

## 4.12 PUBLIC SERVICES AND RECREATION

This chapter describes public services provided in the Specific Plan Area, including the TOD #1 and TOD #2 Project sites, and evaluates the potential environmental consequences on public services and recreation from future development that could occur by adopting and implementing the proposed Specific Plan Update, and approval and development of the proposed TOD #1 and TOD #2 projects (together referred to as the “proposed Project”).

Fire protection and emergency medical services, police protection services, schools, libraries, and parks and recreation are each addressed in a separate subsection of this chapter. A summary of the relevant regulatory setting and existing conditions is followed by a discussion of specific and cumulative impacts of the proposed Project. Information used in the preparation of this chapter is included in this Draft EIR as Appendix G, Public Services Data.

### 4.12.1 FIRE PROTECTION SERVICES

#### 4.12.1.1 ENVIRONMENTAL SETTING

This section describes existing conditions related to fire protection services and evaluates the potential impacts that could result from the proposed Project.

#### Regulatory Framework

##### *Federal Regulations*

There are no federal regulations regarding fire protection services that are applicable to the proposed Project.

##### *State Regulations*

##### California Building Code

The State of California provides a minimum standard for building design through the California Building Code (CBC), which is located in Part 2 of Title 24 of the California Code of Regulations (CCR). The CBC is based on the 1997 Uniform Building Code, but has been modified for California conditions. It is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions (i.e. Millbrae Municipal Code Sections 9.05.020 to 9.05.070). Commercial and residential buildings are plan-checked by local city and county building officials for compliance with the California Building Code. Typical fire safety requirements of the CBC include: the installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildfire hazard areas.

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### California Fire Code

The California Fire Code (CFC) incorporates, by adoption, the International Fire Code of the International Code Council, with California amendments. This is the official Fire Code for the State and all political subdivisions. It is located in Part 9 of Title 24 of the California Code of Regulations. The California Fire Code is revised and published every three years by the California Building Standards Commission. Similar to the CBC, the CFC is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions.

### Mitigation Fee Act (California Government Code 66000-66008)

Enacted as Assembly Bill (AB) 1600, the Mitigation Fee Act requires a local agency establishing, increasing, or imposing an impact fee as a condition of development to identify the purpose of the fee and the use to which the fee is to be put. The agency must also demonstrate a reasonable relationship between the fee and the purpose for which it is charged, and between the fee and the type of development plan on which it is to be levied. The Mitigation Fee Act came into force on January 1, 1989.

### *Local Regulations*

#### Millbrae 1998-2015 General Plan

The City of Millbrae General Plan outlines various goals, policies, and implementing programs relevant to fire protection services in the Land Use Element and Safety Element. The policies relevant to the proposed Project are listed in Table 4.12-1.

**TABLE 4.12-1 GENERAL PLAN POLICIES RELEVANT TO FIRE PROTECTION SERVICES**

Number	Policy
<b>Land Use (LU) Element</b>	
LU5.13	<b>City Facilities.</b> Continue to maintain adequate facilities for the Police, Fire, Parks and Recreation, Public Works, and Administrative needs of the City
<b>Safety (S) Element</b>	
S1.15	<b>Fire Hazard Abatement.</b> Enforce the prompt abatement of identified fire hazards.
S2.4	<b>Adequate Police and Fire Services.</b> The City shall continue to maintain police and fire departments adequate in manpower, equipment and resources to respond to any fire or other localized emergency within the City. Use of supplemental volunteers should be considered.
S2.5	<b>"Mutual Aid Agreements."</b> The City shall maintain its mutual aid agreements with San Francisco International Airport and neighboring cities to insure adequate response to large scale emergencies and multiple simultaneous incidents which exceed the capabilities of local resources. The Millbrae Police and Fire Departments will continue to maintain and enhance "mutual aid agreements" with other agencies on a local, state and national level according to the scale of the emergency.

Source: City of Millbrae General Plan 1998-2015, adopted 1998.

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### Millbrae Municipal Code

The City of Millbrae Municipal Code contains all ordinances for the city. The Municipal Code is organized by Title, Chapter, and Section. The current Municipal Code is up to date through Ordinance 747, passed May 27, 2014. The following provisions in Title 9, Building Regulations, of the Municipal Code help to minimize adverse effects to fire protection services as a result of development in Millbrae:

- **Chapter 9.30 Fire Code.** Per Section 9.30.010, Adoption of California Fire Code, 2013 Edition, the City adopted the 2013 CFC (Title 24, Part 9, CFC and the International Fire Code, 2012 Edition, as amended by the state of California). The Fire Code includes regulations governing conditions hazardous to life and property from fire or explosion, and governing the maintenance of buildings and premises and safeguarding life, health, property and public welfare by regulating the storage, use and handling of dangerous and hazardous materials, substances and processes, and by regulating the maintenance of adequate egress facilities in the City of Millbrae, and providing for the issuance of permits and the collection of fees to cover the cost of the Fire Department to review and inspect the intended activities, operations or functions. Specifically, Section 9.30.030 includes the regulations for fees and special requirements. The fees for the permits and other services shall be as established by resolution of the Millbrae City Council as amended from time to time. The fee shall be set to cover the cost of the Fire Department to review and inspect the intended activities, operations or functions. The fees must be paid to the City of Millbrae prior to engaging in the listed activities, operations or functions. Section 9.30.030 also includes exceptions for non-profits, City-sponsored projects, additional inspections and after-hour inspections. Section 9.30.180 regulates automatic sprinkler systems for residential units and other habitable buildings and structures.

### 4.12.1.2 EXISTING CONDITIONS

#### Central County Fire Department

Formed in 1932, the Millbrae Fire Department (MFD) has historically provided emergency and non-emergency services to the citizens and visitors of Millbrae. The MFD service area encompassed approximately 3.2 square miles and included a large wild-land urban interface areas and neighborhoods consisting of single-family homes, multi-residential buildings, retail and business districts, hotels, and care and school facilities. In December 2014, the Central County Fire Department (CCFD), a joint powers and governmental agency, began providing fire protection services to the City through a contractual agreement that benefits the Town of Hillsborough and the Cities of Burlingame and Millbrae. Formed in 2004, the CCFD provides fire suppression, rescue, emergency medicine, operational training, fire prevention and investigation, and community education services. Fire protection services are also provided to the CCFD service area by the San Bruno Fire Department (SBFD).

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### *Staffing and Facilities*

The CCFD, including the addition of the MFD staff, has approximately 80 full time personnel for service population of approximately 91,000.<sup>1</sup> This results in an average of one firefighter for every 1,138 persons.

The CCFD operates seven fire stations of which two are in the city:<sup>2</sup>

- CCFD Fire Station #37, 511 Magnolia Avenue, approximately 0.5 miles northwest of the Specific Plan Area
- CCFD Fire Station #38, 758 Crestview Drive, approximately 1.5 miles west of the Specific Plan Area

The Specific Plan Area would be primarily served by the CCFD Fire Station #37. Other fire stations nearby would provide fire services if needed, including the San Bruno Station #51, which is located at 555 El Camino Real in San Bruno.<sup>3</sup>

### *Response Times and Performance*

In the last fiscal year (July 1, 2013 to June 30, 2014), the MFD received 2,679 emergency calls. The volume of calls and average response times for each type of incident are listed below in Table 4.12-2. As shown in Table 4.12.2, among all the emergency calls, 58 percent of the calls requested emergency medical service and/or rescue, 13 percent were calls of good intent, 12 percent were to service calls, nine percent were to false calls, six percent were to fire incidents, and three percent were to hazardous conditions. The MFD had department performance measures that required the first unit to arrive on the scene in 6 minutes and 59 seconds or less minutes for fire service medical incidents only. As shown in the table, the MFD was meeting this standard for both fire incidents and EMS/rescue calls in Fiscal Year 2013-2014.<sup>4</sup>

### *Budget*

Per Millbrae Municipal Code Section 9.30.030, the City receives development impact fees from development to support fire protection services within Millbrae, including the Specific Plan Area. As of 2014, the development impact fees for the Specific Plan Area are \$12.00 per square foot of gross commercial building area, \$7,824.00 per hotel room key, and \$10,443.00 per multi-family residential dwelling unit.<sup>5</sup>

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<sup>1</sup> Includes 64 employees:70,000 population per Central County Fire Department – History, [www.ccfdonline.org/about-ccfd/history/](http://www.ccfdonline.org/about-ccfd/history/), and 23 employees: 21,000 population per City of Millbrae, Departments & Services, Fire Department Facts, [www.ci.millbrae.ca.us/index.aspx?page=63](http://www.ci.millbrae.ca.us/index.aspx?page=63), accessed March 3, 2015.

<sup>2</sup> Central County Fire Department – Fire Stations, [www.ccfdonline.org/about-ccfd/history/](http://www.ccfdonline.org/about-ccfd/history/), accessed March 3, 2015.

<sup>3</sup> Jim Allan. Fire Marshal, Cities of Millbrae and San Bruno. Personal communication with Alex Lopez, PlaceWorks. November 14, 2014.

<sup>4</sup> Jim Allan. Fire Marshal, Cities of Millbrae and San Bruno. Personal communication with Alex Lopez, PlaceWorks. November 14, 2014.

<sup>5</sup> City of Millbrae. Service and Fee Schedule, July 1, 2013 through June 30, 2014, Millbrae, <http://www.ci.millbrae.ca.us/Modules/ShowDocument.aspx?documentid=3981>, accessed December 12, 2014.

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**TABLE 4.12-2 MILLBRAE FIRE DEPARTMENT SERVICE CALLS IN FISCAL YEAR 2013-2014**

Type	Average Response Time (minutes:seconds)	Number of Calls	Percentage by Type
Fire	5:22	149	6%
EMS/Rescue	4:41	1,542	58%
Hazardous Condition	4:52	86	3%
Service Call	4:55	316	12%
False Alarm – Good Intent	4:57	356	13%
Other False Calls	4:30	230	9%
<b>Total</b>	--	<b>2,679</b>	--

Source: Jim Allan, Fire Marshal, Cities of Millbrae and San Bruno. Personal communication with Alex Lopez, PlaceWorks. November 14, 2014.

### California Department of Forestry and Fire Protection/San Mateo County Fire Protection Services

The California Department of Forestry and Fire Protection (CAL FIRE) has developed Fire Management Plans (FMP) to implement the statewide fire plan. Each FMP assesses the fire situation within a CAL FIRE-designated unit. The City falls within the San Mateo-Santa Cruz Unit, a 1,000-square-mile area that protects 426,230 acres of the State Responsibility Area. The FMP lists stakeholder contributions and priorities as well as identifies strategic areas for pre-fire planning and fuel treatment. CAL FIRE has an agreement with San Mateo County to provide 14 additional engines, one dozer, five fire crews, and air support as necessary to assist the Millbrae with emergency responses.<sup>6</sup>

#### 4.12.1.3 STANDARDS OF SIGNIFICANCE

The proposed Project would have a significant impact related to fire protection and emergency services if it would result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services.

<sup>6</sup> CAL FIRE. Unit Strategic Fire Plan 2013 Draft, <http://cdfdata.fire.ca.gov/pub/fireplan/fpupload/fpppdf1505.pdf>, accessed November 10, 2014.

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### 4.12.1.4 IMPACT DISCUSSION

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PS-1	The proposed Project would not result in the provision of or need for new or physically altered fire protection facilities, the construction or operation of which could cause significant environmental impacts.
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#### Specific Plan Update

As described in Chapter 3, Project Description, of this Draft EIR, implementation of the proposed Specific Plan Update would bring as many as 4,640 new permanent residents, 740 temporary hotel guests (at capacity) and 7,600 employees to the Specific Plan Area by 2040.<sup>7</sup> Additionally, it is anticipated that implementation of the proposed Specific Plan Update could result in 1,653,340 square feet of office space, 275,110 square feet of retail space, 1,750 residential units, and 370 hotel rooms throughout the Specific Plan Area. In addition, building heights under the proposed Project could reach a heights ranging from of 8 to 12 stories. These changes would likely result in an increase in the number of calls for fire protection and emergency medical services, and require the need for additional equipment necessary to accommodate the proposed height increases.

