4.9 LAND USE AND PLANNING

This chapter evaluates potential land use impacts that could occur as a result of Scenarios 5 and 6. This analysis is based on the Regulatory Framework and Existing Conditions information provided in the February 2016 Draft Environmental Impact Report (EIR), with the exception of the revisions noted below.

4.9.1 ENVIRONMENTAL SETTING

No revisions are required to the Regulatory Framework and Existing Conditions information presented in the February 2016 Draft EIR except for the following additional detail regarding the Cortese-Knox Act and the Stanford University General Use Permit (deletions are shown in ~~strikethrough~~ and additions are underlined).

State Regulations

Cortese-Knox Act

The Cortese-Knox Act (1986) established a Local Agency Formation Commission (LAFCO) in each county in California, empowering LAFCOs to review, approve, or deny proposals for boundary changes and incorporations for cities, counties, and special districts. LAFCOs establish a "sphere of influence" (SOI) for cities that describes the cities' probable future physical boundaries and service areas. As shown on Figure 3-2 of ~~this~~ the February 2016 Draft EIR, in addition to the city limit, Palo Alto also has two other boundaries, including the Urban Service Area (USA), and SOI, described further below. Both the SOI and USA are reviewed by the Santa Clara County LAFCO.

The USA is a planning boundary applied to cities in Santa Clara County. It delineates areas that are currently provided with urban services, facilities, and utilities; and areas where cities are willing and able to provide necessary urban services, in the next five years. Additionally, it indicates areas to be annexed into a city within the next five years. USAs are used to manage urban growth, limit sprawling land use patterns, and promote compact development patterns. Compact development patterns favor more intense development around transit centers and areas where infrastructure already exists, rather than promoting greenfield development.

The other boundary is the SOI, which applies to both special districts and cities across California. The SOI establishes the likely future boundaries and service area of special districts, as determined by LAFCO. In Santa Clara County, unlike most other counties in California, for cities, it is the USA and not the SOI which is an indication of the areas of the city that will be annexed or have urban services provided. Rather, for cities, the SOI is a long-range planning tool used to help LAFCO evaluate USA amendments and annexation requests. Additionally, in some cases the area within a city's SOI is an area where the county and city have a

common interest in keeping the land at a level of intensity less than the urban parts of the city.[1] However, an existing three-party agreement between the City of Palo Alto, Stanford, and Santa Clara County largely precludes annexation of Stanford lands by the City.[2] The three-party agreement provides for the County to retain regulatory control over these lands. The agreement states:

> Unincorporated Stanford lands in Santa Clara County are subject to the Santa Clara County General Plan and zoning ordinance, the general use permit for Stanford University lands adopted by Santa Clara County, and pertinent review and approval procedures employed by Santa Clara County.[3]

As this provision indicates, Santa Clara County actions regarding land use approvals for unincorporated Stanford lands are subject only to the regulations of the County General Plan and zoning ordinance, general use permit requirements, and County review and approval procedures.

In Palo Alto, as shown on Figure 3-2, Planning Boundaries, of the February 2016 Draft EIR, the USA is located in the eastern portion of the city and surrounds the most heavily populated portions of the city. The SOI surrounds the city limit and extends outside of the city limits in the open space areas to the southwest of the core of the city, as well as the open space fronting the San Francisco Bay.

Stanford University General Use Permit

The Stanford University General Use Permit (GUP), approved December 12, 2000 by the County of Santa Clara, establishes conditions for guiding the distribution of additional building area, procedures under which construction may occur, and associated measures which must be accomplished before, during, and after construction. All development under the GUP must be consistent with the *Stanford University Community Plan*. In October 2015, Stanford announced a proposal to build a net increase of 1,450 graduate student beds beyond what ~~is allowed~~ was initially authorized under the approved GUP.[4] The authorization of additional units for this proposal, in the Escondido Village area, was approved by the County following ~~would be subject to~~ environmental review showing that the project would not result in any new or substantially more severe impacts beyond those identified in previous environmental analysis for the Stanford Community Plan and General Use Permit ~~and County approval~~.

[1] Local Agency Formation Commission of Santa Clara County, Local Agency Formation Commission of Santa Clara County website, http://sclafco.planeteria-development.com/index.php/about-lafco/faq.html#q6, accessed February 3, 2015.

[2] 1985 Land Use Policy Agreement: Policies Governing Unincorporated Stanford University Lands in Santa Clara County, entered into by the County of Santa Clara, the City of Palo Alto, and Stanford University, https://www.sccgov.org/sites/dpd/Programs/Stanford/Pages/1985Policy.aspx, accessed on November 2, 2016.

[3] 1985 Land Use Policy Agreement, sec. 2(c).

[4] Stanford Report, January 14, 2016, "Escondido Village housing project moves ahead with revisions." Available online at http://news.stanford.edu/news/2016/january/escondido-village-housing-011416.html, accessed January 19, 2016.

4.9.2 STANDARDS OF SIGNIFICANCE

The proposed Plan would result in a significant land use and planning impact if it would:

- Substantially adversely change the type or intensity of existing or planned land use patterns in the area.
- Be incompatible with adjacent land uses or with the general character of the surrounding area, including density and building height.
- Conflict with established residential, recreational, educational, religious, or scientific uses of an area.
- Conflict with any applicable City land use plan, policy or regulation (including, but not limited to the Comprehensive Plan, Climate Action Plan (CAP), or the City's Zoning Ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.
- Physically divide an established community.
- Conflict with an applicable habitat conservation plan or natural community plan.

