

3.1 Land Use and Planning

This section describes the existing and proposed land uses within and around the Commonwealth Corporate Center Project (Project) site and evaluates the potential for land use incompatibilities to occur as a result of development of the Project. New development adjacent to existing land uses, particularly if it is much more intensive or involves operations or activities that have effects that extend beyond the property, may create land use incompatibilities. This section also addresses the consistency of the Project with applicable land use goals and policies from the City of Menlo Park (City) General Plan (adopted in 1994 and amended through 2013),¹ the City Municipal Code, and Title 16 Zoning Ordinance (current through Ordinance 979, effective July 2012), which were specifically adopted to mitigate, or avoid, significant environmental effects that can result from development. The General Plan and Municipal Code consistency analysis is provided for environmental review purposes only. The City Council will ultimately determine the Project's consistency with the goals and policies contained in the General Plan and other City requirements and planning documents.

Land use and planning analyses under the California Environmental Quality Act (CEQA) generally consider the compatibility of a project with neighboring areas, change to or displacement of existing uses, and consistency of a project with relevant local land use policies that have been adopted with the intent to mitigate or avoid an environmental effect. With respect to land use conflicts or compatibility issues, the magnitude of these impacts depends on how a project affects the existing development pattern, development intensity, and local air quality, noise, and visual setting in the immediate area. Specific environmental-related issues (e.g., visual, transportation, air quality, noise) and their potential significance are discussed in detail in the associated topical resource sections of this Draft Environmental Impact Report (EIR) (e.g., Section 3.2, *Aesthetics*; Section 3.3, *Transportation and Traffic*; Section 3.4, *Air Quality*; and Section 3.6, *Noise*).

No comments pertaining to land use issues were received in response to the Notice of Preparation (Appendix 1).

Existing Conditions

Regulatory Setting

City of Menlo Park General Plan

The General Plan guides the physical development and character of the City. The General Plan sets forth City policies regarding the types and locations for future land uses and activities and is used by the City Council and Planning Commission in considering planning and land use decisions. The central purpose of the General Plan, as stated in the document, "is to maintain Menlo Park's special character as a residential community that includes a broad range of residential, business, and employment opportunities and to provide for the change necessary to maintain a vital community."

General Plan – Land Use Designations. The Land Use Diagram in the General Plan depicts the land use pattern for future development in the City. The boundaries of the land use designations on the Land Use

¹ City of Menlo Park. 2013. City of Menlo Park General Plan. Last revised and adopted on May 21, 2013. Available: <<http://www.menlopark.org/departments/pln/gp/>> Accessed June 4, 2013.

Diagram are depicted generally. The land use designations are meant to outline building intensity and population density for the various land uses.

The Project site is designated as Limited Industry in the General Plan. The Limited Industry designation allows for light manufacturing and assembly, distribution of manufactured products, research and development facilities, industrial supply, incidental warehousing, offices, limited retail sales (such as sales to serve businesses in the area), public and quasi-public uses, and similar and compatible uses. The maximum floor area ratio (FAR) allowed should be in the range of 0.45 for office uses to 0.55 for related office uses (such as amenities). Under the Limited Industry designation, hotel and other commercial uses are not allowed.

General Plan – Goals and Policies. The City adopted amendments to the General Plan in June 2013 associated with the Housing Element Update. Revisions include amendments to the goals and policies in the Housing Element as well as the Land Use and Circulation Element, Open Space and Conservation Element, Noise Element, and Safety Element. Applicable land use goals, policies, and programs from these elements are discussed under Impact LU-1, below. In addition, applicable policies are outlined in the relevant sections of this Draft EIR.

