtown Housing.** Encourage development of a range of housing types in the El Camino Real/Downtown Specific Plan area, consistent with the Specific Plan’s standards and guidelines, and the areas near/around the Specific Plan area.
- **Goal CIRC-2: Increase accessibility for and use of streets by pedestrians, bicyclists, and transit riders.**
  - **Policy CIRC-2.1: Accommodating All Modes.** Plan, design and construct transportation projects to safely accommodate the needs of pedestrians, bicyclists, transit riders, motorists, people with mobility challenges, and persons of all ages and abilities.
  - **Policy CIRC-2.4: Equity.** Identify low-income and transit-dependent districts that require pedestrian and bicycle access to, from, and within their neighborhoods.
  - **Policy CIRC-2.5: Neighborhood Streets.** Support a street classification system with target design speeds that promotes safe, multimodal streets, and minimizes cut-through and high-speed traffic that diminishes the quality of life in Menlo Park’s residential neighborhoods.
  - **Policy CIRC-2.7: Walking and Biking.** Provide for the safe, efficient, and equitable use of streets by pedestrians and bicyclists through appropriate roadway design and maintenance, effective traffic law enforcement, and implementation of the City’s Comprehensive Bicycle Development Plan and the El Camino Real/Downtown Specific Plan.
  - **Policy CIRC-2.8: Pedestrian Access at Intersections.** Support full pedestrian access across all legs of signalized intersections.
  - **Policy CIRC-2.9: Bikeway System Expansion.** Expand the citywide bikeway system through appropriate roadway design, maintenance, effective traffic law enforcement, and implementation of the City’s Comprehensive Bicycle Development Plan, and the El Camino Real/Downtown Specific Plan.
  - **Policy CIRC-2.10: Green Infrastructure.** Maximize the potential to implement green infrastructure by: a) Reducing or removing administrative, physical, and funding barriers; b) Setting implementation priorities based on storm water management needs, as well as the effectiveness of improvements and the ability to identify funding; and c) Taking advantage of opportunities such as grant funding, routine repaving or similar maintenance projects, funding associated with Priority Development Areas, public private partnerships, and other funding opportunities.

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- **Policy CIRC-2.11: Design of New Development.** Require new development to incorporate design that prioritizes safe pedestrian and bicycle travel and accommodates senior citizens, people with mobility challenges, and children.

As discussed above, the proposed project continues the same land use designations as established in the ECR/D Specific Plan. Furthermore, because the proposed project includes goals and policies that would promote non-vehicular travel, decrease GHG emissions, and encourage development of housing options in proximity to transit, jobs, shopping, and services within the PDA and citywide thereby ensuring consistency with *Plan Bay Area*, implementation of the proposed project would not conflict with the *Plan Bay Area*. Therefore, the impact would be *less than significant*.

### *San Francisco Bay Plan*

The *San Francisco Bay Plan* (Bay Plan) guides the future protection and use of San Francisco Bay and its shoreline. The Bay Plan includes a range of policies on public access, water quality, fill, and project design. The Bay Plan also designates shoreline areas that should be reserved for water-related purposes like sports, industry, and public recreation, airports, and wildlife areas.

While no future development under the proposed project is anticipated on the shoreline or in the Bay, the proposed project includes the following General Plan goals, policies and programs in the proposed Land Use (LU) Element and existing Section II, Open Space/Conservation (OSC), and Section IV, and Safety (S), of the Open Space/Conservation, Noise and Safety Elements, that would continue to protect these natural resources, thereby ensuring consistency with *Bay Plan*:

- **Goal LU-4:** Promote the development and retention of business uses that provide goods or services needed by the community that generate benefits to the City, and avoid or minimize potential environmental and traffic impacts.
  - **Policy LU-4.5: Business Uses and Environmental Impacts.** Allow modifications to business operations and structures that promote revenue generating uses for which potential environmental impacts can be mitigated.
- **Goal LU-6:** Preserve open-space lands for recreation; protect natural resources and air and water quality; and protect and enhance scenic qualities
  - **Policy LU-6.7: Habitat Preservation.** Collaborate with neighboring jurisdictions to preserve and enhance the Bay, shoreline, San Francisquito Creek, and other wildlife habitat and ecologically fragile areas to the maximum extent possible.
  - **Policy LU-6.11: Baylands Preservation.** Allow development near the Bay only in already developed areas.
    - **Program LU-6.A: San Francisquito Creek Setbacks.** Establish Zoning Ordinance requirements for minimum setbacks for new structures or impervious surfaces within a specified distance of the top the San Francisquito Creek bank.
- **Goal OSC-5:** Ensure healthy air and water quality.

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- **Policy OSC-5.1: Air and Water Quality Standards.** Continue to apply standards and policies established by the Bay Area Air Quality Management District (BAAQMD), San Mateo Countywide Water Pollution Prevention Program (SMCWPPP), and City of Menlo Park Climate Action Plan through the California Environmental Quality Act (CEQA) process and other means as applicable.
- **Goal S-1:** Assure a safe community.
  - **Policy S-1.25: Creeks and Drainage-ways.** Seek to retain San Francisquito and Atherton creeks/channels in their natural state in order to prevent undue erosion of creek banks. Protect creek-side habitat and provide maintenance access along creeks where appropriate.
  - **Policy S-1.26: Erosion and Sediment Control.** Continue to require the use of best management practices for erosion and sediment control measures with proposed development in compliance with applicable regional regulations.
  - **Policy S-1.27: Regional Water Quality Control Board (RWQCB) Requirements.** Enforce stormwater pollution prevention practices and appropriate watershed management plans in the RWQCB general National Pollutant Discharge Elimination System requirements, the San Mateo County Water Pollution Prevention Program and the City's Stormwater Management Program. Revise, as necessary, City plans so they integrate water quality and watershed protection with water supply, flood control, habitat protection, groundwater recharge, and other sustainable development principles and policies.

Because the proposed project includes goals and policies that ensure future development would protect water quality, implementation of the proposed project would not conflict with the Bay Plan. Therefore, the impact would be *less than significant*.

### *San Francisco Bay Basin Water Quality Control Plan*

The *Water Quality Control Plan* for the San Francisco Bay Basin (the Basin Plan) designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the Basin Plan, which includes wetlands in and near the study area. As discussed under the San Francisco Bay Plan subheading above, the proposed project includes General Plan goals and policies listed above under the subheading "San Francisco Bay Plan" that would serve to protect water quality. Implementation of the proposed project would not conflict with the Basin Plan and impacts would be *less than significant*. No mitigation measures are required. The Basin Plan is discussed in more detail in Chapter 4.8, Hydrology and Water Quality, of this Draft EIR.

### *Airport Land Use Compatibility Plans*

As discussed above in Section 4.9.1.1, Regulatory Framework, Comprehensive Land Use Plan (CLUP) for the Palo Alto Airport was adopted by the Santa Clara County Airport Land Use Commission in 2008 and is intended to safeguard the general welfare of the inhabitants within the vicinity of Palo Alto Airport and ensure that new surrounding uses do not affect continued safe airport operation. Menlo Park does not fall within the Airport Influence Area of this facility, and none of the noise or safety zones for the Palo Alto airport fall within the boundaries of Menlo Park; however, extreme eastern portions of Menlo Park in the vicinity of O'Connor Street and Byers Avenue fall within the 354-foot FAR Part 77 Surfaces for the Palo Alto

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Airport. Thus, buildings approaching or near a height of 354 feet in the area would conflict with use of the airport. Buildings in this area are generally less than 30 feet tall and are anticipated to remain at or below this height. In addition, there are no current plans for development at those heights within these areas of Menlo Park under the proposed project. Thus, impacts related to potential conflicts with the CLUP would be *less than significant*.

### *El Camino Real/Downtown Specific Plan*

The ECR/D Specific Plan encourages improvements to the Downtown's streetscape and parking facilities and allows new mixed-use development along El Camino Real. Under the proposed project, no new development potential would occur in the ECR/D Specific Plan area that was not already accounted for in the ECR/D Specific Plan.