As discussed above in Section 4.12.1.2, Existing Conditions, the CCFD, including the addition of the MFD staff, has approximately 80 full time personnel and a service population of approximately 91,000. This results in an average of one firefighter for every 1,138 persons. The addition of 4,640 permanent residents and up to 740 temporary hotel guests (at capacity), which could increase the service population to 96,380 resulting in a slightly reduced firefighter-to-resident ratio of one firefighter to 1,205 persons. The standard set by the National Fire Protection Association recommends that there be one firefighter for every 1,000 population. However, fire service delivery in San Mateo County is borderless, and therefore other fire departments in the County service other cities as needed.<sup>8</sup> In addition, according to the CCFD, the Department currently has adequate coverage in the CCFD service area under existing conditions and because the anticipated growth under the Specific Plan Update would occur over a 25-year horizon the anticipated calls for service at 1 to 2 additional calls per day is not considered a significant increase. Furthermore, while the proposed Project would slightly increase the number and frequency of calls for service by the CCFD, because the Project site would be located approximately 0.5 miles from Fire Station #37, response times for many calls from the Project site would be expected to fall within the CCFD's response time goals.

The CCFD's mutual agreement with the Cities of Burlingame, Millbrae and San Bruno, and the Town of Hillsborough, ensures that the CCFD's response is covered with automatic aid and there would be no interruption of service as buildout under the Specific Plan Update occurs.<sup>9</sup>

The CCFD has indicated that the increase in development, including building heights ranging from 8 to 12 stories, would require additional staffing and equipment (i.e. ladder truck). Future development allowed by the proposed

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<sup>7</sup> See Table 3-1 in Chapter 3, Project Description, for details on population and employment generation.

<sup>8</sup> City of Redwood City, About the City, Demographics, [www.redwoodcity.org](http://www.redwoodcity.org), accessed November 10, 2014.

<sup>9</sup> Kammeyer, John. Deputy Fire Chief, Central County, Millbrae, and San Bruno Fire Departments. Personal communication with Marty Van Duyn, City of Millbrae. December 29, 2014.

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Specific Plan Update would be required to pay developer impact fees per the Millbrae Municipal Code requirements. The payment of these fees would defray the cost for facility improvements, equipment, or other needs necessary for maintaining or improving services as needed to accommodate the increase in service population.

The City of Millbrae General Plan includes the following policies that further ensure that fire protection services are adequate as buildout of the proposed Specific Plan Update occurs:

- **Policy LU5.13 – City Facilities.** Continue to maintain adequate facilities for the Police, Fire, Parks and Recreation, Public Works, and Administrative needs of the City.
- **Policy S2.4 - Adequate Police and Fire Services.** The City shall continue to maintain police and fire departments adequate in manpower, equipment and resources to respond to any fire or other localized emergency within the City. Use of supplemental volunteers should be considered.
- **Policy S2.5 - "Mutual Aid Agreements."** The City shall maintain its mutual aid agreements with San Francisco International Airport and neighboring cities to insure adequate response to large scale emergencies and multiple simultaneous incidents which exceed the capabilities of local resources. The Millbrae Police and Fire Departments will continue to maintain and enhance "mutual aid agreements" with other agencies on a local, state and national level according to the scale of the emergency.

Future development would also be required to comply with the City's Fire Code per Municipal Code Chapter 9.30 (Fire Code), including compliance with the permit processes, emergency access, hazardous material handling, and fire protection systems, including automatic sprinkler systems, fire extinguishers, and fire alarms.

Therefore, given 25-year buildout horizon together with the proximity to Fire Station #37, and compliance with mandatory regulations (including the payment of developer impact fees) constructing new or expanded facilities as a result of future development under the Specific Plan Update would not be necessary to maintain acceptable service ratios, response times, or other performance objectives for fire protection services. Accordingly, proposed Project impacts related to fire protection services would be *less than significant* and no mitigation measures are required.

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

### TOD #1 Project

As described in Chapter 3, Project Description, of this Draft EIR, development of the proposed TOD #1 project would generate 500 new housing units, 32,000 square feet of retail space, and 267,000 square feet of office space. This would result in 1,325 residents and 1,148 jobs.<sup>10</sup> In addition, building heights under the proposed Project could reach a heights ranging up to 12 stories. Because the proposed TOD #1 project would result in new population on a site that is currently limited to commercial uses, the proposed TOD #1 project would represent a more intense use of the site. Although the relationship is not directly proportional, more intense uses of land typically result in the increased potential for fire and emergency incidents. Thus, the proposed TOD #1 project would create an increased demand for fire protection services.

<sup>10</sup> See Table 3-1 in Chapter 3, Project Description, for details on population and employment generation.

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The proposed Project includes multiple emergency access points and fire hydrants would be located on site. Emergency response vehicles would access the project site from El Camino Real and Serra Avenue. Internal roads would accommodate turning room for emergency response vehicles.

The addition of 1,325 permanent residents could increase the service population from 91,000 to 92,325 resulting in a slightly reduced firefighter-to-resident of one firefighter to 1,154 persons compared to 1,138 under existing conditions. The CCFD is currently meeting its response times of 6 minutes and 59 seconds or less. Fire service delivery in San Mateo County is borderless and therefore other fire departments service other cities as needed. Fire Station #37 is the closest fire station to the TOD #1 project site. While the proposed Project would increase the number and frequency of calls for service by the CCFD, because the project site would be located approximately 0.5 miles from Fire Station #37, response times for many calls from the project site would be expected to fall within the CCFD's response time goals. As discussed under Impact PS-1 on the Specific Plan Update, the CCFD has determined that the proposed project would not require the construction or expansion of facilities as a result of the proposed project.

Therefore, considering the proposed TOD #1 project as a whole, including the proposed project's design features, proximity to Fire Station #37, and compliance with mandatory regulations (including the payment of developer impact fees), constructing new or expanded facilities as a result of the construction and occupation of the proposed Project would not be necessary to maintain acceptable service ratios, response times, or other performance objectives for fire protection services. Accordingly, proposed Project impacts related to fire protection services would be *less than significant* and no mitigation measures are required.

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

### TOD #2 Project

As described in Chapter 3, Project Description, of this Draft EIR, development of the proposed TOD #2 project would generate 321 new housing units, 116 hotel rooms, 46,935 square feet of retail space, and 164,535 square feet of office space. This would result in 851 permanent residents, 232 temporary hotel guests (at capacity) and 868 new jobs. In addition, building heights under the proposed Project could reach a heights ranging up to 8 stories. Because the proposed TOD #2 project would result in new population on a site that is currently limited to surface parking, the proposed TOD #2 project would represent a more intense use of the site. Although the relationship is not directly proportional, more intense uses of land typically result in the increased potential for fire and emergency incidents. Thus, the proposed TOD #2 project would create an increased demand for fire protection services.

The proposed Project includes multiple emergency access points and fire hydrants would be located every on site. Emergency response vehicles would access the Project site from Millbrae Avenue and Rollins Road. Internal roads would accommodate a XX-foot turning for emergency response vehicles.

The addition of 851 permanent residents, 232 temporary hotel guests (at capacity) could increase the service population from 91,000 to 92,083 resulting in a slightly reduced firefighter-to-resident ratio of one firefighter to 1,151 persons compared to 1,138 under existing conditions. The CCFD is currently meeting its response times of 6 minutes and 59 seconds or less. Fire service delivery in San Mateo County is borderless and therefore other fire



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departments service other cities as needed. Fire Station #37 is the closest fire station to the TOD #2 project site. While the proposed Project would increase the number and frequency of calls for service by the CCFD, because the project site would be located approximately 0.5 miles from Fire Station #37, response times for many calls from the project site would be expected to fall within the CCFD's response time goals. As discussed under Impact PS-1 on the Specific Plan Update, the CCFD has determined that the proposed project would not require the construction or expansion of facilities as a result of the proposed project.

Therefore, considering the proposed TOD #2 project as a whole, including the proposed project's design features, proximity to Fire Station #37, and compliance with mandatory regulations (including the payment of developer impact fees), constructing new or expanded facilities as a result of the construction and occupation of the proposed Project would not be necessary to maintain acceptable service ratios, response times, or other performance objectives for fire protection services. Accordingly, proposed Project impacts related to fire protection services would be *less than significant* and no mitigation measures are required.

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

### 4.12.1.5 CUMULATIVE IMPACTS

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PS-2	The proposed Project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to fire protection service.
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A significant cumulative environmental impact would result if, in combination with other past, present, and reasonably foreseeable projects, buildout of the proposed Project would exceed the ability of fire and emergency medical responders to adequately serve the vicinity, thereby requiring construction of new facilities or modification of existing facilities. This section analyzes potential impacts to fire protection services that could occur as a result of the proposed Project in combination with reasonably foreseeable growth. For the purposes of this analysis the area of cumulative effect will be considered the service area of in San Mateo County, which as discussed above is borderless in regards to fire service delivery and therefore also receives service from other cities as needed.

As discussed above, the CCFD is currently meeting its established target response time. As with the proposed Project, future development in Millbrae would be required to undergo project review and comply with the most recent CBC and CFC, which includes requirements regarding adequate fire flows, width of emergency access routes, turning radii, automatic sprinkler systems, fire alarms, and other requirements for emergency access routes. The proposed Project would not create the need for the construction or alteration of fire protections facilities in Millbrae. Accordingly, the proposed Project's contribution would not be cumulatively considerable and cumulative impacts to fire protection services would be *less than significant*.

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

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**4.12.2 POLICE PROTECTION SERVICES**

This section describes the current police protection regulations, resources, and response times for police protection services in Millbrae, and evaluates potential impacts to police protection services associated with the proposed Project.

**4.12.2.1 ENVIRONMENTAL SETTING**

**Regulatory Framework**

This section summarizes local policies related to police services in Millbrae. There are no federal or State regulations pertaining to law enforcement that apply to the city.

*Local Regulations*

Millbrae 1998-2015 General Plan

The City of Millbrae General Plan outlines various goals, policies, and implementing programs relevant to public safety and police protection services in the Land Use Element and Safety Element. The policies relevant to the proposed Project are listed in Table 4.12-3.

**TABLE 4.12-3 GENERAL PLAN POLICIES RELEVANT TO POLICE PROTECTION SERVICES**

Number	Policy
<b>Land Use (LU) Element</b>	
LU5.13	<b>City Facilities.</b> Continue to maintain adequate facilities for the Police, Fire, Parks and Recreation, Public Works, and Administrative needs of the City.
<b>Safety (S) Element</b>	
S2.4	<b>Adequate Police and Fire Services.</b> The City shall continue to maintain police and fire departments adequate in manpower, equipment and resources to respond to any fire or other localized emergency within the City. Use of supplemental volunteers should be considered.
S2.5	<b>"Mutual Aid Agreements."</b> The City shall maintain its mutual aid agreements with San Francisco International Airport and neighboring cities to insure adequate response to large scale emergencies and multiple simultaneous incidents which exceed the capabilities of local resources. The Millbrae Police and Fire Departments will continue to maintain and enhance "mutual aid agreements" with other agencies on a local, state and national level according to the scale of the emergency.

Source: City of Millbrae General Plan 1998-2015, adopted 1998.

## 4.12.2.2 EXISTING CONDITIONS

### Millbrae Police Bureau

The San Mateo County Sheriff's Office (Sheriff's Office)'s Millbrae Police Bureau (MPB) serves Millbrae.

#### *Staffing and Facilities*

The MPB provides police protection services from its station at 581 Magnolia Avenue in Millbrae about one-half mile southwest of the Specific Plan Area.<sup>11</sup> The Sheriff's Office has over 600 sworn and civilian personnel who provide various law enforcement services to all cities in the county. In addition to a full-time Captain, the Sheriff's Office provides four sworn, uniformed sergeants who provide patrol supervision exclusively within the city. At least two sworn uniformed deputies are staffed twenty-four hours a day, seven days per week. The MPB also hosts the Sheriff's Office- North County Field Operations Division personnel, which includes one Sheriff's Lieutenant, two Sheriff's sergeants, and three detectives. These positions provide operational, administrative and investigative services to North County and support the MPB in providing professional, efficient and responsive law enforcement services to the residents, businesses and visitors of Millbrae.<sup>12</sup> Overall, there are currently 18.66 full-time employees providing dedicated law enforcement services to the city and its residents.