City of Menlo Park Municipal Code (Title 16, Zoning Ordinance)

The Zoning Ordinance implements the land uses designated in the General Plan. Title 16 of the Municipal Code was adopted as a precise zoning plan for the City and is designed to

. . . preserve and extend the charm and beauty inherent to the residential character of the city; to regulate and limit the density of population; encourage the most appropriate use of land; to conserve land and stabilize the value of property; to provide adequate open space for light, air, and fire protection; to lessen traffic congestion; to facilitate the provision of community facilities; to encourage tree and shrub planting; to encourage building construction of pleasing design; and to provide the economic and social advantages of a planned community.

The Zoning Ordinance defines the City's zoning districts and identifies the land uses permitted and conditionally permitted in each. The ordinance also establishes development regulations such as building height, land cover by buildings, and floor area restrictions.

Project site is currently zoned M-2 (General Industrial). The M-2 District permits warehousing, manufacturing, printing, assembling, and office uses. Conditional uses allowed in the M-2 District include cafés, convenience stores, personal services (such as barbers, beauty, laundrette, dry cleaning, and shoe repair), and daycare facilities, which are all intended to serve the employees in the immediate area. Development regulations for the M-2 district include a maximum land cover by structures of 50 percent of the site and a maximum of 0.45 FAR for office buildings and 0.55 FAR for general industrial uses. In addition, the maximum building height should not exceed 35 feet; however, additional height may be permitted with a conditional development permit.

City/County Association of Governments Congestion Management Program

The City/County Association of Governments (C/CAG) has prepared a Congestion Management Program (CMP) to identify strategies to respond to future transportation needs, develop procedures to alleviate and control congestion, and promote countywide solutions. Three of the intersections included in the transportation analysis for the Project are CMP-designated intersections and monitored by C/CAG: Bayfront Expressway/Marsh Road, Bayfront Expressway/University Avenue, and Bayfront

Expressway/Willow Road.² Project consistency with the CMP is discussed further in Section 3.3, *Transportation and Traffic*.

Environmental Setting

Adjacent Uses

The City encompasses an area of about 19 square miles, including nearly 12 square miles of the Bay and wetlands. The approximately seven-square-mile urbanized portion of the City is virtually built out. The Project site is located within a large office park and industrial area that includes businesses involved in the science and technology sector (including biotech, research and development [R&D], and high-tech firms), law firms, business services, warehouses for storage, fitness centers, and wholesale retail. This area is in the process of transitioning from 1960s and 1970s industrial and warehousing uses to corporate campuses and office uses. Many of the older buildings in the area consist mainly of large industrial warehouses approximately one to two stories in height with surface parking lots and street trees. Several newer office buildings are scattered throughout the area, including to the west of the Project site along Commonwealth Drive and to the northeast of the Project site along Jefferson Drive. This area is primarily designated as Limited Industry under the General Plan and zoned M-2, General Industrial District. However, nine properties that are proposed to be developed under the Menlo Gateway Project along Independence Drive adjacent to US 101 and along Constitution Drive adjacent to Bayfront Expressway, and are zoned M-3(X), Commercial Business Park. The Menlo Gateway Project includes buildings that will be seven and eight stories tall.

Within the Project vicinity/area (within a 0.5-mile radius of the Project site), land uses include industrially zoned areas with warehouses and office buildings generally not exceeding three stories in height to the north, east, and west of the Project site. This area includes an industrial park and office complexes to the north of the Dumbarton Rail Corridor and single-family residential units to the south. Further to the north is Bayfront Expressway, the San Francisco Bay (Bay), salt ponds, and Bedwell-Bayfront Park. To the east, south across the Dumbarton Rail Corridor, is the Belle Haven neighborhood with residential, commercial, school, and park uses. US 101 is located to the south of the Project site with the Suburban Park-Lorelei Manor-Flood Park Triangle neighborhood farther to the south.

