



# North Fair Oaks Rezoning and General Plan Amendment Project

Final Environmental Impact Report

SCH #2022040548

*prepared by*

**County of San Mateo**  
Planning and Building Department  
455 County Center  
Redwood City, California 94063  
Contact: Will Gibson

*prepared with the assistance of*

**Rincon Consultants, Inc.**  
449 15<sup>th</sup> Street, Suite 303  
Oakland, California 94612

**September 2023**



**RINCON CONSULTANTS, INC.**

Environmental Scientists | Planners | Engineers

[rinconconsultants.com](http://rinconconsultants.com)

# North Fair Oaks Rezoning and General Plan Amendment Project

Final Environmental Impact Report

SCH #2022040548

*prepared by*

**County of San Mateo**

Planning and Building Department

455 County Center

Redwood City, California 94063

Contact: Will Gibson

*prepared with the assistance of*

**Rincon Consultants, Inc.**

449 15<sup>th</sup> Street, Suite 303

Oakland, California 94612

**September 2023**



**RINCON CONSULTANTS, INC.**

Environmental Scientists | Planners | Engineers

[rinconconsultants.com](http://rinconconsultants.com)

*This report prepared on 50% recycled paper with 50% post-consumer content.*

# Table of Contents

---

1	Introduction .....	1-1
1.1	Final EIR Contents .....	1-1
1.2	Draft EIR Public Review Process.....	1-1
1.3	EIR Certification Process and Project Approval .....	1-2
1.4	Draft EIR Recirculation Not Required.....	1-2
2	Responses to Comments on the Draft EIR.....	2-1
3	Revisions to the Draft EIR .....	3-1
4	Mitigation Monitoring and Reporting Program.....	4-1

*This page intentionally left blank.*

# 1 Introduction

---

## 1.1 Final EIR Contents

This Final Environmental Impact Report (Final EIR) has been prepared by the County of San Mateo Planning and Building Department (County) to evaluate the potential environmental impacts of the proposed North Fair Oaks Rezoning and General Plan Amendment Project (“proposed project” or “project”).

As prescribed by the California Environmental Quality Act (CEQA) *Guidelines* Sections 15088 and 15132, the lead agency (the County of San Mateo) is required to evaluate comments on environmental issues received from persons who have reviewed the Draft EIR and to prepare written responses to those comments. This document, together with the Draft EIR (incorporated by reference) comprise the Final EIR for this project. This Final EIR includes individual responses to each letter received during the public review period for the Draft EIR. In accordance with *CEQA Guidelines* Section 15088(c), the written responses describe the disposition of significant environmental issues raised.

The County has provided a good faith effort to respond to significant environmental issues raised by the comments. The Final EIR also includes revisions to the Draft EIR consisting of changes suggested by certain comments, as well as minor clarifications, corrections, or revisions to the Draft EIR. The Final EIR includes the following contents:

- Section 1: Introduction
- Section 2: Responses to Comments on the Draft EIR, which also includes a list of commenters and public comment letters
- Section 3: Revisions to the Draft EIR
- Section 4: Mitigation Monitoring and Report Program

## 1.2 Draft EIR Public Review Process

The County of San Mateo distributed a Notice of Preparation (NOP) of the EIR for a 30-day agency and public review period starting on April 27, 2022 and ending on May 27, 2022. In addition, the County held an EIR Scoping Meeting on May 11, 2022, during the County Planning Commission’s regular meeting, which was held virtually on Zoom. The EIR Scoping Meeting was aimed at providing information about the proposed project to members of public agencies, interested stakeholders and residents/community members. The County received letters from two agencies in response to the NOP during the public review period, as well as various verbal comments during the EIR Scoping Meeting. These comments were addressed in the Draft EIR (refer to Table 1-1, beginning on page 1-5 of the Draft EIR).

The County filed a notice of completion (NOC) with the Governor’s Office of Planning and Research to begin the 45-day public review period (Public Resources Code [PRC] Section 21161), which began on April 28, 2023, and ended on June 13, 2023. The Draft EIR was made available on the County’s website (<https://www.smcgov.org/planning/north-fair-oaks-rezoning-and-general-plan-amendment-project-eir>). A notice of availability (NOA) of the Draft EIR was published on April 28, 2023. As a result of these notification efforts, written and verbal comments on the content of the

Draft EIR were received from two State and local agencies. Section 2, *Responses to Comments on the Draft EIR*, identifies these commenting parties, their respective comments, and responses to these comments. None of the comments received, or the responses provided, constitute “significant new information” by CEQA standards (*CEQA Guidelines* Section 15088.5).

### 1.3 EIR Certification Process and Project Approval

Before adopting the proposed project, the lead agency is required to certify that the EIR has been completed in compliance with CEQA, that the decision-making body reviewed and considered the information in the EIR, and that the EIR reflects the independent judgment of the lead agency.

Upon certification of an EIR, the lead agency makes a decision on the project analyzed in the EIR. A lead agency may: (a) disapprove a project because of its significant environmental effects; (b) require changes to a project to reduce or avoid significant environmental effects; or (c) approve a project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (*CEQA Guidelines* Sections 15042 and 15043).

In approving a project, for each significant impact of the project identified in the EIR, the lead or responsible agency must find, based on substantial evidence, that either: (a) the project has been changed to avoid or substantially reduce the magnitude of the impact; (b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or (c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (*CEQA Guidelines* Section 15091). Per PRC Section 21061.1, feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account, economic, environmental, legal, social, and technological factors.

If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision and explains why the project's benefits outweigh the significant environmental effects (*CEQA Guidelines* Section 15093).

When an agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects (*CEQA Guidelines* Section 15091[d]).

### 1.4 Draft EIR Recirculation Not Required

*CEQA Guidelines* Section 15088.5 requires Draft EIR recirculation when comments on the Draft EIR or responses thereto identify “significant new information.” Significant new information is defined as including:

1. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
4. The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

The comments, responses, and Draft EIR revisions presented in this document do not constitute such “significant new information;” instead, they clarify, amplify, or make insignificant modifications to the Draft EIR. For example, none of the comments, responses, and Draft EIR revisions disclose new or substantially more severe significant environmental effects of the proposed project, or new feasible mitigation measures or alternatives considerably different than those analyzed in the Draft EIR that would clearly lessen the proposed project’s significant effects.

*This page intentionally left blank.*

## 2 Responses to Comments on the Draft EIR

---

This section includes comments received during public circulation of the Draft Environmental Impact Report (EIR) prepared for the North Fair Oaks Rezoning and General Plan Amendment Project (project).

The Draft EIR was circulated for a 45-day public review period that began on April 28, 2023 and ended on June 13, 2023. The San Mateo County Planning and Building Department received two comment letters on the Draft EIR. The commenters and the page number on which each commenter’s letter appear are listed below.

Letter No. and Commenter	Page No.
1 Yunsheng Luo, California Department of Transportation (Caltrans)	2-2
2 Julie Young, County of San Mateo Department of Public Works	2-9

The comment letters and responses follow. The comment letters are numbered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1.1, for example, indicates that the response is for the first issue raised in Comment Letter 1).

Where a comment resulted in a change to the Draft EIR text, a notation is made in the response indicating that the text is revised. Changes in text are signified by ~~strikeout font~~ where text was removed and by underlined font where text was added. These changes in text are also included in Section 3, *Revisions to the Draft EIR*.

## California Department of Transportation

DISTRICT 4  
OFFICE OF REGIONAL AND COMMUNITY PLANNING  
P.O. BOX 23660, MS-10D | OAKLAND, CA 94623-0660  
[www.dot.ca.gov](http://www.dot.ca.gov)



June 12, 2023

SCH #: 2022040548  
GTS #: 04-SM-2022-00520  
GTS ID: 26339  
Co/Rt/Pm: SM/82/2.347

Will Gibson, Planner III  
San Mateo County  
455 County Center, 2nd Floor  
Redwood City, CA 94063

### Re: North Fair Oaks Rezoning and General Plan Amendment Project – Draft Environmental Impact Report (DEIR)

Dear Will Gibson:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the North Fair Oaks Rezoning and General Plan Amendment Project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the May DEIR.

#### Project Understanding

1.1

The project area is located in the unincorporated community of North Fair Oaks and made up of two non-contiguous subareas that are divided by a railroad right-of-way owned by Caltrain. The Project would change the County's Zoning Regulations with the goal of adopting more effective zoning to allow for more mixed-use designations and increasing the capacity for housing. The project will rezone 54 parcels to allow for higher-intensity and higher-density residential and/or residential mixed-use development. A portion of the proposed project site is located directly adjacent to State Route (SR)-82.

#### Travel Demand Analysis

1.2

With the enactment of Senate Bill (SB) 743, Caltrans is focused on maximizing efficient development patterns, innovative travel demand reduction strategies, and multimodal improvements. For more information on how Caltrans assesses Transportation Impact Studies, please review Caltrans' Transportation Impact Study Guide ([link](#)).

1.2,  
cont

The DEIR acknowledges that there could be significant VMT impacts associated with potential office development. Caltrans commends that the Lead Agency in proposing the Mitigation Measure TRA-2: Preparation of Transportation Demand Management Plan to reduce the potential VMT impacts. The implementation of the proposed mitigation measure for individual projects should be monitored and documented with progress reports to demonstrate effectiveness.

1.3

### **Multimodal Transportation Improvement**

Please review and include the reference to the *Caltrans District 4 Pedestrian Plan (2021)* and the *Caltrans District 4 Bike Plan (2018)* in the DEIR regulatory framework. These two plans studied existing conditions for walking and biking along and across the State Transportation Network (STN) in the nine-county Bay Area and developed a list of location-based and prioritized needs.

1.4

To help further reduce the project's potential VMT impacts, Caltrans recommends fair share contributions to the following active transportation improvement projects in support of building a multimodal transportation system to accommodate users of all ages and abilities:

- SR-82 Bike Safety Project (from Selby Lane to Brewster Avenue): provide bike lanes, replace existing on street parking and the rightmost travel lane with bike lanes, upgrade curb ramp to ADA standards, install and modify crosswalk to ladder style for visibility enhancement, add a Pedestrian Hybrid Beacon (PHB) at Laurel Street intersection
- Bicycle and pedestrian crossing improvements at El Camino Real and Selby Lane, identified in Caltrans D4 Bicycle Plan (2018) and Pedestrian Plan (2021)

1.5

In addition, in the Pedestrian System section on page 4.13-5, please consider adding the following information: at the intersection of Selby Lane and El Camino Real, the County of San Mateo and North Fair Oaks community has expressed interest in redesigning the crossing with a High-intensity Activated Crosswalk Beacon (HAWK) or PHB system, which may be pursued via the Caltrans encroachment permit with the County as the lead applicant.

1.6

### **Construction-Related Impacts**

Potential impacts to the State Right-of-Way (ROW) from project-related temporary access points should be analyzed. Mitigation for significant impacts due to construction and noise should be identified. Project work that requires movement of oversized or excessive load vehicles on State roadways requires a transportation permit that is issued by Caltrans. To apply, please visit Caltrans Transportation Permits ([link](#)).

1.6,  
cont

Prior to construction, coordination may be required with Caltrans to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts to the STN.

1.7

**Lead Agency**

As the Lead Agency, the County of San Mateo is responsible for all project mitigation, including any needed improvements to the State Transportation Network (STN). The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

1.8

**Equitable Access**

If any Caltrans facilities are impacted by the project, those facilities must meet American Disabilities Act (ADA) Standards after project completion. As well, the project must maintain bicycle and pedestrian access during construction. These access considerations support Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.

1.9

**Encroachment Permit**

Please be advised that any permanent work or temporary traffic control that encroaches onto Caltrans' ROW requires a Caltrans-issued encroachment permit. As part of the encroachment permit submittal process, you may be asked by the Office of Encroachment Permits to submit a completed encroachment permit application package, digital set of plans clearly delineating Caltrans' ROW, digital copy of signed, dated and stamped (include stamp expiration date) traffic control plans, this comment letter, your response to the comment letter, and where applicable, the following items: new or amended Maintenance Agreement (MA), approved Design Standard Decision Document (DSDD), approved encroachment exception request, and/or airspace lease agreement. Your application package may be emailed to [D4Permits@dot.ca.gov](mailto:D4Permits@dot.ca.gov).

To obtain information about the most current encroachment permit process and to download the permit application, please visit Caltrans Encroachment Permits ([link](#)).

Will Gibson, Planner III  
June 12, 2023  
Page 4

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, or for future notifications and requests for review of new projects, please email [LDR-D4@dot.ca.gov](mailto:LDR-D4@dot.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Luo Yunsheng". The signature is fluid and cursive, with the first name "Luo" being more prominent and the last name "Yunsheng" following in a similar style.

YUNSHENG LUO  
Acting District Branch Chief  
Local Development Review

c: State Clearinghouse

## Letter 1

**COMMENTER:** Yunsheng Luo, Acting District Branch Chief, California Department of Transportation (Caltrans)

**DATE:** June 12, 2023

### Response 1.1

The commenter describes their understanding of the project.

The comment is noted. The comment does not pertain to the adequacy of the Draft EIR, and no response is required.

### Response 1.2

The commenter concurs with Mitigation Measure TRA-2 of the Draft EIR and suggests that implementation of the mitigation measure for individual projects should be monitored and documented with progress reports to demonstrate effectiveness.

As discussed under Section 4.13, *Transportation*, of the Draft EIR, Mitigation Measure TRA-2 would require future office-only commercial development to substantially reduce trips to reduce potential VMT impacts. The commenter's comment regarding monitoring and documentation of the Transportation Demand Management plan has been accounted for in revisions to Mitigation Measure TRA-2. Page 4.13-24 of the Draft EIR has been revised as follows:

The TDM plan shall be designed, ~~and~~ implemented, monitored, and documented with annual progress reports submitted to the County for review and approval to achieve trip reductions as required to meet thresholds identified by OPR to reduce daily VMT by reducing vehicle trips by 25 percent or 35 percent, depending on the land use and location of the project.

### Response 1.3

The commenter requests that the Caltrans District 4 Pedestrian Plan (2021) and the Caltrans District 4 Bike Plan (2018) be included in the regulatory framework.

The commenter's request has been noted and page 4.13-9 of the Draft EIR has been revised as follows:

#### **Caltrans District 4 Bike Plan**

The Caltrans District 4 Bike Plan identifies infrastructure improvements to enhance bicycle safety and mobility throughout District 4 and remove some of the barriers to bicycling in the region. The Plan will help inform future investments in the State transportation network by Caltrans and other jurisdictions, as Caltrans is required to accommodate the needs of bicyclists in Caltrans projects wherever possible. The Plan builds on the California State Bicycle and Pedestrian Plan, known as Toward an Active California. The District 4 Bike Plan adopts the overall vision, goals, objectives, and strategies of Toward an Active California and represents an important implementing action from the statewide plan. The four goals include safety, mobility, preservation, and social equity. While the District 4 Bike Plan does not set new policies or goals, it plays an active role in implementing policies and strategies identified in Toward an Active California (Caltrans 2018).

### Caltrans District 4 Pedestrian Plan

The Caltrans District 4 Pedestrian Plan implements the Vision Statement and Goals in Toward an Active California, the statewide bicycle and pedestrian plan, and is part of a comprehensive planning process to identify locations with bicycle and pedestrian needs in each Caltrans district across California. The Plan identifies challenges and needs related to walking along and across Caltrans roadways, and seeks to make it safer, more comfortable, and more convenient for everyone to walk more often by identifying needs and priorities for future investments. The Plan includes a Summary Report which provides an overview of conditions for people walking on Caltrans roadways today, a look at locations in the district where significant needs exist for people walking, and includes a description of next steps in the implementation process; as well as a Story Map which provides an opportunity to view and interact with a series of District 4 maps that highlight the pedestrian issues and opportunities described in the Plan (Caltrans 2021).

### **Response 1.4**

The commenter recommends that future development be required to contribute their fair shares to active Caltrans transportation improvement projects including the SR-82 Bike Safety Project and bicycle and pedestrian crossing improvements at El Camino Real and Shelby Lane.

The commenter's request has been noted and page 4.13-18 of the Draft EIR has been revised as follows:

... Since the project is expected to further encourage the use of transit and active transportation, it would support existing County policies. Lastly, as required by Caltrans and the County, future development would be required to contribute their fair shares to active Caltrans transportation improvement projects such as the SR-82 Bike Safety Project and bicycle and pedestrian crossing improvements at El Camino Real and Shelby Lane. Therefore, with respect to potential conflicts with circulation system policies, impacts would be less than significant.

### **Response 1.5**

The commenter requests that the following information should be added to the Pedestrian System section on page 4.13-5 of the Draft EIR: at the intersection of Selby Lane and El Camino Real, the County of San Mateo and North Fair Oaks community has expressed interest in redesigning the crossing with a High-intensity Activated Crosswalk Beacon (HAWK) or PHB system, which may be pursued via the Caltrans encroachment permit with the County as the lead applicant.

The commenter's request has been noted and page 4.13-5 of the Draft EIR has been revised as follows:

...The Study is expected to recommend a preferred location for a bridge in late 2023 (County of San Mateo 2022), although the likelihood and timing of development of any recommended bridge remains uncertain.

At the intersection of Selby Lane and El Camino Real, the County of San Mateo and North Fair Oaks community have expressed interest in redesigning the crossing with a High-intensity Activated Crosswalk Beacon (HAWK) or PHB system, which may be pursued via the Caltrans encroachment permit with the County as the lead applicant.

### **Response 1.6**

The commenter states an opinion that potential impacts to the State right-of-way (ROW) from project-related temporary access points should be analyzed, and mitigation for significant impacts due to construction and noise should be identified. The commenter also states that project work that requires movement of oversized or excessive load vehicles on State roadways requires a Caltrans issued permit. The commenter suggests that coordination may be required with Caltrans prior to construction to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts to the State Transportation Network (STN).

The Draft EIR analyzes construction noise under Impact NOI-1 of Section 4.10, *Noise*. The Draft EIR determined that even with implementation of Mitigation Measure NOI-1a, which would require that noise reduction measures are implemented during construction, impacts would remain significant and unavoidable since exact details of project-specific construction activities are unknown, construction noise could still exceed the daytime FTA construction noise threshold of 80 dBA  $L_{eq}$  for an 8-hour period at residential uses.

Future projects that would result in the movement of oversized or excessive load vehicles on State roadways would be anticipated to obtain a Caltrans-issued permit, as required. Additionally, although no construction has been proposed at this time, future development would develop a TMP prior to construction if required by Caltrans.

### **Response 1.7**

The commenter states that the County of San Mateo is responsible for all project mitigation as the Lead Agency, including improvements to the STN. The commenter opines that the project's fair share contribution, financing, scheduling, implementation responsibilities, and lead agency monitoring should be discussed for all mitigation measures.

The project's scheduling, timeline, implementation responsibilities, and lead agency monitoring are discussed and outlined in the Mitigation Monitoring and Reporting Program (MMRP), which is included as Section 4 of this Final EIR.

### **Response 1.8**

The commenter states that if Caltrans facilities are impacted by the project, the facilities must meet American Disabilities Act (ADA) Standards after project completion. In addition, the project must maintain bicycle and pedestrian access during construction.

The comment is noted. Future projects that result in the modification of Caltrans facilities would be anticipated to adhere to the standard requirements of such modifications.

### **Response 1.9**

The commenter advises that any permanent work or temporary traffic control that encroaches onto Caltrans' ROW requires a Caltrans-issued encroachment permit.

The comment is noted. Future projects that encroach onto Caltrans' ROW would obtain a Caltrans-issued encroachment permit, as required.



Letter 2

County of San Mateo
Department of Public Works
Utilities-Flood Control-Watershed Protection

North Fair Oaks Rezoning and General Plan Amendment
Draft Environmental Impact Report

To: Will Gibson, Planning and Building Department
From: Julie Young, Senior Civil Engineer, Utilities-Flood Control-Watershed Protection Section
Date: June 13, 2023
Subject: Sewer and Streetlight Review, North Fair Oaks Rezoning and General Plan Amendment – Draft EIR

Reason for Review: Sewer and Lighting Impacts from North Fair Oaks Rezoning and General Plan Amendment Draft Environmental Impact Report

Document: North Fair Oaks Rezoning and General Plan Amendment Project Draft Environmental Impact Report; North Fair Oaks Rezoning and General Plan Amendment; Report prepared April 2023

Reviewer: Kristen Lau

Review No.: 1

2.1

The County of San Mateo Department of Public Works Utilities-Flood Control-Watershed Protection Section, which maintains the Fair Oaks Sewer Maintenance District and Menlo Park Highway Lighting District in the North Fair Oaks area, has reviewed the North Fair Oaks Rezoning and General Plan Amendment Project Draft Environmental Impact Report and is providing its comments in this memo.

Plans for development and redevelopment projects within the boundaries of the Sewer District and Lighting Districts must be submitted to the Department of Public Works for review.

Sewer Comments

2.2

- 1. Developments with significant increases in sewage flow are subject to a more detailed plan review. The Sewer District would perform a capacity analysis of the additional sewage anticipated to be generated by the new development and delivered into the Sewer District facilities to determine whether the Sewer District facilities have sufficient capacity to accommodate the increased flow. The applicant will be responsible for the capacity analysis cost incurred by the Sewer District as it is a direct cost associated with the proposed development. This evaluation and the design of any resulting upgrades to the Sewer District facilities must be completed and approved by the Sewer District prior to final approval of the building plans.

2.3

- 2. Where multi-unit developments are proposed, the applicant shall mitigate the additional sewage to be generated by the site's change in use with a sanitary sewer

2.3,  
cont

project within the Sewer District to reduce the amount of inflow and infiltration (I/I) in its collection system. This type of mitigation would be considered for offsetting the project's effect on downstream Sewer District pipes and downstream pipes owned by other agencies by reducing or eliminating wet weather inflow and infiltration from the Sewer District that would otherwise be conveyed to the downstream agencies' sewer systems. The applicant would be responsible for the cost of designing, constructing, and managing such improvement project.

2.4

3. The Sewer District does not own or manage treatment facilities and relies on other agencies to treat sewage discharged to their facilities. Flow from the Sewer District is treated at the Silicon Valley Clean Water (SVCW) treatment facility. The Sewer District and County are not members of SVCW and therefore rely on member agencies (Belmont, Redwood City, San Carlos, and West Bay Sanitary District) for treatment of sewage that exceeds the existing Sewer District allotted treatment capacity. Developments that significantly increase discharges to the Sewer District facilities must mitigate the increased volumes of sewage. If significant development in this area continues, sewage discharge could exceed the allotted treatment capacity of existing Sewer District facilities and discussion with the member agencies would be required to reach a new agreement.

2.5

4. Other miscellaneous comments are marked in the report.

**Lighting Comments**

2.6

5. The Lighting District will not take over maintenance and operation responsibilities for any proposed streetlights on private streets. The Lighting District would review any proposed streetlights within its boundaries located in the public right-of-way to determine whether the Lighting District ownership would be feasible.

If you have any questions regarding this review or any of its contents, please contact staff at (650) 363-4100.

Attachments: Sewer and Lighting District Maps  
Marked-up Pages of Draft EIR

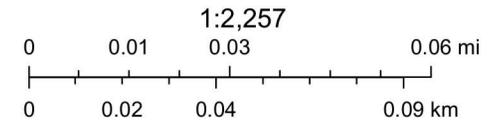
# Project North Map 1



6/12/2023, 3:44:32 PM

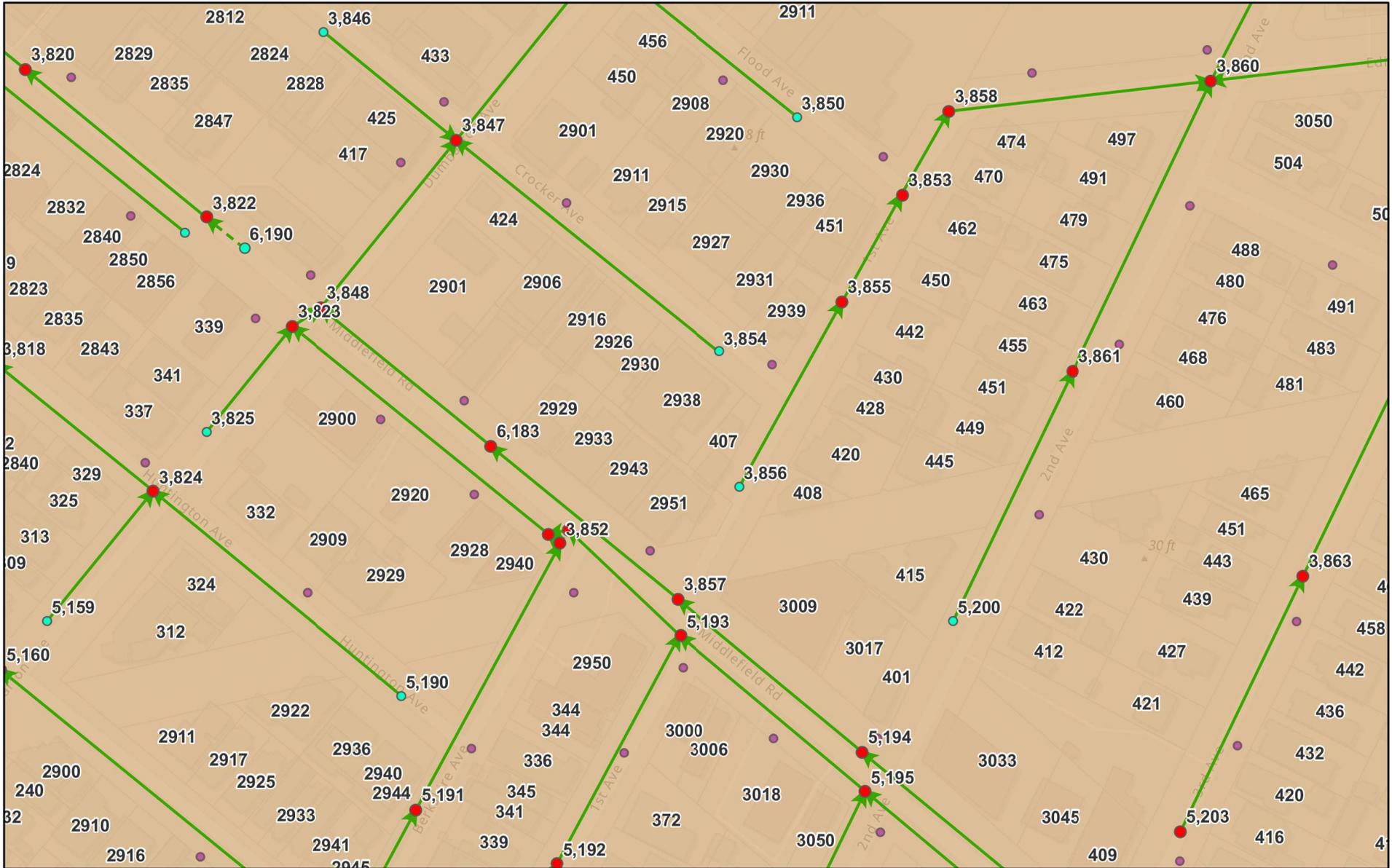
- |  |  |   |
|--|--|---|
| <b>Sewer Nodes</b>                                 | <b>Sewer Nodes - NCO</b>   | <b>Non County Owned</b>   |
| <span style="color: red;">●</span> Manhole         | <span style="color: cyan;">●</span> Flushing Inlet   | <span style="color: green;">→</span>  |
| <span style="color: cyan;">●</span> Flushing Inlet | <b>Sewer Mains</b>   | <b>Sewer Districts - County</b>   |
| <span style="color: green;">→</span> County Owned  | <span style="border: 1px solid pink; display: inline-block; width: 15px; height: 10px;"></span> Fair Oaks Sewer Maintenance District | <span style="border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Parcels & House Number Label |
|  | <span style="color: purple;">●</span> Lights   |   |

- |   |
|---|
| <b>Lighting Districts</b>   |
| <span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Menlo Park Highway Lighting District |
| <span style="border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Parcels & House Number Label                                   |



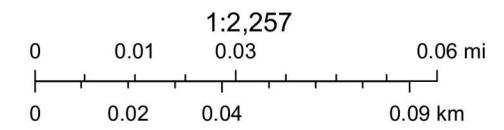
Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA,

