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Initial Study

Text Amendments – Belmont Zoning Ordinance and Tree Ordinance Belmont, California

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Prepared by
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**City of Belmont
Environmental Checklist Form**

Project Title: Text Amendments – Belmont Zoning Ordinance and Tree Ordinance

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Project Location: Citywide

Application No.: PA2014-0059

Environmental Setting: The City of Belmont is located in San Mateo County, approximately midway between the cities of San Francisco and San Jose. Belmont contains approximately 4.6 square miles of land area, and the California Department of Finance (DOF) estimated Belmont’s population at 26,316 for 2013. Belmont is a substantially built-out, urbanized community that was developed primarily in the 1950s and 60s. Approximately 66% of Belmont’s land is developed with residential, commercial, and industrial uses, and 34% of its land is undeveloped (open space, park and vacant lots).

Approximately two-thirds of Belmont’s developed land is occupied by housing, with single-family homes representing 64 percent, and multi-family units representing 36 percent of its housing stock. The remaining third of developed Belmont land is occupied by commercial, office, manufacturing, and institutional uses.

Affected Properties: The proposed Text Amendments (or portions thereof) to the Belmont Zoning Ordinance would affect all single family residentially zoned properties and multi-family residential and commercially zoned properties where single family residential development is conditionally permitted (Zoning Districts R-1A, R-1B, R-1C, R-1E, R-1H, R-2, R-3, R-4, C-2, C-3, and C-4). Residential and Open Space Districts (Design Review Thresholds and Findings), and Residential Planned Development (PD) districts (Design Review Findings), would also be affected (Zoning Districts HRO-1, HRO-2, and PD).

The proposed Text Amendments to the Belmont Tree Ordinance would be effective citywide, with the exception of public school properties, which are regulated by the state.

Figure 1: Project Location – Citywide

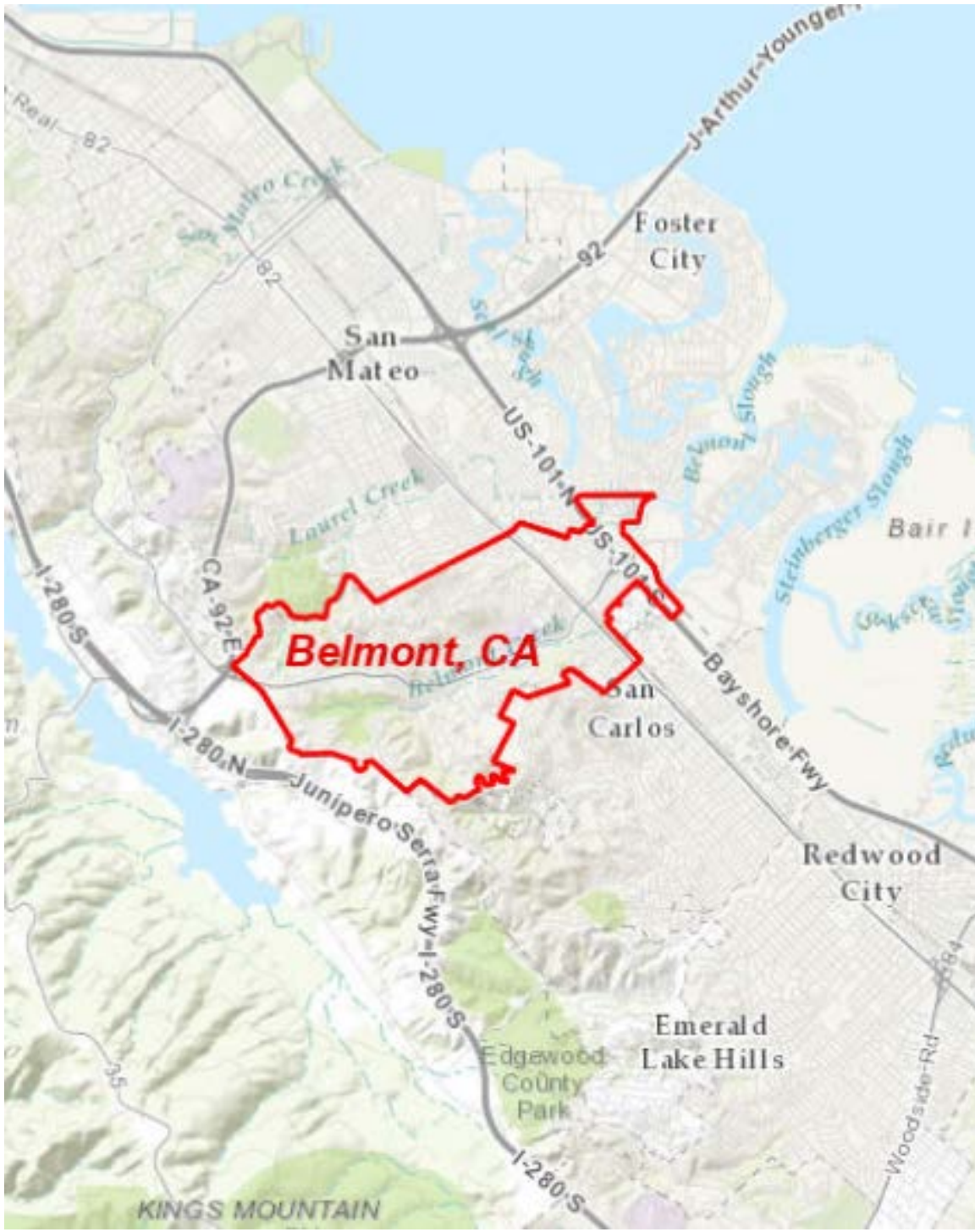
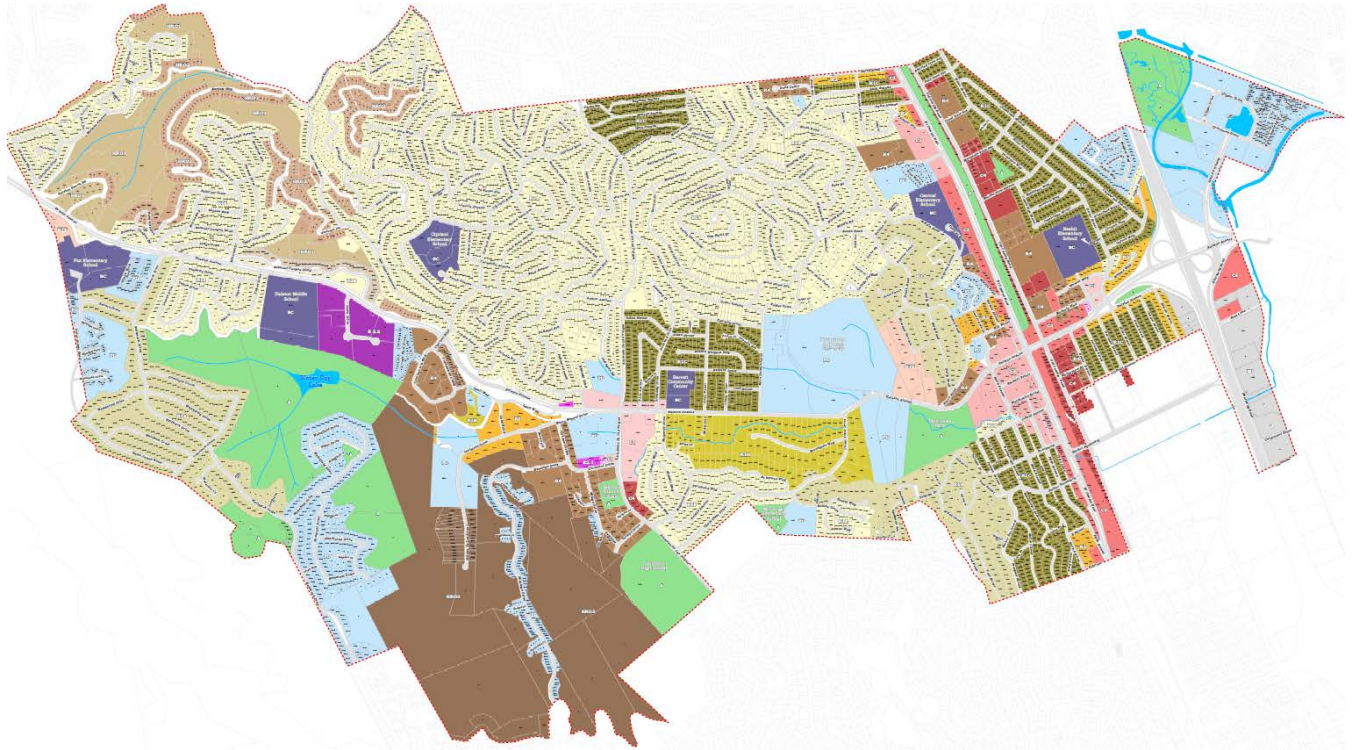


Figure 2: Belmont Zoning Map



ZONING CLASSIFICATIONS

Residential Uses

- R1E -Single Family Residential- 1 acre/D.U.
- R1H -Single Family Residential- 1/2 acre/D.U.
- R1A -Single Family Residential- 9600 sq. ft./D.U.
- R1B -Single Family Residential- 6000 sq. ft./D.U.
- R1C -Single Family Residential- 5000 sq.ft./D.U.
- R2 -Duplex- 3000 sq.ft./D.U.
- R3 -Multi-Family Residential- 1950 sq.ft./D.U.
- R4 -Multi-Family Residential- 1450 sq.ft./D.U.

Special Combining Districts

- S-1/R1B -Special (Setback) Combining
- HRO1 -Hillside Res. & Open Space (unsubdivided)
- HRO2 -Hillside Res. & Open Space (subdivided)
- HRO3 -Hillside Res. & Open Space (Western Hills)

Commercial Uses

- C1 -Neighborhood Commercial
- C2 -General Commercial
- C3 -Highway Commercial
- C4 -Service Commercial

Industrial Uses

- M1 -Limited Manufacturing

Mixed Uses

- PD -Planned Unit Development

Institutional

- SC -School and Other Compatible Uses

Office Uses

- E1 -Professional Office
- E2.1 -Executive Office
- E2.2 -Executive Office and Warehouse

Parks and Open Space

- A -Agricultural and Open Space

Section 1 - Project Description

The project includes text amendments to the Belmont Zoning Ordinance (BZO) and Belmont Tree Ordinance. The proposed sections to be amended are identified in Table 1-1, below. A summary of the amendments is provided below the table. The text of the amendments is attached.

Table 1-1: Text Amendments - Ordinance Sections & Topics

Zoning Ordinance		Tree Ordinance	
Section #	Topic	Section #	Topic
2	<i>Definitions</i>	25-1	Findings Purpose and Goals
4	<i>Residential</i>	25-2	Definitions
8	<i>Off-street Parking and Loading</i>	25-3	Heritage Trees
9	<i>General Regulations</i>	25-4	Pruning Standards
13A	<i>Single Family and Duplex Residential Design Review</i>	25-5	Tree Removal Permit
24	<i>Secondary Dwelling Units</i>	25-6	Permit Review Procedure
		25-7	City Tree Board
		25-8	Criteria for Permit Determination
		25-9	Permit Issuance
		25-10	Enforcement
		25-11	Public Nuisance

Summary of Text Amendments - Belmont Zoning Ordinance

Section 2 (Definitions) - Definitions would be added and modified for consistency with the proposed substantive changes to Sections 4, 8, 9, 13A and 24. Definitions would be added for Bordering Properties, Residential Design Criteria, Daylight Plane, Second Story Stepbacks, Prescribed Articulation, Cumulative Gross Floor Area Addition, Entry Level, and Public Views. In addition, definitions would be modified as follows: Lot Width Average, Lot Depth Average and Lot Depth would be revised for consistency with the Subdivision Ordinance. The reference to the maximum cap on floor area would be eliminated from the definition of Floor Area Gross. The reference to the 400 sq. ft. SFDR threshold would be removed from the Residential Design Guidelines definition. The definition of a Bedroom would be modified to exclude areas of the home that are clearly incidental to the other living spaces of the home, left open to adjacent living areas of the home, and for rooms accessed solely through bedrooms of the home.

Section 4 (Residential) – The provision of setback averaging would be removed from the measurement of front yard setbacks, and additional objective, quantifiable, or measureable review criteria for upper-story additions and specified increases in plate and roof height are proposed. The additional development criteria (i.e., upper level stepbacks, daylight plane, a prescribed level of articulation, etc.) would be contained in the Residential Design Criteria (RDC), a companion document to the Zoning Ordinance. Qualifying projects would need to demonstrate compliance with one of the identified measures in the RDC. The cap on total floor area permitted for single family homes would be eliminated and would instead be based solely on the size of the lot and its slope.