Based on the City's population of 22,605,<sup>13</sup> the officer-to-resident ratio is approximately 1 officer per 1,256 residents. There is no standard officer-to-resident ratio that the MPB wishes to maintain.<sup>14</sup> The national average can vary; however, anywhere from 1.0 to 1.3 per thousand is average.

#### *Response Times*

Police service calls are prioritized as follows: Priority 1 calls involve life-threatening situations; Priority 2 calls are not life-threatening but necessitate immediate response; all other calls are designated Priority 3. The MPB Deputies handle an average of 14,000 calls for service per year with an average response time of under 4 minutes for priority one calls.<sup>15</sup>

### BART Police Department

The BART Police Department provides a full range of police services within areas of BART jurisdiction. To prepare for major emergencies, critical incidents, and tactical responses, the Department is a signatory to the Bay

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<sup>11</sup> Williams, Lisa. Chief of Police Services, San Mateo County Sheriff's Office. Personal communication with Marty Van Duyn and Marcia Raines, City of Millbrae. December 26, 2014.

<sup>12</sup> City of Millbrae – Department History, <http://www.ci.millbrae.ca.us/index.aspx?page=78>, accessed January 12, 2015.

<sup>13</sup> State of California, Department of Finance, *Report E-5, Population and Housing Estimates for Cities, Counties, and the State, January 1, 2011-2014*.

<sup>14</sup> Williams, Lisa. Chief of Police Services, San Mateo County Sheriff's Office. Personal communication with Marty Van Duyn and Marcia Raines, City of Millbrae. December 26, 2014.

<sup>15</sup> Williams, Lisa. Chief of Police Services, San Mateo County Sheriff's Office. Personal communication with Marty Van Duyn and Marcia Raines, City of Millbrae. December 26, 2014.

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Area's mutual-aid pacts and has teams of highly trained officers for tactical response and/or crisis negotiations. The Department's Patrol Bureau is organized into four geographical police zones, each with its own headquarters and field offices. The Specific Plan Area is located in Zone 5.<sup>16</sup> Zone lieutenants are assigned the personnel, equipment, and resources to manage their respective police operations. This community-based deployment strategy enhances the BART Police Department's ability to work closely with the local residents, allied public-safety agencies, businesses, schools, and other transit district employees. There are BART police facilities and field offices in Oakland, Concord, Walnut Creek, Pittsburg, El Cerrito, Dublin/Pleasanton, Castro Valley, San Leandro, Hayward, San Francisco, Colma, and San Bruno, where lieutenants, officers, sergeants, and community service officers report for duty.

The BART Police Department is composed of 206 sworn peace officers who have full police powers within the State of California and have the primary jurisdiction for responding to, and investigating, all criminal incidents occurring at facilities owned or operated by the BART district.<sup>17</sup> The Department's sworn staff is supported by a staff consisting of community service officers, communications dispatchers, revenue protection guards, police administrative specialists, and civilian supervisors and managers. To protect the personal safety of BART riders, the Department utilizes video-surveillance systems in trains, stations, and parking lots.

### 4.12.2.3 STANDARDS OF SIGNIFICANCE

The proposed Project would have a significant impact related to police protection and emergency services if it would result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection services.

### 4.12.2.4 IMPACT DISCUSSION

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<b>PS-3</b>	<b>The proposed Project would not result in the provision of or need for new or physically altered police protection facilities, the construction or operation of which could cause significant environmental impacts.</b>
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As discussed in Section 4.12.2.2, Existing Conditions, BART Police has jurisdiction over areas owned or operated by BART. As such, BART Police would continue to have jurisdiction over paid and unpaid areas of BART facilities, including fare gates, platforms, patron drop-off/pick-up, taxi stands, both BART-operated parking structures in Millbrae, and office space leased by BART. The MPB would have jurisdiction over the remainder of the Specific Plan Area. Therefore, impacts related to each agency are discussed separately below.

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<sup>16</sup> Bay Area Rapid Transit Online, <http://www.bart.gov/about/police/zones>, accessed February 27, 2015.

<sup>17</sup> Bay Area Rapid Transit, Performance Management Audit, November 7, 2013, page 15.

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### Specific Plan Update

As described in Chapter 3, Project Description, of this Draft EIR, implementation of the proposed Specific Plan Update would bring as many as 4,640 new permanent residents, 740 temporary hotel guests (at capacity) and 7,600 employees to the Specific Plan Area by 2040.<sup>18</sup> Additionally, it is anticipated that implementation of the proposed Specific Plan Update could result in 1,653,340 square feet of office space, 275,110 square feet of retail space, 1,750 residential units, and 370 hotel rooms throughout the Specific Plan Area. These changes would likely result in an increase in the number of calls for police protection services; thus, the proposed Specific Plan Update would create an increased demand for law enforcement services.

#### *Millbrae Police Bureau*

As discussed above in Section 4.12.2.2, Existing Conditions, the MBP has 18.66 full-time employees who provide various law enforcement services to Millbrae. Based on the City's population of 22,605, the officer-to-resident ratio is approximately 1 officer per 1,256 residents. The addition of 4,640 permanent residents and up to 740 temporary hotel guests (at capacity), which could increase the service population to 27,985 resulting in a slightly reduced police officer to population average of one police officer to 1,554 persons. The MPB is also supported by the Sheriff's Office, which has over 600 sworn and civilian personnel who provide various law enforcement services to all cities in the county, which would serve to accommodate change in MPB staff to population.

However, the MPB has indicated that although the officer-to-resident ratio would only slightly change over the 25-year buildout period, the nature of the proposed Project with a high influx of employees during the day and reduced numbers or residents at night together with the current crime trends in the city, MPB projects implementation of the Specific Plan Update would result in the projected need in the area to be as follows:<sup>19</sup>

- 4 Deputies (1 assigned to four shift teams) to provide 24/7 coverage and handle calls for service, citizen contact and community engagement within the proposed development area.
- 1 Motorcycle traffic enforcement officer (Assigned to day shift) – Provide for traffic enforcement during daytime high density hours in and around proposed development area.
- 2 Community Service Officers (assigned to Day shift schedules) – to assist with parking enforcement, traffic accidents, property/evidence management from additional caseloads.

Additional equipment, including radios, vehicles, safety equipment and other operational needs would also likely be required to accommodate the future projects under the Specific Plan Update.

The crime rate, which represents the number of crimes reported, affects the “needs” projection for staff and equipment for MPB. A number of factors contribute to the resultant crime rate, such as police presence, crime prevention measures, and ongoing legislation and funding. Therefore, the potential for increased crime rates is not necessarily directly proportional to increases in population or development. According to the MPB, the MPB Deputies are currently meeting a response time of 4 minutes for Priority 1 (life-threatening situations) calls under

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<sup>18</sup> See Table 3-1 in Chapter 3, Project Description, for details on population and employment generation.

<sup>19</sup> Williams, Lisa. Chief of Police Services, San Mateo County Sheriff's Office. Personal communication with Marty Van Duyen and Marcia Raines, City of Millbrae. December 26, 2014.

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existing conditions. While the proposed Specific Plan Update would increase the number of persons and level of activity within the Specific Plan Area, given that the Specific Plan Area is currently developed and that new development would occur through infill and redevelopment over a 25-year horizon, it is reasonable to expect that the proposed Specific Plan Update would not result in a meaningful increase in the amount of crime in the Specific Plan Area. Accordingly, the effect that the Specific Plan Update would have on response times would be minimal.

Based on the nature of the proposed Project with a high influx of employees during the day and reduced numbers or residents at night together with the current crime trends in the city, MPB projects implementation of the Specific Plan Update would result in the projected need in the area to be as follows:<sup>20</sup>

- 4 Deputies (1 assigned to four shift teams) to provide 24/7 coverage and handle calls for service, citizen contact and community engagement within the proposed development area.
- 1 Motorcycle traffic enforcement officer (Assigned to day shift) – Provide for traffic enforcement during daytime high density hours in and around proposed development area.
- 2 Community Service Officers (assigned to Day shift schedules) – to assist with parking enforcement, traffic accidents, property/evidence management from additional caseloads.

Additional equipment, including radios, vehicles, safety equipment and other operational needs would also likely be required to accommodate the future projects under the Specific Plan Update.

The City of Millbrae General Plan includes the following policies that further ensure that police protection services are adequate as buildout of the proposed Specific Plan Update occurs:

- **Policy LU5.13 – City Facilities.** Continue to maintain adequate facilities for the Police, Fire, Parks and Recreation, Public Works, and Administrative needs of the City.
- **Policy S2.4 - Adequate Police and Fire Services.** The City shall continue to maintain police and fire departments adequate in manpower, equipment and resources to respond to any fire or other localized emergency within the City. Use of supplemental volunteers should be considered.
- **Policy S2.5 - "Mutual Aid Agreements."** The City shall maintain its mutual aid agreements with San Francisco International Airport and neighboring cities to insure adequate response to large scale emergencies and multiple simultaneous incidents which exceed the capabilities of local resources. The Millbrae Police and Fire Departments will continue to maintain and enhance "mutual aid agreements" with other agencies on a local, state and national level according to the scale of the emergency.

While the MPB would need to reevaluate staffing levels as future development occurs throughout the 25-year buildout, future development under the proposed Specific Plan Update would be subject to project-level environmental review to further evaluate potential impacts related to police protection services as development is proposed within the Specific Plan Area.

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<sup>20</sup> Williams, Lisa. Chief of Police Services, San Mateo County Sheriff's Office. Personal communication with Marty Van Duyn and Marcia Raines, City of Millbrae. December 26, 2014.

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Given that the MPB would only require new staff and equipment to accommodate future increases in calls for police protection services and would not require expansion of MPB facilities, impacts would be *less than significant* and no mitigation measures are warranted.

### *BART Police Department*

Implementation of the proposed Specific Plan Update is expected to increase BART ridership over the 25-year buildout horizon. At buildout, the Specific Plan Update is expected to generate xx additional riders in the morning peak hour commute and xx additional riders in the afternoon peak hour commute, and result in a total of approximately xx additional daily trips, as discussed further in Chapter 4.13, Transportation and Traffic, of this Draft EIR. Although an increase in ridership is expected, the BART Police Department is funded through ridership fares and sales tax, which ensures adequate police services are provided to accommodate additional ridership. As such, a *less-than-significant* impact would occur.

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

## TOD #1 Project

### *Millbrae Police Bureau*

As described in Chapter 3, Project Description, of this Draft EIR, development of the proposed TOD #1 project would generate 500 new housing units, 32,000 square feet of retail space, and 267,000 square feet of office space. This would result in 1,325 residents and 1,148 jobs.<sup>21</sup> Because the proposed TOD #1 project would result in new population on a site that is currently limited to commercial uses, the proposed TOD #1 project would represent a more intense use of the site. Although the relationship is not directly proportional, more intense uses of land typically result in an increase in the number of calls for police protection services. Thus, the proposed TOD #1 project would create an increased demand for police protection services.

While the addition of 1,325 permanent residents would increase the service population for the MPB from 22,605 to 23,930, thus reducing the officer-to-resident ratio in Millbrae from 1:1,256 to 1:1,329, the Sheriff's Office would continue to support the MPB to accommodate the increase in population. As stated above in Impact PS-3 under the Specific Plan Update discussion, the MBP currently meets an average response time of less than 4 minutes for Priority 1 (life-threatening situations) calls under existing conditions, but may require additional staffing to support development in the Specific Plan Area, including the proposed TOD #1 project.