4.9.3 IMPACT DISCUSSION

The remaining sections of this chapter provide an analysis of the potential project impacts, including impacts from growth expected to occur during the life of the proposed Plan, as well as cumulative land use and planning impacts that could occur as a result of the implementation of the proposed Plan when combined with projects outside of Palo Alto.

The conclusions below are based on the same analytical approach used in the impact discussions in the February 2016 Draft EIR. The relevant characteristics of Scenarios 5 and 6 are described in detail in Section 3.4 of Chapter 3, Project Description, of this Supplement to the Draft EIR.

LAND-1	**The proposed Plan could adversely change the type or intensity of existing or planned land use patterns in the area. (Potentially Significant and Mitigable – Scenarios 5 and 6)**

February 2016 Draft EIR Findings: Less than significant for Scenarios 1 and 2; potentially significant and mitigable for Scenarios 3 and 4. Mitigation Measure LAND-1 would apply to Scenarios 3 and 4 and would reduce the impact to a less-than-significant level.

Summary of Supplemental Analysis: The impact would be potentially significant and mitigable for Scenarios 5 and 6 and Mitigation Measure LAND-1 would reduce the impact to a less-than-significant level. Mitigation Measure LAND-1 has been revised, as shown below. These revisions will also be applied to the mitigation for Scenarios 3 and 4. The revisions do not change the original intent or effectiveness of Mitigation Measure LAND-1.

Mitigation Measure LAND-1: ~~Include policies and programs in the proposed Plan t~~To ensure that the intensity of future development ~~under Scenarios 3 and 4~~ would not adversely change the land use patterns or affect the ~~quality of life in~~ livability of Palo Alto neighborhoods~~. This could be accomplished by maintaining existing Comp~~, the proposed Plan shall include policies ~~related to compatibility and quality of life in the area~~ that address the following topics:

- Strengthening of residential neighborhoods.
- Vitality of commercial areas and public facilities.
- High-quality building and site design.
- Architectural compatibility of new development.
- Promotion of appropriate infill development.
- Gradual transitions in the scale of development where residential districts abut more intense uses.
- ~~Policy: Maintain Palo Alto's varied residential neighborhoods while sustaining the vitality of its commercial areas and public facilities. Use the Zoning Ordinance as a tool to enhance Palo Alto's desirable qualities.~~
- ~~Policy: Evaluate changes in land use in the context of regional needs, overall city welfare and objectives, and the desires of surrounding neighborhoods.~~
- ~~Policy: Promote increased compatibility, interdependence, and support between commercial and mixed-use centers and the surrounding residential neighborhoods.~~
- ~~Program: Encourage greater use of allowed density within zoning regulations through smaller housing units near multimodal transit stations to take advantage of transit availability.~~

As described in the February 2016 Draft EIR, a significant impact would occur if implementation of the proposed Plan would adversely change the type or intensity of existing or planned land use patterns in the area. Palo Alto is largely built out and the current Comp Plan land use map (shown in Figure 3-3 in the February 2016 Draft EIR) is likely to remain unchanged with the proposed Plan; however, there could be some changes in the housing sites identified in the 2015-2023 Housing Element and some changes in zoning, as shown in Table 3-7 in Chapter 3 of the Supplement to the Draft EIR and described below.

Similar to Scenario 4, Scenarios 5 and 6 would increase residential densities on sites in the Downtown and California Avenue areas, as well as convert some commercial development to residential FAR. Under Scenario 5, the allowable 2.0 FAR would be reduced to an FAR of 1.5 in the Community Commercial 2 (CC-2) district near California Avenue. Under Scenarios 5 and 6, the height limit in Downtown would increase from 50 feet to a maximum of 55 or 60 feet for residential and mixed-use buildings, and residential densities on sites on the El Camino Real corridor would be increased under Scenario 6. Both Scenarios 5 and 6 would also explore an alternate mechanism for moderating employment densities, either through regulation or revenue collection. Further, potential impacts from new market rate housing and new non-

residential development would be minimized by requiring mitigation, monitoring, and enforcement, and coordinated area plans would guide development in these areas.

Scenario 5 tests the middle range of housing growth and the lowest amount of job growth. As shown in Table 3-7 of this Supplement to the Draft EIR, housing sites along San Antonio Avenue and south El Camino would be removed, and in place of these sites, residential densities would increase on sites Downtown and in the California Avenue area close to transit and services. Options for increasing densities in these areas would include modifying the existing Pedestrian and Transit-Oriented Development Combining District (PTOD) zone to allow more residential density by right and applying the zone to the Downtown and California Avenue areas; or eliminating maximum allowable dwelling unit densities and using minimum densities and FAR to encourage more, smaller units. Alternatively, another zoning designation could be created to encourage and streamline multi-family housing close to services downtown and in the California Avenue area. Proposed Plan policies would encourage studio and one-bedroom units or senior housing.

