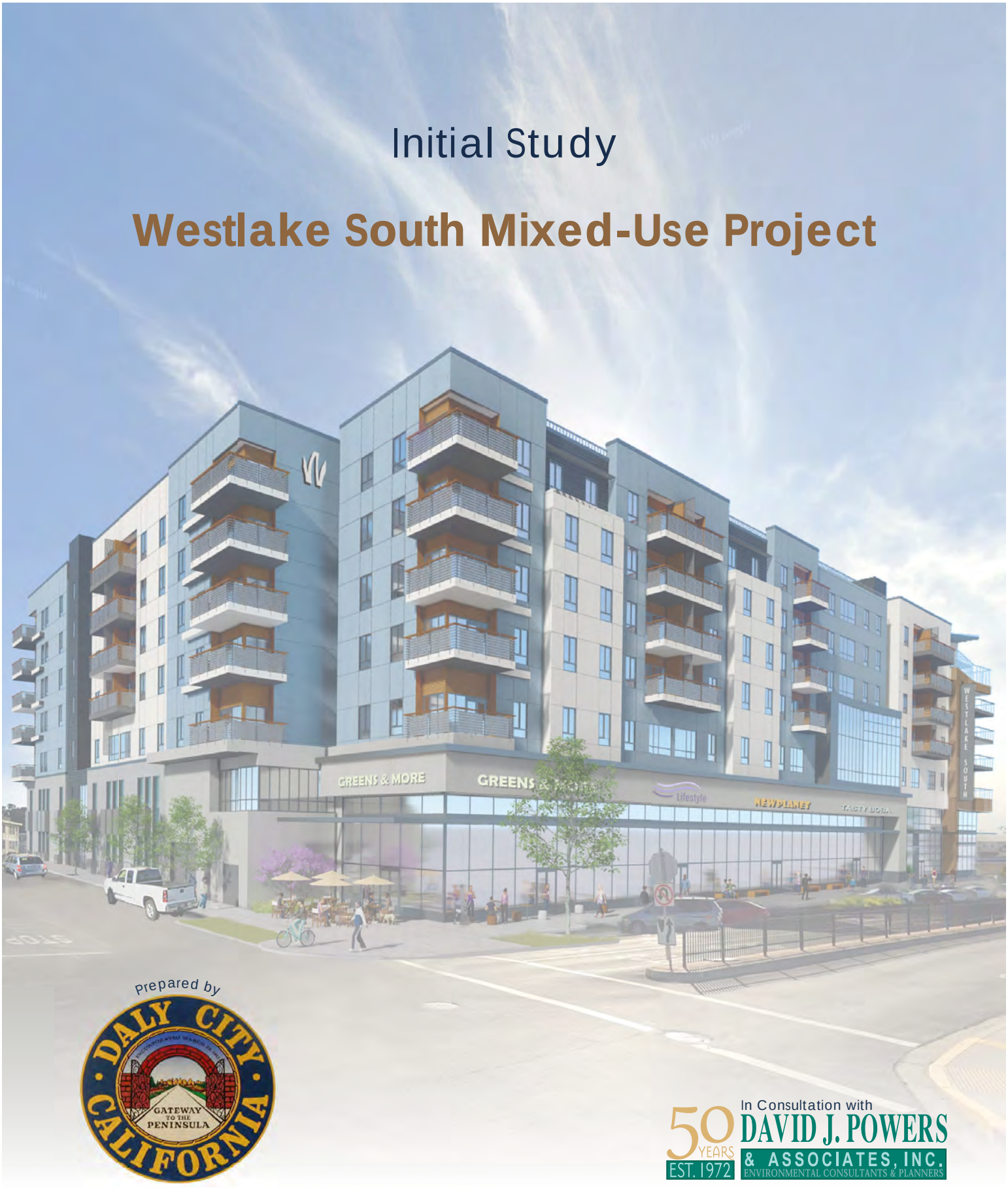
Initial Study

Westlake South Mixed-Use Project



prepared by

DALY CITY CALIFORNIA
GATEWAY TO THE PENINSULA

In Consultation with
50 YEARS EST. 1972
DAVID J. POWERS & ASSOCIATES, INC.
ENVIRONMENTAL CONSULTANTS & PLANNERS

June 2022

MITIGATED NEGATIVE DECLARATION

I. DESCRIPTION OF PROJECT:

Date: June 1, 2022 **Application #:** ZC-04-21-014994

APN: 002-201-140

Project Title: Westlake South Mixed-Use Project

Project Location: The approximately 1.93-acre site is located at 99 Southgate Avenue in the City of Daly City.

Project Applicants: Kimco Westlake LP, 15 Southgate Avenue, Suite 101, Daly City, CA 94015

Project Description: The project proposes several text amendments to the PD-60A zoning modifying the parking requirements for the site. The project would demolish the existing retail building and redevelop the site with a seven-story mixed-use building. The proposed building would include an above-grade parking garage, 10,800 square feet of ground floor commercial space, and 214 apartment units.

II. DETERMINATION

In accordance with the City of Daly City procedures for compliance with the California Environmental Quality Act (CEQA), the City has completed an Initial Study to determine whether the proposed project may have a significant adverse effect on the environment. On the basis of that study, the City makes the following determination:

- Although the project, as proposed, could have had a significant effect on the environment, there will not be a significant effect in this case because mitigation measures are included in the project which will reduce all identified potential impacts to less than significant levels, and, therefore, this **MITIGATED NEGATIVE DECLARATION** (MND) has been prepared.

III. CONDITIONS (Mitigation Measures):

A. Air Quality:

MM AIR-3.1: The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by the Bay Area Air Quality Management District (BAAQMD) to reduce fugitive dust emissions. Additional measures may be identified by the BAAQMD or contractor as appropriate. Emission reduction measures will include, at a minimum, the following measures:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the City of Daly City regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

MM AIR-3.2: The project shall implement a plan to reduce diesel particulate matter emissions by 70 percent such that increased cancer risk from construction would be reduced below BAAQMD's single-source significance threshold as follows:

- All diesel-powered off-road equipment, larger than 25 horsepower, operating on the site for more than two days continuously or 20 hours total shall meet U.S. EPA Tier 4 standards for particulate matter emissions. Alternatively, equipment

that meets U.S. EPA particulate matter emissions standards for Tier 3 engines that include CARB-certified Level 3 Diesel Particulate Filters (DPF), or equivalent would be effective. The use of equipment that is powered by electricity or alternatively fueled equipment (i.e., non-diesel) would also meet this requirement.

- Alternatively, the applicant could develop a TAC reduction plan that reduces on- and near-site construction diesel particulate matter emissions by 70 percent or greater. Such a plan shall be reviewed and approved by the City.

B. Biological Resources:

MM BIO-1.1: Pre-construction nesting bird surveys shall be completed prior to tree removal and building demolition if removal or construction is proposed to commence during the breeding season (February 1 to August 31) in order to avoid impacts to nesting birds. Surveys shall be completed by a qualified biologist no more than 14 days before construction begins. During this survey, the biologist or ornithologist shall inspect all trees, the existing building exterior, and other possible nesting habitats in and within 250 feet of the project boundary.

If an active nest is found in an area that would be disturbed by construction, the ornithologist shall designate an adequate buffer zone (~250 feet) to be established around the nest, in consultation with the California Department of Fish and Wildlife (CDFW). The buffer would ensure that nests shall not be disturbed until the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts.

The applicant shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the Director of Economic and Community Development, prior to the removal of trees and issuance of a grading permit or demolition permit.

C. Cultural Resources:

MM CUL-2.1: If evidence of an archaeological site or other suspected cultural resource as defined by CEQA Guideline Section 15064.5, including darkened soil representing past human activity (“midden”), that could conceal material remains (e.g., worked stone, worked bone, fired clay vessels, faunal bone, hearths, storage pits, or burials) is discovered during construction related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted and the City’s Planning Manager shall be notified. The project sponsor shall hire a qualified archaeologist to conduct a field investigation. The City’s Planning Manager shall consult with the archaeologist to assess the significance of the find. Impacts to any significant resources shall be

mitigated to a less-than-significant level through data recovery or other methods determined adequate by a qualified archaeologist and that are consistent with the Secretary of the Interior's Standards for Archaeological documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-J) form and filed with the NWIC.

MM CUL-2.2: If archaeological resources are identified, a final report summarizing the discovery of cultural materials shall be submitted to the City's Planning Manager prior to issuance of certificate of occupancy. This report shall contain a description of the mitigation program that was implemented and its results, including a description of the monitoring and testing program, a list of the resources found and conclusion, and a description of the disposition/curation of the resources.

MM CUL-3.1: If human remains are discovered during project construction, all ground-disturbing activity within 100 feet of the resources shall be halted and the City's Planning Manager and the San Mateo County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City of Daly City shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project sponsor shall implement approved mitigation, to be verified by the City of Daly City, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.

D. Geology and Soils:

MM GEO-6.1: Should a unique paleontological resource or site or unique geological feature be identified at the project site during any phase of construction, all ground disturbing activities within 25 feet shall cease and the City's Planning Manager notified immediately. A qualified paleontologist shall evaluate the find and prescribe mitigation measures to reduce impacts to a less than significant level. Work may proceed on other parts of the project site while mitigation for paleontological resources or geologic features is implemented. Upon completion of the paleontological assessment, a report

shall be submitted to the City and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology.

E. Hazards and Hazardous Materials:

MM HAZ-2.1: Subsequent to building demolition, shallow soil shall be sampled to the proposed depth of soil disturbance to evaluate the presence/absence of soil contaminants. If soil contaminants are present at concentrations above regulatory screening levels, the impacted areas shall be delineated through further sampling and a Removal Action Workplan (RAW) and Health and Safety Plan (HASP) shall be developed and submitted to the San Mateo County Department of Environmental Health for approval. The RAW shall outline the procedures and protocols for excavation and disposal of the impacted soil and post-excavation confirmation sampling in accordance with the appropriate regulations. If soil contaminants above regulatory screening levels are not present, no further action is needed.

F. Noise:

MM NOI-1.1: The applicant shall incorporate the following practices into the construction documents to be implemented by the project contractor:

- Construction activities shall be limited to the hours between 8:00 am and 5:00 pm, Monday through Friday, and prohibited on weekends and holidays in accordance with the City's General Plan, unless permission is granted with a development permit or other planning approval.
- Construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment. Temporary noise barrier fences would provide a five dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receptor and if the barrier is constructed in a manner that eliminates any cracks or gaps.
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Unnecessary idling of internal combustion engines shall be strictly prohibited.
- Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from nearby receptors. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used reduce noise levels at nearby receptors. Any enclosure openings or venting shall face away from receptors.
- Utilize "quiet" air compressors and other stationary noise sources where technology exists.

- Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- Locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors.
- Route construction-related traffic along major roadways and as far as feasible from sensitive receptors.
- Control noise from construction workers' radios to a point where they are not audible at existing structures bordering the project site.
- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent land uses so that construction activities can be scheduled to minimize noise disturbance.
- Neighbors located adjacent to the construction site shall be notified of the construction schedule in writing.
- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., bad muffler, etc.) and shall require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.

IV. FINDING

The City of Daly City hereby finds that the proposed project could have a significant effect on the environment; however, there would not be a significant effect in this case because mitigation measures summarized above and described in the Initial Study are included in the project which will reduce all identified potential impacts to less than significant levels.

V. LEAD AGENCY REPRESENTATIVE

Michael Van Lonkhuysen, Planning Manager June 1, 2022

VI. CONTACT INFORMATION

For additional information, please contact Michael Van Lonkhuysen at the City of Daly City Planning Division at (650) 991-8158.

Written comments may be sent to Michael Van Lonkhuysen via email at mvanlonkhuysen@dalycity.org or at City of Daly City Planning Division, 333 90th Street, Daly City, CA 94015.

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Appendices

SECTION 1.0 INTRODUCTION AND PURPOSE

1.1 PURPOSE OF THE INITIAL STUDY

The City of Daly City, as the Lead Agency, has prepared this Initial Study for the Westlake South Mixed-Use Project in compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations §15000 et. seq.) and the regulations and policies of the City of Daly City, California.

The project proposes to redevelop the site at 99 Southgate Avenue with a new mixed-use building comprised of approximately 214 residential units and 10,800 square feet of commercial space. This Initial Study evaluates the environmental impacts that might reasonably be anticipated to result from implementation of the proposed project.

1.2 PUBLIC REVIEW PERIOD

Publication of this Initial Study marks the beginning of a 20-day public review and comment period. During this period, the Initial Study will be available to local, state, and federal agencies and to interested organizations and individuals for review. Written comments concerning the environmental review contained in this Initial Study during the 20-day public review period should be sent to:

Michael Van Lonkhuysen, Planning Manager
Planning Division
333 90th Street
Daly City, CA 94015
mvanlonkhuysen@dalycity.org

1.3 CONSIDERATION OF THE INITIAL STUDY AND PROJECT

Following the conclusion of the public review period, the City of Daly City will consider the adoption of the Initial Study/Mitigated Negative Declaration (MND) for the project at a regularly scheduled meeting. The City shall consider the Initial Study/MND together with any comments received during the public review process. Upon adoption of the MND, the City may proceed with project approval actions.

1.4 NOTICE OF DETERMINATION

If the project is approved, the City of Daly City will file a Notice of Determination (NOD), which will be available for public inspection and posted within 24 hours of receipt at the County Clerk's Office for 30 days. The filing of the NOD starts a 30-day statute of limitations on court challenges to the approval under CEQA (CEQA Guidelines Section 15075(g)).

SECTION 2.0 PROJECT INFORMATION

2.1 PROJECT TITLE

Westlake South Mixed-Use Project

2.2 LEAD AGENCY CONTACT

Michael Van Lonkhuysen, Planning Manager
Planning Division
333 90th Street
Daly City, CA 94015

2.3 PROJECT APPLICANT

Kimco Westlake LP
15 Southgate Avenue, Suite 101
Daly City, CA 94015

2.4 PROJECT LOCATION

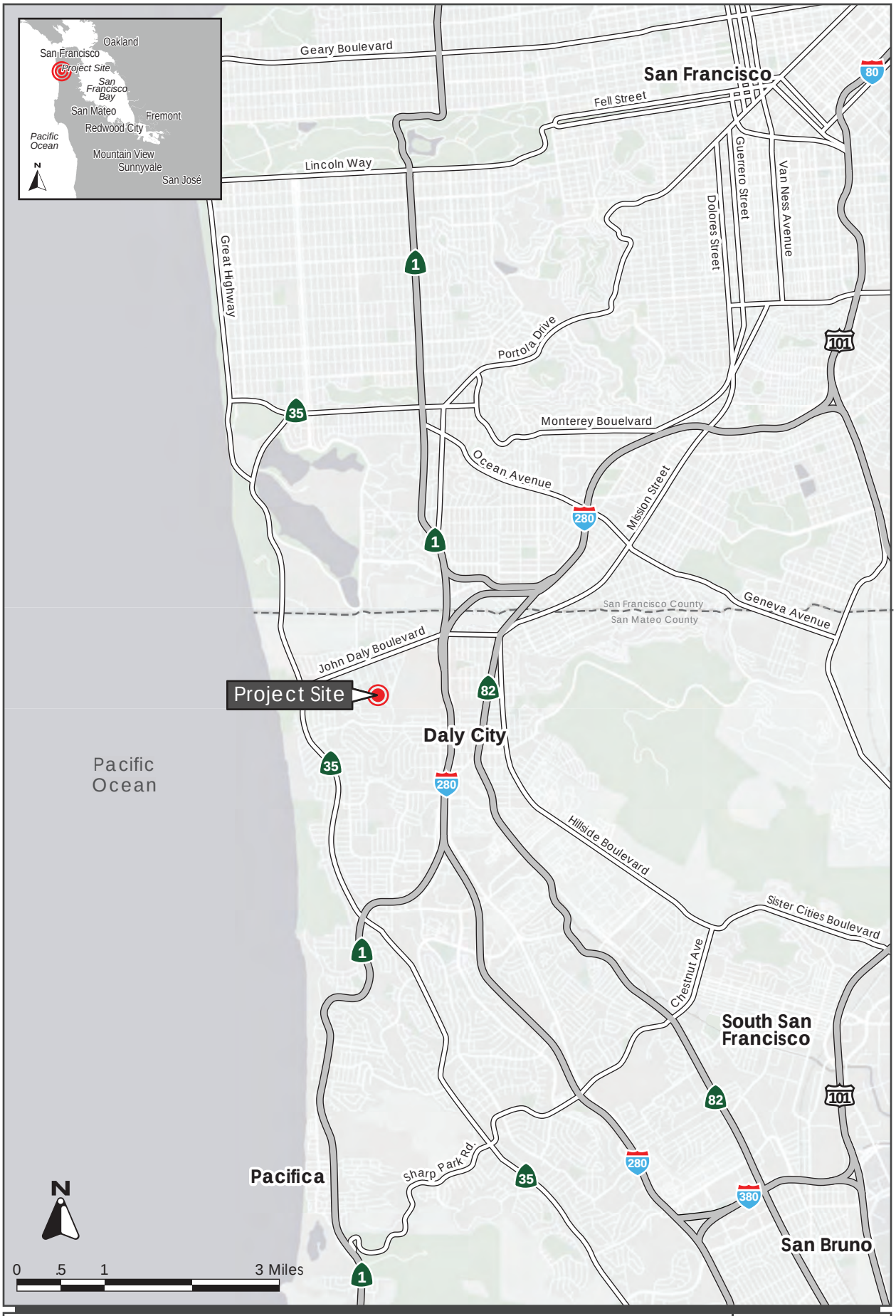
The approximately 1.93-acre site is located at 99 Southgate Avenue in the City of Daly City. A regional map and vicinity map of the project site are shown in Figure 2.4-1 and Figure 2.4-2, respectively. An aerial photograph with surrounding land uses is shown in Figure 2.4-3.

2.5 ASSESSOR'S PARCEL NUMBER

002-201-140

2.6 GENERAL PLAN DESIGNATION AND ZONING DISTRICT

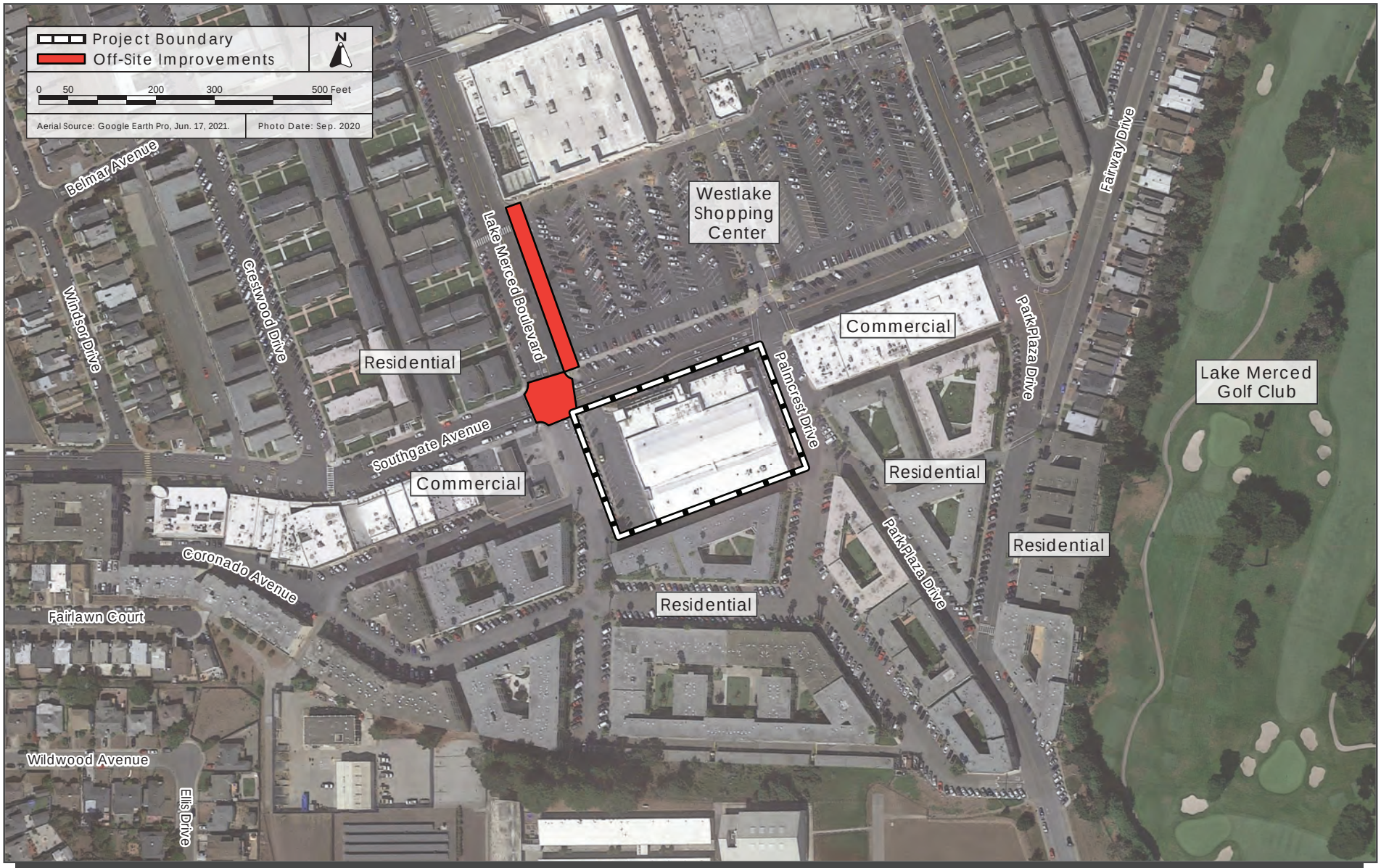
The project site has a General Plan land use designation of Commercial – Mixed Use (C-MU) and is zoned Planned Development (PD-60A).



REGIONAL MAP | FIGURE 2.4-1

VICINITY MAP

FIGURE 2.4-2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES | FIGURE 2.4-3

SECTION 3.0 PROJECT DESCRIPTION

3.1 PROJECT OVERVIEW AND LOCATION

The approximately 1.93-acre site is located at 99 Southgate Avenue (Assessor's Parcel Number 002-201-140) in the City of Daly City. The project site has a General Plan land use designation of Commercial – Mixed Use (C-MU) and is zoned Planned Development (PD-60A). The project site is bounded by Southgate Avenue to the north, Palmcrest Drive to the east, an unnamed alley to the south, and Lake Merced Boulevard. Surrounding land uses include the Westlake Shopping Center to the north, a gas station to the west, a commercial building to the east (which is also included in the Westlake Shopping Center), and multi-family residences to the west, south, and east. The project site is currently developed with a vacant, approximately 55,000 square-foot (sf) retail store.

The project proposes a Planned Development Amendment involving several text amendments to the existing PD-60A zoning in order to redevelop the site with a new seven-story mixed-use building. The proposed mixed-use building would include approximately 214 apartment units and 10,800 sf of commercial retail space. The project components, including the proposed building, site access and parking, landscaping and open space, utility improvements, and construction details are described below.

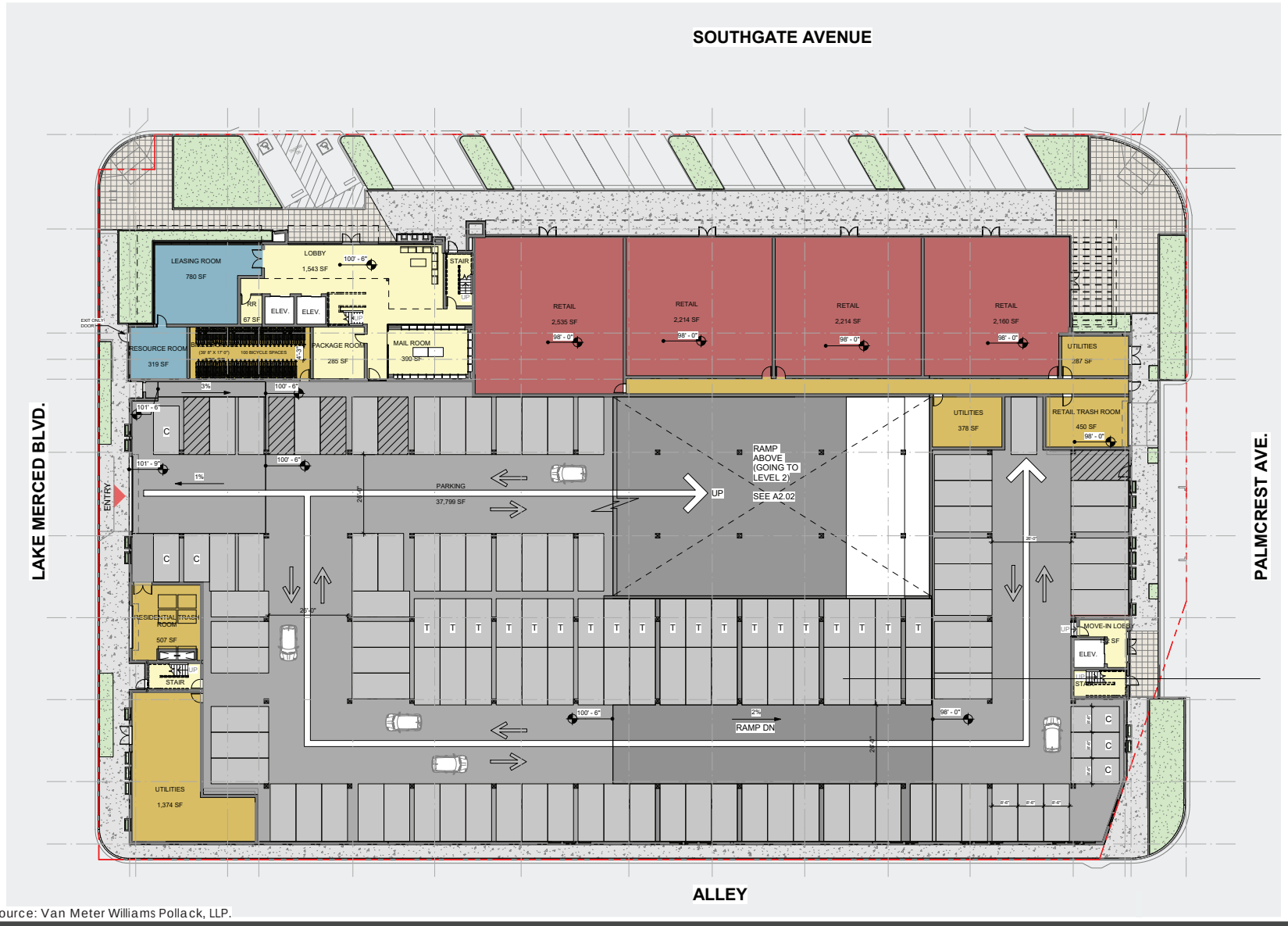
3.2 PROJECT COMPONENTS

3.2.1 Planned Development Text Amendment

The project proposes several text amendments to the PD-60A zoning. The text amendments would include a 20 percent reduction of the parking requirement due to the mixed-use nature of the project, 20 percent of the total parking spaces to be sized and designated for small cars only, and 20 percent of the parking spaces to be tandem parking spaces within the residential garage.

3.2.2 Mixed-Use Building

The project proposes to redevelop the site with an approximately 361,101 sf mixed-use building. The mixed-use building would consist of approximately 214 apartment units, 10,800 sf of commercial retail space and an above-grade parking garage (see Figure 3.2-1). The building would be seven stories tall and would reach a maximum height of approximately 88 feet (see Figure 3.2-2 and Figure 3.2-3). The commercial retail space would be located on the first floor facing Southgate Avenue, the parking garage would be on the first and second floors, and the apartment units would be located on the third through seventh floors (see Figure 3.2-4 through Figure 3.2-6). The building would be set back approximately 33 feet from Southgate Avenue, 18 feet from Palmcrest Drive, 10 feet from Lake Merced Boulevard, and five feet from the rear alley bordering the southern project boundary.



PARKING SUMMARY PER FLOOR

LEVEL 1:
TOTAL HEAD-IN PARKING STALLS = 101

TOTAL TANDEM PARKING STALLS = 19

TOTAL PARKING STALLS ON LEVEL = 120

LEVEL 2:
TOTAL HEAD-IN PARKING STALLS = 129

TOTAL TANDEM PARKING STALLS = 22

TOTAL PARKING STALLS ON LEVEL 2 = 151

LEVEL 2.5:
TOTAL HEAD-IN PARKING STALLS = 48

TOTAL TANDEM PARKING STALLS = 0

TOTAL PARKING STALLS ON LEVEL 2.5 = 48

GRAND TOTAL = 319 PARKING STALLS

PARKING RATIO:
319 TOTAL PARKING STALLS / 214 UNITS = 1.5

278 HEAD-IN STALLS / 214 UNITS = 1.30

Source: Van Meter Williams Pollack, LLP.

PROPOSED SITE PLAN

FIGURE 3.2-1

EAST ELEVATION

NORTH ELEVATION

Source: Van Meter Williams Pollack, LLP.

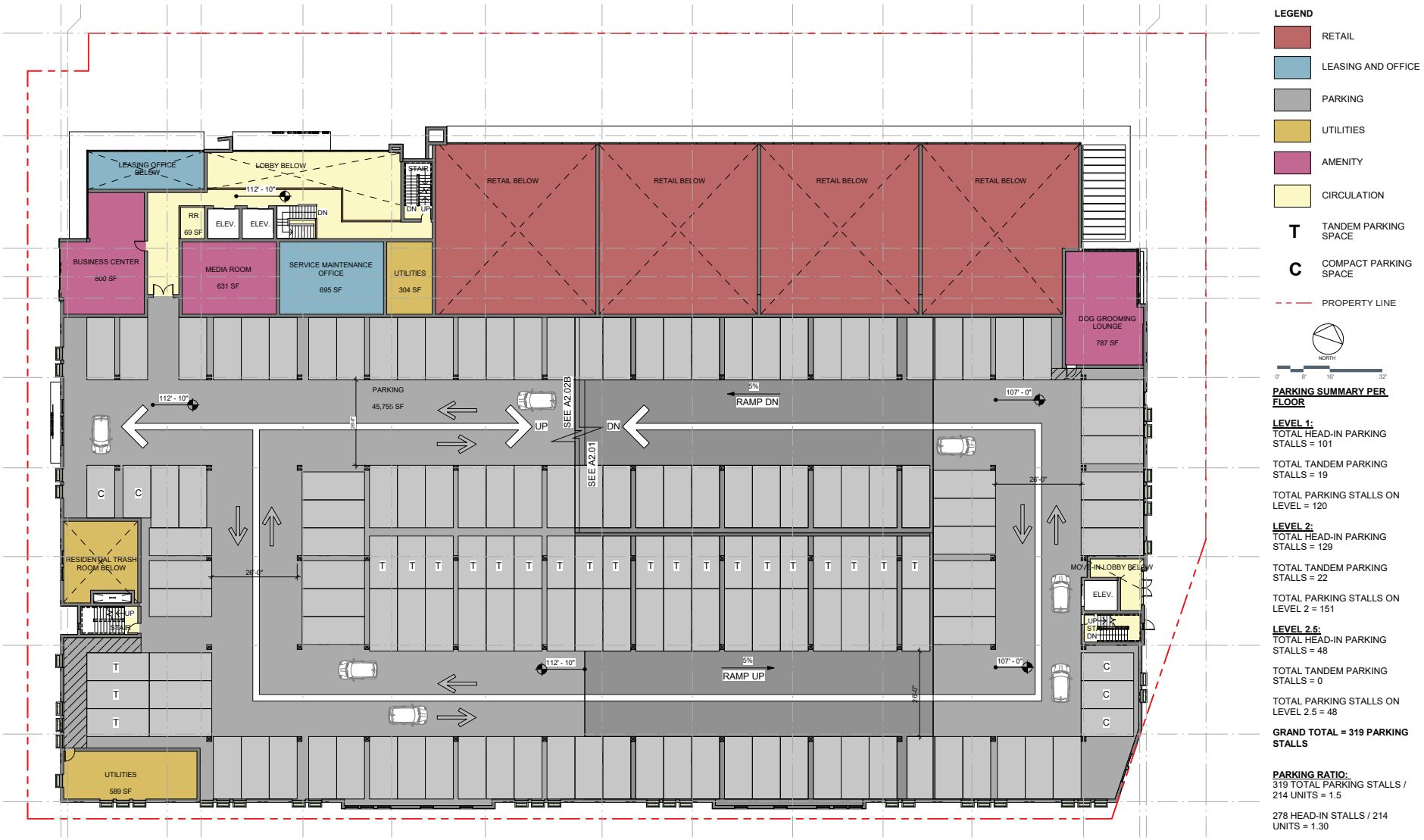
EAST AND NORTH CONCEPTUAL BUILDING ELEVATIONS | FIGURE 3.2-2

WEST ELEVATION

SOUTH ELEVATION

Source: Van Meter Williams Pollack, LLP.