While the proposed TOD #1 project would increase the number of persons and level of activity on the site, given the site is surrounded by residential and commercial land uses, it is reasonable to expect that the proposed TOD #1 project would not result in a meaningful increase in the amount of crime in the project site. Accordingly, the effect that the proposed TOD #1 project would have on response times is considered to be minimal. Furthermore, compliance with General Plan Policies LU5.13, S2.4 and S2.5 would ensure adequate police services and facilities are provided to the residents of Millbrae.

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<sup>21</sup> See Table 3-1 in Chapter 3, Project Description, for details on population and employment generation.

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For the reasons stated above and because the MPB would only require new staff and equipment to accommodate future increases in calls for police protection services, and would not require expansion of MPB facilities, impacts would be *less than significant* and no mitigation measures are warranted.

### *BART Police Department*

The discussion above under the Specific Plan Update is applicable to the proposed TOD #1 project.

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

## TOD #2 Project

### *Millbrae Police Bureau*

As described in Chapter 3, Project Description, of this Draft EIR, development of the proposed TOD #2 project would generate 321 new housing units, 116 hotel rooms, 46,935 square feet of retail space, and 164,535 square feet of office space. This would result in 851 permanent residents, 232 temporary hotel guests (at capacity) and 868 new jobs. Because the proposed TOD #2 project would result in new population on a site that is currently limited to parking uses, the proposed TOD #2 project would represent a more intense use of the site. Although the relationship is not directly proportional, more intense uses of land typically result in an increase in the number of calls for police protection services. Thus, the proposed TOD #2 project would create an increased demand for police protection services.

While the addition of 851 permanent residents and 232 temporary hotel guests (at capacity) would increase the service population for the MPB from 22,605 to 23,688, thus reducing the officer-to-resident ratio in Millbrae from 1:1,256 to 1:1,316, the Sheriff's Office would continue to support the MPB to accommodate the increase in population. As stated above in Impact PS-3 under the Specific Plan Update discussion, the MBP currently meets an average response time of less than 4 minutes for Priority 1 (life-threatening situations) calls under existing conditions, but may require additional staffing to support development in the Specific Plan Area, including the proposed TOD #2 project.

While the proposed TOD #2 project would increase the number of persons and level of activity on the site, given the site is surrounded by residential and commercial land uses, it is reasonable to expect that the proposed TOD #2 project would not result in a meaningful increase in the amount of crime in the project site. Accordingly, the effect that the proposed TOD #2 project would have on response times is considered to be minimal.

Furthermore, compliance with General Plan Policies LU5.13, S2.4 and S2.5 would ensure adequate police services and facilities are provided to the residents of Millbrae.

For the reasons stated above and because the MPB would only require new staff and equipment to accommodate future increases in calls for police protection services, and would not require expansion of MPB facilities, impacts would be *less than significant* and no mitigation measures are warranted.



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## PUBLIC SERVICES AND RECREATION

### *BART Police Department*

The discussion above under the Specific Plan Update is applicable to the proposed TOD #2 project.

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

### 4.12.2.5 CUMULATIVE IMPACTS

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PS-4	The proposed Project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to police protection services.
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A significant cumulative environmental impact would result if, in combination with other past, present, and reasonably foreseeable projects, buildout of the proposed Project would exceed the ability of police responders to adequately serve the vicinity, thereby requiring construction of new facilities or modification of existing facilities. This section analyzes potential impacts to police protection services that could occur from the proposed Project in combination with reasonably foreseeable growth. For the purposes of this analysis the area of cumulative effect will be considered the service area of the MPB, which as discussed above includes the area within the city limits of Millbrae.

As described in Chapter 3 of this EIR, buildout of the proposed Project would bring approximately 4,640 permanent residents, 740 temporary hotel guests (at capacity) and 7,600 employees to the Specific Plan Area by 2040.<sup>22</sup> This increase in service population could increase the number of calls for police protection services; however, as discussed above, the proposed Project would not require the need for new or altered police facilities. Accordingly, the proposed Project's contribution would not be cumulatively considerable and cumulative impacts to police services would be *less than significant*. Furthermore, if and when new or expanded facilities do become necessary due to cumulative development projects in the service area, construction or expansion projects would be subject to separate CEQA review in order to identify and mitigate potential environmental impacts.

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

### 4.12.3 SCHOOLS

This section describes the existing regulations and conditions with regard to schools serving Millbrae and evaluates the potential impacts to schools that could result from the proposed Project.

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<sup>22</sup> See Table 3-1 in Chapter 3, Project Description, for details on population and employment generation.

## PUBLIC SERVICES AND RECREATION

### 4.12.3.1 ENVIRONMENTAL SETTING

#### Regulatory Framework

This section summarizes key State and local regulations related to schools concerning the proposed Project. There are no federal regulations pertaining to schools that apply to the proposed Project.

#### *State Regulations*

##### Senate Bill 50

Senate Bill 50 (funded by Proposition 1A, approved in 1998) limits the power of Cities and Counties to require mitigation of school facilities impacts as a condition of approving new development and provides instead for a standardized developer fee. SB 50 generally provides for a 50/50 State and local school facilities funding match. SB 50 also provides for three levels of statutory impact fees. The application level depends on whether State funding is available, whether the school district is eligible for State funding and whether the school district meets certain additional criteria involving bonding capacity, year round school and the percentage of moveable classrooms in use.

##### California Government Code, Section 65995(b), and Education Code Section 17620

SB 50 amended the California Government Code Section 65995, which contains limitations on Education Code Section 17620, the statute that authorizes school districts to assess development fees within school district boundaries. Government Code Section 65995(b)(3) requires the maximum square footage assessment for development to be increased every two years, according to inflation adjustments. On January 22, 2014, the State Allocation Board (SAB) approved increasing the allowable amount of statutory school facilities fees (Level I School Fees) from \$3.20 to \$3.36 per square foot of assessable space for residential development of 500 square feet or more, and from \$0.51 to \$0.54 per square foot of chargeable covered and enclosed space for commercial/industrial development.<sup>23</sup>

##### Mitigation Fee Act (California Government Code 66000-66008)

Enacted as AB 1600, the Mitigation Fee Act requires a local agency establishing, increasing, or imposing an impact fee as a condition of development to identify the purpose of the fee and the use to which the fee is to be put. The agency must also demonstrate a reasonable relationship between the fee and the purpose for which it is charged, and between the fee and the type of development plan on which it is to be levied. The Act came into force on January 1, 1989.

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<sup>23</sup> State Allocation Board Meeting, January 22, 2014, [http://www.documents.dgs.ca.gov/OPSC/Resources/Index\\_Adj\\_Dev.pdf](http://www.documents.dgs.ca.gov/OPSC/Resources/Index_Adj_Dev.pdf), accessed July 8, 2014.

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*Local Regulations*

Millbrae 1998-2015 General Plan

The City of Millbrae General Plan outlines various goals, policies, and implementing programs relevant to schools in the Land Use Element. The policy relevant to the proposed Project is listed in Table 4.12-4.

**TABLE 4.12-4 GENERAL PLAN POLICIES PERTAINING TO SCHOOLS**

Number	Policy
<b>Land Use (LU) Element</b>	
LU5.16	<b>Coordination with School Districts.</b> Coordinate with the Millbrae Elementary School District and the San Mateo Union High School District in planning for adequate public school facilities.

Source: City of Millbrae General Plan 1998-2015, adopted 1998.

**Existing Conditions**

Millbrae, including the Specific Plan Area, is served by two different school districts: Millbrae Elementary School District (MESD) and San Mateo Union High School District (SMUHSD).

*Millbrae Elementary School District*

The MESD serves the entire city and operates five schools, including four elementary schools and one middle school. The MESD schools are listed below.<sup>24</sup>

- **Lomita Park Elementary School**, 200 Santa Helena, San Bruno, CA 94066: Approximately 1.2 miles northwest from the Specific Plan Area.
- **Spring Valley Elementary School**, 817 Murchison Drive, Millbrae, CA 94030: Approximately .7 miles southwest from the Specific Plan Area.
- **Taylor Middle School**, 850 Taylor Boulevard, Millbrae, CA 94030: Approximately .9 miles west from the Specific Plan Area
- **Green Hills Elementary School**, 401 Ludeman Lane, Millbrae, CA 94030: Approximately 1.1 miles northwest from the Specific Plan Area
- **Meadows Elementary School**, 1101 Helen Drive, Millbrae, CA 94030: Approximately 1.8 miles west from the Specific Plan Area

Among the five schools, three schools would service residents living in the Specific Plan Area: Lomita Park Elementary, Spring Valley Elementary, and Taylor Middle Schools.<sup>25</sup>

<sup>24</sup>Millbrae School District, <http://www.millbraeschooldistrict.org/SchoolsList.aspx>, accessed December 12, 2014.

<sup>25</sup> Personal communications between Alex Lopez (PlaceWorks) and Michelle Henson, Chief Business Official, Millbrae School District, November 13, 2014.

## PUBLIC SERVICES AND RECREATION

### Enrollment and Capacity

Table 4.12-5 shows MESD’s past, current, and projected enrollments. In the 2013-14 school year, MESD enrollment was 2,445, which represents a 12 percent increase compared to the 2009-10 enrollment. In general, all MESD schools have seen a steady upward trend since 2009-10. However, the MESD’s Developer Fee Justification Study, prepared in 2012, projected a total of 2,385 students for 2016-17, which is 60 students less than the current enrollment of 2,445. Given the uprising enrollment trends in the past five years, this projection may not be true anymore.

**TABLE 4.12-5 ENROLLMENT FOR THE MILLBRAE ELEMENTARY SCHOOL DISTRICT**

School	Past 2009/2011 <sup>a</sup>	Past 2011/2012 <sup>a</sup>	Current 2013/2014 <sup>a</sup>	Projected (as of Feb. 2012) 2016/2017 <sup>b</sup>
Green Hills Elementary	328	373	383	N/A
Lomita Park Elementary	290	316	319	N/A
Meadows Elementary	343	342	415	N/A
Spring Valley Elementary	363	425	420	N/A
Taylor Middle	852	866	908	N/A
<b>MESD Schools Total</b>	<b>2,176</b>	<b>2,322</b>	<b>2,445</b>	<b>2,385</b>

Source: <sup>a</sup> California Department of Education, DataQuest, <http://dq.cde.ca.gov/dataquest/Enrollment>, accessed December 12, 2014. <sup>b</sup> Millbrae School District, February 17, 2012, 2012 Developer Fee Justification Study for Millbrae School District. Projected enrollment data for each school is not provided.

According to Chief Business Official of MESD, as of November 2014, MESD schools are at their capacity for enrollment and would not be able to accommodate additional students without adding portable classrooms or construction of new classrooms. The MESD recently installed three new portable classrooms to meet current demand. Chief Business Official indicated that Spring Valley Elementary is the most likely location for additional portables or classrooms, if needed. MESD staff is considering preparing a demographic study and a school facilities mater plan.<sup>26</sup>

### Student Generation Rates

According to the 2012 Developer Fee Justification Study, the MESD’s student generation rates are:

- 0.4 students per household for Grades K to 6
- 0.1 students per household for Grades 7 to 8

<sup>26</sup> Personal communications between Alex Lopez (PlaceWorks) and Michelle Henson, Chief Business Official, Millbrae School District, November 13, 2014.