The Belle Haven neighborhood, to the southeast of the Project site, generally consists of one- to two-story single-family units, with the Belle Haven Elementary School, parks, as well as low-intensity commercial retail areas adjacent to Willow Road. The majority of the Belle Haven neighborhood is zoned as R-1(U), Single Family Urban Residential District, with a General Plan land use designation of Low Density Residential. However, along US 101 to the north are areas that are zoned R-2 (Low Density Apartment District) and R-3 (Apartment District). Along the southern border of Dumbarton Rail Corridor and along US 101, zoning includes R-3, M-1 (Light Industrial District), and C-2(S) (Neighborhood Commercial District, Special). Similarly, along Willow Road, zoning includes C-2(S), R-3, R-4S (High Density, Special), and C-2-B (Neighborhood Commercial District, Restrictive). Other zoning in the Belle Haven neighborhood includes PF (Public Facilities) for Belle Haven Elementary School and Joseph B. Kelly Park (Kelly Park) and OSC (Open Space and Conservation) for Hamilton Park. Kelly Park is directly adjacent to the Project site (separated by the Dumbarton Rail Corridor), and features a large

² City/County Association of Governments of San Mateo County. 2011. "Final San Mateo County Congestion Management Program 2011." November 2011. Available: <http://www.ccag.ca.gov/pdf/Studies/Final%202011%20CMP_Nov11.pdf> Accessed April 4, 2013.

soccer field, tennis courts, an exercise track, a swimming pool, a private school, and a recreation center. Surrounding land uses and zoning are depicted in Figure 3.1-1.

The Dumbarton Rail Corridor, which is to the east and south of the Project site, is a rail line that crosses the northern-most portion of the City from east to west. The Dumbarton Rail Corridor separates the Belle Haven neighborhood from the Project site to the west. This segment is part of a former Union Pacific line that once crossed the Bay. This railway currently consists of a single track; however, the rail bridge that served as the connection for this line is no longer functional. At this time, the railroad line is no longer in use.³

Project Site

As described in Chapter 2, *Project Description*, for the purposes of this analysis, the Project site refers to both the Commonwealth Site and the Jefferson Site. These two properties collectively comprise 13.27 acres. The Project site is in the northeastern portion of the City, north of US 101. The Project site is zoned M-2 (General Industrial) and is located within the City's Limited Industry land use designation under the General Plan. Under the current land use designation, the Project site could be built out to approximately 260,313 square feet (sf), with a FAR of 0.45 and a height of 35 feet, as identified in the City's Zoning Ordinance.⁴

The 12.1-acre Commonwealth Site consists of Assessor's Parcel Number (APN) 055-243-240 that is 12.1 acres in size and accessible via the access point at 151 Commonwealth Drive. The Commonwealth Site was formerly occupied by Diageo North America and was used as a spirits distilling, bottling, and distribution plant. The site currently consists of three single-story buildings, a tank farm, processing equipment areas, a 500,000-gallon fire suppression water tank, storage areas, and associated parking and landscaped areas. Facility operations were discontinued in 2011, and the Commonwealth Site has remained unoccupied since.

The 1.17-acre Jefferson Site consists of one parcel, APN 055-243-050, which is 1.17 acres in size. Access is provided at two driveways in the northern portion of the site along Jefferson Drive. This single-story, 20,462-sf building is occupied and is used as warehouses and offices for storage and light industrial uses.

Environmental Impacts

This section describes the impact analysis relating to land use and planning for the Project. It describes the methods used to determine the impacts of the Project and lists the thresholds used to conclude whether an impact would be significant. Measures to mitigate (i.e., avoid, minimize, rectify, reduce, eliminate, or compensate for) significant impacts accompany each impact discussion.