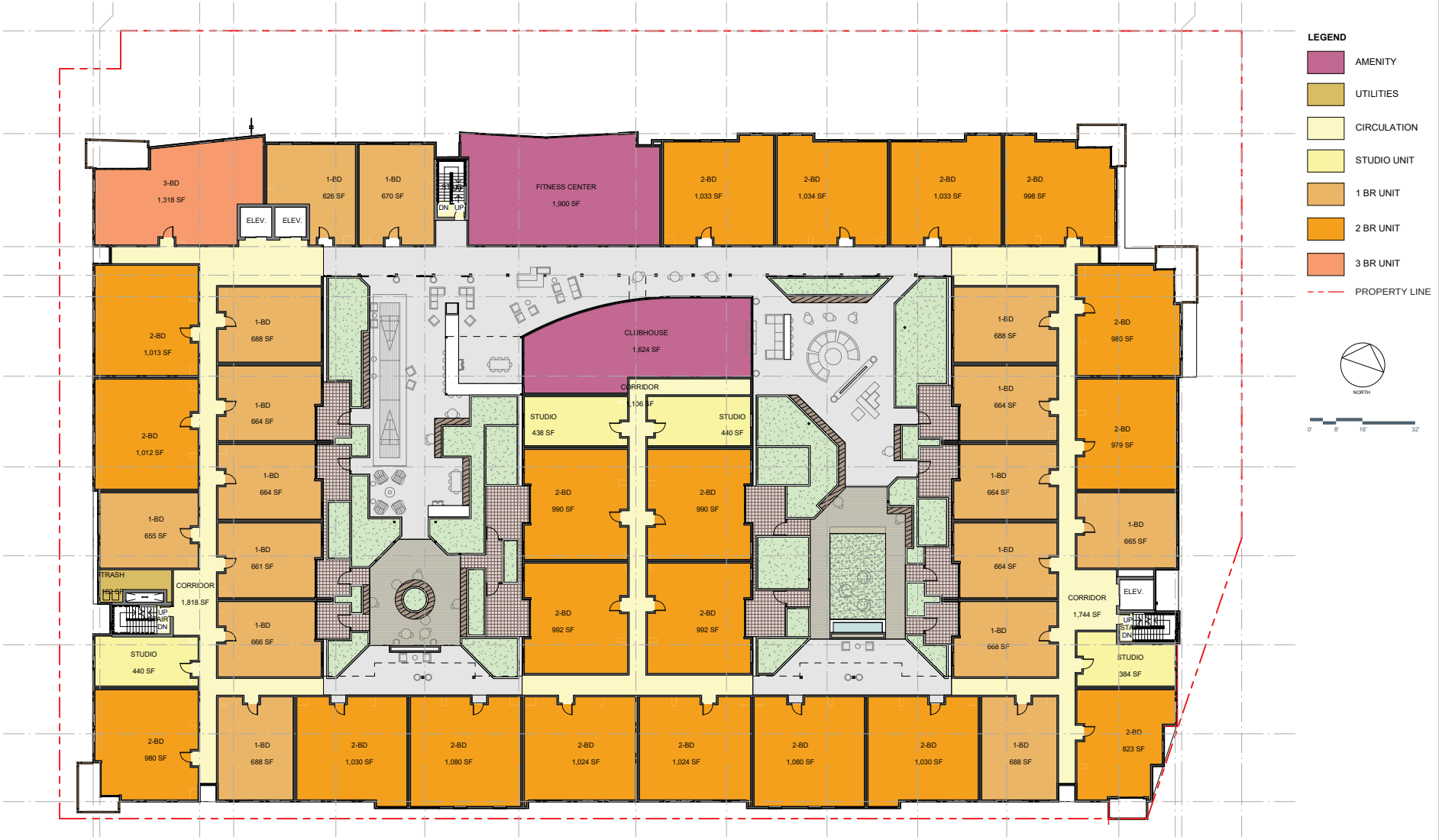
WEST AND SOUTH CONCEPTUAL BUILDING ELEVATIONS | FIGURE 3.2-3



Source: Van Meter Williams Pollack, LLP.

PROPOSED SECOND FLOOR PLAN

FIGURE 3.2-4



Source: Van Meter Williams Pollack, LLP.

PROPOSED THIRD FLOOR PLAN

FIGURE 3.2-5

Source: Van Meter Williams Pollack, LLP.

PROPOSED TYPICAL UPPER FLOOR PLAN (5TH & 6TH FLOORS)

FIGURE 3.2-6

The apartment units would range from studio units to three bedrooms and would range from approximately 425 sf to 1,325 sf in size. Of the 214 apartment units, a minimum of 10 percent (22 units), would be set aside for low-income households, as required by the City's Inclusionary Housing Ordinance. The commercial retail component of the project would consist of four spaces of approximately 2,200 to 2,500 sf.

The project would include on-site amenities such as a two-story lobby, full-service property management, fitness center, residents' clubhouse, remote working space, resident lounge and roof deck, landscaped outdoor activity spaces, and dog wash facilities.

3.2.3 Site Access and Parking

Access to the proposed parking garage would be provided along Lake Merced Boulevard. The garage would provide access to the apartment units, lobby, several of the on-site amenities, and sidewalks along Lake Merced Boulevard and Palmcrest Drive. Parking within the proposed garage would be limited to project residents only. Uncovered, ground-level parking spaces for the proposed retail spaces would be provided along Southgate Avenue. The proposed retail spaces would also be accessible to pedestrians via the sidewalk along Southgate Avenue.

The project would retain the existing 22 uncovered, pull-in parking spaces along Southgate Avenue. In addition, four parallel parking spaces, including one van loading space, would be provided along Palmcrest Drive. The proposed parking garage would include approximately 319 total vehicle parking spaces. This would include six accessible spaces and 32 future electric vehicle (EV) ready spaces. The project would also include approximately 100 bicycle storage spaces for the on-site residents. The bicycle storage would be provided on the first floor, in a separate room accessible from the parking garage. Additionally, 10 public bicycle parking stalls would be provided along the Southgate Avenue frontage of the proposed building.

3.2.4 Landscaping and Open Space

The project would provide a total of approximately 33,776 sf of private and common open space. Additionally, the project would provide approximately 10,000 square feet of indoor amenity space. The project landscaping would include trees, stormwater treatment planters, and vine planters along the outside of the building. The project will include two connected courtyard open spaces on the third floor. The courtyards would include landscaping such as stormwater treatment planters, trees, planter pots, synthetic turf, and a green wall/recirculating water feature. The courtyards would include amenities such as seating/lounge areas, a fireplace, barbecue counter, pizza oven, and outdoor game area.

The fourth floor would include two green roof patios. The green roof patios would include pollinator gardens and seating areas. The seventh floor would include a resident lounge and roof deck. The resident lounge and roof deck would include a glass windscreen, fireplace, seating, and an interactive light wall.

3.2.5 Utility Improvements

The project would connect to existing sewer, natural gas, electrical, water, and storm drain utilities on Southgate Avenue and Lake Merced Boulevard. On-site stormwater treatment would occur through the use of flow-through planters. The project would include several utility improvements as described below in Table 3.2-1.

Table 3.2-1: Proposed Utility Improvements

Service	Location	Improvements
Water	Project frontage along Southgate Avenue	Main would be reconstructed within the same alignment.
Water	Project frontage along Palmcrest Drive	Main would be relocated out of the sidewalk and into the parking stalls within private right-of-way.
Water	Lake Merced Boulevard, between North Coronado Avenue and the southern border of the project site	Upsize main from six-inches to 10-inches.
Water	Southwest corner of project	Relocate existing eight-inch main.
Natural Gas	Alley adjacent to southern border of project site	Relocate existing line running through the project site into the existing public right-of-way.

3.2.6 Right of Way Improvements

The project would include improvements for the intersection of Southgate Avenue and Lake Merced Boulevard. The project would signalize the intersection and interconnect with adjacent traffic signals. The project would also construct a bulb-out and shortened pedestrian crossing at the northwest corner of the intersection.

The project would also construct a new sidewalk along the east side of Lake Merced Boulevard between Southgate Avenue and the existing driveway to the Home Depot in the Westlake Shopping Center. A right-of-way abandonment is proposed along Lake Merced Boulevard to accommodate relocated parking stalls, in coordination with dedication of easements for existing streetlight systems.

3.2.7 Green Building Measures

The project would include green building measures to reduce energy use and project-generated greenhouse gas emissions. In compliance with the City's reach code, the proposed residential uses would be 100 percent electric. Additionally, the project would include the following green-building measures:

- Rooftop solar panels
- 32 EV-ready parking spaces
- Water-efficient landscaping

3.2.8 Construction Details

Construction, which includes demolition, site preparation, and construction of the project, is estimated to take approximately 27 months to complete. The project would export approximately 840 cubic yards of soil and import approximately 190 cubic yards of soil.

3.3 USES OF THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

This Initial Study/MND provides decision makers in the City of Daly City (the Lead Agency), responsible agencies, and the general public with relevant environmental information to use in considering the proposed project. It is intended that this Initial Study be used for discretionary approvals necessary to implement the project, as proposed. These discretionary actions may include, but are not limited to, the following:

- Planned Development Text Amendment
- Design Review
- Grading Permit
- Demolition Permit
- Lot Line Adjustment

SECTION 4.0 ENVIRONMENTAL SETTING, CHECKLIST, AND IMPACT DISCUSSION

This section presents the discussion of impacts related to the following environmental subjects in their respective subsections:

4.1	Aesthetics	4.12	Mineral Resources
4.2	Agriculture and Forestry Resources	4.13	Noise
4.3	Air Quality	4.14	Population and Housing
4.4	Biological Resources	4.15	Public Services
4.5	Cultural Resources	4.16	Recreation
4.6	Energy	4.17	Transportation
4.7	Geology and Soils	4.18	Tribal Cultural Resources
4.8	Greenhouse Gas Emissions	4.19	Utilities and Service Systems
4.9	Hazards and Hazardous Materials	4.20	Wildfire
4.10	Hydrology and Water Quality	4.21	Mandatory Findings of Significance
4.11	Land Use and Planning		

The discussion for each environmental subject includes the following subsections:

- **Environmental Setting** – This subsection 1) provides a brief overview of relevant plans, policies, and regulations that compose the regulatory framework for the project and 2) describes the existing, physical environmental conditions at the project site and in the surrounding area, as relevant.
- **Impact Discussion** – This subsection 1) includes the recommended checklist questions from Appendix G of the CEQA Guidelines to assess impacts and 2) discusses the project's impact on the environmental subject as related to the checklist questions. For significant impacts, feasible mitigation measures are identified. "Mitigation measures" are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines Section 15370). Mitigation measures are numbered to correspond to the impact they address. For example, MM AIR-3.1 refers to the first mitigation measure for the third checklist question in the Air Quality section.

4.1 AESTHETICS

4.1.1 Environmental Setting

4.1.1.1 *Regulatory Framework*

State

Senate Bill 743

Senate Bill (SB) 743 was adopted in 2013 and requires lead agencies to use alternatives to level of service (LOS) for evaluating transportation impacts, specifically vehicle miles traveled (VMT). SB 743 also included changes to CEQA that apply to transit-oriented developments, as related to aesthetics and parking impacts. Under SB 743, a project's aesthetic impacts will no longer be considered significant impacts on the environment if:

- The project is a residential, mixed-use residential, or employment center project, and
- The project is located on an infill site within a transit priority area.[1]

SB 743 also clarifies that local governments retain their ability to regulate a project's aesthetics impacts outside of the CEQA process. The project site is located within a transit priority area given that it is within 0.5-mile of a bus route with 10- to 15-minute headways during the peak commute hours (see Section 4.17 Transportation).

Streets and Highway Code Sections 260 through 263

The California Scenic Highway Program (Streets and Highway Code, Sections 260 through 263) is managed by the California Department of Transportation (Caltrans). The program is intended to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. State laws governing the Scenic Highway Program are found in the Streets and Highway Code, Sections 260 through 263. There are three eligible State scenic highways within the City of Daly City, although none are officially designated; they include Skyline Boulevard (State Route (SR) 35), Cabrillo Highway (SR 1), and Junipero Serra (I-280).

[1] An "infill site" is defined as "a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses." A "transit priority area" is defined as "an area within 0.5 mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations." A "major transit stop" means "a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods." Source: Office of Planning and Research. "Changes to CEQA for Transit Oriented Development – FAQ." October 14, 2014. Accessed June 18, 2021. http://www.opr.ca.gov/ceqa/updates/sb-743/transit-oriented.html.

Local

Daly City 2030 General Plan

The Daly City 2030 General Plan (General Plan) includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to aesthetics and are applicable to the proposed project.

Policy/Task	Description
Task CE-20.7	As a part of all new development, require, where appropriate, the provision of pedestrian-oriented signs, pedestrian-scaled lighting, benches, and other street furniture so as to make non-motorized forms of travel comfortable and attractive alternatives to the automobile. Where necessary in new development, the City may require additional sidewalk and/or right-of-way width to accommodate these amenities.
Policy RME-20	Recognize the physical differences between different parts of the City and regulate land uses within these areas accordingly.
Task RME-20.4	Incorporate design features in new development that reflect the character of the neighborhood, to ensure that new construction is compatible with existing development.
Policy HE-31	Ensure that, in instances where higher density mixed-use development is permitted adjacent to existing neighborhoods, the impacts of building height are decreased to the maximum extent feasible without reducing permitted General Plan density.

Design Review Ordinance

Chapter 17.45 of the Daly City Zoning Ordinance requires that certain projects undergo design review prior to issuance of any construction permits. A design review committee, as appointed by the mayor, shall evaluate the project's design, layout, and other features to ensure they are compatible with the existing setting. Projects required to undergo design review include residential projects consisting of four or more dwelling units and new commercial buildings which exceed two thousand square feet in area or which are located on sites that are two thousand five hundred feet in area or greater.

4.1.1.2 *Existing Conditions*

The project site is currently developed with a retail store, a surface parking lot, and streetside landscaping. Surrounding land uses include the Westlake Shopping Center to the north, a gas station to the west, a commercial building to the east (which is also included in the Westlake Shopping Center), and multi-family residences to the west, south, and east. Although the surrounding buildings vary in style, they generally range from one to three stories, are largely neutral in color, and have flat roofs. Palm trees are common in the project vicinity, particularly around the multi-family residences south of the project site. Views from the project site include the surrounding buildings and limited hillside views to the north and east. Photos of the project site and of the surrounding vicinity are included in Photos 1 through 4, below.

Photo 1: View of existing retail building, looking southwest across Southgate Avenue.

Photo 2: View of southern façade of existing retail building and alley and multi-family residences directly south of the project site.

Source: Van Meter Williams Pollack, LLP

PHOTOS 1 & 2

Photo 3: View of eastern façade of existing building and multi-family residences to the southeast.

Photo 4: View of multi-family residences to the west from the southwest corner of the project site.

Source: Van Meter Williams Pollack, LLP

PHOTOS 3 & 4

The nearest officially designated State Scenic Highway is Interstate 280 (I-280). The segment that is designated as scenic ends in San Bruno, adjacent to Valleywood Drive,[2] approximately 4.8 miles southeast of the project site.

4.1.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
1) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
3) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? [3] If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Impact AES-1: The project would not have a substantial adverse effect on a scenic vista. **(Less than Significant Impact)**

The General Plan identifies three scenic vistas within Daly City: the coastline, San Bruno Mountain, and scenic corridors. The project site is not visible from the coastline due to distance and surrounding development. The project site may be visible from San Bruno Mountain; however, the project would consist of infill development in an urban area. The proposed mixed-use building would not be noticeable from San Bruno Mountain because it would be part of larger views of urban development in Daly City. Views of San Bruno Mountain from adjacent public streets would not be substantially altered due to the presence of existing multi-story development in the area and trees.

Scenic corridors identified in the General Plan include State Route 35, I-280, State Route 1, Guadalupe Canyon Parkway, Mission Street, John Daly Boulevard, and Lake Merced Boulevard. The project site is adjacent to Lake Merced Boulevard; however, the project site is located in an urban area and would not have an adverse effect on views of Lake Merced, adjacent golf courses, the coastline, or other scenic resources visible from Lake Merced Boulevard. Therefore, based on its

[2] CalTrans. California State Scenic Highway System Map. Accessed July 14, 2021. https://www.arcgis.com/apps/webappviewer/index.html?id=2e921695c43643b1aaf7000dfcc19983
[3] Public views are those that are experienced from publicly accessible vantage points.

location and the existing urban environment, the project would not have a substantial adverse effect on a scenic vista. **(Less than Significant Impact)**

Impact AES-2:	The project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. **(No Impact)**

There are no designated State Scenic Highways within Daly City. As discussed in Section 4.1.1.2 Existing Conditions, the nearest segment of an officially designated State Scenic Highway is approximately 4.8 miles south of the project site on I-280. The project site would not be visible from this segment of I-280 and, therefore, the project would not substantially damage scenic resources within a state scenic highway. **(No Impact)**

Impact AES-3:	The project would not conflict with applicable zoning and other regulations governing scenic quality. **(Less than Significant Impact)**

The project would be consistent with the guidelines for the PD-60A zoning, as amended by the project. The project would be required to obtain a Design Review Permit pursuant to Chapter 17.45 of the Daly City Zoning Ordinance. The project, therefore, would not conflict with applicable zoning and other regulations governing scenic quality. **(Less than Significant Impact)**

Impact AES-4:	The project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. **(Less than Significant Impact)**

The exterior of the proposed mixed-use building would consist of stucco, aluminum siding, fiber cement siding and panels, board formed concrete, and metal wall panels. Glass windows and metal railings, awnings, sunshades, and wall panels would have the potential to increase daytime glare. The project would also include exterior nighttime lighting and illuminated signage above the storefronts. The glare and lighting generated by the project would be similar to that generated by surrounding development. Compliance with the Design Review process and the General Plan policies would ensure that light and glare impacts are less than significant. The project, therefore, would not create a new substantial light or glare which would adversely affect day or nighttime views in the area. **(Less than Significant Impact)**

4.2 AGRICULTURE AND FORESTRY RESOURCES

4.2.1 Environmental Setting

4.2.1.1 *Regulatory Framework*

State

Farmland Mapping and Monitoring Program

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) assesses the location, quality, and quantity of agricultural land and conversion of these lands over time. Agricultural land is rated according to soil quality and irrigation status. The best quality land is identified as Prime Farmland. In CEQA analyses, the FMMP classifications and published county maps are used, in part, to identify whether agricultural resources that could be affected are present on-site or in the project area.[4]

California Land Conservation Act

The California Land Conservation Act (Williamson Act) enables local governments to enter into contracts with private landowners to restrict parcels of land to agricultural or related open space uses. In return, landowners receive lower property tax assessments. In CEQA analyses, identification of properties that are under a Williamson Act contract is used to also identify sites that may contain agricultural resources or are zoned for agricultural uses.[5]

Fire and Resource Assessment Program

The California Department of Forestry and Fire Protection (CAL FIRE) identifies forest land, timberland, and lands zoned for timberland production that can (or do) support forestry resources.[6] Programs such as CAL FIRE's Fire and Resource Assessment Program are used to identify whether forest land, timberland, or timberland production areas that could be affected are located on or adjacent to a project site.[7]

4.2.1.2 *Existing Conditions*

The project site is currently developed with a retail building and is surrounded by commercial and residential uses. The project site is zoned PD-60A.

[4] California Department of Conservation. "Farmland Mapping and Monitoring Program." Accessed June 18, 2021. http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx.
[5] California Department of Conservation. "Williamson Act." Accessed June 18, 2021. http://www.conservation.ca.gov/dlrp/lca.
[6] Forest Land is land that can support 10 percent native tree cover and allows for management of forest resources (California Public Resources Code Section 12220(g)); Timberland is land not owned by the federal government or designated as experimental forest land that is available for, and capable of, growing trees to produce lumber and other products, including Christmas trees (California Public Resources Code Section 4526); and Timberland Production is land used for growing and harvesting timber and compatible uses (Government Code Section 51104(g)).
[7] California Department of Forestry and Fire Protection. "Fire and Resource Assessment Program." Accessed June 18, 2021. http://frap.fire.ca.gov/.

4.2.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
3) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
4) Result in a loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
5) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Impact AG-1: The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. **(No Impact)**

According to the Department of Conservation, the project site is designated as Urban and Built-Up Land.[8] The project site is not designated for farmland. Therefore, the project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. **(No Impact)**

Impact AG-2: The project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. **(No Impact)**

The project site is currently zoned PD-60A. The project site is not under a Williamson Act contract. **(No Impact)**

[8] California Department of Conservation. "California Important Farmland Finder." Accessed June 22, 2021. https://maps.conservation.ca.gov/DLRP/CIFF/

Impact AG-3:	The project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. **(No Impact)**

The project site is not designated or zoned as timberland or forest land. For this reason, the project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. **(No Impact)**

Impact AG-4:	The project would not result in a loss of forest land or conversion of forest land to non-forest use. **(No Impact)**

The project site does not contain any forest land. The project would not result in a loss of forest land or conversion of forest land to non-forest use. **(No Impact)**

Impact AG-5:	The project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. **(No Impact)**

The project is located in an urban area of Daly City and would not involve any changes in the existing environment which could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use. **(No Impact)**

4.3 AIR QUALITY

The following discussion is based, in part, on an Air Quality and Greenhouse Gas Assessment prepared for the project by Illingworth & Rodkin, Inc., dated January 2022. A copy of this report is included in Appendix A of this Initial Study.

4.3.1 Environmental Setting

4.3.1.1 *Background Information*

Criteria Pollutants

Air quality in the Bay Area is assessed related to six common air pollutants (referred to as criteria pollutants), including ground-level ozone (O_3), nitrogen oxides (NO_x), particulate matter (PM), carbon monoxide (CO), sulfur oxides (SO_x), and lead.[9] Criteria pollutants are regulated because they result in health effects. An overview of the sources of criteria pollutants and their associated health effects are summarized in Table 4.3-1. The most commonly regulated criteria pollutants in the Bay Area are discussed further below.

Table 4.3-1: Health Effects of Air Pollutants

Pollutants	Sources	Primary Effects
Ozone (O_3)	Atmospheric reaction of organic gases with nitrogen oxides in sunlight	• Aggravation of respiratory and cardiovascular diseases • Irritation of eyes • Cardiopulmonary function impairment
Nitrogen Dioxide (NO_2)	Motor vehicle exhaust, high temperature stationary combustion, atmospheric reactions	• Aggravation of respiratory illness • Reduced visibility
Fine Particulate Matter ($PM_{2.5}$) and Coarse Particulate Matter (PM_{10})	Stationary combustion of solid fuels, construction activities, industrial processes, atmospheric chemical reactions	• Reduced lung function, especially in children • Aggravation of respiratory and cardiorespiratory diseases • Increased cough and chest discomfort • Reduced visibility
Toxic Air Contaminants (TACs)	Cars and trucks, especially diesel-fueled; industrial sources, such as chrome platers; dry cleaners and service stations; building materials and products	• Cancer • Chronic eye, lung, or skin irritation • Neurological and reproductive disorders

Source: Bay Area Air Quality Management District (BAAQMD). Final 2017 Clean Air Plan. April 19, 2017. http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans.

[9] The area has attained both state and federal ambient air quality standards for CO. The project does not include substantial new emissions of sulfur dioxide or lead. These criteria pollutants are not discussed further. Source: Bay Area Air Quality Management District. Final 2017 Clean Air Plan. April 19, 2017. http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans.

High O_3 levels are caused by the cumulative emissions of reactive organic gases (ROG) and NO_x. These precursor pollutants react under certain meteorological conditions to form high O_3 levels. Controlling the emissions of these precursor pollutants is the focus of the Bay Area's attempts to reduce O_3 levels. The highest O_3 levels in the Bay Area occur in the eastern and southern inland valleys that are downwind of air pollutant sources.

PM is a problematic air pollutant in the Bay Area. PM is assessed and measured in terms of respirable particulate matter or particles that have a diameter of 10 micrometers or less (PM_{10}) and fine particulate matter where particles have a diameter of 2.5 micrometers or less ($PM_{2.5}$). Elevated concentrations of PM_{10} and $PM_{2.5}$ are the result of both region-wide emissions and localized emissions.

Toxic Air Contaminants

TACs are a broad class of compounds known to have health effects. They include but are not limited to criteria pollutants. TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, diesel fuel combustion, and commercial operations (e.g., dry cleaners). TACs are typically found in low concentrations, even near their source (e.g., diesel particulate matter [DPM] near a freeway).

Diesel exhaust is the predominant TAC in urban air and is estimated to represent about three-quarters of the cancer risk from TACs. Diesel exhaust is a complex mixture of gases, vapors, and fine particles. Medium- and heavy-duty diesel trucks represent the bulk of DPM emissions from California highways. The majority of DPM is small enough to be inhaled into the lungs. Most inhaled particles are subsequently exhaled, but some deposit on the lung surface or are deposited in the deepest regions of the lungs (most susceptible to injury).[10] Chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by the California Air Resources Board (CARB).

Sensitive Receptors

Some groups of people are more affected by air pollution than others. CARB has identified the following persons who are most likely to be affected by air pollution: children under 16, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive receptors. Locations that may contain a high concentration of these sensitive population groups include residential areas, hospitals, daycare facilities, elder care facilities, and elementary schools.

4.3.1.2 *Regulatory Framework*

Federal and State

Clean Air Act

At the federal level, the United States Environmental Protection Agency (EPA) is responsible for overseeing implementation of the Clean Air Act and its subsequent amendments. The federal Clean

[10] California Air Resources Board. "Overview: Diesel Exhaust and Health." Accessed June 18, 2021. https://www.arb.ca.gov/research/diesel/diesel-health.htm.

Air Act requires the EPA to set national ambient air quality standards for the six common criteria pollutants (discussed previously), including PM, O_3, CO, SO_x, NO_x, and lead.

CARB is the state agency that regulates mobile sources throughout the state and oversees implementation of the state air quality laws and regulations, including the California Clean Air Act. The EPA and the CARB have adopted ambient air quality standards establishing permissible levels of these pollutants to protect public health and the climate. Violations of ambient air quality standards are based on air pollutant monitoring data and are determined for each air pollutant. Attainment status for a pollutant means that a given air district meets the standard set by the EPA and/or CARB.

Risk Reduction Plan

To address the issue of diesel emissions in the state, CARB developed the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles. In addition to requiring more stringent emission standards for new on-road and off-road mobile sources and stationary diesel-fueled engines to reduce particulate matter emissions by 90 percent, the plan involves application of emission control strategies to existing diesel vehicles and equipment to reduce diesel particulate matter (DPM) (in additional to other pollutants). Implementation of this plan, in conjunction with stringent federal and CARB-adopted emission limits for diesel fueled vehicles and equipment (including off-road equipment), will significantly reduce emissions of DPM and NO_X.

Regional

2017 Clean Air Plan

The Bay Area Air Quality Management District (BAAQMD) is the agency primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. Regional air quality management districts, such as BAAQMD, must prepare air quality plans specifying how state and federal air quality standards will be met. BAAQMD's most recently adopted plan is the Bay Area 2017 Clean Air Plan (2017 CAP). The 2017 CAP focuses on two related BAAQMD goals: protecting public health and protecting the climate. To protect public health, the 2017 CAP describes how BAAQMD will continue its progress toward attaining state and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities. To protect the climate, the 2017 CAP includes control measures designed to reduce emissions of methane and other super-greenhouse gases (GHGs) that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.[11]

CEQA Air Quality Guidelines

The BAAQMD CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. Jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for

[11] BAAQMD. *Final 2017 Clean Air Plan.* April 19, 2017. http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans.

assessing air quality impacts developed by BAAQMD within their CEQA Air Quality Guidelines. The guidelines include information on legal requirements, BAAQMD rules, methods of analyzing impacts, and recommended mitigation measures.

Daly City 2030 General Plan

The Daly City 2030 General Plan (General Plan) includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to air quality and are applicable to the proposed project.

Policy/Task	Description
Policy RME-5	Assess projected air emissions from new development and associated construction and demolition activities in conformance with the BAAQMD CEQA Guidelines, and relative to state and federal standards.
Task RME-5.1	Amend the Planning Division's development review procedures to include a formal step that would help identify how a development project can incorporate design or functional changes that will minimize air quality impacts.
Task RME-5.3	Consider cumulative air quality impacts consistent with the region's Clean Air Plan and State law.
Task RME-5.4	Require the preparation of a Transportation Systems Management plan for new development that has been determined to contribute to a reduction in location air quality.
Task RME-5.5	Consult with BAAQMD to identify stationary and mobile TAC sources and determine the need for and requirements of a health risk assessment for proposed developments.
Policy RME-6	Minimize exposure of residents to objectionable smoke and odors by proactively regulating potential sources.
Task RME-6.2	Require new residential development projects and projects categorized as sensitive receptors to be located an adequate distance from facilities that are existing and potential sources of odor. An adequate separate distance will be determined based upon the type, size and operations of the facility.

4.3.1.3 *Existing Conditions*

The Bay Area is considered a non-attainment area for ground-level O_3 and $PM_{2.5}$ under both the federal Clean Air Act and state Clean Air Act. The area is also considered nonattainment for PM_{10} under the state act, but not the federal act. The area has attained both state and federal ambient air quality standards for CO.[12] As part of an effort to attain and maintain ambient air quality standards for O_3 and PM_{10}, BAAQMD has established thresholds of significance for these air pollutants and their precursors. These thresholds are for O_3 precursor pollutants (ROG and NO_X), PM_{10}, and $PM_{2.5}$, and apply to both construction period and operational period impacts.

The project site is currently occupied by a vacant retail store. The existing vacant building does not generate a substantial number of vehicle trips to and from the project site, therefore, for the purposes of this analysis it was assumed that any existing air pollutant emissions generated on-site are

[12] Ibid.

negligible. Sensitive receptors in the project vicinity include existing residences to the east, south, and southwest of the project site as well as Benjamin Franklin Intermediate School to the south.

4.3.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
2) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
3) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
4) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Note: Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the determinations.