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### Budget and Funding

The MESD's adopted budget for the 2014-2015 school year was approximately \$20 million.<sup>27</sup> MESD's funding sources include state aid from the Local Control Funding Formula, State Categorical funding, Federal Categorical funding, local taxes, grants, and donations. The MESD also collects development impact fees, which fund improvements and new facilities to mitigate impacts from new development. The Millbrae Elementary School District currently collects \$1.92 per square foot for residential and \$0.31 per square foot for commercial.<sup>28</sup> In addition to the development impact fee, the voters approved two bond measures for school facility improvements and upgrades: Measure X for \$30 million in 2008 and Measure N for additional \$30 million in 2011.<sup>29 30</sup>

### *San Mateo Union High School District*

The San Mateo Union High School District (SMUHSD) operates one alternative high school and six comprehensive high schools throughout San Mateo County, as listed below.<sup>31</sup>

- Aragon High School, 900 Alameda de las Pulgas, San Mateo, CA 94402
- Burlingame High School, 1 Mangini Way, Burlingame, CA 94010
- Capuchino High School, 1501 Magnolia Avenue, San Bruno, CA 94066
- Hillsdale High School, 3115 Del Monte Street, San Mateo, CA 94403
- Mills High School, 400 Murchison Drive, Millbrae, CA 94030
- San Mateo High School, 506 North Delaware Street, San Mateo, CA 94401
- Peninsula Alternative High School, 300 Piedmont, San Bruno, CA 94066
- San Mateo Middle College High School, 1700 W. Hillsdale Blvd. Bldg. 17, Room 154, San Mateo, CA 94402

Mills High School is the closest high school to the Specific Plan Area, as it is located across Magnolia Avenue from the southwest border of the Specific Plan Area. All residences located within the MESD's boundary, including the ones in the Specific Plan Area, are primarily assigned to Mills High School. However, if the school exceeds its capacity, the SMUHSD will assign the overflow to other SMUHSD schools. The SMUHSD also allows students to attend any of the other comprehensive high schools through an intra-district transfer program.<sup>32</sup>

### Enrollment and Capacity

Table 4.12-6 shows SMUHSD's past, current, and projected enrollments. In the 2013-14 school year, SMUHSD enrollment was 8,163, which represents a 4 percent decrease compared to the 2009-10 enrollment. Many SMUHSD schools have seen a steady downward trend since 2009-10, except for Hillsdale High and San Mateo

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<sup>27</sup> Millbrae School District, Budget 2014-2015, Executive Summary June 23, 2014, <http://www.millbraeschooldistrict.org/userfiles/11/Budget%20Adoptions/2014-2015%20Budget-fully%20executed.pdf>, accessed December 12, 2014.

<sup>28</sup> Millbrae Elementary School District, Resolution No. 11-12-18, Resolution to Increase Developer Fee, April 30, 2012.

<sup>29</sup> Millbrae School District, Bonds, Measure N Fact Sheet, <http://www.millbraeschooldistrict.org/userfiles/11/Measure%20N/Measure%20N%20Fact%20Sheet.pdf>, accessed December 12, 2014.

<sup>30</sup> Ballotpedia, [http://ballotpedia.org/Millbrae\\_School\\_District\\_bond\\_proposition,\\_Measure\\_X\\_\(November\\_2008\)](http://ballotpedia.org/Millbrae_School_District_bond_proposition,_Measure_X_(November_2008)), accessed December 12, 2014.

<sup>31</sup> San Mateo Union High School District, <http://www.smuhsd.org/ourschools>, accessed December 12, 2014.

<sup>32</sup> Personal communications between Alex Lopez (PlaceWorks) and Pam Chavez, Executive Coordinator to the Deputy Superintendent, Business Services, San Mateo Union High School District, November 18, 2014.

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High Schools. The SMUHSD’s Developer Fee Justification Study, prepared in 2014, projected a total of 8,411 students for 2016-17, which is a 3 percent increase (248 additional students) compared to the current enrollment of 8,163.

According to the SMUHSD, the schools are adequate to meet the current demand for school services.<sup>33</sup> SMUHSD does not have any new construction plans for the comprehensive high schools. SMUHSD is considering modernizing or relocating Peninsula Alternative High School.<sup>34</sup>

**TABLE 4.12-6 ENROLLMENT FOR THE SMUHSD**

School	Past 2009/2011 <sup>a</sup>	Past 2011/2012 <sup>a</sup>	Current 2013/2014 <sup>a</sup>	Projected (as of Oct. 2014) 2016/2017 <sup>b</sup>
Aragon High	1,632	1,499	1,441	N/A
Burlingame High	1,348	1,314	1,306	N/A
Capuchino High	1,161	1,127	1,103	N/A
Hillsdale High	1,273	1,318	1,348	N/A
Mills High	1,469	1,325	1,232	N/A
Others		24	37	N/A
Peninsula High	246	261	224	N/A
San Mateo High	1,349	1,373	1,469	N/A
<b>SMUHSD Schools Total</b>	<b>8,478</b>	<b>8,247</b>	<b>8,163</b>	<b>8,411</b>

Source: <sup>a</sup> California Department of Education, DataQuest, <http://dq.cde.ca.gov/dataquest/Enrollment>, accessed December 12, 2014. <sup>b</sup> San Mateo Union High School District, October 2014, 2014 Developer Fee Justification Study for San Mateo Union High School District. Projected enrollment data for each school is not provided.

Student Generation Rates

According to the 2014 Developer Fee Justification Study, the SMUHSD uses a student generation rate of 0.2 students per household.<sup>35</sup>

<sup>33</sup> Personal communications between Alex Lopez (PlaceWorks) and Pam Chavez, Executive Coordinator to the Deputy Superintendent, Business Services, San Mateo Union High School District, November 18, 2014.

<sup>34</sup> Personal communications between Alex Lopez (PlaceWorks) and Pam Chavez, Executive Coordinator to the Deputy Superintendent, Business Services, San Mateo Union High School District, November 18, 2014.

<sup>35</sup> San Mateo Union High School District, October 2014, 2014 Developer Fee Justification Study for San Mateo Union High School District.

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### Budget and Funding

The SMUHSD's annual budget is approximately \$125 million.<sup>36</sup> Since the SMUHSD is a Basic Aid district, its revenue is predominantly funded through property taxes (\$105 million). The rest is funded with State and federal funds.<sup>37</sup> The San Mateo Union High School District (SMUHSD) currently collects fees for construction projects over 500 square feet and over at a rate of \$1.28 per square foot for residential and \$0.21 per square foot for commercial. The SMUHSD is, however, reviewing a new Developer Fee Study and intends on raising its fees in the Spring 2015. The new fees will be \$1.34 per square foot for residential and \$0.22 per square foot for commercial.<sup>38</sup> In addition to the development impact fee, the voters approved two bond measures for school facility improvements and upgrades: Measure M for \$298 million in 2006 and Measure O for additional \$186 million in 2011.<sup>39 40</sup> Through these two bond measures, the SMUHSD has been modernizing its facilities and adding enrollment capacity.

### 4.12.3.2 STANDARDS OF SIGNIFICANCE

The proposed Project would have a significant impact related to schools if, in order to maintain acceptable service ratios or other performance objectives, the proposed Project would result in the provision of or need for new or physically altered school facilities, the construction or operation of which could cause significant environmental impacts.

### 4.12.3.3 IMPACT DISCUSSION

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PS-5	The proposed Project would not result in the provision of or need for new or physically altered school facilities, the construction or operation of which could cause significant environmental impacts.
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## Specific Plan Update

As described in Chapter 3 of this Draft EIR, buildout of the proposed Specific Plan Update could generate as many as 1,750 new residential units in the Specific Plan Area by 2040.<sup>41</sup> As some of the proposed residential units would be studio and one-bedroom units accommodating single residents and couples without children, it is likely

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<sup>36</sup> Personal communications between Alex Lopez (PlaceWorks) and Pam Chavez, Executive Coordinator to the Deputy Superintendent, Business Services, San Mateo Union High School District, November 18, 2014.

<sup>37</sup> Personal communications between Alex Lopez (PlaceWorks) and Pam Chavez, Executive Coordinator to the Deputy Superintendent, Business Services, San Mateo Union High School District, November 18, 2014.

<sup>38</sup> Personal communications between Alex Lopez (PlaceWorks) and Pam Chavez, Executive Coordinator to the Deputy Superintendent, Business Services, San Mateo Union High School District, November 18, 2014.

<sup>39</sup> San Mateo Union High School District, <http://www.smuhsd.org/Oprojects>, accessed December 12, 2014.

<sup>40</sup> San Mateo Union High School District, <http://smuhsd.ca.schoolloop.com/file/1220710917877/1219362004947/4309626863391656666.pdf>, accessed December 12, 2014.

<sup>41</sup> See Table 3-1 in Chapter 3, Project Description, for details on population and employment generation.

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that the student generation estimates are high; thereby, allowing for a conservative analysis of potential impacts to schools.

### Millbrae Elementary School District

Applying the MESD's student generation rates, the new residential units would generate 700 students in grades kindergarten through 6<sup>th</sup> grade (K-6) and 175 students in 7<sup>th</sup> and 8<sup>th</sup> grades.<sup>42</sup> Together, development allowed by the proposed Specific Plan Update could generate as many as 875 new elementary students in kindergarten through 8<sup>th</sup> grade by 2040.

As previously described, the MESD schools are currently at their capacity, and therefore the 875 new students could exacerbate the MESD's enrollment issue. Although there is no short-term expansion plans for schools at the moment, the MESD is considering initiating preparation of a demographic study and facilities master planning. This effort, if commenced, would be in coordination with the proposed Specific Plan Update, and would help the MESD strategically accommodate additional students from the Specific Plan Area.

### San Mateo Union High School District

Applying the SMUHSD's student generation rate of 0.2 students per unit, the new residential units would generate 350 new high school students over the next 25 years.<sup>43</sup>

The 350 new students could exacerbate the SMUHSD's enrollment issue. As described above, if new students from the Specific Plan Area exceed Mills High School's capacity, the overflow would be transferred to other SMUHSD schools that have more space at that time. When all SMUHSD high schools exceed their capacity, new or expanded facilities to serve the overflow would be required, and a separate project-specific, environmental analysis would be completed under the authority of the SMUHSD.

Buildout of the proposed Specific Plan Update would occur over the course of 25 years, which would result in a gradual increase in demand for school services. In addition, compliance with General Plan LU5.16, requires the City to coordinate with the MESD and the SMUHSD in planning for adequate public school facilities. If and when construction of new and expanded facilities becomes necessary, such projects would be subject to separate CEQA review in order to identify and mitigate potential environmental impacts.

Development allowed by the Specific Plan Update would be subject to development impact fees in accordance with the provisions of SB 50, as well as parcel taxes. The payment of development impact fees is deemed to fully mitigate the impacts of new development on school facilities, per California Government Code Section 65995. Therefore, overall, impacts related to the MESD and SMUHSD would be *less than significant*.

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

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<sup>42</sup> 1,750 units x 0.4 grades K-6<sup>th</sup> grade students per unit = 700 students. 1,750 units x 0.1 7<sup>th</sup> to 8<sup>th</sup> grade students = 175 students.

<sup>43</sup> 1,750 units x 0.2 high school students per unit = 350 students



## TOD #1 Project

As described in Chapter 3, Project Description, of this Draft EIR, development of the proposed TOD #1 project would generate 500 new housing units.<sup>44</sup>

### Millbrae Elementary School District

Applying the MESD's student generation rates, the new residential units would generate 200 students in grades K-6<sup>th</sup> and 50 students in 7<sup>th</sup> and 8<sup>th</sup> grades.<sup>45</sup> Together, development allowed by the proposed TOD #1 project could generate as many as 250 new students in kindergarten through 8<sup>th</sup> grade by 2020.

### San Mateo Union High School District

Applying the SMUHSD's student generation rate of 0.2 students per unit, the new residential units would generate 100 new high school students over the next 5 years.<sup>46</sup>

As described in Impact PS-5 under the Specific Plan Update discussion, development of the proposed TOD #1 project would be subject to development impact fees in accordance with the provisions of SB 50, as well as parcel taxes. The payment of development impact fees is deemed to fully mitigate the impacts of new development on school facilities, per California Government Code Section 65995. Therefore, impacts related to the MESD and SMUHSD would be *less than significant*.

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

## TOD #2 Project

As described in Chapter 3, Project Description, of this Draft EIR, development of the proposed TOD #2 project would generate 321 new housing units.<sup>47</sup> As some of the proposed residential units would be studio and one-bedroom units accommodating single residents and couples without children, it is likely that the student generation estimates are high; thereby, allowing for a conservative analysis of potential impacts to schools.

### Millbrae Elementary School District

Applying the MESD's student generation rates, the new residential units would generate 128 students in grades K-6<sup>th</sup> and 32 students in 7<sup>th</sup> and 8<sup>th</sup> grades.<sup>48</sup> Together, development allowed by the proposed TOD #2 project could generate as many as 160 new students in kindergarten through 8<sup>th</sup> grade by 2020.