# Project North Map 2



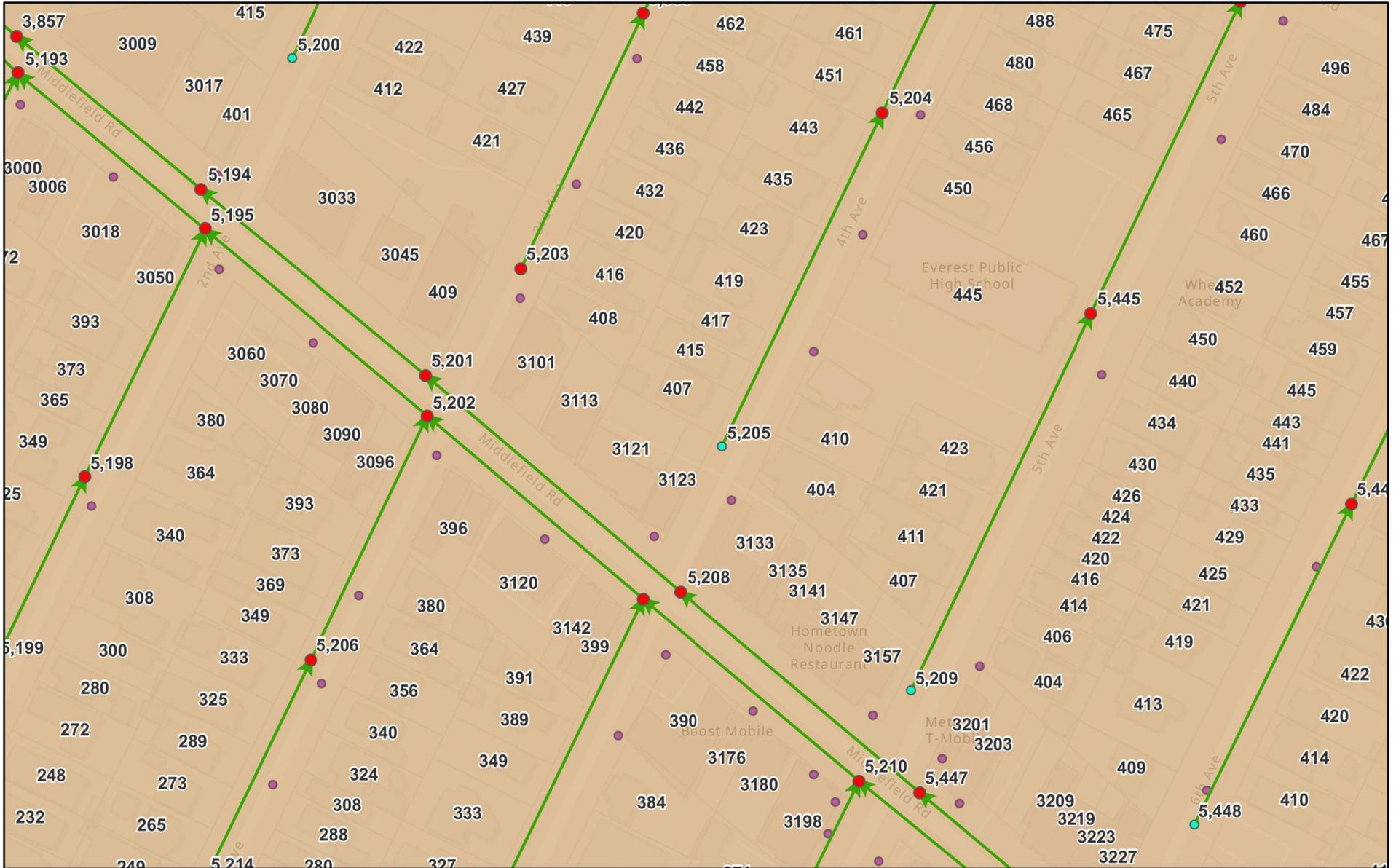
6/12/2023, 3:46:09 PM

- |  |  |  |   |
|--|--|--|---|
| <b>Sewer Nodes</b>                                 | <b>Sewer Nodes - NCO</b>                           | <b>Non County Owned</b>  | <b>Lighting Districts</b>   |
| <span style="color: red;">●</span> Manhole         | <span style="color: cyan;">●</span> Flushing Inlet | <span style="color: green;">→</span>   | <span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Menlo Park Highway Lighting District |
| <span style="color: cyan;">●</span> Flushing Inlet | <span style="color: green;">→</span> Sewer Mains   | <span style="border: 1px solid pink; display: inline-block; width: 15px; height: 10px;"></span> Fair Oaks Sewer Maintenance District | <span style="border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> Parcels & House Number Label                                   |
| <span style="color: green;">→</span> County Owned  | <span style="color: purple;">●</span> Lights       |  |   |



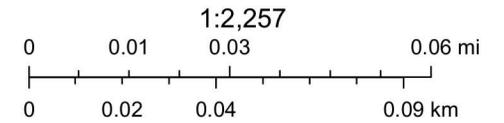
Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA,

# Project North Map 3



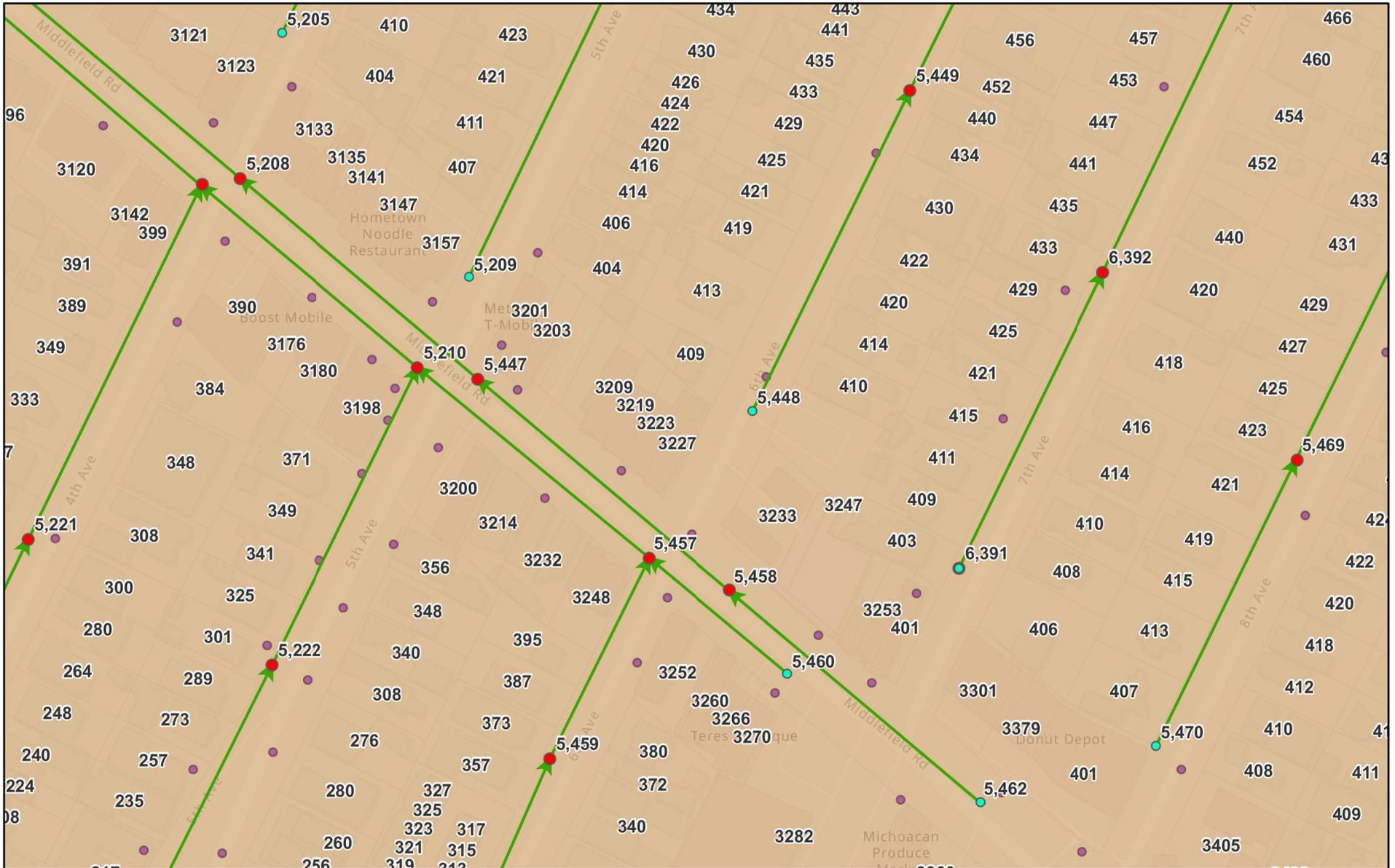
6/12/2023, 3:47:22 PM

- Sewer Nodes
  - Manhole
  - Flushing Inlet
- Sewer Mains
  - ➔ County Owned
- Sewer Districts - County
  - █ Fair Oaks Sewer Maintenance District
- Lights
  -
- Lighting Districts
  - █ Menlo Park Highway Lighting District
  - █ Parcels & House Number Label



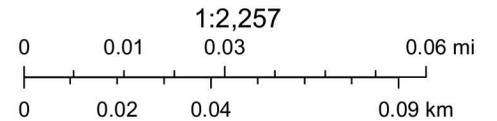
Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA,

# Project North Map 4



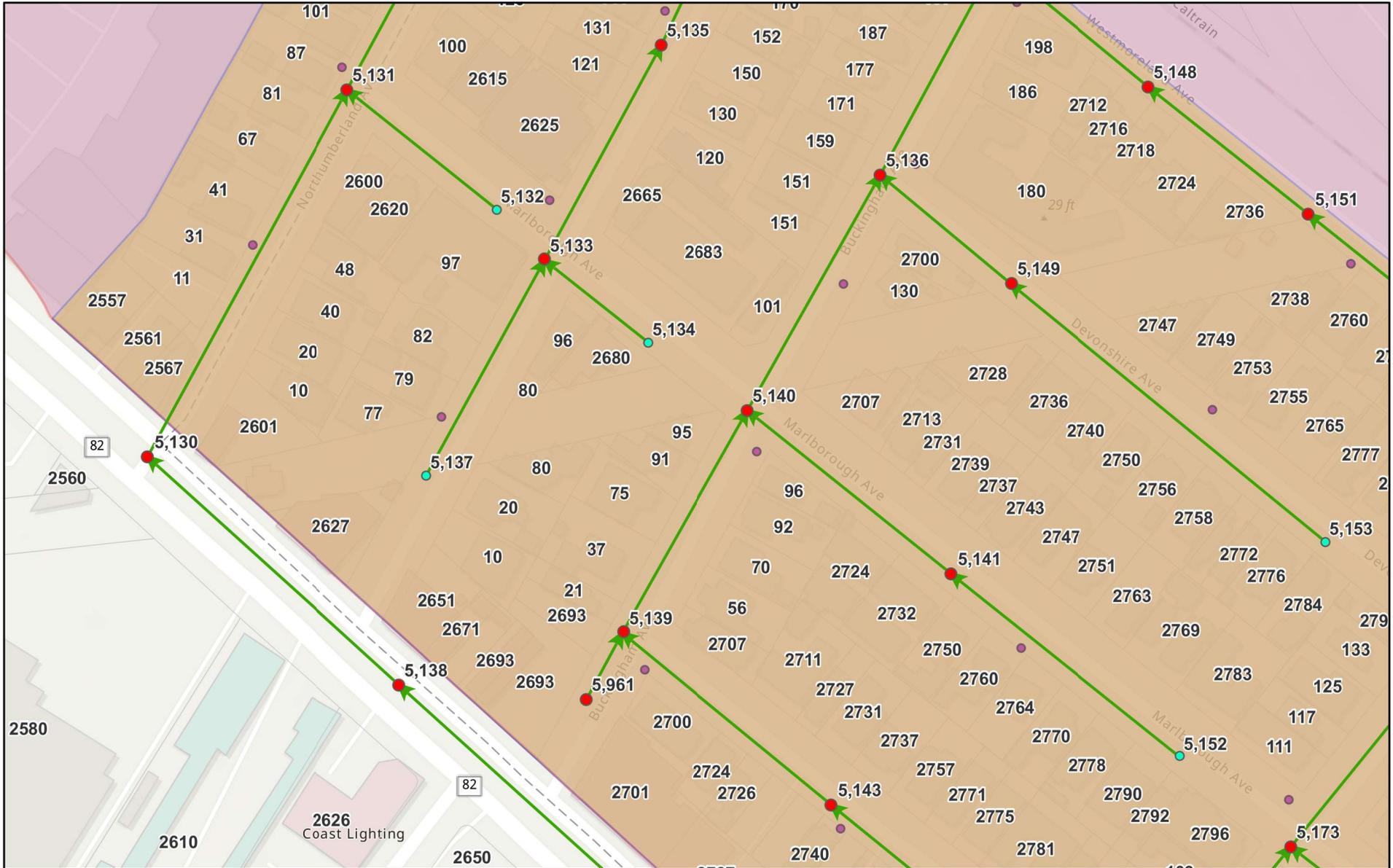
6/12/2023, 3:49:27 PM

- Sewer Nodes
  - Manhole
  - Flushing Inlet
- Sewer Mains
  - County Owned
- Sewer Districts - County
  - Fair Oaks Sewer Maintenance District
- Lights
  - Lights
- Lighting Districts
  - Menlo Park Highway Lighting District
  - Parcels & House Number Label



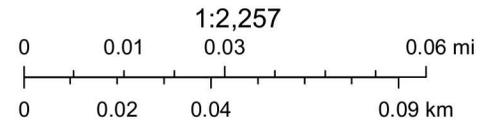
Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA,

# Project South Map 1



6/12/2023, 3:51:33 PM

- Sewer Nodes
  - Manhole
  - Flushing Inlet
- Sewer Mains
  - ➔ County Owned
- Lights
  - Lights
- Lighting Districts
  - Menlo Park Highway Lighting District
  - Fair Oaks Sewer Maintenance District
- Parcels & House Number Label

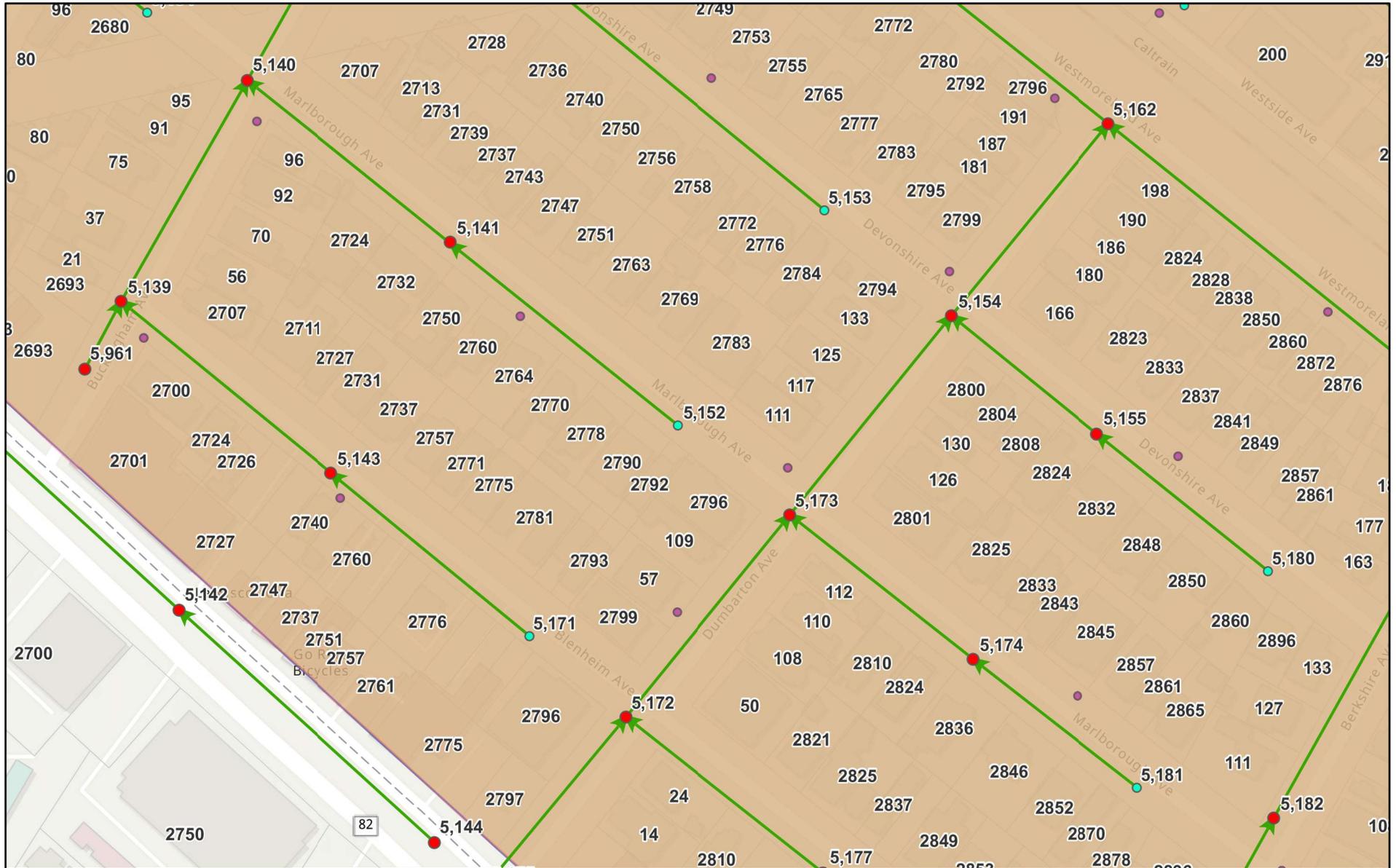


Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA,

DPW GIS

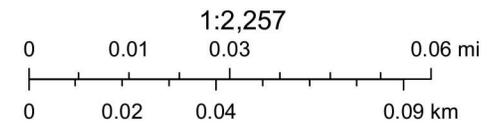
Esri Community Maps Contributors, Redwood City, County of San Mateo, California, California State Parks, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US

# Project South Map 2



6/12/2023, 3:53:27 PM

- Sewer Nodes
  - Manhole
  - Flushing Inlet
- Sewer Mains
  - ➔ County Owned
- Sewer Districts - County
  - █ Fair Oaks Sewer Maintenance District
- Lights
  -
- Lighting Districts
  - █ Menlo Park Highway Lighting District
  - █ Parcels & House Number Label



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA,

DPW GIS

Esri Community Maps Contributors, Redwood City, County of San Mateo, California, California State Parks, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US

## b. Project Impacts and Mitigation Measures

<p><b>Threshold 1:</b> Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?</p>
<p><b>Threshold 3:</b> 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?</p>

**Impact UTIL-1 DEVELOPMENT FACILITATED BY THE PROJECT WOULD NOT REQUIRE OR RESULT IN THE RELOCATION OR CONSTRUCTION OF NEW OR EXPANDED WATER, STORM WATER DRAINAGE, ELECTRIC POWER, NATURAL GAS, OR TELECOMMUNICATIONS FACILITIES. HOWEVER, INCREASED WASTEWATER GENERATION FROM DEVELOPMENT FACILITATED BY THE PROJECT WOULD EXACERBATE EXISTING SYSTEM DEFICIENCIES. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.**

---

### Water

North Fair Oaks is served by existing Cal Water Bear Gulch District potable water facilities. Development facilitated by the project may require the installation of additional water main lines, lateral connections, and hydrants within the community. Such facilities would be installed during individual project construction and within the disturbance area of such projects or the rights-of-way of previously disturbed roadways where infrastructure maintenance and upgrades are routine; therefore, the construction of these infrastructure improvements would not substantially increase the project's disturbance area or otherwise cause significant environmental effects beyond those already identified throughout this EIR.

### Wastewater

Development facilitated by the project would create additional demand for wastewater treatment services in the unincorporated county. Because development facilitated by the project would occur within the FOSMD service area, wastewater infrastructure already exists in the project area. The affected parcels are located directly adjacent to existing sewer pipelines. Therefore, the proposed project would not result in construction or relocation of new wastewater facilities such that significant environmental impacts would result.

is anticipated to

approximately

Development facilitated by the project would generate 133,972 gallons per day (gpd) of additional wastewater in the project area (Appendix D). The Sewer Analysis determined that the sewer mains fronting the proposed rezoning parcels can accommodate the anticipated increase in flow that would be generated by the project at buildout (Appendix D). Parcels located along streets which are at the most upstream ends of smaller diameter sewer mains, which are assumed to be 6" in diameter, are not included in the FOSMD-identified locations of predicted surcharge and capacity deficiencies. However, there are two Capacity Projects that FOSMD has identified which are downstream of the proposed rezoning parcels. The existing sewer system at these Capacity Project locations are either currently experiencing or are anticipated to experience throttle and backup of sewer flows related to future development. These Capacity Projects consist of replacing portions of the existing system with larger diameter pipe to increase system capacity. Timing for construction and implementation of the FOSMD Capacity Projects is unknown.

County of San Mateo  
**North Fair Oaks Rezoning and General Plan Amendment Project**

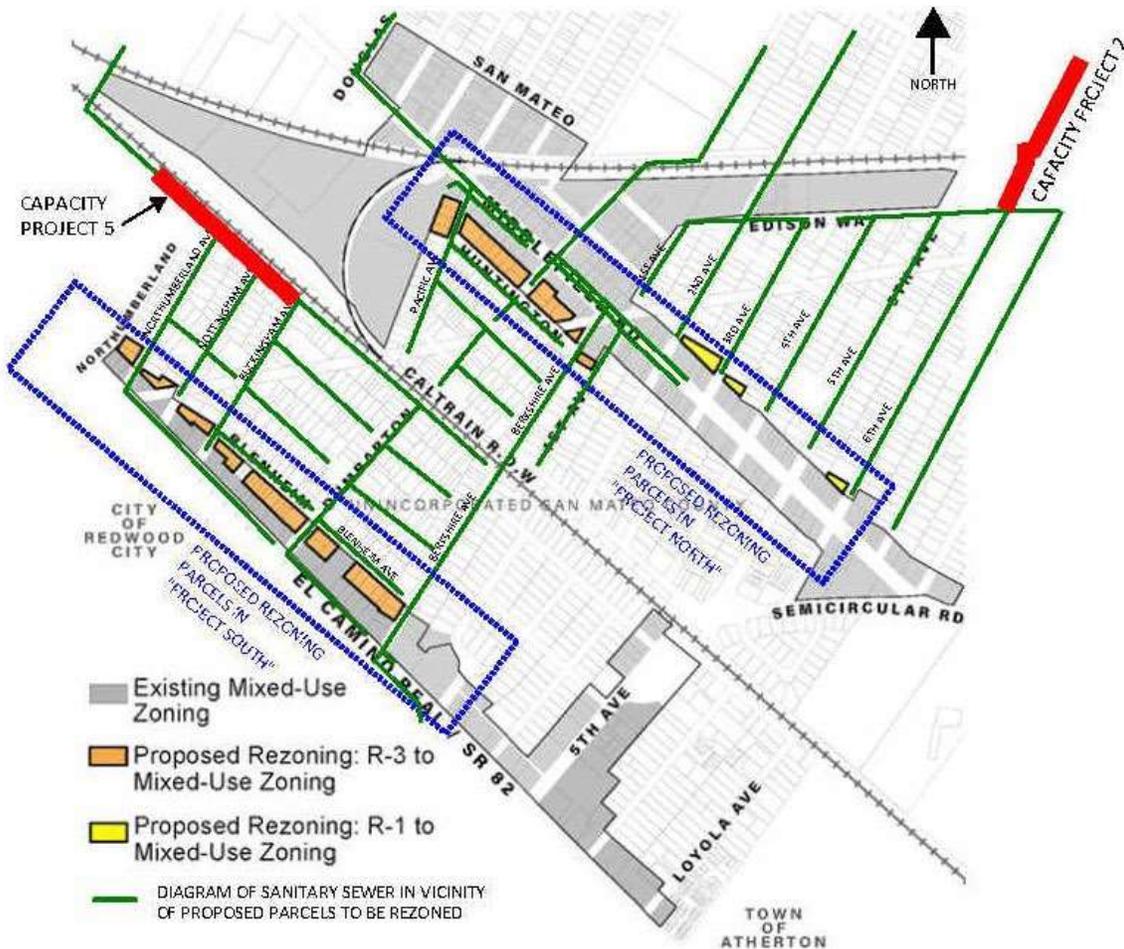
The proposed rezoning parcels, which are grouped under “Project South” in Table 4.14-1, below, would contribute wastewater to Capacity Project 5. Capacity Project 5 is anticipated to experience throttle and backup conditions resulting from future development, which would be exacerbated by development facilitated by the project. In addition to the “Project South” parcels, one proposed rezoning parcel located on 6<sup>th</sup> Avenue would contribute additional flow to Capacity Project 2, and is listed under “Project North.” Capacity Project Location 2 is experiencing throttle under existing conditions. The remaining “Project North” proposed rezoning parcels do not have sewer capacity deficiencies. Both Capacity Project areas and existing service lines are depicted in Figure 4.14-1, below.

**Table 4.14-1 Potential Total Flow (gallons per day)**

	Total Flow of Existing Development	Total Flow under Existing Zoning Buildout	Potential Total Flow under Proposed Zoning	Wastewater Flows to Capacity Project?
<b>Project South</b>				
Northumberland Avenue	6,741.60	6,741.60	16,927.69	Yes, Capacity Project 5 (CP 5)
Nottingham Avenue	5,901.60	5,901.60	8,827.72	Yes, CP 5
Buckingham Avenue	0.00	0.00	0.00	Yes, CP 5
El Camino Real	3,272.80	3,633.60	4,847.76	Yes, CP 5
Blenheim Avenue (east)	20,131.20	20,492.00	33,406.80	Yes, CP 5
Blenheim Avenue (West)	28,420.80	34,193.60	55,738.33	Yes, CP 5
Dumbarton Avenue	4,893.60	5,254.40	8,545.20	Yes, CP 5
Berkshire Avenue	1,015.60	1,015.60	6,383.30	Yes, CP 5
<b>Project North</b>				
Pacific Avenue	5,877.69	5,877.60	27,497.66	No
Dumbarton Avenue	995.60	1,356.40	19,478.60	No
Berkshire Avenue	360.80	721.60	721.60	No
1 <sup>st</sup> Avenue	851.60	851.60	5,532.80	No
Huntington Avenue (East)	2,986.80	3,708.40	5,006.20	No
Huntington Avenue (West)	5,646.40	6,007.20	18,185.30	No
3 <sup>rd</sup> Avenue	1,656.80	1,656.80	17,318.67	No
6 <sup>th</sup> Avenue	5,394.00	5,394.00	8,360.15	Yes, Capacity Project 2
<b>Total</b>	<b>94,146.80</b>	<b>102,806.00</b>	<b>236,777.76</b>	-

Source: Appendix D

**Figure 4.14-1 FOSMD Capacity Projects**



Source: Appendix D

The County requires development projects to replace sewer main infrastructure within the existing system in order to reduce predicted inflow exceedances by an amount equivalent to the anticipated change in flow. The length of replacement pipe is calculated to mitigate flows only to the amount that a specific project is contributing. This County requirement ensures that the existing system is upgraded as development occurs in order to provide adequate capacity for future development, and to alleviate existing capacity issues.

As described above and shown in Table 4.14-1, development facilitated by the project would exacerbate existing wastewater system capacity issues. While County requirements would help to reduce impacts, additional measures would be required in order to manage wastewater system capacity issues. Therefore, mitigation measure UTIL-1 would be required in order to reduce impacts to less than significant levels.

### Stormwater

As discussed in Section 4.8, *Hydrology and Water Quality*, development facilitated by the project would be required to comply with the California Green Building Standards code and SMCO required BMPs for stormwater retention and runoff. Development facilitated by the project may require the installation of additional stormwater infrastructure on individual project sites. Such

facilities would be installed during individual project construction and within the disturbance area of such projects or the rights-of-way of previously disturbed roadways; therefore, the construction of these infrastructure improvements would not substantially increase the project's disturbance area or otherwise cause significant environmental effects beyond those already identified throughout this EIR.

## **Electric Power**

The project would require connections to existing electrical transmission and distribution systems on site to serve the project site. This service would be provided in accordance with the rules and regulations of PG&E and PCE on file with and approved by CPUC. Based on the availability of existing electrical infrastructure, it is not anticipated that the construction of new electrical transmission and distribution lines would be required, and all sites would be able to connect to existing infrastructure. Therefore, there would be adequate electrical facilities to serve future development in the project area and impacts related to electricity would be less than significant.