4.3.2.1 *Thresholds of Significance*

As discussed in CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for judgment on the part of the lead agency and must be based to the extent possible on scientific and factual data. The City of Daly City has considered the air quality thresholds updated by BAAQMD in May 2017 and regards these thresholds to be based on the best information available for the San Francisco Bay Area Air Basin and conservative in terms of the assessment of health effects associated with TACs and $PM_{2.5}$. The BAAQMD CEQA Air Quality thresholds used in this analysis are identified in Table 4.3-2 below.

Table 4.3-2: BAAQMD Air Quality Significance Thresholds			
Pollutant	**Construction Thresholds**	**Operation Thresholds**	
	Average Daily Emissions (pounds/day)	**Average Daily Emissions (pounds/day)**	**Annual Average Emissions (tons/year)**
Criteria Air Pollutants			
ROG, NO_x	54	54	10
PM_{10}	82 (exhaust)	82	15
$PM_{2.5}$	54 (exhaust)	54	10
CO	Not Applicable	9.0 ppm (eight-hour) or 20.0 ppm (one-hour)	
Fugitive Dust	Dust Control Measures/Best Management Practices	Not Applicable	
Health Risks and Hazards for New Sources (within a 1,000-foot Zone of Influence)			
Health Hazard	**Single Source**	**Combined Cumulative Sources**	
Excess Cancer Risk	10 per one million	100 per one million	
Hazard Index	1.0	10.0	
Incremental Annual $PM_{2.5}$	0.3 µg/m^3	0.8 µg/m^3 (average)	
Note: Health risks are dependent on contaminants and exposure. See Attachment 1 of Appendix A for detailed explanation.			

Impact AIR-1: The project would not conflict with or obstruct implementation of the applicable air quality plan. **(Less than Significant Impact)**

Clean Air Plan

BAAQMD is the regional agency responsible for overseeing compliance with State and Federal laws, regulations, and programs within the San Francisco Bay Area Air Basin (SFBAAB). As previously stated, BAAQMD's most recently adopted plan is the 2017 CAP. The primary goals of the Clean Air Plan are to attain air quality standards, reduce population exposure and protect public health, and reduce GHG emissions and protect the climate. The BAAQMD has also developed CEQA guidelines to assist lead agencies in evaluating the significance of air quality impacts. In formulating compliance strategies, BAAQMD relies on planned land uses established by local general plans. Land use planning affects vehicle travel, which in turn affects region-wide emissions of air pollutants and GHGs.

The 2017 CAP includes control measures that are intended to reduce air pollutant emissions in the Bay Area either directly or indirectly. Plans must show consistency with the control measures listed within the Clean Air Plan. The proposed project would not conflict with the latest Clean Air planning

efforts because the project would have emissions below the BAAQMD thresholds (as described below), would be an urban infill development, would be located near employment centers, and would be located near transit with regional connections. **(Less than Significant Impact)**

Regional Criteria Pollutant Emissions

The California Emissions Estimator Model (CalEEMod) Version 2020.4.0 was used to estimate emissions from construction and operation of the project. The project land use types and size, and anticipated construction schedule were input to CalEEMod. The model output from CalEEMod along with construction and operational inputs can be found in Appendix A.

Construction Period Emissions

CalEEMod provided annual emissions for construction including both on-site and off-site construction activities. On-site activities are primarily made up of construction equipment emissions, while off-site activity includes worker, hauling, and vendor traffic. The project construction schedule and equipment usage assume the project would take 27 months, or 577 construction workdays, to construct. It is assumed that the earliest possible start date for project construction would be January 2023. Average daily emissions were computed by dividing the total construction emissions by the number of construction days. Table 4.3-3 shows average daily construction emissions of ROG, NO_X, PM_{10} exhaust, and $PM_{2.5}$ exhaust during construction of the project.

Table 4.3-3: Construction Period Emissions

Year	ROG	NO_X	PM_{10} Exhaust	$PM_{2.5}$ Exhaust
Construction Emissions Per Year (Tons)				
2023	0.10	0.84	0.04	0.03
2024 & 2025	1.99	1.13	0.06	0.04
Average Daily Construction Emissions Per Year (Pounds/Day)				
2023 (260 workdays)	0.74	6.48	0.34	0.21
2024 & 2025 (317 workdays)	12.58	7.14	0.38	0.25
BAAQMD Thresholds (pounds per day)	**54 lbs./day**	**54 lbs./day**	**82 lbs./day**	**54 lbs./day**
Exceed Threshold?	No	No	No	No

As shown in Table 4.3-3, project construction emissions would not exceed the BAAQMD significance thresholds. **(Less than Significant Impact)**

Operational Period Emissions

Operational emissions from the project would be generated primarily by vehicles driven to and from the proposed mixed-use building by future residents and shoppers. Evaporative ROG emissions from architectural coatings and maintenance products are also expected with this type of project. CalEEMod was used to estimate the project's operational emissions. It was assumed that the earliest

year of full operation would be 2026 if construction begins in 2023. Emissions associated with operation after 2026 would be lower due to the implementation of new clean-air technologies (i.e., emissions rates in vehicles will decrease as new vehicles meet more stringent regulations for emissions controls and fuel economy and older vehicles with higher emissions rates are retired). The existing retail store on-site is vacant and, therefore, to provide a conservative estimate of project emissions, no operational emissions from the existing development were considered in this analysis. Table 4.3-4 summarizes the project's operational emissions.

Table 4.3-4: Operational Period Emissions

Scenario	ROG	NO_X	PM_{10}	$PM_{2.5}$
2026 Project Operational Emissions (tons/year)	1.81	0.36	0.90	0.23
BAAQMD Thresholds (tons/year)	**10 tons**	**10 tons**	**15 tons**	**10 tons**
Exceed Thresholds?	No	No	No	No
2026 Project Operational Emissions (lbs./day)[1]	9.91	1.98	4.91	1.28
BAAQMD Thresholds (lbs./day)	**54 lbs.**	**54 lbs.**	**82 lbs.**	**54 lbs.**
Exceed Thresholds?	No	No	No	No

Notes: [1]Assumes 365-day operation.

As shown in Table 4.3-4, project operational period emissions would not exceed the BAAQMD significance thresholds. **(Less than Significant Impact)**

Impact AIR-2: The project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. **(Less than Significant Impact)**

Per the BAAQMD CEQA Air Quality Guidelines, air pollution by its nature is largely a cumulative impact. No single project is sufficient in size, by itself, to result in nonattainment of ambient air quality standards. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. As discussed above, the proposed project would not, by itself, result in any air pollutant emissions exceeding BAAQMD's significance thresholds. As a result, the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment. **(Less than Significant Impact)**

Impact AIR-3:	The project would not expose sensitive receptors to substantial pollutant concentrations. **(Less than Significant Impact with Mitigation Incorporated)**

Dust Generation

Construction activities, particularly during site preparation and grading, would temporarily generate fugitive dust in the form of PM_{10} and $PM_{2.5}$. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soils. Unless properly controlled, vehicles leaving the site would deposit mud on local streets, which could be an additional source of airborne dust after it dries. The BAAQMD CEQA Air Quality Guidelines consider these impacts to be less-than-significant if best management practices are implemented to reduce these emissions.

Mitigation Measures: To reduce construction-period TAC emissions, the project shall implement the following mitigation measures:

MM AIR-3.1: BAAQMD Best Management Practices: The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by the Bay Area Air Quality Management District (BAAQMD) to reduce fugitive dust emissions. Additional measures may be identified by the BAAQMD or contractor as appropriate. Emission reduction measures will include, at a minimum, the following measures:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

- Post a publicly visible sign with the telephone number and person to contact at the City of Daly City regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

The project, with the implementation of the best management practices (BMPs) listed in MM AIR-3.1, fugitive dust emissions would be reduced to a less than significant level. **(Less than Significant Impact with Mitigation Incorporated)**

Project Operation – Community Health Risks

Project operation would have long-term emissions from vehicle trips to and from the proposed mixed-use building. The project does not propose to include any stationary equipment that would emit substantial TACs (e.g., emergency diesel generators). TACs are a defined set of airborne pollutants that may pose a hazard to human health and are generally assessed locally where a concentration of sources may result in localized community health risks. BAAQMD recommends that proposed projects siting a new source or receptor within 1,000 feet of a TAC source analyze the potential for individual and cumulative sources to result in adverse community health risks. Per BAAQMD recommended risks and methodology, a road with less than 10,000 total vehicle trips per day is considered a low-impact source of TACs.[13] The project would generate approximately 1,572 daily vehicle trips[14] with a majority of the trips being from light-duty vehicles (i.e., passenger cars), which is a fraction of 10,000 daily vehicles. Therefore, project operational TAC emissions would be negligible and are not further included in this analysis. **(Less than Significant Impact)**

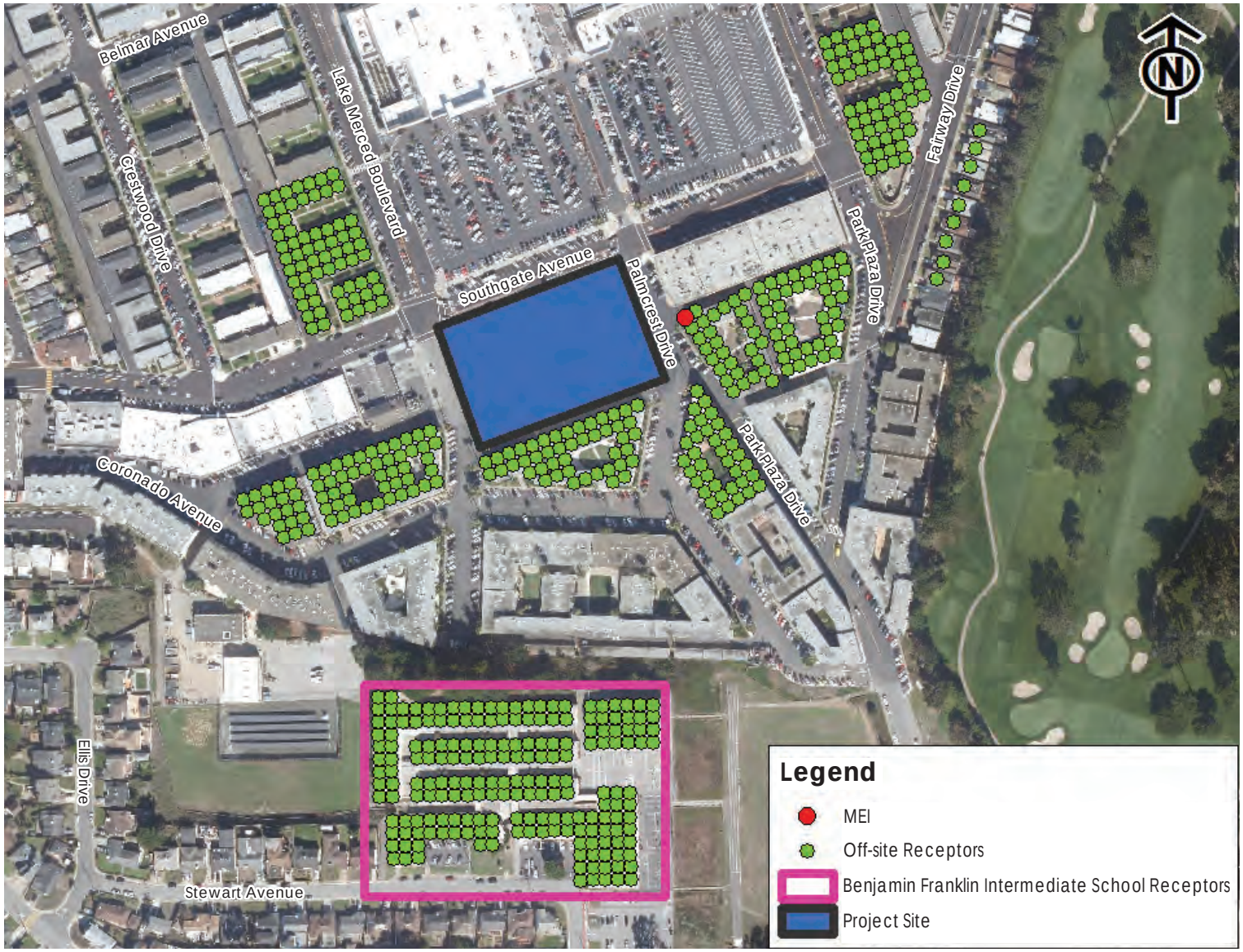
Project Construction – Community Health Risks

The project would introduce new sources of TACs during construction and operation that would affect nearby sensitive receptors. Sensitive receptors in the project vicinity include existing residences to the east, south, and southwest of the project site as well as Benjamin Franklin Intermediate School to the south. Project construction activities would generate dust and equipment exhaust. The project does not propose the use of any stationary sources of TACs during construction that have the potential for substantial emissions, such as diesel-powered emergency generators.

Community risk impacts were addressed by predicting increased cancer risk, the increase in annual $PM_{2.5}$ concentrations and computing the Hazard Index (HI) for non-cancer health risks. The maximally exposed individual (MEI) for construction cancer risk was determined to be located on the second floor of the multi-family residence to the east of the project site and the MEI for $PM_{2.5}$ concentration was determined to be located on the first floor of the same multi-family residence east of the project site (refer to Figure 4.3-1). To give the most conservative analysis, the MEIs were assumed to be infants. The project risk impacts are summarized in Table 4.3-5.

[13] Bay Area Air Quality Management District, 2012, Recommended Methods for Screening and Modeling Local Risks and Hazards, Version 3.0. May. Web: https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/baaqmd-modeling-approach.pdf

[14] Kimley-Horn and Associates, Inc. *Westlake South Development – Traffic Evaluation*. May 3, 2022.



Source: Illingworth & Rodkin, Inc., December 10, 2021.

LOCATIONS OF SENSITIVE RECEPTORS AND MEI | FIGURE 4.3-1

Table 4.3-5: Project Health Risk Impacts				
Source		**Cancer Risk* (per million)**	**Annual $PM_{2.5}$* ($\mu g/m^3$)**	**Hazard Index**
Project Impact at the Off-Site MEIs				
Project Construction	Unmitigated	**32.42 (infant)**	0.25	0.02
	Mitigated	5.87 (infant)	0.10	<0.01
BAAQMD Single-Source Threshold		**10**	**0.3**	**1.0**
Exceed Threshold?	Unmitigated	**Yes**	No	No
	Mitigated**	No	No	No
Most Affected Nearby School – Benjamin Franklin Intermediate School				
Project Construction	Unmitigated	0.25 (child)	<0.01	<0.01
BAAQMD Single-Source Threshold		**10**	**0.3**	**1.0**
Exceed Threshold?	Unmitigated	No	No	No
Notes: *MEI locations are on different floors at the same building **Construction equipment with Tier 4 engines and Best Management Practices as Mitigation				

As shown in Table 4.3-5, the project would exceed BAAQMD's single-source threshold for cancer risk at the off-site MEI but would not exceed the single-source thresholds for annual $PM_{2.5}$ emissions or the Hazard Index at the MEIs. Additionally, the project would not exceed any of the single-source thresholds at Benjamin Franklin Intermediate School.

Mitigation Measure: The project will be required to implement the following mitigation measures to reduce cancer risk impacts at the off-site MEI.

MM AIR-3.2: The project shall implement a plan to reduce diesel particulate matter emissions by 70 percent such that increased cancer risk from construction would be reduced below BAAQMD's single-source significance threshold as follows:

- All diesel-powered off-road equipment, larger than 25 horsepower, operating on the site for more than two days continuously or 20 hours total shall meet U.S. EPA Tier 4 standards for particulate matter emissions. Alternatively, equipment that meets U.S. EPA particulate matter emissions standards for Tier 3 engines that include CARB-certified Level 3 Diesel Particulate Filters (DPF), or equivalent would be effective. The use of equipment that is powered by electricity or alternatively fueled equipment (i.e., non-diesel) would also meet this requirement.
- Alternatively, the applicant could develop a TAC reduction plan that reduces on- and near-site construction diesel particulate matter emissions by 70 percent or greater. Such a plan shall be reviewed and approved by the City.

Implementation of MM AIR-3.2 would reduce on-site diesel exhaust emissions from construction equipment and would, correspondingly, decrease the lifetime residential cancer risk from construction at the MEI location below the BAAQMD single-source threshold of significance. **(Less than Significant Impact with Mitigation Incorporated)**

Cumulative Community Health Risks

Cumulative TAC impacts are analyzed by combining the community risk impacts of the project construction and nearby sources of TACs within 1,000 feet of the project site. TAC sources include rail lines, highways, busy surface streets (>10,000 average daily trips or ADT), and stationary sources identified by BAAQMD. A review of the project area indicates that Lake Merced Boulevard is the only roadway within 1,000 feet of the project site that exceeds 10,000 ADT. BAAQMD's stationary source map website identified four stationary sources (three generators and one gas dispensing facility) with the potential to affect the project MEIs (see Figure 4.3-2). Community risk impacts from these sources upon the MEIs are reported in Table 4.3-6.

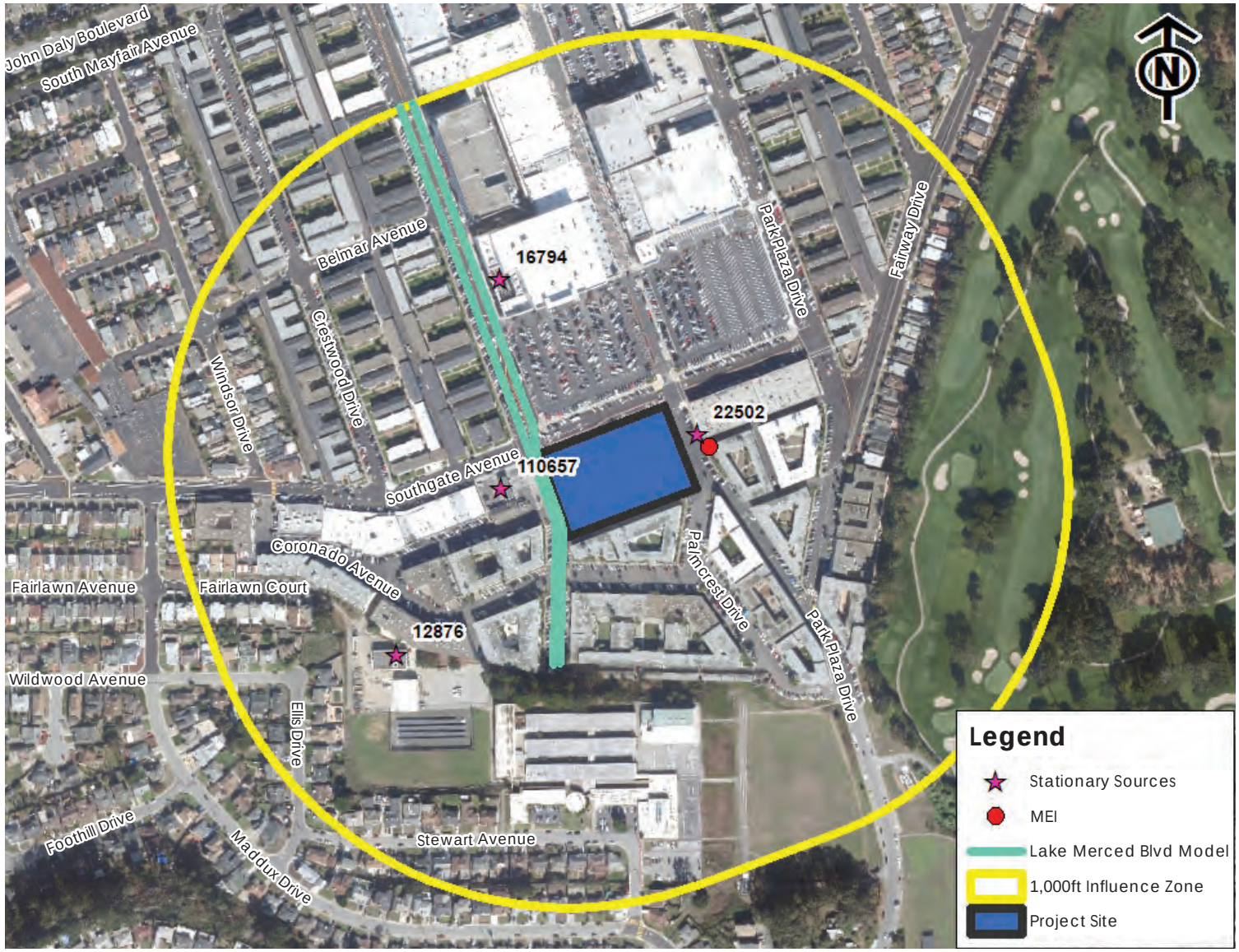
Table 4.3-6: Impacts from Combined Sources at Off-Site MEI

Source		Cancer Risk (per million)	Annual $PM_{2.5}$ ($\mu g/m^3$)	Hazard Index
Project Impacts				
Project Construction	Unmitigated	**32.42 (infant)**	0.25	0.02
	Mitigated	5.87 (infant)	0.10	<0.01
Cumulative Sources				
City of Daly City (diesel generator) MEI at 1,000 feet		0.08	<0.01	<0.01
The Home Depot (diesel generator), MEI at 700 feet		0.58	<0.01	<0.01
Safeway, Inc. (diesel generator), MEI at 35 feet		0.02	<0.01	<0.01
Arco Facility (gas dispensing facility), MEI at 570 feet		1.36	<0.01	<0.01
Lake Merced Boulevard, ADT 10,705		0.48	0.04	<0.01
Cumulative Total	Unmitigated	34.94 (infant)	<0.33	<0.07
	Mitigated	8.39 (infant)	<0.18	<0.06
BAAQMD Cumulative Source Threshold		**>100**	**>0.8**	**>10.0**
Exceed Threshold?	Unmitigated	No	No	No
	Mitigated	No	No	No

As shown in Figure 4.3-2, the combined health risk impacts of project construction with the exiting TAC sources within the project vicinity would not exceed BAAQMD's cumulative source thresholds. Therefore, the project would not contribute to a significant cumulative health risk impact to nearby sensitive receptors. **(Less than Significant Impact)**

Impact AIR-4:	The project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. **(Less than Significant Impact)**

The project would generate localized emissions of diesel exhaust during construction equipment operation and truck activity. These emissions may be noticeable by adjacent receptors; however, the odors would be localized and temporary and would not substantially affect people off-site. The project does not propose any use that would be a significant source of odors and any restaurant uses on the site would be required to include an odor filtration system. For these reasons, implementation of the proposed project would not result in significant long-term or short-term odor impacts, affecting a substantial number of people. **(Less than Significant Impact)**



Source: Illingworth & Rodkin, Inc., December 10, 2021.

LOCATIONS OF EXISTING TAC SOURCES | FIGURE 4.3-2

4.3.3 Non-CEQA Effects

Per *California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal. 4th 369 *(BIA v. BAAQMD)*, effects of the environment on the project are not considered CEQA impacts. The following discussion is included for informational purposes only because the City of Daly City has policies that address existing air quality conditions affecting a proposed project.

On-Site Community Health Risk – New Project Residents

In addition to evaluating the health impacts from project construction and operation on nearby sensitive receptors, a health risk assessment was completed to assess the impact that existing TAC sources would have on the new proposed sensitive receptors introduced by the project. The same TAC sources identified under Impact AIR-3 were used in this health risk assessment. All health risk results are listed in Table 4.3-7.

Table 4.3-7: Impacts from Existing TAC Sources to Future Site Receptors

Source	Maximum Cancer Risk (per million)	Maximum Annual $PM_{2.5}$ ($\mu g/m^3$)	Maximum Hazard Index
Lake Merced Boulevard, ADT 11,020[1]	0.50	0.04	<0.01
City of Daly City (diesel generator) MEI at 1,000 feet	0.21	<0.01	<0.01
The Home Depot (diesel generator), MEI at 700 feet	1.08	<0.01	<0.01
Safeway, Inc. (diesel generator), MEI at 35 feet	0.02	<0.01	<0.01
Arco Facility (gas dispensing facility), MEI at 570 feet	2.45	<0.01	0.01
BAAQMD Single-Source Threshold	**10**	**0.3**	**1.0**
Exceed Threshold?	No	No	No
Cumulative Total	4.26	<0.08	<0.05
BAAQMD Cumulative Source Threshold	**100**	**0.8**	**10.0**
Exceed Threshold?	No	No	No

Notes: [1] The ADT for Lake Merced Boulevard reflects the operational year traffic levels for 2026.

As shown in Table 4.3-7, the existing sources of TACs would not exceed the BAAQMD single-source or cumulative source thresholds for future sensitive receptors on the project site.

4.4 BIOLOGICAL RESOURCES

4.4.1 Environmental Setting

4.4.1.1 *Regulatory Framework*

Federal and State

Endangered Species Act

Individual plant and animal species listed as rare, threatened, or endangered under state and federal Endangered Species Acts are considered special-status species. Federal and state endangered species legislation has provided the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) with a mechanism for conserving and protecting plant and animal species of limited distribution and/or low or declining populations. Permits may be required from both the USFWS and CDFW if activities associated with a proposed project would result in the take of a species listed as threatened or endangered. To "take" a listed species, as defined by the State of California, is "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill" these species. Take is more broadly defined by the federal Endangered Species Act to include harm of a listed species.

In addition to species listed under state and federal Endangered Species Acts, Sections 15380(b) and (c) of the CEQA Guidelines provide that all potential rare or sensitive species, or habitats capable of supporting rare species, must be considered as part of the environmental review process. These may include plant species listed by the California Native Plant Society and CDFW-listed Species of Special Concern.

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) prohibits killing, capture, possession, or trade of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. Hunting and poaching are also prohibited. The taking and killing of birds resulting from an activity is not prohibited by the MBTA when the underlying purpose of that activity is not to take birds.[15] Nesting birds are considered special-status species and are protected by the USFWS. The CDFW also protects migratory and nesting birds under California Fish and Game Code Sections 3503, 3503.5, and 3800. The CDFW defines taking as causing abandonment and/or loss of reproductive efforts through disturbance.

Local

Municipal Code Chapter 12.40 – Urban Forestry

The Municipal Code provides regulations to optimize the use of trees and other landscaping within the city. Chapter 12.40 requires plans submitted to the City for the construction, repair, or alteration of any building, housing, or structure to include provisions for sufficient guards or protectors to prevent injury to any existing publicly owned trees, shrubs, flowers, or vines. It also imposes

[15] United States Department of the Interior. "Memorandum M-37050. The Migratory Bird Treaty Act Does Not Prohibit Incidental Take." Accessed June 18, 2021. https://www.doi.gov/sites/doi.gov/files/uploads/m-37050.pdf.

conditions regarding the displacement of public trees, where a comparable size tree shall be planted, or a fee is paid to the City to cover the cost of replacing a removed tree.

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to biological resources and are applicable to the proposed project.

Policy/Task	Description
Policy LU-17	Ensure that private development is responsible for providing any on- or off-site improvements related to and/or mitigating the impacts it causes.
Policy LU-18	Development activities shall not be allowed to significantly disrupt the natural or urban environment and all reasonable measures shall be taken to identify and prevent or mitigate potentially significant effects.
Policy RME-16	The City shall continue to recognize the importance of the San Bruno Mountain HCP, uphold the integrity of the concepts behind the plan, and respect the agreements that serve to implement it.

4.4.1.2 *Existing Conditions*

The project site is currently developed with a retail store and its associated surface parking lot. There are five existing street trees along the project frontage on Southgate Avenue and one tree located in the southwestern corner of the project site, adjacent to the existing parking lot along Lake Merced Boulevard. The five trees along Southgate Avenue are young and relatively small, while the tree along Lake Merced Boulevard is a mature palm tree. The project site also contains existing ornamental landscaping along the north, west, and east sides of the existing building.

4.4.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?	☐	☒	☐	☐
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?	☐	☐	☐	☒

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
3) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Impact BIO-1:	The project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS. **(Less than Significant Impact with Mitigation Incorporated)**

Given the urbanized nature of the project site and the surrounding vicinity and the scarcity of vegetation on-site, it is unlikely that any special status species occur on-site due to a lack of suitable habitat. The proposed project would not have any effect, directly or indirectly, on species identified by any plans, policies, regulations, or by the CDFW or USFWS. The project would affect a total of six existing trees. There are five existing street trees along the project frontage on Southgate Avenue and one tree located in the southwestern corner of the project site, adjacent to the existing parking lot along Lake Merced Boulevard. The five trees along Southgate Avenue are young and relatively small, while the tree along Lake Merced Boulevard is a mature palm tree. The project proposes to plant approximately nine new street trees as well as several trees within the proposed courtyard area. Thus, the project would result in a net increase of trees on-site.

Given their small size, the existing trees along Southgate Avenue are not suitable for bird nesting. However, it is possible the mature palm tree along Lake Merced Boulevard could provide nesting habitat for birds, including migratory birds. Additionally, it is possible, though unlikely, that birds could nest on the exterior of the existing building.[16] Potential nesting locations on the existing building include on top of light fixtures and other ledges, on rooftop mechanical equipment, or other

[16] Rottenborn, Steve, Ph.D., H.T. Harvey & Associates. Personal communication. March 22, 2022.

nooks offering shelter. Nesting birds are among the species protected under provisions of the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5, and 2800.

Construction of the project during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes abandonment and/or loss of reproductive effort is considered a taking by the CDFW. Any loss of fertile eggs, nesting raptors, or any activities resulting in nest abandonment would constitute an impact. Construction activities such as tree removal and site grading that disturb a nesting bird or raptor on-site or immediately adjacent to the construction zone would also constitute an impact.

Mitigation Measure: The project will be required to implement the following mitigation measure to reduce impacts to raptors and nesting birds to a less than significant level:

MM BIO-1.1: Pre-construction nesting bird surveys shall be completed prior to tree removal and building demolition if removal or construction is proposed to commence during the breeding season (February 1 to August 31) in order to avoid impacts to nesting birds. Surveys shall be completed by a qualified biologist no more than 14 days before construction begins. During this survey, the biologist or ornithologist shall inspect all trees, the existing building exterior, and other possible nesting habitats in and within 250 feet of the project boundary.

If an active nest is found in an area that would be disturbed by construction, the ornithologist shall designate an adequate buffer zone (~250 feet) to be established around the nest, in consultation with the California Department of Fish and Wildlife (CDFW). The buffer would ensure that nests shall not be disturbed until the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts.

The applicant shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the Director of Economic and Community Development, prior to the removal of trees and issuance of a grading permit or demolition permit.