The following General Plan goals and policies in the proposed Land Use (LU) Element would continue to ensure that future development under the proposed project is consistent with the ECR/D Specific Plan:

- **Goal LU-4:** Promote the development and retention of business uses that provide goods or services needed by the community that generate benefits to the City, and avoid or minimize potential environmental and traffic impacts.
  - **Policy LU-4.5: Business Uses and Environmental Impacts.** Allow modifications to business operations and structures that promote revenue generating uses for which potential environmental impacts can be mitigated.
- **Goal LU-5:** Strengthen Downtown and the El Camino Real Corridor as a vital, competitive shopping area and center for community gathering, while encouraging preservation and enhancement of Downtown's atmosphere and character as well as creativity in development along El Camino Real.
  - **Policy LU-5.1: El Camino Real/Downtown Specific Plan.** Implement the El Camino Real/Downtown Specific Plan to ensure a complementary mix of uses with appropriate siting, design, parking, and circulation access for all travel modes.
  - **Policy LU-5.2: El Camino Real/Downtown Housing.** Encourage development of a range of housing types in the El Camino Real/Downtown Specific Plan area, consistent with the Specific Plan's standards and guidelines, and the areas near/around the Specific Plan area.

Because the proposed project includes goals and policies that ensure future development would be consistent with the ECR/D Specific Plan, implementation of the proposed project would not conflict with the ECR/D Specific Plan. Therefore, the impact would be *less than significant*.

### *Menlo Park Climate Action Plan*

For a discussion of the proposed project's consistency with CAP, see Chapter 4.6, Greenhouse Gas Emissions, of this Draft EIR. Specifically, see Table 4.6-7, Menlo Park Community Near-Term Climate Change Action Plan Strategies.

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### *Comprehensive Bicycle Development Plan*

The Comprehensive Bicycle Development Plan (Bike Plan) provides a broad vision, strategies, and actions for the improvement of bicycling in the city. The Bike Plan outlines new educational and promotional programs aimed at bicyclists and motorists as well as recommendations for continued development of bikeway network maps, and bike-to-work and school day events, among others.

The following goals, policies, and programs in the proposed Circulation (CIRC) Element would continue to encourage bicycle access throughout the city and promote educational programs aimed at bicyclists to ensure consistency with the Bike Plan:

- **Goal CIRC-2:** Increase accessibility for and use of streets by pedestrians, bicyclists, and transit riders.
  - **Policy CIRC-2.1: Accommodating All Modes.** Plan, design and construct transportation projects to safely accommodate the needs of pedestrians, bicyclists, transit riders, motorists, people with mobility challenges, and persons of all ages and abilities.
  - **Policy CIRC-2.7: Walking and Biking.** Provide for the safe, efficient, and equitable use of streets by pedestrians and bicyclists through appropriate roadway design and maintenance, effective traffic law enforcement, and implementation of the City's Comprehensive Bicycle Development Plan and the El Camino Real/Downtown Specific Plan.
  - **Policy CIRC-2.9: Bikeway System Expansion.** Expand the citywide bikeway system through appropriate roadway design, maintenance, effective traffic law enforcement, and implementation of the City's Comprehensive Bicycle Development Plan, and the El Camino Real/Downtown Specific Plan.
  - **Policy CIRC-2.11: Design of New Development.** Require new development to incorporate design that prioritizes safe pedestrian and bicycle travel and accommodates senior citizens, people with mobility challenges, and children.
    - **Program CIRC-2.D: Pedestrian and Bicycle Facility Maintenance.** Remove debris on roadways and pedestrian/bike facilities, monitor intersection sight clearance, and repair pavement along all roadways and sidewalks; prioritize improvements along bicycle routes.
    - **Program CIRC-2.E: Bikeway System Planning.** Review the citywide bikeway system pursuant to the Comprehensive Bicycle Development Plan and El Camino Real/Downtown Specific Plan, and other recent planning efforts every five years and update as necessary.
    - **Program CIRC-2.F: Bicycle Improvement Funding.** Pursue funding for improvements identified in the Comprehensive Bicycle Development Plan and El Camino Real/Downtown Specific Plan.
    - **Program CIRC-2.G: Zoning Requirements for Bicycle Storage.** Establish Zoning Ordinance requirements for new development to provide secure bicycle and convenient storage and/or bike-sharing facilities.
    - **Program CIRC-2.H: Zoning Requirements for Shared-Use Pathways.** Establish Zoning Ordinance requirements for new development to include public easements for shared-use pathways.
    - **Program CIRC-2.I: Bike Sharing Program.** Work with local and regional organizations to develop and implement a citywide bike sharing program.