Section 8 (Off-street Parking and Loading) - Amendments are proposed to the single family parking requirements for the number of parking spaces, the size and type of parking spaces, the location of

required parking spaces, and parking upgrades. The number of total parking spaces for new homes would be reduced from four to three; parking upgrade requirements would be based only on the total number of bedrooms and the number of units. Additional types and layouts for parking, such as carports and tandem parking, would also be allowed as part of the proposed amendments. Existing and proposed parking standards, types, and locational requirements for parking are provided in Tables 1-2 through 1-5.

Table 1-2: Existing Parking Standards & Upgrade Requirements

New Homes	Parking Upgrade Triggers
<p>Single Family Home - 4 spaces (2 covered in garage & 2 uncovered in driveway)</p> <p>Accessory Unit (2nd Unit) - no additional spaces beyond standard number of spaces (4) for new single family home</p>	<ul style="list-style-type: none"> • 600 or more square feet of gross floor area is added to the dwelling • Any floor area modification proposed to a home that is currently 3,000 square feet or larger, or that results in a dwelling becoming 3,000 square feet or larger • Any floor area modification proposed to a dwelling that currently has four or more bedrooms, or that results in an increase in the number of bedrooms from three or fewer to four or more • Two or more bedrooms are being added to such dwelling, regardless of whether any existing bedrooms are eliminated.

Table 1-3: Existing Size & Locational Requirements for Parking

Number of Vehicles	Orientation	New Garage	Existing Garage ¹	New Carport	Existing Carport
2	Side-by-side	20' x 20'	17' x 18'	Not allowed	Not counted as covered parking
<p>¹ Garages constructed before 2005, which have an interior clearance of 17' x 18' are considered conforming (a floor area reserve is required to allow for future garage upgrades to 20'x 20'). Uncovered parking is permitted within the driveway apron on the project site only; minimum size for uncovered parking is minimum size is 17' x 18'.</p>					

Table 1-4: Proposed Parking Standards & Upgrade Requirements

	Total Bedrooms	Required Parking		
		Covered	Uncovered	Total
New single family dwellings	Any	2	1	3
Additions & modifications to existing single family dwellings	Five Bedrooms or more	1	2	3
	Four Bedrooms	1	1	2
	Any + 2 nd dwelling unit	1	2	3

Table 1-5: Proposed Size & Locational Requirements for Parking

Number of Vehicles	Orientation	New Garage	Existing Garage	New Carport	Existing Carport
1	N/A	10' x 20'	8.5' x 18'	8.5' x 18'	8.5' x 18'
2	Side-by-side	20' x 20'	17' x 18'	17' x 18'	17' x 18'
2	Tandem	10' x 40'	8.5' x 36'	8.5' x 36'	8.5' x 36'
The ordinance amendments would allow for use of portions of the right-of-way for uncovered parking, provided sufficient space remains for the installation of sidewalk curb and gutter in accordance with Public Works requirements.					

Section 9 (General Regulations) - Amendments are proposed to the provision requiring access from public streets, and for setback requirements for driveway bridges, access decks, and stairs. In addition, a provision is proposed to allow for the extension of legal, non-conforming side yard setbacks for single family homes in residential districts.

Streets

A provision in the existing Zoning Ordinance requires that development be limited to lots with access to a public street or with an existing access easement to a public street. New access easements and private roads are effectively prohibited. The amendments propose to remove the requirement that development occur on a public street.

Setback Requirements

Currently a Variance is required for front yard structures over six feet in height and stairs and landings in side yard setbacks. In addition, the current ordinance limits the encroachment of entry decks into the required front and rear yard. The amendments would allow for setback encroachments providing access. Stairs or landings meeting minimum building code regulations for width, and driveway bridges for down sloping lots which are necessary to gain site access would be permitted without a Variance.

Continuation of Non-conforming Setbacks

The existing ordinance prohibits applicants from continuing building lines along non-conforming setbacks, without a Variance approval. The amendments would allow continuation of a non-conforming side yard setback provided that the non-conforming setback is not increased, and a minimum of a five foot setback is maintained for the interior side lot line and a ten-foot side yard setback is maintained for an exterior side yard setback (street side).

Section 13A (Single Family and Duplex Residential Design Review) – The proposed ordinance amendments would modify the procedures for Single Family and Duplex Residential Design Review (SFDR) applications. A tiered system of thresholds, review authority, neighborhood outreach, public notice, and public hearings for SFDR applications would be established. The current ordinance includes both technical and design-related standards (findings) for approval of SFDR. The ordinance amendments include consolidation and rewording of the technical standards, and modification of the design-related standards. The existing and proposed review procedures and standards for review are provided in Tables 1-6 through Table 1-11.

Table 1-6: Existing SFDR Review Thresholds

Tier	Project Characteristics	Review Authority
N/A	<ul style="list-style-type: none"> • Gross Floor Area Additions less than 400 sq. ft. 	Staff ¹
1	<ul style="list-style-type: none"> • New Homes • 400 SF. gross floor area addition • Grading- 500 cubic yards • Grading – endanger tree • Land disturbance – 6,000 SF 	Planning Commission (PC)
<p>¹ Building Permit only. No design review occurs (i.e., the project is not reviewed for consistency with design criteria or the Residential Design Guidelines); Planning staff reviews application for consistency with development criteria only (i.e., setbacks, floor area, height, etc.).</p>		

Table 1-7: Existing SFDR Review Procedure

Tier	Neighborhood Outreach	Project Notice	Public Hearing	Appeal
N/A	None - additions less than 400 sq. ft.	None	None	N/A – Building Permit only
1	Recommended but not required by code	Planning Commission Public hearing notice per Section 11.4.1of City Code	Required	City Council

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Table 1-8: Existing SFDR Standards

(a) The Buildings and structures shown on the site plan are located to be consistent with the character of existing development on the site and in the neighborhood, as defined; minimize disruptions of existing public views; protect the profile of prominent ridgelines.
(b) The overall site and building plans achieve an acceptable balance amount the following factors: <ul style="list-style-type: none"> (1) building bulk, (2) grading, including <ul style="list-style-type: none"> (a) disturbed surface area and (b) total cubic yards, cut and fill (3) hardscape, and (4) tree removal
(c) All accessways shown on the site plan and on the topographic map are arranged to provide safe vehicular and pedestrian access to all buildings and structures.
(d) All proposed grading and site preparation have been adequately reviewed to protect against site stability and ground movement hazards, erosion and flooding potential, and habitat and stream degradation.
(e) All accessory and support features, including driveway and parking surfaces, underfloor areas, retaining walls, utility services and other accessory structures are integrated into the overall project design.
(f) The landscape plan incorporates: <ul style="list-style-type: none"> (1) Native plants appropriate to the site’s environmental setting and microclimate, and (2) Appropriate landscape screening of accessory and support structures, and (3) Replacement trees in sufficient quantity to comply with the standards of Section 25 (Trees) of the Belmont City Code
(g) Adequate measures have been developed for construction-related impacts, such as haul routes, material storage, erosion control, tree protection, waste recycling and disposal, and other potential hazards.
(h) Structural encroachments into the public right-of-way associated with the project comply with the standards of Section 22, Article 1 (Encroachments) of the Belmont City Code
(i) The project is in substantial compliance with the Residential Design Guidelines

Table 1-9: Proposed SFDR Review Thresholds

Tier	Project Characteristics	Review Authority
1	<ul style="list-style-type: none"> • Ground floor additions up to 499 sf., with top of the addition plate height 12 feet or less, and top of the new roof 18 feet or less, as measured from finished grade. • Enclosure of carports & additions of any size that do not increase the foot print of the home (i.e., underfloor and attic areas that are made habitable). 	Community Development Department (CDD)
2	<ul style="list-style-type: none"> • Ground floor additions not consistent with Tier I. • Ground floor additions from 500 sf to 999 sf. • Upper floor additions up to 499 sf. • Combination of upper and lower floor additions less than 999 sf. 	Zoning Administrator (ZA)
3	<ul style="list-style-type: none"> • New Single Family Homes • Grading more than 500 cubic yards • Disturbance of 6,000 sq. ft. or more of site area • Upper floor additions of 500 sq. ft. or more • Combination of upper and lower floor additions of 1,000 sf. or more • SFDR with other PC level entitlements 	Planning Commission (PC)

Table 1-10: Proposed SFDR Review Procedure

Tier	Neighborhood Outreach	Project Notice	Public Hearing
1	None - additions less than 400 sq. ft.	None	None
	Required - additions of 400 sq. ft. or more	Notice to Bordering Property Owners	None
2	Required all projects	Notice to Bordering Property Owners	Upon Request per Section 13A.4(c)
3	Required all projects	Public hearing notice per Section 11.4.1	Required

Table 1-11: Proposed SFDR Review Standards

<p>(a) The Buildings and structures shown on the site plan will be:</p> <ul style="list-style-type: none"> (1) Designed to be compatible with any existing development on the site; (2) Located and designed to minimize disruptions of existing public views, and to protect the profile of prominent ridgelines.
<p>(b) The overall site and building plans will achieve an acceptable balance of the following factors:</p> <ul style="list-style-type: none"> (1) Building Bulk (2) Grading, including: <ul style="list-style-type: none"> (a) disturbed surface area and (b) total cubic yards, cut and fill (3) The aesthetic impacts of hardscape as viewed from a public vantage point.
<p>(c) All proposed accessory and support features, including driveway and parking surfaces, underfloor areas, retaining walls, utility services and other accessory structures will be integrated into the overall project design.</p>
<p>(d) The proposed landscape plan will incorporate:</p> <ul style="list-style-type: none"> (1) Native plants appropriate to the site’s environmental setting and microclimate. (2) Appropriate landscape screening of proposed accessory and support structures.
<p>(e) The project will be in substantial compliance with the Residential Design Guidelines.</p>
<p>(f) City staff and consultants have provided technical review and conditions of approval have been adopted, as applicable, regarding project-related grading, drainage, storm-water runoff, vehicular and pedestrian access, site stability, structural encroachments, and construction impacts.</p>

Section 24 (Secondary Dwelling Units) – Ministerial allowances for second units have not been changed. Amendments are proposed for consistency with the SFDR tiered review process and revised parking standards proposed in Sections 13A and 8, respectively. In addition, the thresholds requiring a Conditional Use Permit (CUP) for second units would be modified, and the provision restricting the size of second units to the floor area of the principal unit size would be increased.

Thresholds for a CUP

The thresholds requiring a Conditional Use Permit (CUP) for second units are proposed for modification: Currently a CUP is required to construct a second unit on lots less than 8,000 sq. ft.; this threshold would be reduced to lots less than 5,000 sq. ft., (the minimum conforming R-1 lot size). In addition, A CUP would no longer be required for second units greater than 640 sq. ft. Secondary units would be evaluated consistent with the tiered review thresholds in Section 13A (SFDR).

Maximum Size of Second Units

The current Zoning Ordinance allows for second units with floor area of up to 30% of the floor area of the principal dwelling or 1,200 sq. ft., whichever is less. A maximum of two bedrooms are permitted in a second unit. The proposed maximum floor area of a second unit would be based upon a percentage of the principal dwelling (50%), and would remain capped at 1,200 sq. ft. A maximum of two bedrooms would still be permitted in a second unit.

Summary of Text Amendments - Belmont Tree Ordinance

The Tree Ordinance is proposed to be reorganized such that all of its sections would be modified. The substantive amendments to the ordinance are provided below.

Section 25-2 (Definitions) - Definitions are proposed for Heritage Trees, Arborist Report, Certification Letter, Dead Trees, Excessive Pruning, Conforming Use, and Standard Tree Protection Measures. Several of these new definitions (Arborist Report and Standard Tree Protection Measures) make reference to documents, which would be created by the City Manager (delegated to the Parks and Recreation Department) and provided at a later date.

Protected Tree

The current Tree Ordinance defines a Protected Tree as any tree equal to or greater than 10 inch DBH. The proposed amendments would define Protected Trees to include Heritage Trees as oak and redwood trees of 10 inch DBH or greater, and any tree of 24 inch DBH or greater (except Eucalyptus, Monterey Pine, Palm, and Acacia).

Damage & Severe Damage

The current ordinance defines “*Damage*” to include any tree impact outside of pruning to increase the health of the tree, and allows for the collection of a tree removal fee for such damage. The proposed amendments would replace the definition of *Damage* with a definition of “*Severe Damage*” which would mean as any action undertaken which causes or may cause death or significant injury to a tree or its roots, or which places the tree in an irreversible state of decline.

Section 25-6 (Permit Review Procedure) - The Community Development Department currently administers tree removal permit(s) when the removal is associated with an application for a building permit, variance, design review, or any other development entitlement. The Parks and Recreation Department administers all tree removal permit(s) when not associated with a building permit, variance, design review, or any other development entitlement that is required (i.e., property maintenance issues).

The Tree Ordinance is proposed to be administered consistent with tiered review system proposed for Section 13A of the Zoning Ordinance. Administration would occur in association with any required entitlement, as identified in Tables 1-12 and 1-13.