Conformance to State and federal law protecting nesting birds through implementation of mitigation measure MM BIO-1.1 would reduce potential impacts to a less than significant level. **(Less Than Significant Impact with Mitigation Incorporated)**

Impact BIO-2:	The project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS. **(No Impact)**

The project site is located in a developed, urban area of Daly City. There is no riparian habitat or other sensitive habitat areas on or adjacent to the project site. Therefore, the project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS. **(No Impact)**

Impact BIO-3:	The project would not have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means. **(No Impact)**

There are no federally protected wetlands on or adjacent to the project site. **(No Impact)**

Impact BIO-4:	The project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. **(Less than Significant Impact)**

The project site is surrounded by developed, urban land uses. The project site is not part of an established native or migratory wildlife corridor or nursery site. The project would not interfere substantially with the movement of any native resident or migratory wildlife species. **(Less than Significant Impact)**

Impact BIO-5:	The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. **(Less than Significant Impact)**

The project would remove the five existing street trees along the project frontage on Southgate Avenue and the existing palm tree along Lake Merced Boulevard. The project proposes to plant two new street trees along Southgate Avenue, three along Lake Merced Boulevard, and four along Palmcrest Drive. Chapter 12.40 of the Municipal Code requires a permit to be obtained from the Director of Public Works for the removal of any trees within City parkways or other publicly owned areas. The project's replacement street trees would be subject to the following requirements:

- Replacement trees shall be a minimum of two, each twenty-four-inch box size, the combined canopy of which is approximately ten percent of the average street tree canopy in the city; (one hundred seventy-five square feet) or replacement canopy of seventeen square feet. The applicant shall post a cash deposit with the city in an amount determined by the Director of Public Works which shall include labor costs for planting.
- If it is determined that replacement trees cannot be planted in the same frontage, costs for two trees, each twenty-four-inch size, plus labor for planting, shall remain in effect. These replacement trees shall be planted on specified alternate public property.
- Replacement tree species shall be approved and inspected by the Director of Public Works.

The project also proposes to plant several new trees in the proposed courtyard area. Therefore, the project would be in compliance with the City's tree requirements as outlined in the Municipal Code. **(Less than Significant Impact)**

Impact BIO-6:	The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. **(No Impact)**

The project site is not within the boundaries of the San Bruno Mountain HCP or any other conservation plan. Therefore, the project would not conflict with the provisions of an adopted Habitat Conservation Plan or other approved conservation plan. **(No Impact)**

4.5 CULTURAL RESOURCES

The following discussion is based, in part, on a Cultural Resources Sensitivity Assessment prepared for the project by Archaeological/Historical Consultants, Inc. (A/HC), dated July 2021. A copy of this report is included in Appendix B of this Initial Study.

4.5.1 Environmental Setting

4.5.1.1 *Regulatory Framework*

Federal and State

National Historic Preservation Act

Federal protection is legislated by the National Historic Preservation Act of 1966 (NHPA) and the Archaeological Resource Protection Act of 1979. These laws maintain processes for determination of the effects on historical properties eligible for listing in the National Register of Historic Places (NRHP). Section 106 of the NHPA and related regulations (36 Code of Federal Regulations [CFR] Part 800) constitute the primary federal regulatory framework guiding cultural resources investigations and require consideration of effects on properties that are listed or eligible for listing in the NRHP. Impacts to properties listed in the NRHP must be evaluated under CEQA.

California Register of Historical Resources

The California Register of Historical Resources (CRHR) is administered by the State Office of Historic Preservation and encourages protection of resources of architectural, historical, archeological, and cultural significance. The CRHR identifies historic resources for state and local planning purposes and affords protections under CEQA. Under Public Resources Code Section 5024.1(c), a resource may be eligible for listing in the CRHR if it meets any of the NRHP criteria.[17]

Historical resources eligible for listing in the CRHR must meet the significance criteria described previously and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. A resource that has lost its historic character or appearance may still have sufficient integrity for the CRHR if it maintains the potential to yield significant scientific or historical information or specific data.

The concept of integrity is essential to identifying the important physical characteristics of historical resources and, therefore, in evaluating adverse changes to them. Integrity is defined as "the authenticity of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance." The processes of determining integrity are similar for both the CRHR and NRHP and use the same seven variables or aspects to define integrity that are used to evaluate a resource's eligibility for listing. These seven characteristics include 1) location, 2) design, 3) setting, 4) materials, 5) workmanship, 6) feeling, and 7) association.

[17] California Office of Historic Preservation. "CEQA Guidelines Section 15064.5(a)(3) and California Office of Historic Preservation Technical Assistance Series #6." Accessed June 18, 2021. https://ohp.parks.ca.gov/pages/1054/files/ts06ca.pdf

California Native American Historical, Cultural, and Sacred Sites Act

The California Native American Historical, Cultural, and Sacred Sites Act applies to both state and private lands. The act requires that upon discovery of human remains, construction or excavation activity must cease, and the county coroner be notified.

Public Resources Code Sections 5097 and 5097.98

Section 15064.5 of the CEQA Guidelines specifies procedures to be used in the event of an unexpected discovery of Native American human remains on non-federal land. These procedures are outlined in Public Resources Code Sections 5097 and 5097.98. These codes protect such remains from disturbance, vandalism, and inadvertent destruction, establish procedures to be implemented if Native American skeletal remains are discovered during construction of a project, and establish the Native American Heritage Commission (NAHC) as the authority to resolve disputes regarding disposition of such remains.

Pursuant to Public Resources Code Section 5097.98, in the event of human remains discovery, no further disturbance is allowed until the county coroner has made the necessary findings regarding the origin and disposition of the remains. If the remains are of a Native American, the county coroner must notify the NAHC. The NAHC then notifies those persons most likely to be related to the Native American remains. The code section also stipulates the procedures that the descendants may follow for treating or disposing of the remains and associated grave goods.

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to cultural resources and are applicable to the proposed project.

Policy/Task	Description
Policy LU-19.1	Archeological resources should be preserved where possible.
Task LU-19.1	Archeological resources are a valuable educational resource for the residents of the city. Every effort should be made to preserve them in their natural state when found or be excavated by professional archeologists for display in a museum.
Policy RME-19	Undertake measures to protect and preserve historic and archaeological resources.
Task RME-19.1	Comply with State statues related to historical and archaeological resources.
Task RME-19.1	Serve as a leader in historic preservation by preserving, restoring, and reusing City-owned historic resources where feasible.

4.5.1.2 *Existing Conditions*

Site History and Context

The project site is currently developed with a retail building that was constructed circa 1965. The project site was undeveloped prior to construction of the existing retail building. The soils on-site are artificial fill. Extensive filling took place to create the Westlake Shopping Center, such that the

original ground surface is approximately 10 to 20 feet lower than the current elevation of the shopping center. An intermittent drainage ran through the project area prior to filling, but the nearest freshwater was at Lake Merced, approximately 0.8 miles north of the project site. Given the sloping topography, distance from freshwater, and recent modification of the land surface, the project site is unlikely to contain buried archaeological resources.

Cultural Resources Records Search

A records search for previously recorded cultural resources was completed at the Northwest Information Center in June 2021. No records of cultural resources are known in the area, and no archaeological resources are located within a half-mile of the project site. The Westlake Community Baptist Church, located at 99 Elmwood Drive, approximately 0.2 miles west of the project site, was identified as a potentially significant historic resource. While the Westlake Community Baptist Church is not currently listed on the CRHR, it is possible that it is eligible for listing.

4.5.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?	☐	☐	☒	☐
2) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?	☐	☒	☐	☐
3) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

Impact CUL-1: The project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5. **(Less than Significant Impact)**

The Westlake Community Baptist Church is a potentially significant historical resource as it may be eligible for listing on the CRHR. The church building is over 1,000 feet from the project site and would not be physically affected by construction of the proposed mixed-use building.

The existing retail building on the project site is over 55 years old. However, the building façade facing Southgate Avenue has been modified with more modern architectural elements. The existing retail building is not associated with any historically significant events or persons. The existing building would not be eligible for listing on the CRHR and is not a historical resource. Therefore, the project would not cause a substantial adverse change in the significance of a historical resource. **(Less than Significant Impact)**

Impact CUL-2:	The project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. **(Less than Significant Impact with Mitigation Incorporated)**

As previously discussed, the project site is not likely to contain any buried archaeological resources due to the modification of the land surface, sloping topography, and distance from freshwater. No archaeological resources are known to exist within the project vicinity. However, it is possible that project-related grading during construction could result in the discovery of unknown archaeological resources, however unlikely it may be. The following mitigation measure would ensure that the proper precautions are taken during an inadvertent archaeological discovery.

Mitigation Measures: The project will be required to implement the following mitigation measures to reduce potential impacts to archaeological resources to a less than significant level:

MM CUL-2.1: Undiscovered Archaeological Resources. If evidence of an archaeological site or other suspected cultural resource as defined by CEQA Guideline Section 15064.5, including darkened soil representing past human activity ("midden"), that could conceal material remains (e.g., worked stone, worked bone, fired clay vessels, faunal bone, hearths, storage pits, or burials) is discovered during construction related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted and the City's Planning Manager shall be notified. The project sponsor shall hire a qualified archaeologist to conduct a field investigation. The City's Planning Manager shall consult with the archaeologist to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less-than-significant level through data recovery or other methods determined adequate by a qualified archaeologist and that are consistent with the Secretary of the Interior's Standards for Archaeological documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-J) form and filed with the NWIC.

MM CUL-2.2: Report of Archaeological Resources. If archaeological resources are identified, a final report summarizing the discovery of cultural materials shall be submitted to the City's Planning Manager prior to issuance of certificate of occupancy. This report shall contain a description of the mitigation program that was implemented and its results, including a description of the monitoring and testing program, a list of the resources found and conclusion, and a description of the disposition/curation of the resources.

With implementation of MM CUL-2.1 and MM CUL-2.2, impacts to any incidental discoveries of archaeological resources would be reduced to a less than significant level. **(Less than Significant Impact with Mitigation Incorporated)**

Impact CUL-3:	The project would not disturb any human remains, including those interred outside of dedicated cemeteries. **(Less than Significant Impact with Mitigation Incorporated)**

As described above, the site has no known archaeological resources, including human remains. In the unlikely event human remains are unearthed during project construction, damage to or destruction of significant archaeological remains would be a potentially significant impact.

Mitigation Measures: The project will be required to implement the following mitigation measure to reduce potential impacts to buried human remains to a less than significant level:

MM CUL-3.1: Human Remains. If human remains are discovered during project construction, all ground-disturbing activity within 100 feet of the resources shall be halted and the City's Planning Manager and the San Mateo County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City of Daly City shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project sponsor shall implement approved mitigation, to be verified by the City of Daly City, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.

With implementation of MM CUL-3.1, any potential impacts from incidental discoveries of human remains would be reduced to a less than significant level. **(Less than Significant Impact with Mitigation Incorporated)**

4.6 ENERGY

4.6.1 Environmental Setting

4.6.1.1 *Regulatory Framework*

Federal and State

Energy Star and Fuel Efficiency

At the federal level, energy standards set by the EPA apply to numerous consumer products and appliances (e.g., the EnergyStar™ program). The EPA also sets fuel efficiency standards for automobiles and other modes of transportation.

Renewables Portfolio Standard Program

In 2002, California established its Renewables Portfolio Standard Program, with the goal of increasing the percentage of renewable energy in the state's electricity mix to 20 percent of retail sales by 2010. Governor Schwarzenegger issued Executive Order (EO) S-3-05, requiring statewide emissions reductions to 80 percent below 1990 levels by 2050. In 2008, EO S-14-08 was signed into law, requiring retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. In October 2015, Governor Brown signed SB 350 to codify California's climate and clean energy goals. A key provision of SB 350 requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from renewable sources by 2030. SB 100, passed in 2018, requires 100 percent of electricity in California to be provided by 100 percent renewable and carbon-free sources by 2045.

Executive Order B-55-18 To Achieve Carbon Neutrality

In September 2018, Governor Brown issued an executive order, EO-B-55-18 To Achieve Carbon Neutrality, setting a statewide goal "to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter." The executive order requires CARB to "ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal." EO-B-55-18 supplements EO S-3-05 by requiring not only emissions reductions, but also that, by no later than 2045, the remaining emissions be offset by equivalent net removals of CO_2 from the atmosphere through sequestration.

California Building Standards Code

The Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in Title 24, Part 6 of the California Code of Regulations (Title 24), was established in 1978 in response to a legislative mandate to reduce California's energy consumption. Title 24 is updated approximately every three years.[18] Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments.[19]

[18] California Building Standards Commission. "California Building Standards Code." Accessed June 18, 2021. https://www.dgs.ca.gov/BSC/Codes#@ViewBag.JumpTo.
[19] California Energy Commission (CEC). "2019 Building Energy Efficiency Standards." Accessed June 18, 2021. https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency.

California Green Building Standards Code (CALGreen)

CALGreen establishes mandatory green building standards for buildings in California. CALGreen was developed to reduce GHG emissions from buildings, promote environmentally responsible and healthier places to live and work, reduce energy and water consumption, and respond to state environmental directives. CALGreen covers five categories: planning and design, energy efficiency, water efficiency and conservation, material and resource efficiency, and indoor environmental quality. CALGreen requires that construction projects recycle or salvage 65 percent of non-hazardous construction and demolition waste.

Advanced Clean Cars Program

CARB adopted the Advanced Clean Cars program in 2012 in coordination with the EPA and National Highway Traffic Safety Administration. The program combines the control of smog-causing pollutants and GHG emissions into a single coordinated set of requirements for vehicle model years 2015 through 2025. The program promotes development of environmentally superior passenger cars and other vehicles, as well as saving the consumer money through fuel savings.[20]

Local

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to energy and are applicable to the proposed project.

Policy/Task	Description
Policy HE-25	Mandate the inclusion of green building techniques into most new construction.
Task HE-28.2	Adopt progressive energy efficiency strategies similar to those adopted by the California Public Utilities Commission: 1. All new residential construction in California will be zero net energy by 2020; 2. All new commercial construction in California will be zero net energy by 2030; 3. Heating, ventilation, and air conditioning (HVAC) will be transformed to ensure that its energy performance is optimal for California's climate; and 4. All eligible low-income customers will be given the opportunity to participate in the low-income energy efficiency program by 2020.

Daly City's Green Vision

Daly City's Green Vision, A Climate Action Plan (CAP) for 2011-2020 and Beyond, was adopted in December 2010. Daly City's Green Vision guides the City towards a sustainable future that reduces GHG emissions from current levels, while promoting economic prosperity for present and future generations. The Green Vision identifies ten goals and seeks to achieve these goals through cost-

[20] California Air Resources Board. "The Advanced Clean Cars Program." Accessed June 18, 2021. https://www.arb.ca.gov/msprog/acc/acc.htm.

effective strategies by the year 2020. The GHG reduction goals include adopting a general plan with measurable policies for sustainable development, reducing energy use in buildings, reducing transportation emissions, reducing solid waste disposal, and GHG emissions reductions from municipal operations. Daly City completed an update to the General Plan which incorporated these goals in March 2013.

Daly City Reach Code

In April 2021, the City Council of Daly City adopted a reach code ordinance to electrify buildings and vehicles in new construction. The new requirements are intended to result in safer and more comfortable buildings, increase electric vehicle charging infrastructure, and reduce carbon emissions. The ordinance requires all new buildings to be all-electric with some exceptions such as non-residential buildings containing a commercial kitchen may contain non-electric cooking appliances. The ordinance also requires electric vehicle charging infrastructure beyond that required in the 2019 California Green Building Standards Code.

4.6.1.2 *Existing Conditions*

Total energy usage in California was approximately 7,802 trillion British thermal units (Btu) in the year 2019, the most recent year for which this data was available.[21] Out of the 50 states, California is ranked second in total energy consumption and 46th in energy consumption per capita. The breakdown by sector was approximately 19 percent (1,456 trillion Btu) for residential uses, 19 percent (1,468 trillion Btu) for commercial uses, 23 percent (1,805 trillion Btu) for industrial uses, and 39 percent (3,073 trillion Btu) for transportation.[22] This energy is primarily supplied in the form of natural gas, petroleum, nuclear electric power, and hydroelectric power.

Energy use from the existing vacant retail building would be limited to building energy and water use for maintenance of the property.

Electricity

Electricity in San Mateo County in 2020 was consumed primarily by the non-residential sector (60 percent), with the residential sector consuming 40 percent. In 2020, a total of approximately 4,167 GWh of electricity was consumed in San Mateo County.[23]

Peninsula Clean Energy (PCE) is a public and locally controlled electricity provider for the County of San Mateo. Electricity provided by PCE is delivered through PG&E transmission lines. Commercial and residential customers in San Mateo County are included in the PCE service area and can choose to have 50 to 100 percent of their electricity supplied from carbon-free and renewable sources. Customers are automatically enrolled in the ECOplus plan, which generates its electricity from 85 percent carbon-free sources, with at least 50 percent from renewable sources. Customers

[21] United States Energy Information Administration. "State Profile and Energy Estimates, 2019." Accessed August 27, 2021. https://www.eia.gov/state/?sid=CA#tabs-2.
[22] Ibid.
[23] California Energy Commission. Energy Consumption Data Management System. "Electricity Consumption by County." Accessed December 16, 2021. http://ecdms.energy.ca.gov/elecbycounty.aspx.

have the option to enroll in the ECO100 plan, which generates its electricity from 100 percent carbon-free, renewable sources. [24]

Natural Gas

PG&E provides natural gas services within Daly City. In 2019, approximately one percent of California's natural gas supply came from in-state production, while the remaining supply was imported from other western states and Canada.[25] In 2019, residential and commercial customers in California used 33 percent of the state's natural gas, power plants used 26 percent, the industrial sector used 35 percent, and other uses used six percent.[26] Transportation accounted for one percent of natural gas use in California. In 2019, San Mateo County used approximately nine percent of the state's total consumption of natural gas.[27]

Fuel for Motor Vehicles

In 2019, 15.4 billion gallons of gasoline were sold in California.[28] The average fuel economy for light-duty vehicles (autos, pickups, vans, and sport utility vehicles) in the United States has steadily increased from about 13.1 miles per gallon (mpg) in the mid-1970s to 24.9 mpg in 2019.[29] Federal fuel economy standards have changed substantially since the Energy Independence and Security Act was passed in 2007. That standard, which originally mandated a national fuel economy standard of 35 miles per gallon by the year 2020, was updated in March 2020 to require all cars and light duty trucks achieve an overall industry average fuel economy of 40.4 mpg by model year 2026. [30,31]

[24] Sources: 1) Peninsula Clean Energy. "Frequently Asked Questions." Accessed August 27, 2021. https://www.peninsulacleanenergy.com/faq/. 2) Peninsula Clean Energy. "Energy Choices." Accessed August 27, 2021. https://www.peninsulacleanenergy.com/faq/.

[25] California Gas and Electric Utilities. 2020 *California Gas Report.* Accessed August 27, 2021. https://www.socalgas.com/sites/default/files/2020-10/2020_California_Gas_Report_Joint_Utility_Biennial_Comprehensive_Filing.pdf.

[26] United States Energy Information Administration. "State Profile and Energy Estimates, 2019." Accessed August 27, 2021. https://www.eia.gov/state/?sid=CA#tabs-2.

[27] California Energy Commission. "Natural Gas Consumption by County." Accessed August 27, 2021. http://ecdms.energy.ca.gov/gasbycounty.aspx.

[28] California Department of Tax and Fee Administration. "Net Taxable Gasoline Gallons." Accessed August 27, 2021. https://www.cdtfa.ca.gov/dataportal/dataset.htm?url=VehicleTaxableFuelDist.

[29] United States Environmental Protection Agency. "The 2020 EPA Automotive Trends Report: Greenhouse Gas Emissions, Fuel Economy, and Technology since 1975." January 2021. https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P1010U68.pdf

[30] United States Department of Energy. *Energy Independence & Security Act of 2007.* Accessed August 27, 2021. http://www.afdc.energy.gov/laws/eisa.

[31] Public Law 110–140—December 19, 2007. *Energy Independence & Security Act of 2007.* Accessed August 27, 2021. http://www.gpo.gov/fdsys/pkg/PLAW-110publ140/pdf/PLAW-110publ140.pdf.

4.6.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
2) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Impact EN-1: The project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. **(Less than Significant Impact)**

Energy Efficiency During Construction

The anticipated construction schedule assumes that the project would be built over a period of approximately 27 months. The construction phase would require energy for the manufacture and transportation of building materials, site preparation, grading and excavation, trenching, paving, and building construction and interior finishing. Petroleum-based fuels such as diesel fuel and gasoline would be the primary sources of energy during construction. Energy would not be wasted or used inefficiently by construction equipment, as the proposed project would include several measures to improve efficiency of the construction (e.g., limiting idling time or using U.S. EPA tiered equipment). Consistent with CALGreen requirements, construction waste management methods and processes would be employed to reduce the amount of construction waste generated by the project. **(Less than Significant Impact)**

Estimated Energy Use of Project Operation

The proposed development would consume electricity primarily from heating and cooling, lighting, appliances, electronics, and water heating. The proposed mixed-use building would consume a total of approximately 14,487,664 kilowatt hours of electricity per year.[32] The residential portion of the project would be 100 percent electric consistent with the City's Reach Code. The proposed building would include rooftop solar panels to generate electricity on-site. Natural gas would be limited to commercial kitchen use in the ground floor commercial uses on-site.

Operational energy would also be consumed during each vehicle trip generated by future residents. The project would generate approximately 2,630,260 total VMT annually.[33] Assuming the EPA average fuel economy estimate of 24.9 miles per gallon, the project would consume approximately

[32] Illingworth & Rodkin, Inc. *99 Southgate Avenue Air Quality and Greenhouse Gas Assessment.* December 10, 2021. Attachment 2: CalEEMod Modeling Inputs and Outputs.
[33] Ibid.

105,633 gallons of gasoline per year.[34] New automobiles purchased by future occupants of the proposed project would be subject to fuel economy and efficiency standards applied throughout the State of California, which means that over time the fuel efficiency of vehicles associated with the project site would improve. Therefore, the project would not result in wasteful, inefficient, or unnecessary consumption of energy resources. **(Less than Significant Impact)**

Impact EN-2:	The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. **(Less than Significant Impact)**

According to the 2019 Integrated Energy Policy Report, the state is working towards decarbonizing the energy system and moving towards a 100 percent carbon-free system by 2045.[35] The project would obtain energy from the PCE which provides 50 to 100 percent carbon free electricity to the project site. The project also proposes to incorporate rooftop solar panels. The project would result in an increase in demand on existing energy resources; however, the project is required to comply with applicable regulations and City policies that would conserve energy and water, and reduce fuel consumption and waste generation. For these reasons, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. **(Less Than Significant Impact)**

[34] 2,630,260 annual VMT ÷ 24.9 mpg = 105,633 gallons of gas per year
[35] California Energy Commission. *2019 Integrated Energy Policy Report*. 2019.

4.7 GEOLOGY AND SOILS

The following discussion is based, in part, on a preliminary geotechnical investigation prepared for the project by Rockridge Geotechnical, Inc. (Rockridge), dated September 2020. A copy of this report is included in Appendix C of this Initial Study.

4.7.1 Environmental Setting

4.7.1.1 *Regulatory Framework*

State

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was passed following the 1971 San Fernando earthquake. The act regulates development in California near known active faults due to hazards associated with surface fault ruptures. Alquist-Priolo maps are distributed to affected cities, counties, and state agencies for their use in planning and controlling new construction. Areas within an Alquist-Priolo Earthquake Fault Zone require special studies to evaluate the potential for surface rupture to ensure that no structures intended for human occupancy are constructed across an active fault.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) was passed in 1990 following the 1989 Loma Prieta earthquake. The SHMA directs the California Geological Survey (CGS) to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. CGS has completed seismic hazard mapping for the portions of California most susceptible to liquefaction, landslides, and ground shaking, including the central San Francisco Bay Area. The SHMA requires that agencies only approve projects in seismic hazard zones following site-specific geotechnical investigations to determine if the seismic hazard is present and identify measures to reduce earthquake-related hazards.

California Building Standards Code

The California Building Code (CBC) prescribes standards for constructing safe buildings. The CBC contains provisions for earthquake safety based on factors including occupancy type, soil and rock profile, ground strength, and distance to seismic sources. The CBC requires that a site-specific geotechnical investigation report be prepared for most development projects to evaluate seismic and geologic conditions such as surface fault ruptures, ground shaking, liquefaction, differential settlement, lateral spreading, expansive soils, and slope stability. The CBC is updated every three years.

California Division of Occupational Safety and Health Regulations

Excavation, shoring, and trenching activities during construction are subject to occupational safety standards for stabilization by the California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA) under Title 8 of the California Code of Regulations and

Excavation Rules. These regulations minimize the potential for instability and collapse that could injure construction workers on the site.

Public Resources Code Section 5097.5

Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. They range from mammoth and dinosaur bones to impressions of ancient animals and plants, trace remains, and microfossils. These materials are valued for the information they yield about the history of the earth and its past ecological settings. California Public Resources Code Section 5097.5 specifies that unauthorized removal of a paleontological resource is a misdemeanor. Under the CEQA Guidelines, a project would have a significant impact on paleontological resources if it would disturb or destroy a unique paleontological resource or site or unique geologic feature.

Local

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to geology and soils and are applicable to the proposed project.

Policy/Task	Description
Policy SE-1.1	Continue to investigate the potential for seismic and geologic hazards as part of the development review process and maintain this information for the public record. Update Safety Element maps as appropriate.
Policy SE-1.2	Require site specific geotechnical, soils, and foundation reports for development proposed on sites identified in the Safety Element and its Geologic and Hazard Maps as having moderate or high potential for ground failure.
Policy SE-1.3	Permit development in areas of potential geologic hazards only where it can be demonstrated that the project will not be endangered by, nor contribute to, the hazardous condition on the site or on adjacent properties. All proposed development is subject to the City's Zoning Ordinance and Building Codes.
Policy SE-1.4	Prohibit development—including any land alteration, grading for roads and structural development—in areas of slope instability or other geologic concerns unless mitigation measures are taken to limit potential damage to levels of acceptable risk.
Policy SE-6.1	Regulate building construction practices to prevent hazardous structures and assure structural safety. Measures may include requiring conformance to an accepted set of construction standards, authorizing inspection of suspected dangerous structures, discontinuing improper construction activities, and eliminating hazardous conditions.

4.7.1.2 *Existing Conditions*

Regional Geological Conditions

The project site and the surrounding parts of Daly City lie on the San Francisco Peninsula which is set within the Coast Ranges Geomorphic Province. The San Francisco Peninsula lies north of the Santa Cruz Mountains where it is flanked by the Pacific Ocean and San Francisco Bay to the west and east, respectively. The Coast Ranges Geomorphic Province is typified by northwest-southeast trending mountain ranges that stretch from the Oregon border in the north to Point Conception in the south.

On-Site Geological Conditions

Soils

The majority of the project site is underlain by artificial fill and the east end of the site is underlain by the Colma formation. Much of the soil above the Colma formation is likely undocumented fill of highly varying thickness across the site. Colma formation generally consists of dense to very dense sands with varying silt and clay content and sandy clay. The site is located in a former tributary area of Lake Merced. The groundwater level on-site was measured at a depth of 41 feet below ground surface (bgs).

Seismic Hazards

Seismicity

The project site is not within an Earthquake Fault Zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act, and no known active or potentially active faults exist on-site. The major active faults in the area are the San Andreas, San Gregorio, and Hayward faults. The closest fault is the San Andreas fault, located approximately 1.7 miles southwest of the project site. Strong to very strong ground shaking could occur at the project site during a large earthquake on one of the nearby faults.

Liquefaction

Liquefaction is a result of seismic activity characterized by the transformation of loose water-saturated soils from a solid state to a liquid state during ground shaking. Soil susceptible to liquefaction includes loose to medium dense sand and gravel, low-plasticity silt, and some low-plasticity clay deposits. Soils encountered below groundwater on-site were characterized as dense to very dense sand and silty sand, which are not susceptible to liquefaction. The potential for liquefaction and its associated hazards to occur on-site is very low.

Cyclic Densification

Cyclic densification (also known as differential compaction) of non-saturated sand (sand above the groundwater table) can occur during an earthquake, resulting in settlement of the ground surface and overlying improvements. The site is underlain by medium dense to very dense sand above the groundwater table, some of which is susceptible to cyclic densification. While the northeast corner of the project site, where the top of the Colma formation is very shallow, the cyclic densification would

be negligible. However, in the remaining areas, the site could experience several inches of settlement due to cyclic densification during a major earthquake.

Landslides

The potential for landslides or downslope movement is dependent on slope geometry, subsurface soil and groundwater conditions, prior slope behavior, and severity of ground shaking. According to the General Plan EIR, there is a low potential for landslide risk in the project area. The project site is labeled "Flatland – Not Landslide Prone".

Lateral Spreading

Lateral spreading is a type of ground failure related to liquefaction. It consists of the horizontal displacement of flat-lying soil material toward an open face, such as the steep bank of a stream channel. The project site does not contain any features susceptible to lateral spreading.

Paleontological Resources

As previously described, the project site is largely underlain with artificial fill. The project site is unlikely to contain paleontological resources near the ground surface.

4.7.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
- Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication 42)?	☐	☐	☒	☐
- Strong seismic ground shaking?	☐	☐	☒	☐
- Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
- Landslides?	☐	☐	☒	☐
2) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
3) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☒	☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
4) Be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
5) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
6) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	☐	☒	☐	☐

Impact GEO-1: The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides. **(Less than Significant Impact)**

An earthquake of moderate to high magnitude generated within the San Francisco Bay Region could cause considerable ground shaking at the site. Therefore, the project would conform to the standard engineering and building practices and techniques specified in the CBC, which requires that a final design-level geotechnical report be prepared for the project. The proposed buildings, streets, and utilities would be designed and constructed in accordance with the recommendations of the final geotechnical report to be prepared for the site, which shall identify the specific design features related to geologic and seismic conditions. Conformance with the regulations of the CBC and the recommendations of the final geotechnical report would ensure that the potential for adverse effects due to seismic hazards are adequately addressed. Therefore, mitigation measures are not required because conformance to the CBC would ensure impacts due to seismic hazards would be less than significant.

As described in Section 4.7.1.2 Existing Conditions, the project site is in an area of low risk for liquefaction and landslides. The project, in conformance with applicable regulations and with the implementation of the recommendations in the geotechnical report, would not result in significant impacts from seismicity and seismic-related hazards. **(Less Than Significant Impact)**

Impact GEO-2: The project would not result in substantial soil erosion or the loss of topsoil. **(Less than Significant Impact)**

Daly City requires project applicants to submit a stormwater management plan that illustrates full compliance with the Municipal Regional Stormwater NPDES Permit (MRP). This will require the

project to include stormwater controls, including site design measures, source controls, treatment measures, low impact development, hydromodification management, and construction best management practices to limit erosion. These measures would help to control erosion and thereby reduce impacts to a less than significant level. The measures are discussed further in Section 4.9 Hydrology and Water Quality. **(Less Than Significant Impact)**

Impact GEO-3:	The project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. **(Less than Significant Impact)**

As discussed in Section 4.7.1.2 Existing Conditions, the project site has a low potential for landslide, lateral spreading, and liquefaction. The project site could experience cyclic densification during an earthquake which could lead to differential settlement. Rockridge recommended supporting the proposed building on spread footings on a ground improvement system to reduce differential settlements to tolerable levels. The ground improvement system could be achieved by use of drilled displacement sand-cement columns, rapid impact compaction, or rammed aggregate piers The risks associated with cyclic densification would be further analyzed in the geotechnical report described under Impact GEO-1 and the report would give more site-specific design recommendations to ensure that the project is constructed in a way that does not exacerbate soil instability on- or off-site. **(Less than Significant Impact)**

Impact GEO-4:	The project would not be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property. **(Less than Significant Impact)**

The project site is not located within an area identified as having a high soil expansion potential.[36] Additionally, the final, design-level geotechnical report would address any expansive soil potential on the site. The proposed project would not create a substantial risk to life or property due to expansive soils. **(Less than Significant Impact)**

Impact GEO-5:	The project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. **(No Impact)**

The proposed project would be served by existing municipal sanitary sewers. There would be no need for alternative wastewater disposal systems, such as septic tanks, on-site. Therefore, there would be no impact due to soils incapable of supporting alternative wastewater disposal systems. **(No Impact)**

[36] City of Daly City. General Plan Update EIR. Figure 3.5-6 Soil Erosion and Shrink Swell Potential. October 2012.