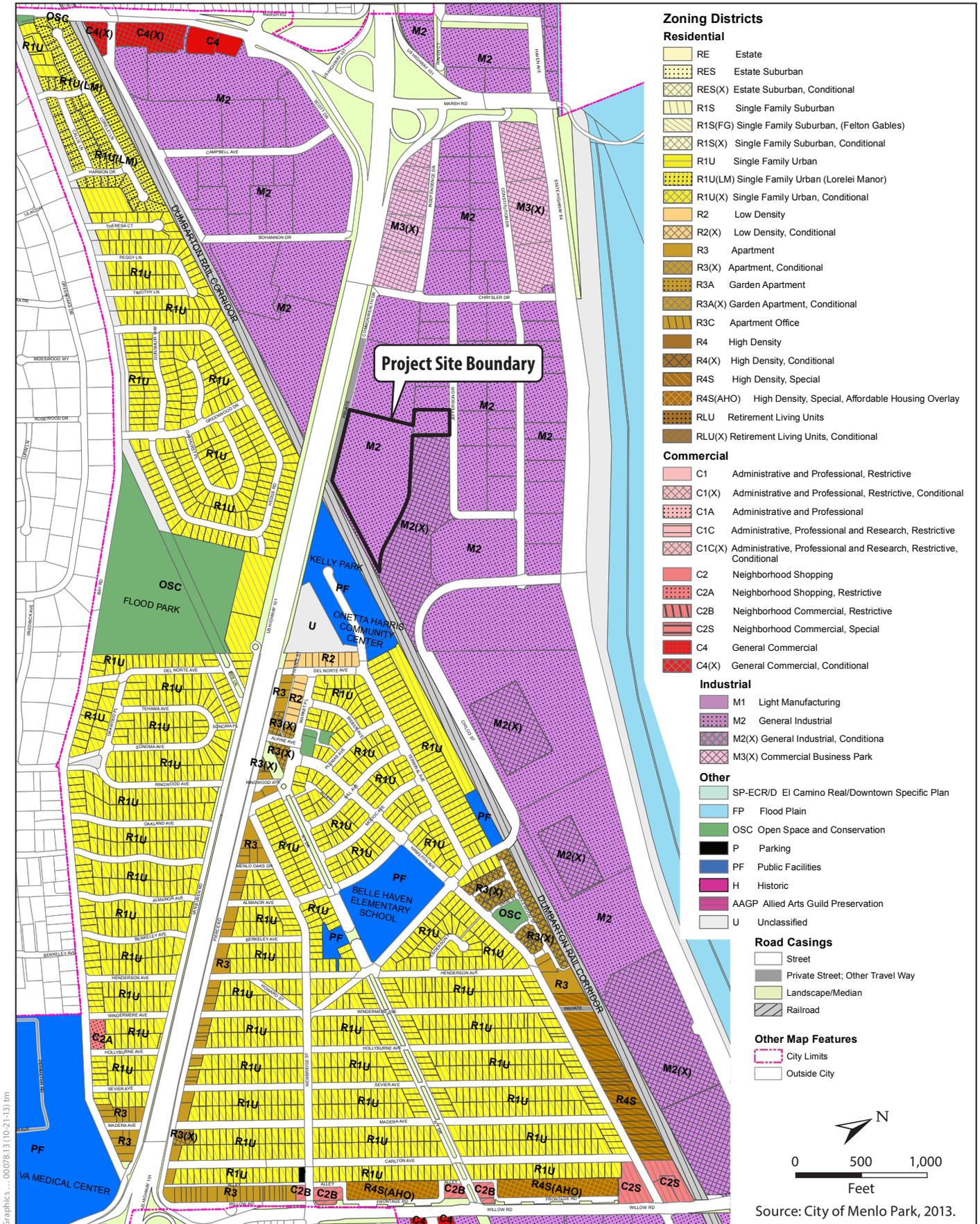
Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, the Project would be considered to have a significant effect if it would result in any of the conditions listed below.

- Physically divide an established community.

³ City of Menlo Park. 2013. City of Menlo Park General Plan – Open Space, Conservation, Noise, and Safety Elements. Adopted May 21, 2013.

⁴ City of Menlo Park. 2013. Menlo Park Zoning Ordinance. Adopted July 11, 2013.



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Figure 3.1-1
Zoning Map and General Plan Land Use Diagram

- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.
- Conflict with any applicable habitat conservation plan or natural community conservation plan.