## **Natural Gas**

Future development in the project area would connect to existing natural gas infrastructure to meet the needs of site residents and tenants. Based on the availability of existing natural gas infrastructure, construction of new natural gas pipelines would not be required, and all sites would be able to connect to existing infrastructure. Therefore, there would be adequate natural gas facilities to serve the future development in the project area and impacts related to natural gas would be less than significant.

## **Telecommunications**

Development facilitated by the project would require connections to existing adjacent utility infrastructure to meet the needs of future residents and tenants. Based on the availability of existing telecommunications infrastructure, construction of new telephone and cable lines would not be required, and individual projects would be able to connect to existing infrastructure. Future development projects would be required to adhere to applicable laws and regulations related to the connection to existing telecommunication infrastructure. Therefore, there would be adequate telecommunications facilities to serve the future development in the project area and impacts related to telecommunications would be less than significant.

## **Summary**

As discussed above, there is adequate water, stormwater, electric power, natural gas, and telecommunication infrastructure to serve the project. Impacts related to the provision of these utility facilities would be less than significant. Development facilitated by the project would exacerbate existing wastewater system capacity issues, and mitigation would be required in order to reduce wastewater capacity impacts to less than significant.

## **Mitigation Measures**

### *UTIL-1 Wastewater Provider Capacity*

If Capacity Projects 2 and/or 5 have not been completed by the start of construction of individual projects, and/or additional capacity constraints have been identified by FOSMD that are located downstream of the project parcel, the County shall require future development on parcels in the

project area that would contribute wastewater flows to throttled pipelines to demonstrate that there is sufficient capacity within these pipelines to accommodate proposed development, or that the necessary improvements (proportionate to a project's individual effects) will be made by the developer prior to occupancy. The County may alternatively require the payment of an in-lieu fee for the purpose of upgrading the wastewater collection system as needed.

The Sewer District requires the developer to make the necessary improvements rather than collecting in-lieu fees.

### Significance After Mitigation

Mitigation Measure UTIL-1 requires that future projects on parcels that contribute to Project 2 and 5 demonstrate sufficient capacity is available within these systems less than significant with mitigation incorporated.

**Threshold 2:** Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

**Impact UTIL-2** THE CAL WATER BEAR GULCH DISTRICT IS EXPECTED TO EXPERIENCE WATER SHORTAGES UNDER SINGLE- AND MULTI-DRY YEAR CONDITIONS; HOWEVER, DEVELOPMENT FACILITATED BY THE PROJECT WOULD BE REQUIRED TO COMPLY WITH THE WATER SHORTAGE CONTINGENCY PLAN. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The Cal Water Bear Gulch District UWMP projects Cal Water's service population to be 62,835 by 2045 which is accounted for in the analysis of water management within the UWMP. It is estimated that Cal Water's service area population was 60,814 in 2020 (Cal Water 2021). As discussed in Section 4.11, *Population and Housing*, the project could accommodate an estimated net increase of 918 buildout population potential in the North Fair Oaks community. Accordingly, the estimated population increase would not exceed the projected population increase within the Cal Water Bear Gulch District UWMP. Cal Water presents water supply and demand comparison scenarios for normal year supply and demand and single dry year with implementation of the BDP, and multiple dry year conditions with implementation of the BDP. Table 4.14-2 shows the Cal Water Bear Gulch District UWMP water demand and supply projections from 2020 to 2045 under normal, single dry, and multiple dry years (Cal Water 2021).

# Appendix D

---

Sewer Analysis

**MEMORANDUM**

**To:** Matt Taecker, WRT San Francisco **File:** 2130054  
**From:** Julia Harberson, Kristine Pillsbury  
**Date:** February 13, 2023  
**Subject:** **NORTH FAIR OAKS PARCEL REZONING SEWER ANALYSIS –PRELIMINARY-**

The purpose of this Preliminary Sewer Analysis is to provide the results of calculations to determine the increase in sewer flows as a result of rezoning a selection of parcels within the North Fair Oaks community area. Specifically, those which are included in the North Fair Oaks Rezoning and General Plan Amendment Project proposed by the County of San Mateo.

**BASIS OF ANALYSIS**

Fifty-four parcels are proposed to be rezoned as part of the North Fair Oaks Rezoning and General Plan Amendment Project. See attached Exhibit A, Exhibit B and Exhibit C for lists of the proposed parcels, their current uses and designations, proposed designations and housing unit and population buildout potential.

The increase in sewer flows is analyzed using information from the “Fair Oaks Sewer Maintenance District Sewer Master Plan Technical Memorandum by RMC Water and Environment” dated 09/28/2015 (2015 Technical Memorandum) and from the “Fair Oaks Sewer Maintenance District Sewer Master Plan Phases 3 & 4 and Phase 1 Update Technical Memorandum Addendum by Woodard & Curran” dated 03/02/2021 (2021 Technical Memorandum).

**BASE WASTEWATER FLOW**

The following were used as the basis for Base Wastewater Flow for the analysis:

Table 1:

<b>Flow Source</b>	<b>Flow Rate</b>	<b>Reference</b>
<b>Residential</b>	220 gallons/day/ERU	Fair Oaks Sewer Maintenance District (FOSMD) standard; provided verball by FOSMD
<b>Commercial</b>	0.15 gallons/day/sf	Fair Oaks Sewer Maintenance District Sewer Master Plan Phases 3 & 4 and Phase 1 Update Technical Memorandum Addendum by Woodard & Curran 03/02/2021 Footnote 2 under Table 2

**BASE WASTEWATER FLOW PEAKING FACTOR**

Table 2:

Flow Source	Peaking Factor	Reference
Residential	1.58	2021 Technical Memorandum 2.2.1.1 Adjustments to Existing Model Loads
Commercial	1.7	2015 Technical Memorandum Figure 2-9: Diurnal Profile for “Commercial”

**GROUNDWATER INFILTRATION**

The assumption for groundwater infiltration was taken from footnote c. under Table 4-1 Peak I/I by Flow Meter Area of the 2015 Technical Memorandum. Footnote c. indicates groundwater infiltration is approximately 6 percent of overall ADWF.

**RAINFALL DEPENDENT INFLOW/INFILTRATION (RDI/I)**

Rainfall dependent inflow and infiltration was determined by multiplying the Unit Peak RDI/I Rate in “Table 4-1: Peak I/I by Flow Meter Area” of the 2015 Technical Memorandum by the length of pipe fronting selected parcels along streets in specific Flow Meter Basin areas. See attached Figure 3 for the location of the Flow Meter Basin areas relative to the project parcels to be rezoned.

Table 3:

Street	Flow Meter Basin Area	Unit Peak RDI/I Rate (gpd/ft)
<b>Project South</b>		
Northumberland Ave Nottingham Ave Buckingham Ave El Camino Real Blenheim Ave (East) Blenheim Ave (West) Dumbarton Ave	52A	28
Berkshire Ave	53	2
<b>Project North</b>		
Pacific Ave Huntington Ave (West) 3 <sup>rd</sup> Ave	52	6
Dumbarton Ave Berkshire Ave 1 <sup>st</sup> Ave Huntington Ave (East)	53	2
6 <sup>th</sup> Ave	56	62

**RESULTS**

Sewer Mains Fronting the Parcels to be Rezoned:

The analysis and results of the analysis are provided in Analysis Tables 1 through 8 attached to this report. The analysis shows that the sewer mains fronting the parcels proposed to be rezoned (see Figure 1) can accommodate increases in flow due to the additional residential units and commercial space square footage allowed by the proposed zoning for the parcels, over existing zoning buildout (see Analysis Table 6, attached). For the most part, the parcels are located along streets which are at the most upstream ends of smaller diameter sewer mains which are assumed to be 6" in diameter and not included in any of the FOSMD-identified locations of predicted surcharge and capacity deficiencies.

Downstream of the Parcels, within the Fair Oaks Sewer Maintenance District:

However, there are two Capacity Projects that FOSMD has identified which are downstream of the parcels to be rezoned (see Figure 2). The existing sewer system at these Capacity Project locations is either currently experiencing throttle of sewer flows, or is anticipated to experience throttle and backup of sewer flows related to future development. The Capacity Projects are described in the FOSMD 2015 and 2021 Technical Memorandums and consist of replacing portions of the existing system with larger diameter pipe to increase system capacity. Timing for construction and implementation of the FOSMD Capacity Projects is not known.

The parcels which are grouped under "Project South" in the attached Analysis Tables 1 through 8, if rezoned, will contribute runoff to Capacity Project 5 identified in Table 5, "Locations of Model-Predicted Surcharge and Potential Capacity Deficiencies" of the 2021 Technical Memorandum. Capacity Project 5 is anticipated to experience throttle and backup conditions resulting from future development accounted for in the model. The potential future flows from this rezoning project are in addition to the future development accounted for in the District's model.

As well within the parcels which are grouped under "Project North", one parcel proposed to be rezoned, on 6<sup>th</sup> Avenue, will contribute additional flow to Capacity Project 2 identified in Table 5 of the 2021 Technical Memorandum. Capacity Project Location 2 is experiencing throttle under existing conditions.

The remainder of the parcels within the "Project North" group of parcels discharge to modeled sewer systems which do not appear to have capacity issues.

Redwood City and Silicon Valley Clean Water:

The Fair Oaks Sewer Maintenance District system discharges into the Redwood City infrastructure approximately one mile downstream of the project parcels to be rezoned. After the Redwood City sewer infrastructure intercepts flows from FOSMD, sewage is conveyed to the Silicon Valley Clean Water wastewater treatment plant in Redwood City, approximately five miles from the project parcels to be rezoned.

By conjecture, it is assumed that the Redwood City and Silicon Valley Clean Water agency sewer infrastructure are at or under capacity and not able to intercept and convey any increases in sewer flow.

The results of the analysis indicate that, unless mitigated, the proposed project will increase flows discharged to the Redwood City and Silicon Valley Clean Water infrastructure. As seen in Analysis Table 4, the change in sewer flow over Existing Zoning Buildout is an increase of 133,972 gallons per day, or 0.21 cubic feet per second.

**This paragraph was replaced with the following text in memo sent to FOSMD dated 2/22/23:**

Based on statement made in a Technical Advisory Committee meeting, this analysis assumes that the Redwood City and Silicon Valley Clean Water agency sewer infrastructure are at or over capacity and not able to intercept and convey any increases in sewer flow. Attempts were made to reach out to Redwood City and Silicon Valley Clean Water, however, contact could not be made.

*Preliminary Mitigation Discussion:*

Increases in sewer flows, due to an increase in population as a result of rezoning the parcels, if unmitigated are anticipated to exacerbate throttle and backup conditions within the existing pipe system at the FOSMD-planned Capacity Project 2 and Capacity Project 5 locations. Additionally, increases in sewer flows, if unmitigated, are anticipated to impact the capacity of the Redwood City sewer infrastructure and Silicon Valley Clean Water treatment capacity.

Alternatives to mitigate potential increases in sewer flow which will impact the Capacity Project 2 and Capacity Project 5 areas, as well as the Redwood City and Silicon Valley Clean Water system capacities, include, but are not limited to:

- A. Rezone to accommodate an increase in commercial square footage, but only to a level that the maximum number of dwelling units and commercial buildings creates a zero-net wastewater generation.

As seen in Analysis Table 8, the maximum number of dwelling units and commercial building which could be allowed so that resulting sewer flows will not exceed conditions commensurate with existing zoning buildout, is approximately 9 dwelling units combined with approximately 21,319 sf of commercial square footage.

- B. Replace sewer main infrastructure to reduce predicted RDI/I by the potential amount of sewer flow increase by the rezoned parcels, over existing zoning buildout.

This mitigation measure includes replacing sewer main infrastructure within the North Fair Oaks Sewer Maintenance District system in order to reduce predicted RDI/I by an amount equivalent to the change in flow promulgated by the proposed zoning, above the buildout scenario for existing zoning. As discussed with FOSMD, the County already requires developers to mitigate increases in sewer flow by replacing pipe in an amount so that RDI/I is reduced by the amount of flow added by the development. The pipe replacement project will typically be in the same Flow Meter Basin as the development.

Analysis Table 7, attached, provides replacement lengths of pipe by Flow Meter Basin Areas to mitigate increases in flow as a result of rezoning of the project parcels. The Table provides three replacement scenarios:

1. Pipe replacement length if sewer replacement is performed in the same flow meter area as the parcel being developed.
2. Pipe replacement length if sewer replacement is performed in Flow Meter Basin 52A, regardless of the basin of the parcel being developed.
3. Pipe replacement length if sewer replacement is performed in Flow Meter Basin 56, regardless of the basin of the parcel being developed.

For those parcels in a flow meter basin which has a lower RDI/I rate, such as Basins 52 and 53, where the RDI/I rates are 2 to 6 gallons per day per foot of pipe, the length of replacement may result in a mitigation scenario that is prohibitively expensive to the development. An alternative for rezoned parcels in areas with low RDI/I rates could be for the future development projects of the parcels to replace pipe or pay in-lieu fees to support the rehabilitation of infrastructure in basins of Fair Oaks Sewer Maintenance District, other than their own, with higher RDI/I rates. In this manner, the proposed projects will still assist with mitigating potential increases in sewer flows to FOSMD Capacity Project areas and to Redwood City and Silicon Valley Clean Water.

To note, rezoned parcels will have maximum allowable dwelling unit and commercial floor space areas, but development may not actually occur to the maximum designation. The length of pipe proposed to be replaced should be consistent with current requirement for proposed projects to mitigate flows only to the amount that they are increasing them.

## DISCUSSIONS WITH DISTRICTS AND AGENCIES

Attempts were made to reach out to Redwood City and Silicon Valley Clean Water. However, contact could not be made.

A meeting was held with Fair Oaks Sewer Maintenance District, Woodward & Curran, the FOSMD Sewer Master Plan consultant, the County of San Mateo Planning, WRT, Rincon and CSWST2 on February 6, 2023 to discuss the basis of analysis, preliminary results and potential mitigations for the North Fair Oaks Parcel Rezoning project. FOSMD provided information related to standard assumption for flow rate per ERU and mitigation requirement for projects to replace pipe in the existing sewer system to reduce RDI/I to a level equivalent to increases in sewer flow as a result of the project.

Coordination with FOSMD is ongoing as of February 13, 2023 to confirm sewer main sizes fronting the parcels to be rezoned.

**Text was added to this paragraph in memo sent to FOSMD dated 2/22/23:** Based on statement made in a Technical Advisory Committee meeting, this analysis assumes that the Redwood City Redwood City and Silicon Valley Clean Water agency sewer infrastructure are at or over capacity and not able to intercept and convey any increases in sewer flow.

## ATTACHMENTS

Analysis Table 1 – Existing Conditions

Analysis Table 2 – Flows Based on Existing Development

Analysis Table 3 – Flows Based on Buildout under Existing

Analysis Table 4 – Change in Flows based on Buildout under

Analysis Table 5 – Potential Total Flow – Proposed Zoning Buildout vs. Existing Zoning Buildout and Existing Development

Analysis Table 6 – Potential Total Flow Proposed Zoning and Estimated Capacity of Main Fronting Parcels

Analysis Table 7 – Length of Pipe Replacement to Mitigate Increases in Flow above Existing Zoning Buildout

Analysis Table 8 – Number of Dwelling Units and Commercial Square Footage for Net Zero Increase in Sewer Flows

Exhibit A – Proposed Rezoning Parcels - Current Uses and Designations

Exhibit B – Proposed Rezoning Parcels – Proposed Designations

Exhibit C – Housing Unit and Population Buildout Potential

Figure 1 – Diagram of Sanitary Sewer in Vicinity of Parcels Proposed to be Rezoned

Figure 2 – Fair Oaks Sewer Maintenance District Capacity Projects 2 and 5  
Figure 3 – Fair Oaks Sewer Maintenance District Flow Meter Areas Relative to Parcels Proposed to be Rezoned

## ATTACHMENTS

<b>ANALYSIS TABLE 1: EXISTING CONDITIONS</b>							
	Existing DU	Addtl DU under Existing Zoning	Commercial under Existing Zoning	Flow Meter Area <sup>b</sup>	Unit Peak RDI/I Rate <sup>e</sup>	Length of Sewer Pipe Fronting Parcels <sup>c</sup>	Pipe Diameter <sup>d</sup>
	Number of Units	Number of Units	No Commercial under Existing Zoning	Basin Designation	Gallons/Day/Foot (gpd/ft)	feet (ft)	inches (in)
<b>Project South</b>							
Northumberland Avenue	2	0	0	52A	28	215	6
Nottingham Avenue	2	0	0	52A	28	185	6
Buckingham Avenue <sup>a</sup>	0	0	0	52A	28	0	El Camino Real
El Camino Real	1	1	0	52A	28	104	6
Blenheim Avenue (East)	9	1	0	52A	28	603	6
Blenheim Avenue (West)	26	16	0	52A	28	680	6
Dumbarton Avenue	2	1	0	52A	28	149	6
Berkshire Avenue	2	0	0	53	2	147	modeled pipe
<b>Project North</b>							
Pacific Avenue	12	0	0	52	6	258	6
Dumbarton Avenue	2	1	0	53	2	137	6
Berkshire Avenue <sup>a</sup>	1	1	0	53	2	0	modeled pipe
1st Avenue	2	0	0	53	2	65	6
Huntington Avenue (East)	6	2	0	53	2	411	6
Huntington Avenue (West)	8	1	0	52	6	460	6
3rd Avenue	1	0	0	52	6	216	6
6th Avenue	0	0	0	56	62	87	6
<b>Total</b>	<b>76</b>	<b>24</b>	<b>0</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

a. Street is listed, but no numbers for change in DU or Commercial square footage.

b. Fair Oaks Sewer Maintenance District Sewer Master Plan, Flow Meter Basin for each Parcel determined using Figure 4-1: Wet Weather Peaking Factors for Flow Meter Areas

c. Length of sewer main fronting parcels measured in San Mateo GIS Parcel View at

d. Diameter Assumed

e. Fair Oaks Sewer Maintenance District Sewer Master Plan, Table 4-1: Peak I/I by Flow Meter Area

<b>ANALYSIS TABLE 2: FLOWS BASED ON EXISTING DEVELOPMENT</b>						
	BWF Existing <sup>c</sup>	BWF*Peaking Factor <sup>b</sup>	Groundwater Infiltration	RDI/I <sup>d</sup>	Total Flow Based on Existing Development <sup>e</sup>	Total Flow Based on Existing Development
	Gallons/Day (gpd)	Gallons/Day (gpd)	6% of Overall ADWF <sup>a</sup> Gallons/Day (gpd)	Gallons/Day (gpd)	Gallons/Day (gpd)	Cubic Feet per Second (cfs)
<b>Project South</b>						
Northumberland Avenue	440	695.2	26.4	6020	6741.60	0.010
Nottingham Avenue	440	695.2	26.4	5180	5901.60	0.009
Buckingham Avenue <sup>a</sup>	0	0	0	0	0.00	0.000
El Camino Real	220	347.6	13.2	2912	3272.80	0.005
Blenheim Avenue (East)	1980	3128.4	118.8	16884	20131.20	0.031
Blenheim Avenue (West)	5720	9037.6	343.2	19040	28420.80	0.044
Dumbarton Avenue	440	695.2	26.4	4172	4893.60	0.008
Berkshire Avenue	440	695.2	26.4	294	1015.60	0.002
<b>Project North</b>						
Pacific Avenue	2640	4171.2	158.4	1548	5877.60	0.009
Dumbarton Avenue	440	695.2	26.4	274	995.60	0.002
Berkshire Avenue <sup>a</sup>	220	347.6	13.2	0	360.80	0.001
1st Avenue	440	695.2	26.4	130	851.60	0.001
Huntington Avenue (East)	1320	2085.6	79.2	822	2986.80	0.005
Huntington Avenue (West)	1760	2780.8	105.6	2760	5646.40	0.009
3rd Avenue	220	347.6	13.2	1296	1656.80	0.003
6th Avenue	0	0	0	5394	5394.00	0.008
<b>Total</b>	-	-	-	-	94146.80	0.146

a. Fair Oaks Sewer Maintenance District Sewer Master Plan, Table 4-1, footnote c.

b. Fair Oaks Sewer Maintenance District Sewer Master Plan, Figure 2-9, Diurnal Profiles for "Residential Weekend" (Peaking Factor 1.58) and "Commercial" (Peaking Factor 1.7). Residential Weekend peaking factor update provided in 2021 Technical Memorandum for Sewer Master Plan.

c. Residential: Fair Oaks Sewer Maintenance District Standards, 220 gal/day/ERU;  
Commercial: 2021 Technical Memorandum for Sewer Master Plan, medium-use flow factor 0.15gpd/sf

d. Unit Peak RDI/I Rate \* Length of Pipe (Analysis Table 1)

e. (Base Flow \* Peaking Factor) + Groundwater Infiltration + RDI/I

<b>ANALYSIS TABLE 3: FLOWS BASED ON BUILDOUT UNDER EXISTING ZONING</b>						
	BWF Potential under Existing Zoning	(BWF Potential)* (Peaking Factor)	Groundwater Infiltration <sup>b</sup>	RDI/I <sup>c</sup>	Potential Total Flow under Existing Zoning <sup>a</sup>	Potential Total Flow under Existing Zoning
	Gallons/Day (gpd)	Gallons/Day (gpd)	6% of Overall ADWF Gallons/Day (gpd)	Gallons/Day (gpd)	Gallons/Day (gpd)	Cubic Feet per Second (cfs)
<b>Project South</b>						
Northumberland Avenue	440	695.2	26.4	6020	6741.60	0.010
Nottingham Avenue	440	695.2	26.4	5180	5901.60	0.009
Buckingham Avenue <sup>a</sup>	0	0	0	0	0.00	0.000
El Camino Real	440	695.2	26.4	2912	3633.60	0.006
Blenheim Avenue (East)	2200	3476	132	16884	20492.00	0.032
Blenheim Avenue (West)	9240	14599.2	554.4	19040	34193.60	0.053
Dumbarton Avenue	660	1042.8	39.6	4172	5254.40	0.008
Berkshire Avenue	440	695.2	26.4	294	1015.60	0.002
<b>Project North</b>						
Pacific Avenue	2640	4171.2	158.4	1548	5877.60	0.009
Dumbarton Avenue	660	1042.8	39.6	274	1356.40	0.002
Berkshire Avenue <sup>a</sup>	440	695.2	26.4	0	721.60	0.001
1st Avenue	440	695.2	26.4	130	851.60	0.001
Huntington Avenue (East)	1760	2780.8	105.6	822	3708.40	0.006
Huntington Avenue (West)	1980	3128.4	118.8	2760	6007.20	0.009
3rd Avenue	220	347.6	13.2	1296	1656.80	0.003
6th Avenue	0	0	0	5394	5394.00	0.008
<b>Total</b>	-	-	-	-	102806.00	0.159

a. (Base Flow \* Peaking Factor) + Groundwater Infiltration + RDI/I

b. [BWF Potential under Existing Zoning] \* 0.06

c. Unit Peak RDI/I Rate \* Length of Pipe (Analysis Table 1)

<b>ANALYSIS TABLE 4: CHANGE IN FLOWS BASED ON BUILDOUT UNDER PROPOSED ZONING</b>								
	Change in DU	Change in Commercial	Change in BWF (DU)	Change in BWF (Comm)	Change*Peaking Factor (DU)	Change*Peaking Factor (Comm)	Change over Existing Zoning Buildout (Increase in Flow) <sup>a</sup>	Change over Existing Zoning Buildout (Increase in Flow)
	Number of Units	Square Feet (sq ft)	Gallons/Day (gpd)	Gallons/Day (gpd)	Gallons/Day (gpd)	Gallons/Day (gpd)	Gallons/Day (gpd)	cubic feet per second (cfs)
<b>Project South</b>								
Northumberland Avenue	25	5867	5500.00	880.05	8690.00	1496.09	10186.09	0.016
Nottingham Avenue	7	1933	1540.00	289.95	2433.20	492.92	2926.12	0.005
Buckingham Avenue <sup>a</sup>	0	0	0.00	0.00	0.00	0.00	0.00	0.000
El Camino Real	3	672	660.00	100.80	1042.80	171.36	1214.16	0.002
Blenheim Avenue (East)	31	8389	6820.00	1258.35	10775.60	2139.20	12914.80	0.020
Blenheim Avenue (West)	52	13606	11440.00	2040.90	18075.20	3469.53	21544.73	0.033
Dumbarton Avenue	8	2000	1760.00	300.00	2780.80	510.00	3290.80	0.005
Berkshire Avenue	13	3329	2860.00	499.35	4518.80	848.90	5367.70	0.008
<b>Project North</b>								
Pacific Avenue	55	9812	12100.00	1471.80	19118.00	2502.06	21620.06	0.033
Dumbarton Avenue	47	7000	10340.00	1050.00	16337.20	1785.00	18122.20	0.028
Berkshire Avenue <sup>a</sup>	0	0	0.00	0.00	0.00	0.00	0.00	0.000
1st Avenue	12	2000	2640.00	300.00	4171.20	510.00	4681.20	0.007
Huntington Avenue (East)	3	1000	660.00	150.00	1042.80	255.00	1297.80	0.002
Huntington Avenue (West)	31	5500	6820.00	825.00	10775.60	1402.50	12178.10	0.019
3rd Avenue	37	10983	8140.00	1647.45	12861.20	2800.67	15661.87	0.024
6th Avenue	7	2090	1540.00	313.50	2433.20	532.95	2966.15	0.005
<b>Total</b>	<b>331</b>	<b>74181</b>					<b>133971.76</b>	<b>0.21</b>

a. ["Change\*Peaking Factor" for DU] + ["Change\*Peaking Factor" for Comm]

<b>ANALYSIS TABLE 5: POTENTIAL TOTAL FLOW - PROPOSED ZONING BUILDOUT VS EXISTING ZONING BUILDOUT AND EXISTING DEVELOPMENT</b>						
	Total Flow Existing Development <sup>a</sup>	Total Flow Existing Development <sup>a</sup>	Total Flow Existing Zoning Buildout <sup>b</sup>	Total Flow Existing Zoning Buildout <sup>b</sup>	Potential Total Flow under Proposed Zoning <sup>c</sup>	Potential Total Flow under Proposed Zoning <sup>c</sup>
	Gallons/Day (gpd)	Cubic Feet per Second (cfs)	Gallons/Day (gpd)	Cubic Feet per Second (cfs)	Gallons/Day (gpd)	Cubic Feet per Second (cfs)
<b>Project South</b>						
Northumberland Avenue	6741.60	0.010	6741.60	0.010	16927.69	0.026
Nottingham Avenue	5901.60	0.009	5901.60	0.009	8827.72	0.014
Buckingham Avenue <sup>a</sup>	0.00	0.000	0.00	0.000	0.00	0.000
El Camino Real	3272.80	0.005	3633.60	0.006	4847.76	0.008
Blenheim Avenue (East)	20131.20	0.031	20492.00	0.032	33406.80	0.052
Blenheim Avenue (West)	28420.80	0.044	34193.60	0.053	55738.33	0.086
Dumbarton Avenue	4893.60	0.008	5254.40	0.008	8545.20	0.013
Berkshire Avenue	1015.60	0.002	1015.60	0.002	6383.30	0.010
<b>Project North</b>						
Pacific Avenue	5877.60	0.009	5877.60	0.009	27497.66	0.043
Dumbarton Avenue	995.60	0.002	1356.40	0.002	19478.60	0.030
Berkshire Avenue <sup>a</sup>	360.80	0.001	721.60	0.001	721.60	0.001
1st Avenue	851.60	0.001	851.60	0.001	5532.80	0.009
Huntington Avenue (East)	2986.80	0.005	3708.40	0.006	5006.20	0.008
Huntington Avenue (West)	5646.40	0.009	6007.20	0.009	18185.30	0.028
3rd Avenue	1656.80	0.003	1656.80	0.003	17318.67	0.027
6th Avenue	5394.00	0.008	5394.00	0.008	8360.15	0.013
<b>Total</b>	<b>94146.80</b>	<b>0.146</b>	<b>102806.00</b>	<b>0.159</b>	<b>236777.76</b>	<b>0.366</b>

a. From Analysis Table 2

b. From Analysis Table 3

c. Sum of "Potential Total Flow under Existing Zoning" from Analysis Table 3 and "Change over Existing Zoning Buildout (Increase in Flow)" from Analysis Table 4.