Impact GEO-6:	The project would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature. **(Less than Significant Impact with Mitigation Incorporated)**

The project site is not known to contain any subsurface paleontological resources or geological features. Although unlikely, grading of the project site could result in the disturbance of previously undiscovered paleontological resources. The following mitigation measure would ensure that the proper precautions are taken during an inadvertent paleontological discovery.

Mitigation Measure: The project will be required to implement the following mitigation measure to reduce potential impacts to paleontological resources to a less than significant level:

MM GEO-6.1: Unique Paleontological and/or Geologic Features and Reporting. Should a unique paleontological resource or site or unique geological feature be identified at the project site during any phase of construction, all ground disturbing activities within 25 feet shall cease and the City's Planning Manager notified immediately. A qualified paleontologist shall evaluate the find and prescribe mitigation measures to reduce impacts to a less than significant level. Work may proceed on other parts of the project site while mitigation for paleontological resources or geologic features is implemented. Upon completion of the paleontological assessment, a report shall be submitted to the City and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology.

With implementation of MM GEO-6.1, impacts to paleontological resources would be reduced to a less than significant level. **(Less than Significant with Mitigation Incorporated)**

4.8 GREENHOUSE GAS EMISSIONS

The following discussion is based, in part, on an Air Quality and Greenhouse Gas Assessment prepared for the project by Illingworth & Rodkin, Inc., dated January 2022. A copy of this report is included in Appendix A of this Initial Study.

4.8.1 Environmental Setting

4.8.1.1 *Background Information*

Gases that trap heat in the atmosphere, GHGs, regulate the earth's temperature. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate. In GHG emission inventories, the weight of each gas is multiplied by its global warming potential (GWP) and is measured in units of CO_2 equivalents (CO_2e). The most common GHGs are carbon dioxide (CO_2) and water vapor but there are also several others, most importantly methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). These are released into the earth's atmosphere through a variety of natural processes and human activities. Sources of GHGs are generally as follows:

- CO_2 and N_2O are byproducts of fossil fuel combustion.
- N_2O is associated with agricultural operations such as fertilization of crops.
- CH_4 is commonly created by off-gassing from agricultural practices (e.g., keeping livestock) and landfill operations.
- Chlorofluorocarbons (CFCs) were widely used as refrigerants, propellants, and cleaning solvents, but their production has been stopped by international treaty.
- HFCs are now used as a substitute for CFCs in refrigeration and cooling.
- PFCs and SF_6 emissions are commonly created by industries such as aluminum production and semiconductor manufacturing.

An expanding body of scientific research supports the theory that global climate change is currently causing changes in weather patterns, average sea level, ocean acidification, chemical reaction rates, and precipitation rates, and that it will increasingly do so in the future. The climate and several naturally occurring resources within California are adversely affected by the global warming trend. Increased precipitation and sea level rise will increase coastal flooding, saltwater intrusion, and degradation of wetlands. Mass migration and/or loss of plant and animal species could also occur. Potential effects of global climate change that could adversely affect human health include more extreme heat waves and heat-related stress; an increase in climate-sensitive diseases; more frequent and intense natural disasters such as flooding, hurricanes and drought; and increased levels of air pollution.

4.8.1.2 *Regulatory Framework*

State

Assembly Bill 32

Under the California Global Warming Solutions Act, also known as AB 32, CARB established a statewide GHG emissions cap for 2020, adopted mandatory reporting rules for significant sources of GHGs, and adopted a comprehensive plan, known as the Climate Change Scoping Plan, identifying how emission reductions would be achieved from significant GHG sources.

In 2016, SB 32 was signed into law, amending the California Global Warming Solution Act. SB 32, and accompanying Executive Order B-30-15, require CARB to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030. CARB updated its Climate Change Scoping Plan in December of 2017 to express the 2030 statewide target in terms of million metric tons of CO_2e ($MMTCO_2e$). Based on the emissions reductions directed by SB 32, the annual 2030 statewide target emissions level for California is 260 $MMTCO_2e$.

Senate Bill 375

SB 375, known as the Sustainable Communities Strategy and Climate Protection Act, was signed into law in September 2008. SB 375 builds upon AB 32 by requiring CARB to develop regional GHG reduction targets for automobile and light truck sectors for 2020 and 2035. The per capita GHG emissions reduction targets for passenger vehicles in the San Francisco Bay Area include a seven percent reduction by 2020 and a 15 percent reduction by 2035.

Consistent with the requirements of SB 375, the Metropolitan Transportation Commission (MTC) partnered with the Association of Bay Area Governments (ABAG), BAAQMD, and the Bay Conservation and Development Commission to prepare the region's Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan process. The SCS is referred to as Plan Bay Area 2040. Plan Bay Area 2040 establishes a course for reducing per capita GHG emissions through the promotion of compact, high-density, mixed-use neighborhoods near transit, particularly within identified Priority Development Areas (PDAs).

Regional and Local

2017 Clean Air Plan

To protect the climate, the 2017 CAP (prepared by BAAQMD) includes control measures designed to reduce emissions of methane and other super-GHGs that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

CEQA Air Quality Guidelines

The BAAQMD CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. The jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for assessing GHG impacts developed by BAAQMD within the CEQA Air Quality Guidelines. The

guidelines include information on legal requirements, BAAQMD rules, methods of analyzing impacts, and recommended mitigation measures.

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to greenhouse gases and are applicable to the proposed project.

Policies	Description
Policy HE-24	Gradually increase energy and water efficiency standards for all new and existing housing while minimizing the costs of such standards.
Task HE-24.1	Develop enhanced residential energy efficiency standards (Title 24, California Administrative Code) in all new residential construction which exceeds State-mandated requirements by five percent in 2015, ten percent in 2020, and twenty percent in 2030.
Policy HE-25	Mandate the inclusion of green building techniques into most new construction.
Policy HE-29	Promote alternative sources of energy in all homes.
Task HE-29.1	Encourage, incentivize, or require all new major construction projects to pre-plumb for solar hot water and pre-wire for solar electric systems.

Daly City's Green Vision

Daly City's Green Vision, A Climate Action Plan (CAP) for 2011-2020 and Beyond, was adopted in December 2010. Daly City's Green Vision guides the City towards a sustainable future that reduces GHG emissions from current levels, while promoting economic prosperity for present and future generations. The Green Vision identifies ten goals and seeks to achieve these goals through cost-effective strategies by the year 2020. The GHG reduction goals include adopting a general plan with measurable policies for sustainable development, reducing energy use in buildings, reducing transportation emissions, reducing solid waste disposal, and GHG emissions reductions from municipal operations. Daly City completed an update to the General Plan which incorporated these goals in March 2013.

Daly City Municipal Code

Consistent with the goals of Daly City's Green Vision, the City Council adopted the Green Building Standards Code in order to protect the environment and health of the community. Chapter 15.22 of the Municipal Code incorporates the California Green Building Standards Code, 2019 edition, for the protection of the public health and safety of its inhabitants.

4.8.1.3 *Existing Conditions*

Unlike emissions of criteria and toxic air pollutants, which have regional and local impacts, emissions of GHGs have a broader, global impact. Global warming is a process whereby GHGs accumulating in the upper atmosphere contribute to an increase in the temperature of the earth and changes in weather patterns.

Greenhouse gases from the existing vacant retail building would be limited to building energy and water use for maintenance of the property.

4.8.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
2) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs?	☐	☐	☒	☐

4.8.2.1 *Significance Thresholds*

For quantified emissions, the BAAQMD's CEQA Air Quality Guidelines recommended a GHG threshold of 1,100 metric tons or 4.6 metric tons (MT) per capita. These thresholds were developed based on meeting the 2020 GHG targets set in the scoping plan that addressed AB 32. Since development of the project would occur beyond 2020, a threshold that addresses a future target is appropriate. Although BAAQMD has not published a quantified threshold for 2030, this assessment uses a "Substantial Progress" efficiency metric of 2.8 MT CO_2e/year/service population[37] and a bright-line threshold (total emissions per year) of 660 MT CO_2e/year based on the GHG reduction goals of EO B-30-15, which codified a 2030 GHG emissions reduction target of 40 percent below 1990 levels. The service population metric of 2.8 is calculated for 2030 based on the 1990 inventory and the projected 2030 statewide population and employment levels. The 2030 bright-line threshold of 660 MT CO_2e/year is a 40 percent reduction of the 1,100 MT CO_2e/year threshold for 2020.

Impact GHG-1:	The project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. **(Less than Significant Impact)**

GHG emissions associated with development of the proposed project would occur over the short-term from construction activities, consisting primarily of emissions from equipment exhaust and worker and vendor trips. There would also be long-term operational emissions associated with vehicular traffic within the project vicinity, energy and water usage, and solid waste disposal. Emissions for the proposed project are discussed below and were analyzed using the methodology recommended in the BAAQMD CEQA Air Quality Guidelines. Emissions were predicted using CalEEMod.

[37] The project service population is based on the number of future residents and employees. The service population was calculated based on 3.33 persons per household (pph) and 2.5 employees per 1,000 s.f. (ksf) of retail space. 3.33 pph x 214 units + 2.5 employees x 10.8 ksf = 739 residents and employees

Construction Emissions

GHG emissions associated with construction were computed to be 976 MT of CO_2e for the total construction period. These are the emissions from on-site operation of construction equipment, vendor and hauling truck trips, and worker trips. Neither the City nor BAAQMD have an adopted threshold of significance for construction related GHG emissions, though BAAQMD recommends quantifying emissions and disclosing that GHG emissions would occur during construction. BAAQMD also encourages the incorporation of best management practices (BMPs) to reduce GHG emissions during construction where feasible and applicable. As previously described in Section 4.3, the project would be required to implement construction BMPs that would reduce GHG emissions.

Operational Emissions

The CalEEMod model, along with the project vehicle trip generation rates, was used to estimate daily emissions associated with operation of the fully developed site under the proposed project. As shown in Table 4.8-1, the annual emissions resulting from operation of the new dwelling units of the proposed project are predicted to be 945 MT of CO_2e in 2026, the earliest anticipated full year of operation, and 900 MT of CO_2e in 2030. Based on a service population of 739 residents and employees,[38] the service population emissions for the year 2026 and 2030 are predicted to be 1.3 and 1.2 MT/CO_2e/year/service population, respectively. The existing retail store on-site is vacant and, therefore, to provide a conservative estimate of project emissions, no operational emissions from the existing development were considered in this analysis.

Table 4.8-1: Annual Project Operational GHG Emissions

Source Category	Proposed Project (2026)	Proposed Project (2030)
Area	2.66	2.66
Energy Consumption	2.64	2.64
Mobile	878.39	830.45
Solid Waste Generation	55.21	55.21
Water Usage	9.05	9.05
Total (MT/CO_2e/year)	945.95	900.01
Bright-Line Threshold	**--**	**660 MT CO_2e/year**
Service Population Emissions (MT CO_2e/year/service population)	1.3	1.2
Service Population Threshold	**--**	**2.8 in 2030**
Exceeds both thresholds?	--	No

According to BAAQMD, in order to be considered a significant impact, the project emissions must exceed both the bright-line threshold and the service population threshold in the future year of 2030. The bright-line threshold measures whether projects emit enough GHG emissions to be considered

[38] Based on Department of Finance estimates of 3.33 persons per household and 2.5 employees for every thousand square foot of retail space.

potentially significant and the per service population threshold measures whether projects emit GHG at a rate that is significantly higher than uncontrolled emissions. As shown in Table 4.8-1, the project would not exceed the service population threshold of 2.8 MT of CO_2e/year/service population in 2026 or 2030. Therefore, the project would not generate a significant amount of GHG emissions. **(Less than Significant Impact)**

Impact GHG-2:	The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. **(Less than Significant Impact)**

The project would be consistent with the City's General Plan policies [specifically Policy HE-24 of increasing energy efficiency standards in new and existing housing developments], Green Vision, and the current CALGreen Code, which requires efficient windows, insulation, lighting, ventilation systems, and other features that reduce water and energy consumption. Compliance with the CALGreen Code would ensure the project incorporates various measures to reduce GHG emissions. As discussed under Impact GHG-1, the project would be in compliance with the quantified thresholds set forth by AB 32 and BAAQMD's guidelines. For this reason, the project would be consistent with applicable plans, policies, and regulations adopted for the purpose of reducing emissions of GHGs. **(Less Than Significant Impact)**

4.9 HAZARDS AND HAZARDOUS MATERIALS

The following discussion is based, in part, on a Phase I Environmental Site Assessment prepared for the project by Roux Associates, Inc., dated April 2021 and a Redevelopment Recommendations Letter prepared for the project by Northgate Environmental Management, Inc., dated August 2021. Copies of these reports are included in Appendix D and Appendix E of this Initial Study, respectively.

4.9.1 Environmental Setting

4.9.1.1 *Regulatory Framework*

Overview

The storage, use, generation, transport, and disposal of hazardous materials and waste are highly regulated under federal and state laws. In California, the EPA has granted most enforcement authority over federal hazardous materials regulations to the California Environmental Protection Agency (CalEPA). In turn, local agencies have been granted responsibility for implementation and enforcement of many hazardous materials regulations under the Certified Unified Program Agency (CUPA) program.

Worker health and safety and public safety are key issues when dealing with hazardous materials. Proper handling and disposal of hazardous material is vital if it is disturbed during project construction. Cal/OSHA enforces state worker health and safety regulations related to construction activities. Regulations include exposure limits, requirements for protective clothing, and training requirements to prevent exposure to hazardous materials. Cal/OSHA also enforces occupational health and safety regulations specific to lead and asbestos investigations and abatement.

Federal and State

Federal Aviation Regulations Part 77

Federal Aviation Regulations, Part 77 Objects Affecting Navigable Airspace (FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of potential structures and minimizing other potential hazards (such as reflective surfaces, flashing lights, and electronic interference) to aircraft in flight. These regulations require that the Federal Aviation Administration (FAA) be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above the ground.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law created a tax on the chemical and petroleum industries and provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. Over five years, $1.6 billion was collected and the tax went to a trust fund for cleaning

up abandoned or uncontrolled hazardous waste sites. CERCLA accomplished the following objectives:

- Established prohibitions and requirements concerning closed and abandoned hazardous waste sites;
- Provided for liability of persons responsible for releases of hazardous waste at these sites; and
- Established a trust fund to provide for cleanup when no responsible party could be identified.

The law authorizes two kinds of response actions:

- Short-term removals, where actions may be taken to address releases or threatened releases requiring prompt response; and
- Long-term remedial response actions that permanently and significantly reduce the dangers associated with releases or threats of releases of hazardous substances that are serious, but not immediately life-threatening. These actions can be completed only at sites listed on the EPA's National Priorities List.

CERCLA also enabled the revision of the National Contingency Plan (NCP). The NCP provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also established the National Priorities List. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.[39]

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA), enacted in 1976, is the principal federal law in the United States governing the disposal of solid waste and hazardous waste. RCRA gives the EPA the authority to control hazardous waste from the "cradle to the grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also sets forth a framework for the management of non-hazardous solid wastes.

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization, phasing out land disposal of hazardous waste, and corrective action for releases. Some of the other mandates of this law include increased enforcement authority for the EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.[40]

[39] United States Environmental Protection Agency. "Superfund: CERCLA Overview." Accessed June 18, 2021. https://www.epa.gov/superfund/superfund-cercla-overview.
[40] United States Environmental Protection Agency. "Summary of the Resource Conservation and Recovery Act." Accessed June 18, 2021. https://www.epa.gov/laws-regulations/summary-resource-conservation-and-recovery-act.

Government Code Section 65962.5

Section 65962.5 of the Government Code requires CalEPA to develop and update a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by state and local agencies and developers to comply with CEQA requirements. The Cortese List includes hazardous substance release sites identified by the Department of Toxic Substances Control (DTSC) and State Water Resources Control Board (SWRCB).[41]

Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) of 1976 provides the EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. The TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint.

California Accidental Release Prevention Program

The California Accidental Release Prevention (CalARP) Program aims to prevent accidental releases of regulated hazardous materials that represent a potential hazard beyond the boundaries of a property. Facilities that are required to participate in the CalARP Program use or store specified quantities of toxic and flammable substances (hazardous materials) that can have off-site consequences if accidentally released. The San Mateo County Environmental Health Services Division reviews CalARP risk management plans as the CUPA.

Asbestos-Containing Materials

Friable asbestos is any asbestos-containing material (ACM) that, when dry, can easily be crumbled or pulverized to a powder by hand, allowing the asbestos particles to become airborne. Common examples of products that have been found to contain friable asbestos include acoustical ceilings, plaster, wallboard, and thermal insulation for water heaters and pipes. Common examples of non-friable ACMs are asphalt roofing shingles, vinyl floor tiles, and transite siding made with cement. The EPA phased out use of friable asbestos products between 1973 and 1978. National Emission Standards for Hazardous Air Pollutants (NESHAP) guidelines require that potentially friable ACMs be removed prior to building demolition or remodeling that may disturb the ACMs.

CCR Title 8, Section 1532.1

The United States Consumer Product Safety Commission banned the use of lead-based paint in 1978. Removal of older structures with lead-based paint is subject to requirements outlined by the Cal/OSHA Lead in Construction Standard, CCR Title 8, Section 1532.1 during demolition activities. Requirements include employee training, employee air monitoring, and dust control. If lead-based paint is peeling, flaking, or blistered, it is required to be removed prior to demolition.

[41] California Environmental Protection Agency. "Cortese List Data Resources." Accessed June 18, 2021. https://calepa.ca.gov/sitecleanup/corteselist/.

Regional and Local

San Francisco International Airport Land Use Compatibility Plan

The project site is located within the jurisdiction of the San Francisco International (SFO) Airport Land Use Compatibility Plan (ALUCP). The ALUCP identifies potential conflicting land uses within the Airport Influence Area (AIA) of SFO. Policy IP-1 of the ALUCP requires that those offering subdivided property for sale or lease disclose the presence of all existing and planned airports within two miles of the property.

San Mateo County Emergency Operations Plan

The Emergency Operations Plan (EOP) establishes policies and procedures and assigns responsibilities to ensure the effective management of emergency operations within the San Mateo County Operational Area (SMOA). All cities and towns participate in the SMOA, including Daly City. The EOP provides information on the county emergency management structure of how and when the Emergency Operations Center (EOC) staff is activated. The SMOA EOC coordinates emergency operations and develops emergency policies, and procedures.[42]

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to hazards and hazardous materials and are applicable to the proposed project.

Policy/Task	Description
Policy LU-18	Development activities shall not be allowed to significantly disrupt the natural or urban environment and all reasonable measures shall be taken to identify and prevent or mitigate potentially significant effects.
Task LU-18.1	Ensure that potentially significant environmental impacts associated with development proposals are properly mitigated through conditions of approval, mitigation measures, project design, or project denial. In cases where the impacts may not be completely preventable but will not significantly disrupt the community, the City may recognize that the benefits of a project may outweigh the environmental consequences. In no case shall the City approve a project that endangers the health, safety, or welfare of the public.
Policy SE-4.1	Support efforts to locate, regulate, and maintain information regarding hazardous materials located or transported within the City.
Policy SE-4.2	Cooperate with the County of San Mateo in the regulation of hazardous materials and transportation in the Fire Prevention Services Bureau within the City.
Policy SE-4.6	Require the preparation of a risk assessment to determine site suitability for applications for hazardous materials waste management facilities. Establish the distance requirements for these facilities from public assembly, residential or immobile population and recreation areas and structures. Access impacts from

[42] County of San Mateo. *Emergency Operations Plan, Basic Plan*. May 22, 2015. https://hsd.smcsheriff.com/sites/default/files/downloadables/1%20-%20Emergency%20Operations%20Plan.pdf

	seismic, geologic, and flood hazards, impacts on wetlands, endangered species, air quality and emergency response capabilities; and proximity to major transport routes.
Policy SE-5.2	Continue to participate with San Mateo County's Automatic and Mutual Aid Programs, Area/County Emergency Plan, and Operational Area Emergency Services Organization as a basis for community emergency preparedness.

4.9.1.2 *Existing Conditions*

On-Site Conditions

Historic Uses

According to aerial photographs, Sanborn maps, and topographic maps of the project site and surrounding vicinity, the project site was in a rural area occupied by agricultural fields and dense woodlands prior to being developed circa 1965 with the existing commercial building. The building was occupied by Burlington circa 2000 and had been previously occupied by Swanson's Westlake Bowl, Westlake Pro Shop, and F&F Baseball Cards.

The Westlake Shopping Center was first developed circa 1956 and has undergone various modifications since. Other adjacent properties were developed with their existing buildings circa 1965. Notable neighboring uses of concern include Southgate Cleaners, located at 183 Southgate Avenue, approximately 290 feet west of the project site and the Westlake Arco gas station, located at 151 Southgate Avenue, approximately 65 feet west of the project site.

Hazardous Materials Database Listings

The Phase I Environmental Site Assessment included a records search of government databases conducted for sites of environmental concern within a one-mile radius of the project site. A summary of the records search results is provided below.

Project Site Listings

The project site has been listed on several hazardous materials databases. Small quantities of hazardous materials have been generated, disposed of, and stored on the property with no documented releases. The Burlington retail store had a number of hazardous materials violations relating to administration and housekeeping such as citations for failing to provide proof of employee training, which are unlikely to have resulted in any contamination on the property given that the facility returned to compliance in all instances.

Nearby Site Listings

Several sites in the project vicinity have been listed on various hazardous materials databases. However, only two of these have been listed due to sub-surface contamination. Other facilities in the project vicinity have no documented hazardous material releases. The two cases of sub-surface contamination are described in further detail below.

The Westlake Arco gas station was listed on the State Water Resource Control Board's Geotracker database as the site of a leaking underground storage tank (LUST). The LUST resulted in the release

of gasoline, methyl tert-butyl ether (MTBE), tert-butyl alcohol (TBA), and other fuel oxygenate contamination into a drinking water aquifer in 2000. The site has since undergone cleanup activities and has been under verification monitoring as of November of 2019.[43]

The Southgate Cleaners site was also listed on Geotracker as a LUST site. The LUST resulted in the release of tetrachloroethylene (PCE) contamination into the soil. The Southgate Cleaners site has remained an open case since 2008.[44] As of August 2021, soil vapor extraction at the former Southgate Cleaners site has noted that PCE concentrations in the soil vapor have dropped below screening levels with the exception of a small concentration beneath the building slab.

Other Hazards

Airports

The San Francisco International Airport (SFO) is located approximately 6.7 miles southeast of the project site. Federal Aviation Regulations, Part 77, "Objects Affecting Navigable Airspace" (FAR Part 77), requires that the Federal Aviation Administration (FAA) be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above ground. For the project site, any structure exceeding 200 feet in height above ground would require submittal to the FAA for airspace safety review.

Wildland Fire Hazards

The project site is not located within a Very-High Fire Hazard Severity Zone for wildland fires.[45]

4.9.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐

[43] State Water Resources Control Board. Arco # 465 (T0608100027). Accessed June 23, 2021. https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0608100027
[44] State Water Resources Control Board. Southgate Cleaners (SL0608188850). Accessed June 23, 2021. https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=SL0608188850
[45] California Board of Forestry and Fire Protection (CALFire). San Mateo County Fire Hazard Severity Zones in SRA. Adopted by CALFire on November 7, 2007. Map. Accessed June 22, 2021. https://osfm.fire.ca.gov/media/6802/fhszs_map41.pdf

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☒	☐	☐
4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☒	☐
6) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
7) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☒	☐

Impact HAZ-1:	The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. **(Less than Significant Impact)**

Operation of the proposed mixed-use building would likely include the use and storage of cleaning supplies and maintenance chemicals in small quantities on-site. The small quantities of cleaning supplies and maintenance chemicals used on-site would be comparable to the operations of adjacent residential and commercial uses and would not pose a risk to adjacent land uses. **(Less Than Significant Impact)**

Impact HAZ-2:	The project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. **(Less than Significant Impact with Mitigation Incorporated)**

Project Construction

<u>On-site Soils</u>

Project construction would include site grading and the export of approximately 840 cubic yards of soil. Given that the project area was used for agricultural purposes until the 1950s and is located near

two sites known to have contaminated soils, it is possible that contaminated soils exist on-site. Project construction could result in the release of soil contaminants into the environment if appropriate control measures are not implemented.

Impact HAZ-2: Disturbance of hazardous materials could expose workers and nearby sensitive receptors to hazardous materials during construction.

Mitigation Measures: The following mitigation measures would reduce impacts to workers and nearby sensitive receptors to a less than significant level:

MM HAZ-2.1: Subsequent to building demolition, shallow soil shall be sampled to the proposed depth of soil disturbance to evaluate the presence/absence of soil contaminants. If soil contaminants are present at concentrations above regulatory screening levels, the impacted areas shall be delineated through further sampling and a Removal Action Workplan (RAW) and Health and Safety Plan (HASP) shall be developed and submitted to the San Mateo County Department of Environmental Health for approval. The RAW shall outline the procedures and protocols for excavation and disposal of the impacted soil and post-excavation confirmation sampling in accordance with the appropriate regulations. If soil contaminants above regulatory screening levels are not present, no further action is needed.

With implementation of mitigation measure MM HAZ-2.1, the potential impacts from on-site contamination would be reduced to a less than significant level.

Groundwater

Given the vicinity of the Arco gas station LUST case, it is possible that contaminated groundwater exists below the project site. Minimum depth to groundwater in the project area is estimated to be approximately 53 feet below ground surface (bgs) to a perched groundwater zone, then 126 feet bgs to the shallow groundwater aquifer. The project does not propose any subterranean levels and thus, would not excavate deep enough to encounter groundwater on-site. Therefore, the project would not expose workers or nearby sensitive receptors to contaminated groundwater.

Project Operation

As discussed under Impact HAZ-1, operation of the proposed project would involve the use of small amounts of cleaning and maintenance chemicals on-site. Therefore, the project would not risk the release of substantial hazardous materials in upset and accident conditions during project operation. **(Less than Significant Impact with Mitigation Incorporated)**

Impact HAZ-3: The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. **(Less than Significant Impact with Mitigation Incorporated)**

The nearest school to the project site is Benjamin Franklin Intermediate School, located at 700 Stewart Avenue, approximately 0.1 miles south of the project site as the crow flies. As discussed in

Impact HAZ-1, project operation would involve the storage and use of limited quantities of common residential cleaning and maintenance chemicals. Construction emissions are addressed in Section 4.3 Air Quality. With implementation of MM HAZ-2.1, MM AIR-3.1, and MM AIR-3.2, project construction would not result in significant health risk impacts to sensitive receptors within the project vicinity, including students at Benjamin Franklin Intermediate School. Therefore, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. **(Less than Significant Impact with Mitigation Incorporated)**

Impact HAZ-4:	The project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment. **(No Impact)**

While the project site is listed on various hazardous materials databases, the project site is not included on a list of hazardous materials sites pursuant to Government Code Section 65962.5.[46] Additionally, the project's database listings were the result of small quantities of hazardous materials being generated, disposed of, and stored on the property, with no documented environmental impact. The Burlington facility had CERS HAZ WASTE violations relating to administration and housekeeping which had no physical impact on the environment and the facility returned to compliance in all instances. **(No Impact)**

Impact HAZ-5:	The project would be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport. The project would not result in a safety hazard or excessive noise for people residing or working in the project area. **(Less than Significant Impact)**

The project site is located approximately 6.7 miles northwest of SFO. The proposed project would be located within the SFO AIA and would be required to comply with applicable policies of the SFO ALUCP, including Policy IP-1. The project shall be required to implement Policy IP-1 as a Condition of Approval, which requires that subdivided properties for sale or lease within the AIA include a real estate disclosure regarding the presence of airports within the two miles of the property in the notice of intention to offer the property for sale. The text of the real estate disclosure shall match that which is provided under Policy IP-1 of the SFO ALUC.

The project site is not located inside the CNEL noise contours identified in the SFO ALUCP. According to the Noise Element of the General Plan, the project lies outside of the 60 dBA CNEL 2030 noise contour of the airport and, therefore, residents and workers on the site would not be exposed to excessive noise levels.

The proposed project would be 35 feet in height; therefore, the total height of the mixed-use building would not exceed 200 feet above ground level and, therefore, would not require submittal to the FAA for airspace safety review. Although the project site is located within the jurisdiction of the SFO

[46] CalEPA. Cortese List Data Resources. Accessed June 23, 2021. https://calepa.ca.gov/sitecleanup/corteselist/

ALUCP, there are no safety hazards or excessive noise levels which would result in a significant impact. **(Less than Significant Impact)**

Impact HAZ-6:	The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. **(Less than Significant Impact)**

The City of Daly City participates in the implementation of the San Mateo County Emergency Operations Plan. The proposed project would be constructed to comply with all applicable building and fire codes to limit potential hazards and risks. During construction and operation of the project, roadways would not be blocked such that emergency vehicles would be unable to access the site or surrounding properties. During operation, emergency ingress and egress to the project site would be provided by the surrounding roadways. The existing roadway network and the radii of the corners and curbs would be adequate to accommodate site evacuation and the circulation of emergency vehicles. The proposed project, therefore, would not impair or physically interfere with any adopted emergency response or evacuation plan. **(Less than Significant Impact)**

Impact HAZ-7:	The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. **(Less than Significant Impact)**

The project vicinity is entirely urbanized and is not located within a wildlands hazard area.[47] Therefore, the project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. **(Less than Significant Impact)**

[47] CALFire. San Mateo County Fire Hazard Severity Zones in SRA. Adopted by CALFire on November 7, 2007. Map. Accessed June 22, 2021. https://osfm.fire.ca.gov/media/6802/fhszs_map41.pdf

4.10 HYDROLOGY AND WATER QUALITY

4.10.1 Environmental Setting

4.10.1.1 *Regulatory Framework*

Federal and State

The federal Clean Water Act and California's Porter-Cologne Water Quality Control Act are the primary laws related to water quality in California. Regulations set forth by the EPA and the SWRCB have been developed to fulfill the requirements of this legislation. EPA regulations include the National Pollutant Discharge Elimination System (NPDES) permit program, which controls sources that discharge pollutants into the waters of the United States (e.g., streams, lakes, bays, etc.). These regulations are implemented at the regional level by the Regional Water Quality Control Boards (RWQCBs). The project site is within the jurisdiction of the San Francisco Bay RWQCB.

National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) established the National Flood Insurance Program (NFIP) to reduce impacts of flooding on private and public properties. The program provides subsidized flood insurance to communities that comply with FEMA regulations protecting development in floodplains. As part of the program, FEMA publishes Flood Insurance Rate Maps (FIRMs) that identify Special Flood Hazard Areas (SFHAs). An SFHA is an area that would be inundated by the one-percent annual chance flood, which is also referred to as the base flood or 100-year flood.

Statewide Construction General Permit

The SWRCB has implemented an NPDES General Construction Permit for the State of California (Construction General Permit). For projects disturbing one acre or more of soil, a Notice of Intent (NOI) must be filed with the RWQCB by the project sponsor, and a Storm Water Pollution Prevention Plan (SWPPP) must be prepared by a qualified professional prior to commencement of construction and filed with the RWQCB by the project sponsor. The Construction General Permit includes requirements for training, inspections, record keeping, and, for projects of certain risk levels, monitoring. The general purpose of the requirements is to minimize the discharge of pollutants and to protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges.