Methods for Analysis

CEQA requires that an EIR consider whether a proposed project may conflict with any applicable land use plan, policy, or regulation that was adopted for the purpose of avoiding or mitigating an environmental impact. This environmental determination differs from the larger policy determination of whether a proposed project is consistent with a jurisdiction's general plan. The former determination (that is intended for consideration in a CEQA document) is based on, and limited to, a review and analysis of environmental effects. The latter determination, by comparison, is made by the decision-making body of the jurisdiction and is based on the jurisdiction's broad discretion to assess whether a proposed project would conform to the policies and objectives of its general plan/specific plan as a whole. In addition, the broader general plan consistency determination takes into account all evidence in the record concerning the project characteristics, its desirability, as well as its economic, social, and other non-environmental effects.

Conflicts of a project with land use policies do not, in and of themselves, constitute significant environmental impacts. Policy conflicts are considered environmental impacts only when they would result in direct environmental effects. Decision-makers (City Council, in this case) will need to consider the consistency of the proposed development with applicable plans and policies that do not directly relate to physical environmental issues when determining whether to approve or deny the Project.

Impacts Not Evaluated in Detail

Division of an Established Community. The Project would redevelop a site that is already developed and would not change the site boundaries. The Project site is located to the north of the Dumbarton Rail Corridor in an area that is characterized by light-industrial and office uses. The Project would include the construction of two new office buildings with surface parking and landscaping. Although this would add new development to the area, the development would be located in an area of similar uses and be physically separated by the Dumbarton Rail Corridor from the Belle Haven neighborhood. The Project would not divide the established community, resulting in *no impact*; therefore, this impact is not evaluated further.

Impacts on an Adopted Habitat Conservation Plan or Natural Community Conservation Plan. The Project site is not a part of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. The Project site is within 0.3 miles of the salt marshes to the north that are a part of the Don Edwards San Francisco Bay National Wildlife Refuge (Refuge). The Refuge is actively pursuing expansion and the protection of the habitats and associated plant and wildlife species contained therein. The Refuge is also closely involved with the South Bay Salt Pond Restoration Project that has active restoration sites near the Project site. However, implementation of the Project would not involve any construction outside the currently developed boundaries of the Project site; therefore, none of the construction activities would interfere with the management and/or expansion of the Refuge or with the restoration of the salt ponds. The Project would result in *no impact* on an adopted habitat conservation plan, natural community conservation

plan, or other approved local, regional, or state habitat conservation plan; therefore, this impact is not evaluated further.

Impacts and Mitigation Measures

Impact LU-1: Conflicts with Adopted Land Use Plans and Policies. The Project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. (LTS)

Consistency with the General Plan

Land Use Designations. The Project is required to be consistent with the land use designations described in the General Plan. As described above, the Project site has a land use designation of Limited Industry, which allows for light manufacturing and assembly, distribution of manufactured products, research and development facilities, industrial supply, incidental warehousing, offices, limited retail sales (such as sales to serve businesses in the area), public and quasi-public uses, and similar and compatible uses. The maximum FAR shall be in the range of 0.45 to 0.55, depending on the land use. The Project would include office or R&D uses with ancillary uses such as cafés and surface parking. These uses are permitted under the Limited Industry designation. As such, the Project would not conflict with the existing land use designation, resulting in a *less-than-significant* impact.

Goals and Policies. The determination of whether or not the Project would conflict with applicable policies is based on either the Project Description (Chapter 2) or, for policies adopted for the purpose of mitigating an environmental impact, on the environmental analysis provided in the applicable resource sections of this Draft EIR. The following describes the general consistency with each of the relevant General Plan elements.

Land Use Element. This element addresses the future physical development to maintain the City's character as a residential community that includes a broad range of residential, business, and employment opportunities. The Project is consistent with the General Plan's vision for the City by developing office and employment uses in an area separated from the existing residential neighborhoods.