ANALYSIS TABLE 6: POTENTIAL TOTAL FLOW PROPOSED ZONING AND ESTIMATED CAPACITY OF MAIN FRONTING PARCELS							
	Potential Total Flow under Proposed Zoning <sup>a</sup>	Approximate Number of Additional Parcels Contributing Flow in Same Pipe	Approximate Additional Flow Contributed by Additional Parcels <sup>d</sup>	Approximate Flow in Pipe <sup>e</sup>	Pipe Diameter <sup>b</sup>	Pipe Capacity Flowing Full <sup>c</sup>	Notes
	Cubic Feet per Second (cfs)		Cubic Feet per Second (cfs)	Cubic Feet per Second (cfs)	inches	Cubic Feet per Second (cfs)	
<b>Project South</b>							
Northumberland Avenue	0.026	16	0.05	0.07	6	0.521	0.07cfs < 0.521 cfs; Pipe has capacity
Nottingham Avenue	0.014	at end of line	0.00	0.01	6	0.521	0.01cfs < 0.521 cfs; Pipe has capacity
Buckingham Avenue <sup>a</sup>	0.000	2	0.01	0.01	El Camino Real	-	Not evaluated because no additional flow.
El Camino Real	0.008	2	0.01	0.01	6	0.521	0.01cfs < 0.521 cfs; Pipe has capacity
Blenheim Avenue (East)	0.052	12	0.04	0.09	6	0.521	0.09cfs < 0.521 cfs; Pipe has capacity
Blenheim Avenue (West)	0.086	11	0.03	0.12	6	0.521	0.12cfs < 0.521 cfs; Pipe has capacity
Dumbarton Avenue	0.013	9	0.03	0.04	6	0.521	0.04cfs < 0.521 cfs; Pipe has capacity
Berkshire Avenue	0.010	modeled pipe	n/a	n/a	modeled pipe		Sewer main size is unknown. It is assumed that the sewer main can accommodate the additional flow of .008cfs.
<b>Project North</b>							
Pacific Avenue	0.043	80	0.24	0.28	6	0.521	0.28cfs < 0.521 cfs; Pipe has capacity
Dumbarton Avenue	0.030	at end of line	0.00	0.03	6	0.521	0.03cfs < 0.521 cfs; Pipe has capacity
Berkshire Avenue <sup>a</sup>	0.001	modeled pipe	n/a	n/a	modeled pipe		Assumed that the sewer main can accommodate the additional flow of 0.001 cfs
1st Avenue	0.009	22	0.06	0.07	6	0.521	0.07cfs < 0.521 cfs; Pipe has capacity
Huntington Avenue (East)	0.008	3	0.01	0.02	6	0.521	0.02cfs < 0.521 cfs; Pipe has capacity
Huntington Avenue (West)	0.028	21	0.06	0.09	6	0.521	0.09cfs < 0.521 cfs; Pipe has capacity
3rd Avenue	0.027	at end of line	0.00	0.03	6	0.521	0.03cfs < 0.521 cfs; Pipe has capacity
6th Avenue	0.013	1	0.00	0.02	6	0.521	0.02cfs < 0.521 cfs; Pipe has capacity
<b>Total</b>	<b>0.366</b>						

a. From Analysis Table 5, "Potential Total Flow under Proposed Zoning"

b. From Analysis Table 1, "Pipe Diameter"

c. Assumes a pipe slope of 1% and a Manning's n value of 0.014; assumed for well maintained, aging, vitrified clay pipe. Pipe capacity (flowing full) calculated using Hydraflow Express computer program distributed by Autodesk.

d. [Analysis Table 5 Total Flow Existing Zoning Buildout (cfs)] / 54 Parcels

e. [Potential Total Flow under Proposed Zoning] + [Approximate Additional Flow Contributed by Additional Parcels]

<b>ANALYSIS TABLE 7: LENGTH OF PIPE REPLACEMENT TO MITIGATE INCREASES IN FLOW ABOVE EXISTING ZONING BUILDOUT</b>						
	Change over Existing Zoning Buildout (Increase in Flow) <sup>a</sup>	Flow Meter Area <sup>b</sup>	Unit Peak RDI/l Rate <sup>b</sup>	Pipe Replacement Length if Replacement performed in same Flow Meter Area	Pipe Replacement Length if Replacement performed in Basin 52A <sup>c</sup>	Pipe Replacement Length if Replacement performed in Basin 56
	Gallons/Day (gpd)	Basin Designation	Gallons/Day/Foot (gpd/ft)	feet	feet	feet
<b>Project South</b>						
Northumberland Avenue	10186.09	52A	28	364	364	164
Nottingham Avenue	2926.12	52A	28	105	105	47
Buckingham Avenue <sup>a</sup>	0.00	52A	28	0	0	0
El Camino Real	1214.16	52A	28	43	43	20
Blenheim Avenue (East)	12914.80	52A	28	461	461	208
Blenheim Avenue (West)	21544.73	52A	28	769	769	347
Dumbarton Avenue	3290.80	52A	28	118	118	53
Berkshire Avenue	5367.70	53	2	2684	192	87
<b>Project North</b>						
Pacific Avenue	21620.06	52	6	3603	772	349
Dumbarton Avenue	18122.20	53	2	9061	647	292
Berkshire Avenue <sup>a</sup>	0.00	53	2	0	0	0
1st Avenue	4681.20	53	2	2341	167	76
Huntington Avenue (East)	1297.80	53	2	649	46	21
Huntington Avenue (West)	12178.10	52	6	2030	435	196
3rd Avenue	15661.87	52	6	2610	559	253
6th Avenue	2966.15	56	62	48	106	48
<b>Total</b>	<b>133971.76</b>					

a. From Analysis Table 4

b. From Analysis Table 1

c. [Change over Existing Zoning Buildout (Increase in Flow)]/[28 gpd/ft]

d. [Change over Existing Zoning Buildout (Increase in Flow)]/[62 gpd/ft]

<b>ANALYSIS TABLE 8: NUMBER OF DWELLING UNITS AND COMMERCIAL SQUARE FOOTAGE FOR NET ZERO INCREASE IN SEWER FLOWS</b>			
	Column 1	Number of DU and	
	Difference between Existing Zoning Buildout and Existing Conditions	Area of Commercial Square Footage for No Net Increase in Sewer Flow	
	Gallons/Day (gpd)	DU Number <sup>a,c</sup>	Commercial Area Square Footage <sup>b,c</sup> Square Feet (sf)
<b>Project South</b>			
Northumberland Avenue	0.00	0	0
Nottingham Avenue	0.00	0	0
Buckingham Avenue <sup>a</sup>	0.00	0	0
El Camino Real	360.80	0	1415
Blenheim Avenue (East)	360.80	0	1415
Blenheim Avenue (West)	5772.80	9	10000
Dumbarton Avenue	360.80	0	1415
Berkshire Avenue	0.00	0	0
<b>Project North</b>			
Pacific Avenue	0.00	0	0
Dumbarton Avenue	360.80	0	1415
Berkshire Avenue <sup>a</sup>	360.80	0	1415
1st Avenue	0.00	0	0
Huntington Avenue (East)	721.60	0	2830
Huntington Avenue (West)	360.80	0	1415
3rd Avenue	0.00	0	0
6th Avenue	0.00	0	0
<b>Total</b>	<b>8659.20</b>	<b>9</b>	<b>21319</b>

a. [Column 1 Gallons/Day] / [220 gpd/unit \* Peaking Factor]

b. [Column 1 Gallons/Day] / [0.15gpd/sf \* Peaking Factor]

c. Where 10,000sf of commercial square footage can be accommodated, the number of DU is determined from the remainder of Column 1 not applied toward 10,000sf of Commercial Space.

Cite Reference

Exhibit A Proposed Rezoning Parcels – Current Uses and Designations

Assessor's Parcel Number	Site Address	Current Land Use	Current Land Use Designation	Current Zoning District
054205010	341 Berkshire Ave	Single Family	Medium High Density Residential	R3 (Multi-Family Residential)
054206150	341 1st Ave	Single Family	Commercial Mixed Use	R3
054206160	345 1st Ave	Single Family	Commercial Mixed Use	R3
054211160	335 Pacific Ave	Single Family	Medium High Density Residential	R3
054211180	355 Pacific Ave	Multi-family	Medium High Density Residential	R3
054211280	347 Pacific Ave	Multi-family	Medium High Density Residential	R3
054211310	339 Pacific Ave	Multi-family	Medium High Density Residential	R3
054215120	341 Dumbarton Ave	Single Family	Medium High Density Residential	R3
054215140	2835 Huntington Ave	Single Family	Medium High Density Residential	R3
054215150	2823 Huntington Ave	Multi-family	Medium High Density Residential	R3
054215160	2819 Huntington Ave	Single Family	Medium High Density Residential	R3
054215170	2813 Huntington Ave	Single Family	Medium High Density Residential	R3
054215180	338 Pacific Ave	Single Family	Medium High Density Residential	R3
054215300	2843 Huntington Ave	Multi-family	Medium High Density Residential	R3
054215310	337 Dumbarton Ave	Single Family	Medium High Density Residential	R3
054217100	2929 Huntington Ave	Multi-family	Medium High Density Residential	R3
054217180	2909 Huntington Ave	Multi-family	Medium High Density Residential	R3
054217200	332 Dumbarton Ave	Multi-family	Medium High Density Residential	R3
054217030	332 Dumbarton adjacent	Auto	Medium High Density Residential	R3
054261210	11 Northumberland Ave	Parking & Open Storage	Medium High Density Residential	R3
054261270	31 Northumberland	Single Family	Medium High Density Residential	R3
054263070	77 Nottingham Ave	Single Family	Medium High Density Residential	R3
054263100	10 Northumberland Ave	Single Family	Medium High Density Residential	R3
054267050	21 Buckingham Ave	Single Family	Medium High Density Residential	R3
054267110	10 Nottingham Ave	Single Family	Medium High Density Residential	R3
C			Medium High Density Residential	R3
C			Medium High Density Residential	R3
C			Medium High Density Residential	R3
054276030	2726 Blenheim Ave	Single Family	Medium High Density Residential	R3
054276060	2740 Blenheim Ave	Single Family	Medium High Density Residential	R3
054276070	None	Multi-family	Medium High Density Residential	R3
054276080	2760 Blenheim Ave	Single Family	Medium High Density Residential	R3
054276090	None	Parking & Open Storage	Medium High Density Residential	R3

Assessor's Parcel Number	Site Address	Current Land Use	Current Land Use Designation	Current Zoning District
054276100	None	Parking & Open Storage	Medium High Density Residential	R3
054276110	2776 Blenheim Ave	Multi-family	Medium High Density Residential	R3
054276120	Blenheim Ave	Auto	Medium High Density Residential	R3
054276130	Blenheim Ave	Auto	Medium High Density Residential	R3
054276140	Blenheim Ave	Auto	Medium High Density Residential	R3
054276330	2796 Blenheim Ave	Multi-family	Medium High Density Residential	R3
054284010	24 Dumbarton Ave	Single Family	Medium High Density Residential	R3
054284020	2810 Blenheim Ave	Single Family	Medium High Density Residential	R3
054284100	2870 Blenheim Ave	Single Family	Medium High Density Residential	R3
054284110	2872 Blenheim Ave	Single Family	Medium High Density Residential	R3
054284120	35 Berkshire Ave	Single Family	Medium High Density Residential	R3
054284130	31 Berkshire Ave	Single Family	Medium High Density Residential	R3
054284300	14 Dumbarton Ave	Single Family	Medium High Density Residential	R3
054284310	2846 Blenheim Ave	Multi-family	Medium High Density Residential	R3
054284320	2852 Blenheim Ave	Multi-family	Medium High Density Residential	R3
054284340	2868 Blenheim Ave	Single Family	Medium High Density Residential	R3
054276040	Blenheim	Parking & Open Storage	Medium High Density Residential	P (Parking)
054276050	Blenheim	Parking & Open Storage	Medium High Density Residential	P
060056250	409 3rd Ave	Public/Quasi-public	Neighborhood Mixed Use / Single Family Residential	R1 (One-Family Residential)
060059180	408 3rd Ave	Single Family	Single Family Residential	R1
060072180	409 6th Ave	Single Family	Single Family Residential	R1

**Exhibit B Proposed Rezoning Parcels – Proposed Designations**

Assessor's Parcel Number	Proposed New Zoning District	Maximum Allowable Density (Dwelling Units Per Acre)	Proposed New Land Use Designation	Anticipated Square Footage of Commercial Area Based on Site Area <sup>1</sup>
054205010	CMU3	120	Commercial Mixed Use	0
054206150	CMU3	120	Commercial Mixed Use (no change)	1,000
054206160	CMU3	120	Commercial Mixed Use (no change)	1,000
054211160	CMU3	120	Commercial Mixed Use	2,000
054211180	CMU3	120	Commercial Mixed Use	1,000
054211280	CMU3	120	Commercial Mixed Use	1,000
054211310	CMU3	120	Commercial Mixed Use	1,000
054215120	CMU3	120	Commercial Mixed Use	0
054215140	CMU3	120	Commercial Mixed Use	2,000
054215150	CMU3	120	Commercial Mixed Use	1,000
054215160	CMU3	120	Commercial Mixed Use	1,500
054215170	CMU3	120	Commercial Mixed Use	0
054215180	CMU3	120	Commercial Mixed Use	4,812
054215300	CMU3	120	Commercial Mixed Use	1,000
054215310	CMU3	120	Commercial Mixed Use	2,000
054217100	CMU3	120	Commercial Mixed Use	0
054217180	CMU3	120	Commercial Mixed Use	1,000
054217200	CMU3	120	Commercial Mixed Use	2,000
054217030	CMU3	120	Commercial Mixed Use	3,000
054261210	CMU1	80	Commercial Mixed Use	2,076
054261270	CMU1	80	Commercial Mixed Use	2,229
054263070	CMU1	80	Commercial Mixed Use	793
054263100	CMU1	80	Commercial Mixed Use	1,562
054267050	CMU1	80	Commercial Mixed Use	0
054267110	CMU1	80	Commercial Mixed Use	1,140
054267190	CMU1	80	Commercial Mixed Use	672
054276010	CMU1	80	Commercial Mixed Use	974
054276020	CMU1	80	Commercial Mixed Use	587
054276030	CMU1	80	Commercial Mixed Use	1,132
054276060	CMU1	80	Commercial Mixed Use	516
054276070	CMU1	80	Commercial Mixed Use	526
054276080	CMU1	80	Commercial Mixed Use	1,069
054276090	CMU1	80	Commercial Mixed Use	1,088
054276100	CMU1	80	Commercial Mixed Use	1,106
054276110	CMU1	80	Commercial Mixed Use	1,133
054276120	CMU1	80	Commercial Mixed Use	1,161

Assessor's Parcel Number	Proposed New Zoning District	Maximum Allowable Density (Dwelling Units Per Acre)	Proposed New Land Use Designation	Anticipated Square Footage of Commercial Area Based on Site Area <sup>1</sup>
054276130	CMU1	80	Commercial Mixed Use	981
054276140	CMU1	80	Commercial Mixed Use	994
054276330	CMU1	80	Commercial Mixed Use	0
054284010	CMU1	80	Commercial Mixed Use	2,000
054284020	CMU1	80	Commercial Mixed Use	0
054284100	CMU1	80	Commercial Mixed Use	2,100
054284110	CMU1	80	Commercial Mixed Use	1,039
054284120	CMU1	80	Commercial Mixed Use	2,329
054284130	CMU1	80	Commercial Mixed Use	1,000
054284300	CMU1	80	Commercial Mixed Use	0
054284310	CMU1	80	Commercial Mixed Use	1,050
054284320	CMU1	80	Commercial Mixed Use	1,050
054284340	CMU1	80	Commercial Mixed Use	3,150
054276040	CMU1	80	Commercial Mixed Use	1,157
054276050	CMU1	80	Commercial Mixed Use	1,182
060056250	NMU-DR	60	Neighborhood Mixed Use	8,786
060059180	NMU-DR	60	Neighborhood Mixed Use	2,196
060072180	NMU-DR	60	Neighborhood Mixed Use	2,090

Notes: CMU3 = Commercial Mixed Use-3; CMU1 = Commercial Mixed Use-1; NMU-DR = Neighborhood Mixed Use-Design Review

<sup>1</sup> Commercial square footage was calculated using an assumption of 40% ground floor commercial for sites that are likely to be developed, which was determined based on the size of existing commercial uses in the North Fair Oaks area.

**Exhibit C Housing Unit and Population Buildout Potential**

Assessor's Parcel Number	Existing Dwelling Units	Total Allowable Dwelling Units Under Current Designation	Anticipated Total Dwelling Units Under Proposed Designation	Increase in Total Dwelling Units (Buildout Potential)	Increase in Buildout Population Potential <sup>1</sup>
054205010	1	1	1	0	0
054206150	1	4	7	6	16
054206160	1	4	7	6	16
054211160	1	4	14	13	35
054211180	3	3	7	4	10
054211280	3	3	7	4	10
054211310	3	3	7	4	10
054215120	1	1	1	0	0
054215140	1	4	14	13	35
054215150	2	2	7	4	12
054215160	1	4	10	9	26
054215170	1	1	1	0	0
054215180	1	4	33	32	89
054215300	2	2	7	5	13
054215310	1	4	14	13	35
054217100	2	2	2	0	0
054217180	4	4	7	3	9
054217200	0	4	14	14	38
054217030	0	4	21	20	56
054261210	0	4	10	10	26
054261270	1	4	10	9	26
054263070	1	2	4	3	7
054263100	1	4	7	6	17
054267050	1	2	1	0	0
054267110	1	2	5	4	12
054267190	0	2	3	3	9
054276010	2	2	4	2	6
054276020	1	2	3	2	5
054276030	1	4	5	4	12
054276060	1	2	2	1	4
054276070	0	2	2	2	7
054276080	1	4	5	4	11
054276090	0	4	5	5	14
054276100	0	4	5	5	14
054276110	4	2	5	1	3
054276120	0	4	5	5	15
054276130	0	4	5	5	12

Assessor's Parcel Number	Existing Dwelling Units	Total Allowable Dwelling Units Under Current Designation	Anticipated Total Dwelling Units Under Proposed Designation	Increase in Total Dwelling Units (Buildout Potential)	Increase in Buildout Population Potential <sup>1</sup>
054276140	0	4	5	5	13
054276330	16	16	16	0	0
054284010	1	4	9	8	23
054284020	1	1	1	0	0
054284100	1	4	10	9	24
054284110	1	4	5	4	10
054284120	1	4	11	10	27
054284130	1	2	5	4	10
054284300	1	1	1	0	0
054284310	2	2	5	2	7
054284320	2	2	5	2	7
054284340	1	4	14	13	37
054276040	0	0	5	5	15
054276050	0	0	5	5	15
060056250	0	4	30	30	84
060059180	1	4	8	7	18
060072180	0	4	7	7	20
<b>Total</b>	<b>76</b>	<b>172</b>	<b>407</b>	<b>332</b>	<b>918</b>

Note: Numbers may not add due to rounding.

<sup>1</sup> Population based on 2.77 persons per household in unincorporated San Mateo County (California Department of Finance 2022).

Cite Reference

FIGURE 1 - DIAGRAM OF SANITARY SEWER IN VICINITY OF PARCELS PROPOSED TO BE REZONED

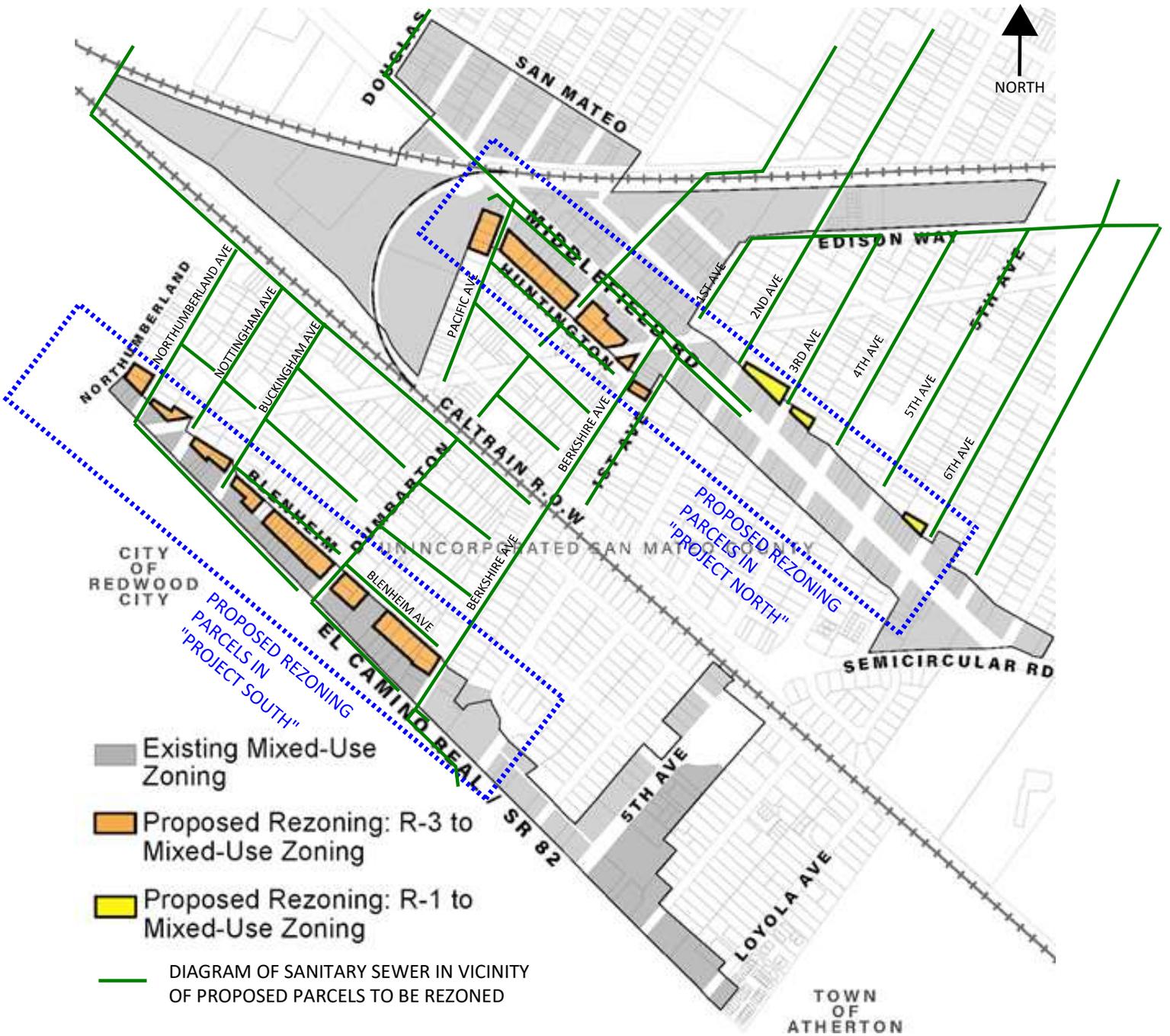
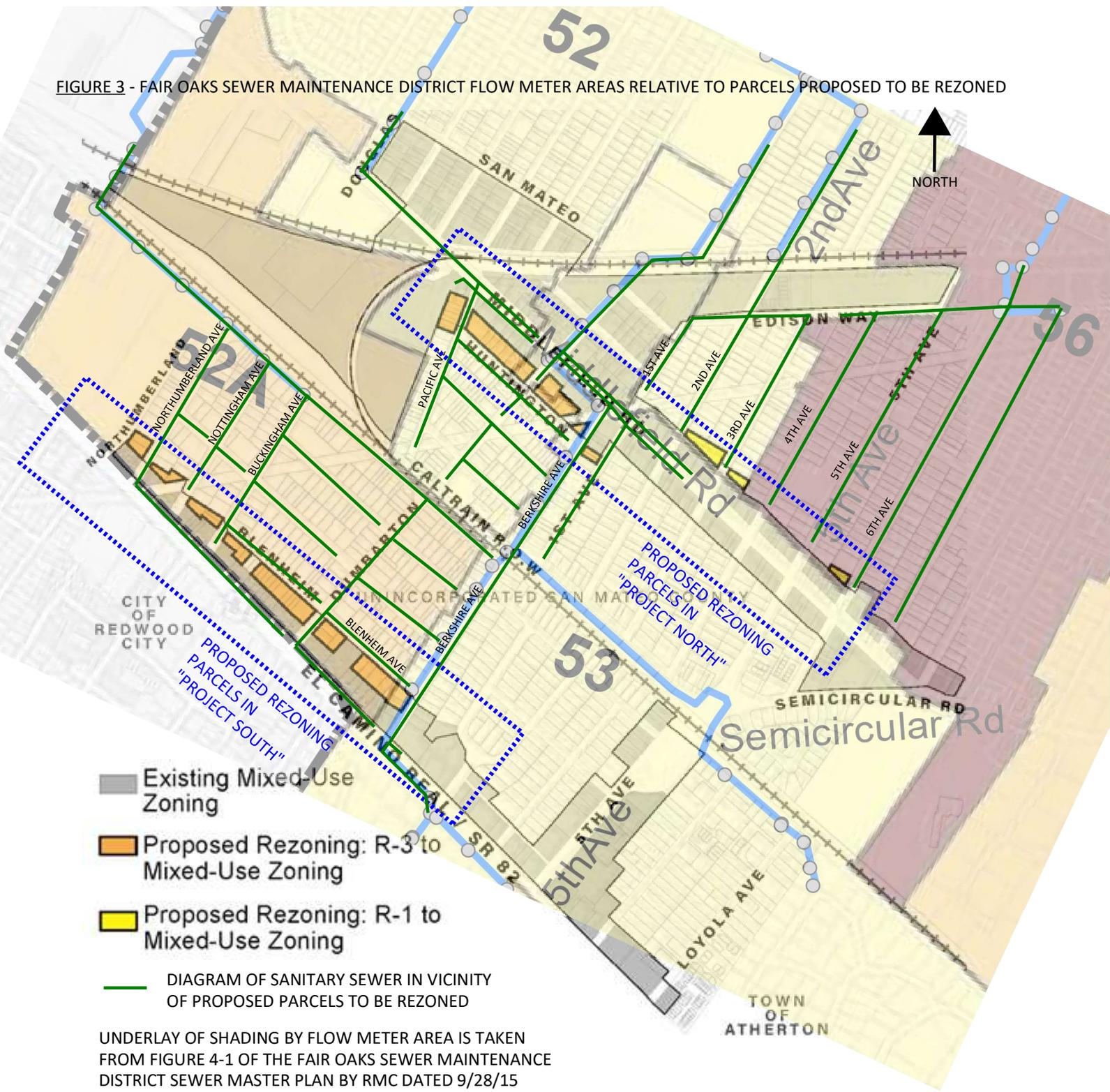


FIGURE 2 - FAIR OAKS SEWER MAINTENANCE DISTRICT CAPACITY PROJECTS



FIGURE 3 - FAIR OAKS SEWER MAINTENANCE DISTRICT FLOW METER AREAS RELATIVE TO PARCELS PROPOSED TO BE REZONED



UNDERLAY OF SHADING BY FLOW METER AREA IS TAKEN FROM FIGURE 4-1 OF THE FAIR OAKS SEWER MAINTENANCE DISTRICT SEWER MASTER PLAN BY RMC DATED 9/28/15

## Letter 2

**COMMENTER:** Julie Young, County of San Mateo Department of Public Works

**DATE:** June 13, 2023

### Response 2.1

The commenter states that plans for development and redevelopment projects within the boundaries of the Sewer District and Lighting Districts must be submitted to the Department of Public Works for review.

The comment is noted. Applicants for future development projects within the boundaries of the Sewer District and Lighting District would submit their plans to the Department of Public Works for review, as required.

### Response 2.2

The commenter states that developments with significant increase in sewage flow would be subject to a more detailed plan review, in which a capacity analysis of the additional sewage anticipated to be generated would be performed by the Sewer District to determine whether the Sewer District facilities have sufficient capacity to accommodate the increased flow. The commenter explains that the applicant would be responsible for the capacity analysis cost. The commenter states that the capacity analysis and design of any resulting upgrades to the Sewer District facilities must be completed and approved prior to final approval of building plans.