Regional and Local

San Francisco Bay Basin Plan

The San Francisco Bay RWQCB regulates water quality in accordance with the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan). The Basin Plan lists the beneficial uses that the San Francisco Bay RWQCB has identified for local aquifers, streams, marshes, rivers, and the San Francisco Bay, as well as the water quality objectives and criteria that must be met to protect these uses. The San Francisco Bay RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements, including permits for nonpoint sources such as the urban runoff

discharged by a City's stormwater drainage system. The Basin Plan also describes watershed management programs and water quality attainment strategies.

Municipal Regional Permit Provision C.3

The San Francisco Bay RWQCB re-issued the MRP in 2015 to regulate stormwater discharges from municipalities and local agencies (co-permittees) in Alameda, Contra Costa, San Mateo, and Santa Clara Counties, and the cities of Fairfield, Suisun City, and Vallejo.[48] Under Provision C.3 of the MRP, new and redevelopment projects that create or replace 10,000 square feet or more of impervious surface area are required to implement site design, source control, and Low Impact Development (LID)-based stormwater treatment controls to treat post-construction stormwater runoff. LID-based treatment controls are intended to maintain or restore the site's natural hydrologic functions, maximizing opportunities for infiltration and evapotranspiration, and using stormwater as a resource (e.g., rainwater harvesting for non-potable uses). The MRP also requires that stormwater treatment measures are properly installed, operated, and maintained.

In addition to water quality controls, the MRP requires new development and redevelopment projects that create or replace one acre or more of impervious surface to manage development-related increases in peak runoff flow, volume, and duration, where such hydromodification is likely to cause increased erosion, silt pollutant generation, or other impacts to local rivers, streams, and creeks. Projects may be deemed exempt from these requirements if they do not meet the minimized size threshold, drain into tidally influenced areas or directly into the Bay, or drain into hardened channels, or if they are infill projects in subwatersheds or catchment areas that are greater than or equal to 65 percent impervious.

Construction Dewatering Waste Discharge Requirements

Each of the RWQCBs regulate construction dewatering discharges to storm drains or surface waters within its Region under the NPDES program and Waste Discharge Requirements.

Daly City Municipal Code

Chapter 14.04 of the Daly City Municipal Code, also known as the Daly City Stormwater Management and Discharge Control Ordinance prohibits non-stormwater discharges to the City storm drain system. The purpose of the Ordinance is to eliminate non-stormwater discharges to the municipal separate storm drain system, control the discharge of spills, dumping or disposal of materials other than stormwater, and reduce pollutants in stormwater discharges into the storm drain system to the maximum extent practicable. Chapter 14.12 gives the City the authority to inspect projects to enforce any of the provisions of Title 14.

Chapter 15.62 of the Daly City Municipal Code, also known as the City of Daly City Grading, Erosion and Sediment Control Ordinance sets forth rules and regulations to control site clearing, vegetation disturbances, landfills, land excavations, soil storage, and other such activities which may cause sediments and other pollutants to enter the public drainage facilities. The chapter establishes the regulations, permit requirements, procedures for administration and enforcement of permits to properly control the aforementioned activities to preserve and enhance public health, safety and

[48] MRP Number CAS612008

environment. Section 15.62.230 requires the permittee to maintain a copy of the permit, approved plans and reports and make these available for City inspection. Section 15.62.270 gives the City engineer authority to suspend or revoke a permit for violation or non-compliance with Chapter 15.62.

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to hydrology and water quality and are applicable to the proposed project.

Policy/Task	Description
Policy RME-8	Through the development of a Stormwater Management Program, ensure that all new development complies with the applicable Municipal Regional Stormwater Permit by incorporating controls that reduce water quality impacts over the life of the project in ways that are both technically and economically feasible, and reduce pollutants in stormwater discharges to the maximum extent practicable.
Task RME-8.5	Ensure the regular inspection of stormwater treatment facilities as required by the Municipal Regional Stormwater NPDES Permit.
Policy RME-9	Balance stormwater mitigation measures with the other inherent benefits of higher density development that is in close proximity to public transit, i.e., reduction of Vehicle Miles Traveled (VMT) on local and regional roadways to the extent permitted under the Municipal Regional Stormwater Permit.
Task RME-9.1	Continue to explore low-impact development credits for high density transit-oriented development within the City's established Priority Development Areas with the Regional Water Quality Control Board.
Policy SE-2.1	Protect the City of Daly City from unreasonable risk to life and property caused by flood hazards by designing and constructing drainage facilities to improve the flow capacity of the City's water system in order to accommodate the storm water runoff generated by a 100-year storm.

4.10.1.2 *Existing Conditions*

Stormwater

The project site is located within the Vista Grande Watershed which encompasses 2.5 square miles and borders San Francisco County on the north, Colma Creek watershed to the south and east, and the Pacific Ocean on the west.[49] The project site currently consists of approximately 82,910 sf (98.5 percent) impervious surface area and 1,340 sf (1.5 percent) pervious surface area. Stormwater not absorbed within the project site is directed to the curb inlets and conveyed into the existing stormwater lines in Southgate Avenue and Palmcrest Drive. The stormwater collection system routes

[49] RMC Water and Environment. *Vista Grande Watershed Study*. August 2006. https://www.dalycity.org/524/Vista-Grande-Watershed-Plan-2006

stormwater flows to the Vista Grande canal and tunnel that discharges to the Pacific Ocean at an outlet structure at the beach below Fort Funston.[50]

Groundwater

The aquifer that underlies most of Daly City is within the Westside Groundwater Basin (Westside Basin). The Westside Basin underlies parts of San Francisco and northern San Mateo counties. The basin extends from Golden Gate Park in the north and past the San Francisco International Airport in the south. The basin extends to the west beneath the Pacific Ocean at least as far as the San Andreas Fault and to the east an unknown distance beneath San Francisco Bay. The Westside Basin is a buried valley, where the walls and floor of the valley are formed by rock with a mixture of course- and fine-grained sediments as much as 3,700 feet thick in parts of the basin fill. The coarse-grained sediments consist of sand and gravel and the fine-grained sediments consist of silt and clay. Sand and gravel can transmit substantial quantities of water to wells, whereas silt and clay impede the movement of groundwater. Where silt and clay deposits form semi-continuous beds, they can effectively isolate the water table from underlying aquifer. Groundwater in the shallow water table aquifer is referred to as "unconfined" and the underlying aquifer separated from the water table by continuous and semi-continuous fine-grained silt and clay strata are referred to as "confined." Both unconfined and confined conditions occur in the Westside Basin. The project site is not located within a designated recharge area.[51] The groundwater level on-site was measured at a depth of 41 feet below ground surface (bgs).[52]

Flooding Hazards

FEMA has developed a Flood Hazard Boundary Map (FHBM) and has designated Daly City as a Non-Special Flood Hazard Area (NSFHA). The project site is located in Zone X, an area of minimal flood hazard.[53]

Dam Inundation, Seiches, Tsunamis, and Mudflow Hazards

No areas in the city are subject to dam inundation. There are no water bodies in Daly City so there is no threat of seiches. A tsunami inundation map prepared by the California Department of Conservation shows a portion of the coast in Daly City as a tsunami inundation area. However, the project site is outside of the tsunami inundation area.[54]

[50] Ibid.
[51] City of Daly City. *General Plan Environmental Impact Report, Hydrology.* 2012.
[52] Rockridge Geotechnical, Inc. *Preliminary Geotechnical Investigation at 99 Southgate Avenue, Daly City (Project No. 20-1906).* September 16, 2020.
[53] FEMA. *Flood Insurance Rate Map No. 06081C0028F*. Effective August 2, 2017. Accessed July 15, 2021. https://msc.fema.gov/portal/search?AddressQuery=99%20southgate%20avenue%2C%20daly%20city#searchresultsanchor
[54] California Department of Conservation. "California Tsunami Maps and Date". Accessed July 15, 2021. https://www.conservation.ca.gov/cgs/tsunami/maps

4.10.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
2) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
- result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
- substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
- create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
- impede or redirect flood flows?	☐	☐	☒	☐
4) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
5) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Impact HYD-1: The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. **(Less than Significant Impact)**

Construction Water Quality Impacts

Potential impacts related to water quality are constrained by existing regulatory systems from the federal to the local level. The Clean Water Act sets minimum water quality standards for all surface waters in the U.S. and requires that industrial, municipal, and construction-related sources of pollution are regulated through the NPDES. The City requires project applicants to submit a

stormwater management plan that illustrates full compliance with the MRP. The project would be required to include stormwater controls and construction best management practices. Compliance with the MRP would ensure that project construction would not substantially degrade surface water or ground water quality. **(Less than Significant Impact)**

Post-Construction Water Quality Impacts

The project would result in approximately 77,432 sf (91 percent) impervious surface area and approximately 8,037 sf (nine percent) pervious surface area. This would be a net increase of approximately 6,697 sf (7.5 percent) of pervious surface area from existing conditions. Pervious surface areas would be provided via landscaping and bioretention areas located in the proposed courtyards, along the outside of the proposed building, and in the uncovered parking area along Southgate Avenue. This would increase the amount of stormwater treated and absorbed on-site. Therefore, the project would result in a less than significant impact to water quality. **(Less than Significant Impact)**

Impact HYD-2:	The project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. **(Less than Significant Impact)**

Daly City receives a large portion of its water supply from the San Francisco Public Utilities Commission (SFPUC) and supplements the SFPUC supply with groundwater pumped from six local wells. During dry periods, groundwater makes up a larger proportion (up to 45 percent) of the City's supply. The proposed project would not result in the need for excessive groundwater pumping from local wells and, therefore, would not substantially decrease groundwater supplies (refer to water supply discussion in Section 4.19 Utilities and Service Systems).

There are no designated groundwater recharge areas within the Westside Groundwater Basin. The principal sources of recharge are direct infiltration of rainfall, infiltration of irrigation water, and leakage from water and sewer pipes.[55] As discussed in Impact HYD-1, the proposed project would increase the pervious surface area on-site, resulting in a corresponding increase in infiltration capacity. The project, therefore, would not substantially interfere with groundwater recharge or impede groundwater management of the basin. **(Less than Significant Impact)**

[55] *San Francisco Bay Hydrologic Region Westside Groundwater Basin*, California's Groundwater Bulletin 118, January 20, 2006.

Impact HYD-3:	The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows. **(Less than Significant Impact)**

The project site does not contain, nor is it adjacent to, any waterway. Therefore, the proposed project would not alter the course of a stream or river. Construction on the site will comply with the City's stormwater regulations (Chapters 14.04 and 15.62 of the City's Municipal Code) to ensure construction activities on the site do not result in increased soil erosion and siltation, exceed capacity of the drainage system, or add substantial sources of polluted runoff. Consistent with the City's requirements, the project would not increase site runoff from a 10-year storm for a duration of two hours of rainfall and would retain any increased flow due to reduction in pervious surfaces and use of bioretention areas. The project site is located within an area of minimal flood hazard. Therefore, the project would not substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows. **(Less Than Significant Impact)**

Impact HYD-4:	The project would not risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones. **(No Impact)**

As described in Section 4.10.1.2 Existing Conditions, the project site is located within an area of minimal flood hazard. The project site is not subject to tsunamis or seiches. Therefore, the project would not risk release of pollutants due to project inundation. **(No Impact)**

Impact HYD-5:	The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. **(Less than Significant Impact)**

As previously described, the project site is located within the Westside Groundwater Basin. There are existing groundwater management plans for the northwestern portion (North Westside Groundwater Basin Management Plan) and the southern portion (South Westside Basin Groundwater Management Plan) of the Basin. The City of Daly City, which would be the water service provider for the project, is a participant in the South Westside Basin Groundwater Management Plan. The City would implement the groundwater protection and management goals and objectives of the Plan. The project, which proposes to construct a seven-story mixed-use building, would not conflict with or obstruct the implementation of the South Westside Basin Groundwater Management Plan. **(Less Than Significant Impact)**

4.11 LAND USE AND PLANNING

4.11.1 Environmental Setting

4.11.1.1 *Regulatory Framework*

Local

Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport

In 1967, the State legislature adopted legislation requiring the establishment of airport land use commissions in counties with one or more airports serving the general public. Amendments adopted by the legislature in 1970 required each commission to develop comprehensive ALUCPs. The purpose of the ALUCPs is to provide for the orderly growth of airports and the surrounding areas to minimize the public's exposure to excessive noise and safety hazards.

The project site is located within the AIA for SFO. Properties within the AIA may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (e.g., noise, vibration, and odors). The airport/land use compatibility of a proposed development or land use policy action shall be determined by comparing the proposed development or land use policy action with the safety compatibility criteria, noise compatibility criteria, and airspace protection/height limitation criteria in the ALUCP.

Furthermore, properties located within the 70 dB CNEL aircraft noise contour for SFO warrant land use controls to promote noise compatibility. The project site is not located within SFO's 70 dB CNEL aircraft noise contour.

The ALUCP also includes airspace protection/height limitation criteria based on Federal Avigation Regulations. Federal Aviation Regulations, Part 77, "Objects Affecting Navigable Airspace" (referred to as FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of potential structures and minimizing other potential hazards (such as reflective surfaces, flashing lights, and electronic interference) to aircraft in flight. These regulations require that the FAA be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above ground. For the project site, any proposed structure of a height greater than approximately 200 feet above mean ground level is required under FAR Part 77 to be submitted to the FAA for review.

Any proposed land use policy actions, including the proposed zoning amendment, that affect properties within the ALUCP Airport Influence Area B boundary in Daly City (such as the project site), must be referred to the C/CAG Board for an ALUCP consistency review and determination.

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to land use and planning and are applicable to the proposed project.

Policy/Task	Description
Task CE-20.7	As a part of all new development, require, where appropriate, the provision of pedestrian-oriented signs, pedestrian-scale lighting, benches, and other street furniture so as to make non-motorized forms of travel comfortable and attractive alternatives to the automobile. Where necessary in new development, the City may require additional sidewalk and/or right-of-way width to accommodate these amenities.
Policy RME-20	Recognize the physical differences between different parts of the City and regulate land uses within these areas accordingly.
Task RME-20.2	Amend the Zoning Ordinance to provide development regulations that more closely reflect the predominant neighborhood character established when the neighborhood was constructed.
Task RME-20.4	Incorporate design features in new development that reflects the character of the neighborhood, to ensure that new construction is compatible with existing development.
Policy LU-8	Ensure that landscape and hardscape improvements made to all residential properties are environmentally sound and do not negatively impact existing neighborhood aesthetics.

City of Daly City Zoning Ordinance

The Zoning Ordinance is provided in Title 17 of the Daly City Municipal Code. The Zoning Ordinance helps promote public health, safety, morals, convenience, comfort, prosperity and general welfare of residents in the City.

4.11.1.2 *Existing Conditions*

The project site has a General Plan land use designation of Commercial – Mixed Use (C-MU) and is zoned Planned Development (PD-60A). The C-MU designation applies to areas where the City intends to provide, through the Zoning Ordinance, regulatory incentives and/or requirements for developers to construct buildings which contain a vertical mix of uses, e.g., retail or restaurant uses at the street level and office or residential uses at levels above the street. Planned Development zonings are designed to accommodate various types of developments. The PD-60A zone was specifically established for the Westlake Shopping Center.

The project site is currently developed with a vacant, approximately 55,000 square-foot (sf) retail store. Surrounding land uses include the Westlake Shopping Center to the north, a gas station to the west, a commercial building to the east (which is also included in the Westlake Shopping Center), and multi-family residences to the west, south, and east.

4.11.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Physically divide an established community?	☐	☐	☒	☐
2) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

Impact LU-1: The project would not physically divide an established community. **(Less than Significant Impact)**

Examples of projects that have the potential to physically divide an established community include new freeways and highways, major arterial streets, and railroad lines. The project would redevelop the site with a seven-story mixed-use building. The proposed mixed-use building would be compatible with the surrounding commercial and multi-family residential uses. In addition, the project would not construct any major infrastructure that would divide the community. For these reasons, the proposed project would not physically divide an established community. **(Less than Significant Impact)**

Impact LU-2: The project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. **(Less than Significant Impact)**

General Plan and Zoning

Consistent with the C-MU designation, the project proposes a vertical mix of retail and residential uses. In order to construct the proposed mixed-use building, the project proposes several text amendments to the PD-60A zoning. The text amendments would include a 20 percent reduction of the parking requirement due to the mixed-use nature of the project, 20 percent of the total parking space count to be sized and designated for small cars only, and 20 percent of the parking space count to be met with tandem parking spaces inside the residential garage. The project would comply with the other standards of the PD-60A zoning as they are currently established. As required by the PD-60A zoning, the project would be subject to approval by a Design Review Committee. With adoption of the proposed zoning text amendments, the project would not conflict with the General Plan or Zoning Code.

SFO Airport Land Use Compatibility Plan

The project site is located approximately 6.7 miles northwest of SFO. The proposed project would be located within the SFO AIA. As a result, it would be required to comply with applicable policies of the SFO ALUCP, including Policy IP-1. The project shall implement Policy IP-1 as a Condition of

Approval, which requires that properties within the AIA include a real estate disclosure noting the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations in the notice of intention to offer the property for sale. The text of the real estate disclosure shall match that which is provided under Policy IP-1 of the SFO ALUCP.

The project site is not located inside the CNEL noise contours identified in the SFO ALUCP, meaning that airport related noise levels are below 65 dB at the project site, a level compatible with residential and commercial uses. The proposed project would be 88 feet in height to the top of the elevator shaft; therefore, the total height of the mixed-use building would not exceed 200 feet above ground level and, therefore, the project would not require submittal to the FAA for airspace safety review.

The project is consistent with the existing General Plan Land Use designation and SFO ALUCP. The proposed zoning amendment is generally compatible with the existing development in the surrounding area and would not result in any significant environmental impact to the surrounding land uses. Therefore, the project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. **(Less than Significant Impact)**

4.12 MINERAL RESOURCES

4.12.1 Environmental Setting

4.12.1.1 *Regulatory Framework*

State

Surface Mining and Reclamation Act

The Surface Mining and Reclamation Act (SMARA) was enacted by the California legislature in 1975 to address the need for a continuing supply of mineral resources, and to prevent or minimize the negative impacts of surface mining to public health, property, and the environment. As mandated under SMARA, the State Geologist has designated mineral land classifications in order to help identify and protect mineral resources in areas within the state subject to urban expansion or other irreversible land uses which would preclude mineral extraction. SMARA also allowed the State Mining and Geology Board (SMGB), after receiving classification information from the State Geologist, to designate lands containing mineral deposits of regional or statewide significance.

4.12.1.2 *Existing Conditions*

The San Mateo County General Plan identifies 13 mineral resources found in San Mateo County. Seven of these minerals: chromite, clay, expansible shale, mercury, sand and gravel, sands (specialty), and stone (dimension), are not likely to be used primarily because of limited quantities, urbanization or economic infeasibility. Daly City does not contain any mineral resources within its limits.

4.12.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
2) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒

Impact MIN-1: The project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state. **(No Impact)**

Due to the fact that the project site is located on urban land in the City of Daly City, there are no significant mineral resources on or in the vicinity of the project site. **(No Impact)**

Impact MIN-2:	The project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. **(No Impact)**

Please see the discussion for MIN-1, above. **(No Impact)**

4.13 NOISE

The following discussion is based, in part, on an Environmental Noise and Vibration Assessment prepared for the project by Illingworth & Rodkin, Inc., dated November 2021. A copy of this report is included in Appendix F of this Initial Study.

4.13.1 Environmental Setting

4.13.1.1 *Background Information*

Noise

Factors that influence sound as it is perceived by the human ear, include the actual level of sound, period of exposure, frequencies involved, and fluctuation in the noise level during exposure. Noise is measured on a decibel scale, which serves as an index of loudness. The zero on the decibel scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Each 10 decibel increase in sound level is perceived as approximately a doubling of loudness. Because the human ear cannot hear all pitches or frequencies, sound levels are frequently adjusted or weighted to correspond to human hearing. This adjusted unit is known as the A-weighted decibel, or dBA.

Since excessive noise levels can adversely affect human activities and human health, federal, state, and local governmental agencies have set forth criteria or planning goals to minimize or avoid these effects. Noise guidelines are generally expressed using one of several noise averaging methods, including L_{eq}, DNL, or CNEL.[56] These descriptors are used to measure a location's overall noise exposure, given that there are times when noise levels are higher (e.g., when a jet is taking off from an airport or when a leaf blower is operating) and times when noise levels are lower (e.g., during lulls in traffic flows on freeways or in the middle of the night). L_{max} is the maximum A-weighted noise level during a measurement period.

Vibration

Ground vibration consists of rapidly fluctuating motions or waves with an average motion of zero. Vibration amplitude can be quantified using Peak Particle Velocity (PPV), which is defined as the maximum instantaneous positive or negative peak of the vibration wave. PPV has been routinely used to measure and assess groundborne construction vibration. Studies have shown that the threshold of perception for average persons is in the range of 0.008 to 0.012 inches/second (in/sec) PPV.

[56] L_{eq} is a measurement of average energy level intensity of noise over a given period of time. Day-Night Level (DNL) is a 24-hour average of noise levels, with a 10 dB penalty applied to noise occurring between 10:00 PM and 7:00 AM. Community Noise Equivalent Level (CNEL) includes an additional five dB applied to noise occurring between 7:00 PM and 10:00 PM. Where traffic noise predominates, the CNEL and DNL are typically within two dBA of the peak-hour L_{eq}.

4.13.1.2 *Regulatory Framework*

State

California Building Standards Code

The CBC establishes uniform minimum noise insulation performance standards to protect persons within new buildings housing people, including hotels, motels, dormitories, multi-family residential units, apartments, and dwellings other than single-family residences. Title 24 mandates that interior noise levels attributable to exterior sources not exceed 45 L_{dn}/CNEL in any habitable room. Exterior windows must have a minimum Sound Transmission Class (STC) of 40 or Outdoor-Indoor Transmission Class (OITC) of 30 when the property falls within the 65 dBA DNL noise contour for a freeway or expressway, railroad, or industrial source.

Local

Comprehensive Airport Land Use Compatibility Plan for the Environs of the San Francisco International Airport

As discussed in more detail in Section 4.10 Land Use, the project site is located within the AIA of SFO. Properties within the AIA may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (e.g., noise, vibration, and odors). The airport/land use compatibility of a proposed development or land use policy action shall be determined by comparing the proposed development or land use policy action with the safety compatibility criteria, noise compatibility criteria, and airspace protection/height limitation criteria in the ALUCP. The site is located outside of the SFO 65 dB CNEL noise contour.

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to noise and are applicable to the proposed project.

Policy/Task	Description
Policy NE-1	Use the future noise contour map to identify existing and potential noise impact areas.
Policy NE-2	Use the State Office of Noise Control Guidelines as a guide to assess development that will need additional noise study and mitigations.
Task NE-2.1	Use the Noise Control Guidelines to assess the suitability of a site for new development in combination with the noise contours to accurately identify areas that may need additional noise study and mitigation. Noise mitigations include additional insulation, double glazing of windows and increasing building setbacks from the noise source. Mitigations should also be creative and attractive whenever possible and appropriate. Creative noise mitigation measures can include incorporation of fountains using water to mask freeway noise and noise walls of an appropriate scale painted with decorative murals.
Policy NE-3	Maintain a CNEL level of not more than 70 dBA L_{eq} in residential areas.

Task NE-3.1	Continue to enforce the environmental noise requirements of the State Building Code (Title 24).
Task NE-3.2	Encourage noise insulation programs in areas that do not meet the current noise standard and ensure that future development is mitigated appropriately or avoided in areas where the noise levels exceed or is projected to exceed 70 dBA Leq.
Policy NE-4	Maintain a noise level not in excess of 75 dBA CNEL in open space, parks, and tot lots, including outdoor activity areas such as outdoor entertainment or green space of multi-family projects.
Policy NE-5	Maintain the City's current standard of 75 dBA CNEL for office, commercial, and professional areas.
Task NE-5.1	Additional noise studies should be conducted in "Conditionally Acceptable" noise environments to ensure adequate mitigation features are employed. Usually conventional construction with closed windows and fresh air supply systems will maintain a healthy noise environment.
Policy NE-6	Require new development to perform additional acoustical studies in noise environments that are identified as 'Conditionally Acceptable' or 'Normally Unacceptable' to the Guidelines.
Task NE-9.1	Depending upon the hours of operation, intensity of use, and the location of sensitive receptors in the area, the expansion or change of use could cause noise impacts. Acoustical studies should be performed, at the applicant's expense, during the discretionary and environmental review processes and conditions should be placed on the project accordingly
Task NE-11.3	Require all future development within the Airport Influence Area B boundary for San Francisco International Airport to conform to the relevant height/airspace protection, aircraft noise, and safety policies and land use compatibility criteria contained within the most recent adopted version of the ALUCP for the environs of San Francisco International Airport.

Daly City Municipal Code

Chapter 9.22 of the City's Municipal Code discusses disturbing the peace. While noise level restrictions are not provided in the Municipal Code, the following sections establish qualitative noise disturbances and hours of sensitivity applicable to proposed project:

- 9.22.010 – Disturbing the peace prohibited. No person shall make in any place, nor allow to be made upon his premises, or premises within his control, any noise, disorder or tumult to the disturbance of the public peace.
- 9.22.030 – Noise. Between the hours of 10:00 PM and 6:00 AM of the following day, no person shall cause, create or permit any noise, music, sound or other disturbance upon his property which may be heard by, or which noise disturbs or harasses, any other person beyond the confines of the property, quarters or apartment from which the noise, music, sound or disturbance emanates.

4.13.1.3 *Existing Conditions*

The noise environment at the project site and in the surrounding area primarily consists of noise from vehicular traffic along Southgate Avenue, Lake Merced Boulevard, and Palmcrest Drive. A noise monitoring survey was conducted on-site to quantify the existing ambient noise environment. The survey was conducted from October 27, 2021 to October 29, 2021 and included three long-term noise measurements (LT-1 through LT-3) and three short-term noise measurements (ST-1 through ST-3). The locations of the noise measurements taken are shown in Figure 4.13-1.

LT-1 was made near the southwest corner of the project site, approximately 20 feet east of the Lake Merced Boulevard centerline. This measurement location represented the existing ambient noise environment of the adjacent residential land uses. Hourly average noise levels typically ranged from 54 to 65 dBA L_{eq} during daytime hours between 7:00 AM and 10:00 PM and from 46 to 59 dBA L_{eq} at night between 10:00 PM and 7:00 AM.

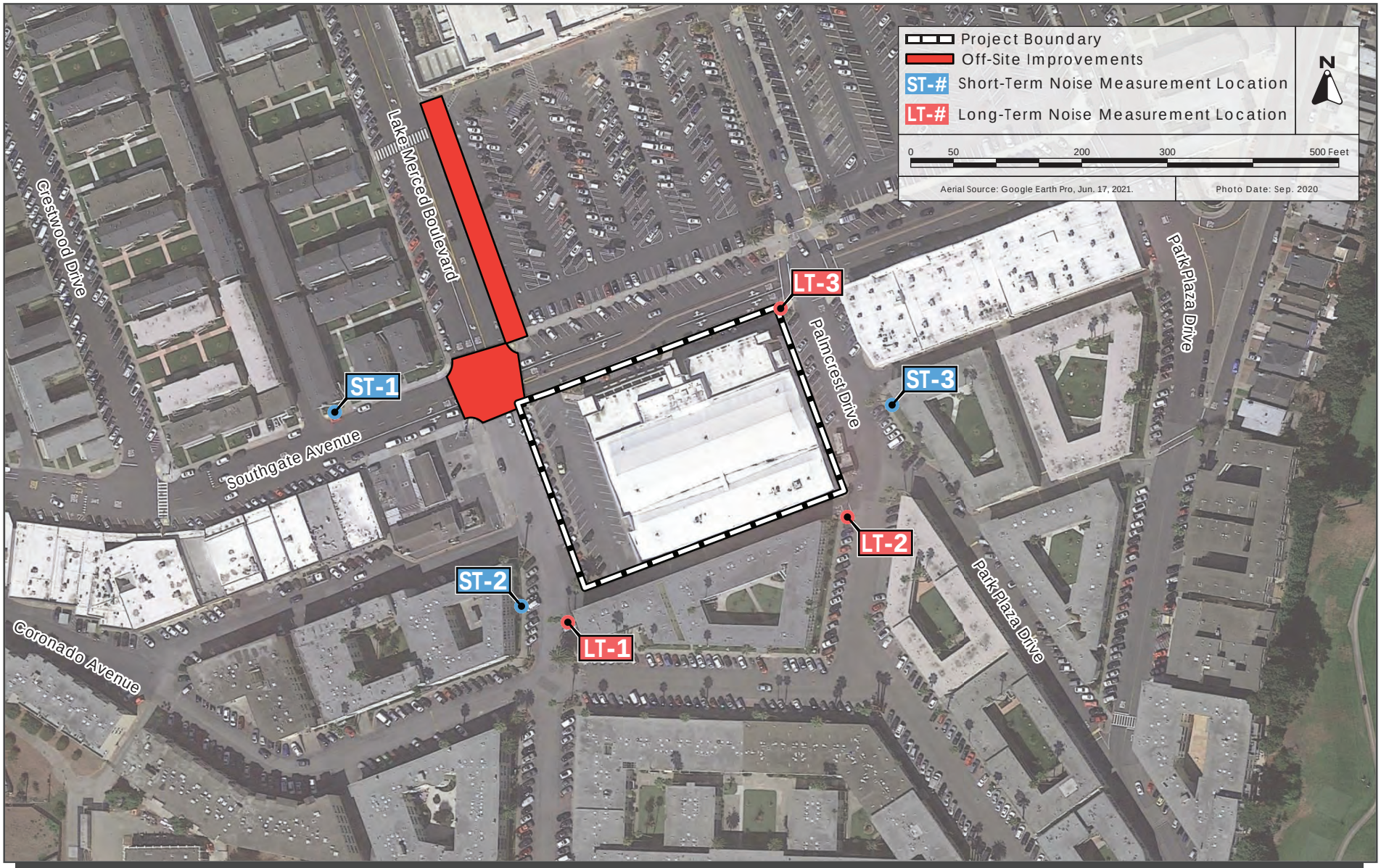
LT-2 was made near the southeast corner of the project site, approximately 25 feet west of the Palmcrest Drive centerline. This measurement location also represented the existing ambient noise environment of the adjacent residential land uses located towards the southeast of the project site. Hourly average noise levels at this location typically ranged from 52 to 68 dBA L_{eq} during the day and from 46 to 56 dBA L_{eq} at night.

LT-3 was made southwest of the intersection of Southgate Avenue and Palmcrest Drive, approximately 30 feet south of the Southgate Avenue centerline. Vehicular traffic along Southgate Avenue was the primary source of noise at this measurement location. Hourly average noise levels at this location typically ranged from 60 to 70 dBA L_{eq} during the day and from 55 to 62 dBA L_{eq} at night. The highest ambient noise level for the project site is 69 dBA CNEL and located on the Southgate Avenue frontage.

Three short-term noise measurements were made in the site vicinity and are summarized in Table 4.13-1. In summary, ambient noise levels at noise-sensitive receptors in the vicinity of the project site range from 50 to 60 dBA L_{eq} during daytime hours.