California Avenue itself would remain a low-scale commercial street providing services and shopping for local residents with only modest job growth. The existing PTOD regulations would be incentivized by streamlining the process so that rezoning would not be necessary and more residential density would be offered by right. As a result, the surrounding area would likely accommodate additional multi-family housing at medium densities with underground parking. Existing surface parking lots could be redeveloped and parking consolidated in a manner consistent with trends and projections for automobile use in California Avenue area.

Along El Camino Real, the proposed Plan would encourage retail and services catering to current residents along El Camino Real and residents of the adjacent neighborhoods. Additionally, the existing Zoning Code would be adjusted to add incentives for small lot consolidation along El Camino Real.[5]

The Stanford Research Park and the Stanford Shopping Center would generally retain their current character, although this area would experience less job growth than under Scenario 1. However, proposed Plan policies and regulations could be developed to prevent the conversion of existing R&D space to office space.

The East Meadow Circle/Bayshore and South San Antonio Road areas would continue to support a variety of primarily non-residential uses, although this area would experience less job growth than Scenarios 1 through 4. Additional housing would be prohibited in these areas, but the development of neighborhood services that cater to employees and the residential population in adjacent areas would be encouraged.

Scenario 6 tests the highest amount of residential growth and the lowest job growth out of the six scenarios. As shown in Table 3-7, residential densities by right would increase in the Downtown, California Avenue

[5] Small lot consolidation is already underway and will be considered by the City Council as zoning ordinances in early 2017. Considering incentives for small lot consolidation was an important program adopted as part of the City's *Housing Element* in December 2014 in response to specific requests by the State Department of Housing and Community Development.

area, and along El Camino Real, similar to Scenario 4. Downtown Palo Alto would retain its current mix and proportion of uses, including jobs, housing, and retail/entertainment, and would be promoted as a cultural gathering place for all ages, with a full range of services for residents and employees. Further, the Downtown cap would be eliminated and pedestrian improvements would be introduced, along with improvements to the Caltrain station and transit center intended to make Downtown a regional transit hub. The 27 University Avenue site would primarily serve as a transit center but would also include public uses, such as art spaces, a community center, or office space for non-profit organizations.

California Avenue would remain a neighborhood-serving retail destination with modest job growth and additional housing. The Fry's Electronics site would include a mix of uses with housing over commercial uses such as offices. Along El Camino Real, including within the Stanford Shopping Center and the Stanford Research Park, mixed-use development with ground floor retail and residential above and behind would be allowed on projects fronting El Camino Real.

Similar to Scenario 4, Scenario 6 would increase allowable residential densities on the El Camino Corridor, possibly by adding the PTOD zoning designation to pedestrian "nodes" along the corridor with modified regulations to encourage use of the designation. Another possibility would be to eliminate maximum dwelling unit densities and use minimum densities and FAR to encourage more, smaller units.

In the Stanford Research Park, some existing surface parking, including along El Camino Real, could be undergrounded and covered with vertical mixed-use buildings surrounding plazas and public gathering places. The mix of uses would include housing, restaurants, and retail establishments open during nighttime hours. In comparison to Scenario 4, these nodes would have an increased focus on residential uses and would experience less of an increase in non-residential space. New housing would include townhomes, apartments, and lofts. In the San Antonio Avenue area, some new housing would be allowed.

While Scenarios 5 and 6 would include some changes in land use and intensity, those changes would occur in areas that are immediately accessible to neighborhood services and transit. Given that Palo Alto is largely built out, these areas provide opportunity for infill development on the underutilized commercial sites and surface parking lots in order to concentrate higher-density housing and mixed-use development in transit-rich areas.

Scenarios 5 and 6 would explore an alternate mechanism to the Conditional Use Permit for moderating employment densities, either through regulation or revenue collection. In addition, potential impacts of new market- rate housing and new non-residential development would be minimized by adopting mitigation and sustainability measures requiring mitigation, monitoring, and enforcement. Overall, while Scenarios 5 and 6 present moderate to high levels of population and housing growth, along with lowest level of non-residential development and job growth out of the six scenarios, policies should be included in the proposed Plan to guide this change in density and character in order to avoid or minimize potential impacts. Therefore the impact would be *potentially significant*, requiring mitigation.

Applicable Regulations:

- *Stanford Community Plan*
- *South of Forest CAP*
- *Baylands Master Plan*
- *Palo Alto Comprehensive Land Use Compatibility Plan – Palo Alto Airport*
- Palo Alto Municipal Code, Title 18, Zoning
- Palo Alto Municipal Code, Title 21, Subdivisions and Other Divisions of Land

Significance before Mitigation: This impact would be potentially significant, requiring mitigation. Mitigation measures could include maintaining or adopting new policies as part of the proposed Plan to maximize the compatibility of adjacent land uses and land use intensities.

Mitigation Measures

Mitigation Measure LAND-1 would apply to Scenarios 5 and 6.

Significance after Mitigation: Less than Significant.

LAND-2	**The proposed Plan would allow development that could be incompatible with adjacent land uses or with the general character of the surrounding area, including density and building height. (Potentially Significant and Mitigable – Scenarios 5 and 6)**

February 2016 Draft EIR Findings: Less than significant for Scenarios 1 and 2; potentially significant and mitigable for Scenarios 3 and 4. Mitigation Measure LAND-2 would apply to Scenarios 3 and 4 and would reduce the impact to a less-than-significant level.