Table 1-12: Tree Ordinance Administration

Associated Entitlement		Reviewing Authority
Group 1	None (i.e., tree damage to property)	Parks and Recreation Director (P&R)
	Building and minor grading permits	
	Site modifications not requiring a permit (i.e., patio installation)	
Group 2	Discretionary reviews by CDD	Community Development Department (CDD)
	Discretionary reviews by ZA	Zoning Administrator (ZA)
	Discretionary reviews by PC	Planning Commission (PC)

Table 1-12: Tree Ordinance Administration

Review Authority	Project Notice	Public Hearing
Parks and Recreation Director (P&R)	Posting Site	None
Community Development Director (CDD)	Posting Site	None
Zoning Administrator (ZA)	Notice per entitlement public hearing notice	Required
Planning Commission (PC)	Notice per entitlement public hearing notice	Required

Section 25-8 (a) - (Criteria for Permit Determination) – The current ordinance does not include standards for review (findings - basis for approval/denial) for tree removals associated with development review projects (Planning Commission review).

The proposed amendments would require the reviewing authority to base its determination to approve, conditionally approve or deny an application for a tree removal permit on a balancing of the criteria provided in Table 1-13. This balance would occur with both criteria supporting removal and criteria supporting retention of trees. Discretion would be applied in that all criteria would not necessarily be weighted equally. The review authority could also require project conditions to mitigate for the loss of

the tree, provided that these conditions reasonably relate to the particular impacts caused by the tree removal and are not disproportional to those impacts (see Table 1-14).

Table 1-13: Criteria for Permit Determination (findings)

Criteria Supporting Removal	Criteria Supporting Retention
<ol style="list-style-type: none"> 1. The tree is: a) in poor condition; b), at the relative end of its life span of the particular species; c) diseased or infested beyond reasonable attempts at remediation; d) has poor structural integrity; e) is in danger of falling; or, f) poses a safety hazard. 2. The particular tree species is undesirable due to characteristics such as invasiveness, tendency toward limb failure, and fire hazards. 3. The tree is damaging or interfering with existing structures site improvements and utility services. 4. Removal of the tree is needed in order to construct improvements or otherwise allow conforming use of the property. 5. Proximity of the tree to existing or proposed structures. 	<ol style="list-style-type: none"> 1. The tree is located outside of the developable area of the property. 2. The tree and its location contribute substantially to the aesthetic appeal of the property or the neighborhood. 3. The effect of the requested tree removal on the remaining number, species, size and location of existing trees on the site and in the area, including trees mutually dependent on each other for survival, structural integrity or aesthetics.

Section 25-8 (b) Criteria for Permit Determination – The current ordinance allows the Planning Commission to impose conditional requirements for the granting of a tree removal permit including any or all of the following: 1) tree replacement of up to 3:1 for protected tree removal and 1:1 for removal of protected size Acacia, Eucalyptus Globulus, or Monterey Pine trees; 2) payment of tree removal fees in accordance with the latest adopted fee schedule; 3) continued tree maintenance for new trees and replacement plantings; and 4) payment of a security deposit for replanting when five or more protected trees are removed.

Table 1-14: Criteria for Permit Determination (conditions)

(b)	Conditions of Approval.
(1)	For each tree removed, the applicant must pay a removal fee or replant trees, or both, in accordance with a schedule adopted by the city council.
(2)	The reviewing authority may impose conditions of approval in addition to those in subsection when City staff has determined that the tree removal may substantially affect erosion or soil retention.
(3)	Conditions imposed by the reviewing authority must be reasonably related to the particular impacts caused by the tree removal and not disproportional to those impacts.

Tree Removal Fees & Replanting

Current Fee Schedule and Tree Ordinance

The current Master Fee Schedule identifies the intent of tree removal fees and replacement plantings are to mitigate for trees lost to removal (i.e., deposit fees in the City Tree Planting and Establishment Fund). The cost of tree removal is dependent only on tree size (except for Acacia, Monterey Pine, and Eucalyptus). There is no distinction in the current ordinance for tree condition, location of trees on site, and trees that are fire hazards.

The current Tree Ordinance specifically states that replanting is intended to facilitate a bio-mass and tree canopy equivalent to that lost with the tree removal. No quantifiable criteria are provided within the Tree Ordinance to assist in determining the number of tree plantings to obtain an equivalent bio-mass/tree canopy; however, the size and number of replacement trees is required to be based upon the size, number, and species of the tree(s) removed, and the number and density of existing trees on the subject property.

In terms of replanting requirements, all protected size trees are treated equally under the current Tree Ordinance (except for Acacia, Eucalyptus Globulus, and Monterey Pine tree species). No other general exceptions or reductions in tree removal replanting amounts are given for non-native trees, invasive tree species, or trees in poor condition. In addition, there is no allowance specified with the Ordinance for trees removed as part of a required fire/vegetation management plan (i.e., for development occurring in Wildland Urban Interface areas).

Proposed Fee Schedule and Tree Ordinance

The amendments to the ordinance propose a schedule to be adopted by the City Council, which would identify payments for each tree removed, or the replanting of trees, or both. This schedule would be based on the valuation of trees such that the total amount collected for tree removal fees, and the cost of the required mitigation plantings would not exceed the value of the tree(s) being removed.

The Parks and Recreation Department would be responsible to develop the method for valuation for consideration by the City Council, prior to final adoption of the ordinance. Options identified include a flat fee, or a fee based upon specified criteria, which may include but would not be limited to such factors as the size of the tree, its species, its location on the lot, and the health, condition, and life expectancy of the tree.

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Section 2 - Discussion of Impacts

As identified in Section 1, the proposed Text Amendments to the Belmont Zoning Ordinance and Tree Ordinance would result in modifications to city procedures, review criteria, administrative processes, and development standards affecting single-family homes, second units, and applications for tree removal. A summary of those changes is provided in Table 2-1 below.

Table 2-1: Summary of Modifications

Procedure/Administration/Review	Development Standards
Establish a Tier System for SFDR	Remove setback averaging provision
Modify SFDR standards (findings)	Remove floor area cap
Modify Conditional Use Permit (CUP) requirements for Second Units	Reduce required number of parking spaces
Re-define Protected Tree & Tree Damage	Allow carports for covered parking ¹
Establish a Tier System for Tree Removal Permits	Change setback requirements for driveway bridges, access decks, and stairways
Establish criteria (findings) for Tree Removal Permits for development review projects	Allow continuation of non-conforming setbacks
Establish a system of tree valuation	Modify uncovered parking configuration & location
	Modify covered parking configuration
	Modify percentage ratio for size of second units
	Add objective criteria for upper stories
¹ Indirect modification to total permitted floor area; carports are not fully enclosed and thus do not count towards total floor area for a project site.	

Overall, the changes to the City's development standards for single-family homes and second units may allow somewhat larger single-family homes and second units on some sites than are now permitted. However, the location of the properties that may be allowed larger homes and will choose to develop under these standards is not reasonably foreseeable. To mitigate any potential impacts, the City has modified the SFDR standards and findings to consolidate and define technical review of projects, provide for setbacks and daylight planes to reduce the bulk of second story additions, and to ensure that additions under 400 sq. ft. are subject to design review. All additions will also continue to be subject to standard conditions of approval and design guidelines previously adopted to mitigate potential impacts.

CEQA Review of Changes. Modifications to city procedures and administrative processes that do not change physical development standards are not considered to be a project (Guidelines Section 15378) and are also exempt from CEQA under the 'common sense' exemption (Guidelines Section 15061(b)), since they do not have the potential to result in reasonably foreseeable indirect physical changes in the environment; the physical changes that may result from changes to procedures are only speculative. However, this initial study discusses those changes below.

The Initial Study Checklist (Section 3) contains an analysis of potential impacts resulting from modifications to physical development standards for single-family homes. Single-family homes and additions to single-family homes are normally categorically exempt from CEQA (Guidelines Section 15301, existing facilities; and Section 15303, new construction of small structures) unless there is an unusual circumstance applicable to the project that may have a significant impact. While the location of single-family sites containing unusual circumstances is not reasonably foreseeable, the expansion of SFDR to all additions will ensure that any unusual circumstances may be identified in projects that utilize the proposed zoning modifications.

Additionally, Public Resources Code section 21080.17 exempts from CEQA "the adoption of an ordinance by a city or county to implement the provisions of Section 65852.1 or Section 65852.2 of the Government Code" (the Second Unit Law). The proposed text amendments related to second units include provisions adopted under Section 65852.2. Because the proposed modifications involve "the adoption of an ordinance . . . to implement the provisions of [the Second Unit Law]," the portions of the Project related to second units are exempt from CEQA by statute.

Procedure/Administration/Review

Single Family Design Review Process

The City of Belmont's application processing requirements stipulates that applications for Single Family Design Review entitlements are first reviewed by the Planning Division. A project planner (i.e., project manager) is assigned to a project application. The project planner reviews and routes the application and all applicable submitted materials to various City departments, divisions, affected agencies, and consultants. The application is reviewed by the Planning Division, Building Division, Department of Public Works-Engineering Division, Police Department and the Belmont Fire Department, as a matter of routine. Projects requiring submittal of a geotechnical report are also peer reviewed by the city's consulting geologist, and projects involving the removal of protected trees are typically reviewed by the City Arborist.

The Planning Division, subsequent to this review and within the 30-day Permit Streamlining Act mandate, issues a letter to the applicant identifying the changes required in the application, plans, and supporting materials necessary to comply with prevailing laws pursuant to site development, construction and land use. The letter is a compilation of all the requirements identified throughout City departments. The applicant is required to revise the plans and provide or amend supporting documentation or the application is not certified as complete and not processed.

Revised plans and documentation are again submitted to the Planning Division and re-routed to all affected City departments to evaluate the application in light of their earlier comments and requirements. The process results in an application that can be deemed "complete" as well as identifying the adopted Conditions of Approval (COAs) applicable to the site that will be required should the application be approved. Many of these COAs require project design features that were historically identified through the environmental review process to mitigate potential significant effects of past projects and have been

adopted by the City through its General Plan, City Code and Zoning Ordinance (i.e., geotechnical review).

Once an application is deemed complete, a report is prepared by the project planner, and the project is considered by a review authority. The report includes an analysis by the project planner, and a recommendation regarding the project's conformance with the relevant development criteria, SFDR Findings, and Residential Design Guidelines (RDG). In addition, the project planner includes recommendations and COAs from all relevant departments and consultants.

As described in Section 1, the current SFDR process requires review by the Planning Commission for all gross floor additions of 400 square feet or greater. Additions less than 400 square feet require only a building permit. No design review occurs (i.e., the project is not reviewed for consistency with design criteria or the Residential Design Guidelines); Planning staff reviews application for consistency with development criteria only (i.e., setbacks, floor area, height, etc.).

The current review process and analysis identified above would remain largely the same, except that the proposed text amendments would include three tiers of SFDR review authorities: (Tier 1 - Community Development Director, Tier 2 - Zoning Administrator, and Tier 3 - Planning Commission), and all additions of any size would be subject to SFDR. Additional SFDR review would occur as follows:

- 1) Tier 1 – Additions of any size (i.e., less than the current 400 sq. ft. threshold)
 - Project reviewed based upon Residential Design Guidelines (RDG) checklist, and SFDR Standards (Findings).
 - Staff reviews proposed building exterior for consistency with existing buildings colors/materials, window design, and roof forms.
 - Staff conducts site visit for carport enclosures and additions beyond footprint.

- 2) Tier 2 & Tier 3 – Ground floor additions where the plate height of the addition together with crawl space would exceed twelve feet, and/or the new roof height would exceed eighteen feet (both measured from finished grade), and upper floor additions.
 - Staff reviews project based upon Residential Design Guidelines (RDG) checklist, and SFDR Findings.
 - Staff reviews project based upon objective criteria identified in Residential Design Criteria (RDC) – defined below.

Residential Design Criteria (RDC) - A companion document to the Zoning Ordinance, which provides additional, objective, measurable, or quantifiable review criteria required for ground floor additions where the plate height of the addition together with crawl space would exceed twelve feet, and/or the new roof height would exceed eighteen feet (both measured from finished grade), and upper floor additions. The RDC includes relevant criteria for the regulation of building bulk (such as second story stepbacks, prescribed articulation, and daylight planes), which are specified based upon the scope of the project, site conditions, and the architectural style of the home.

The SFDR process, through City of Belmont's standard review procedures, currently requires proposed single-family projects to incorporate mandatory features to ensure that there are no significant environmental effects due to unusual circumstances. The proposed amendments would continue these same procedures, but expand projects subject to review to include all additions, and allow Tier 2 projects to be initially reviewed by the Zoning Administrator instead of the Planning Commission. The proposed amendments also include provisions to mitigate: 1) the potential bulk impacts of projects that include

plate height increases or upper story additions by mandating stepbacks and daylight planes; and 2) the potential aesthetic impacts of projects that are currently not regulated, by subjecting all additions to SFDR. As such, the proposed amendments to the SFDR process are expected to mitigate any adverse environmental impacts that may result from larger single-family homes or additions.