As discussed under Section 4.14, *Utilities and Service Systems*, of the Draft EIR, Mitigation Measure UTIL-1 would require developers to mitigate increased volumes of sewage and make the necessary improvements prior to occupancy, which would reduce wastewater impacts to a less than significant level. Additionally, page 4.14-17 of the Draft EIR has been revised as follows:

#### *UTIL-1 Wastewater Provider Capacity*

If Capacity Projects 2 and/or 5 have not been completed by the start of construction of individual projects, and/or additional capacity constraints have been identified by FOSMD that are located downstream of the project parcel, the County and the Sewer District shall require future development on parcels in the project area that would contribute wastewater flows to throttled pipelines to demonstrate that there is sufficient capacity within these pipelines to accommodate proposed development, or that the necessary improvements (proportionate to a project's individual effects) will be made by the developer prior to occupancy. The developer shall be responsible for all costs incurred regarding performing a capacity analysis and/or improving or upgrading the sewer system. The County may alternatively require the payment of an in-lieu fee for the purpose of upgrading the wastewater collection system as needed.

### Response 2.3

The commenter states that applicants for multi-unit development should mitigate additional sewage to be generated by the site's change in use with a sanitary sewer project within the Sewer District to reduce the amount of inflow and infiltration in its collection system. The commenter also states that the applicant would be responsible for the cost of designing, constructing, and managing the improvement project.

As discussed under Section 4.14, *Utilities and Service Systems*, of the Draft EIR, Mitigation Measure UTIL-1 would require developers to mitigate increased volumes of sewage and make the necessary improvements prior to occupancy, which would reduce wastewater impacts to a less than significant level.

Additionally, page 4.14-17 of the Draft EIR has been revised as follows:

*UTIL-1 Wastewater Provider Capacity*

If Capacity Projects 2 and/or 5 have not been completed by the start of construction of individual projects, and/or additional capacity constraints have been identified by FOSMD that are located downstream of the project parcel, the County and the Sewer District shall require future development on parcels in the project area that would contribute wastewater flows to throttled pipelines to demonstrate that there is sufficient capacity within these pipelines to accommodate proposed development, or that the necessary improvements (proportionate to a project's individual effects) will be made by the developer prior to occupancy. The developer shall be responsible for all costs incurred regarding performing a capacity analysis and/or improving or upgrading the sewer system. The County may alternatively require the payment of an in-lieu fee for the purpose of upgrading the wastewater collection system as needed.

## **Response 2.4**

The commenter states that developments that significantly increase discharges to the Sewer District facilities must mitigate the increased volumes of sewage, and if significant development in the area continues, sewage discharge could exceed the allotted treatment capacity of existing Sewer District facilities and a new agreement with member agencies would be required.

As discussed under Section 4.14, *Utilities and Service Systems*, of the Draft EIR, Mitigation Measure UTIL-1 would require developers to mitigate increased volumes of sewage and make the necessary improvements prior to occupancy, which would reduce wastewater impacts to a less than significant level.

## **Response 2.5**

The commenter indicates that other miscellaneous comments are marked in the report. Requested changes include revisions to Section 4.14, *Utilities and Service Systems*, of the Draft EIR, and Appendix D of the Draft EIR.

The commenter's requested revisions are noted. Page 4.14-13 has been revised as follows:

Development facilitated by the project ~~would~~ is anticipated to generate approximately 133,972 gallons per day (gpd) of additional wastewater in the project area (Appendix D).

Page 4.14-17 of the Draft EIR has been revised as follows:

*UTIL-1 Wastewater Provider Capacity*

If Capacity Projects 2 and/or 5 have not been completed by the start of construction of individual projects, and/or additional capacity constraints have been identified by FOSMD that are located downstream of the project parcel, the County and the Sewer District shall require future development on parcels in the project area that would contribute wastewater flows to throttled pipelines to demonstrate that there is sufficient capacity within these pipelines to accommodate proposed development, or that the necessary improvements (proportionate to a

**North Fair Oaks Rezoning and General Plan Amendment Project**

project's individual effects) will be made by the developer prior to occupancy. The developer shall be responsible for all costs incurred regarding performing a capacity analysis and/or improving or upgrading the sewer system. The County may alternatively require the payment of an in-lieu fee for the purpose of upgrading the wastewater collection system as needed.

Page 3 of Appendix D to the Draft EIR has been revised as follows:

Based on statement made in a Technical Advisory Committee meeting, this analysis assumes that the Redwood City and Silicon Valley Clean Water agency sewer infrastructure are at or over capacity and not able to intercept and convey any increases in sewer flow. Attempts were made to reach out to Redwood City and Silicon Valley Clean Water, however, contact could not be made. By conjecture, it is assumed that the Redwood City and Silicon Valley Clean Water agency sewer infrastructure is at or under capacity and not able to intercept and convey any increases in sewer flow.

Page 5 of Appendix D to the Draft EIR has been revised as follows:

Based on a statement made in a Technical Advisory Committee meeting, this analysis assumes that the Redwood City and Silicon Valley Clean Water agency sewer infrastructure are at or over capacity and not able to intercept and convey any increases in sewer flow. Attempts were made to reach out to Redwood City and Silicon Valley Clean Water, however, contact could not be made.

**Response 2.6**

The commenter states that the Lighting District would not take over maintenance and operation responsibilities for proposed streetlights on private streets. The commenter expresses that the Lighting District would review proposed streetlights within its boundaries located in the public right-of-way to determine whether Lighting District ownership would be feasible.

The comment is noted. The comment does not pertain to the adequacy of the Draft EIR, and no response is required. Future projects that propose streetlights on private streets would be subject to review by the Lighting District, as required.

### 3 Revisions to the Draft EIR

This chapter presents specific text changes made to the Draft EIR since its publication and public review. The changes are presented in the order in which they appear in the original Draft EIR and are identified by the Draft EIR page number. Text deletions are shown in ~~strike through~~, and text additions are shown in underline. The information contained within this chapter clarifies and expands on information in the Draft EIR and does not constitute “significant new information” requiring recirculation. (See Public Resources Code Section 21092.1; *CEQA Guidelines* Section 15088.5.)

#### Executive Summary

Page ES-22, Table ES-1 (revised row only):

Impact	Mitigation Measure(s)	Residual Impact
<b>Utilities and Service Systems</b>		
Impact UTIL-1. Development facilitated by the project would not require or result in the relocation or construction of new or expanded water, storm water drainage, electric power, natural gas, or telecommunications facilities. However, increased wastewater generation from development facilitated by the project would exacerbate existing system deficiencies. Impacts would be less than significant with mitigation incorporated	<b>UTIL-1: Wastewater Provider Capacity</b> If Capacity Projects 2 and/or 5 have not been completed by the start of construction of individual projects, and/or additional capacity constraints have been identified by FOSMD that are located downstream of the project parcel, the County <u>and the Sewer District</u> shall require future development on parcels in the project area that would contribute wastewater flows to throttled pipelines to demonstrate that there is sufficient capacity within these pipelines to accommodate proposed development, or that the necessary improvements (proportionate to a project’s individual effects) will be made by the developer prior to occupancy. <u>The developer shall be responsible for all costs incurred regarding performing a capacity analysis and/or improving or upgrading the sewer system.</u> The County may alternatively require the payment of an in-lieu fee for the purpose of upgrading the wastewater collection system as needed.	Less than significant with mitigation.

#### Section 4.13, Transportation

Page 4.13-2, Pedestrian Facilities:

...Sidewalks ~~are~~ is not provided along many of the local streets in North Fair Oaks east of 1st Avenue....

Page 4.13-5, Bicycle System:

Another important addition to the bicycle network is a ~~planned bridge~~ proposed grade-separated crossing over the Caltrain tracks, ~~which resulting from the which was recently initiated by San Mateo County is currently studying.~~ The Study is expected to recommend a preferred location for a bicycle and pedestrian bridge grade-separated crossing in late 2023 (County of San Mateo 2022).

Class III bike routes, referred to as Bike Boulevards in the ~~San Mateo County Countywide Bicycle and Pedestrian Plan~~ Unincorporated San Mateo County Active Transportation Plan (2021), are proposed on many of the local streets within North Fair Oaks. These include 2<sup>nd</sup> Avenue, Williams Avenue, Fair Oaks Avenue, Hurlingame Avenue, Edison Way, Calvin Avenue, Williams Avenue, Glendale Avenue, Westmoreland Avenue, Marlborough Avenue, Berkshire Avenue, and Northumberland Avenue (County of San Mateo 2022).

The Grand Boulevard Initiative, a collaboration of cities, counties, and local jurisdictions to improve El Camino Real, has proposed separated Class II bicycle facilities for the section of El Camino Real that passes through North Fair Oaks. The Grand Boulevard Initiative proposes to have a continuous stretch of Class II bike lanes (both separated and not separated) along El Camino Real between Ralston Avenue in Belmont and Valparaiso Avenue in Menlo Park (C/CAG 2021a).

Caltrans has initiated a State Route 82 Bike Safety Project which would add bicycle lanes on El Camino Real from Brewster in Redwood City to Selby Lane in Atherton.

The existing and planned bicycle network improvements are shown in Figure 4.13-2.

Page 4.13-5, Pedestrian System:

In the County's ~~Countywide Bicycle and Pedestrian Plan~~ Unincorporated San Mateo County Active Transportation Plan (2021), much of North Fair Oaks is identified as a pedestrian focus area. These areas are defined as areas in the county that are likely to have the highest walking activity. ~~As such, the County is encouraging local agencies to improve all streets and crossings in these areas as is feasible.~~ Studies examining the potential for more grade-separated pedestrian crossings across the Caltrain alignment are underway; however, to date there are no planned improvements to address the pedestrian barrier that Caltrain represents.

Middlefield Road, through the Redwood City Moves General Plan and the County of San Mateo's Middlefield Road Improvements Project, is identified as a potential complete streets corridor (County of San Mateo 2023a). Wider sidewalks and corner bulb-outs at intersections, along with amenities such as landscaping, benches, and street art, are proposed to encourage pedestrian travel through the commercial corridor.

The County is currently assessing the feasibility of a grade-separated crossing for pedestrians and bicyclists ~~bridge~~ over the Caltrain, through the North Fair Oaks Bicycle & Pedestrian Railroad Crossing Study. The Study is expected to recommend a preferred location for a grade-separated crossing ~~bridge~~ in late 2023 (County of San Mateo 2022), although the likelihood and timing for implementation of development ~~of any such project~~ ~~recommended bridge~~ remains uncertain.

At the intersection of Selby Lane and El Camino Real, the County of San Mateo and North Fair Oaks community have expressed interest in redesigning the crossing with a High-intensity Activated Crosswalk Beacon (HAWK) or PHB system, which may be pursued via the Caltrans encroachment permit with the County as the lead applicant.

Page 4.13-9, Regional:

### **Caltrans District 4 Bike Plan**

The Caltrans District 4 Bike Plan identifies infrastructure improvements to enhance bicycle safety and mobility throughout District 4 and remove some of the barriers to bicycling in the region. The Plan will help inform future investments in the State transportation network by Caltrans and other jurisdictions, as Caltrans is required to accommodate the needs of bicyclists in Caltrans projects wherever possible. The Plan builds on the California State Bicycle and Pedestrian Plan, known as Toward an Active California. The District 4 Bike Plan adopts the overall vision, goals, objectives, and strategies of Toward an Active California and represents an important implementing action from the statewide plan. The four goals include safety, mobility, preservation, and social equity. While the District 4 Bike Plan does not set new policies or goals, it plays an active role in implementing policies and strategies identified in Toward an Active California (Caltrans 2018).

### **Caltrans District 4 Pedestrian Plan**

The Caltrans District 4 Pedestrian Plan implements the Vision Statement and Goals in Toward an Active California, the statewide bicycle and pedestrian plan, and is part of a comprehensive planning process to identify locations with bicycle and pedestrian needs in each Caltrans district across California. The Plan identifies challenges and needs related to walking along and across Caltrans roadways, and seeks to make it safer, more comfortable, and more convenient for everyone to walk more often by identifying needs and priorities for future investments. The Plan includes a Summary Report which provides an overview of conditions for people walking on Caltrans roadways today, a look at locations in the district where significant needs exist for people walking, and includes a description of next steps in the implementation process; as well as a Story Map which provides an opportunity to view and interact with a series of District 4 maps that highlight the pedestrian issues and opportunities described in the Plan (Caltrans 2021).

Page 4.13-10, Local:

### **San Mateo County Congestion Management Program 2019 2021**

Page 4.13-11, San Mateo County Vehicle Miles Traveled Policy:

...VMT significance thresholds were presented in a memorandum titled “Staff Interpretation of State of California Governor’s Office of Planning and Research Technical Advisory on Evaluating Transportation Impacts in CEQA”; these thresholds are an interim measure to be used until thresholds are formally adopted by the County (County of San Mateo 2020). The County’s policy is generally consistent with the OPR technical advisory and includes: 1) screening criteria to determine which projects should be evaluated for potential VMT impacts under CEQA, and 2) for projects requiring VMT analysis, significance thresholds based on the proposed land use.<sup>1</sup>

As indicated in the County policy, projects meeting any of the specified screening criteria are presumed to have a less-than-significant impact on VMT and are exempt from further CEQA transportation impact analysis. These criteria include project sites located within a Transit Priority Area, proposed uses consisting of 100 percent affordable housing in an infill location, meeting the specified definition of a “small project”, or being located in a Transportation

Analysis Zone (TAZ) where the baseline per-capita-resident or per-employee home-based work trip is below the County average.

<sup>1</sup> [https://www.smcgov.org/media/46081/download?inline=;](https://www.smcgov.org/media/46081/download?inline=)  
<https://www.smcgov.org/publicworks/traffic-impact-analysis-requirements>

Page 4.13-15, 2021 C/CAG San Mateo County Comprehensive Bicycle and Pedestrian:

The San Mateo County Comprehensive Bicycle and Pedestrian Plan was adopted in 2011~~21~~. The plan provides a high-level overview of pedestrian and bicycle facilities and designates pedestrian focus areas for all of the ~~cities-jurisdictions~~ within San Mateo County. The plan provides priority bicycle facility recommendations and identifies pedestrian focus areas including El Camino Real and areas around schools as pedestrian focus areas. This plan is intended to identify areas where bicycle and pedestrian facilities should be prioritized but does not identify specific improvements (C/CAG 2021a).

#### **Unincorporated San Mateo County Active Transportation Plan**

The Unincorporated San Mateo County Active Transportation Plan, adopted in 2021, includes recommended bicycle and pedestrian infrastructure improvements for unincorporated areas in the County, including North Fair Oaks. Priority bicycle infrastructure recommendations in the vicinity of the project include a Class I multi-use path along the Dumbarton Rail Corridor, Class IV separated bike lanes along El Camino Real and Bay Road, and Class II bike lanes along Middlefield Road and 5<sup>th</sup> Avenue. The plan notes that these recommendations are preliminary and that additional study is needed for the recommended projects. Much of North Fair Oaks was identified as a pedestrian focus area, generally the area bounded by El Camino Real, the Dumbarton Rail Corridor, Douglas Avenue, and Encina Avenue (County of San Mateo 2021).

Page 4.13-17, Methodology:

The parcels included in the project area were evaluated based on the potential transportation impacts associated with the additional development that would be permitted as a result of the proposed rezoning. However, since specific projects have not yet been proposed for these sites, this analysis was undertaken at the program level, as project-level impacts such as site access and adequacy of multimodal circulation cannot be analyzed as part of this review. This more detailed assessment would need to take place in the future as part of the development review process for proposed projects. ~~However, additional review would not be required for proposed developments that are consistent with the C/CAG VMT Estimation Tool and screening criteria (C/CAG 2021b).~~

The project's potential transportation impacts analysis was based on the application of the San Mateo County interim VMT policy. VMT for the project TAZs was estimated for 2019 using the most recent version of City/County Association of Governments of San Mateo County – Santa Clara County Valley Transportation Authority (C/CAG-VTA) Countywide Model. The parcels included in the project were evaluated for their respective TAZs based on the VMT per ~~capita~~ resident and VMT per ~~worker-employee~~ as generated by the model. The assumption underlying the use of model-generated data is that future development in a given TAZ would exhibit similar transportation patterns to that of existing development.

Page 4.13-18, Impact TRA-1:

... Since the project is expected to further encourage the use of transit and active transportation, it would support existing County policies. Lastly, as required by Caltrans and the County, future development would be required to contribute their fair shares to active Caltrans transportation improvement projects such as the SR-82 Bike Safety Project and bicycle and pedestrian crossing improvements at El Camino Real and Shelby Lane. Therefore, with respect to potential conflicts with circulation system policies, impacts would be less than significant.

Page 4.13-18, Impact TRA-1:

In addition, the County's Countywide Bicycle and Pedestrian Plan Unincorporated San Mateo County Active Transportation Plan (2021) includes plans to expand bicycle and pedestrian systems through the Middlefield Road Improvement Project, Grand Boulevard Initiative, and projects resulting from the North Fair Oaks Bicycle & Pedestrian Railroad Crossing Study (C/CAG 2021).

Page 4.13-20, Impact TRA-2:

- Existing Low VMT Area: Residential and office projects located in a TAZ where the baseline per capita resident or per-employee home-based-work trip is below the County Average.

Page 4.13-21, Impact TRA-2:

As shown in Figure 4.13-4, the parcels proposed for rezoning were determined to be located within one-half mile of bus stops for SamTrans' ECR bus route along El Camino Real. Each of these satisfies the criteria for proximity to a high-quality transit corridor based on their 15-minute headways during peak commute hours. However, since no specific project is proposed at this time, the other criteria related to transit proximity (Floor-Area Ratio, provision of excess parking, reduction in affordable housing, and consistency with the SCS) could not be evaluated.

In addition to transit proximity, the other screening criteria were considered. The VMT per resident was determined to be substantially below the County Average for all TAZs where the parcels proposed for rezoning are located and would therefore screen out from VMT analysis. ~~and since~~ since no development projects are proposed at this time...

Page 4.13-21, Application of Significance Thresholds:

1. The project is at least 15 percent below the countywide average home-based ~~work trip~~ VMT per capita resident for residential projects,
2. The project is at least 15 percent below the countywide average home-based work trip VMT per ~~worker-employee~~ for office projects,

Page 4.13-21, Residential Development:

As noted previously, the VMT per resident for all TAZs where the parcels proposed for rezoning are located is substantially below the County Average, and therefore it is expected that residential projects would be screened from VMT analysis. For projects that do not meet the screening criteria, Residential projects are considered to have a less-than-significant VMT impact if they are located in a TAZ for which the VMT per capita resident is at least 15 percent below the countywide average; with a countywide VMT per capita resident of ~~21.25~~ 15.94 this translates to a threshold of ~~13.55~~ 11.96. The VMT for the project area was calculated to be

12.13, based on the sum of the home-based VMT and populations for the TAZs that are included in the project area. ~~Considered individually, all project TAZs also fall below this threshold, as shown in Table 4.13-1; therefore, residential development proposed on these sites would have a less than significant VMT impact.~~

**Table 4.13-1 VMT per ~~Capita~~ Resident for Project TAZs**

TAZ	<u>Project Home-Based VMT per <del>Capita</del> Resident</u>	<u>Countywide Home-Based VMT per <del>Capita</del> Resident</u>	<u>Countywide Threshold</u>
1629	10.88	<del>15.94</del> <u>21.25</u>	<del>13.55</del> <u>18.06</u>
2014	13.60	<del>15.94</del> <u>21.25</u>	<del>13.55</del> <u>18.06</u>
2023	13.73	<del>15.94</del> <u>21.25</u>	<del>13.55</del> <u>18.06</u>
2027	12.43	<del>15.94</del> <u>21.25</u>	<del>13.55</del> <u>18.06</u>
2028	8.96	<del>15.94</del> <u>21.25</u>	<del>13.55</del> <u>18.06</u>
2029	11.62	<del>15.94</del> <u>21.25</u>	<del>13.55</del> <u>18.06</u>
<b>Total Project Area</b>	<b>12.13</b>	<del>15.94</del> <u>21.25</u>	<del>13.55</del> <u>18.06</u>

Source: C/CAG-VTA Travel Demand Model (2019)

*Commercial Development*

The proposed project would allow for commercial land uses in addition to the residential uses. As previously noted, based on the estimated commercial square footage for each parcel, when evaluated at the project level retail development would screen out as local-serving and would therefore have a less than significant VMT impact.

Although office-only projects are not typical of the North Fair Oaks community based on recent development<sup>1</sup> and pending projects<sup>2</sup> (County of San Mateo 2023b), VMT was also evaluated assuming that commercial development would include only office uses, as this is a permitted land use. In accordance with the County’s interim VMT policy, the countywide VMT per employee of ~~18.14~~19.28 was used as a baseline, establishing a VMT significance threshold of 15 percent below the countywide average, or ~~15.42~~16.39. As with the evaluation of the proposed residential uses, the VMT for the project TAZs was considered in the aggregate, resulting in an estimated VMT per employee of 22.62. For the project’s VMT per employee to be less than significant it would need to be reduced to ~~15.42~~16.39, a reduction of ~~31.8~~27.5 percent. Mitigation measures would be necessary for office-only commercial development facilitated by the project. A summary of VMT per employee for project TAZs is provided in Table 4.13-2.

<sup>1</sup> Including a 90-unit residential care facility, 15-unit affordable housing project, 67-unit affordable housing project, and 16-unit assisted living facility, none of which included office-only commercial uses.  
<sup>2</sup> Including a 9-unit residential project, mixed-use building with 7 residential units and 900 square feet of retail, 4-units residential project, 169-unit residential project, 85-unit senior affordable housing project, and 86-unit affordable housing project, none of which include office-only commercial uses.

**Table 4.13-2 VMT per Employee for Project TAZs**

<b>TAZ</b>	<b>Project Home-Based VMT per Employee</b>	<b>Countywide Home-Based VMT per Employee</b>	<b>Countywide Threshold</b>
<u>1629</u>	<u>17.62</u>	<u>19.28</u>	<u>16.39</u>
<u>2014</u>	<u>19.27</u>	<u>19.28</u>	<u>16.39</u>
<u>2023</u>	<u>30.82</u>	<u>19.28</u>	<u>16.39</u>
<u>2027</u>	<u>27.53</u>	<u>19.28</u>	<u>16.39</u>
<u>2028</u>	<u>25.31</u>	<u>19.28</u>	<u>16.39</u>
<u>2029</u>	<u>23.95</u>	<u>19.28</u>	<u>16.39</u>
<b>Total Project Area</b>	<b>22.62</b>	<b>19.28</b>	<b>16.39</b>

Source: C/CAG-VTA Travel Demand Model (2019)

Page 4.13-24, Summary of VMT Assessment:

...However, there are anticipated to be VMT impacts associated with potential office development that would not screen out from detailed VMT analysis....

Page 4.13-24, TRA-2 Preparation of Transportation Demand Management Plan:

Individual projects that include office-only commercial development and are estimated to generate more than 100 trips per day shall prepare a TDM plan for County and C/CAG review and approval. Per C/CAG requirements, the TDM plan shall be designed, and implemented, monitored, and documented with progress reports submitted to the County for review and approval to achieve trip reductions as required to meet thresholds identified by OPR to reduce daily VMT by reducing vehicle trips by 25 percent or 35 percent, depending on the land use and location of the project. The TDM Plan shall identify the trip reduction necessary to achieve the required VMT reduction (to 15.42 VMT per employee or less) and include a mitigation and monitoring program to document the effectiveness of these measures.

**Section 4.14, Utilities and Service Systems**

Page 4.14-7, Impact UTIL-1:

Development facilitated by the project ~~would~~ is anticipated to generate approximately 133,972 gallons per day (gpd) of additional wastewater in the project area (Appendix D)

Pages 4.14-16 and 4.14-17, Impact UTIL-1:

*UTIL-1 Wastewater Provider Capacity*

If Capacity Projects 2 and/or 5 have not been completed by the start of construction of individual projects, and/or additional capacity constraints have been identified by FOSMD that are located downstream of the project parcel, the County and the Sewer District shall require future development on parcels in the project area that would contribute wastewater flows to throttled pipelines to demonstrate that there is sufficient capacity within these pipelines to accommodate proposed development, or that the necessary improvements (proportionate to a project’s individual effects) will be made by the developer prior to occupancy. The developer shall be responsible for all costs incurred regarding performing a capacity analysis and/or

improving or upgrading the sewer system. The County may alternatively require the payment of an in-lieu fee for the purpose of upgrading the wastewater collection system as needed.

## **Section 7, References**

The following references have been added:

California Department of Transportation (Caltrans. 2018. District 4 Bike Plan. [https://dot.ca.gov/-/media/dot-media/district-4/documents/d4-bike-plan/caltransd4bikeplan\\_report\\_lowres-r6.pdf](https://dot.ca.gov/-/media/dot-media/district-4/documents/d4-bike-plan/caltransd4bikeplan_report_lowres-r6.pdf) (accessed August 2023).

. 2021. District 4 Pedestrian Plan. <https://dot.ca.gov/-/media/dot-media/programs/transportation-planning/documents/active-transportation-complete-streets/district4-finalreport-a11y.pdf> (accessed August 2023).

County of San Mateo. 2020. Change to Vehicle Miles Traveled as Metric to Determine Transportation Impacts under CEQA Analysis. Dated September 23, 2020.

## **Appendix D, Sewer Analysis**

Page 3 of Appendix D to the Draft EIR has been revised as follows:

Based on statement made in a Technical Advisory Committee meeting, this analysis assumes that the Redwood City and Silicon Valley Clean Water agency sewer infrastructure are at or over capacity and not able to intercept and convey any increases in sewer flow. Attempts were made to reach out to Redwood City and Silicon Valley Clean Water, however, contact could not be made. ~~By conjecture, it is assumed that the Redwood City and Silicon Valley Clean Water agency sewer infrastructure is at or under capacity and not able to intercept and convey any increases in sewer flow.~~

Page 5 of Appendix D to the Draft EIR has been revised as follows:

Based on a statement made in a Technical Advisory Committee meeting, this analysis assumes that the Redwood City and Silicon Valley Clean Water agency sewer infrastructure are at or over capacity and not able to intercept and convey any increases in sewer flow. Attempts were made to reach out to Redwood City and Silicon Valley Clean Water, however, contact could not be made.

## **4 Mitigation Monitoring and Reporting Program**

---

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). This mitigation monitoring and reporting program is intended to track and ensure compliance with adopted mitigation measures during the project implementation phase. For each mitigation measure recommended in the Final Environmental Impact Report (Final EIR), specifications are made herein that identify the action required, the monitoring that must occur, and the agency or department responsible for oversight.