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<sup>44</sup> See Table 3-1 in Chapter 3, Project Description, for details on population and employment generation.

<sup>45</sup> 500 units x 0.4 grades K-6<sup>th</sup> students per unit = 200 students. 500 units x 0.1 7<sup>th</sup> to 8<sup>th</sup> grade students = 50 students.

<sup>46</sup> 500 units x 0.2 high school students per unit = 100 students

<sup>47</sup> See Table 3-1 in Chapter 3, Project Description, for details on population and employment generation.

<sup>48</sup> 321 units x 0.4 grades K-6<sup>th</sup> students per unit = 128 students. 321 units x 0.1 7<sup>th</sup> to 8<sup>th</sup> grade students = 32 students.

## PUBLIC SERVICES AND RECREATION

### San Mateo Union High School District

Applying the SMUHSD's student generation rate of 0.2 students per unit, the new residential units would generate 64 new high school students over the next 5 years.<sup>49</sup>

As described in Impact PS-5 under the Specific Plan Update discussion, development of the proposed TOD #2 project would be subject to development impact fees in accordance with the provisions of SB 50, as well as parcel taxes. The payment of development impact fees is deemed to fully mitigate the impacts of new development on school facilities, per California Government Code Section 65995. Therefore, impacts related to the MESD and SMUHSD would be *less than significant*.

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

### 4.12.3.4 CUMULATIVE IMPACTS

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PS-6	The proposed Project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to schools.
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The methodology used for the cumulative impact analysis is described in Chapter 4.0, Environmental Evaluation, of this Draft EIR. This section analyzes potential impacts related to schools that could occur from implementation of the proposed Project in combination with reasonably foreseeable growth in the area served by the MESD and the SMUHSD. Cumulative projects would add new students to the MESD and SMUHSD, in addition to those generated by development allowed by the proposed Project, which could result in the need for new or expanded school facilities. However, these cumulative projects would also be subject to the school mitigation fees. Under Section 65995 of the California Government Code, the payment of impact fees is deemed to fully mitigate the impacts of new development on school facilities. Therefore, cumulative impacts related to school facilities would be *less than significant*.

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

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<sup>49</sup> 321 units x 0.2 high school students per unit = 64 students

## 4.12.4 LIBRARIES

This section describes the existing conditions related to library services in Millbrae and evaluates the potential impacts with regard to libraries that could result from the proposed Project.

### 4.12.4.1 ENVIRONMENTAL SETTING

#### Regulatory Framework

This section summarizes key State and local regulations related to libraries, concerning the proposed Project. There are no federal or State regulations pertaining to libraries that apply to the proposed Project.

##### *Regional Regulations*

##### San Mateo County Library Strategic Plan 2007-2014

In September 2007, the San Mateo County Library Joint Powers Authority (Library JPA) adopted the *Santa Mateo County Library Strategic Plan: 2007 to 2014*. This Strategic Plan is intended to provide a framework for better library services by establishing vision, mission, goals, and objectives.<sup>50</sup> The Santa Mateo County Library Strategic Goals contained in the Strategic Plan are listed below.<sup>51</sup>

- **Destination Libraries:** Create welcoming spaces that promote a sense of community pride and facilitate customer-centered services.
- **Collections and Services:** Develop and deliver outstanding library collections and services that reflect the interests and needs of our diverse customer base.
- **Community Engagement:** Raise awareness and visibility of San Mateo County Library (SMCL) services and increase recognition of the library as an essential community asset.
- **Organizational Culture:** Become a learning organization that continuously assesses community needs and develops staff to provide excellent customer service.

##### *Local Regulations*

##### Millbrae 1998-2015 General Plan

The City of Millbrae General Plan outlines various goals, policies, and implementing programs relevant to libraries in the Land Use Element. The policy relevant to the proposed Project is listed in Table 4.12-7.

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<sup>50</sup> San Mateo County Library, September 2007, San Mateo County Library Strategic Plan 2007-2014.

<sup>51</sup> San Mateo County Library, September 2007, San Mateo County Library Strategic Plan 2007-2014.

## PUBLIC SERVICES AND RECREATION

TABLE 4.12-7 GENERAL PLAN POLICIES RELEVANT TO LIBRARIES

Number	Policy
<b>Land Use (LU) Element</b>	
LU5.2	<b>Millbrae Library.</b> Retain and enhance the high quality library service at the Millbrae Library and cooperatively explore with the County ways to improve service, including potential expansion and remodel of the library to meet community needs and ensure continued quality service in the future, including continued participation in the Joint Powers Agreement with the County to provide library services.

Source: City of Millbrae General Plan 1998-2015, adopted 1998.

### Existing Conditions

The San Mateo County Library (SMCL) provides public library services to 11 cities, including Atherton, Belmont, Brisbane, East Palo Alto, Foster City, Half Moon Bay, Millbrae, Pacifica, Portola Valley, San Carlos, Woodside, as well as the unincorporated areas of San Mateo County. As one of the SMCL member cities, Millbrae has a community library located on 1 Library Avenue, immediately adjacent to its City Hall and approximately 0.5 miles west of the Specific Plan Area.

#### *Library Facility and Services*

As part of the SMCL, the Millbrae Library offers traditional book and media lending services, as well as a virtual library with online E-books and online databases for personal readings and online research. In 2014, responding to increasing demand for digital collections, the SMCL expanded its collection to just under 60,000 eBooks and launched three new services: downloadable audiobooks, magazines, and music. As a result, the SMCL experienced a 53-percent increase in digital item circulation; a total of 144,075 digital items were downloaded in 2014.<sup>52</sup> The Millbrae Library's annual circulation in 2014 was 501,350 with a total of 410,800 visitors, the highest visits among the 12 branches.<sup>53</sup>

The library also has computers equipped with basic software and internet access; free Wi-Fi connection is available to all library visitors.<sup>54</sup> In 2014, all SMCL libraries expanded their bandwidth to 1 Gbps to provide more online services, such as web conferencing and online learning.<sup>55</sup>

The Millbrae Library also provides a range of programs, such as daily children's story times, author readings, lectures, dance and musical performances, and computer training. The library is equipped with reader seats, study rooms, and meeting rooms.

<sup>52</sup> San Mateo County Library 2014 Annual Report. 2014.

<sup>53</sup> San Mateo County Library 2014 Annual Report. 2014.

<sup>54</sup> Millbrae Library, <http://www.smcl.org/content/millbrae>, accessed December 16, 2014.

<sup>55</sup> San Mateo County Library 2014 Annual Report. 2014.

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## PUBLIC SERVICES AND RECREATION

### *Library Funding*

Library services are primarily funded by County property taxes. This source is supplemented by other sources, including private, state and federal grants, interest earnings, fines and fees, donations, and the Friends of the Library. There are currently no developer impact fees for development or improvement of library facilities.<sup>56</sup>

#### 4.12.4.2 STANDARDS OF SIGNIFICANCE

The proposed Project would have a significant impact related to libraries if in order to maintain acceptable service ratios or other performance objectives, the proposed Project would result in the provision of or need for new or physically altered library facilities, the construction or operation of which could cause significant environmental impacts.

#### 4.12.4.3 IMPACT DISCUSSION

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PS-7	The proposed Project would not result in the provision of or need for new or physically altered library facilities.
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### Specific Plan Update

As described in Chapter 3, Project Description, of this Draft EIR, development allowed by the proposed Specific Plan Update is expected to generate approximately 1,750 new housing units, 370 hotel rooms, 1,653,340 square feet of office space, and 275,110 square feet of retail space. This anticipated future development would result in approximately 4,640 permanent residents, 740 temporary hotel guests (at capacity) and 7,600 new employees. While the routine use of the library by future employees and hotel guests from the Specific Plan Area is not anticipated, the permanent new residents could increase the demand for the library services at the Millbrae Library.

General Plan Policy LU2.5 requires the City to retain and enhance the high quality library service at the Millbrae Library and cooperatively explore with the County ways to improve service, including potential expansion and remodel of the library to meet community needs and ensure continued quality service in the future, as well as continued participation in the Joint Powers Agreement with the County to provide library services.

Buildout of the proposed Specific Plan Area would occur over a 25-year buildout horizon, which would result in a gradual increase in demand for library services. Given that increased use of library facilities would be gradual and because some of the proposed residential units would be studio and one-bedroom units accommodating single residents, it is likely that the total population estimates are high; thereby, allowing for a conservative analysis of potential impacts to libraries, the additional new library users in the Specific Plan Area would not likely cause or accelerate the need for facility expansion.

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<sup>56</sup> Personal communications between Alex Lopez (PlaceWorks) and Tom Fortin, Deputy Director, San Mateo County Library, November 17, 2014.

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In addition, as described above, demand for online resources and bandwidth is rapidly increasing. Because many library resources are available online, an increase in a service population does not necessarily result in an additional book or magazine collection, which often requires additional library space. SMCL staff indicated that increased demand from the Specific Plan Area would not require the physical expansion of the Millbrae Library.<sup>57</sup> Therefore, a *less-than-significant* impact would occur with respect to the need for new or physically altered library facilities.

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

### TOD #1 Project

As described in Chapter 3, Project Description, of this Draft EIR, development of the proposed TOD #1 project is expected to generate approximately 500 new housing units, 267,000 square feet of office space, and 32,000 square feet of retail space. This anticipated future development would result in approximately 1,325 new residents and 1,148 new employees. While the routine use of the library by future employees from the Specific Plan Area is not anticipated, the permanent new residents could increase the demand for the library services at the Millbrae Library.

As stated above in Impact PS-7 under the Specific Plan Update discussion, compliance with General Plan Policy LU2.5 and a conservative service population estimate, together with the availability of online resources and overall buildout of the Specific Plan Update, would not require the physical expansion of the Millbrae Library. Therefore, a *less-than-significant* impact would occur with respect to the need for new or physically altered library facilities.

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

### TOD #2 Project

As described in Chapter 3, Project Description, of this Draft EIR, development of the proposed TOD #2 project is expected to generate approximately 321 new housing units, 116 hotel rooms, 164,535 square feet of office space, and 46,935 square feet of retail space. This anticipated future development would result in approximately 851 new residents, 232 temporary hotel guests (at capacity) and 868 new employees. While the routine use of the library by hotel guests and future employees from the Specific Plan Area is not anticipated, the permanent new residents could increase the demand for the library services at the Millbrae Library.

As stated above in Impact PS-7 under the Specific Plan Update discussion, compliance with General Plan Policy LU2.5 and a conservative service population estimate, together with the availability of online resources and overall buildout of the Specific Plan Update, would not require the physical expansion of the Millbrae Library. Therefore, a *less-than-significant* impact would occur with respect to the need for new or physically altered library facilities.

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

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<sup>57</sup> Personal communications between Alex Lopez (PlaceWorks) and Tom Fortin, Deputy Director, San Mateo County Library, November 17, 2014.

#### 4.12.4.4 CUMULATIVE IMPACTS

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PS-8	The proposed Project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to libraries.
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This section analyzes potential cumulative impacts to library services that could occur from development allowed by the proposed Project in combination with reasonably foreseeable growth in the SMCL service area. Implementation of the proposed Project in conjunction with these related projects would further increase demands on library services.

Future growth within the SMCL service area would increase the demand for library services and facilities. The San Mateo County Library Strategic Plan: 2007 to 2014 accounts for the entire SMCL service area and provides a framework for continuous improvement of library services. Since the current Strategic Plan's planning horizon ends the year 2014, the SMCL has initiated the library strategic planning process for the next five to seven years. This effort would continuously ensure that SMCL libraries are adequate to fulfill demand and that the SMCL plans for future improvements in coordination with its member communities, including the Millbrae.

As discussed above, the proposed Project would not require the need for new or altered library facilities. Accordingly, the proposed Project's contribution would not be cumulatively considerable and cumulative impacts to library services would be *less than significant*. Furthermore, if and when new or expanded facilities do become necessary due to cumulative development projects in the service area, construction or expansion projects would be subject to separate CEQA review in order to identify and mitigate potential environmental impacts. Therefore, a *less-than-significant* cumulative impact associated with libraries would occur.