Summary of Supplemental Analysis: The impact would be potentially significant and mitigable for Scenarios 5 and 6 and Mitigation Measure LAND-2 would reduce the impact to a less-than-significant level. Measure LAND-2 has been revised, as shown below. These revisions will also be applied to the mitigation for Scenarios 3 and 4. The revisions do not change the original intent or effectiveness of Mitigation Measure LAND-2.

Mitigation Measure LAND-2: Implement Mitigation Measure LAND-1. In addition, ~~The following policies and programs, or equally effective language, should be included in the proposed Plan~~ to further reduce potential impacts to visual character and ensure compatibility with adjacent land uses, the proposed Plan shall include policies that address the following topic:

- Architectural standards that address land use transitions.
- ~~Policy: Where possible, avoid abrupt changes in scale and density between residential and non-residential areas and between residential areas of different densities. To promote compatibility and~~

~~gradual transitions between land uses, place zoning district boundaries at mid-block locations rather than along streets wherever possible.~~

- ~~Policy: Preserve the character of residential neighborhoods by encouraging new or remodeled structures to be compatible with the neighborhood and adjacent structures.~~
- ~~Policy: Promote high quality, creative design and site planning that is compatible with surrounding development and public spaces.~~
- ~~Program: Maintain and periodically review height and density limits to discourage single uses that are inappropriate in size and scale to the surrounding uses.~~
- ~~Program: Review and change zoning regulations to promote gradual transitions in the scale of development where residential districts abut more intense uses.~~
- ~~Program: Use the Zoning Ordinance, design review process, design guidelines, and Coordinated Area Plans to ensure high-quality residential and commercial design.~~

As discussed in the February 2016 Draft EIR, the proposed Plan would have a significant environmental impact if future development allowed under the Comp Plan would be incompatible with adjacent land uses or with the general character of the surrounding area, including density and building height.

Palo Alto's open space and single-family neighborhoods account for over 86 percent of the city's existing land uses, and these areas would remain unchanged under the updated Comp Plan; therefore, much of the city would retain its overall character. Further, under Scenarios 5 and 6, single-family neighborhoods (those zoned R-1) would be protected and policies would be included to encourage the preservation and enhancement of neighborhood-serving retail and services where they currently exist throughout the city. Lastly, no new employment districts are identified in either scenario; most employment growth would take place in the city's existing employment districts.

Under Scenarios 5 and 6, the City's Architectural Review Board would continue to review non-residential and mixed-use development to ensure that development in Palo Alto is compatible with surrounding land uses and that general character is maintained.

Under Scenarios 5 and 6 the current Comp Plan land use designations would remain unchanged, although allowable residential densities would be increased Downtown and near California Avenue, and along El Camino Real under Scenario 6, possibly by extending the PTOD designation and streamlining the permitting process. Another possibility would be to eliminate maximum dwelling unit densities and use minimum densities and FAR to encourage more, smaller units in lieu of non-residential development. Without careful planning and design, higher -density residential development could be incompatible with existing single-family homes immediately north of the Fry's Electronics site and higher densities on other sites could be incompatible with adjacent buildings and uses. To avoid potential impacts, policies should be included in the updated Comp Plan to ensure future redevelopment on these housing sites is compatible with existing uses surrounding the sites.

Under Scenario 5, non-residential growth would be limited more aggressively to allow 10 percent fewer new jobs than Scenario 2. Scenario 5 would include some Zoning Code amendments which would generally reduce non-residential densities allowed in some areas of the city, such as the Downtown. Most of these zoning changes, as well as the elimination of housing sites in exchange for higher densities on other housing sites described above would effectively reduce allowable non-residential densities while shifting residential development capacity to areas that are in transit-rich neighborhoods, such as in the Downtown and California Avenue areas in order to preserve the City's ability to meet legal requirements to accommodate housing. Further, commercial FARs would be reduced by 25 percent in the CC-2 zone along California Avenue, in areas along El Camino Real, and the Neighborhood Commercial (CN) and Service Commercial (CS) districts; this reduction in the amount of commercial development allowed would be replaced with an equal increase in the amount of allowed residential use. As such, the overall density of these areas would remain relatively constant. The uses would remain the same in these areas as they would continue to include a mix of commercial and residential uses. Scenario 5 would remove residential sites in the south of the city along south El Camino Real and San Antonio Avenue, and would not increase housing capacity along El Camino Real. Further, additional housing would be prohibited in the East Meadow Circle/Bayshore and South San Antonio Road areas.

Under Scenario 6, the pace of job growth would be slowed using the same strategies as Scenario 5. Scenario 6 would include development along El Camino Real and in the Downtown at the same heights as Scenario 4, with an increased focus on housing and reduction in non-residential development in comparison to Scenario 4. A mix of uses in the Stanford Research Park and Stanford Shopping Center would be allowed, with an increased focus on housing and reduction in non-residential development in comparison to Scenario 4. Finally, Scenario 6 would consider more housing near the Stanford University Medical Center than under any of the other scenarios, and include the consideration of additional housing sites in the western portion of the Stanford Research Park. New housing sites would focus on downtown and transit-oriented development as under Scenario 4, and identified housing sites in the south of the city would be retained.