Mitigation Measure/ Condition of Approval	Action Required	Timing	Monitoring Requirements	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
<b>Air Quality</b>							
<b>AQ-2a: Implement Construction Best Management Practices</b>							
The County shall require all discretionary development projects within the project area that propose grading, demolition, or construction activities to implement the following or similar best management practices:	Require developers to include applicable best management practices in construction contracts.	Prior to construction permit issuance.	Once	County of San Mateo Planning and Building Department			
<ul style="list-style-type: none"> <li>▪ Dust control measures by construction contractors, where applicable:               <ul style="list-style-type: none"> <li>□ During demolition of existing structures:                   <ul style="list-style-type: none"> <li>□ Use dust-proof chutes to load debris into trucks whenever feasible.</li> <li>□ During all construction phases:                       <ul style="list-style-type: none"> <li>□ Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.</li> <li>□ Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).</li> <li>□ Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).</li> <li>□ Install sandbags or other erosion control measures to prevent silt runoff to public roadways.</li> <li>□ Replant vegetation in disturbed areas as quickly as possible.</li> <li>□ Consult with BAAQMD prior to demolition of structures suspected to contain asbestos to ensure that demolition/construction work is conducted in accordance with BAAQMD rules and regulations.</li> </ul> </li> </ul> </li> </ul> </li> <li>▪ Best management controls on emissions by diesel-powered construction equipment used by construction contractors, where applicable:               <ul style="list-style-type: none"> <li>□ When total construction projects at any one time would involve greater than 270,000 square feet of development or demolition, a mitigation program to ensure that only equipment that would have reduced NOx and particulate matter exhaust emissions shall be implemented. This program shall meet BAAQMD performance standards for NOx standards – e.g., should demonstrate that diesel-powered construction equipment would achieve fleet-average 20 percent NOx reductions and 45 percent particulate matter reductions compared to the year 2023 CARB statewide fleet average.</li> <li>□ Ensure that visible emissions from all on-site diesel-powered construction equipment do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity shall be repaired or replaced immediately.</li> <li>□ The contractor shall install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g., compressors).</li> <li>□ Properly tune and maintain equipment for low emissions.</li> </ul> </li> </ul>	Confirm applicable best management practices are implemented.	During construction.	As needed				

Mitigation Measure/ Condition of Approval	Action Required	Timing	Monitoring Requirements	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
<b>AQ-2b: Implement BAAQMD Basic Construction Mitigation Measures</b>							
<p>The County shall require that discretionary projects implement the BAAQMD Basic Construction Mitigation Measures. The BAAQMD Basic Construction Mitigation Measures are listed below:</p> <ul style="list-style-type: none"> <li>All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times a day.</li> <li>All haul trucks transporting soil, sand, or other loose material off-site shall be covered.</li> <li>All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</li> <li>All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.</li> <li>All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</li> <li>Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.</li> <li>All construction equipment shall be maintained and properly tuned in accordance with the manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper conditions prior to operation.</li> <li>Post a publicly visible sign with the telephone number and person to contact at the County of San Mateo regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD’s number shall also be visible to ensure compliance with applicable regulations.</li> </ul>	<p>Require developers to include applicable BAAQMD Basic Construction Mitigation Measures in construction contracts.</p>	<p>Prior to construction permit issuance.</p>	<p>Once</p>	<p>County of San Mateo Planning and Building Department</p>			
	<p>Confirm applicable BAAQMD Basic Construction Mitigation Measures are implemented.</p>	<p>During construction.</p>	<p>As needed</p>				
<b>AQ-3: Conduct Construction Health Risk Assessment</b>							
<p>The County shall require a construction health risk assessment (HRA) for future development projects that have the following three characteristics:</p> <ul style="list-style-type: none"> <li>The project is located within 1,000 feet of sensitive receptors.</li> <li>Project construction would last longer than two months.</li> <li>Project construction would not utilize equipment rated USEPA Tier 4 (for equipment of 50 horsepower or more); construction equipment fitted with Level 3 Diesel Particulate Filters (for all equipment of 50 horsepower or more); or alternative fuel construction equipment.</li> </ul> <p>The construction HRA shall determine potential risk and compare the risk to the following BAAQMD thresholds:</p> <ul style="list-style-type: none"> <li>Non-compliance with Qualified Community Risk Reduction Plan;</li> <li>Increased cancer risk of &gt; 10.0 in a million;</li> <li>Increased non-cancer risk of &gt; 1.0 Hazard Index (Chronic or Acute); or</li> <li>Ambient PM2.5 increase of &gt; 0.3 µg/m3 annual average.</li> </ul> <p>If risk exceeds the thresholds, the project applicant and/or construction contractor shall incorporate measures such as requiring the use of Tier 4 engines, Level 3 Diesel Particulate Filters, and/or alternative fuel construction equipment to reduce the risk to appropriate levels. The project applicant shall provide the construction HRA to the County for review and concurrence prior to project approval.</p>	<p>Review developer-prepared construction HRAs.</p>	<p>Prior to project approval.</p>	<p>Once</p>	<p>County of San Mateo Planning and Building Department</p>			
	<p>If risk exceeds the thresholds, require developers to include applicable measures in construction contracts.</p>	<p>Prior to construction permit issuance.</p>	<p>Once</p>				
	<p>If risk exceeds the thresholds, confirm applicable measures are implemented.</p>	<p>During construction.</p>	<p>As needed</p>				

Mitigation Measure/ Condition of Approval	Action Required	Timing	Monitoring Requirements	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
<b>Biological Resources</b>							
<b>BIO-1: Nesting Bird Avoidance</b>							
<p>To the extent feasible, construction activities in the project area shall be scheduled to avoid the nesting season. The nesting season for most birds in San Mateo County extends from February 1 through August 31. If it is not possible to schedule construction activities between September 1 and January 31, then the County shall require project applicants to retain a qualified biologist to conduct pre-construction surveys for nesting birds to ensure that no nests will be disturbed during project implementation. These surveys shall be conducted no more than 7 days prior to the initiation of construction activities and shall be conducted prior to tree removal, tree trimming, or other vegetation clearing. During the survey, the biologist shall inspect all trees and other potential nesting habitats, including trees, shrubs, ruderal grasslands, and buildings in the impact areas for nests. The biologist shall also survey within 100 feet of the impact area for non-raptor species and within 300 feet for raptors, as access allows.</p> <p>If an active nest is found sufficiently close to work areas and would be disturbed by these activities, the biologist shall determine the extent of a construction-free buffer zone to be established around the nest (typically 300 feet for raptors and 50 feet for other species), to ensure that no nests of species protected by the Migratory Bird Treaty Act and California Fish and Game Code are disturbed during project implementation.</p>	<p>If construction activities occur between February 1 through August 31, require developers to retain a qualified biologist to conduct pre-construction surveys for nesting birds, no more than 7 days prior to the start of construction.</p>	<p>Prior to construction permit issuance.</p>	<p>Once</p>	<p>County of San Mateo Planning and Building Department</p>			
		<p>If an active nest is found, ensure that construction activities do not occur within the construction-free buffer zone.</p>	<p>During construction.</p>	<p>As needed</p>			
<b>Cultural Resources</b>							
<b>CUL-1a: Historical Resources Built Environment Assessment</b>							
<p>Prior to approval of a development project on a property that includes buildings, structures, objects, sites, landscape/site plans, or other features that are 45 years of age or older at the time of the permit application, the County shall require the project applicant to hire a qualified architectural historian to prepare an historical resources evaluation. The qualified architectural historian or historian shall meet the Secretary of the Interior's (SOI) Professional Qualifications Standards (PQS) in architectural history or history (as defined in 36 CFR Part 61). The qualified architectural historian or historian shall conduct an intensive-level evaluation in accordance with the guidelines and best practices recommended by the State Office of Historic Preservation to identify any potential historical resources in the proposed project area. Under the guidelines, properties 45 years of age or older shall be evaluated within their historic context and documented in a technical report and on Department of Parks and Recreation Series 523 forms. The report will be submitted to the County for review prior to any permit issuance. If no historical resources are identified, no further analysis is warranted. If historical resources are identified through the historical resources evaluation, the project shall be required to implement Mitigation Measure CUL-1b.</p>	<p>If a project would demolish potentially-historic structures, require the project applicant to hire a qualified architectural historian to prepare an historical resources evaluation.</p>	<p>Prior to project approval.</p>	<p>Once</p>	<p>County of San Mateo Planning and Building Department</p>			
		<p>Review the report and require implementation of Mitigation Measure CUL-1b, if warranted.</p>	<p>Prior to project approval.</p>	<p>Once</p>			
<b>CUL-1b: Historical Resources Built Environment Mitigation</b>							
<p>If historical resources are identified in an area proposed for redevelopment as described in Mitigation Measure CUL-1a, the project applicant shall reduce impacts to the extent feasible. Application of mitigation shall generally be overseen by a qualified architectural historian or historic architect meeting the PQS, unless unnecessary in the circumstances (e.g., preservation in place). In conjunction with any project that may affect the historical resource, the project applicant shall make efforts to design the project to comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards), which generally mitigate impacts to a less than significant level (as defined in CEQA Guidelines Section 15364.5[b][3]). The project applicant shall provide a report identifying and specifying the treatment of character-defining features and compliance with the Standards to the County for review and approval, prior to permit issuance. Any and all features and construction activities shall become Conditions of Approval for the project</p>	<p>Require the project applicant to hire a qualified architectural historian to oversee historical resource mitigation.</p>	<p>Prior to project approval.</p>	<p>Once</p>	<p>County of San Mateo Planning and Building Department</p>			
		<p>If compliance with the Standards is determined to be infeasible, review the HABS-like report.</p>	<p>Prior to construction permit issuance.</p>	<p>Once</p>			

Mitigation Measure/ Condition of Approval	Action Required	Timing	Monitoring Requirements	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
<p>and shall be implemented prior to issuance of construction (demolition and grading) permits.</p> <p>If compliance with the Standards is determined to be infeasible, the applicant shall prepare documentation of the historical resource in the form of a Historic American Building Survey (HABS)-like report. The HABS report shall comply with the Secretary of the Interior’s Standards for Architectural and Engineering Documentation and shall generally follow the HABS Level III requirements, including digital photographic recordation, detailed historic narrative report, and compilation of historic research. The documentation shall be completed by a qualified architectural historian or historian who meets the PQS and submitted to the County prior to issuance of any permits for demolition or alteration of the historical resource.</p>							
<b>CUL-2a: Archaeological Resources Assessment</b>							
<p>For discretionary projects involving ground disturbance substantially beyond or deeper than previous disturbance, project applicants shall prepare an archaeological resources assessment under the supervision of an archaeologist who meets the SOI’s PQS in either prehistoric or historic archaeology prior to project approval. Assessments will include a California Historical Resources Information System (CHRIS) records search at the Northwest Information Center (NWIC) at Sonoma State University and of the SLF search maintained by the NAHC. The records searches will characterize the results of previous cultural resource surveys and disclose any cultural resources that have been recorded and/or evaluated in and around the project site. A Phase I pedestrian survey shall be undertaken in proposed project areas that are undeveloped to locate any surface cultural materials. By performing a records search, consultation with the NAHC, and a Phase I survey, a qualified archaeologist shall be able to classify the project area as having high, medium, or low sensitivity for archaeological resources.</p> <p>If the Phase I archaeological survey identifies resources that may be affected by the project, the archaeological resources assessment shall also include Phase II testing and evaluation. If resources are determined significant or unique through Phase II testing and site avoidance is not possible, appropriate site-specific mitigation measures shall be identified in the Phase II evaluation. These measures may include, but would not be limited to, a Phase III data recovery program, avoidance, or other appropriate actions to be determined by a qualified archaeologist. If significant archaeological resources cannot be avoided, impacts may be reduced to less than significant levels by filling on top of the sites rather than cutting into the cultural deposits. Alternatively, and/or in addition, a data collection program may be warranted, including mapping the location of artifacts, surface collection of artifacts, or excavation of the cultural deposit to characterize the nature of the buried portions of sites. Curation of the excavated artifacts or samples would occur as specified by the archaeologist. The County will review and approve the Phase II or Phase III reports, and ensure that mitigation measures are implemented as appropriate prior to or during construction.</p>	<p>For discretionary projects involving ground disturbance substantially beyond or deeper than previous disturbance, require the project applicant to hire a qualified archaeologist to prepare an archaeological resources assessment. Review and approve the Phase I, Phase II, or Phase III reports.</p>	<p>Prior to construction permit issuance.</p>	<p>Once</p>	<p>County of San Mateo Planning and Building Department</p>			
	<p>Ensure that mitigation measures are implemented.</p>	<p>During construction.</p>	<p>As needed</p>				

Mitigation Measure/ Condition of Approval	Action Required	Timing	Monitoring Requirements	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
<b>CUL-2b: Stop Work in the Event of Unanticipated Discoveries During Construction</b>							
If cultural resources are encountered during ground-disturbing activities, work within 60 feet of the find shall be halted and an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology in either prehistoric or historic archaeology shall be contacted immediately to evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for CRHR eligibility. If the discovery proves to be significant under CEQA and cannot be avoided by the project, additional work such as excavating the cultural deposit to fully characterize its extent, and collecting and curating artifacts may be warranted to mitigate any significant impacts to cultural resources. In the event that archaeological resources of Native American origin are identified during project construction, a qualified archaeologist will consult with the County to begin Native American consultation procedures.	Require the developer to include in the construction contract that work be halted upon discovery of an unanticipated cultural resource.	Prior to construction permit issuance.	Once	County of San Mateo Planning and Building Department			
	Require the project applicant to hire a qualified archaeologist to evaluate the find and determine if consultation with a Native American tribe is necessary.	During construction.	As needed				
<b>CUL-4: Suspension of Work Around Tribal Cultural Resources During Construction</b>							
In the event that cultural resources of Native American origin are identified during construction of a project, all earth-disturbing work within 60 feet of the find shall be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find as a cultural resource and an appropriate local Native American representative is consulted. If the County, in consultation with local Native Americans, determines that the resource is a tribal cultural resource and thus significant under CEQA, the applicant shall prepare and implement a mitigation plan in accordance with State guidelines and in consultation with local Native American group(s). The mitigation plan shall include avoidance of the resource or, if avoidance of the resource is infeasible, the plan shall outline the appropriate treatment of the resource in coordination with the appropriate local Native American tribal representative and, if applicable, a qualified archaeologist. Examples of appropriate mitigation for tribal cultural resources include, but are not limited to, protecting the cultural character and integrity of the resource, protecting traditional use of the resource, protecting the confidentiality of the resource, or heritage recovery. The County shall review and approve the mitigation plan prior to implementation.	Require the developer to include in the construction contract that work be halted upon discovery of an unanticipated tribal cultural resource.	Prior to construction permit issuance.	Once	County of San Mateo Planning and Building Department			
	Consult with local Native Americans regarding the significance of the find.	During construction.	As needed				
	Require the project applicant to hire a qualified archaeologist to prepare a mitigation plan. Review and approve the plan.	During construction.	As needed				
	Ensure that the mitigation plan is implemented.	During construction.	As needed				
<b>Geology and Soils</b>							
<b>GEO-6: Unanticipated Discovery of Paleontological Resources</b>							
If paleontological resources are encountered during future grading or excavation in the Community Plan area, work shall avoid altering the resource and its stratigraphic context until a qualified paleontologist has evaluated, recorded and determined appropriate treatment of the resource, in consultation with the County. Project personnel shall not collect cultural resources. Appropriate treatment may include collection and processing of "standard" samples by a qualified paleontologist to recover micro vertebrate fossils; preparation of significant fossils to a reasonable point of identification; and depositing significant fossils in a museum repository for permanent curation and storage, together with an itemized inventory of the specimens.	Require the developer to include in the construction contract that work be redirected to avoid unanticipated paleontological resources.	Prior to construction permit issuance.	Once	County of San Mateo Planning and Building Department			
	Require the project applicant to hire a qualified paleontologist to evaluate the find and identify appropriate treatment measures.	During construction.	As needed				

Mitigation Measure/ Condition of Approval	Action Required	Timing	Monitoring Requirements	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
<b>Noise</b>							
<b>NOI-1a: Construction Noise Reduction Measures</b>							
The County shall require project applicants to include the following conditions in project demolition and construction contract agreements that stipulate the following conventional construction-period noise abatement measures:	Require the developer to include in the construction contract that noise abatement measures be implemented.	Prior to construction permit issuance.	Once	County of San Mateo Planning and Building Department			
<ul style="list-style-type: none"> <li>▪ <b>Construction Plan.</b> Prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with nearby noise-sensitive facilities so that construction activities can be scheduled to minimize noise disturbance.</li> <li>▪ <b>Construction Scheduling.</b> Ensure that noise-generating construction activity is limited to between the hours of 7:00 a.m. and 6:00 p.m. weekdays, 9:00 a.m. and 5:00 p.m. on Saturdays, and does not occur at any time on Sundays, Thanksgiving or Christmas.</li> <li>▪ <b>Construction Equipment Mufflers and Maintenance.</b> Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment to achieve an engine noise reduction from mobile construction equipment of at least 10 dBA (FHWA 2011; Bies et al. 2018; Harris 1991).</li> <li>▪ <b>Portable Sound Enclosures.</b> All generators and air compressors shall be enclosed in portable sound enclosures that provide at least a 10-dBA reduction in noise levels (FHWA 2011; Bies et al. 2018; Harris 1991).</li> <li>▪ <b>Equipment Locations.</b> Locate stationary noise-generating equipment as far as possible from sensitive receivers when sensitive receivers adjoin or are near a construction project site.</li> <li>▪ <b>Construction Traffic.</b> Route all construction traffic to and from construction sites via designated truck routes where possible. Prohibit construction-related heavy truck traffic in residential areas where feasible.</li> <li>▪ <b>Quiet Equipment Selection.</b> Use quiet construction equipment, particularly air compressors, where possible.</li> <li>▪ <b>Temporary Barriers.</b> Construct plywood fences around construction sites adjacent to residences, operational businesses, or noise-sensitive land uses to achieve a noise reduction of at least 5 dBA when blocking the line-of-sight between the source and the receiver (FHWA 2011; Bies et al. 2018; Harris 1991).</li> <li>▪ <b>Temporary Noise Blankets.</b> Temporary noise control blanket barriers should be erected, if necessary, along building facades adjoining construction sites to achieve a noise reduction of at least 5 dBA (FHWA 2011; Bies et al. 2018; Harris 1991). This mitigation would only be necessary if conflicts occurred which were not able to be resolved by scheduling. (Noise control blanket barriers can be rented and quickly erected.)</li> <li>▪ <b>Noise Disturbance Coordinator.</b> For larger construction projects, the County may choose to require project designation of a "Noise Disturbance Coordinator" who would be responsible for responding to any local complaints about construction noise. The Disturbance Coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and institute reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the Disturbance Coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule. (The project sponsor should be responsible for designating a Noise Disturbance Coordinator, posting the phone number and providing construction schedule notices. The Noise Disturbance Coordinator would work directly with an assigned County staff member.)</li> </ul>	Ensure the noise abatement measures are implemented.	During construction.	As needed				

Mitigation Measure/ Condition of Approval	Action Required	Timing	Monitoring Requirements	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
<b>NOI-1b: Conduct Stationary Operational Noise Analysis</b>							
Prior to project approval, the County shall require development projects to evaluate potential on-site operational noise impacts on nearby noise-sensitive uses and to implement stationary operational noise reduction measures to minimize impacts on these uses. Examples of measures to reduce on-site noise include, but are not limited to, operational restrictions, selection of quiet equipment, equipment setbacks, enclosures, silencers, and/or acoustical louvers.	Require developers to submit evaluations of operational noise impacts conducted by qualified noise consultants.	Prior to project approval.	Once	County of San Mateo Planning and Building Department			
	Ensure noise reduction measures are implemented.	Prior to occupancy.	Once				
<b>NOI-1c: Traffic Noise Reduction Measures</b>							
The County shall require project applicants to pay a fair share fee toward implementation of the following traffic noise reduction improvements on 5th Avenue north of Middlefield Road and 5th Avenue south of Bay Road: <ul style="list-style-type: none"> <li>▪ Pave streets with reduced pavement types such as rubberized or open grade asphalt. Reduced-noise pavement types would reduce noise levels by 2 to 3 dBA depending on the existing pavement type, traffic speed, traffic volumes, and other factors. Case studies have shown that the replacement of standard dense grade asphalt with open grade or rubberized asphalt can reduce traffic noise levels along residential streets by 2 to 3 dBA. A possible noise reduction of 2 dBA would be expected using conservative engineering assumptions. In order to provide permanent mitigation, all future repaving would need to consist of “quieter” pavements.</li> <li>▪ Construct new or larger noise barriers. New or larger noise barriers could reduce noise levels by 5 dBA Ldn. The final design of such barriers, including an assessment of their feasibility and cost-effectiveness, should be completed during final design.</li> <li>▪ Install traffic calming measures to slow traffic along 5th Avenue. Traffic calming measures could provide a qualitative (i.e., perceived if not measurable) improvement by smoothing out the rise and fall in noise levels caused by speeding vehicles.</li> <li>▪ Provide sound insulation treatments to affected buildings. Sound-rated windows and doors, mechanical ventilation systems, noise insulation, and other noise-attenuating building materials could reduce noise levels in interior spaces.</li> </ul>	Require developers to pay a fair share fee forward traffic noise reduction improvements.	Prior to project approval.	Once	County of San Mateo Planning and Building Department, County of San Mateo Public Works Department			
<b>NOI-2: Vibration Reduction Measures for Pile Driving Activities</b>							
The County shall require project applicants to include the following actions in individual demolition and construction contractor agreements that stipulate the following groundborne vibration abatement measures: <ul style="list-style-type: none"> <li>▪ Restrict vibration-generating activity to between the hours of 7:00 a.m. and 6:00 p.m. weekdays, 9:00 a.m. and 5:00 p.m. on Saturdays, and allow no vibration-generating activity at any time on Sundays, Thanksgiving, or Christmas.</li> <li>▪ Notify occupants of land uses located within 200 feet of pile-driving activities of the project construction schedule in writing.</li> <li>▪ In consultation with County staff, investigate possible pre-drilling of pile holes as a means of minimizing the number of pile driving blows required to seat the pile.</li> <li>▪ Conduct a pre-construction site survey documenting the condition of any historic structure located within 200 feet of proposed pile driving activities.</li> <li>▪ Monitor pile driving vibration levels to ensure that vibration does not exceed the appropriate Caltrans thresholds for the potentially affecting building.</li> </ul>	Require the developer to include in the construction contract that groundborne vibration abatement measures be implemented.	Prior to construction permit issuance.	Once	County of San Mateo Planning and Building Department			
		Ensure groundborne vibration abatement measures are implemented.	During construction.				

Mitigation Measure/ Condition of Approval	Action Required	Timing	Monitoring Requirements	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
<b>Population and Housing</b>							
<b>PH-1: Replacement Housing</b>							
<p>When redevelopment on parcels within the project area is proposed on sites that contain existing rental housing, the project applicant shall prepare a relocation plan that meets the requirements of Government Code Section 7260-7277. The relocation plan shall include, but not be limited to:</p> <ol style="list-style-type: none"> <li>1. Proper notification of occupants or persons to be displaced.</li> <li>2. Provision of “comparable replacement dwelling” which means decent, safe, and sanitary; and adequate in size to accommodate the occupants.</li> <li>3. Provision of a dwelling unit that is within the financial means of the displaced person.</li> <li>4. Provision of a dwelling unit that is not subject to unreasonable adverse environmental conditions.</li> </ol> <p>This measure shall apply to future development projects that may displace individuals and is not limited to development undertaken by a public entity or development that is publicly funded. The relocation plan shall be approved at the staff level (ministerially) for ministerial projects, and shall not require discretionary review. The County shall approve the relocation plan prior to project approval.</p>	Require project applicants to prepare a relocation plan. Review the relocation plan.	Prior to project approval.	Once	County of San Mateo Planning and Building Department, County of San Mateo Department of Housing			
	Ensure the relocation plan is implemented	Prior to issuance of construction permits.	Once				
<b>Transportation</b>							
<b>TRA-2: Preparation of Transportation Demand Management (TDM) Plan</b>							
<p>Individual projects that include office-only commercial development and are estimated to generate more than 100 trips per day shall prepare a Transportation Demand Management (TDM) plan for County and C/CAG review and approval. The TDM plan shall be designed and implemented to achieve trip reductions as required to meet thresholds identified by OPR to reduce daily VMT by reducing vehicle trips by 25 percent or 35 percent, depending on the land use and location of the project. The TDM Plan shall identify the trip reduction necessary to achieve the required VMT reduction (to 15.42 VMT per employee or less).</p> <p>Trip reduction strategies that may be included in the TDM program include, but are not limited to, the following:</p> <ol style="list-style-type: none"> <li>1. Provision of bus stop improvements or on-site mobility hubs</li> <li>2. Pedestrian improvements, on-site or off-site, to connect to nearby transit stops, services, schools, shops, etc.</li> <li>3. Bicycle programs including bike purchase incentives, storage, maintenance programs, and on-site education program</li> <li>4. Enhancements to countywide bicycle network</li> <li>5. Parking reductions and/or fees set at levels sufficient to incentivize transit, active transportation, or shared modes</li> <li>6. Cash allowances, passes, or other public transit subsidies and purchase incentives</li> <li>7. Enhancements to bus service</li> <li>8. Implementation of shuttle service</li> <li>9. Establishment of carpool, bus pool, or vanpool programs</li> <li>10. Vanpool purchase incentives</li> <li>11. Participation in a future County VMT fee program</li> <li>12. Participate in future VMT exchange or mitigation bank programs</li> <li>13. Carshare/scooter-share/bikeshare facilities or incentives</li> <li>14. On-site coordination overseeing TDM marketing and outreach</li> <li>15. Rideshare matching program</li> </ol>	Require projects that include office-only commercial as a project component to prepare a TDM Plan. Review the TDM Plan.	Prior to project approval.	Once	County of San Mateo Planning and Building Department and C/CAG			
	Ensure trip reduction strategies in the TDM Plan are implemented.	Prior to occupancy and during operation.	Once and as needed				

Mitigation Measure/ Condition of Approval	Action Required	Timing	Monitoring Requirements	Responsible Agency	Compliance Verification Initial	Compliance Verification Date	Compliance Verification Comments
<b>Utilities and Service Systems</b>							
<b>UTIL-1: Wastewater Provider Capacity</b>							
If Capacity Projects 2 and/or 5 have not been completed by the start of construction of individual projects, and/or additional capacity constraints have been identified by FOSMD that are located downstream of the project parcel, the County and the Sewer District shall require future development on parcels in the project area that would contribute wastewater flows to throttled pipelines to demonstrate that there is sufficient capacity within these pipelines to accommodate proposed development, or that the necessary improvements (proportionate to a project's individual effects) will be made by the developer prior to occupancy. The developer shall be responsible for all costs incurred regarding performing a capacity analysis and/or improving or upgrading the sewer system. The County may alternatively require the payment of an in-lieu fee for the purpose of upgrading the wastewater collection system as needed.	Require developers of parcels that would contribute wastewater flows to throttled pipelines to either (1) demonstrate that there is sufficient capacity for their project, (2) demonstrate that necessary capacity improvements will be made, or (3) pay an in-lieu fee for upgrading the wastewater collection system.	Prior to project approval.	Once	County of San Mateo Planning and Building Department			
	Confirm wastewater system improvements have been implemented.	Prior to occupancy.	Once				

**North Fair Oaks Rezoning and General Plan Amendment  
Findings of Fact and Statement of Overriding Considerations**

# Table of Contents

---

- 1 Introduction ..... 1
- 2 Project Description..... 3
- 3 Project Objectives ..... 4
- 4 Findings of Fact ..... 5
  - 4.1 Environmental Effects Found Not to be Significant..... 5
  - 4.2 Findings for Significant but Mitigated Effects..... 5
  - 4.3 Findings for Significant and Unavoidable Effects..... 13
- 5 Project Alternatives..... 23
  - 5.1 Alternative 1: No Project..... 23
  - 5.2 Alternative 2: Limited Commercial Uses..... 24
  - 5.3 Alternative 3: Residential Overlay ..... 25
- 6 Statement of Overriding Considerations ..... 27
- 7 Statement of Location and Custodian of Documents ..... 29

*This page intentionally left blank.*

# 1 Introduction

---

A Draft Environmental Impact Report (Draft EIR) was prepared for the North Fair Oaks Rezoning and General Plan Amendment (project), was made available for public review on April 28, 2023, and was distributed to local and State agencies. Copies of the Notice of Availability of the Draft EIR were mailed to a list of interested parties, groups and public agencies. The Draft EIR and an announcement of its availability were posted electronically on the project website at <https://www.smcgov.org/planning/major-projects> and at the following locations:

- North Fair Oaks Library, 2510 Middlefield Road, Redwood City, CA 94063

The public review period for the Draft EIR ran from Friday April 28, 2023, to Tuesday June 13, 2023. The public was encouraged to submit written comments to Will Gibson, County of San Mateo, Planning and Building Department, 455 County Center, Redwood City, CA 94063 no later than 5:00 p.m. on June 13, 2023.

After close of the Draft EIR public review and comment period, a Final EIR consisting of responses to comments and changes to the Draft EIR was prepared for the County of San Mateo (County) Board of Supervisors. On October 17, the Board of Supervisors, at a public hearing, is expected to decide on the certification of the Final EIR and to approval of the project. The public hearing will be simultaneously held virtually and in person.

The Findings of Fact (Findings) and Statement of Overriding Considerations (SOC) presented herein address the environmental effects associated with the project that are described and analyzed within the Final EIR, reflect the Board's determinations about feasible mitigation measures, and the adequacy of the Final EIR. These Findings have been made pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code Section 21000 et seq.), specifically Public Resources Code Section 21081 and 21081.6, as well as the *CEQA Guidelines* (14 CCR 15000 et seq.) Sections 15091 and 15093.

Public Resources Code Section 21081 and *CEQA Guidelines* Section 15091 require that the County, as the Lead Agency for this project, prepare written findings for any identified significant environmental effects along with a brief explanation of the rationale for each finding. Specific findings under *CEQA Guidelines* Section 15091(a) are:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Further, in accordance with Public Resources Code Section 21081 and *CEQA Guidelines* Section 15093, whenever significant effects cannot be mitigated to below a level of significance, the County as the decision-making agency is required to balance, as applicable, the benefits of the project against its

unavoidable environmental risks when determining whether to approve the project. If the benefits of a project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered “acceptable,” in which case the lead agency must adopt a formal statement of overriding considerations.