Policy I-E-4 requires new office buildings to include adequate off-street parking, support alternatives to auto commuting, and protect adjacent residential uses. The Project would provide approximately 867 parking spaces within an onsite surface parking lot consistent with the requirements in the Zoning Ordinance and would not result in the demand for parking on the surrounding public streets. In addition, the Project includes a Transportation Demand Management (TDM) Program that would provide incentives for employees to use alternate modes of transportation, including shuttles, vanpools, subsidized public transit, and carpooling.

Landscaping, pedestrian facilities, and sustainable features are addressed in Policies I-G-10, I-G-11, and Policies I-H-1 through I-H-12. As described in Chapter 2, *Project Description*, the Project would include bamboo clusters, a variety of trees, wall water features, pedestrian paving, a sunken lawn with seat walls, lighting, tree grates, curved and raised seatwalls, lounging steps, and café tables and chairs. The portion of the Project site adjacent to Jefferson Drive would include a lawn, active recreation space, trellises, planting areas, picnic tables, fencing, and other vegetation. Up to eight stormwater treatment areas would be located throughout the Project site in order to limit stormwater runoff. These

biotreatment areas would be open, level areas vegetated to allow runoff to be distributed evenly across the area.

The Project would undergo review by the Planning Commission and City Council regarding architectural control to ensure that building design is not detrimental to the surrounding area and would be compatible with the character of adjacent residential neighborhoods.

Circulation Element. This element seeks to provide the policy framework for the regulation and development of the City's circulation system. This element balances the need to provide the safe and efficient movement of people and goods through the City while preserving its character. The Project would not alter the alignment of any roads. However, the increase in onsite employment could result in additional traffic in the area. In an effort to decrease traffic congestion during peak traffic times, the Sobrato Organization (Project Sponsor) would implement a TDM Program. Nonetheless, the Project would still add traffic to local roadways, as discussed in Section 3.3, *Transportation and Traffic*. Goals II-D and II-E pertain to bicycle and pedestrian facilities. The Project would include onsite pedestrian and bicycle linkages between the internal boulevard and the proposed buildings. In addition, bicycle lockers would be provided within the surface parking lot to the north of the buildings, and bicycle racks would be positioned near the main entries.

Open Space and Conservation Element. This element seeks to ensure the comprehensive preservation and management of open space and natural resources in and around the City. The Project site currently does not contain open spaces, natural resources, or historic resources. As such, the Project would not affect these resources. However, consistent with Goal OSC2, the Project would provide an onsite urban open space area for the proposed employees. In addition, the new buildings would promote environmentally sustainable building practices and climate action planning, as outlined in Goal OSC4. The Project would promote environmentally sustainable building practices that would attempt to conserve water and energy, prevent stormwater pollution, reduce landfilled waste, reduce fossil fuel consumption, and promote renewable energy pursuant to Policies OSC4.2 through OCS4.8.

Noise Element. The purpose of this element is to identify sources of noise generation in the community and to establish goals, policies, and actions to minimize problems from intrusive sound. The Noise Element also aims to ensure that new development does not generate unacceptable noise levels. The Project would temporarily generate noise during the 15-month construction period by requiring the use of heavy equipment. However, no sensitive receptors (such as schools or residents) would be affected by construction noise. Mitigation Measure NOI-1.1, which would implement noise control measures, would decrease construction noise impacts to less than significant. This mitigation measure would be in compliance with local and regional noise standards, consistent with Policy N1.1. However, the Project would have the potential to result in significant ground-borne vibration that would disturb nearby businesses. Mitigation Measures NOI-4.1 and NOI-4.2 would notify property owners of construction activities and would implement Best Management Practices. These mitigation measures would be consistent Policies N1.4 and N1.7, which require the protection of nearby uses from vibration impacts. Regardless, the vibration impacts during construction would be significant and unavoidable. Operational noise that could be generated by the Project includes noise from stationary mechanical equipment, parking lot activities, truck loading activities, and increases in traffic. However, these noise impacts would be less than significant, consistent with the goals and policies of the Noise Element.