Table 4.13-1: Summary of Short-Term Noise Measurement Data

ID	Location	Measured Noise Levels, dBA					Primary Noise Source
		L_1	L_{10}	L_{50}	L_{90}	L_{eq}	
ST-1	Northwest of site at 16 Southgate Ave., approx. 35 feet north of Southgate Ave. centerline	75	66	59	52	63	Traffic on Southgate Ave.
ST-2	West of site at 150 Coronado Ave., approx. 40 feet from Lake Merced Blvd. centerline	60	54	51	50	52	Traffic on Lake Merced Blvd.
ST-3	East of site at 101 Palmcrest Dr., approx. 45 feet from Palmcrest Dr.	69	58	53	50	57	Traffic on Palmcrest Dr.



NOISE MEASUREMENT LOCATIONS | FIGURE 4.13-1

4.13.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:				
1) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
2) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
3) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐

4.13.2.1 *Thresholds of Significance*

The following criteria were used to evaluate the significance of environmental noise resulting from the project:

1. A significant noise impact would be identified if the project would generate a substantial temporary or permanent noise level increase over ambient noise levels at existing noise-sensitive receptors surrounding the project site and that would exceed applicable noise standards presented in the General Plan or Municipal Code at existing noise-sensitive receptors surrounding the project site.

    a) Hourly average noise levels during construction that would exceed 60 dBA L_{eq} at residential land uses or exceed 70 dBA L_{eq} at commercial land uses and exceed the ambient noise environment by at least 5 dBA L_{eq} for a period of more than one year would constitute a significant temporary noise increase in the project vicinity.
    b) A significant permanent noise level increase would occur if project-generated traffic generated by the project or project improvements/operations would substantially increase noise levels at sensitive receivers in the vicinity. A substantial increase would occur if: a) the noise level increase is five dBA CNEL or greater, with a future noise level of less than the “normally acceptable” standard, or b) the noise level increase is three dBA CNEL or greater, with a future noise level equal to or greater than the “normally acceptable” standard.
    c) A significant noise impact would be identified if the project would expose persons to or generate noise levels that would exceed applicable noise standards presented in the General Plan or Municipal Code.

2. A significant impact would be identified if the construction of the project would generate excessive vibration levels at surrounding receptors. Ground-borne vibration levels exceeding 0.3 in/sec PPV would have the potential to result in cosmetic damage to normal buildings.
3. A significant noise impact would be identified if the project would expose people residing or working in the project area to excessive aircraft noise levels.

Impact NOI-1:	The project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. **(Less than Significant Impact with Mitigation Incorporated)**

Temporary Construction Noise

Noise impacts resulting from construction depend upon the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise-sensitive areas. Construction noise levels vary on a day-to-day basis, depending on the type and amount of equipment operating on-site and the specific task that is being completed on a given day. Construction activities generate considerable amounts of noise, especially during earth-moving activities when heavy equipment is used. According to Illingworth & Rodkin's noise modeling, the highest maximum noise levels generated by project construction would typically range from about 80 to 90 dBA L_{max} at a distance of 50 feet from the noise source. Construction-generated noise levels drop off at a rate of about six dBA per doubling of the distance between the source and receptor. Shielding by buildings or terrain can provide an additional five to 10 dBA noise reduction at distant receptors.

Project construction is expected to occur over a period of approximately 27 months. The Federal Highway Administration's (FHWA's) Roadway Construction Noise Model (RCNM) was used to calculate the hourly average noise levels anticipated for the worst-case scenario for each construction phase assuming that all equipment provided for each phase would operate simultaneously.

Table 4.13-2 summarizes the estimated worst-case scenario noise levels expected at the property lines of the nearest surrounding noise-sensitive land use. The propagation distances were estimated from the center of the active construction site to the property lines of the surrounding receptors.

Table 4.13-2: Estimated Construction Noise Levels at Nearby Land Uses

Phase	Calculated Hourly Average L_{eq} at Residence, dBA			
	South Res. (120 ft.)	West/SW Res. & Comm. (250 ft.)	East Res. & Comm. (250 ft.)	NW Res. (320 ft.)
Demolition	81	75	75	73
Site Preparation	77	71	71	68
Grading/Excavation	79	73	73	71

Table 4.13-2: Estimated Construction Noise Levels at Nearby Land Uses				
Phase	**Calculated Hourly Average L_{eq} at Residence, dBA**			
	South Res. (120 ft.)	**West/SW Res. & Comm. (250 ft.)**	**East Res. & Comm. (250 ft.)**	**NW Res. (320 ft.)**
Trenching/Foundation	74	68	68	66
Building Exterior	77	70	70	68
Building Interior/ Architectural coating	72 to 78[a]	66 to 72[a]	66 to 72[a]	63 to 70[a]
Paving	76 to 77[b]	69 to 71[b]	69 to 71[b]	67 to 69[b]

[a] The range of construction noise levels represents the levels during the Building-Interior/Architectural Coating phase only and combined with the Building-Exterior phase.

[b] The range of construction noise levels represents the levels during the Paving phase only and combined with the Building-Interior/Architectural Coating and Building-Exterior phases.

Ambient noise levels at noise-sensitive receptors in the vicinity of the project site range from 50 to 60 dBA L_{eq} during daytime hours. The predicted noise levels in Table 4.13-2 indicate that project construction could potentially generate noise levels exceeding 60 dBA L_{eq} at nearby residences, exceeding 70 dBA L_{eq} at nearby commercial uses, and exceeding ambient noise levels by five dBA L_{eq} or more throughout construction. Since project construction is expected to last for a period of more than one year, this would be considered a potentially significant impact.

Impact NOI-1: Project implementation would result in intermittent short-term noise impacts resulting from construction-related activities.

Mitigation Measures: In accordance with the City's General Plan and Municipal Code, construction activities would be completed with incorporation of the following BMPs to reduce temporary construction noise impacts:

MM NOI-1.1: The applicant shall incorporate the following practices into the construction documents to be implemented by the project contractor:

- Construction activities shall be limited to the hours between 8:00 am and 5:00 pm, Monday through Friday, and prohibited on weekends and holidays in accordance with the City's General Plan, unless permission is granted with a development permit or other planning approval.
- Construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment. Temporary noise barrier fences would provide a five dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receptor and if the barrier is constructed in a manner that eliminates any cracks or gaps.
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.

- Unnecessary idling of internal combustion engines shall be strictly prohibited.
- Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from nearby receptors. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used reduce noise levels at nearby receptors. Any enclosure openings or venting shall face away from receptors.
- Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- Locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors.
- Route construction-related traffic along major roadways and as far as feasible from sensitive receptors.
- Control noise from construction workers' radios to a point where they are not audible at existing structures bordering the project site.
- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent land uses so that construction activities can be scheduled to minimize noise disturbance.
- Neighbors located adjacent to the construction site shall be notified of the construction schedule in writing.
- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., bad muffler, etc.) and shall require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.

Implementation of MM NOI-1.1 would reduce construction noise levels emanating from the site through the use of barriers and equipment noise-controls, limit construction hours, and minimize disruption to nearby receptors by staging equipment and construction activities as far from receptors as feasible. With the implementation of these measures, the temporary increase in ambient noise levels would be less than significant. **(Less than Significant Impact with Mitigation Incorporated)**

Permanent Operational Noise Increase

Given that the existing ambient noise environment over a 24-hour period measured at LT-1 and LT-2 near residential areas resulted in noise levels ranging from 62 to 65 dBA CNEL and the ambient noise environment near the commercial areas as measured by LT-3 resulted in a noise level of 69 dBA CNEL, a significant impact would occur if project-generated traffic increased levels by three dBA CNEL or more. Additionally, General Plan Policies NE-3 and NE-5 require that CNEL levels of 70 dBA L_{eq} and 75 dBA L_{eq} be maintained in residential and commercial areas, respectively. Sources of permanent operational project noise would primarily include noise from vehicle traffic traveling to and from the proposed mixed-use building and rooftop mechanical equipment.

Traffic-Related Noise

For reference, a three dBA CNEL noise increase would be expected if the project would double existing traffic volumes along a roadway. The proposed project would result in a net decrease of 891 daily vehicle trips, an increase of 33 trips in the AM peak hour, a decrease of 129 trips in the PM peak hour, and a decrease of 105 trips in the weekend peak hour (see Section 4.17.3 Transportation). Based on a reduction in the number of vehicle trips on adjacent roadways, the project would result in a less than one dBA CNEL traffic noise increase at all roadway segments included in the project vicinity. Therefore, project-generated traffic would not cause a substantial permanent increase in ambient noise levels.

Mechanical Equipment

Daly City does not specify noise limits for mechanical equipment or deliveries. However, the City's Municipal Code prohibits noise disturbances between 10:00 p.m. and 6:00 a.m. Therefore, an increase in ambient noise levels outside the City's allowable hours would constitute a significant impact.

The proposed mixed-use building would include mechanical equipment, such as heating, ventilation, and air conditioning (HVAC) systems. The project would include five roof-top units (RTUs) along with several heat pump systems, per the current roof plan. Typically, multiple HVAC units would cycle on and off throughout a given day, and for projects similar to the proposed project, there are primarily two types of mechanical equipment used on the roof: heat pump systems and heat recovery systems. According to Illingworth & Rodkin, heat pumps produce noise levels of 55 dBA at five feet while heat recovery systems produce a noise level of 68 dBA at five feet. Assuming three RTUs operating simultaneously along with about 40 heat pumps (representing a conservative estimate), the total noise level generated would be about 75 dBA at five feet. The nearest building façade is about 60 feet away from the HVAC units on the rooftop. At this distance, the HVAC units would generate an unshielded noise level of 53 dBA. Given that existing ambient noise levels in the residential and commercial areas near the project site are greater than 60 dBA CNEL, noise levels generated at the project site by HVAC units are expected to be below ambient conditions. An additional five to 10 dB noise reduction is expected due to shielding effects of parapets, enclosures and the edges of the proposed building. Therefore, the project would not cause a substantial permanent increase in ambient noise levels due to rooftop mechanical equipment.

As described above, the project would be in compliance with General Plan Policies NE-3 and NE-5. The mechanical equipment noise from the project is well below ambient noise levels and, in

combination with project-generated traffic noise, would not result in a three dBA CNEL increase in noise levels. The project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies **(Less than Significant Impact)**

Impact NOI-2:	The project would not result in generation of excessive groundborne vibration or groundborne noise levels. **(Less than Significant Impact)**

Project construction may generate perceptible vibration when heavy equipment or impact tools, such as jackhammers or hoe rams, are used. The proposed mixed-use building would not require pile driving, which can cause excessive vibration.

Daly City does not define any vibration thresholds. For structural damage, the California Department of Transportation recommends a vibration limit of 0.5 in/sec PPV for buildings structurally sound and designed to modern engineering standards, which typically consist of buildings constructed since the 1990s. A conservative vibration limit of 0.3 in/sec PPV has been used for buildings that are found to be structurally sound but where structural damage is a major concern. For historical buildings or buildings that are documented to be structurally weakened, a conservative limit of 0.08 in/sec PPV is often used to provide the highest level of protection. No historical buildings or buildings that are documented to be structurally weakened adjoin the project site. The 0.3 in/sec PPV vibration limit would be applicable to properties in the immediate vicinity of the project site since there are no known historic buildings in the vicinity.

Vibration levels would vary depending on soil conditions, construction methods, and equipment used. Table 4.13-3 summarizes the expected vibration levels at residences bordering the site, the closest being 20 feet from the project site to the south. Vibration levels at distances equal to or greater than 20 feet from the project site would not exceed the 0.3 in/sec PPV threshold for buildings of normal conventional construction, especially since there is no pile driving activity involved in any phase of the construction.

Table 4.13-3: Vibration Source Levels for Construction Equipment

Equipment		**Vibration Levels at Nearest Surrounding Building Facades (in/sec PPV)**			
		South Residential (20 ft.)	**East Commercial (60 ft.)**	**Southeast Residential (75 ft.)**	**West Residential (85 ft.)**
Clam shovel drop		0.258	0.077	0.060	0.053
Hydromill (slurry wall)	In soil	0.010	0.003	0.002	0.002
	In rock	0.022	0.006	0.005	0.004
Vibratory Roller		0.268	0.080	0.063	0.055
Hoe Ram		0.114	0.034	0.027	0.023

Table 4.13-3: Vibration Source Levels for Construction Equipment				
Equipment	**Vibration Levels at Nearest Surrounding Building Facades (in/sec PPV)**			
	South Residential (20 ft.)	**East Commercial (60 ft.)**	**Southeast Residential (75 ft.)**	**West Residential (85 ft.)**
Large bulldozer	0.114	0.034	0.027	0.023
Caisson drilling	0.114	0.034	0.027	0.023
Loaded trucks	0.097	0.029	0.023	0.020
Jackhammer	0.045	0.013	0.010	0.009
Small bulldozer	0.004	0.001	0.001	0.001
Source: Transit Noise and Vibration Impact Assessment, United States Department of Transportation, Office of Planning and Environment, Federal Transit Administration, May 2006 and modified by Illingworth & Rodkin, Inc., November 2021.				

As shown above in Table 4.13-3, project-generated vibration levels would fall below the 0.3 in/sec PPV structural damage threshold at all surrounding residential and commercial buildings. Neither cosmetic, minor, or major damage would occur at or beyond 20 feet. At these locations and in other surrounding areas where vibration would not be expected to cause structural damage, vibration levels may still be perceptible. However, as with any type of construction, this would be anticipated and would not be considered significant, given the intermittent and short duration of the phases that have the highest potential of producing vibration. Therefore, the project would not result in the generation of excessive groundborne vibration or groundborne noise levels. **(Less than Significant Impact)**

Impact NOI-3: The project would be located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport. The project would not expose people residing or working in the project area to excessive noise levels. **(Less than Significant Impact)**

The project site is located approximately 6.7 miles northwest of SFO. The project site is not located inside the CNEL noise contours identified in the SFO ALUCP. According to the Noise Element of the General Plan, the project lies outside of the 60 dBA CNEL 2030 noise contour of the airport. This means that airport-related noise levels are below 60 dB at the project site, a level compatible with residential and commercial uses. Therefore, the project would not expose people residing or working in the project area to excessive airport-related noise levels. **(Less than Significant Impact)**

4.13.3 Non-CEQA Effects

Per *California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal. 4th 369 *(BIA v. BAAQMD)*, effects of the environment on the project are not considered CEQA impacts. The following discussion is included for informational purposes only because the City of Daly City has policies that address existing noise conditions affecting a proposed project. General

Plan policies NE-3 and NE-5 state that a CNEL of not more than 70 dBA shall be maintained in residential areas and a CNEL of 75 dBA shall be maintained in commercial areas. Additionally, the State of California establishes interior noise limits for residential and commercial land uses as follows:

- The California Building Code establishes an interior noise threshold of 45 dBA CNEL for multi-family residential units.
- The CALGreen Code standards specify an interior noise environment attributable to exterior sources that shall not exceed an hourly equivalent noise level ($L_{eq(1\text{-}hr)}$) of 50 dBA in occupied areas of nonresidential uses during any hour of operation.

Noise and Land Use Compatibility

Future Exterior Noise Environment

The primary source of noise affecting the project site under future conditions would continue to be vehicular traffic on Southgate Avenue. Based on project conditions (see Section 4.17 Transportation), the worst-case weekday and weekend traffic noise increase is expected to be approximately one to two dBA CNEL above existing conditions. Therefore, future noise levels at the project site along Southgate Avenue would be above the Normally Unacceptable level of 70 dBA CNEL for residential areas and below the 75 CNEL threshold for commercial areas. The project would be required to incorporate the recommended noise insulation design features described below.

The project would include an outdoor courtyard area on the third floor of the proposed mixed-use building and common open spaces on the fourth floor. These areas would open towards the center of the proposed building and are bound by the inner facades of the proposed building. This would ensure that the noise levels at these outdoor spaces is well below 70 dBA CNEL since the facades of the building would provide adequate shielding of about 10 to 15 dB.

Future Interior Noise Environment

Interior noise levels would vary depending upon the design of the proposed mixed-use building (i.e., relative window area to wall area) and the selected construction materials and methods. Standard residential construction provides approximately 15 dBA of exterior-to-interior noise reduction, assuming the windows are partially open for ventilation. Standard construction with the windows closed provides approximately 20 to 25 dBA of noise reduction in interior spaces. Where exterior noise levels range from 65 to 70 dBA CNEL, the inclusion of adequate forced-air mechanical ventilation can reduce interior noise levels to acceptable levels by allowing occupants the option of closing the windows to control noise. In noise environments exceeding 70 dBA CNEL, forced-air mechanical ventilation systems and sound-rated construction methods are normally required. Such methods or materials may include a combination of smaller window and door sizes as a percentage of the total building façade facing the noise source, sound-rated windows and doors, sound-rated exterior wall assemblies, and mechanical ventilation so windows may be kept closed at the occupant's discretion.

Proposed Residential Use

For the proposed residential portion of the project, the northern façade of the proposed mixed-use building would have direct line-of-sight to Southgate Avenue, with a setback of approximately 60 feet from the centerline of the roadway. At this distance, the units along this façade would be exposed to future exterior noise levels of 71 dBA CNEL. Assuming standard construction with windows open as mentioned above, the future interior level for the rooms facing the roadways is expected to be 56 dBA CNEL. With windows closed, the future interior noise levels would range from 46 to 51 dBA CNEL. The proposed residential units would thus require noise insulation features and forced-air mechanical ventilation systems to meet the City's interior noise threshold for residential land uses.

The western and eastern facades of the proposed mixed-use building would have a direct line-of-sight to Lake Merced Boulevard and Palmcrest Drive, respectively. The setback from both roadways would be approximately 30 feet. At this distance, the units along these facades would be exposed to future exterior noise levels of 67 and 64 dBA CNEL, respectively. Assuming standard construction with windows open, the future interior levels for the rooms facing the roadways is expected to be 52 and 49 dBA CNEL for the western and eastern facades, respectively. With windows closed, the future interior level would be 47 and 44 dBA CNEL, respectively.

Proposed Commercial Use

The ground floor of the project would be utilized for commercial uses. Standard construction materials for commercial uses would provide about 25 to 30 dBA of noise reduction in interior spaces assuming the inclusion of adequate forced-air mechanical ventilation systems. With a setback of approximately 60 feet from Southgate Avenue and approximately 30 feet from Lake Merced Boulevard, the future exterior noise along the commercial use façade is expected to range from 60 to 65 dBA $L_{eq(1\text{-}hr)}$, respectively. Using standard construction materials with the inclusion of forced-air mechanical ventilation, interior noise levels at the proposed commercial use portion of the project would range from 35 to 40 dBA $L_{eq(1\text{-}hr)}$ during the peak traffic hour. This would satisfy the CALGreen Code interior noise threshold of 50 dBA $L_{eq(1\text{-}hr)}$ for nonresidential uses.

Noise Insulation Features Recommended to Reduce Future Residential Interior Noise Levels

For consistency with the Building Code and CALGreen Code for the State of California, the following Conditions of Approval are recommended for implementation by the project applicant:

- Provide a suitable form of forced-air mechanical ventilation, as determined by the local building official, for all residential buildings, so that windows can be kept closed to control noise.
- Provide sound-rated windows and doors for the northern facade of the proposed building to maintain interior noise levels or below the City's 45 dBA CNEL interior noise threshold. Preliminary calculations show that sound-rated windows and doors with minimum sound transmission class (STC) ratings of 30 would be satisfactory for units facing Southgate Avenue to meet the interior noise threshold. Standard residential grade windows and doors (minimum STC 26) would be required for all remaining units.

- A qualified acoustical specialist shall prepare a detailed analysis of interior residential noise levels resulting from all exterior sources during the final design phase of the project pursuant to requirements set forth in the General Plan and State Building Code. The study will review the final site plan, building elevations, and floor plans prior to construction and confirm building treatments necessary to reduce interior noise levels to 45 dBA CNEL or less. Treatments would include, but are not limited to, sound-rated windows and doors as specified above, acoustical caulking, protected ventilation openings, etc. The specific determination of what noise insulation treatments are necessary shall be conducted on a unit-by-unit basis during final design of the project. Results of the analysis, including the description of the necessary noise control treatments, shall be submitted to the City, along with the building plans and approved design, prior to issuance of a building permit.

4.14 POPULATION AND HOUSING

4.14.1 Environmental Setting

4.14.1.1 *Regulatory Framework*

State

Housing-Element Law

State requirements mandating that housing be included as an element of each jurisdiction's general plan is known as housing-element law. The Regional Housing Need Allocation (RHNA) is the state-mandated process to identify the total number of housing units (by affordability level) that each jurisdiction must accommodate in its housing element. California housing-element law requires cities to: 1) zone adequate lands to accommodate its RHNA; 2) produce an inventory of sites that can accommodate its share of the RHNA; 3) identify governmental and non-governmental constraints to residential development; 4) develop strategies and a work plan to mitigate or eliminate those constraints; and 5) adopt a housing element and update it on a regular basis.[57] The City of Daly City Housing Element and related land use policies were last updated in 2015.

Regional and Local

Plan Bay Area 2050

Plan Bay Area 2050 is a long-range plan for the nine-county San Francisco Bay Area that provides strategies that increase the availability of affordable housing, support a more equitable and efficient economy, improve the transportation network, and enhance the region's environmental resilience. Plan Bay Area 2050 promotes the development of a variety of housing types and densities within identified Priority Development Areas (PDAs). PDAs are areas generally near existing job centers or frequent transit that are locally identified for housing and job growth.[58]

ABAG allocates regional housing needs to each city and county within the San Francisco Bay Area, based on statewide goals. These allocations are designed to lay the foundation for Plan Bay Area 2050's long-term envisioned growth pattern for the region. ABAG also develops a series of forecasts and models to project the growth of population, housing units, and jobs in the Bay Area. ABAG, MTC, and local jurisdiction planning staff created the Forecasting and Modeling Report, which is a technical overview of the of the growth forecasts and land use models upon which Plan Bay Area 2050 is based.

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to population and housing and are applicable to the proposed project.

[57] California Department of Housing and Community Development. "Regional Housing Needs Allocation and Housing Elements" Accessed June 18, 2021. http://hcd.ca.gov/community-development/housing-element/index.shtml.

[58] Association of Bay Area Governments and Metropolitan Transportation Commission. *Plan Bay Area 2050.* October 21, 2021. Page 20.

Policy/Task	Description
Policy HE-1	Maintain and, where possible, create larger housing development sites throughout the City.
Policy HE-2	Support infill housing in existing neighborhoods by offering streamlined planning and environmental reviews.
Policy HE-3	Provide regulatory incentives for developers to construct higher-density mixed-use development along Mission Street, Geneva Avenue, and any other locations with close proximity to public transit.

4.14.1.2 *Existing Conditions*

According to a May 2021 estimate by the California Department of Finance, Daly City has a total population of 108,599 persons.[59] There are estimated to be 33,761 housing units in the City, with the largest categories of housing consisting of 15,913 single-detached units and 8,354 structures containing five or greater units.[60] According to ABAG projections, Daly City's population will grow to a total of 121,330 by 2040.[61] The project site is currently developed with a vacant retail store and does not provide housing.

4.14.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
2) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

[59] California Department of Finance. *E-5 Population and Housing Estimates for Cities, Counties, and the State 2011-2021 with 2010 Census Benchmark.* Accessed on January 10, 2022. Available at: http://dof.ca.gov/Forecasting/Demographics/Estimates/E-5/.
[60] Ibid.
[61] Association of Bay Area Governments. "Projections 2040." Accessed June 24, 2021. Available at: http://projections.planbayarea.org/.

Impact POP-1:	The project would not induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). **(Less than Significant Impact)**

According to the City's General Plan, an increase of approximately 950 residents per year is projected between 2010 and 2030. The project proposes to construct 214 new housing units. With an average occupancy of 3.33 residents per household,[62] the proposed development would result in an increase of approximately 712 new residents. The project site has a General Plan land use designation of Commercial – Mixed Use (C-MU) and is part of a planned development zoning (PD-60A) that includes planned apartment units. Additionally, the project is consistent with the General Plan policies to create larger housing development and support infill development (Policies HE-1 and HE-2). Therefore, the proposed project would result in growth consistent with City plans. For this reason, there would be a less than significant impact due to direct or indirect unplanned population growth. **(Less than Significant Impact)**

Impact POP-2:	The project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. **(No Impact)**

The project site is currently developed with a retail store. The project would not demolish any residences in order to construct the proposed mixed-use building. Therefore, the project would not displace substantial numbers of existing people, nor would it necessitate the construction of replacement housing. **(No Impact)**

[62] California Department of Finance. *E-5 Population and Housing Estimates for Cities, Counties, and the State 2011-2021 with 2010 Census Benchmark.* Accessed on January 10, 2022. Available at: http://dof.ca.gov/Forecasting/Demographics/Estimates/E-5/.

4.15 PUBLIC SERVICES

4.15.1 Environmental Setting

4.15.1.1 *Regulatory Framework*

State

Government Code Section 66477

The Quimby Act (included within Government Code Section 66477) requires local governments to set aside parkland and open space for recreational purposes. It provides provisions for the dedication of parkland and/or payment of fees in lieu of parkland dedication to help mitigate the impacts from new residential developments. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two.

Government Code Section 65995 through 65998

California Government Code Section 65996 specifies that an acceptable method of offsetting a project's effect on the adequacy of school facilities is the payment of a school impact fee prior to the issuance of a building permit. Government Code Sections 65995 through 65998 set forth provisions for the payment of school impact fees by new development by "mitigating impacts on school facilities that occur (as a result of the planning, use, or development of real property" (Section 65996[a]). The legislation states that the payment of school impact fees "are hereby deemed to provide full and complete school facilities mitigation" under CEQA (Section 65996[b]).

Developers are required to pay a school impact fee to the school district to offset the increased demands on school facilities caused by the proposed residential development project. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

Local

City of Daly City Capital Plan

In 2008, the City expanded its Capital Plan to cover a 20-year period. It was estimated that 2.8 million square feet of commercial space and 2,641 residential units would be added to the City, which is slightly more than projected in the 2030 General Plan. The study also projected the extent of capital improvements for public facilities which would be needed in the City over the same time period. The City identified the capital improvements which would be needed to provide City services to all areas over the next 20 years. The relationship between the additional projected commercial and residential development and the need for improvements in public facilities was analyzed. The City formulated impact fees that are based on the extent to which any need for new public facilities is attributed to new development.

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to public services and are applicable to the proposed project.

Policy/Task	Description
Policy SE-3.1	Support and maintain the City's Insurance Service Office rating of a Class 2, which establishes the fire insurance rates for the City.
Policy SE-3.2	Provide for a seven-minute total reflex time for arrival of a first due company to 90 percent of all emergency incidents.
Policy SE-3.3	Provide for an eleven-minute total reflex time for arrival of multiple fire companies to 90 percent of all structure fires.
Policy SE-3.4	Maintain fire company reliability, whereby 90 percent of all incidents are handled by the district fire company.

4.15.1.2 *Existing Conditions*

Fire Protection

The City of Daly City is served by the North County Fire Authority (NCFA), a Joint Powers Authority which currently serves the communities of Brisbane, Daly City, and Pacifica.[63] The NCFA responds to all fires, hazardous materials spills, and medical emergencies in the City. The closest station to the project site is Station No. 91, located at 151 Lake Merced Boulevard, approximately 0.4 mile north of the project site.

Police Protection

Police protection services for the project site are provided by the Daly City Police Department, which is headquartered at 333 90th Street, approximately 1.1 miles southeast of the project site. The Daly City Police Department (DCPD) employs 111 sworn personnel.[64]

Schools

The project site is located within the Jefferson Elementary School District and the Jefferson Union High School District. The assigned elementary school for the project site is Westlake Elementary School,[65] located at 80 Fieldcrest Drive, approximately 0.8 mile northeast of the project site. The assigned middle school for the project site is Benjamin Franklin Intermediate School,[66] located at 700 Stewart Avenue, approximately 0.7 mile driving distance from the project site. While Jefferson Union High School District is an open enrollment district, the assigned high school for the project

[63] City of Daly City. "Fire Department". Accessed June 23, 2021. https://www.dalycity.org/461/Fire-Department
[64] City of Daly City. "Police Officer". Accessed June 23, 2021. https://www.dalycity.org/389/Police-Officer
[65] Jefferson Elementary School District. 2020-2021 School Site Boundaries. Accessed June 23, 2021. https://www.jsd.k12.ca.us/files/user/7/file/BOUNDARY%20BOOK%20'20-21%20NEW.pdf
[66] Ibid.

site based on location is Westmoor High School, located at 131 Westmoor Avenue, approximately 1.7 miles south of the project site.[67]

Parks

Daly City has 31 city parks and open spaces as well as access to nearby regional and state parks and open spaces such as San Bruno Mountain.[68] According to the Parks and Open Space Master Plan, the City contains 65.4 acres of developed parkland and 68.6 acres of open space. The nearest park is Westlake Park, located at 145 Lake Merced Boulevard, approximately 0.6 mile north of the project site. Westlake Park contains baseball/softball fields, tennis courts, and a playground.

Libraries, Community Centers, and Other Facilities

The Daly City Library provides library services to the residents of Daly City. The nearest library branch, the Westlake Branch, is located at 275 Southgate Avenue, approximately 0.1 mile west of the project site.

There are two community centers, one art center, and one public clubhouse in Daly City. The nearest of these centers is the Westlake Community Center, located at 145 Lake Merced Boulevard, approximately 0.6 mile north of the project site.

4.15.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
1) Fire Protection?	☐	☐	☒	☐
2) Police Protection?	☐	☐	☒	☐
3) Schools?	☐	☐	☒	☐
4) Parks?	☐	☐	☒	☐
5) Other Public Facilities?	☐	☐	☒	☐

[67] Jefferson Union High School District. Enrollment Policy. Accessed June 23, 2021. https://www.juhsd.net/Page/2003

[68] City of Daly City. *Daly City Parks & Open Space Master Plan*. March 2020.

Impact PS-1:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection services. **(Less than Significant Impact)**

As part of the permitting process, the North County Fire Authority would review project plans before permits are issued to ensure compliance with all applicable fire and building code standards and to ensure that adequate fire and life safety measures are incorporated into the project in compliance with all applicable state and city fire safety regulations. The proposed project would result in an incremental increase in the demand for fire protection services. The service area of the NCFA includes the cities of Daly City, Brisbane, and Pacifica. As a result, the proposed project's increase in service population would not be substantial compared to the total population within the NCFA service area. For this reason, the proposed project would not individually require new or altered fire protection facilities, and as a result, would have a less than significant impact on the environment. **(Less than Significant Impact)**

Impact PS-2:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection services. **(Less than Significant Impact)**

The proposed project would result in an incremental increase in demand for police protection services within the DCPD service area. However, the increase of 712 residents (see Section 4.14 Population and Housing) would not be substantial in comparison with the total population within the City. According to the City's General Plan, an increase of approximately 950 residents per year is projected between 2010 and 2030. According to a May 2021 estimate by the California Department of Finance, Daly City has a total population of 108,599 persons.[69] Assuming the General Plan's projection of 950 additional residents per year, the City would have a population of approximately 113,349 persons in 2026, the earliest anticipated year of project operation. Thus, the increase in police service demand generated by the project would be incremental and would not exhaust existing police facilities. As a result, the proposed project would have a less than significant impact on the provision of police protection services and would not require the construction or alteration of existing facilities. **(Less than Significant Impact)**

[69] California Department of Finance. *E-5 Population and Housing Estimates for Cities, Counties, and the State 2011-2021 with 2010 Census Benchmark.* Accessed on January 10, 2022. Available at: http://dof.ca.gov/Forecasting/Demographics/Estimates/E-5/.