Single Family Design Review Standards (findings)

The proposed amendments would: 1) consolidate the technical SFDR findings; 2) modify design-related SFDR Finding A to require consistency with established development criteria (setbacks); 3) remove from Finding B review of tree removal, as tree removal would be incorporated into a companion permitting process (Tree Ordinance Findings); and 4) limit review of hardscape to its aesthetic impacts.

1) Consolidation of technical SFDR findings

The SFDR process currently contains both design-related (Findings A, B, E, & F) and technical findings (Findings C, D, G, & H). The distinction between these two types of findings is as follows:

Design-related SFDR Findings

Design-related findings are currently made by the Planning Commission and in the future would be made by the reviewing authority (either Community Development Director, Zoning Administrator, or Planning Commission). The reviewing authority will continue to evaluate the project plans/submittal materials to determine if the required design-related finding can be made.

Technical SFDR Findings

Currently, analysis of a proposed project for consistency with technical SFDR Findings does not include direct involvement by the Planning Commission or other reviewing authority. The City has identified relevant review processes to address technical findings. For a new home, a geotechnical report, storm-water checklist, and grading and drainage plan are required. The geotechnical report is peer reviewed by the city geologist, and geotechnical approval of the detailed working drawings is required prior to grading/building permit issuance. Storm-water checklists, and grading/drainage plans are reviewed for compliance/conditional compliance with state and local codes by Civil Engineers in the Department of Public Works; buildings and retaining walls are plan checked by consulting structural engineers for compliance with building code.

Thus, the City's established processes ensure that technical considerations (i.e., compaction rates for particular soil types, retaining wall construction standards, sizing and location of vegetated swales for drainage, etc.) are reviewed by qualified professionals.

The current technical findings (C, D, G, & H) would be consolidated into Finding F, as part of the proposed text amendments. This finding would cover the same issues, but indicates that this technical review would be the responsibility of city staff and consultants.

Proposed Finding F - City staff and consultants have provided technical review and conditions of approval, as applicable, have been adopted for project-related grading, drainage, storm-water runoff, vehicular and pedestrian access, site stability, structural encroachments, and construction impacts. [

Modification of SFDR Finding A consistent with the use of development criteria (setbacks)

The current version of SFDR Finding A specifies that buildings and structures shown on the site plan should be located to be consistent with the character of existing development on the site, and in the neighborhood. The requirement that buildings and structures be located consistent with neighborhood character may be inconsistent with the setback requirements identified in the property's zoning district. The proposed amendments would require that new development be consistent with the design of existing buildings and structures. The finding would continue to require that buildings and structures be located to minimize impacts to public views and protect ridgelines.

3) Remove from Finding B review of tree removal & modify review of hardscape

The current version of SFDR Finding B includes the balancing of factors to include tree removal. This provision would be removed, as it would be replaced with tree removal criteria for development review proposed in the Tree Ordinance. The review of hardscape would be limited to its potential aesthetic impacts, as consideration of site drainage and storm-water runoff would be provided in proposed SFDR Finding F. This modification to the SFDR findings would additionally mitigate aesthetic impacts due to hardscape.

Tree Ordinance – Definitions, Tiers, Findings & Valuation

The proposed amendments would provide: 1) revised definitions for protected trees and tree damage; 2) criteria (findings) for review (basis for approval or denial) for tree removals associated with development review projects; 3) a tiered system of review authorities consistent with the proposed SFDR process; and 4) a method for tree valuation that would include both the size and condition for trees proposed for removal. These proposed modifications would provide additional information for the review authority's consideration and are therefore expected to reduce any impacts due to tree removal.

Other Public Agencies Whose Approval Is Required

None.

Environmental Factors Potentially Affected:

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

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

Determination: (to be Completed by the Lead Agency)

On the basis of this initial evaluation:

X	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Damon DiDonato, Senior Planner

Date

Section 3 – Initial Study Checklist

	Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
I.	AESTHETICS — Would the Project:				
	a) Have a substantial adverse effect on a scenic vista?			X	
	b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
	c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
	d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				X

Comments to I.a: The City of Belmont General Plan Figure 9 (*Natural and Historic Resources Map*) identifies significant local vistas within the community. There are local scenic vistas identified on Tahoe Drive between Muir and Lassen Drive (R-1B District), along Ralston Ranch Road (HRO-1 District), at the intersection of San Juan Boulevard and San Ardo Way (R-1B District) and from Continental Way (R-4 and PD Districts). The proposed project would retain the features of the existing SFDR process that includes standards requiring that residential projects minimize disruptions of existing public views, and protect the profile of prominent ridgelines. As such, existing local scenic vistas would continue to be evaluated and protected, and impacts would be less than significant.

Comments to I.b: The California Scenic Highway Mapping System website does not identify the City of Belmont as being within a State Scenic Corridor. The closest State Scenic Highway is Route 280. There are properties within the City’s R-1E District and R-1B Districts on the western jurisdictional line of the City that may be marginally visible from Route 280. However, because the height limit within residential districts would not be modified by the proposed text amendments, development would not be more visible from Route 280. In addition, the City's currently adopted policies require that project sites with potential visibility from Route 280 be reviewed for potential impacts to the State Scenic Corridor. If a project site is found to have a potential for state scenic corridor impacts, an additional visual analysis is required and mitigation, if any is required, is imposed on individual projects proposing physical changes to the environment at the time such projects are reviewed. Therefore, less than significant impacts to scenic resources within a scenic corridor would result from the project.

Comments to I.c: The proposed text amendments would allow for somewhat larger single-family homes and additions on certain sites. However, City Staff and the Planning Commission would continue to evaluate the potential aesthetic impacts of single-family residential development though established development standards and the City’s Residential Design Guidelines. In addition, the proposed amendments incorporate mitigation measures to address: 1) the potential bulk impacts of projects that include plate height increases or upper story additions; and 2) the potential aesthetic impacts of projects that are currently not regulated by requiring SFDR for all residential additions. As such, the proposed project would have less than significant impacts to the visual character of the city.

Comments to I.d: The proposed text amendments would not modify city lighting standards or allow for new sources of substantial light or glare. Therefore, no impacts would occur.

(Sources: 1, 2, 3, 4)

	Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
II.	AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to the information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the Project:				
	a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
	b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
	c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in the Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526) or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
	d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
	e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

Comments to II.a –II.e: Review of the Farmland Mapping and Monitoring Program on the California Resource Agency’s website indicates that there is no Prime Farmland, Unique Farmland, or Farmland of

Statewide Importance within the City of Belmont. Review of County Assessor data indicates that a Williamson Act contract does not encumber any land within the City of Belmont. Therefore, the proposed project would not convert farmland to non-agricultural uses and no impacts would result.

(Sources: 1, 2, 3, 4, 5)

	Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
III.	<p>AIR QUALITY — Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the Project:</p> <p>a) Conflict with or obstruct implementation of the applicable air quality plan?</p> <p>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p> <p>c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?</p> <p>d) Expose sensitive receptors to substantial pollutant concentrations?</p> <p>e) Create objectionable odors affecting a substantial number of people?</p>			<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p>

Comments to III.a:

Regulatory Framework

The Bay Area Air Quality Management District (BAAQMD) is the regional agency responsible for overseeing compliance with State and Federal air quality laws, regulations and programs, within the nine-county Bay Area region. As a regulatory agency, the BAAQMD monitors air quality, and develops air quality plans for portions of the region that are designated as “nonattainment areas” for certain air pollutants (the entire Bay Area is a nonattainment area for ozone and particulate matter, mainly due to automobile use). The air quality plans are based upon projections of land use density and resulting traffic volumes representing build-out of the area under local jurisdictions’ general plans. Thus, projects that are deemed consistent with the applicable general plan are considered to be consistent with the air quality plan.

Discussion

The Belmont General Plan land use designations establish the potential density of residential development for the City. The proposed amendments would allow for potential increases in intensity (floor area) within the existing density limitations, but not an increase in density. Therefore, the project would not conflict with the applicable air quality plan, and no impacts would result.

(Sources: 1, 2, 3, 6)

Comments to III.b & III.c:

Regulatory Framework

The Bay Area is considered a non-attainment zone for ozone under both the Federal Clean Air Act and the California Clean Air Act. The Bay Area is also considered a non-attainment area for small particulate matter less than ten microns (also known as PM₁₀) under the California Clean Air Act, but not the Federal Clean Air Act. The Bay Area was previously considered a non-attainment area for carbon monoxide, but has attained both the State and Federal standards. As a result, the Bay Area is considered a carbon monoxide maintenance area under the Federal Clean Air Act.

The Bay Area is considered to have attained standards for all other regulated air pollutants (e.g., nitrogen oxide, sulfur dioxide, and lead). Attainment signifies that the region normally does not violate air quality standards. To attain and maintain ambient air quality standards, the BAAQMD has established thresholds of significance for air pollutants. These thresholds are for air pollutants, ozone precursors (reactive organic gases and nitrogen oxides), and PM₁₀, for which the BAAQMD has not attained ambient air quality standards. Projects with substantial carbon monoxide emissions or which generate substantial traffic that affects congested intersections must undergo detailed carbon monoxide analysis to predict local concentrations of that air pollutant. These concentrations are compared with applicable State and Federal ambient air quality standards.

Air quality impacts are associated with both construction (short term impacts) and operation (long term impacts) of a project. BAAQMD rules and regulations govern certain aspects of the construction phase of the project as they relate to air quality (i.e., use of Portland concrete batch plants and gasoline- or diesel-powered engines used for power generation, pumps, compressors, cranes, and architectural coatings and paving materials).

Setting and Impacts

Short-term Impacts

Short-term construction-related impacts would typically occur with site preparation, earthmoving, and general construction. Site preparation includes activities such as general land clearing, tree removal and grubbing. Earthmoving activities include cut and fill operations, trenching, soil compaction, and grading. General construction includes adding improvements such as a concrete driveway, single-family residence and garage.

The emissions generated from these construction activities generates short-term emissions of criteria pollutants, including suspended and inhalable particulate matter (PM₁₀ and PM_{2.5}), and equipment exhaust emissions. The *BAAQMD CEQA Guidelines* do not call for quantification of construction emissions, but considers any project's construction-related impacts to be less-than-significant with appropriate implementation of BAAQMD-recommended dust-control measures. The City of Belmont requires dust control measure identified by BAAQMD as standard conditions of project approval (levied by the Public Works Department). Subject to these standard conditions, short term project construction would be considered less than significant.

Short term impacts – Asbestos and Lead

The potential for toxic air contaminants (asbestos and lead based paint) to be released into the environment is regulated and monitored through the Building Division in compliance with *BAAQMD Regulation 11, Rule 2 during Demolition*. Any applicant requesting a building or demolition permit involving a structure suspected of containing asbestos (defined as a building constructed prior to 1978) and/or lead based paint (defined as a building constructed prior to 1960) is required to obtain a J-Permit from the BAAQMD. The BAAQMD requirements are implemented and enforced in concert with the Permit Center which is a coalition of the Building, Planning, Public Works and the Belmont Fire Protection District Fire Department. The Building Division requires the Project applicant to notify the BAAQMD when buildings suspected of containing asbestos or lead based paints are subject to demolition. Any applicant requesting a building or demolition permit involving a structure suspected of containing asbestos and/or lead based paint is required to obtain a J-Permit from the BAAQMD. The Building Division requires the project sponsor to obtain a “J” number from the BAAQMD demonstrating compliance with their regulations for demolition of structures containing or suspected of containing asbestos. The J number shall be provided to the City of Belmont Permit Center prior to the City Building Division issuing a demolition permit. All buildings known or suspected of containing asbestos are required to conform to this process.

Any activities that will cause disturbance to identified materials containing asbestos must be removed in accordance with local, state and federal guidelines. Additionally, any materials containing 1/10 of one percent or greater asbestos by weight as determined by the PLM method of analysis mandates that the material be treated as asbestos-containing and are subject to regulation under CCR Title 8, Section 1529 (pursuant to Cal-OSHA regulations). As such, short term project construction impacts related to asbestos and lead would be considered less than significant.

Long-term Impacts

Relative to long-term impacts, the Transportation Engineers Manual (ITE) indicates that the average trip generation rate for single family residential projects is 9.57 trips per day per residence. The BAAQMD CEQA Guidelines identify 2,000 trips per day as the threshold that triggers a detailed air quality analysis. As noted above, the proposed amendments would allow for potential increases in intensity (floor area) within the existing density limitations, but not an increase in density. As such, the proposed project would not contribute to cumulative impacts on regional ozone or particulate matter levels from overall growth and development in the Bay Area. Long term impacts and cumulative project impacts would be less-than-significant.