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Because the proposed project includes goals and policies that ensure future development would be consistent with the Bike Plan, implementation of the proposed project would not conflict with the Bike Plan. Additionally, the proposed Zoning includes bicycle parking requirements, and design standards to help ensure bicycle parking is functional. These measures help support bicycle ridership. Therefore, the impact would be *less than significant*.

See Chapter 4.13, Transportation and Traffic, of this Draft EIR, for an additional discussion of the proposed project's consistency with the Bike Plan.

### *Sidewalk Master Plan*

The Sidewalk Plan identifies segments with no standard walkway or discontinuous walkway facilities; identifies opportunities and constraints for future walkway facilities; recommends changes and additions to existing programs, policies, and municipal codes; and develops prioritization criteria and procedures for installing standard sidewalks. The Sidewalk Plan identified priority streets as those roadways that provide network connectivity and access to important pedestrian destinations, such as schools, parks, and downtown. As described above, goals and policies in the proposed Circulation (CIRC) Element would continue to facilitate the connectivity of pedestrian facilities throughout the city and improve pedestrian access to ensure consistency with the Sidewalk Plan:

- **Goal CIRC-1:** Provide and maintain a safe, efficient, attractive, user-friendly circulation system that promotes a healthy, safe, and active community and quality of life throughout Menlo Park.
  - **Policy CIRC-1.4: Education and Encouragement.** Introduce and promote effective safety programs for adults and youths to educate all road users as to their responsibilities.
  - **Policy CIRC-1.8: Pedestrian Safety.** Maintain and create a connected network of safe sidewalks and walkways within the public right of way ensure that appropriate facilities, traffic control, and street lighting are provided for pedestrian safety and convenience, including for sensitive populations.
  - **Policy CIRC-1.9: Safe Routes to Schools.** Support Safe Routes to School programs to enhance the safety of school children who walk and bike to school.
- **Goal CIRC-2:** Increase accessibility for and use of streets by pedestrians, bicyclists, and transit riders.
  - **Policy CIRC-2.1: Accommodating All Modes.** Plan, design and construct transportation projects to safely accommodate the needs of pedestrians, bicyclists, transit riders, motorists, people with mobility challenges, and persons of all ages and abilities.
  - **Policy CIRC-2.3: Street Classification.** Utilize measurements of safety and efficiency for all travel modes to guide the classification and design of the circulation system, with an emphasis on providing “complete streets” sensitive to neighborhood context.
  - **Policy CIRC-2.4: Equity.** Identify low-income and transit-dependent districts that require pedestrian and bicycle access to, from, and within their neighborhoods.
  - **Policy CIRC-2.5: Neighborhood Streets.** Support a street classification system with target design speeds that promotes safe, multimodal streets, and minimizes cut-through and high-speed traffic that diminishes the quality of life in Menlo Park's residential neighborhoods.