Overall, Scenarios 5 and 6 have limited potential to result in land uses that would be incompatible with adjacent land uses or with the general character of the surrounding area, including density and building height where existing housing sites would be allowed at greater densities and where modest exceptions to the height limit would be allowed to encourage residential development. Under Scenarios 5 and 6, impacts of new market-rate housing and new non-residential development would be minimized by adopting mitigation and sustainability measures by requiring mitigation, monitoring, and enforcement, and using coordinated area plans as a routine planning tool to guide new development. Scenario 6 would also adopt performance based zoning strategies. However, because the Comp Plan is still in development it is unknown which policies would be adopted under Scenarios 5 and 6 to ensure that new growth is compatible with existing uses. Therefore, the impact would be *potentially significant* under Scenarios 5 and 6.

Applicable Regulations:

- *Stanford Community Plan*
- *South of Forest CAP*

- *Baylands Master Plan*
- *Palo Alto Comprehensive Land Use Compatibility Plan – Palo Alto Airport*
- Palo Alto Municipal Code, Title 18, Zoning
- Palo Alto Municipal Code, Title 21, Subdivisions and Other Divisions of Land

Significance before Mitigation: This impact would be potentially significant, requiring mitigation.
Mitigation Measures

Mitigation Measure LAND-2 would apply to Scenarios 5 and 6.

Significance after Mitigation: Compliance with the proposed policies called for in Mitigation Measure LAND-2 would ensure that future development under Scenarios 5 and 6 is compatible with adjacent land uses and that the general character in Palo Alto is maintained. Therefore, a less-than-significant impact would occur.

LAND-3	**The proposed Plan would not allow development that could conflict with established residential, recreational, educational, religious, or scientific uses of an area. (Less than Significant – Scenarios 5 and 6)**

February 2016 Draft EIR Findings: Less than significant for Scenarios 1 through 4.

Summary of Supplemental Analysis: The impact would be less than significant for Scenarios 5 and 6.

As discussed in the February 2016 Draft EIR, a significant impact would occur if the Comp Plan would conflict with established residential, recreational, educational, religious, or scientific uses of an area.

Scenarios 5 and 6 are described above in detail under Impacts LAND-1 and LAND-2, as well is in Chapter 3 of the Supplement to the Draft EIR. In general, both scenarios aim to test varying levels of residential and commercial development throughout the city and concentrate future development primarily along El Camino Real, the Downtown, the Fry's Electronics site (Scenario 6 only), around California Avenue, in Stanford Research Park, and in the Stanford Shopping Center.

Neither scenario includes land use changes in areas that would affect established recreational, educational, or religious uses. In both scenarios, existing recreational, educational, and religious uses would continue. Existing zoning that regulates these uses and appropriate adjacent uses would remain in place. (Note: this discussion is about land uses only. See Chapter 4.12 of the Supplement to the Draft EIR for a separate discussion of public services, including potential impacts on parks, schools, and recreational facilities from growth that would occur under the proposed Plan.)

Both scenarios would allow growth and development that would be located near or adjacent to established residential neighborhoods. Similar to Scenario 3, Scenario 5 would shift some of the allowed density on

housing sites along South El Camino Real and San Antonio Road to more transit-rich areas, such as Downtown and California Avenue, where housing is already part of the established land use mix and would support, rather than conflict with, existing retail and service uses. Scenario 5 would include mechanisms to increase residential densities in Downtown and in the California Avenue area could include extending the PTOD designation as under Scenario 3, or eliminating maximum densities in favor of minimum densities and/or FAR. Scenario 6 would include mechanisms to increase residential densities in the Downtown and California Avenue area and, along El Camino Real, could include extending the PTOD designation or eliminating maximum densities in favor of minimum densities and/or FAR. In addition, Scenario 6 would transform the Fry's Electronics site as under Scenario 2. In these areas, Scenarios 5 and 6 would guide redevelopment in areas of the city that already contain a mix of residential and non-residential uses, and would not introduce new uses that would create conflicts with established residential, recreational, religious, scientific, or educational uses.

Scenario 6 would have an increased focus on housing and reduction in non-residential development in comparison to Scenario 4. Similar to Scenario 4, Scenario 6 tests the potential to add mixed-use development, including housing, along the El Camino Real edge of both Stanford Research Park and Stanford Shopping Center to take advantage of existing and future transit; this scenario would consider additional sites near the Stanford University Medical Center or in the western portion of Research Park. As described in the February 2016 Draft EIR, the introduction of residential and retail uses at the edge of the Stanford Research Park could potentially affect scientific uses of that area if the new residential uses introduced a constraint on adjacent manufacturing uses. Specifically, the proximity of new residential uses could limit the types of scientific processes or materials used in adjacent R&D buildings if the scientific uses in those buildings would pose chemical, biological, radiological, or other hazards to new nearby residents. Residential uses adjacent to Stanford Research Park already exist along the Research Park's southern edge, where it adjoins Barron Park, and a host of federal, State, and local regulations restrict the use, transport, and disposal of potentially hazardous materials (as discussed Section 4.7 of the February 2016 Draft EIR). For this reason, the changes anticipated under Scenario 6 of the proposed Plan would not substantially alter existing conditions or propose new constraints on scientific uses within the Research Park. Therefore, the impact would be *less than significant* under both scenarios.