(Sources: 1, 2, 3, 6, 7)

Comments to III.d:

Regulatory Framework

The BAAQMD CEQA Guidelines define sensitive receptors as facilities where sensitive receptor groups (i.e., children, elderly, acutely ill, and chronically ill) are likely to be located. Such uses include residences, schools, playgrounds, childcare centers, retirement homes, convalescent homes, hospitals, and medical clinics. Residential land uses are more sensitive to air quality conditions than commercial or industrial because people generally spend longer periods of time in their homes and as such have a greater exposure to ambient air quality conditions.

Setting and Impacts

Belmont is primarily a residential community and the proposed amendments would allow for potential increases in floor area within the existing residential areas. However, individual single family residential development would not generate substantial pollutant concentrations, and compliance with the regulations and procedures already established and enforced as part of the permit review process would ensure that potential short-term air quality impacts would be reduced to a level of insignificance.

(Sources: 1, 2, 3, 6, 7)

Comments to III.e: This project neither authorizes nor approves any specific activities that would result in a direct physical change to the environment. However, individual construction projects that occur pursuant to the ordinances proposed by the project may use various diesel-powered vehicles and equipment whose use creates odors. As described previously, the City enforces controls on construction vehicles as required by the Bay Area Air Pollution Control District. Therefore, the project would result in a less than significant impact.

(Sources: 1, 2, 3, 6, 7)

Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES — Would the Project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any 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 Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X

	Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Comments to IV.a & IV.b:

Regulatory Framework

Nesting and Migratory Birds and Bats

Nesting birds are protected by the California Department of Fish and Game Code Section 3503 and the Federal Migratory Bird Treaty Act, as follows:

California Department of Fish and Game: Nesting birds are protected by the California Department of Fish and Game Code Section 3503, which reads, “It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.”

The Federal Migratory Bird Treaty Act (MBTA: 16 U.S.C., sec. 703, Supp. I, 1989 *Federal Migratory Bird Treaty Act (MBTA: 16 U.S.C., Section 703-712*: There are over 900 species of birds protected by the MBTA. The MBTA prohibits killing, possessing, or trading in migratory birds, except in accordance with regulations prescribed by the Secretary of the Interior. This Act encompasses whole birds, parts of birds, and bird nests and eggs. Construction activities during the breeding season could result in the incidental loss of fertile eggs or nestlings or nest abandonment. The MBTA is typically enforced by the California Department Fish and Game. A standard requirement is to either conduct tree and building removal during the non-nesting season which in San Mateo County is September 1- January 31 or conduct a nesting survey within five days prior to tree removal and should nests be found they are required to be protected in place until the birds have fledged. Protection of the nests would require leaving the tree in place and based upon the type of bird species identified by the biological study, various setbacks during project construction (including grading and tree removal) would be required until the birds have fledged.

Setting

Belmont’s residential neighborhoods include numerous trees. In addition, portions of the city’s residential properties abut heavily wooded open space lands, undeveloped hillsides and canyons.

Impacts

Belmont’s existing tree removal process typically includes the submittal of an arborist report, and/or a review of site conditions and trees by the City Arborist and city staff. These reviews allow for an opportunity to evaluate the condition and location of trees and the presence of nesting birds. In addition,

projects abutting heavily wooded open space lands, undeveloped hillsides and canyons typically require a biological survey, depending on the scope of the project and the potential impacts on trees. Should impacts to nesting birds be identified, standard surveys are required prior to construction, as identified above.

The proposed text amendments would modify the procedures required for tree removal by the City's Tree Ordinance, but would retain the existing processes that identify potential impacts to nesting birds (i.e., an arborist report would still be submitted, and a consulting arborist and staff would still visit the site to evaluate trees proposed for removal). As such, potential impacts would be less than significant.

(Sources: 1, 3, 8)

Comments to IV.c – IV.e: There are residential properties within the city of Belmont that contain wetlands, creeks, and riparian vegetation. The City currently requires applicants to submit a Joint Aquatic Resources Permit Application (JARPA), when development is proposed on properties that may impact these sensitive resources. City staff also consults directly with responsible state and federal agencies, as needed. The JARPA process and staff consultations allow for input from applicable state and federal agencies while city staff reviews the project and makes an environmental determination. Often, this early input assists city staff in determining if environmental impacts may occur from a project and what measures may be taken to avoid these impacts (i.e., extension of setback requirements and the planting of barrier vegetation to avoid creek siltation). Revisions to the Belmont Tree Ordinance and Zoning Ordinance would not result in a modification to this process. Therefore, no impacts in this category would result.

Comments to IV.f:

Conflicts with Local Policies or Ordinances Protecting Biological Resources

Regulatory Framework

The City currently has a Tree Ordinance (Chapter 25 Belmont Code). As previously discussed, the proposed amendments would revise and reorganize the existing tree ordinance. Specifically, the amendments would provide: 1) revised definitions for protected trees and tree damage; 2) criteria (findings) for review (basis for approval or denial) for tree removals associated with development review projects; 3) a tiered system of review authorities consistent with the proposed SFDR process; and 4) a method for tree valuation that would include both the size and condition for trees proposed for removal. These proposed modifications would provide additional information for the review authority's consideration.

Under the revised Tree Ordinance, an applicant would still be required to pay tree removal fees and/or plant mitigation plantings for the removal of protected trees. In addition, standard or specific conditions of project approval would require adherence to the tree protection measures identified by city staff and the city's consulting arborist. Tree removal and mitigation fees required by the Municipal Code would allow the City to replace site trees and mitigate mature tree loss by planting trees on properties elsewhere in the City. As such, the proposed amendments would result in a less than significant impact with respect to violation of City Ordinances protecting biological resources.

(Sources: 1, 2, 3, 8)

Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES — Would the Project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?			X	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d) Disturb any human remains, including those interred outside of formal cemeteries?			X	

Comments to V.a: The Project would have a significant environmental impact if it were to cause a substantial adverse change in the significance of a historical resource as defined in §15064.5. CEQA relies on the criteria identified in Title 14 California Code of Regulations, Public Resources Code Section 4852.1 to identify if a building is appropriate for listing in the California Register of Historical Resources (Determining the Significance of Impacts on Historical and Unique Archaeological Resources, Section 15064.5 Title 14, Chapter 3, California Code of Regulations). In summary, is/does the building:

- A. Associated with events that have made a significant contribution to the broad patterns of California history and cultural heritage;
- B. Associated with the lives of persons important in our past;
- C. Embody the distinctive characteristics of type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or,
- D. Yield or may be likely to yield, information important in prehistory or history.

Belmont General Plan Figure 9 (Natural and Historic Resource Map) and the City’s Historical Resource Survey identify properties containing historical resources within the city. When development is proposed on properties with historical resources, an analysis by an architectural historian is required to determine if the project would result in impacts to these resources.

Projects with potential impacts to historical resources are also required to obtain a Certificate of Appropriateness and additional project-level environmental review under CEQA. While the proposed Zoning Ordinance amendments would allow for somewhat larger single-family homes on some sites, they would not modify this existing process. Therefore, there would be no impact to historical resources from the project.

(Sources: 1, 2, 9, 10, 11)

Comments to V.b, - V.d:

Regulatory Framework

Archaeological Resources

Appendix K, Section II of the CEQA Guidelines indicates that public agencies should seek to avoid damaging effects on an archaeological resource whenever feasible. If avoidance is not feasible, Appendix K, Section III provides criteria for evaluation of the site, and appropriate mitigation. In addition, Section 21082 of the Public Resources Code indicates that a Lead Agency should make provision for archaeological sites accidentally discovered during construction. These provisions should include an immediate evaluation of the find. If the find is determined to be an important archaeological resource, contingency funding and a time allotment sufficient to allow recovering an archaeological sample or to employ one of the avoidance measures should be available. Construction work could continue on other parts of the building site while archaeological mitigation takes place.

Human Remains

Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner's authority. The County coroner must be notified within 48 hours of the discovery. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

Setting

Belmont is a developed, urbanized city. However, the City of Belmont was once inhabited by Native Americans, who generally settled along the San Francisco Bay margins. There are also known archaeological sites recorded within the city (near Belmont City Hall and the Davey Glen area) and sites with at least a moderate archaeological sensitivity rating. As such, excavation activities associated with the projects could potentially disturb cultural resources.

Impacts

The proposed Zoning Ordinance amendments would allow for somewhat larger single-family homes, which have a small potential to result in additional impacts to archeological or cultural resources, or the discovery of human remains. However, the City has adopted procedures consistent with the requirements identified in Appendix K, Section II of the CEQA Guidelines and Section 7050.5 of the California Health and Safety Code to mitigate archaeological impacts.

For projects located in or near areas of known archaeological finds or with a moderate archaeological sensitivity rating, an archaeological report is required. This report includes a records review from the Anthropological Studies Center at Sonoma State University and a site reconnaissance by a qualified archaeologist. Should potential impacts be identified, project modifications or mitigation measures would be required through the environmental review process.

For all other projects where accidental discoveries may occur, the city has the following standard conditions of approval:

- 1. If archeological or cultural resources are discovered during construction activities, all construction activity shall stop until the resource can be evaluated by a qualified archaeologist and a determination can be made of the resource’s significance and need/method for its recovery.*
- 2. If human remains are discovered during excavation or site preparation the applicant shall stop work immediately and contact the San Mateo County Coroner. After being notified by the person responsible for the excavation, the Coroner shall examine the remains. If the remains are Native American, the Coroner has 24 hours after the examination to notify the Native American Heritage Commission.*
- 3. Prior to issuance of building permits, the applicant shall ensure that construction crews have proper training for the discovery, handling and retention methods for archeological and/or cultural resources found at the project site. Project personnel should not collect cultural resources. Prehistoric resources include: chert, or obsidian flakes, projectile points, mortars and pestles, dark, friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources include: stone or adobe foundations or walls, structures and remains with square nails, and refuse deposits or bottle dumps.*

The proposed text amendments would not alter the standard city process or conditions of project approval. As such, the impacts to cultural resources would be less than significant.

(Sources: 1, 2, 9, 10, 11,)

	Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
VI.	GEOLOGY AND SOILS — Would the Project:				
	a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
	ii) Strong seismic ground shaking?			X	
	iii) Seismic-related ground failure, including liquefaction?			X	
	iv) Landslides?			X	
	b) Result in substantial soil erosion or the loss of topsoil?			X	
	c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
	d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
	e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

Regulatory Framework

Belmont General Plan Seismic Safety Element: The City of Belmont addresses seismic and geologic safety through its General Plan policies, conditions of project approval, the environmental review process and building permit issuance. The Seismic Safety Element of the General Plan states the goals are to:

1. *To minimize the risk of loss of life, injury and property damage from earthquakes, floods and other natural hazards affecting the community.*
2. *To continue to obtain and incorporate into City decision-making information delineating geologic, hydrologic and seismic hazards.*

General Plan Policy 3041.1 of the Seismic Safety Element states that:

The City shall require investigations by both registered soils engineers and engineering geologists prior to issuing building permits for any new construction unless such reports are waived due to current existing information and location. All such reports shall be independently evaluated on behalf of the city for completeness and accuracy.

Belmont City Code Section 530, Chapter 9.3 and 9-26 (a) and (b) provide for the preparation of a geotechnical report and peer review by the City Geologist. The City's Engineering Division also requires geotechnical reports as a part of the permit package for projects to be constructed on vacant land, demolition and rebuilding and additions to buildings that require grading and additional loading. The geotechnical reports are required to be prepared by a licensed geologist, geotechnical engineer or engineering geologist. The reports address design and construction specifications for the project including grading, site drainage, utility and infrastructure design specifications, building placement, and building design.

The reports are peer reviewed by the City's geotechnical consultant and are required to be modified to include the recommendations of the City's consultant. Geotechnical approval is required prior to issuance of a building permit and in the case of applications involving an entitlement consideration is required prior to being certified as complete by the Planning Division.

The geotechnical professional of record is required to review all project drawings, and prepare a final report for the city Engineer and City Geologist, prior to issuance of grading or building permits. The geotechnical professional of record is also required to provide construction inspections, oversight, monitoring, and a final report of as-built conditions for the project to assure that the project is built to specifications. The Engineering Division in consultation with the City Geologist implements and monitors construction requirements. A final Building Permit inspection and occupancy will not be granted if the required procedure (inspections, monitoring, and reports) is not followed.

Comments to VI.a.i - VI.a.iv & VI.c: The proposed text amendments would allow for somewhat larger single-family homes on some sites, which may have additional impacts on geology and soils. However, as discussed above, the City's standard procedures require the preparation of a site specific geotechnical investigation, independent peer review of the investigation and incorporation of the findings of the independent peer review into project building design (detailed working drawings). No changes are being made to these procedures. Thus, with existing project review and geotechnical project conditions of approval, exposure of people or structures to potential seismic impacts and soil stability would be less than significant.

(Sources: 1, 2, 3, 12, 13, 22)

Comments to VI.b:

The Project would not have a potential to increase erosion during construction and operation because of the City's NPDES C-3 requirements implemented by the City as a condition of building and grading permit issuance. These methods are described in Hydrology and Water Quality.