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- **Policy CIRC-2.6: Local Streets as Alternate Routes.** Work with appropriate agencies to discourage use of city streets as alternatives to, or connectors of, State and federal highways; to encourage improvement of the operation of US 101; and to explore improvements to Bayfront Expressway (State Route 84) and Marsh Road (and its connection to US 101), with environmental protection for adjacent marsh and wetland areas, to reduce traffic on Willow Road (State Route 114).
- **Policy CIRC-2.7: Walking and Biking.** Provide for the safe, efficient, and equitable use of streets by pedestrians and bicyclists through appropriate roadway design and maintenance, effective traffic law enforcement, and implementation of the City's Comprehensive Bicycle Development Plan and the El Camino Real/Downtown Specific Plan.
- **Policy CIRC-2.8: Pedestrian Access at Intersections.** Support full pedestrian access across all legs of signalized intersections.
- **Policy CIRC-2.11: Design of New Development.** Require new development to incorporate design that prioritizes safe pedestrian and bicycle travel and accommodates senior citizens, people with mobility challenges, and children.

Because the proposed project includes goals and policies that ensure future development would be consistent with the Sidewalk Plan, thus, implementation of the proposed project would not conflict with the Sidewalk Plan. Additionally, the proposed Zoning includes street frontage improvements, which may include sidewalks, to provide connectivity and pedestrian access to destinations. These measures help support pedestrian mobility. Therefore, the impact would be *less than significant*.

See Chapter 4.13, Transportation and Traffic, of this Draft EIR, for an additional discussion of the proposed project's consistency with the Sidewalk Plan.

### *San Mateo County General Plan*

The San Mateo County General Plan is a long-range guide for land use in the unincorporated areas in the county, including land outside of Menlo Park's city limits but within the SOI (the study area). Although the proposed project applies to land use designations within the study area, all land beyond the Menlo Park city limit, but within the SOI, are within the County's jurisdiction until annexation to the City of Menlo Park. The City of Menlo Park is considering annexation of two areas in the SOI; the University Heights area on Crocus Court near Alameda de las Pulgas, and the Stanford-owned land on Sand Hill Road including the Hewlett Foundation at 2121 Sand Hill Road. In addition, the following three areas are within the study area and fall under the jurisdiction of the San Mateo County General Plan:

- The area near Ringwood Avenue between Bay Road and Middlefield Avenue referred to as Menlo Oaks.
- The Alameda de Las Pulgas District, which extends along Alpine Road, referred to as West Menlo Park. The Stanford Linear Accelerator.

The unincorporated areas listed above are located outside the city limits and are currently subject to County land use regulations. Thus, the above mentioned areas would only be subject to City land use

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jurisdiction upon annexation, only one set of land use policies apply at a given time, and there cannot be a conflict between the City and County General Plan policies. As a result, adoption and implementation of the proposed project would not conflict with the San Mateo County General Plan.

The following goals and policies in the proposed Land Use (LU) Element would continue to ensure consistency with the San Mateo County General Plan:

- **Goal LU-1:** Promote the orderly development of Menlo Park and its surrounding area.
  - **Policy LU-1.3: Land Annexation.** Work with interested neighborhood groups to establish steps and conditions under which unincorporated lands within the City's sphere of influence may be annexed.
  - **Policy LU-1.4: Unincorporated Land Development.** Request that San Mateo County consider Menlo Park's General Plan policies and land use regulations in reviewing and approving new developments in unincorporated areas in Menlo Park's sphere of influence.
  - **Policy LU-1.5: Adjacent Jurisdictions.** Work with adjacent jurisdictions to ensure that decisions regarding potential land use activities near Menlo Park include consideration of City and Menlo Park community objectives.

Because the unincorporated areas located within the proposed project study area would only be subject to City land use jurisdiction upon annexation and only one set of land use policies apply at a given time, there cannot be a conflict between the City and County General Plan policies. Furthermore, the San Mateo County General Plan contains goals and objectives that encourage cities to annex urban unincorporated areas within the SOI, thereby discouraging conflict between city and county jurisdiction.<sup>16</sup> For these reasons, and because the proposed project includes General Plan policies that ensure future development would not conflict with the San Mateo County General Plan, the impact related to potential conflicts with the San Mateo County General Plan would be *less than significant*.