Applicable Regulations:

- *Stanford Community Plan*
- *South of Forest CAP*
- Palo Alto Municipal Code, Chapter 18, Zoning
- Palo Alto Municipal Code, Chapter 21, Subdivisions and Other Divisions of Land

Significance before Mitigation: Scenarios 5 and 6 would not introduce new land uses into areas where such uses are not already present and would not create conflicts with established uses. The impact would be less than significant.

LAND-4	**The proposed Plan would allow new development that could conflict with any applicable City land use plan, policy or regulation (including, but not limited to the Comprehensive Plan, coordinated area plan, or the City's Zoning Ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. (Less than Significant – Scenarios 5 and 6)**

February 2016 Draft EIR Findings: Less than significant for Scenarios 1 through 4.

Summary of Supplemental Analysis: The impact would be less than significant for Scenarios 5 and 6.

As discussed in the February 2016 Draft EIR, a significant impact would occur if the project would conflict with applicable City land use plans, policies or regulations adopted for the purpose of avoiding or mitigating an environmental effect. The relevant City plans intended to mitigate environmental effects are:

- *Climate Protection Program* (2008)
- *Bicycle + Pedestrian Transportation Plan*
- *Baylands Master Plan*
- *South of Forest Avenue Coordinated Area Plan*
- *Parks, Trails, Open Space, and Recreation Master Plan*
- *Urban Forest Master Plan*
- *Rail Corridor Study*

In addition to these documents, which are considered here since they primarily relate to land use, there are a number of City plans, policies, and regulations that address specific technical topics relating to environmental effects, such as the City's Grading Ordinance, Noise Ordinance, *Local Hazard Mitigation Plan*, and *Urban Water Management Plan*. Each of these is discussed in the relevant technical section of the February 2016 Draft EIR.

Similar to Scenarios 3 and 4, Scenarios 5 and 6 would include various Zoning Code amendments, and would focus residential and commercial development in slightly different areas throughout the city; however, the overall aim of each scenario is to provide mechanisms for directing growth and/or controlling the pace of growth rather than changing any of the existing Comp Plan land use designations. As such, the overall development patterns, plans for guiding development listed under Section 4.9.1.1 of the February 2016 Draft EIR, and much of the existing Zoning Code would remain in place and continue to be implemented under each of the scenarios. Under both scenarios, the Comp Plan would be consistent with and would incorporate by reference adopted City plans and plans that are currently in process, including the plans listed above. Therefore, development allowed under these scenarios would not conflict with adopted City plans and the impact would be *less than significant*.

Neither scenario contemplates land use changes within the CLUP area or includes new uses that would conflict with the general compatibility, height compatibility, or safety compatibility policies of the CLUP.

Noise compatibility with the Palo Alto Airport is addressed in Chapter 4.10, Noise of the Supplement to the Draft EIR.

Applicable Regulations:

- *Climate Protection Program (2008)*
- *Bicycle + Pedestrian Transportation Plan*
- *Baylands Master Plan*
- *South of Forest Avenue Coordinated Area Plan*
- *Parks, Trails, Open Space, and Recreation Master Plan*
- *Urban Forest Master Plan*
- *Rail Corridor Study*
- Palo Alto Municipal Code, Title 18, Zoning
- Palo Alto Municipal Code, Title 21, Subdivisions and Other Divisions of Land

Significance before Mitigation: Development allowed under Scenarios 5 and 6 would not conflict with adopted City plans and the impact would be less than significant.

LAND-5	**The proposed Plan could physically divide an established community. (Potentially Significant and Mitigable – Scenarios 5 and 6)**

February 2016 Draft EIR Findings: Potentially significant and mitigable for Scenarios 1 through 4. Mitigation Measure would apply to all four scenarios and would reduce the impact to a less-than-significant level.

Summary of Supplemental Analysis: The impact would be potentially significant and mitigatable for Scenarios 5 and 6 and Mitigation Measure LAND-5 would reduce the impact to a less-than-significant level. Mitigation Measure LAND-5 has been revised, as shown below. These revisions will also be applied to the mitigation for Scenarios 1 through 4. The revisions do not change the original intent or effectiveness of Mitigation Measure LAND-5.

Mitigation Measure LAND-5: To avoid potential impacts from physically dividing an established community, the proposed Plan shall include ~~the following~~ policies~~, or equally effective policies~~ that address the following topics:

- Enhanced connections to and from parks, schools, and community facilities for all users.
- Safe and convenient pedestrian, bicycle, and transit connections between residential areas and commercial centers.
- Cooperation with other agencies to improve circulation connections.
- Grade separation of rail crossings.

- ~~Policy: Design future transportation projects (including roadway, bicycle, pedestrian, and transit projects) to improve connections between and within neighborhoods, rather than divide neighborhoods.~~
- ~~Policy: Pursue a below-grade alignment and not an elevated alignment for regional fixed rail in Palo Alto, including both high speed rail and Caltrain.~~
- ~~Policy: Ensure that future grade separation projects include a community participation and review process, and undergo environmental review. Future grade separation improvement projects would have the potential to cause environmental impacts, such as impacts associated with construction-related emissions, noise, and traffic, and aesthetics and land use impacts. These impacts, and alternatives to these grade separation projects, would be evaluated in detail when the projects are more clearly defined.~~

As discussed in the February 2016 Draft EIR, the proposed Plan would result in a significant impact if it would lead to new development or physical features that would divide existing communities. The physical division of an established community typically refers to the construction of a physical feature (such as a wall, interstate highway, or railroad tracks) or the removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying areas.