Comments to VI.d: All construction projects are required to comply with the California Building Code. Projects located on soils identified in Volume 2 Table 18-1-B of the California Building Code are required to comply with the construction specifications to mitigate potential impacts due to liquefaction. This requirement is enforced and monitored by the Engineering Division. Compliance with the California

Building Code is implemented and monitored by the Building Division. The proposed text amendments would not alter this procedure. Therefore, no impacts would result.

Comments to VI.e: Belmont currently requires connection to the City’s sanitary sewer system. The Project does not propose modifying this requirement by allowing for connection to septic tanks or alternate waste disposal systems. Thus, the Project would have no impact on soils due to septic systems.

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

Comments to VII.a-c: Residential construction projects result in the transport and use of minor amounts of hazardous materials used in construction, such as diesel fuel for generators. These materials would be used in amounts that would not present a hazard to the public. Impacts would be less than significant.

(Sources: 1, 2, 3, 13, 14)

Comments to VII.d: The proposed text amendments do not rezone any sites or modify the list of permitted uses in any zone. Therefore they will not additionally expose residential uses to hazardous material sites and will have no impact on exposure to these sites.

(Sources: 1, 2, 3, 13, 14)

Comments to VII.e – VII.f: San Francisco International Airport is the nearest public airport to the site. It is located approximately 7 miles to the northeast of the City. San Carlos has private aviation facilities located within the vicinity of Belmont, and portions of Belmont are located within the San Carlos airport land use plan.

The 1996 San Mateo County Comprehensive Airport Land Use Plan for San Carlos (SQL CLUP) identifies safety zones for each runway end. The safety zone configuration for SQL CLUP is located outside the municipal boundary of the City Of Belmont. The proposed text amendments do not rezone any sites, modify the list of permitted uses in any zone, or increase height limits, and so create no changes in potential uses that may conflict with the Airport Land Use Plan. Furthermore, single family residential construction (new or rebuilt on existing lots) would include structures no greater than 28 feet in height, and would not result in a greater safety hazard to project residents from airport use. Therefore, no significant impacts would result.

(Sources: 1, 2, 3, 18, 22)

Comments to VII.g: The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Individual project applications are routinely reviewed for adequate emergency access by the Police and Fire Departments. The proposed amendments to the Zoning Ordinance would not modify this procedure. Therefore, no impacts would result.

(Sources: 1, 2, 3, 13)

Comments to VII.h: Portions of the city are located in a High Fire Hazard Severity Zone. However, standard conditions of project approval require the submittal of a vegetation management plan (VMP), and/or design compliance with California Building Code Chapter 7-A, prior to issuance of building permit. The proposed text amendments would not modify this procedure. Thus, fire hazards impacts would be less than significant with the implementation of the City's standard requirements.

(Sources: 1, 2, 3, 13, 21)

Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
VIII. HYDROLOGY AND WATER QUALITY —				
Would the Project:				
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X	
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?			X	
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
j) Inundation by seiche, tsunami, or mudflow?			X	

Regulatory Framework

National Pollutant Discharge Elimination System Storm Water Discharge Permit: The City of Belmont is a member of the San Mateo Countywide Storm Water Pollution Prevention Program (STOPPP), an organization of the City/County Association of Governments (C/CAG) of San Mateo County holding a National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge permit. STOPPP's goal is to prevent polluted storm water from entering creeks, wetlands, and the San Francisco Bay. As with most communities, Belmont does not treat storm water. Consequently, the City requires the implementation of Best Management Practices (BMP's) for new development and construction as part of its storm water management program through adopted standard conditions of project approval. These requirements are implemented and monitored by the Engineering Department within the Department of Public Works.

Municipal Regional Stormwater Permit (MRP). The City of Belmont requires, through conditions of project approval, project compliance with the Municipal Regional Stormwater Permit (MRP) Stormwater Control Requirements. Effective December 1, 2012, certain small projects must meet site design requirements in Provision C.3.i of the Municipal Regional Stormwater Permit. This applies to projects that create and/or replace at least 2,500 but less than 10,000 square feet of impervious surface, and individual single family home projects that create and/or replace 2,500 square feet or more of impervious surface. Applicable projects must implement specific site design measures intended to retain and treat water on site.

Applicants for projects that include grading or replacement or increase in hardscape are required to submit hydrology calculations and/or complete a storm-water checklist for small projects in accordance with MRP, C.3.i requirements. The Department of Public Works reviews and conditions these plans calculations and checklists to ensure conformance/conditional conformance with MRP requirements.

Comments to VIII.a: The proposed project allows somewhat larger single-family homes on some sites, which may result in water quality impacts; however, the City's standard conditions of approval, required by law, mitigate any potential water quality impacts as a result of project construction or occupation. Therefore, the project would not result in the violation of water quality standards or water discharge requirements, and impacts would be less-than-significant.

(Sources: 1, 2, 3, 20, 21, 22)

Comments to VIII.b:

The proposed project would make no changes that would allow for the use on-site groundwater or for the creation of additional impervious surface that would substantially interfere with groundwater recharge; Mid-Peninsula Water District (MPWD) would continue to provide domestic water to the city. Therefore, impacts would be less-than-significant.

(Sources: 1, 2, 3, 20, 21, 23)

Comments to VIII.c - VIII.f:

The proposed project allows for somewhat larger single-family homes on some sites, which may result in alteration to drainage patterns and additional runoff; however, individual development projects receive preliminarily review by the City's Department of Public Works, and detailed working drawings are

required to be submitted for review and approval as part of the grading and building permit application process.

Existing standards require that no additional storm water run-off be directed to adjacent properties. Thus, the proposed text amendments would not substantially alter the existing drainage patterns of the project sites or areas in a manner that would result in substantial erosion or siltation on or off-site. In addition, the Department of Public Works reviews existing storm drain systems to ensure that development project would have adequate capacity for the proposed development. Therefore, the proposed text amendments would not result in projects that would create flooding on or off-site. The project's impact on drainage, stormwater and water quality would be less-than-significant.

(Sources: 1, 2, 3, 20, 21, 22)

Comments to VIII.g – VIII.j:

The Flood Insurance Rate Map (FIRM Panel Number 0650160005B) for the City of Belmont shows existing residential properties within areas designated as Flood Hazard Zone A (a 100 year flood zone). The City also has residential properties in proximity to the San Francisco Bay, and within hillside areas.

The project would allow additional square footage on some existing properties, but would not create additional parcels in flood zones, near the Bay or in hillside areas, impede or redirect flood flows, or expose additional project sites to flooding as a result of the failure of a levee or dam. The project would make no changes to the existing requirements for development in flood zones, and the procedures for the review of projects in these areas would not be altered. As a result, less than significant impacts would result.

(Sources: 1, 2, 3, 17, 18)

	Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
IX.	LAND USE AND PLANNING — Would the Project:				
	a) Physically divide an established community?				X
	b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
	c) Conflict with any applicable habitat conservation plan or natural community conservation plan?			X	

Comment to IX.a: The proposed project includes modifications to the City’s Zoning Ordinance and Tree Ordinance, which would apply to properties throughout the city. The project does not propose modifying the Zoning Ordinance to allow for any specific physical construction, such as an on-grade railroad crossing or a canal that would physically divide one part of the community from another part. Thus, no impacts would occur.

Comments to IX.b - IX.c: Relevant General Plan goals and Policies are provided below.

General Community, Biology & Conservation

Goal 1015.3 - *To preserve significant open spaces, trees, views, waterways, wildlife habitats, and other features of the natural environment.*

Goal 1015.9 - *Protect and conserve significant community resources such as energy, clean air and water and historic or architecturally interesting buildings.*

Policy 1016.6 - *Natural features, such as ridgelines, canyons, steep hillsides, meadows, streamsides and significant stands of trees, should be preserved and protected through planning, conservation practices and, where appropriate, the dedication of open space or scenic easements.*

Policy 3052.1 - *New Development shall be located and designed to preserve specimen trees and significant stands of trees to the extent possible.*

Policy 3052.2 - *The use of native and drought resistant vegetation should be encouraged in new landscaping.*

The proposed text amendments would not alter energy efficiency requirements for new construction; remodels of older homes need to comply with current energy efficiency requirements. As discussed in Air Quality and Water and Hydrology Sections, protections afforded to air and water resources would not be diminished by the proposed text amendments. The proposed text amendments would also not alter existing procedures implemented through SFDR to protect public views and promote the use of drought-tolerant landscaping. Modifications to the Tree Ordinance would provide standards and a process for review of tree removal applications that promote the retention of native and locally adapted tree species.

No modifications are proposed to existing provisions for the protection of open space, wildlife habitats, water quality, or air quality. The clustering provisions in the HRO-1 District, and the conservation easement requirement for floor area/density transfer in the HRO-2 District would also be retained.

Seismic & Safety

Goal 1015.8 - To protect persons and property from unreasonable exposure to natural hazards such as floods, fire, unstable ground, erosion and earthquakes.

Policy 1016.8 - In any development within the Planning Area, geologic conditions should be thoroughly evaluated to avoid or mitigate problems of unstable land.

Policy 3041.1 - The City shall, require investigations by both registered soils engineers and engineering geologists prior to issuing building permits for any new construction unless waived due to current existing information and location. All such reports shall be independently evaluated, on behalf of the City, for completeness and accuracy.

Policy 3041.13 - No new construction shall be permitted in areas where emergency access cannot be adequately ensured.

Policy 3041.14 - Sprinkler systems and/or smoke detectors should be required according to ordinance provisions administered by the South County Fire District.

Policy 3041.15 - Fire retardant roofing and exterior siding materials should be required for any major remodeling of structures in presently developed areas which are adjacent to wooded open space areas or without adequate emergency access or water flow, assuming that 80 percent of the siding or roofing is being remodeled.

Policy 3041.16 - All geologic reports required by the City in support of a development application shall include an evaluation of seismic conditions on and near the site and how they could affect the proposed development.

Policy 3046 - In addition to engineering geologic investigations, soils engineering studies of the site are needed as a basis for foundation design. All Geotechnical studies should include an evaluation of the risk from earthquake-induced ground motion and ground failure.

As discussed under the Geology and Soils Section, the proposed text amendments would not alter existing procedures implemented through City Code and Zoning Ordinance relating to seismic safety. In addition, review of construction projects for adequacy of emergency access, and consistency with building and fire codes would not be altered.

Residential Building Intensity & Development Standards

Policy 1016.2 - Intensity of the use of land as measured by such factors as parcel size, population density, building coverage, extent of impervious surfaces, public service requirement parking requirements, and traffic movements should be based on the following general principles:

- a. Intensity of land use should decrease as steepness of terrain and distance from major thoroughfares increase.*

- b. The lowest intensities of use should occur on the steep hill-sides to limit storm run-off, prevent increase erosion, avoid unstable slopes, protect vegetation and watershed, and maintain scenic qualities.*
- c. Intensity of use of individual parcels and buildings should be governed by considerations of existing development patterns, water and air quality, accessibility, traffic generation, parking, noise, fire safety, drainage, natural hazards, resource conservation and aesthetics.*
- d. Intensity of land use should be regulated according to the availability of community facilities and services.*

Policy 1016.4. - *The following standards shall apply to all new development:*

- a. Sewage disposal shall be by sanitary sewers.*
- b. Storm drainage facilities shall be provided.*
- c. Erosion shall be minimized through such measures as runoff retention and revegetation.*
- d. Grading and new impervious surfaces shall be kept to the minimum necessary to permit development of land in a manner compatible with its characteristics and designated use.*
- e. Land, water and energy shall be used efficiently.*
- f. Structures shall be clustered, where possible, to maximize open space and minimize costs of providing public services.*
- g. Safe access to the public road system of the community shall be provided.*
- h. Fire and police protection shall be adequately provided.*
- i. Slopes exceeding 30 percent shall be avoided whenever possible.*

The proposed text amendments would continue to base permitted floor area for residences on the slope and size of the lot. In addition, residential projects would continue to be reviewed for consistency with the development standards identified above. Therefore, the project would be consistent with Belmont General Plan goals and policies, adopted for the purpose of avoiding or mitigating environmental effects; less than significant impacts would occur.

(Sources: 1, 2, 3)

	Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
X.	MINERAL RESOURCES — Would the Project:				
	a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
	b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Comments to X.a-X.b:

The Belmont General Plan does not identify any regionally or locally-important mineral resources within the City of Belmont. Therefore, no impact would result.

(Sources: 1, 2, 3)

	Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XI.	NOISE — Would the Project:				
	a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
	b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
	c) A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?			X	
	d) A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?			X	
	e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?			X	
	f) For a Project within the vicinity of a private airstrip, would the Project expose people residing or working in the Project area to excessive noise levels?			X	

Regulatory Framework

The Belmont General Plan, Noise Element (1996), Belmont Noise Ordinance and the California Building Code establish requirements with respect to the noise environment.