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

#### 4.12.5 PARKS AND RECREATION

This section describes the regulatory framework and existing conditions and evaluates the potential physical environmental impacts related to parks and recreation that could result from the proposed Project.

##### 4.12.5.1 ENVIRONMENTAL SETTING

###### Regulatory Framework

###### *Federal Regulations*

There are no federal regulations regarding parks and recreation services that are applicable to the proposed Project.

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### *State Regulations*

#### The Quimby Act

Since the passage of the 1975 Quimby Act (California Government Code Section 66477), cities and counties have been authorized to pass ordinances requiring that developers set aside land, donate conservation easements or pay fees for park improvements. Revenues generated through the Quimby Act cannot be used for the operation and maintenance of park facilities.<sup>58</sup> A 1982 amendment (AB 1600) requires agencies to clearly show a reasonable relationship between the public need for the recreation facility or park land and the type of development project upon which the fee is imposed. Cities with a high ratio of park space to inhabitants can set a standard of up to 5 acres per thousand persons for new development. Cities with a lower ratio can only require the provision of up to 3 acres of park space per thousand people. The calculation of a city's parkland-to-resident ratio is based on a comparison of the population count of the last federal census to the amount of city-owned parkland.

### *Local Regulations*

#### Millbrae 1998-2015 General Plan

The City of Millbrae General Plan outlines various goals, policies, and implementing programs to encourage a full range of park and recreational resources, outdoor recreation, and preservation of open space in the Land Use Element and Parks, Open Space and Conservation Element. The policies relevant to the proposed Project are listed in Table 4.12-8.

**TABLE 4.12-8 GENERAL PLAN POLICIES RELEVANT TO PARKS AND RECREATION**

Number	Policy
<b>Land Use Element (LU)</b>	
LU5.13	<b>City Facilities.</b> Continue to maintain adequate facilities for the Police, Fire, Parks and Recreation, Public Works, and Administrative needs of the City.
LU5.14	<b>Recreational Facilities.</b> Assess the need for and construct new recreational facilities as required in the City.
<b>Parks, Open Space and Conservation Element (PC)</b>	
PC1.3	<b>New Residential Development.</b> Require that all new multi-family residential projects provide a significant amount of on-site open space/recreation facilities for residents or provide a combination of park in-lieu fees and on-site recreational facilities.
PC2.3	<b>In-Lieu Recreation and Condominium Park Fees.</b> Exact in-lieu fees according to California Government Code 66477 and the Municipal Code to fund park and recreation facility improvements, and use the interest earned on fees to fund facility maintenance.

<sup>58</sup> Westrup, Laura, 2002. *Quimby Act 101: An Abbreviated Overview*, Sacramento: California Department of Parks and Recreation. (<http://www.parks.ca.gov/pages/795/files/quimby101.pdf>)



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**TABLE 4.12-8 GENERAL PLAN POLICIES RELEVANT TO PARKS AND RECREATION**

Number	Policy
PC4.3	<p><b>Open Space Preservation.</b> The following means will be considered for preserving open space resources, in order of priority: (1) private development review process; (2) public-private partnerships; and lastly, (3) public funds. Possible means are described below.</p>
	<p><i>Private Resources</i></p>
	(1) Require permanent dedication of open space areas with high habitat, visual, recreational, or archaeological value as a condition of development. These lands should be owned and maintained by private parties unless they are appropriate for use as trails or other public-access uses.
	(2) Use visual or public-access easements and building setbacks to protect open space resources while allowing development on private parcels.
	(3) Use impact fees from development of land with lower open-space values to acquire easements or ownership on land with higher open-space values.
	(4) Encourage clustering of units to protect areas with high open space values.
(5) Encourage grants and donations of undeveloped property with high open-space values from private individuals or organizations.	
(6) Encourage private, non-profit and other public agencies to acquire and maintain undeveloped land for open space preservation. These methods are preferred over the use of city funds for acquisition.	
<p><i>Public-Private Partnerships</i></p>	
(1) When parcels on planned trail or pathway corridors are developed, require the developer to construct the portion of the trail crossing the parcel as one of the conditions of development.	
(2) Work with organizations such as the Urban Creeks Council, Trust for Public Lands, Nature Conservancy, Coastal Conservancy, and other cities to perform creek restoration and other tasks related to open space.	
<p><i>Public (City) Funds</i></p>	
(1) Prioritize parcels with high habitat, visual, archaeological or recreational values for purchase by the City if funds become available.	
PC5.1	<p><b>Open Space Access.</b> Pursue public access to open space lands through the Tentative Map process to require dedications, easements and other mechanisms in the Conditions of Approval for a project.</p>
PC5.4	<p><b>Development Review.</b> Review all new development or improvement proposals through the City's development and design review processes for: (1) impacts on access to sunlight; (2) provision of landscaped setbacks; (3) provision of street furniture in public open spaces; and (4) impacts on views.</p>

Source: City of Millbrae General Plan 1998-2015, adopted 1998.

**Millbrae Municipal Code**

The City of Millbrae Municipal Code contains all ordinances for the city. The Municipal Code is organized by Title, Chapter, and Section. The current Municipal Code is up to date through Ordinance 747, passed May 27, 2014. The following provisions in Title 10, Planning and Zoning, of the Municipal Code help to minimize adverse effects to parks and recreation as a result of development in Millbrae:

- **Chapter 10.20 Park and Recreation Land.** This chapter requires either dedication of land or payment of in-lieu fees for residential development projects in order to maintain a ratio of five acres of parks or recreational facilities to 1,000 Millbrae residents (Section 10.20.030). Therefore, any residential development projects, including mixed-use projects, within the Specific Plan Area shall comply with the provisions of Chapter 10.20. Any residential or mixed use project shall provide either publicly accessible open space as required in this

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Specific Plan Update; or parks and recreation facilities or an in-lieu fee as required in Chapter 10.20 of the Municipal Code, whichever is greater.

### Existing Conditions

Millbrae residents enjoy a variety of recreational opportunities provided by the parks and recreation facilities located in the city.<sup>59</sup> Millbrae's parks range from Mini-Parks (parks generally less than one acre in size) to Neighborhood Parks (generally one to five acres in size) to the City's Central Park, an eight-acre Community Park with a Community Center facility. City owned and operated parks total 28 acres.<sup>60</sup> Residents also enjoy the recreational opportunities provided by the 93-acre County-owned Junipero Serra Park, of which 15 acres are located within the City's limits, and by several significant privately owned recreational facilities in the city, including the 103-acre Green Hills Country Club golf course.<sup>61</sup>

Also, based on a 2008 joint use agreement between the City and the Millbrae Elementary School District (MESD), the City is allowed to schedule the use of various sports fields and playgrounds during non-school usage times. The shared sports fields and playgrounds total approximately 65 acres.<sup>62</sup> Under this agreement, the City is responsible for maintenance and utilities at the fields. There is a lease payment to the MESD and a payment from the MESD towards maintenance.<sup>63</sup>

As shown in Table 4.12-9, there are 16 parks<sup>64</sup> and recreational facilities,<sup>65</sup> including the Spur Trail Phase I and II, within the city.

As of 2014 Millbrae had a population of 22,605 residents and approximately 93 acres<sup>66</sup> of parkland for a parkland-to-resident ratio of 4.1 acres per 1,000 residents. Including the 15 acres of the County-owned Junipero Serra Park within the city boundary for a total of 108 acres of parkland would increase the parkland-to-resident ratio to 4.8 acres per 1,000 residents. In either scenario, the City does not currently meet its standard of 5 acres per 1,000 residents.

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<sup>59</sup> City of Millbrae 1998-2015 General Plan, Section 6.4, Parks and Recreation Background, page 4.

<sup>60</sup> Millbrae Station Area Specific Plan, Environmental Impact Report, State Clearinghouse Number 98041091, City of Millbrae, August 14, 1998, page 4.7.3.

<sup>61</sup> City of Millbrae 1998-2015 General Plan, Section 6.4, Parks and Recreation Background, page 4.

<sup>62</sup> Millbrae Station Area Specific Plan, Environmental Impact Report, State Clearinghouse Number 98041091, City of Millbrae, August 14, 1998, page 4.7.3.

<sup>63</sup> Personal communications between Alex Lopez (PlaceWorks) and Chip Taylor, Public Works Director, City of Millbrae, November 14, 2014.

<sup>64</sup> City of Millbrae Recreation Department, Fall 2014 Program, September 2 – December 20, page 5.

<sup>65</sup> City of Millbrae, Departments and Services, Recreation, Facilities/Rentals, [www.ci.millbrae.ca.us/index.aspx?page=227](http://www.ci.millbrae.ca.us/index.aspx?page=227), accessed November 14, 2014.

<sup>66</sup> Total parkland includes the 28 acres of city parks plus the 65 acres of school facilities.

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**TABLE 4.12-9 EXISTING PARKS AND RECREATIONAL FACILITIES IN MILLBRAE**

<b>Parks</b>	<b>Location</b>	<b>Amenities</b>
Central Park	477 Lincoln Circle	Concerts in the Park. Recently renovated with the assistance of State of California grants. Playground, playing field, picnic tables, bbq, paths, tennis courts, bathrooms, community center.
Meadows Park	End of Lynnewood Drive	A tree-lined open space with a playground.
Mills Estate Park (aka Sebastian Park)	Lake Street and Sebastian Drive	Open space with views of the bay.
Bayside Manor Park	End of Lerida Avenue	A neighborhood park, renovated in 2002. Basketball court, playground, picnic tables, and open space area. In walking distance of the BART and Caltrain Station.
Marina Vista Park	End of Spruce	Basketball court, playground, open field, BBQs, and picnic areas.
Green Hills Park	Magnolia Avenue and Ludeman Lane	Open lawns, picnic tables, benches, horseshoe pit, tree filled terraces, and playground.
Spur Trail Phase I	Magnolia Avenue/Millbrae Avenue intersection	Begins at Magnolia Avenue/Millbrae Avenue intersection. Passes through the local Skate Park, Mosta Grove, Rotary Park, and Josephine Waugh Park.
Spur Trail Phase II	Hillcrest Boulevard	Begins on Hillcrest and extends to Richmond Drive. Extends behind residential property at an incline.
Josephine Waugh, Soroptimist Park (aka Jo-Waugh Park)	End of Chadbourne Avenue	Links to Phase II of the Spur Trail. Picnic area and trail.
Rotary Park	Millbrae Avenue and South Ashton	Smaller sized play equipment (children age 2 to 5 years), a shaded picnic area, small grassy area and path.
Bill Mitchell Lions Park	Tioga Drive and Richmond Drive	Neighborhood park with picnic area, open field, and playground.
Mosta Grove/Sister City	South Ashton across the street from Rotary Park	Renovated in August 2008. Grass area, benches, tables and barbeques.
Skate Park	451 Millbrae Avenue	Opened in 2002. Fenced skate park featuring a variety of ramps, rails and other small-scale elements.
Bayfront Park	Millbrae Avenue and Old Bayshore	Park off of the regional Bay Trail along the edge of San Francisco Bay and passes through Millbrae. Lawns and benches.
Junipero Serra County Park <sup>a</sup>	Northwest corner of Millbrae	Playground, trails, climbing structures, picnic area, open space, views of bay.
MESD School Sites <sup>b</sup>	Various locations in Millbrae	School playgrounds and sports fields

a. 15 acres of the 93-acre county park are located in Millbrae.

b. MESD school sites include Lomita Park School, Meadows School, Green Hills School, Spring Valley School and Taylor Middle School.

Sources: City of Millbrae Recreation Department, Fall 2014 Program, September 2 – December 20, page 5. City of Millbrae 1998-2015 General Plan, Section 6.4, Parks and Recreation Background, City of Millbrae, Departments and Services, Community Development Department, Parks Division, [www.ci.millbrae.ca.us](http://www.ci.millbrae.ca.us), accessed November 14, 2014.