Both of the scenarios would include ongoing infrastructure improvements identified in the City's infrastructure plan and *Bicycle and Pedestrian Transportation Plan (*BPTP); however, as described below, Scenarios 5 and 6 could include infrastructure improvements to portions of the roadway network in Palo Alto, in addition to the City's infrastructure plan. These added improvements would occur on roadways and rail corridors that already exist and would not result in any new roadways or structures that would otherwise physically divide an established community. Rather, the improvements under both scenarios are intended to foster greater connectivity and promote more efficient transportation and access to neighborhood goods and services.

Similar to Scenario 2, Scenario 5 would include additional infrastructure improvements to the roadway network in Palo Alto. Improvements would include: widening Oregon-Page Mill Expressway between Interstate 280 and Foothill Expressway to include an additional travel lane in each direction for transit and high occupancy vehicles (HOV) during peak periods and a pedestrian/bicycle trail on one side; freeway interchange improvements on the Oregon-Page Mill Expressway; full or partial grade separation at the Foothill Expressway/Junipero Serra Boulevard/Page Mill Road interchange; bridge improvements at Alma Street/Oregon Expressway; and full grade separation of the Arastradero interchange on Foothill Expressway.

Scenarios 5 and 6 would include grade separating the rail corridor by building a trench for Caltrain tracks through the southern portion of the city, and would include grade separation at all crossings. The trench would also accommodate possible future High Speed Rail service.

Similar to Scenario 4, Scenario 6 would include public transit facility enhancements along El Camino Real with the implementation of Bus Rapid Transit (BRT) consistent with Alternative 3b, the "Short Dedicated Lane—Mixed Flow West of Halford Avenue in Santa Clara" alternative, in Valley Transportation Authority's (VTAs), El Camino Real Bus Rapid Transit Project Draft EIR/Environmental Assessment published in October 2014.

Both of the scenarios would include varying degrees and locations of transportation infrastructure improvements. Although these transportation improvements would occur at existing roadways and existing rail corridors, and are intended to increase connectivity rather than impair mobility, they could potentially physically divide existing communities unless there is attention given to their context and design. Therefore, the impact would be *potentially significant* for both scenarios.

Applicable Regulations:

- Palo Alto Municipal Code, Title 18, Zoning
- Palo Alto Municipal Code, Title 21, Subdivisions and Other Divisions of Land

Significance before Mitigation: This impact is potentially significant, requiring mitigation. Policies should be maintained or adopted as part of the proposed Plan to promote connectivity and context-sensitive design of infrastructure improvements.

Mitigation Measures

Mitigation Measure LAND-5 would apply to Scenarios 5 and 6.

Significance after Mitigation: The policies in Mitigation Measure LAND-5 would encourage and foster greater connectivity throughout the city and would lessen any impacts of future development under all of the scenarios and to prevent future development from dividing existing communities. Further, compliance with the provisions contained in the Palo Alto Municipal Code, including the development standards governing heights, setbacks, and lot division, would further minimize the potential for physical division of existing neighborhoods. Therefore, with implementation of the above-listed policies and compliance with relevant provisions of the Palo Alto Municipal Code, the proposed Plan would result in a less-than-significant impact associated with physical division of existing communities.

LAND-6	**The proposed Plan would not conflict with an applicable habitat conservation plan or natural community plan. (Less than Significant – Scenarios 5 and 6)**

February 2016 Draft EIR Findings: Less than significant for Scenarios 1 through 4.

Summary of Supplemental Analysis: The impact would be less than significant for Scenarios 5 and 6.

As discussed in the February 2016 Draft EIR, the Comp Plan Update would substantially affect a Habitat Conservation Plan (HCP) or Natural Communities Conservation Plan (NCCP) if it would allow development that would conflict with goals or policies in an HCP/NCCP or prevent implementation of HCP/NCCP activities. The Stanford HCP and the Santa Clara Valley HCP/NCCP overlap with the Comp Plan Update area.

Although Palo Alto is not in the Santa Clara Valley HCP/NCCP Plan Area, lands in the Baylands area of Palo Alto have been identified in the Santa Clara Valley HCP/NCCP as suitable mitigation lands for impacts to the western burrowing owl caused by development in the Santa Clara Valley HCP/NCCP Plan Area. These lands would not compromise implementation of the Santa Clara Valley HCP/NCCP.