The Final EIR identified potentially significant environmental effects that could result from the project but could be reduced to a less than significant level through implementation of mitigation measures. Those effects were related to air quality (impacts related to exposure of sensitive receptors), biological resources (impacts related to special status species, particularly nesting birds), cultural and tribal cultural resources (impacts related to archaeological resources and tribal cultural resources), geology and soils (impacts to paleontological resources), noise (impacts related to groundborne vibrations), and utilities (impacts related to wastewater facility capacity). Significant and unavoidable (unmitigable) cumulative impacts associated with air quality (impacts related to construction emissions); cultural resources (impacts related to historical resources); noise (impacts related to construction noise and operational noise); and transportation (impacts related to office-only commercial vehicle miles traveled [VMT]) were identified due to lack of feasible mitigation measures that could reduce impacts to a less than significant level, and thus a statement of overriding considerations is required.

## 2 Project Description

---

The project is an update of the North Fair Oaks Rezoning and General Plan Amendment (project or proposed project). The project would result in changes to the County's Zoning Regulations for mixed use designations, namely CMU-1, CMU-2, CMU-3, NMU, and NMU-ECR. The updated regulations include physical standards, allowable activities, and development procedures that would be implemented when new buildings and/or site improvements are proposed on parcels. The project also includes associated changes to the County's General Plan Land Use maps.

No change in allowable residential density is proposed for any mixed use designation (CMU-1, CMU-2, CMU-3, NMU, NMU-ECR, and Mixed-Use Industrial [M-1]). An increase in allowable density would occur, however, with the rezoning of parcels from R-1 and R-3 zoning designations to the adjacent mixed use designation. Project implementation could facilitate up to 332 additional dwelling units, 74,179 square feet of commercial space, and approximately 918 additional people.<sup>1</sup> Physical changes resulting from project implementation may include development of higher-density housing and first-floor commercial uses.

Future residential projects may in some cases use provisions of the State Density Bonus law (California Government Code Sections 65915 – 65918) to develop affordable and senior housing, including up to a 50 percent increase in project density, depending on the amount of affordable housing provided, and up to an 80 percent increase in density for certain projects which are 100 percent affordable. The State Density Bonus law also includes incentives to make the development of affordable and senior housing economically feasible. These include waivers and concessions, such as reduced setback, height, or minimum square footage requirements. Projects providing sufficient affordable housing can avail themselves of any applicable combination of additional density and/or other waivers and incentives, and do not always request additional density.

Whether an individual project would use the State Density Bonus law, or which bonuses, waivers or concessions would be requested, is difficult to predict, and depends on a number of variable factors, including the project developer's willingness to provide various amounts of dedicated long-term affordable housing, site feasibility, project costs, and various other considerations that are unique to each project and site. The EIR assumes maximum development standards such as building height and residential density. However, the buildout assumptions included in the Draft EIR are intended to capture the reasonable maximum potential buildout, and likely include more units than will be built under the County's development standards alone, therefore accounting for a reasonably foreseeable number of density bonus units. Assuming use of the State Density Bonus law on any or all developable sites would be speculative, as it is not possible to predict which projects on which sites would use which waivers or concessions and how much density bonus would be requested. CEQA does not require evaluation of speculative impacts (*CEQA Guidelines* Section 15145).

If future development facilitated by this project use the State Density Bonus, they may be subject to further project-specific environmental review under CEQA. The level of environmental review necessary may vary and would be determined once a project application has been submitted to the County. No additional analysis is warranted or appropriate at this programmatic stage.

---

<sup>1</sup> Calculation based on 2.77 persons per household in unincorporated San Mateo County (California Department of Finance 2022).

### 3 Project Objectives

---

The County has established the following objectives for the proposed project:

- Adopt more effective zoning by revising provisions that are difficult to administer and/or implement, replacing provisions necessitating subjective interpretation with objective standards, refining development application and review procedures, incorporating professional practices that better promote Community Plan policies, and ensuring consistency with State law.
- Increase capacity for housing in the project area by modifying General Plan designations and zoning standards to potentially allow taller buildings and greater density in proposed rezoning areas, reduce building setbacks, modify parking requirements, and/or other strategies, while simultaneously protecting and expanding equitable access to opportunities, community livability, and desirable aspects of community character.

## 4 Findings of Fact

---

Having received, reviewed, and considered the information in the Final EIR for this project, as well as the supporting administrative record, the County of San Mateo makes findings pursuant to, and in accordance with, Sections 21081, 21081.5, and 21081.6 of the Public Resources Code.

### 4.1 Environmental Effects Found Not to be Significant

Through project scoping and the environmental analysis contained within the Final EIR, it was determined that the project would not result in potentially significant effects on the environment with respect to aesthetics, agriculture and forestry, energy, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, public services and recreation, and wildfire. No further findings are required for these subject areas.

### 4.2 Findings for Significant but Mitigated Effects

The following findings are hereby made by the County of San Mateo for the significant but mitigable environmental effects identified in the EIR related to air quality (impacts related to exposure of sensitive receptors), biological resources (impacts related to special status species, particularly nesting birds), cultural and tribal cultural resources (impacts related to archaeological resources and tribal cultural resources), geology and soils (impacts to paleontological resources), noise (impacts related to groundborne vibrations), and utilities (impacts related to wastewater facility capacity).

#### **Air Quality**

**Impact AQ-3:** Construction activities for projects lasting longer than two months or located within 1,000 feet of sensitive receptors could expose sensitive receptors to substantial pollutant concentrations. Development facilitated by the project would not expose sensitive receptors to operational sources of toxic air contaminants (TACs). Impacts from construction would be less than significant with mitigation. Impacts from operation would be less than significant.

#### *Finding:*

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (Section 15091[a][1]). Implementation of Mitigation Measure AQ-3 would reduce potential construction related TACs exposure impacts to a less than significant level by requiring a health risk assessment be completed for future development projects.

#### *Explanation:*

Future development facilitated by the project would also be required to be consistent with the applicable 2017 Clean Air Plan, Bay Area Air Quality Management District (BAAQMD) regulatory requirements and control strategies, and the CARB In-Use Off-Road Diesel Vehicle Regulation, which are intended to reduce emissions from construction equipment and activities. Additionally, development facilitated by the project would be required to comply with Mitigation Measure AQ-2a, found in Section

4.3, *Findings for Significant and Unavoidable Effects*, below. Mitigation measure AQ-2a requires implementation of construction emission measures which would reduce construction-related TACs. According to the Office of Environmental Health Hazard Assessment, construction of individual projects lasting longer than two months and placed within 1,000 feet of sensitive receptors could potentially expose nearby sensitive receptors to substantial pollutant concentrations and therefore could result in potentially significant risk impacts. These future projects could exceed BAAQMD's thresholds of an increased cancer risk of greater than 10.0 in a million and an increased non-cancer risk of greater than 1.0 Hazard Index (Chronic or Acute). Therefore, construction impacts from TAC emissions would be potentially significant. However, implementation of Mitigation Measure AQ-3 would require the preparation of a Construction Health Risk Assessment for future projects with construction durations greater than two months and within 1,000 feet of sensitive receptors. This would mitigate potential construction-related TACs exposure impacts to a less than significant level.

*Mitigation Measures:*

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measure has been included in a mitigation monitoring and reporting program (MMRP) that is to be adopted concurrently with these findings.

**AQ-3 Conduct Construction Health Risk Assessment.** The County shall require a construction health risk assessment (HRA) for future development projects that have the following three characteristics:

- The project is located within 1,000 feet of sensitive receptors.
- Project construction would last longer than two months.
- Project construction would not utilize equipment rated USEPA Tier 4 (for equipment of 50 horsepower or more); construction equipment fitted with Level 3 Diesel Particulate Filters (for all equipment of 50 horsepower or more); or alternative fuel construction equipment.

The construction HRA shall determine potential risk and compare the risk to the following BAAQMD thresholds:

- Non-compliance with Qualified Community Risk Reduction Plan;
- Increased cancer risk of > 10.0 in a million;
- Increased non-cancer risk of > 1.0 Hazard Index (Chronic or Acute); or
- Ambient PM<sub>2.5</sub> increase of > 0.3 µg/m<sup>3</sup> annual average.

If risk exceeds the thresholds, the project applicant and/or construction contractor shall incorporate measures such as requiring the use of Tier 4 engines, Level 3 Diesel Particulate Filters, and/or alternative fuel construction equipment to reduce the risk to appropriate levels. The project applicant shall provide the construction HRA to the County for review and concurrence prior to project approval.

## **Biological Resources**

**Impact BIO-1:** Development facilitated by the project could disturb known special-status species or their associated habitat, including through habitat modifications, on a species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Development facilitated by the project during the nesting bird season could directly and/or indirectly affect nesting birds protected under the

Migratory Bird Treaty Act and the California Fish and Game Code 3503. Impacts would be less than significant with mitigation incorporated.

*Finding:*

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (Section 15091[a][1]). Implementation of Mitigation Measures BIO-1 would reduce potential impacts to nesting birds and associated habitat to a less than significant level by implementing avoidance measures.

*Explanation:*

Development facilitated by the project may involve the removal of existing trees and other vegetation that may be used by native resident or migratory birds as nesting habitat. Construction disturbance during the breeding season (February 1 through August 31, for most species) could result in the incidental loss of eggs or nestlings, either directly through the destruction or disturbance of active nests or indirectly by causing the abandonment of nests. Even if nests themselves are not removed, impacts such as noise and sustained human presence in proximity to active nests can disrupt nesting behavior and cause nest abandonment and failure. Disturbance or destruction of active bird nests from construction would be a potentially significant impact. Implementation of Mitigation Measure BIO-1, which represents an update to Mitigation Measure 6-1 from the North Fair Oaks Community Plan EIR (2011), would reduce this impact to less than significant levels.

*Mitigation Measures:*

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measures have been included in a MMRP that is to be adopted concurrently with these findings.

**BIO-1 Nesting Bird Avoidance.** To the extent feasible, construction activities in the project area shall be scheduled to avoid the nesting season. The nesting season for most birds in San Mateo County extends from February 1 through August 31. If it is not possible to schedule construction activities between September 1 and January 31, then the County shall require project applicants to retain a qualified biologist to conduct pre-construction surveys for nesting birds to ensure that no nests will be disturbed during project implementation. These surveys shall be conducted no more than 7 days prior to the initiation of construction activities and shall be conducted prior to tree removal, tree trimming, or other vegetation clearing. During the survey, the biologist shall inspect all trees and other potential nesting habitats, including trees, shrubs, ruderal grasslands, and buildings in the impact areas for nests. The biologist shall also survey within 100 feet of the impact area for non-raptor species and within 300 feet for raptors, as access allows.

If an active nest is found sufficiently close to work areas and would be disturbed by these activities, the biologist shall determine the extent of a construction-free buffer zone to be established around the nest (typically 300 feet for raptors and 50 feet for other species), to ensure that no nests of species protected by the Migratory Bird Treaty Act and California Fish and Game Code are disturbed during project implementation.

## **Cultural and Tribal Cultural Resources**

**Impact CUL-2:** The project has the potential to cause a significant impact on archaeological resources if development facilitated by the project would cause a substantial adverse change in the significance of

an archaeological resources, including those that qualify as historical resources. This impact would be less than significant with mitigation incorporated.

*Finding:*

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (Section 15091[a][1]). Implementation of Mitigation Measure CUL-2a and CUL-2b would reduce impacts to a less than significant level by requiring completion of a Phase I archaeological survey, Phase II testing and site avoidance on sites identified for development would preserve unidentified archaeological resources.

*Explanation:*

Each of the rezoned parcels has the potential to contain archaeological resources. Consequently, damage to or destruction of known or previously unknown, archaeological resources could occur because of the project. Therefore, mitigation measures would be required. Part c of Mitigation Measure 8-1 of the North Fair Oaks Community Plan Draft EIR (2011) would apply to the project area, and this measure is replaced by Mitigation Measure CUL-2b for future development facilitated by the project in the project area.

*Mitigation Measures:*

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measure has been included in a MMRP that is to be adopted concurrently with these findings.

**CUL-2a Archaeological Resources Assessment.** For discretionary projects involving ground disturbance substantially beyond or deeper than previous disturbance, project applicants shall prepare an archaeological resources assessment under the supervision of an archaeologist who meets the SOI's [Secretary of the Interior's] PQS [Professional Qualifications Standards] in either prehistoric or historic archaeology prior to project approval. Assessments will include a California Historical Resources Information System (CHRIS) records search at the Northwest Information Center (NWIC) at Sonoma State University and of the SLF [Sacred Lands File] search maintained by the NAHC [Native American Heritage Commission]. The records searches will characterize the results of previous cultural resource surveys and disclose any cultural resources that have been recorded and/or evaluated in and around the project site. A Phase I pedestrian survey shall be undertaken in proposed project areas that are undeveloped to locate any surface cultural materials. By performing a records search, consultation with the NAHC, and a Phase I survey, a qualified archaeologist shall be able to classify the project area as having high, medium, or low sensitivity for archaeological resources.

If the Phase I archaeological survey identifies resources that may be affected by the project, the archaeological resources assessment shall also include Phase II testing and evaluation. If resources are determined significant or unique through Phase II testing and site avoidance is not possible, appropriate site-specific mitigation measures shall be identified in the Phase II evaluation. These measures may include, but would not be limited to, a Phase III data recovery program, avoidance, or other appropriate actions to be determined by a qualified archaeologist. If significant archaeological resources cannot be avoided, impacts may be reduced to less than significant levels by filling on top of the sites rather than cutting into the cultural deposits. Alternatively, and/or in addition, a data collection program may be warranted, including mapping the location of artifacts, surface collection of artifacts, or excavation of the cultural deposit to characterize the nature of the buried portions of sites. Curation of the excavated

artifacts or samples would occur as specified by the archaeologist. The County will review and approve the Phase II or Phase III reports, and ensure that mitigation measures are implemented as appropriate prior to or during construction.

**CUL-2b Stop Work in the Event of Unanticipated Discoveries During Construction.** If cultural resources are encountered during ground-disturbing activities, work within 60 feet of the find shall be halted and an archaeologist meeting the Secretary of the Interior’s Professional Qualification Standards for archaeology in either prehistoric or historic archaeology shall be contacted immediately to evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for CRHR eligibility. If the discovery proves to be significant under CEQA and cannot be avoided by the project, additional work such as excavating the cultural deposit to fully characterize its extent, and collecting and curating artifacts may be warranted to mitigate any significant impacts to cultural resources. In the event that archaeological resources of Native American origin are identified during project construction, a qualified archaeologist will consult with the County to begin Native American consultation procedures.

**Impact CUL-4:** Development facilitated by the project has the potential to impact tribal cultural resources. Impacts would be less than significant with mitigation.

*Finding:*

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (Section 15091[a][1]). Implementation of Mitigation Measure CUL-4 would reduce impacts to cultural resources to a less than significant level by requiring suspension of work around tribal cultural resources during construction.

*Explanation:*

Development facilitated by the project has the potential to adversely impact tribal cultural resources. Potential impacts to tribal cultural resources would be less than significant with implementation of mitigation measure CUL-4, conducted in tandem, when appropriate, with mitigation measures CUL-1a, CUL-1b, CUL-2a, and CUL-2b located in Section 4.3, *Findings for Significant and Unavoidable Effects*, below.

*Mitigation Measures:*

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measures have been included in a MMRP that is to be adopted concurrently with these findings.

**CUL-4 Suspension of Work Around Tribal Cultural Resources During Construction.** In the event that cultural resources of Native American origin are identified during construction of a project, all earth-disturbing work within 60 feet of the find shall be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find as a cultural resource and an appropriate local Native American representative is consulted. If the County, in consultation with local Native Americans, determines that the resource is a tribal cultural resource and thus significant under CEQA, the applicant shall prepare and implement a mitigation plan in accordance with State guidelines and in consultation with local Native American group(s). The mitigation plan shall include avoidance of the resource or, if avoidance of the resource is infeasible, the plan shall outline the appropriate treatment of the resource in coordination with the appropriate local Native American tribal

representative and, if applicable, a qualified archaeologist. Examples of appropriate mitigation for tribal cultural resources include, but are not limited to, protecting the cultural character and integrity of the resource, protecting traditional use of the resource, protecting the confidentiality of the resource, or heritage recovery. The County shall review and approve the mitigation plan prior to implementation.

## **Geology and Soils**

**Impact GEO-6:** Development facilitated by the proposed project has the potential to impact paleontological resources. Impacts would be less than significant with mitigation incorporated.

### *Finding:*

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (Section 15091[a][1]). Implementation of Mitigation Measure GEO-6 would reduce impacts to a less than significant level by avoiding or mitigating development on sites where there has been the unanticipated discovery of a paleontological resource.

### *Explanation:*

Policy 5.20 of the San Mateo County General Plan requires that sites on which new development is proposed are to be assessed for the presence of paleontological resources and for the development of a mitigation plan if deemed necessary (County of San Mateo 2013). Policy 5.21 requires construction to cease if a potential paleontological resource is discovered until the find is evaluated and/or excavated by a qualified professional (County of San Mateo 2013). The County would continue to require Mitigation Measure 8-3 of the North Fair Oaks Community Plan EIR (2011), which addresses unanticipated discovery of paleontological resources during construction activities. This measure is included as Mitigation Measure GEO-6.

### *Mitigation Measures:*

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measure has been included in a MMRP that is to be adopted concurrently with these findings.

**GEO-6: Unanticipated Discovery of Paleontological Resource.** If paleontological resources are encountered during future grading or excavation in the Community Plan area, work shall avoid altering the resource and its stratigraphic context until a qualified paleontologist has evaluated, recorded and determined appropriate treatment of the resource, in consultation with the County. Project personnel shall not collect cultural resources. Appropriate treatment may include collection and processing of "standard" samples by a qualified paleontologist to recover micro vertebrate fossils; preparation of significant fossils to a reasonable point of identification; and depositing significant fossils in a museum repository for permanent curation and storage, together with an itemized inventory of the specimens.

## **Noise**

**Impact NOI-2:** Construction of development facilitated by the project would temporarily generate groundborne vibration. If required for construction, pile driving could potentially exceed California Department of Transportation (Caltrans) vibration thresholds and impact people or buildings. Impacts would be less than significant with mitigation incorporated.

*Finding:*

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (Section 15091[a][1]). Implementation of Mitigation Measure NOI-2 would reduce impacts to a less than significant level by requiring applicants to include groundborne vibration abatement measures in demolition and construction contractor agreements.

*Explanation:*

Construction vibration levels may exceed Caltrans' vibration levels for preventing damage, and impacts would be potentially significant, and mitigation would be required. Therefore, Mitigation Measure 13-2 from the North Fair Oaks Community Plan Update Draft EIR (2011) has been incorporated into this EIR as Mitigation Measure NOI-2 and would reduce groundborne vibration levels from pile driving activities during individual, site-specific future project demolition and construction periods in the project area.

*Mitigation Measures:*

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measures have been included in a MMRP that is to be adopted concurrently with these findings.

**NOI-2: Vibration Reduction Measures for Pile Driving Activities.** The County shall require project applicants to include the following actions in individual demolition and construction contractor agreements that stipulate the following groundborne vibration abatement measures:

- Restrict vibration-generating activity to between the hours of 7:00 a.m. and 6:00 p.m. weekdays, 9:00 a.m. and 5:00 p.m. on Saturdays, and allow no vibration-generating activity at any time on Sundays, Thanksgiving, or Christmas.
- Notify occupants of land uses located within 200 feet of pile-driving activities of the project construction schedule in writing.
- In consultation with County staff, investigate possible pre-drilling of pile holes as a means of minimizing the number of pile driving blows required to seat the pile.
- Conduct a pre-construction site survey documenting the condition of any historic structure located within 200 feet of proposed pile driving activities.
- Monitor pile driving vibration levels to ensure that vibration does not exceed the appropriate Caltrans thresholds for the potentially affecting building.

## Population and Housing

**Impact PH-2:** Development facilitated by the project could displace existing housing or people, necessitating the construction of replacement housing elsewhere. Impacts would be less than significant with mitigation incorporated.

*Finding:*

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (Section 15091[a][1]). Implementation of Mitigation Measure PH-2 would reduce impacts to a less than significant level by requiring the project applicant shall prepare a relocation plan that meets the requirements of Government Code Section 7260-7277.

*Explanation:*

Some of the parcels proposed for rezoning contain existing housing or other structures that could be removed during project implementation. However, the proposed project would enable development in the unincorporated county that could result in a net increase of 332 residential units on the proposed rezoned parcels. One of the fundamental project objectives is to increase the capacity for housing in the project area by modifying General Plan designations and zoning standards. The project would increase the total buildout potential of the identified rezoning sites, thus providing areas for the development of new housing projects consistent with the new zoning designation of these sites. Such a change in zoning to allow for higher density housing could result in the demolition of existing housing, but this would only occur when new housing projects are proposed for that site, and the total number of units on the site would increase. This could be a potentially significant impact to renters and would require mitigation.

*Mitigation Measures:*

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measures have been included in a MMRP that is to be adopted concurrently with these findings.

**PH-2: Replacement Housing.** When redevelopment on parcels within the project area is proposed on sites that contain existing rental housing, the project applicant shall prepare a relocation plan that meets the requirements of Government Code Section 7260-7277. The relocation plan shall include, but not be limited to:

1. Proper notification of occupants or persons to be displaced.
  1. Provision of “comparable replacement dwelling” which means decent, safe, and sanitary; and adequate in size to accommodate the occupants.
  2. Provision of a dwelling unit that is within the financial means of the displaced person.
  3. Provision of a dwelling unit that is not subject to unreasonable adverse environmental conditions.
- This measure shall apply to future development projects that may displace individuals and is not limited to development undertaken by a public entity or development that is publicly funded. The relocation plan shall be approved at the staff level (ministerially) for ministerial projects, and shall not require discretionary review. The County shall approve the relocation plan prior to project approval.

## **Utilities and Service Systems**

**Impact UTIL-1:** Development facilitated by the project would not require or result in the relocation or construction of new or expanded water, storm water drainage, electric power, natural gas, or telecommunications facilities. However, increased wastewater generation from development facilitated by the project would exacerbate existing system deficiencies. Impacts would be less than significant with mitigation incorporated.

*Finding:*

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (Section 15091[a][1]). Implementation of Mitigation Measure UTIL-1 would reduce impacts to a less than significant level by demonstrating that existing pipelines have sufficient capacity to support future development or requiring payment of in-lieu fees for the purpose of upgrading the wastewater collection system as needed.

*Explanation:*

The County requires development projects to replace sewer main infrastructure within the existing system in order to reduce predicted inflow exceedances by an amount equivalent to the anticipated change in flow. The length of replacement pipe is calculated to mitigate flows only to the amount that a specific project is contributing. This County requirement ensures that the existing system is upgraded as development occurs in order to provide adequate capacity for future development, and to alleviate existing capacity issues. Development facilitated by the project would exacerbate existing wastewater system capacity issues. While County requirements would help to reduce impacts, additional measures would be required in order to manage wastewater system capacity issues.

*Mitigation Measures:*

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measures have been included in a MMRP that is to be adopted concurrently with these findings.

**UTIL-1: Wastewater Provider Capacity.** If Capacity Projects 2 and/or 5 have not been completed by the start of construction of individual projects, and/or additional capacity constraints have been identified by FOSMD that are located downstream of the project parcel, the County and the Sewer District shall require future development on parcels in the project area that would contribute wastewater flows to throttled pipelines to demonstrate that there is sufficient capacity within these pipelines to accommodate proposed development, or that the necessary improvements (proportionate to a project's individual effects) will be made by the developer prior to occupancy. The developer shall be responsible for all costs incurred regarding performing a capacity analysis and/or improving or upgrading the sewer system. The County may alternatively require the payment of an in-lieu fee for the purpose of upgrading the wastewater collection system as needed.

### 4.3 Findings for Significant and Unavoidable Effects

Public Resources Code 21081 and 21081.5, and *CEQA Guidelines* Section 15093, require that the County of San Mateo balance the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental effects when determining to approve a project. And if specific economic, legal, social, technological, or other benefits outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable."

Significant and unavoidable impacts associated with air quality (impacts related to project operation), cultural resources (impacts related to historical resources), noise (impacts related to construction noise, on-site operational noise, and traffic noise), and transportation (impacts related to VMY generated from office-only commercial development) were identified for the project. The following findings and statement of overriding considerations outlines the specific reasons to support the County of San Mateo Planning and Building Department recommendation for approval.

#### **Air Quality**

**Impact AQ-2:** The project would not result in a cumulatively considerable net increase of construction criteria pollutants. The project would result in a cumulatively considerable net increase of operational criteria pollutants. Impacts from construction would be less than significant with mitigation. Impacts from operation would be significant and unavoidable.

*Mitigation Measures:*

**AQ-2a Implement Construction Best Management Practices.** The County shall require all discretionary development projects within the project area that propose grading, demolition, or construction activities to implement the following or similar best management practices:

- Dust control measures by construction contractors, where applicable:
  - During *demolition* of existing structures:
    - Use dust-proof chutes to load debris into trucks whenever feasible.
  - During all *construction* phases:
    - Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.
    - Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
    - Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
    - Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
    - Replant vegetation in disturbed areas as quickly as possible.
    - Consult with BAAQMD prior to demolition of structures suspected to contain asbestos to ensure that demolition/construction work is conducted in accordance with BAAQMD rules and regulations.
- Best management controls on emissions by diesel-powered construction equipment used by construction contractors, where applicable:
  - When total construction projects at any one time would involve greater than 270,000 square feet of development or demolition, a mitigation program to ensure that only equipment that would have reduced NO<sub>x</sub> and particulate matter exhaust emissions shall be implemented. This program shall meet BAAQMD performance standards for NO<sub>x</sub> standards – e.g., should demonstrate that diesel-powered construction equipment would achieve fleet-average 20 percent NO<sub>x</sub> reductions and 45 percent particulate matter reductions compared to the year 2023 CARB statewide fleet average.
  - Ensure that visible emissions from all on-site diesel-powered construction equipment do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity shall be repaired or replaced immediately.
  - The contractor shall install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g., compressors).
  - Properly tune and maintain equipment for low emissions.

**AQ-2b Implement BAAQMD Basic Construction Mitigation Measures.** The County shall require that discretionary projects implement the BAAQMD Basic Construction Mitigation Measures. The BAAQMD Basic Construction Mitigation Measures are listed below:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times a day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper conditions prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the County of San Mateo regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's number shall also be visible to ensure compliance with applicable regulations.

*Finding:*

Despite implementation of mitigation measures AQ-2a and AQ-2b, the increase in VMT would exceed the population increase in the project area and no feasible mitigation measures are available to reduce VMT-related criteria pollutant emissions. Therefore, impacts on criteria air pollutants during operation would be significant and unavoidable.

*Facts in Support of Finding*

Vehicle-miles travelled (VMT) would increase more than the population because of the capacity for retail development in the project area through the focus on mixed-use land uses. Retail development generates additional VMT while having no direct increase on population within the project area. Therefore, while the North Fair Oaks Community Plan policies described in Chapter 4.13, *Transportation*, would have the effect of reducing mobile VMT, and in turn operational criteria pollutants, in the project area, the proportional VMT increase would exceed the population increase in the project area. No feasible mitigation measures beyond these North Fair Oaks Community Plan policies is available or feasible to reduce VMT-related criteria pollutant emissions.

*Significance after Mitigation*

Despite implementation of mitigation measures AQ-2a and AQ-2b, the increase in VMT would exceed the population increase in the project area and no feasible mitigation measures are available to reduce VMT-related criteria pollutant emissions. Therefore, impacts on criteria air pollutants during operation would be significant and unavoidable and no additional mitigation that would reduce this impact is feasible.

## **Cultural and Tribal Cultural Resources**

**Impact CUL-1:** The project has the potential to cause a significant impact on a historic resource if development facilitated by the project would cause a substantial adverse change in the significance of that resource. This impact would be significant and unavoidable.

*Mitigation Measures:*

**CUL-1a Historical Resources Built Environment Assessment.** Prior to approval of a development project on a property that includes buildings, structures, objects, sites, landscape/site plans, or other features that are 45 years of age or older at the time of the permit application, the County shall require the project applicant to hire a qualified architectural historian to prepare an historical resources evaluation. The qualified architectural historian or historian shall meet the Secretary of the Interior's (SOI) Professional Qualifications Standards (PQS) in architectural history or history (as defined in 36 CFR [Code of Federal Regulations] Part 61). The qualified architectural historian or historian shall conduct an intensive-level evaluation in accordance with the guidelines and best practices recommended by the State Office of Historic Preservation to identify any potential historical resources in the proposed project area. Under the guidelines, properties 45 years of age or older shall be evaluated within their historic context and documented in a technical report and on Department of Parks and Recreation Series 523 forms. The report will be submitted to the County for review prior to any permit issuance. If no historical resources are identified, no further analysis is warranted. If historical resources are identified through the historical resources evaluation, the project shall be required to implement Mitigation Measure CUL-1b.