General Plan: The City’s Noise Element (1996) contains noise compatibility guidelines, which apply to residential uses for new construction and intensification of existing land uses. These guidelines identify noise levels in terms of a noise descriptor known as the “day-night” average noise levels (L_{dn}), which reflects a 10-dBA penalty to noise occurring from 10:00 PM. through 7:00 AM. Specifically, the guidelines identify noise levels up to 65 dBA (L_{dn}) as “Normally Acceptable,” while noise levels up to 70 dBA are “Conditionally Acceptable.” Noise levels between 70 and 75 dBA (L_{dn}) are considered “Normally Unacceptable,” while noise levels above 75 dBA are “Clearly Unacceptable.” “Conditionally Acceptable” for residential uses indicates that new construction should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems will usually suffice where noise levels are 70 dBA (L_{dn} or CNEL) or less. These standards are consistent with and implement the State Department of Noise Control’s Noise Guidelines.

General Plan Noise Program 1.3 “*Review Intensification of Existing Land Uses*” states that use of the noise contours in the Noise Element in conjunction with the state Noise Guidelines (adopted by the City 1996 and identified in the preceding paragraph) should be used to assess the appropriateness of intensification of existing land uses. This program is an implementation strategy designed to achieve the stated Noise Element goal, “Promote a Balanced Community.” Furthermore, the City’s goal is to “Promote a noise environment that reflects the balance of the various City objectives while providing an environment that maintains a healthy living environment; fosters relaxation and recreation; is conducive to the work environment; and provides pleasant living conditions”. Policy 2.1 states “Ensure that noise levels appropriate to protect the public health and wellbeing are maintained.” The Noise Element cites the Environmental Protection Agency in identifying 70 dBA, L_{eq} as the noise level based on continuous exposure (i.e., 365 24-hour a day exposure) below which the public is protected from hearing loss due to ambient noise sources (Belmont Noise Element, page 13). The L_{eq} measurement is not a “weighted” noise descriptor as is the L_{dn} .

The Noise Element defines sensitive land uses as residential areas, hospitals and extended care facilities, schools, libraries and parks (Belmont Noise Element, page 21). Sensitive land uses are typically more sensitive to high noise levels and changes in ambient noise levels. High noise levels and intrusive noise can disrupt relaxation and sleep, convalescing, and the enjoyment of open space and recreational areas.

The California Building Code (Section 1207 – *Sound Transmission*) requires construction assemblies to have a sound transmission class (STC) of no less than 50 (45 if field tested) for airborne noise when tested.

Comments to XI.a:

Settings and Impacts

Temporary Construction Noise

The process for the new or substantially remodeled residential construction can generally be divided into four stages: tree removal/ grading, foundation work, building construction, and finish work/landscaping. The noise level for each phase of construction would vary, but tree removal/grading and foundation work

would typically be responsible for the highest levels of noise generation. Construction noise sources range from approximately 75 to 85 dBA at a point 50 feet from the source.

Construction noise, although annoying, is considered a temporary impact; it is not a 24-hour seven day a week noise source that would continue in perpetuity as a result of a zoning entitlement. The Belmont Noise Ordinance requires gasoline-powered construction equipment to be equipped with an operating muffler or baffling system as originally provided by the manufacturer, and no modification to these systems is permitted. In addition, the Noise Ordinance limits the hours of construction activity to the least sensitive times of the day and week, for the majority of the people: 8:00 AM to 5:00 PM Monday through Friday (while most people are at work) and 10:00 AM to 5:00 PM on Saturdays, only. Construction activities are not permitted during the noise sensitive times of the day, evenings and nights when people are home. Given the Noise Ordinance time restrictions on grading and construction activities, and the attenuation that baffling and muffler systems would provide, temporary construction impacts to the adjacent residential receptors is a less-than-significant level for single-family homes and additions.

For larger homes, the City also requires standard conditions of approval that help reduce potential annoyance from construction noise, including requirements that applicants: 1) provide neighborhood notification of construction schedule; 2) power down construction equipment when not in use; 3) locate stationary noise-generating construction equipment as far as practical from existing nearby homes; and 4) appoint a construction disturbance coordinator responsible for receiving and acting on complaints about construction noise.

Further standard requirements of the California Building Code (Section 1207 – *Sound Transmission*) requires construction assemblies to have a sound transmission class (STC) of no less than 50 (45 if field tested) for airborne noise when tested.

The proposed project would allow for the construction of additional floor area for some single-family homes. However, construction projects would continue to be subject to the City's Noise Ordinance, standard project conditions of approval, and Building Code requirements, and compliance with such required measures would ensure that noise impacts would be less than significant.

(Sources: 1, 2, 3, 13, 21)

Comments to XI.b: Single family residential development in Belmont does not include the types of construction activities that would result in significant ground borne vibration or noise (i.e., pile driving). Therefore, the project would result in less-than-significant impacts related to ground borne noise and vibration.

(Sources: 1, 2, 3, 13, 21)

Comments to XI.c & XI.d:

Operational Noise

The City of Belmont General Plan Noise Element defines ambient noise as what constitutes the “normal” or “background” condition. Ambient noise is a composite from all noise sources that are experienced at a given location. Ambient noise in a residential area, for example, could be comprised of the sounds of people talking, children playing, dogs barking and motor vehicles passing by.

The City of Belmont General Plan Noise Element defines intrusive noise as noise that intrudes over the existing ambient noise in a given location. The relative intrusiveness of the sound depends upon the

amplitude, duration frequency and time of occurrence of the intrusive noise as well as the level of ambient noise. A train whistle is an example of an intrusive noise.

Settings and Impacts

The proposed project would allow for additional floor area in existing single family residential neighborhoods, but does not change permitted uses or density. This type of change would not be expected to cause a substantial temporary or permanent increase in ambient noise. Less than significant impacts would result.

(Sources: 1, 2, 3, 13, 21)

Comments to XI.e & XI.f:

The 1996 San Mateo County Comprehensive Airport Land Use Plan for San Carlos (SQL CLUP) uses the 55 CNEL (Community Noise Equivalent level) noise contours for determining land use compatibility of development. Development within the 55 CNEL contour is considered conditionally compatible with SQL CLUP.

Portions of the City of Belmont are located within the San Carlos airport land use plan and the 55 CNEL noise contour. Pursuant to Table IV-2 in the Airport Land Use Plan, new construction or development of residential properties within the 55-60 CNEL Contour requires an analysis of noise reduction features (insulation or attenuation) in the project design. The proposed project would allow for additional floor area in existing single family residential neighborhoods, but does alter the requirements for a sound attenuation study for this development. Therefore, less than significant impacts would result.

(Sources: 1, 2, 3, 13, 22)

Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XII. POPULATION AND HOUSING — Would the Project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Comments to XII.a:

Environmental Setting

Belmont incorporated in 1926 with less than 1,000 residents. From the 1920s through 1950s, the City’s population increased to about 5,500 persons. The population increased to approximately 16,000 by 1960; by 1990, the population was more than 24,000, and in January 2013, the California Department of Finance (DOF) estimated Belmont’s population at 26,316 residents.

The Association of Bay Area Governments (ABAG) makes long-term forecasts of population, households, and employment, which is based on historic trends, as well as emerging trends, demographics, and local policies. Population projections provide a snapshot of future trends based on assumptions about development capacity, demographic changes and economic conditions. ABAG estimates that Belmont’s population will increase to 26,600 residents in 2015, 27,900 residents in 2025 (slightly under the build-out assumption of 28,000 contained in the 1982 General Plan). ABAG projects the City’s 2035 population at approximately 29,000 residents.

Direct and Indirect Actions

A General Plan Amendment allowing for additional development density is an action that may indirectly foster a substantial increase in population. Other indirect actions would include urbanization of remote, undeveloped or inaccessible lands (i.e., the extension of utilities, the construction of major roadways or bridges, or significant drainage improvements and grading), a new source of permanent employment for large numbers of people, and an increase in water and sewer capacity where demand currently exceeds supply.

Impacts

The proposed project would allow for additional floor area on some sites in existing single family residential neighborhoods, but does not change permitted uses or density, nor does it allow for urbanization of undeveloped areas. This type of change would not be expected to foster substantial increases in population growth. Therefore, impacts would be less than significant.

(Sources: 1, 2, 3, 24)

Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XIII PUBLIC SERVICES — a) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				

Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
i) Fire protection?			X	
ii) Police protection?			X	
iii) Schools?			X	
iv) Parks?			X	
v) Other public facilities?			X	

Comments to XIII.a:

Public services are currently provided for residential uses in the city, as follows:

Fire Protection

Fire services for the City of Belmont are provided by the Belmont Fire Protection District. The district is part of a “boundary-drop” response system for fire and emergency medical services in San Mateo County, which includes Belmont, San Mateo and Foster City. District fire fighters are trained to respond to all types of incidents, including structural fires, medical calls, hazardous materials calls, wild land fires and public assists. Each fire apparatus has a paramedic with ambulance services provided by a private contractor. The cities in the district shares management personnel, and the closest fire unit is dispatched to a call regardless of jurisdiction.

Police Protection

Police services for the City are provided by Belmont Police Department. The Police Department currently has an estimated three minute response time for call within the city, which meets the performance standards established for the department.

Schools

There are currently six elementary schools, one middle school and one high school in the City of Belmont.

Parks & other Public Facilities

There are currently fourteen parks, one tot lot, one sports complex with playing fields, and one community center. The city also has a public library and open space areas with hiking trails.

Impacts

The project would allow for additional floor area on some sites for single family residences. However, fees are collected for residential projects to off-set the impacts of new construction. School impact fees are currently collected for new homes and floor area additions to existing homes. Park impact fees are required for new single family and secondary dwelling unit construction. Fire fees are collected from property owners by the Belmont Fire Protection District, and the Belmont Police Department receives its funding form the City’s General Fund.

The project would not significantly increase demand for public services as services are already provided and there would be no substantial increase in population due to the project. In addition, fees would continue to be collected for services to off-set any impacts of the project. Therefore, impacts would be less than significant.

(Sources: 1, 2, 3, 13)

Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XIV. RECREATION —				
a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?			X	

Comments to XIV.a-XIVb:

The project would not significantly increase demand for recreation services as these services are already provided and there would be no substantial increase in population due to the project. In addition, fees would continue to be collected for services to off-set any impacts of the project. Therefore, impacts would be less than significant.

(Sources: 1, 2, 3, 13)

Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XV. TRANSPORTATION AND TRAFFIC — Would the Project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into accounts all modes of transportation including mass transit and non-motorized travel and relative components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?			X	

Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Conflict with an applicable congestion management program including but not limited to the level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e) Result in inadequate emergency access?				X
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X	

Comment to XV.a & XV.f:

The proposed amendments would allow for additional floor area on some existing single-family sites, reduce the parking requirements for single family homes, and allow for uncovered parking in a portion of the right-of-way.

Operational Traffic

The proposed project would allow for additional floor area on existing properties, but not additional density. The ITE Trip generation rate for single family homes is 9.57 trips per unit per day regardless of home size. Therefore, expanding the size of single-family homes would not increase trip generation using a recognized traffic methodology and would not adversely affect existing roadway capacity or safety.

Uncovered Parking in Right-of-way

General Plan – Circulation Element

General Plan Policy 2085.1 indicates that sidewalks should be installed for new homes.

2085.1 Public sidewalks shall be installed in all new residential developments except in areas where construction of sidewalks would be incompatible with existing development and/or require excessive grading or tree removal. In such cases, adequate roadway shoulders, or alternative trails and pathways shall be provided to ensure the safety of pedestrians and bikers.

Complete Streets Policy

In 2013, Belmont adopted a Complete Streets Policy, which requires that street improvements should be designed to serve all users. The Policy indicates that implementation should occur through all city departments in routine operations (i.e., review of projects), and that each project should be reviewed for consistency with local bike and pedestrian plans. The Policy notes that complete streets infrastructure should be incorporated with the specific goal of creating a connected network of facilities accommodating each category of users.

The ordinance amendments would allow for use of portions of the public right-of-way for uncovered parking, provided sufficient space remains for the installation of sidewalk curb and gutter in accordance with Public Works specifications. Therefore, the provision allowing for uncovered parking within a portion of the public right-of-way would be consistent with the complete streets policy and the General Plan.

Parking Modifications

General Plan – Circulation Element

General Plan Policy 2084.5 requires increases in residential intensity unless adequate off-street parking is provided.

2084.5 In residential areas, the intensity of use shall not be increased unless adequate off-street parking is provided. Standards shall be reviewed for off-street parking in residential areas and standards established for the use of public rights-of-way for residential off-street parking.

Amendments are proposed to the single family parking requirements for the number of parking spaces, the size and type of parking spaces, the location of required parking spaces, and upgrade of parking. The number of total parking spaces for new homes would be reduced from four to three; parking upgrade requirements would be based only on the total number of bedrooms and the number of units (for five bedrooms or more, three parking spaces would be required; for four bedrooms or less two parking spaces would be required; for projects that include a secondary dwelling unit, three spaces would be required).