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### 4.12.5.2 STANDARDS OF SIGNIFICANCE

The proposed Project would have a significant impact with regard to parks and recreation if it would:

1. In order to maintain acceptable service ratios or other performance objectives, result in substantial adverse physical impacts associated with the provision of or need for new or physically altered parks or recreation facilities, the construction or operation of which could cause significant environmental impacts, in order to maintain acceptable service ratios.
2. 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.
3. Include recreation facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

### 4.12.5.3 IMPACT DISCUSSION

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PS-9	The proposed Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered parks and recreational facilities, need for new or physically altered parks and recreation facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, or other performance objectives.
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### Specific Plan Update

As described in Chapter 3, Project Description, of this Draft EIR, development allowed by the proposed Specific Plan Update is expected to generate approximately 1,750 new housing units, 370 hotel rooms, 1,653,340 square feet of retail space, and 275,110 square feet of retail space. This anticipated future development would result in approximately 4,640 permanent residents, 740 temporary hotel guests (at capacity) and 7,600 new employees. While the routine use of the parks and recreational facilities by future employees and temporary hotel guests from the Specific Plan Area is not anticipated, the new permanent residents could increase the demand for the parks and recreational facilities in the city.

Implementation of the proposed Specific Plan Update would have a significant impact if it would result in substantial adverse physical impacts associated with the provision of new or physically altered parks and recreational facilities in order to maintain the City's adopted ratio of 5 acres of parkland per 1,000 residents are required.

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As described in Section 4.12.5.1 under Existing Conditions, the City does not currently meet its standard of 5 acres per 1,000 residents. The increase in population at buildout would be required to provide 23.2 acres of parkland to meet the standards of 5 acres per 1,000 residents.<sup>67</sup>

The General Plan policies listed in Table 4.12-8 would ensure adequate parks and recreational facilities in Millbrae are provided for existing and future residents under the Specific Plan Update. Specifically, General Plan Policy LU5.13 requires the City to maintain adequate facilities for the recreation needs of the city and Policy LU5.14 requires the City to assess the need for and construct new recreational facilities as required in the city. In addition, Policy PC1.33 calls for the City to require that all new multi-family residential projects provide a significant amount of on-site open space/recreation facilities for residents or provide a combination of park in-lieu fees and on-site recreational facilities. Finally, Policy PC2.3 calls for the City to exact in-lieu fees according to California Government Code 66477 and the Municipal Code to fund park and recreation facility improvements, and use the interest earned on fees to fund facility maintenance. While the addition of 4,640 new permanent residents would increase the service population, the increase would occur gradually over a 25-year horizon, and compliance with these General Plan policies and continued implementation of the parkland dedication requirements established in the Municipal Code would ensure that additional parkland is provided as development occurs in the city. If and when construction of new and expanded facilities becomes necessary, such projects would be subject to separate CEQA review in order to identify and mitigate potential environmental impacts.

Therefore, implementation of the proposed Specific Plan Update would not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered parks, and associated impacts would be *less than significant*.

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

### TOD #1 Project

As described in Chapter 3, Project Description, of this Draft EIR, development of the proposed TOD #1 project is expected to generate approximately 500 new housing units, 267,000 square feet of office space, and 32,000 square feet of retail space. This anticipated future development would result in approximately 1,325 new residents and 1,148 new employees. While the routine use of the parks and recreational facilities by future employees is not anticipated, the new permanent residents could increase the demand for the parks and recreational facilities in the city.

The increase in population from the proposed TOD #1 project would be required to provide 6.6 acres of parkland to meet the standards of 5 acres per 1,000 residents.<sup>68</sup> While the proposed TOD #1 project does not propose 6.6 acres of parkland in Millbrae, it would provide on-site common space areas (62 square feet per unit) and recreational amenities. Additionally, compliance with General Plan Policy PC1.33, which calls for the City to require that all new multi-family residential projects provide a significant amount of on-site open space/recreation

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<sup>67</sup> Acreage was calculated by multiplying the projected number of persons by the required acreage percentage. For example, 5 acres of City park per 1,000 persons is equivalent to 0.005, and  $0.005 \times 4,630 = 23.2$  acres.

<sup>68</sup> Acreage was calculated by multiplying the projected number of persons by the required acreage percentage. For example, 5 acres of City park per 1,000 persons is equivalent to 0.005, and  $0.005 \times 1,325 = 6.6$  acres.

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facilities for residents or provide a combination of park in-lieu fees and on-site recreational facilities would ensure the proposed TOD #1 project adequately meets the City's parkland requirement. Therefore, a *less-than-significant* impact would occur with respect to the need for new or physically altered parks and recreational facilities.

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

### TOD #2 Project

As described in Chapter 3, Project Description, of this Draft EIR, development of the proposed TOD #2 project is expected to generate approximately 321 new housing units, 116 hotel rooms, 164,535 square feet of office space, and 46,935 square feet of retail space. This anticipated future development would result in approximately 851 new residents, 232 temporary hotel guests (at capacity) and 868 new employees. While the routine use of the parks and recreational facilities by future employees and temporary hotel guest is not anticipated, the new permanent residents could increase the demand for the parks and recreational facilities in the city.

The increase in population from the proposed TOD #2 project would be required to provide 4.3 acres of parkland to meet the standards of 5 acres per 1,000 residents.<sup>69</sup> While the proposed TOD #2 project does not propose 4.3 acres of parkland in Millbrae, it would provide on-site common space areas (62 square feet per unit), 3,000 square feet of community space and recreational amenities. Additionally, compliance with General Plan Policy PC1.33, which calls for the City to require that all new multi-family residential projects provide a significant amount of on-site open space/recreation facilities for residents or provide a combination of park in-lieu fees and on-site recreational facilities would ensure the proposed TOD #2 project adequately meets the City's parkland requirement. Therefore, a *less-than-significant* impact would occur with respect to the need for new or physically altered parks and recreational facilities.

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

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PS-10	The proposed Project would not 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.
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### Specific Plan Update

Implementation of the proposed Specific Plan Update would result in a significant impact if development allowed by the Specific Plan Update would increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial deterioration of the facility would occur or be accelerated. New residents and employees that would be generated by development allowed by the proposed Specific Plan Update would use existing local and regional parks and recreational facilities. However, given the wide range of parks and recreational facilities available for public use in Millbrae and the surrounding area, the population and employment growth anticipated with the proposed Specific Plan Update would not be expected to increase the use of

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<sup>69</sup> Acreage was calculated by multiplying the projected number of persons by the required acreage percentage. For example, 5 acres of City park per 1,000 persons is equivalent to 0.005, and  $0.005 \times 851 = 4.3$  acres.

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recreational facilities to the extent that substantial deterioration would occur. Moreover, continued implementation of the parkland dedication requirements established in the General Plan and Municipal Code would ensure that existing parks or public facilities are well-maintained and improved as needed. Consequently, the proposed Specific Plan Update would not result in substantial physical deterioration of existing neighborhood and regional parks or other recreational facilities, and a *less-than-significant* impact would occur.

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

### TOD #1 Project

New residents and employees that would be generated by development under the proposed TOD #1 project would use existing local and regional parks and recreational facilities. However, given the wide range of parks and recreational facilities available for public use in Millbrae and the surrounding area, the population and employment growth anticipated with the proposed project would not be expected to increase the use of recreational facilities to the extent that substantial deterioration would occur. The proposed TOD #1 project would provide on-site common space areas (62 square feet per unit) and recreational amenities. Additionally, compliance with General Plan Policy PC1.33, which calls for the City to require that all new multi-family residential projects provide a significant amount of on-site open space/recreation facilities for residents or provide a combination of park in-lieu fees and on-site recreational facilities would ensure that existing parks or public facilities are well-maintained and improved as needed. Consequently, the proposed TOD #1 project would not result in substantial physical deterioration of existing neighborhood and regional parks or other recreational facilities, and a *less-than-significant* impact would occur.

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

### TOD #2 Project

New residents and employees that would be generated by development under the proposed TOD #2 project would use existing local and regional parks and recreational facilities. However, given the wide range of parks and recreational facilities available for public use in Millbrae and the surrounding area, the population and employment growth anticipated with the proposed project would not be expected to increase the use of recreational facilities to the extent that substantial deterioration would occur. The proposed TOD #2 project would provide on-site common space areas (62 square feet per unit), 3,000 square feet of community space and recreational amenities. Additionally, compliance with General Plan Policy PC1.33, which calls for the City to require that all new multi-family residential projects provide a significant amount of on-site open space/recreation facilities for residents or provide a combination of park in-lieu fees and on-site recreational facilities would ensure that existing parks or public facilities are well-maintained and improved as needed. Consequently, the proposed TOD #2 project would not result in substantial physical deterioration of existing neighborhood and regional parks or other recreational facilities, and a *less-than-significant* impact would occur.

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

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PS-11	The proposed Project would not include recreation facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.
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### Specific Plan Update

Implementation of the proposed Specific Plan Update would result in a significant impact if it would include or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. The proposed Specific Plan Update itself does not propose the construction or expansion of parks and recreational facilities. While the addition of 4,640 new permanent residents would increase the service population, the increase would occur gradually over a 25-year horizon, and compliance with these General Plan policies and continued implementation of the parkland dedication requirements established in the Municipal Code would ensure that additional parkland is provided as development occurs in the city. If and when construction of new and expanded facilities becomes necessary, such projects would be subject to separate CEQA review in order to identify and mitigate potential environmental impacts. Therefore, implementation of the proposed Specific Plan Update would not include or require the construction or expansion of recreational facilities, and the impact would be *less than significant*.

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

### TOD #1 Project

Development of the proposed TOD #1 project would result in a significant impact if it would include or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. The proposed TOD #1 project would provide on-site common space areas (62 square feet per unit) and recreational amenities. Additionally, compliance with General Plan Policy PC1.33, which calls for the City to require that all new multi-family residential projects provide a significant amount of on-site open space/recreation facilities for residents or provide a combination of park in-lieu fees. How the City applies the park in-lieu fees that fund development of and improvements to park and recreational facilities is determined by the City on an as needed basis. If and when construction of new and expanded facilities becomes necessary, such projects would be subject to separate CEQA review in order to identify and mitigate potential environmental impacts. Accordingly, impacts under the proposed TOD #1 project would be *less than significant* and no mitigation measures are required.

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

### TOD #2 Project

Development of the proposed TOD #2 project would result in a significant impact if it would include or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. The proposed TOD #2 project would provide on-site common space areas (62 square feet per unit), 3,000 square feet of community space and recreational amenities. Additionally, compliance with General Plan Policy PC1.33, which calls for the City to require that all new multi-family residential projects provide a significant



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amount of on-site open space/recreation facilities for residents or provide a combination of park in-lieu fees. How the City applies the park in-lieu fees that fund development of and improvements to park and recreational facilities is determined by the City on an as needed basis. If and when construction of new and expanded facilities becomes necessary, such projects would be subject to separate CEQA review in order to identify and mitigate potential environmental impacts. Accordingly, impacts under the proposed TOD #2 project would be *less than significant* and no mitigation measures are required.

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

### 4.12.5.4 CUMULATIVE IMPACTS

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PS-12	The proposed Project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to parks and recreational facilities.
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Implementation of the proposed Specific Plan Update would have a significant impact if it would result in substantial adverse physical impacts associated with the provision of new or physically altered parks and recreational facilities in order to maintain the City's adopted ratio of 5 acres of parkland per thousand residents.

While cumulative growth in the resident and employee population would result in increased use of neighborhood and regional parks and recreational facilities, buildout of the reasonably foreseeable projects in Millbrae would not result in substantial adverse impacts to parks and recreational facilities in Millbrae. Same as the proposed Project, future development the new residents and employees that would be generated by cumulative development would use existing local and regional parks and recreational facilities, continued implementation of the parkland dedication requirements established in the Municipal Code and General Plan would ensure that existing parks or public facilities are well-maintained and improved as needed, avoiding substantial physical deterioration of recreational facilities.

Overall, implementation of the proposed Specific Plan Update, in combination with other past, present, and reasonably foreseeable projects, would result in a *less-than-significant* cumulative parks and recreation impact.

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

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