The Stanford HCP identifies four management zones according to habitat value for the Covered Species. Zones 1-2 are important to the Covered Species and management of these lands is inherent to the success of the HCP. Zone 3 land does not support the Covered Species, but may provide some indirect benefit. Zone 4 consists of developed land that has no value to the Covered Species. Most of Stanford's lands in Palo Alto are in Zone 4. Scenarios 5 and 6 consider development activities that would occur in Stanford HCP Management Zone 4, and would not conflict with measures identified in the HCP or prevent Stanford's implementation of the HCP. Both scenarios would allow redevelopment of areas that are already developed and do not contain species protected under the Stanford HCP. Neither of the scenarios would prevent implementation of the Stanford HCP. The Santa Clara Valley HCP/NCCP identifies areas in the Palo Alto Baylands that could be accepted as mitigation sites for impacts to burrowing owl within the HCP/NCCP's Plan Area. Because the Baylands would remain protected under both Scenarios 5 and 6, there would be no impacts to the Santa Clara Valley HCP/NCCP. Scenarios 5 and 6 would have a *less-than-significant* impact on the implementation of a conservation plan.

Significance before Mitigation: Neither scenario would impact a Habitat Conservation Plan, Natural Communities Conservation Plan, or other conservation planning document; therefore, this impact is less than significant for Scenarios 5 and 6.

4.9.4 CUMULATIVE IMPACTS

LAND-7	**Implementation of the proposed Plan, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to land use and planning. (Less than Significant– Scenarios 5 and 6)**

February 2016 Draft EIR Findings: Less than significant for Scenarios 1 through 4.

Summary of Supplemental Analysis: The impact would be less than significant for Scenarios 5 and 6.

As described in Chapter 4, Environmental Analysis, this cumulative analysis takes into account future development under the proposed Plan combined with effects of development on lands adjacent to the city. Palo Alto is part of a larger region that, as of the publication of this Draft EIR, is experiencing rapid job and population growth associated with a strong economy. Many neighboring communities are adding significant numbers of both jobs and housing: Mountain View adopted an updated General Plan in 2012 that anticipates over 88,000 residents and over 82,000 jobs by 2030;[6] buildout projections prepared for Menlo Park's General Plan EIR, certified in November 2016, show the potential for 6 million additional square feet of non-residential development and 28,000 new residents by 2040;[7] the City of East Palo Alto's General Plan Update, adopted in October 2016, could contemplate almost 2,400 new homes and over 2 million square feet of non-residential development.[8] As noted in Section 4.9.1, above, Stanford University received County authorization for a net increase of 1,450 graduate student beds beyond what initially was authorized under the GUP. The County found that these additional beds would not result in any new or substantially more severe impacts beyond those identified in previous environmental analysis for the Stanford Community Plan and General Use Permit. At a larger scale, ABAG's *Projections 2013* anticipates that Santa Clara County will add 310,000 new residents between 2015 and 2030, and San Mateo County will add 90,000 residents in the same timeframe.

Within this context, the proposed Plan would be the primary document regulating development on land throughout the Plan Area; however, the fact that the existing land use map would remain unchanged under all scenarios would ensure that future development under Scenarios 5 and 6 would continue to maintain existing land use patterns, as well as compatibility with adjacent land uses from neighboring jurisdictions. Further, both of the scenarios generally aim to control the density and intensity of future development within the existing urbanized areas of the city and encourage mixed-use and/or development within transit-rich areas. Also under Scenarios 5 and 6, mitigation and sustainability measures would be adopted to minimize the potential impacts of new market rate housing and new non-residential development by requiring mitigation, monitoring and development and coordinated area plans would become a routine planning tool, guiding new development. Under Scenario 6, performance based zoning strategies would be adopted to minimize the potential impacts of new market rate housing and new non-residential development. Although development is likely to continue in neighboring cities, such development is taking place in already urbanized areas and would not require significant land use changes that would create land use conflicts, nor would they divide communities. Therefore, given that the existing land use designations would remain unchanged under the proposed Plan, and that the proposed Plan is aimed primarily at facilitating varying densities and intensities of development, as well as encouraging future development in

[6] City of Mountain View, Draft 2030 General Plan and Greenhouse Gas Reduction Program EIR, September 2012. Page 47. Accessed online at http://www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=13900 on January 13, 2015.

[7] City of Menlo Park, Staff Report: Review of Draft General Plan Land Use and Circulation Elements and Bayfront Area (M-2 Area) Zoning Summary and Reconfirm the Composition of the General Plan Advisory Committee, October 6, 2015. Page 45-87. Accessed online at http://www.menlopark.org/DocumentCenter/View/8144, January 13, 2015.

[8] City of East Palo Alto, City Council Staff Report, March 12, 2015, page 15. Accessed online at http://www.ci.east-palo-alto.ca.us/AgendaCenter/ViewFile/Agenda/03122015-1059 on January 13, 2015.

already urbanized areas, the proposed Plan would not result in a cumulatively considerable contribution to impacts related to land use changes. Impacts would be *less than significant* under Scenarios 5 and 6.

Applicable Regulations:

- Plan Bay Area
- *Palo Alto Comprehensive Land Use Compatibility Plan – Palo Alto Airport*
- *Stanford Community Plan*
- *South of Forest CAP*
- *Baylands Master Plan*
- Palo Alto Municipal Code, Title 18, Zoning
- Palo Alto Municipal Code, Title 21, Subdivisions and Other Divisions of Land

Significance before Mitigation: Neither scenario would change existing land use designations, and cumulative development in the surrounding communities would take place in already urbanized areas, so Scenarios 5 and 6 would not contribute to a cumulatively significant land use impact.