Parking Demand

The demand for residential parking spaces is directly dependent on the number of vehicles owned per household. The Metropolitan Transportation Commission (MTC) maintains a set of travel demand forecasting models for use in San Francisco Bay Area transportation planning studies. One major component of this model system is an auto ownership choice model. This particular auto ownership model uses demographic data, provided by the Association of Bay Area Governments (ABAG), to produce estimates of vehicle ownership at the household level.

In 2005, MTC published a San Francisco Bay Area vehicle ownership forecast data summary using the 1990-1995 forecast years included in the ABAG's Projections 2000 database, and all forecast years included in ABAG's Projections 2005 database (2000, 2005, 2010, 2015, 2020, 2025 and 2030).

The MTC data summary projected that average vehicle ownership per household would remain flat in the Bay Area and decrease in San Mateo County from 2010 to 2030, as indicated in the following tables.

Average Number of Vehicles per Household by Year – SF Bay Area

2000	2010	2020	2030
1.75	1.79	1.79	1.79

Average Number of Vehicles per Household by Year – San Mateo County

2000	2010	2020	2030
1.87	1.99	1.97	1.94

City specific data for vehicle ownership is provided by the 2012 American Community Survey by the US Census Bureau and CLR Search for Belmont, which indicates that 66-76% of Belmont households have two or fewer vehicles, and 94% of Belmont households have three or fewer vehicles.

Residences that currently have four off-street parking spaces (typically a two-car garage and a two car driveway) would not be required to reduce their off-street parking capacity to be consistent with the ordinance. However, the proposed amendments would ensure that adequate off-street parking is provided for increases in building intensity.

As discussed above, the proposed amendments would be consistent with applicable plans, ordinances or policy establishing measures of effectiveness for the performance of the circulation system. Therefore, less than significant impacts would occur.

(Sources: 1, 2, 3, 13, 24, 25)

Comment to XV.b:

As noted above, the proposed project would allow for additional floor area on existing properties, but not additional density. The ITE Trip generation rate for single family homes is 9.57 trips per unit per day regardless of home size. The level of trip generation would not increase and would not adversely affect existing roadway capacity or safety. Therefore, less than significant impacts would occur.

(Sources: 1, 2, 3, 18)

Comment to XV.c:

As discussed in the Hazards Section, the 1996 San Mateo County Comprehensive Airport Land Use Plan for San Carlos (SQL CLUP) identifies safety zones for each runway end. The safety zone configuration for SQL CLUP is located outside the municipal boundary of the City Of Belmont. The proposed text amendments do not rezone any sites, modify the list of permitted uses in any zone, or increase height limits, and so create no changes in potential uses that may conflict with the Airport Land Use Plan. Furthermore, single family residential construction (new or rebuilt on exiting lots) would include structures no greater than 28 feet in height, and would not result in changes to air traffic patterns. Therefore, no impacts would result.

(Sources: 1, 2, 3, 22)

Comment to XV.d:

If improperly managed, large construction vehicles in single family neighborhoods have the potential to be incompatible with residential traffic (i.e., result in traffic hazards, damage roadways, and obstruct traffic). The project would allow for additional floor area on existing properties, which may result in additional construction and additional construction vehicles in residential neighborhoods. However, the City has adopted standard practices and conditions of approval to address construction traffic impacts, as follows:

Construction Management Plans

Construction management plans are required as a condition of project approval by the Planning Division and the Department of Public Works. The condition identifies the required contents of the plan (i.e., notification of neighbors, identification of haul route, haul times, plans for traffic control, etc.), depending on the expected impacts of the project. For projects in hillside areas or along narrow and curvy roadways, a more detailed plan is required. Projects that require a significant amount of hauling are required to adhere to designated hauling routes, and conduct hauling outside of peak school and traffic commute times. Project construction staging is not permitted within the public right-of-way.

This approach is used because it is the contractor (not the architect or engineer) that undertakes and manages the specific details of project construction (timing, sequence, resources, equipment, hauling origin/destinations, number of workers, worker parking, deliveries, carpooling ability, etc.). As such, it is very rare for an applicant to be able to engage the services of a contractor without approval of an entitlement and the production of working drawings (information from which the contractor prepares his/her bid). In addition, construction loans for building are typically contingent on an entitlement approval.

The Planning and Building Divisions and Public Works Department conduct a final review of construction management plans as part of the building permit process. Consideration is given to other construction projects that may already be occurring in the same general area. Direct communication of construction expectations with project contractors, engineers, and architects occurs at a mandatory pre-construction meeting, prior to building permit issuance. In addition, review of staging areas, recycling and disposal procedures and adequacy of erosion control measures are also reviewed by the Building Division as part of the structural plan check. The Building Division and Public Works Department monitor the performance of construction management plans during routine inspections, and have the authority to stop construction if the plan is not adhered to or found to be inadequate. Therefore, because all construction is required to comply with adopted standards and procedures, the project will not result in any significant environmental effects.

Repair of Damaged Public Facilities

Damaged city roadway or sidewalks can result in unsafe conditions for motorists and pedestrians. A standard project condition of approval from the Department of Public works requires that streets, sidewalks and curbs in need of repair within and bordering project sites be repaired and/or removed and replaced in accordance with the Department of Public Works approved standards. Implementation of this condition ensures damage public facilities will not result in unsafe conditions. The proposed text amendments would not alter the adopted review process and conditions of project approval described above. Therefore, the potential impacts of additional construction vehicles in residential neighborhoods would be less than significant.

Comment to XV.e:

Residential projects would continue to be reviewed by the City of Belmont Fire and Police Departments to ensure that adequate emergency access would be provided. Therefore, no impacts would result.

(Sources: 1, 2, 3, 13)

Environmental Factors and Focused Questions for Determination of Environmental Impact	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XVI. UTILITIES AND SERVICE SYSTEMS —				
Would the Project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider, which serves or may serve the Project that it has adequate capacity to serve the Project’s projected demand in addition to the provider’s existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the Project’s solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	

Comments to XVI.a, XVI.b, & XVI.e:

Construction of a new residential development would be subject to all wastewater requirements of the Regional Water Quality Board (RWQCB). Individual projects would continue to be reviewed by the Department of Public Works to ensure that adequate on-site drainage is provided, and planned drainage fees would be collected, as applicable. Residential units would be connected to the Belmont Sanitary District sewer facilities and this system has been identified to have sufficient capacity.

The City of Belmont wastewater collection system is part of the publicly owned infrastructure maintained by the City. Wastewater flows in Belmont are collected from 15 drainage basins and pumped to the South Bay System Authority (SBSA) Treatment Plant in Redwood Shores for treatment. SBSA is owned by the cities of Belmont, Redwood City and San Carlos, and the West Bay Sanitary District.

Population and occupancy projections, the basis of wastewater needs projections, are derived from the development and density assumptions contained in the general plans. The 1982 General Plan identifies a population of 28,000 as build-out for planning purposes. In 2013, the DOF estimated a population of 26,316 people, 1,684 less than projected General Plan build-out. As discussed in the Population and Housing Section, the proposed project would not increase residential density and would not be expected to result in a substantial increase in population. Furthermore, the SBSA has capacity through 2030 and is in compliance with their NPDES permit. Individual residential projects would be charged a sewer connection fee and an NPDES fee according to the City's fee structure to cover the costs of sewage collection and treatment. Thus, the project would not exceed the development assumptions for service needs for wastewater treatment, and will not result in any significant environmental effects.

Comments to XVI.c:

As discussed in the Hydrology and Water Quality Section, conditions of project approval are levied for project compliance with the Municipal Regional Stormwater Permit (MRP) Stormwater Control Requirements. Effective December 1, 2012, certain projects must meet site design requirements in Provision C.3.i of the Municipal Regional Stormwater Permit. This applies to projects that create and/or replace at least 2,500 but less than 10,000 square feet of impervious surface, and individual single family home projects that create and/or replace 2,500 square feet or more of impervious surface. Applicable projects must implement specific site design measures intended to retain and treat water on site.

Applicants for projects that include grading or replacement or increase in hardscape are also required to submit hydrology calculations and/or complete a storm-water checklist for small projects in accordance with MRP, C.3.i requirements. The Department of Public Works reviews and conditions these plans calculations and checklists to ensure conformance/conditional conformance with MRP requirements.

The proposed text amendments would not alter the procedure identified above, which is intended to reduce storm-water runoff from project sites. Therefore, the project would not result in the construction of new storm water drainage facilities or expansion of existing facilities. Less than significant impacts would result.

Comments to XVI.d:

Water is supplied to the City of Belmont by the Mid-Peninsula Water District (MPWD). The MPWD service area is a semi-arid region and is dependent upon the San Francisco Public Utilities Commission (SFPUC) for its water supply. Factors such as drought, a growing population, climate change, and environmental and regulatory concerns affect the region's water supply.

MPWD's 2011 Urban Water Management Plan for the area indicates that adequate capacity to meet water supply demands due to population increase up to the year 2020 exist. As previously discussed, the proposed amendments are not expected to have a substantial effect on population growth. Further, individual residential projects would be subject to water conservation requirements identified in the California Building Code/CalGreen, and MPWD's Water Conservation in Landscaping Ordinance. As such, less than significant water supply impacts would result.

Comments to XVI.f, & XVI.g:

Recology, Inc, provides domestic solid waste collection services for the City of Belmont. Solid waste from the City of Belmont is collected and conveyed to the San Carlos Transfer Station. Accumulated waste materials are then hauled via Highway 92 to the Ox Mountain Landfill site in Half Moon Bay. The

landfill site is anticipated to operate until 2030 under its current permits. Therefore, less-than-significant impacts to utilities or service systems would result.

(Sources: 1, 2, 3, 13)

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

Comments to XVII.a - Implementation of the Project would not degrade the quality and extent of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory, as demonstrated in the previous sections of this Initial Study.

Comments to XVII.b - As discussed in the preceding sections of this checklist and analysis, standard policies, codes, conditions of approval, and review procedures have been adopted by the City to mitigate the cumulative impacts of all new development in the City. Implementation of the Project would not cumulatively impact the environment.

Comments to XVII.c - The Project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly, as described in the previous sections of this Initial Study.

SOURCE REFERENCES

The following is a list of references used in the preparation of this document. Unless attached herein, copies of all reference reports, memorandums and letters are on file with the City of Belmont Department of Community Development. References to publications prepared by Federal or State agencies may be found with the agency responsible for providing such information.

1. City of Belmont General Plan, adopted August 24, 1982.
2. City of Belmont Municipal Code, Subdivision Ordinance and Zoning Ordinance.
3. Site Inspections, Geographical Information System, Application Materials, August 2005 Initial Study
4. The California Scenic Highway Mapping System website:
http://www.dot.ca.gov/hq/LandArch/scenic_highways/route280.htm
5. Farmland Mapping and Monitoring Program on the California Resource Agency's website:
<http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx>.
6. BAAQMD CEQA Guidelines, Bay Area Air Quality Management District, revised December 1999.
7. Assembly Bill No. 32, Chapter 488 (an Act to add Division 25.5 to the health and Safety Code, relating to air pollution).
8. California Department of Fish and Game Code Section 3503, and the Federal Migratory Bird Treaty Act
9. City of Belmont Historical Resource Survey, dated June 1991
10. Appendix K, Section II of the CEQA Guidelines
11. Section 7050.5 of the California Health and Safety Code
12. Working Group on California Earthquake Probabilities (Earthquake Probabilities in the San Francisco Bay Region, California: 2000 to 2030-A Summary of Findings, U.S.G.S. Circular Open File Report 99-517, Working Group on California Earthquake Probabilities, 1999).
13. Comments, Conversations and Conditions from City Departments (Police, Fire, Public Works, and Building.
14. California Department of Toxic substance Control website:
[Http://www.envirostor.dtsc.ca.gov/public/profile_report.asp](http://www.envirostor.dtsc.ca.gov/public/profile_report.asp)
15. Bay Area Storm Water Management Agencies Association (BASMAA) Start at the Source Design Guidance Manual for Storm Water Quality Protection
16. Flood Insurance Rate Map (FIRM) Community Panel No. 065016 0005B, Federal Emergency Management Agency (FEMA), March 1982.
17. The Belmont General Plan, Noise Element (1996).
18. U.S Department of Transportation Website – Federal Highway Administration – Construction Equipment Noise Levels and Ranges:
<http://www.fhwa.dot.gov/environmental/noise/handbook/09.htm>.
19. Association of Bay Area Governments (ABAG) website: <http://www.abag.ca.gov>
20. City of Belmont General Plan Housing Element 2007-2014
21. California Building Code
22. 1996 San Mateo County Airport Land Use Plan
23. Mid-Peninsula Water District
24. Metropolitan Transportation Commission and Association of Bay Area Governments
25. Belmont Complete Streets Policy