**CUL-1b Historical Resources Built Environment Mitigation.** If historical resources are identified in an area proposed for redevelopment as described in Mitigation Measure CUL-1a, the project applicant shall reduce impacts to the extent feasible. Application of mitigation shall generally be overseen by a qualified architectural historian or historic architect meeting the PQS, unless unnecessary in the circumstances (e.g., preservation in place). In conjunction with any project that may affect the historical resource, the project applicant shall make efforts to design the project to comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards), which generally mitigate impacts to a less than significant level (as defined in *CEQA Guidelines* Section 15364.5[b][3]). The project applicant shall provide a report identifying and specifying the treatment of character-defining features and compliance with the Standards to the County for review and approval, prior to permit issuance. Any and all features and construction activities shall become Conditions of Approval for the project and shall be implemented prior to issuance of construction (demolition and grading) permits.

If compliance with the Standards is determined to be infeasible, the applicant shall prepare documentation of the historical resource in the form of a Historic American Building Survey (HABS)-like report. The HABS report shall comply with the Secretary of the Interior's Standards for Architectural and Engineering Documentation and shall generally follow the HABS Level III requirements, including digital photographic recordation, detailed historic narrative report, and compilation of historic research. The documentation shall be completed by a qualified architectural historian or historian who meets the PQS and submitted to the County prior to issuance of any permits for demolition or alteration of the historical resource.

*Finding:*

Even with implementation of mitigation measures CUL-1a and CUL-1b, it is possible that development facilitated by the project may not be able to avoid impacts to a historical resource. Should a future project result in the demolition or substantial alteration of a historical resource, it would have the potential to materially impair the resource. Therefore, even with mitigation such as HABS, impacts may not be reduced to a less than significant level, and the impact would remain significant and unavoidable.

### *Facts in Support of Finding*

The County General Plan goals and policies (specifically 5.1-5.6 and 5.15 and 5.16) would reduce the potential for historical resources to be adversely impacted from the development facilitated by the proposed project, but there would still be potential for development to impact historical resources. Implementation of mitigation measures CUL-1a and CUL-1b would reduce impacts to historical resources to the extent feasible by identifying and evaluating significant historical resources and managing relocation, rehabilitation, or alteration in compliance with the Standards as applicable. These mitigation measures replace Mitigation Measure 8-2 of the North Fair Oaks Community Plan Draft EIR (2011) for future development facilitated by the project in the project area. Nonetheless, even with implementation of mitigation measures CUL-1a and CUL-1b, eligible historical resources could still be materially impaired by future development that would be carried out under the proposed project.

### *Significance after Mitigation*

Even with implementation of mitigation measures CUL-1a and CUL-1b, it is possible that development facilitated by the project may not be able to avoid impacts to a historical resource. Should a future project result in the demolition or substantial alteration of a historical resource, it would have the potential to materially impair the resource. Therefore, even with mitigation such as HABS, impacts may not be reduced to a less than significant level. This impact would remain significant and unavoidable and no additional mitigation that would reduce this impact is feasible.

## **Noise**

**Impact NOI-1:** Construction of development facilitated by the project would temporarily increase noise levels that could affect nearby noise-sensitive receivers. Operation of development facilitated by the project would introduce new on-site noise sources and contribute to traffic noise. Construction, on-site operational noise impacts, and traffic noise impacts would be significant and unavoidable despite the implementation of feasible mitigation measures.

### *Mitigation Measures:*

**NOI-1a Construction Noise Reduction Measures.** The County shall require project applicants to include the following conditions in project demolition and construction contract agreements that stipulate the following conventional construction-period noise abatement measures:

- **Construction Plan.** Prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with nearby noise-sensitive facilities so that construction activities can be scheduled to minimize noise disturbance.
- **Construction Scheduling.** Ensure that noise-generating construction activity is limited to between the hours of 7:00 a.m. and 6:00 p.m. weekdays, 9:00 a.m. and 5:00 p.m. on Saturdays, and does not occur at any time on Sundays, Thanksgiving or Christmas.
- **Construction Equipment Mufflers and Maintenance.** Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment to achieve an engine noise reduction from mobile construction equipment of at least 10 dBA [A-weighted decibels] (FHWA [Federal Highway Administration] 2011; Bies et al. 2018; Harris 1991).

- **Portable Sound Enclosures.** All generators and air compressors shall be enclosed in portable sound enclosures that provide at least a 10-dBA reduction in noise levels (FHWA 2011; Bies et al. 2018; Harris 1991).
- **Equipment Locations.** Locate stationary noise-generating equipment as far as possible from sensitive receivers when sensitive receivers adjoin or are near a construction project site.
- **Construction Traffic.** Route all construction traffic to and from construction sites via designated truck routes where possible. Prohibit construction-related heavy truck traffic in residential areas where feasible.
- **Quiet Equipment Selection.** Use quiet construction equipment, particularly air compressors, where possible.
- **Temporary Barriers.** Construct plywood fences around construction sites adjacent to residences, operational businesses, or noise-sensitive land uses to achieve a noise reduction of at least 5 dBA when blocking the line-of-sight between the source and the receiver (FHWA 2011; Bies et al. 2018; Harris 1991).
- **Temporary Noise Blankets.** Temporary noise control blanket barriers should be erected, if necessary, along building facades adjoining construction sites to achieve a noise reduction of at least 5 dBA (FHWA 2011; Bies et al. 2018; Harris 1991). This mitigation would only be necessary if conflicts occurred which were not able to be resolved by scheduling. (Noise control blanket barriers can be rented and quickly erected.)
- **Noise Disturbance Coordinator.** For larger construction projects, the County may choose to require project designation of a “Noise Disturbance Coordinator” who would be responsible for responding to any local complaints about construction noise. The Disturbance Coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and institute reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the Disturbance Coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule. (The project sponsor should be responsible for designating a Noise Disturbance Coordinator, posting the phone number and providing construction schedule notices. The Noise Disturbance Coordinator would work directly with an assigned County staff member.)

**NOI-1b Conduct Stationary Operational Noise Analysis.** Prior to project approval, the County shall require development projects to evaluate potential on-site operational noise impacts on nearby noise-sensitive uses and to implement stationary operational noise reduction measures to minimize impacts on these uses. Examples of measures to reduce on-site noise include, but are not limited to, operational restrictions, selection of quiet equipment, equipment setbacks, enclosures, silencers, and/or acoustical louvers.

**NOI-1c Traffic Noise Reduction Measures.** The County shall require project applicants to pay a fair share fee toward implementation of the following traffic noise reduction improvements on 5th Avenue north of Middlefield Road and 5th Avenue south of Bay Road:

- **Pave streets with reduced pavement types such as rubberized or open grade asphalt.** Reduced-noise pavement types would reduce noise levels by 2 to 3 dBA depending on the existing pavement type, traffic speed, traffic volumes, and other factors. Case studies have shown that the replacement of standard dense grade asphalt with open grade or rubberized asphalt can reduce traffic noise levels along residential streets by 2 to 3 dBA. A possible noise reduction of 2 dBA would be expected

using conservative engineering assumptions. In order to provide permanent mitigation, all future repaving would need to consist of “quieter” pavements.

- **Construct new or larger noise barriers.** New or larger noise barriers could reduce noise levels by 5 dBA  $L_{dn}$ . The final design of such barriers, including an assessment of their feasibility and cost-effectiveness, should be completed during final design.
- **Install traffic calming measures to slow traffic along 5th Avenue.** Traffic calming measures could provide a qualitative (i.e., perceived if not measurable) improvement by smoothing out the rise and fall in noise levels caused by speeding vehicles.
- **Provide sound insulation treatments to affected buildings.** Sound-rated windows and doors, mechanical ventilation systems, noise insulation, and other noise-attenuating building materials could reduce noise levels in interior spaces.

#### *Finding:*

Construction noise would be reduced after implementation of Mitigation Measure NOI-1a. However, as exact details of future project-specific construction activities are unknown at this stage of planning, construction noise could still exceed construction noise limits. Therefore, construction noise impacts would remain significant and unavoidable.

Implementation of Mitigation Measure NOI-1b would reduce potential operational stationary noise impacts associated with discretionary projects in the project area. However, as exact details of future project-specific stationary noise activities are unknown at this stage of planning, stationary noise could still exceed operational noise limits. Therefore, operational stationary noise impacts would remain significant and unavoidable.

Implementation of Mitigation Measure NOI-1c would include repaving with reduced-noise pavement types, the replacement or construction of noise barriers, traffic calming, and sound insulation that could reduce the project contribution to traffic noise at affected sensitive receivers on 5th Avenue south of Bay Road and 5th Avenue north of Middlefield Road to a less than significant level. However, each of these measures involves other non-acoustical considerations. For example, other engineering considerations may require continued use of dense grade asphalt. Installation of noise barriers may be inconsistent with desired community character and local aesthetic goals. Installation of noise barriers and sound insulation treatments on private property would require agreements with each affected property owner. These measures, therefore, may not be feasible to reduce the project’s contribution to traffic noise at every affected sensitive receiver, or such measures may not be desired by the County or by affected individual property owners. Therefore, traffic noise impacts would remain significant and unavoidable.

#### *Facts in Support of Finding*

Construction noise levels associated with development projects may exceed the daytime Federal Transit Administration construction noise threshold of 80 dBA  $L_{eq}$  for an 8-hour period at residential uses and other noise sensitive receivers, and impacts would be potentially significant and mitigation would be required. Therefore, Mitigation Measure 13-1 from the North Fair Oaks Community Plan Update Draft EIR (2011) has been incorporated into this EIR as Mitigation Measure NOI-1a. Mitigation Measure NOI-1a would reduce construction noise impacts from development facilitated by the project by requiring a construction plan, scheduling construction activities during hours consistent with the Municipal Code,

equipping construction equipment with mufflers, and erecting temporary noise barriers. However, as exact details of project-specific construction activities are unknown, construction noise could still exceed the daytime Federal Transit Administration construction noise threshold of 80 dBA  $L_{eq}$  for an 8-hour period at residential uses.

On-site operational noise could exceed the County's most stringent exterior sound level of 55 dBA for residential and other noise sensitive land uses. Therefore, on-site operational impacts from the project would be potentially significant, and mitigation would be required. Mitigation Measure NOI-1b would reduce potential stationary noise impacts associated with projects facilitated by the project. However, as exact details of project-specific stationary noise activities are unknown, stationary noise could still exceed operational noise limits.

Implementation of the goals and policies from the North Fair Oaks Community Plan Circulation and Parking Element would not guarantee that traffic noise would be reduced below thresholds. Therefore, impacts would be potentially significant, and mitigation would be required. Mitigation Measure 13-5 from the North Fair Oaks Community Plan Draft EIR (2011) has been incorporated into this EIR as Mitigation Measure NOI-1c. Mitigation Measure NOI-1c would reduce traffic noise by implementing reduced-noise pavement types, constructing new or larger noise barriers, installing traffic calming measures, and providing sound insulation treatments to affected buildings.

#### *Significance after Mitigation*

Construction noise would be reduced after implementation of Mitigation Measure NOI-1a. However, as exact details of future project-specific construction activities are unknown at this stage of planning, construction noise could still exceed construction noise limits. Therefore, construction noise impacts would remain significant and unavoidable and no additional mitigation that would reduce this impact is feasible.

Implementation of Mitigation Measure NOI-1b would reduce potential operational stationary noise impacts associated with discretionary projects in the project area. However, as exact details of future project-specific stationary noise activities are unknown at this stage of planning, stationary noise could still exceed operational noise limits. Therefore, operational stationary noise impacts would remain significant and unavoidable and no additional mitigation that would reduce this impact is feasible.

Implementation of Mitigation Measure NOI-1c would include repaving with reduced-noise pavement types, the replacement or construction of noise barriers, traffic calming, and sound insulation that could reduce the project contribution to traffic noise at affected sensitive receivers on 5th Avenue south of Bay Road and 5th Avenue north of Middlefield Road to a less than significant level. However, each of these measures involves other non-acoustical considerations. For example, other engineering considerations may require continued use of dense grade asphalt. Installation of noise barriers may be inconsistent with desired community character and local aesthetic goals. Installation of noise barriers and sound insulation treatments on private property would require agreements with each affected property owner. These measures, therefore, may not be feasible to reduce the project's contribution to traffic noise at every affected sensitive receiver, or such measures may not be desired by the County or by affected individual property owners. Therefore, traffic noise impacts would remain significant and unavoidable and no additional mitigation that would reduce this impact is feasible.

## Transportation

**Impact TRA-2:** The proposed project would conflict with *CEQA Guidelines* Section 15064.3(b) by resulting in increased VMT from future office-only commercial development facilitated by the project. It cannot be guaranteed that mitigation would reduce office-only commercial VMT to acceptable levels; therefore, impacts would be significant and unavoidable.

### *Mitigation Measures:*

**TRA-2 Preparation of Transportation Demand Management Plan.** Individual projects that include office-only commercial development and are estimated to generate more than 100 trips per day shall prepare a TDM [Transportation Demand Management] plan for County and C/CAG [City/County Association of Governments of San Mateo County] review and approval. The TDM plan shall be designed and implemented to achieve trip reductions as required to meet thresholds identified by OPR [Office of Planning and Research] to reduce daily VMT by reducing vehicle trips by 25 percent or 35 percent, depending on the land use and location of the project. The TDM Plan shall identify the trip reduction necessary to achieve the required VMT reduction (to 15.42 VMT per employee or less).

Trip reduction strategies that may be included in the TDM program include, but are not limited to, the following:

1. Provision of bus stop improvements or on-site mobility hubs
2. Pedestrian improvements, on-site or off-site, to connect to nearby transit stops, services, schools, shops, etc.
3. Bicycle programs including bike purchase incentives, storage, maintenance programs, and on-site education program
4. Enhancements to countywide bicycle network
5. Parking reductions and/or fees set at levels sufficient to incentivize transit, active transportation, or shared modes
6. Cash allowances, passes, or other public transit subsidies and purchase incentives
7. Enhancements to bus service
8. Implementation of shuttle service
9. Establishment of carpool, bus pool, or vanpool programs
10. Vanpool purchase incentives
11. Participation in a future County VMT fee program
12. Participate in future VMT exchange or mitigation bank programs
13. Carshare/scooter-share/bikeshare facilities or incentives
14. On-site coordination overseeing TDM marketing and outreach
15. Rideshare matching program

### *Finding:*

Substantial trip reductions would be required for office-only commercial development to reduce potential VMT impacts to a less than significant level, and it cannot be guaranteed that the trip reduction targets could be achieved. As a result, with respect to potential office development, impacts would remain significant and unavoidable.

*Facts in Support of Finding*

While all parcels proposed for rezoning are located within 0.5 mile of high-quality transit, they cannot be presumed to have a less than significant VMT impact since other characteristics of future projects are not yet known. Potential VMT impacts were analyzed based on the known data and it was determined that there would be a less than significant VMT impact associated with potential residential development. However, there are anticipated to be VMT impacts associated with potential office development. While projects generating at least 100 trips would be required to develop TDM plans, substantial trip reduction would be required for office development, and it could not be guaranteed that the trip reduction targets could be achieved. As a result, with respect to potential office development, Impact TRA-2 would be significant.

*Significance after Mitigation*

Substantial trip reductions would be required for office-only commercial development to reduce potential VMT impacts to a less than significant level, and it cannot be guaranteed that the trip reduction targets could be achieved. As a result, with respect to potential office development, impacts would remain significant and unavoidable and no additional mitigation that would reduce this impact is feasible.

## 5 Project Alternatives

---

Section 15126.6 of the *CEQA Guidelines* states the following:

“An EIR shall describe a reasonable range of alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.”

As described in Section 4.3, above, the County of San Mateo has determined that, even after the adoption of all feasible mitigation measures, the project would still cause one or more significant environmental impacts that cannot be avoided or lessened to below a level of significance. Therefore, the County of San Mateo must determine if there is a project alternative that is both environmentally superior and feasible. An alternative may be “infeasible” if it fails to achieve the most basic project objectives identified within the EIR. Further, “feasibility” under CEQA encompasses the desirability of the project “based on a reasonable balancing of the relevant economic, environmental, social, and technological factors” of a project (*City of Del Mar v. City of San Diego [1982]*, 133 Cal.App.3d at p. 417; see also *Sequoyah Hills Homeowners Assn. V. City of Oakland [1993]*, 23 Cal.Ap.4th at p. 715).

The Final EIR determined that the project would have significant and unavoidable impacts associated with air quality (impacts related to project operation), cultural resources (impacts related to historical resources), noise (impacts related to construction noise, on-site operational noise, and traffic noise), and transportation (impacts related to VMT generated by office-only commercial development). The alternatives analyzed in the Final EIR and described below are therefore discussed below in terms of their potential ability to avoid or reduce these impacts.

### 5.1 Alternative 1: No Project

The No Project Alternative assumes that amendments to the existing commercial mixed-use and neighborhood mixed-use zoning districts along Middlefield Road, El Camino Real, and 5th Avenue would not occur, and that rezoning and related amendments to General Plan Land Use Designations to several residentially-zoned areas adjacent to El Camino Real and Middlefield Road would not occur. All parcels within the project area would continue to be subject to their existing zoning and land use designations.

#### **Finding**

The No Project Alternative would not fulfill either of the two project objectives because under this alternative the County would continue to implement zoning standards that are difficult to administer and would not replace provisions necessitating subjective interpretation with objective standards. Accordingly, the No Project Alternative would not be consistent with various new State laws that require zoning regulating the production of multi-family housing to provide objective development standards and streamline permitting and approval processes. Additionally, this alternative would not facilitate the

production of additional housing to address the increasing demand for housing that the County of San Mateo is experiencing.

The No Project Alternative would have similar impacts to the proposed project as it relates to aesthetics, biological resources, geology and soils, hazards and hazardous materials, and land use and planning. The No Project Alternative would have lesser impacts than the proposed project as it relates to air quality (resulting from less operational air emissions), cultural and tribal cultural resources (resulting from less ground disturbance), greenhouse gas emissions (resulting from less operational emissions), hydrology and water quality (based on reduced development potential), noise (based on reduced development potential), population and housing (based on reduced development potential), public services and recreation (based on reduced development potential), transportation (based on reduced trip generation), and utilities (based on reduced development potential). This alternative would avoid the significant and unavoidable air quality and transportation impacts of the proposed project but would not avoid the significant and unavoidable cultural resources or noise impacts.

While Alternative 1 (No Project) would avoid some of the project's significant and unavoidable impacts, it would not fulfill either of the project objectives and would be inconsistent with California law. The County rejects Alternative 1 as infeasible because it would not achieve the project objectives.

The findings for the proposed project set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide support for selection of the proposed project and the elimination of this alternative from further consideration.

## 5.2 Alternative 2: Limited Commercial Uses

Under the Limited Commercial Uses Alternative, the County would not allow Office and Professional Services uses above the ground floor on parcels that, under the proposed project, would be rezoned from the existing R-1 or R-3 designation to the adjacent mixed-use designation (i.e. CMU-1, CMU-3, or NMU-DR). Specific uses that would be prohibited above the ground floor under this alternative would include Administrative; Professional and Business Offices; Medical and Dental Offices; Financial Institutions; and Non-Chartered Institutions. All other proposed development standards would apply, including but not limited to height restrictions and design guidelines.

### **Finding**

Alternative 2 would fulfill both project objectives as all other proposed zoning revisions would occur, which would facilitate the development of more effective zoning that replaces provisions necessitating subjective interpretation. This alternative would also increase capacity for housing in the project area to the same extent as the proposed project by allowing taller buildings, greater density, and via other strategies. While office uses would still be permitted under this alternative, less office use would be developed as none would be permitted above the ground floor on rezoned parcels in the project area.

This alternative would require implementation of Mitigation Measures AQ-2a, AQ-3, BIO-1 CUL-1a, CUL-1b, CUL-2a, CUL-2b, CUL-4, GEO-6, NOI-1a, NOI-2, NOI-1b, NOI-1c, and PH-2, similar to the proposed project.

The Limited Commercial Uses Alternative would have similar impacts to the proposed project as it relates to aesthetics, biological resources, cultural and tribal cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population

and housing, public services and recreation, and utilities and service systems. The Limited Commercial Uses Alternative would have lesser impacts than the proposed project as it relates to air quality (resulting from lower air quality emissions from vehicle trips), greenhouse gas emissions (resulting from reduced operational VMT), and transportation (based on reduced office development potential). Overall impacts would be similar, but slightly reduced under Alternative 2 than the proposed project. This alternative would avoid the significant and unavoidable transportation impact of the proposed project but would not avoid the significant and unavoidable air quality, cultural resources, or noise impacts.

Alternative 2 (Limited Commercial Uses) would avoid the significant and unavoidable transportation impacts, and would fulfill both of the project objectives. However, Alternative 2 would not allow for office employment opportunities to the community, which the County considers to be a contributing factor to the provision of equitable access to opportunities, community livability, and desirable aspects of community character. For these reasons, Alternative 2 is less desirable than the proposed project in terms of meeting the objectives for the project, as outlined above under Section 3.

The findings for the proposed project set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide support for selection of the proposed project and the elimination of this alternative from further consideration.

### 5.3 Alternative 3: Residential Overlay

Under the Residential Overlay Alternative, the County would establish a Residential-Only Overlay District that would be applied to parcels that, under the proposed project, would be rezoned from the existing R-1 or R-3 designation to the adjacent mixed-use designation (i.e., CMU-1, CMU-3, or NMU-DR). Permitted uses in the Residential Overlay District would be limited to residential uses only; no new commercial development would be allowed within rezoned parcels under this alternative. All other proposed development standards would apply, and residential uses within the overlay district could be built at a greater density under their new mixed-use zoning compared to what is currently allowed by their existing residential zoning, similar to the proposed project. Therefore, the Residential Overlay Alternative would result in no commercial development, and similar residential development to that of the proposed project, on the rezoned parcels.

#### **Finding**

Alternative 3 would fulfill both project objectives as all other proposed zoning revisions would occur, which would facilitate the development of more effective zoning that replaces provisions necessitating subjective interpretation. This alternative would also increase capacity for housing in the project area to a similar extent as the proposed project, as the allowable residential density in the rezoned parcels would be the same as the proposed project.

This alternative would require implementation of Mitigation Measures AQ-2a, AQ-3, BIO-1, CUL-1a, CUL-1b, CUL-2a, CUL-2b, CUL-4, GEO-6, NOI-1a, NOI-2, NOI-1b, NOI-1c, and PH-2.

The Residential Overlay Alternative would have similar impacts to the proposed project as it relates to aesthetics, biological resources, cultural and tribal cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, public services and recreation, and utilities and service systems. The Limited Commercial Uses Alternative would have lesser impacts to the proposed project as it relates to air quality (resulting from lower air quality emissions from vehicle trips), greenhouse gas emissions (resulting from reduced

operational VMT), and transportation (based on reduced commercial and office development potential). Overall impacts would be similar, but slightly reduced under Alternative 3 than the proposed project. This alternative would avoid the significant and unavoidable air quality and transportation impacts of the proposed project but would not avoid the significant and unavoidable cultural resources or noise impacts.

Alternative 3 (Residential Overlay) was found to be the environmentally superior alternative as it would avoid the significant and unavoidable air quality and transportation impacts, and both project objectives would be fulfilled under the Residential Overlay Alternative. However, this alternative would result in no commercial development, and similar residential development to that of the proposed project, on the rezoned parcels. Alternative 3 would not provide employment opportunities to the community, which the County considers to be a contributing factor to the provision of equitable access to opportunities, community livability, and desirable aspects of community character. For these reasons, Alternative 3 is less desirable than the proposed project in terms of meeting the objectives for the project, as outlined above under Section 3.

The findings for the proposed project set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide support for selection of the proposed project and the elimination of this alternative from further consideration.

## 6 Statement of Overriding Considerations

---

*Statement of Overriding Considerations for Project Approval and Certification of the Final Environmental Impact Report for the North Fair Oaks Rezoning and General Plan Amendment Project (the Project).*

As described in the Environmental Impact Report (EIR) for the North Fair Oaks Rezoning and General Plan Amendment Project, the EIR finds that all potential impacts from adoption of the project and from physical changes that could potentially occur due to adoption of the project can be feasibly mitigated to a level that is less than significant, with the following exceptions: Impact AQ-2, operational criteria pollutant impacts from new construction; Impact CUL-1, potential impacts to unidentified historic resources; Impact NOI-1, construction noise, operational noise, and traffic noise impacts from new development; and Impact TRA-2, increased VMT from theoretical future office development.

In accordance with *CEQA Guidelines* Section 15093, the Board of Supervisors has, in determining whether to approve the project, balanced the economic, legal, social, technological, and other benefits of the project against the potentially unavoidable environmental impacts, and has found that the benefits of the project outweigh the potentially unavoidable environmental effects, for the reasons set forth below. The following statements specify the reasons why, in the Board of Supervisors' judgment, the benefits of the project outweigh any of the significant and unavoidable consequences described in the EIR. The Board of Supervisors also finds that any one of the following reasons for approval cited below is sufficient to justify approval of the project. Thus, even if were to be determined that not every reason cited below is supported by substantial evidence, the Board of Supervisors determines that each individual reason is sufficient justification of approval of the project. The substantial evidence supporting the Board of Supervisors' findings and the benefits described below can be found in the record of proceedings.

- Adoption of the project furthers the goals and policies of the County's General Plan, including, but not limited to: Policy 4.14, Regulate development to promote and enhance good design, site relationships and other aesthetic considerations; Policy 7.16, Locate land use designations in urban areas (urban unincorporated areas) in order to: maximize the efficiency of public facilities, service and utilities, minimize energy consumption, revitalize existing developed areas, and discourage urban sprawl; Policy 8.29, Encourage the infilling of urban areas where infrastructure and services are available, and; Policy 8.30, Encourage development which contains a combination of land uses, particularly commercial and residential developments along major transportation corridors.
- The facilitation and promotion of new housing by the zoning and land use designation changes incorporated in the project furthers the goals and policies of the County's Housing Element, including facilitating sufficient development at all income levels to meet the County's Regional Housing Needs Allocation, supporting new housing for low- and moderate-income households, amending zoning and general plan land use designations to meet future housing needs, and encouraging residential mixed-use and transit-oriented development;
- Adoption of the zoning and General Plan amendments incorporated in the project furthers the goals of the County's Shared Vision 2025, including but not limited to the goal of creating livable communities, with growth near transit, promoting affordable, livable, connected communities;
- Adoption of the amendments proposed by the project will facilitate additional transit-oriented, higher density, and mixed use development on unused and underutilized properties, will promote economically beneficial reuse of unused and underutilized land;

**North Fair Oaks Rezoning and General Plan Amendment**

- Adoption of the revised development standards included in the amendments to the Community Plan and the related Zoning Regulations will ensure the County's regulations are consistent with State law, as required by law;
- Adoption of the zoning and land use map amendments included in the project will facilitate the creation of new development in proximity to public transit, reducing the need for automobile use and attendant pollution and other negative consequences and increasing walking and transit ridership; and
- Adoption of the zoning and General Plan map and text amendments included in the project will facilitate additional housing and additional affordable housing in the community, including housing to meet a broader range of housing needs and housing that is appropriate to and accessible for a broader range of household types.

Any one of these reasons is sufficient to support adoption of the North Fair Oaks Rezoning and General Plan Amendment Project, and to outweigh the identified significant and unavoidable environmental effects that might occur due to adoption of the project. On balance, in light of the benefits to the County and the North Fair Oaks community identified above, pursuant to *CEQA Guidelines* Section 15903, the Board of Supervisors find finds that these overriding considerations, as identified in conjunction with the environmental review of impacts stemming from adoption of the North Fair Oaks Rezoning and General Plan Amendment Project, outweigh the potentially significant and unavoidable environmental impacts identified in the Final EIR, rendering those impacts acceptable under the circumstances.

## 7 Statement of Location and Custodian of Documents

---

Public Resources Code Section 21081.6(a)(2) and *CEQA Guidelines* Section 15091(e) require that the County of San Mateo, as the Lead Agency, specify the location and custodian of the documents of other materials that constitute the record of proceedings upon which the decision has been based. The following location is where review of the record may be performed:

County of San Mateo  
Planning and Building Department  
455 County Center  
Redwood City, California 94063

The County of San Mateo has relied on all of the documents contained within the record of proceedings in reaching its decision on the project.