Safety Element. This element provides information about the risks in the City due to natural and manmade hazards and contains policies designed to protect the community from earthquakes, floods, fires, toxic waste, and other hazards. The buildings constructed under the Project would be required to

conform to the standards set forth in the California Building Code (CBC) and amendments, as stated in the City’s Municipal Code (Section 12.06) and Policy S1.7. In addition, the Project would implement the recommendations of the Geotechnical Investigation (Policy S1.13), the Phase I Environmental Site Assessment (Policy S1.18), and the Stormwater Report (Policy S1.27) prepared for the Project. Geotechnical (Section 3.8), hydrologic (Section 3.9), and hazardous (Section 3.10) impacts, which could possibly affect human health and safety, are discussed in detail within this document and would not result in significant impacts. Pursuant to Policy S1.10, the Project would be subject to safety review and would require hazard mitigation, crime prevention, fire prevention, and adequate access for emergency vehicles.

General Consistency with Plans and Policies. The Project would be consistent with the goals and policies contained in the General Plan. The ultimate determinations of General Plan consistency can and will be made by City Council. In addition, the ultimate finding of General Plan consistency does not require that a project be entirely consistent with each individual General Plan policy. A proposed project can be generally consistent with a general plan even though the project may not promote every applicable goal and policy. Assuming the approval, the Project would generally be consistent with applicable goals, policies, and actions, resulting in a **less-than-significant** impact.

Compliance with the Zoning Ordinance

The Project site is currently zoned M-2, which permits warehousing, manufacturing, printing, assembling, and office uses. The Project would require rezoning to M-2(X) in order to allow a maximum building height in excess of 35 feet. Table 3.1-1, below, summarizes the allowed development under current M-2 zoning and the development proposed for the Project site.

Table 3.1-1. Allowed, and Proposed Development at the Project Site

	Allowed Development (M-2 Zoning)	Proposed Development (M-2(X) Zoning)
Floor Area Ratio (FAR)	0.45	0.45
Total Square Feet	260,313	259,920
Site Coverage	50%	11.9% ^a
Max. Building Heights	35'	61'4" ^b

Sources: City of Menlo Park, 2012; Arc Tech, 2012.

Notes:

- a. Building footprints would occupy 11.9 percent of the site (69,070 sf). In addition, landscaping would constitute 25.6 percent of the site and paving would make up 62.5 percent of the site.
- b. According to Section 16.04.330 of the Municipal Code, height of a structure is defined as “the vertical distance from the average level of the highest and lowest points of the natural grade to the topmost point of the structure, excluding elevator equipment rooms, ventilating and air conditioning equipment and chimneys.” As such, the screened mechanical areas are excluded from the height calculations. Including roof screen, elevator shaft, and stairwell, the buildings would be approximately 72'4.”

Floor Area Ratio. The M-2 District currently allows a FAR of between 0.45 and 0.55, depending on the land use. However, for office buildings, the FAR must not exceed 0.45. The office buildings proposed for the Project site would be built in accordance of the allowable FAR. Therefore, the Project would not conflict with the existing FAR requirements outlined in the Zoning Ordinance or, as discussed above, the

General Plan designation. The Project would have ***less-than-significant*** impacts relating to FAR requirements.

Gross Floor Area and Site Coverage. Per the Zoning Ordinance, and based on the size of the Project site, buildings can occupy up to 260,313 square feet of gross floor area. The proposed Project would include 259,920 sf for office uses and associated amenities and, therefore, would be within the allowed floor area. The proposed buildings would occupy 11.9 percent of the Project site. In addition, open space and landscaping would constitute 25.6 percent of the site and paving would make up 62.5 percent of the site. As such, the Project would be consistent with the gross floor area and site coverage requirements and ***less-than-significant*** impacts would occur.