### Summary

As discussed above, the General Plan goals, policies and programs of the proposed project would not conflict with the applicable land use plans adopted for the purpose of avoiding or mitigating an environmental impact in the study area. However, future development in Menlo Park that is not consistent with the General Plan would be considered a significant impact and implementation of Mitigation Measure LU-2 would be required to reduce the impact to a less-than-significant level.

**Significance With Mitigation:** Less than significant.

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<sup>16</sup> County of San Mateo General Plan, 1986, General Land Use Chapter, page 7.7P.

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**LU-3                      Implementation of the proposed project would not conflict with any applicable habitat conservation plan or natural community conservation plan.**

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As described above under Section 4.9.1.1, Regulatory Framework, the Stanford Habitat Conservation Plan (Stanford HCP) was published in November 2012 and implementation of the HCP began in 2013. Portions of Menlo Park and unincorporated San Mateo County are located within the Stanford University HCP area; thus, development within the Stanford HCP area could still occur under the proposed project.

The proposed Land Use (LU) Element, which would be adopted as part of the proposed project, and existing Section II, Open Space/Conservation (OSC) of the Open Space/Conservation, Noise and Safety Elements, contain general goals, policies and programs that would require local planning and development decisions to consider impacts to biological resources, including those in the Stanford HCP area. Several policies in the General Plan, listed under BIO-1 in Chapter 4.3, Biological Resources, would serve to protect and enhance the sensitive natural communities in the study area, including those in the Stanford HCP area. Specifically, Policy LU-6.7 requires the City to collaborate with neighboring jurisdictions to preserve and enhance the Bay, shoreline, San Francisquito Creek, and other wildlife habitat and ecologically fragile areas to the maximum extent possible, and Policy LU-6.10, requires the City to encourage the maintenance of open space on Stanford lands within Menlo Park's unincorporated sphere of influence. Furthermore, as discussed under BIO-1, site-specific assessments for areas on or near sensitive habitats called for in Policy OSC-1.3, Sensitive Habitats, and required under Mitigation Measure BIO-1, would determine the extent of any sensitive natural communities on undeveloped lands where development is proposed. The General Plan policies would help protect biological resources identified in the Stanford HCP and minimize impacts; however, implementation of Mitigation Measure BIO-1 listed in Chapter 4.3 is required to ensure no conflicts with Stanford HCP would occur.

**Significance With Mitigation:** Less than significant.

### 4.9.4 CUMULATIVE IMPACTS

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**LU-4                      Implementation of the proposed project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to land use and planning.**

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As discussed in Chapter 4, Environmental Evaluation, of this Draft EIR, this EIR takes into account growth projected by the proposed project within the study area, Menlo Park City Limits and SOI, in combination with impacts from projected growth in the rest of San Mateo County and the surrounding region, as forecast by the ABAG. The geographic context for the cumulative land use and planning effects, which occur from potential future development under the proposed project combined with effects of development on lands adjacent to the city within East Palo Alto, Palo Alto, Stanford, Atherton, North Fair Oaks, and Redwood City, and the unincorporated areas of San Mateo County within the SOI.

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The land use analyses find that the proposed project would not divide an established community or conflict with established plans, policies and regulations, or with habitat and conservation plans or policies. Implementation of Mitigation Measure LU-2 would ensure future projects in Menlo Park are consistent with the City's General Plan policies. The proposed project would also not create or exacerbate land use conflicts in or outside the City of Menlo Park. The proposed project would be consistent with existing and proposed changes in other local and regional plans. Development that would be allowed under the proposed project would not create substantial conflicts associated with land use regulations. Development is likely to occur in surrounding cities and in the San Mateo region as well. However, such development is taking place in already urbanized areas and would not require significant land use changes that would create land use conflicts, nor would they divide communities. Therefore, cumulative impacts related to land use changes and impacts would be *less than significant with mitigation*.

**Impact LU-4:** Implementation of the proposed project, in combination with past, present, and reasonably foreseeable projects, could result in a significant cumulative impact with respect to land use and planning.

**Mitigation Measure LU-4:** Implement Mitigation Measure LU-2.

**Significance With Mitigation:** Less than significant.

## **LAND USE AND PLANNING**

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