Building Heights. The M-2 zone has a height limit of 35 feet, which does not include the screened mechanical areas on rooftops. The two proposed buildings would be four stories in height, with the Project Sponsor proposing an overall height limit of 61.3 feet for the entire Project site. This increase in the height limit from 35 feet to 61.3 feet would require rezoning the site to M-2(X). In addition, a Conditional Development Permit (CDP) would be required to authorize the increase in height and deviation from standard development regulations in the M-2 zone. The proposed new zoning and CDP would allow the Project to be consistent with the Zoning Ordinance, resulting in ***less-than-significant*** impacts.

Consistency with the C/CAG Congestion Management Plan

As shown in Table 3.3-12 (Near Term 2015 Plus Project Conditions Routes of Regional Significance) in Section 3.3, *Transportation and Traffic*, several Routes of Regional Significance under the CMP would be affected by the Project. The Project would implement Mitigation Measure TRA-3.1, which would make improvements to the Routes of Regional Significance. A typical mitigation measure would seek to widen the road to add travel lanes and capacity. However, impacts on Routes of Regional Significance would remain significant and unavoidable because these roadways are not under the jurisdiction of the City, and there are currently right-of-way constraints. In addition, freeway improvement projects, which add travel lanes, are planned and funded on a regional scale and would be too costly for a single project to be expected to fund. Regardless, the Project would be generally consistent with the CMP, resulting in ***less-than-significant*** impacts. The Project's impacts are considered transportation-related impacts and are fully evaluated in the Section 3.3, *Transportation and Traffic*.

Cumulative Impacts

Because land use policies are regional in scope, the geographic context for the cumulative impacts associated with land use issues is broader than the City and would include regional development under the jurisdiction of the Association of Bay Area Governments (ABAG). Past, present, and future cumulative development within this geographic context assumes full buildout of the General Plan of the nine ABAG counties, as well as development envisioned in the Land Use Element of the City's General Plan. Cumulative impacts are only addressed for those thresholds that have a Project-related impact, whether it is less than significant, significant, or significant and unavoidable. If the Project results in no impact under a particular threshold, it is not considered to contribute to any cumulative impact, and no analysis is required. This cumulative analysis examines the effects of the Project in the relevant geographic area, in combination with other current projects, probable future projects, and projected future growth.

Impact C-LU-1: Cumulative Land Use Impacts. The Project, in combination with other foreseeable development in the nine-county ABAG region, would not be inconsistent with applicable land use plans, policies, and regulations. (LTS)

Tier 1 and Tier 2

As noted, CEQA requires that an EIR consider whether a proposed project may conflict with any applicable land use plan, policy, or regulation that was adopted for the purpose of avoiding or mitigating an environmental impact. This environmental determination differs from the larger policy determination of whether a proposed project is consistent with a jurisdiction's general plan. Regional growth in general is reviewed for consistency with adopted land use plans and policies by the individual cities and counties in the geographic context in accordance with the requirements of CEQA, which require findings of plan and policy consistency prior to approval of entitlements for development. This process applies to all cumulative projects identified in Tables 3.0-1 and 3.0-2. Analysis of project consistency with land use policies or regulations adopted for the purpose of avoiding or mitigating an environmental impact is similarly evaluated for each individual project and would be addressed in the analysis for each specific resource area. For example, if an individual project resulted in the division of an established community, this would be addressed in the land use section of that project's EIR or other environmental document. The environmental evaluation for the project would also include an analysis of the division of an established community on a cumulative basis.

Because consistency with land use plans and policies is inherently a project-specific issue, and each jurisdiction would decide on project consistency at the project level, there would be no cumulative impact as a result of cumulative development in the ABAG region. As discussed above, implementation of the Project at the Project site would be generally consistent with the General Plan, Municipal Code, and the C/CAG plans. Therefore, the Project's cumulative impact would be *less than significant*.