Impact PS-3:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for schools. **(Less than Significant Impact)**

As previously mentioned in Section 4.15.1.2 Existing Conditions, the project site is within the Jefferson Elementary School District and the Jefferson Union High School District. According to the Developer Fee Justification Study for Jefferson Elementary School District published in 2014, the statewide student generation factor is 0.5 for grades K-8.[70] According to the Level I Developer Fee Study for Jefferson Union High School District published in 2020, the student generation rate for multi-family housing units is 0.111.[71] Thus, the proposed 214 new apartment units would generate approximately 107 new students in K-8 and 24 new students in grades 9-12. Table 3.11-3 of the General Plan EIR presented future enrollment within the various school districts that serve Daly City and concluded that after accommodating modest growth in student population from General Plan buildout, the Jefferson Elementary School District would have available capacity of 693 students, and Jefferson Union High School District would have available capacity of 573 students. Therefore, the number of new students generated by the project would not significantly impact school facilities and would not require new or altered school facilities. **(Less than Significant Impact)**

Impact PS-4:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for parks. **(Less than Significant Impact)**

As previously described in Section 4.15.1.2 Existing Conditions, Daly City contains approximately 65.4 acres of developed parkland and 68.6 acres of open space. This does not include the numerous nearby regional park facilities. The nearest park is Westlake Park, approximately 0.6 mile north of the project site.

The proposed project would result in approximately 712 future residents, which would incrementally increase the demand for parks in the area. The project would be subject to payment of public facility fees consistent AB 1600 which could be used for capital improvements including the development of parkland. The project proposes to include several open space amenities on-site that would decrease the need for new residents to use public parks. The project will include two connected courtyard open spaces on the third floor. The courtyards would feature various landscaping, seating/lounge areas, a fireplace, barbecue counter, pizza oven, and outdoor game area. The fourth floor would include two green roof patios. The green roof patios would include pollinator gardens and seating areas. The seventh floor would include a resident lounge and roof deck. The resident lounge and roof deck

[70] Jefferson Elementary School District. Developer Fee Justification Study for Jefferson Elementary School District. February 2014.
[71] Jack Schreder & Associates, Inc. Level I Developer Fee Study for Jefferson Union High School District. July 28, 2020.

lounge would include a glass windscreen, fireplace, seating, and an interactive light wall. These on-site amenities would offset the impacts of the project on existing park facilities. **(Less than Significant Impact)**

Impact PS-5:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for other public facilities. **(Less than Significant Impact)**

As described above, the residential population growth accommodated by the proposed project would result in an incremental increase in demand for City public services and facilities, including libraries. However, the population increase resulting from the proposed project would be within the planned growth in service population of the City, and, as a result, would not cause a substantial adverse impact associated within the provision of new or altered libraries or other public facilities. **(Less than Significant Impact)**

4.16 RECREATION

4.16.1 Environmental Setting

4.16.1.1 *Regulatory Framework*

State

Government Code Section 66477

The Quimby Act (included within Government Code Section 66477) requires local governments to set aside parkland and open space for recreational purposes. It provides provisions for the dedication of parkland and/or payment of fees in lieu of parkland dedication to help mitigate the impacts from new residential developments. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two.

Local

Parkland Dedication

The City of Daly City Municipal Code currently has parkland dedication standards within Title 16 – Subdivisions. Section 16.30 of the Municipal Code has a standard for parks of three acres per 1,000 people. This requirement may be satisfied through either on-site park construction, land dedication, or an in-lieu fee equal to the land value plus ten percent towards costs of off-site improvements.[72]

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to recreation and are applicable to the proposed project.

Policy/Task	Description
Policy RME-11	Areas designated as open space recreation-public shall continue to be maintained and upgraded by the Public Works Department.
Policy RME-12	Encourage a diverse, equitable, and integrated system of park facilities throughout Daly City that are accessible to all age, social, and economic groups and all geographic areas of the City.
Policy RME-13	Require the dedication of parkland or the payment of an in-lieu fee in accordance with Subdivision Map Act.
Policy RME-14	Prioritize the dispersal of park in-lieu fees collected from the development of new subdivisions to ensure that the fees are spent in the appropriate areas.

[72] City of Daly City. *Municipal Code 16.30.050.* Accessed December 8, 2020.

4.16.1.2 *Existing Conditions*

Public recreational open space within Daly City consists of City parks and facilities, and State and County Parks. According to the Parks and Open Space Master Plan, the City contains 65.4 acres of developed parkland and 68.6 acres of open space. In addition to City parks, San Bruno Mountain State and County Park provides 2,063 acres of public park space comprising state and San Mateo County managed land.

The nearest recreational facility is Westlake Park, located at 145 Lake Merced Boulevard, approximately 0.6 mile north of the project site. Westlake Park contains baseball/softball fields, tennis courts, and a playground.

4.16.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
1) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
2) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

Impact REC-1: The 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. **(Less than Significant Impact)**

The project would generate approximately 712 new residents. Residents generated by the project would result in an incremental increase in the use of existing neighborhood and regional parks and recreational facilities. Physical deterioration of these facilities would not be substantially accelerated by the increased use generated by the project. The project would be subject to payment of public facility fees consistent AB 1600 which could be used for capital improvements including the development of parkland. The project proposes to include several open space amenities on-site that would decrease the need for on-site residents to use public recreational facilities. The project would include two connected courtyard open spaces on the third floor. The courtyards would feature various landscaping, seating/lounge areas, a fireplace, barbecue counter, pizza oven, and outdoor game area. The fourth floor would include two green roof patios. The green roof patios would include pollinator gardens and seating areas. The seventh floor would include a resident lounge and roof deck. The resident lounge and roof deck would include a glass windscreen, fireplace, seating, and an interactive light wall. These on-site amenities would further offset the impacts of the project on existing park facilities.

Given the existing and planned park space within Daly City, proposed on-site recreational amenities, and payment of public facility fees, the project would have a less than significant impact on existing recreational facilities. **(Less than Significant Impact)**

Impact REC-2:	The project does not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. **(Less than Significant Impact)**

As previously described under Impact REC-1, the project would include on-site recreational facilities such as two connected courtyards, two green roof patios, and a resident lounge and roof deck. The environmental impact of the construction and operation of these facilities is included in the analysis of this Initial Study. The project would not include any other recreational facilities or require the construction or expansion of recreational facilities. **(Less than Significant Impact)**

4.17 TRANSPORTATION

The following discussion is based, in part, on a Traffic Evaluation prepared for the project by Kimley-Horn and Associates, Inc. (Kimley-Horn), dated May 2022. A copy of this report is included in Appendix G of this Initial Study.

4.17.1 Environmental Setting

4.17.1.1 *Regulatory Framework*

State

Regional Transportation Plan

MTC is the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, including San Mateo County. MTC is charged with regularly updating the Regional Transportation Plan, a comprehensive blueprint for the development of mass transit, highway, airport, seaport, railroad, bicycle, and pedestrian facilities in the region. MTC and ABAG adopted Plan Bay Area 2040 in July 2017, which includes a Regional Transportation Plan to guide regional transportation investment for revenues from federal, state, regional and local sources through 2050.

Senate Bill 743

SB 743 establishes criteria for determining the significance of transportation impacts using a vehicle miles traveled (VMT) metric intended to promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses. Specifically, SB 743 requires analysis of VMT in determining the significance of transportation impacts. Local jurisdictions were required by Governor's Office of Planning and Research (OPR) to implement a VMT policy by July 1, 2020.

SB 743 did not authorize OPR to set specific VMT impact thresholds, but it did direct OPR to develop guidelines for jurisdictions to utilize. CEQA Guidelines Section 15064.3(b)(1) describes factors that might indicate whether a development project's VMT may be significant. Notably, projects located within 0.50 mile of transit should be considered to have a less than significant transportation impact based on OPR guidance.

Regional and Local

San Mateo County Congestion Management Program

The City/County Association of Governments (C/CAG), as the Congestion Management Agency for San Mateo County, is required to prepare and adopt a Congestion Management Program (CMP) on a biennial basis. The purpose of the CMP is to identify strategies to respond to future transportation needs, develop procedures to alleviate and control congestion, and promote countywide solutions. Also included in the CMP is the Traffic Impact Analysis (TIA) Policy, which provides uniform procedures to analyze traffic impacts. According to the CMP, an acceptable level of service at signalized intersections is LOS E. As of January 1, 2022, the C/CAG TDM Policy requires that local

jurisdictions in San Mateo County notify C/CAG of any new development project within their purview that is estimated to generate at least 100 ADT.

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to transportation and are applicable to the proposed project.

Policy/Task	Description
Task CE-1.3	Require a traffic study as part of a complete application for discretionary projects which meet pre-determined criteria established by the City Engineer. The study shall determine the cumulative impact of the project on the City's principal intersections together with approved projects and projects under construction in Daly City and adjacent jurisdictions.
Task CE-1.6	Incorporate a Level of Service (LOS) standard into Daly City's Local Thresholds of Significance Guidelines and use the standard as an evaluation measure for the traffic impacts created by new discretionary projects and to identify future roadway and intersection improvements in the City's Capital Improvement Program. This standard shall be applied as follows: • Require that a minimum LOS D be maintained at all principal intersections. • Where a traffic study identifies that a discretionary project will degrade the Level of Service at any of the City's principal intersections to below acceptable levels, the City shall, through the environmental review process, require measures to mitigate the anticipated impact to a level of insignificance. • New vehicular traffic created by a discretionary project that causes any of the City's principal intersections to degrade to LOS F during any traffic period shall be considered a significant impact subject to the preparation of an Environmental Impact Report (EIR). The EIR shall provide both mitigation measures and feasible project alternatives that would effectively mitigate anticipated traffic impacts to a level of insignificance. • Mitigation measures shall include construction of or financial contribution toward traffic improvements that can effectively mitigate the impact within a ten-year timeframe from the project approval date. Traffic impacts which are not fully mitigable within a ten-year timeframe shall be considered temporarily unmitigable and subject to the adoption of a Statement of Overriding Considerations in addition to mitigation measures. • The City shall consider the potential for adoption of a Statement of Overriding considerations related to traffic in instances where there is substantial evidence that the project possesses qualities (including environmental, legal, technical, social, and economic factors) that merit the project's approval despite the traffic impacts caused by the project. The Local Thresholds of Significance Guidelines may provide additional detail and clarity.
Policy CE-6	Support regional efforts to improve traffic while accommodating future development.

Policy CE-7	Ensure an effective transit system by supporting the work of other agencies in their efforts to expand public transit in and around Daly City.
Policy CE-10	Parking requirements contained within the Zoning Ordinance should, as closely as possible, reflect accepted current parking trends. Regulations for residential uses should recognize the ability for high-density mixed-use development that is close to transit to reduce parking requirements.
Task CE-13.3	Consider impacts to the existing and future bicycle and pedestrian network when completing environmental review for private development projects, and require mitigation measures where necessary and reasonable to ensure that these systems are not impacted.

Walk Bike Daly City

The City of Daly City replaced its 2013 Bicycle and Pedestrian Master Plan in 2020 with Walk Bike Daly City, a new master plan for bicycle and pedestrian facilities within the Daly City. Walk Bike Daly City aims to expand the City's network of pedestrian and bicycle facilities; close gaps in the existing system; enhance connections to key destinations; and, more generally, make walking and biking in Daly City safer, easier, and more popular.

4.17.1.2 *Existing Conditions*

Roadway Network

Regional access to the project site is provided by I-280, SR-1, and SR-35 (also known as Skyline Boulevard). Local access to the project site is provided via Southgate Avenue, John Daly Boulevard, Lake Merced Boulevard, Park Plaza Drive, and Palmcrest Drive. These roadways are described below:

I-280 is an eight- to 12-lane freeway with a posted speed limit of 65 miles per hour (mph). The north-south freeway connects Daly City with nearby cities, such as San Francisco and San Bruno, and regional destinations, such as San José. Additionally, it provides access to the greater freeway network with direct connections to Interstates 680 and 880, U.S. Highway 101, and State Routes 1, 35, 92, and 85. The John Daly Boulevard off-ramp provides access to the project site via Park Plaza Drive and Lake Merced Boulevard.

Skyline Boulevard is a two-to-three lane highway with a posted speed limit of 50 mph within the project area. Skyline Boulevard extends northward into San Francisco and southward through the Santa Cruz Mountains. The John Daly Boulevard intersection provides access to the project site via Lake Merced Boulevard and Park Plaza Drive. The Westridge Avenue intersection provides access to the project site via Southgate Avenue.

SR-1 is a major north-south highway that extends from Mendocino County to Orange County along the Pacific Coast. SR 1 is also known as Junipero Serra Boulevard for a short segment to the north of the project site, and 19th Avenue farther north. The highway has a posted speed limit of 35 to 45 mph along these segments. As part of the interchange at John Daly Boulevard, it merges with I-280 and increases to a posted speed limit of 65 mph. SR 1 and I-280 run together in the northbound and southbound directions between approximately John Daly Boulevard and Colma Boulevard. SR 1 has

three lanes in each direction to the north of the interchange, and I-280/SR 1 has six lanes in each direction.

Southgate Avenue is a collector street that traces a semicircle around Daly City and runs east to west along the north side of the project site. It is median-separated next to Westlake Center with one lane in each direction, and has one lane plus a Class II bicycle lane in each direction without a median to the west of the project site. There is on-street parking along one side of the road next to Westlake Shopping Center and parking on both sides to the west of Westlake Shopping Center. Daly City designates Southgate Avenue as bike route 75.

John Daly Boulevard is a major east-west arterial north of the project site. It connects Skyline Boulevard to the west with Mission Street to the east, and intersects with Lake Merced Boulevard and Park Plaza Drive. John Daly Boulevard is median-separated and has two lanes in each direction, with one or two additional turning lanes at many of the intersections near the project site.

Lake Merced Boulevard is a major north-south collector on the west side of the project site, which starts south of the project site and continues north through the Parkmerced neighborhood of San Francisco. Lake Merced Boulevard is one lane in each direction with a median turn lane south of John Daly Boulevard, with on-street parking on both sides of the street. Daly City designates Lake Merced Boulevard as bike route 95.

Park Plaza Drive is a north-south local street to the east of the project site that connects John Daly Boulevard on the north to South Park Plaza Drive on the south. Park Plaza Drive provides one lane in each direction, and a median turning lane adjacent to the Westlake Shopping Center. There is on-street parking on both sides of Park Plaza Drive.

Palmcrest Drive is a private two-lane roadway on the east side of the project site. Palmcrest Drive provides one lane in each direction and connects with Westlake Center to the north. There is on-street parking on both sides of Palmcrest Drive.

Bicycle and Pedestrian Facilities

Class III bikeways[73] are present along Southgate Avenue in both the eastbound and westbound direction allowing for direct bicycle access to the project site. Sidewalks are present along Southgate Avenue, Palmcrest Drive, and Lake Merced Boulevard. A non-standard sidewalk is located behind the existing retail store. Crosswalks are present in all directions at the intersection of Lake Merced Boulevard/Southgate Avenue and connect to the northwest corner of the site. There are crosswalks that run northbound and southbound at the intersection of Palmcrest Drive/Southgate Avenue that connect the Westlake Shopping Center parking lot to the northeast corner of the project site.

[73] The General Plan Circulation Element defines Class III bikeways as shared bikeways where the cyclist occupies the same right-of-way with either motor vehicles or pedestrians. Signs are used to designate that the street or path also is to be used by cyclists.

Transit Services

SamTrans

SamTrans provides the principal bus service in San Mateo County. It operates local and school buses, as well as express routes to San Francisco. It is also a service provider for paratransit. All scheduled buses are equipped with front-loading racks that can hold up to two bicycles. In the project vicinity, bus stops exist along Southgate Avenue and Lake Merced Boulevard. The closest bus stop is on the corner of Southgate Avenue and Lake Merced Boulevard, approximately 160 feet west of the project site. The project site is served by SamTrans Route 120 that provides service to the Colma and Daly City BART stations on 10- to 15-minute headways during the peak commute hours.

BART

The nearest Bay Area Rapid Transit (BART) station is the Daly City station, located at 500 John Daly Boulevard, approximately 1.4 miles northeast of the project site. From the Daly City BART station, riders can access Fremont, Pleasanton/Dublin, Richmond and Pittsburg as well as numerous points in between. Trains run on approximately 15-minute headways during commute hours. There are also a number of bus routes and shuttles operated by SamTrans that stop at the Daly City BART station.

4.17.1.3 *Methodology*

At the time of this report, the City of Daly City is undertaking a process of updating its significance thresholds to be consistent with SB 743, and the CEQA 2019 Update Guidelines Section 15064.3, subdivision (b). The City has not released draft significance thresholds to determine project VMT impacts. In the absence of a City policy or draft numeric thresholds, this study utilized the OPR guidelines in analyzing VMT.

4.17.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities?	☐	☐	☒	☐
2) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	☒	☐
3) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
4) Result in inadequate emergency access?	☐	☐	☒	☐

Impact TRN-1:	The project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities. **(Less than Significant Impact)**

Circulation System

The City of Daly City does not currently have an adopted VMT policy. Per SB 743, the City's LOS standards cannot be used in CEQA analysis for transportation impacts. The CMP requires traffic impact analyses and notification when a project generates greater than 100 ADT The project would generate more than 100 peak hour trips and, therefore, a County CMP analysis is required. A summary of the project's County CMP analysis are discussed in the Non-CEQA Effects discussion following Impact TRN-4. The project's VMT impact is discussed in Impact TRN-2, below.

The project would include signalization of the Southgate Avenue and Lake Merced Boulevard intersection. The intersection signals would be interconnected with the adjacent traffic signals. This would be considered an improvement to existing conditions as it would increase vehicle and pedestrian safety.

Transit Services

The project could generate new transit users but is not anticipated to exceed the capacity of bus service near the project site considering the high frequency with which service is provided within the project vicinity. The project would not conflict with any SamTrans policies related to the transit system.

Bicycle and Pedestrian Facilities

The project would include approximately 100 bicycle storage spaces for the on-site residents. The bicycle storage would be provided on the first floor, in a separate room accessible from the parking garage. The project would provide new sidewalks along all sides of the building. The project would also provide bulb-outs and shortened pedestrian crossings at the northeast and northwest corners of the intersection of Southgate Avenue and Lake Merced Boulevard. The project shall also construct a new sidewalk along Lake Merced Boulevard between Southgate Avenue and the existing driveway to the Home Depot in the Westlake Shopping Center. Therefore, the project would result in a net increase of pedestrian facilities and would increase pedestrian safety and connectivity within the project vicinity.

All project sidewalks and other pedestrian facilities would be compliant with the Americans with Disabilities Act of 1990 (ADA) requirements. The project would not conflict with any of the policies within Walk Bike Daly City. **(Less than Significant Impact)**

Impact TRN-2:	The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). **(Less than Significant Impact)**

The VMT thresholds used for this project are based on OPR's recommendations. OPR has established screening thresholds that can be used to identify when a project would be expected to cause a less than significant impact without conducting a detailed VMT study. These screening

thresholds are based on project size, VMT character of the project's location, land use type, and accessibility to transit. Per OPR guidelines, projects that are located within 0.5-mile of a high-quality transit corridor with bus service intervals of no longer than 15 minutes during the peak commute hours would have a less than significant impact on VMT. The project site is approximately 200 feet from the Lake Merced Boulevard and Southgate Avenue bus stop, which serves SamTrans Routes 120 and 122. The frequency of service for this busy stop is 15 minutes or less during peak periods. In addition, the project is located approximately 0.3 miles from John Daly Boulevard, which also meets the high-quality transit corridor criteria based on the fixed route service of Routes 120 and 122 with service intervals no longer than 15 minutes during peak commute hours.

The OPR Guidelines also recommend the following criteria be considered when applying the high-quality transit screening criteria: 1) the site must have a Floor Area Ratio (FAR) of more than 0.75; 2) the site may not include more parking for use by residents, customers, or employees of the project than required by the jurisdiction; 3) the site must be consistent with the applicable Sustainable Communities Strategy; and 4) the site must not replace affordable residential units with a smaller number of moderate- or high-income residential units. The project would meet these additional criteria because the project proposes a FAR of 0.76, would provide less than the required 390 spaces required by the City, does not conflict with the Sustainable Communities Strategy, and would not replace any affordable housing units. Therefore, the project would satisfy the proximity to high-quality transit screening criteria and would be considered to have a less than significant VMT impact.

Additionally, the shift from existing retail to a mixed-use would result in the project generating less than 110 net new trips per day on the transportation network (see Table 4.17-1), which is another OPR screening threshold for determining a less than significant transportation impact. **(Less than Significant Impact)**

Impact TRN-3:	The project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). **(Less than Significant Impact)**

The project driveway leading to the proposed parking garage would be approximately 26 feet wide, exceeding the City's 24-foot width requirement for driveways providing access to more than fifty spaces (Municipal Code 17.34.060). The parking spaces within the proposed parking garage would be 90-degree parking stalls and would be a minimum of 8.5 feet wide by 19 feet long in accordance with Section 17.34.030 of the Municipal Code. The project would keep the sightline from the proposed driveway clear of obstructions to ensure that vehicles would be able to safely turn in and out of the proposed parking garage.

As a condition of approval, the project shall be required by the City to relocate the stop bar on Palmcrest Drive south of the project 10 feet east to provide adequate sight distance. No trees or other obstructions shall be located at the southeast corner of the property to avoid intersection hazards.

The project does not propose any uses that would be incompatible with existing uses in the project area. Therefore, the project would not substantially increase hazards due to a geometric design feature or incompatible uses. **(Less than Significant Impact)**

Impact TRN-4:	The project would not result in inadequate emergency access. **(Less than Significant Impact)**

The proposed project's alignments of drive aisles, and the radii of the corners and curbs would be adequate to accommodate circulation of emergency vehicles and would be reviewed by City staff prior to building permit issuance. Therefore, the project would not result in inadequate emergency access. **(Less than Significant Impact)**

4.17.3 Non-CEQA Effects

While the evaluation of project CEQA impacts on the transportation system is based on VMT, in accordance with General Plan Task CE-1.3 and the County CMP, the following discussion is included for informational purposes to analyze non-CEQA transportation issues, including intersection level of service, on-site queuing, and parking.

Baseline Conditions

The baseline conditions of the study intersections were based on traffic counts from the Westlake Shopping Center Traffic Impact Study (TIS) prepared by Fehr and Peers in October 2017. A one percent annual growth factor was applied to adjust the baseline volumes to the year 2021. Cumulative conditions were based on 2035 traffic volumes from the Westlake Shopping Center TIS. The vacant retail store on the project site was operational at the time traffic counts were taken for the Westlake Shopping Center TIS and could be reoccupied with a retail use. The project trip generation and intersection LOS analysis, therefore, take into account the vehicle trips and associated LOS from operation of the retail store on the project site.

Trip Generation

Given that the project is replacing an approximately 55,000 sf retail store with an approximately 362,135 sf mixed-use building, trips generated by the project were analyzed as a net value compared to baseline conditions. Baseline and proposed vehicle trips to and from the project site are shown in Table 4.17-1, below.

Table 4.17-1: Trip Generation for Baseline and Proposed Project

	Land Use	ITE Land Use Code	Size	Daily Rate	Daily Trips
Baseline	Shopping Center	820	55,000 sf	0.94	2,076
Proposed	Multifamily Housing (Mid-Rise)	221	214 units	0.36	1,164
	Shopping Center	820	10,800 sf	0.94	408
Internal Capture (19% of proposed daily trips)[1]					-296
Retail Pass-by Reduction (34% of proposed daily trips)[2]					-91
Total Proposed Trips					**1,185**

Table 4.17-1: Trip Generation for Baseline and Proposed Project					
	Land Use	**ITE Land Use Code**	**Size**	**Daily Rate**	**Daily Trips**
Net New Project Trips					**-891**

Source: Institute of Transportation Engineers (ITE) Trip Generation, 10th Edition; ITE Trip Generation Handbook, 3rd Edition

[1] Internal Capture calculated using ITE Trip Generation Handbook, 3rd Edition methodology. ITE methodology does not include calculation for daily trips, therefore the average percentage of the AM and PM peak hours were assumed for daily internal capture.

[2] Pass-by rates calculated using ITE Trip Generation Handbook, 3rd Edition methodology. ITE methodology does not include calculation for daily trips, therefore the PM peak hour was assumed for daily pass-by rate.

Intersection LOS

An intersection LOS analysis was conducted for the AM (7:00 AM – 9:00 AM) and PM (4:00 PM – 6:00 PM) peak hour traffic for the following eleven intersections:

- Lake Merced Boulevard/John Daly Boulevard
- Park Plaza Drive/John Daly Boulevard
- I-280 Southbound (SB) On-Ramp/SR 1 Off-Ramp/John Daly Boulevard
- Junipero Serra Boulevard/John Daly Boulevard
- Lake Merced Boulevard/Southgate Avenue
- Palmcrest Drive/Westlake Center/Southgate Avenue
- Park Plaza Drive/Southgate Avenue
- Westlake Center/John Daly Boulevard
- Lake Merced Boulevard/Belmar Avenue
- Park Plaza Drive/Belmar Avenue
- Sheffield Drive/Poncetta Drive/John Daly Boulevard

The LOS standard for a signalized intersection in the Circulation Element of the City of Daly City General Plan is LOS D. Project deficiencies at signalized intersections would occur when the addition of the project traffic would result in the following conditions according to the City of Daly City General Plan: 1) project deficiency would be identified if the addition of project traffic at a study intersection would result in the intersection Level of Service worsening from LOS D or better to LOS E or F; 2) if total intersection delay would worsen at an intersection already operating at LOS E or F. A summary of the project's individual and cumulative impacts on the study intersections is provided in Table 4.17-2 and Table 4.17-3, respectively.

Table 4.17-2: Baseline and Baseline Plus Project Intersection LOS									
Intersection	**Control**	**Baseline**				**Baseline + Project**			
		AM Peak		**PM Peak**		**AM Peak**		**PM Peak**	
		LOS	**Delay[3] (sec)**	**LOS**	**Delay (sec)**	**LOS**	**Delay (sec)**	**LOS**	**Delay (sec)**
Lake Merced Blvd/John Daly Blvd	Signal	C	27.8	C	31.1	C	28.1	C	31.4
Park Plaza Dr/ John Daly Blvd	Signal	C	30.8	C	30.8	C	31.2	C	30.2
I-280 SB On-Ramp/SR 1 Off-Ramp/John Daly Blvd	Signal	B	13.8	B	12.7	B	13.8	B	12.8
Junipero Serra Blvd/John Daly Blvd	Signal	**F**	**81.2**	**E**	**77.9**	**F**	**82.5**	**E**	**77.5**
Lake Merced Blvd/Southgate Ave	AWSC[1]	B	14.5	C	19.0	D	37.5	D	39.0
Palmcrest Dr/ Westlake Ctr/ Southgate Ave	AWSC	B	10.5	C	15.8	A	9.4	B	13.3
Park Plaza/ Southgate Ave	Signal	B	15.9	B	14.0	B	16.1	B	12.9
Westlake Center/John Daly Blvd	Signal	B	14.3	C	28.5	B	14.1	C	28.4
Lake Merced Blvd./Belmar Ave	SSSC[2]	B	14.3	C	15.3	B	14.6	C	15.4
Park Plaza Dr/Belmar Ave	SSSC	B	12.5	B	14.8	B	12.7	B	14.3
Sheffield Dr/ Poncetta Dr/ John Daly Blvd	Signal	D	38.3	D	42.3	C	34.7	D	42.0

Notes: Intersections that are operating below LOS D are shown in **BOLD**
[1]AWSC = All Way Street Stop Control
[2]SSSC = Side Street Stop Control
[3] The average control delay is reported for signalized and AWSC intersections.

As shown in Table 4.17-2, above, all study intersections would function within acceptable LOS standards under Existing Plus Project Conditions except for the Junipero Serra Boulevard/John Daly Boulevard intersection. The project would increase the average delay at this intersection by 1.3 seconds during the AM peak hour and would decrease the average delay during the PM peak hour. This intersection was recognized as operating unacceptably in existing 2008 conditions and cumulative 2035 conditions by the General Plan. The City Council adopted a statement of overriding conditions since the intersection was found to be deficient, but the recommended improvement to address the deficiency was found to be infeasible. Therefore, the project would not be considered to cause a deficiency at the Junipero Serra Boulevard/John Daly Boulevard intersection.

Table 4.17-3: Cumulative and Cumulative Plus Project Intersection LOS

Intersection	Control	Cumulative				Cumulative + Project			
		AM Peak		PM Peak		AM Peak		PM Peak	
		LOS	Delay[3] (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)
Lake Merced Blvd/John Daly Blvd	Signal	C	30.2	C	33.3	C	30.4	C	33.4
Park Plaza Dr/ John Daly Blvd	Signal	C	38.6	C	31.1	C	38.5	C	30.7
I-280 SB On-Ramp/SR 1 Off-Ramp/John Daly Blvd	Signal	B	13.7	B	13.5	B	13.7	B	13.6
Junipero Serra Blvd/John Daly Blvd	Signal	**F**	**99.0**	**F**	**117.1**	**F**	**104.0**	**F**	**111.2**
Lake Merced Blvd/Southgate Ave	AWSC[1]	C	15.3	C	21.0	D	40.5	D	41.9
Palmcrest Dr/ Westlake Ctr/ Southgate Ave	AWSC	B	10.8	C	16.1	B	10.7	B	13.6
Park Plaza/ Southgate Ave	Signal	B	15.3	B	15.2	B	15.5	C	13.7
Westlake Center/John Daly Blvd	Signal	B	15.2	D	37.9	B	15.0	D	36.4
Lake Merced Blvd/Belmar Ave	SSSC[2]	E	36.2	C	16.2	C	15.1	C	17.7

Table 4.17-3: Cumulative and Cumulative Plus Project Intersection LOS									
Intersection	**Control**	**Cumulative**				**Cumulative + Project**			
		AM Peak		**PM Peak**		**AM Peak**		**PM Peak**	
		LOS	**Delay[3] (sec)**	**LOS**	**Delay (sec)**	**LOS**	**Delay (sec)**	**LOS**	**Delay (sec)**
Park Plaza Dr/Belmar Ave	SSSC	B	12.8	C	15.0	B	12.9	B	14.6
Sheffield Dr/ Poncetta Dr/ John Daly Blvd	Signal	D	45.5	**E**	**58.2**	D	46.6	**E**	**56.7**
Notes: Intersections that are operating below LOS D are shown in **BOLD** [1]AWSC = All Way Street Stop Control [2]SSSC = Side Street Stop Control [3] The average control delay is reported for signalized and AWSC intersections.									

Under cumulative and cumulative plus project conditions, all study intersections would continue to operate at an acceptable level except for the Junipero Serra Boulevard/John Daly Boulevard intersection and the Sheffield Drive/Poncetta Drive/John Daly Boulevard intersection. The project would increase the average delay at the Junipero Serra Boulevard/John Daly Boulevard intersection by 2.4 seconds during the AM peak hour and would decrease the average delay during the PM peak hour. Given that the City Council adopted a statement of overriding conditions for this intersection, the project would not result in an intersection deficiency.

The Sheffield Drive/Poncetta Drive/John Daly Boulevard intersection would begin operating below LOS D at cumulative conditions during the PM peak hour. However, the project would decrease the average delay at the intersection by 1.6 seconds during the PM peak hour. Therefore, the project would not result in any intersection deficiencies.

On-Site Queuing

The queue length for the southbound approach was evaluated to determine if potential queuing due to vehicles making a southbound left turn into the proposed parking garage could potentially block traffic along Lake Merced Boulevard. Kimley-Horn determined that the 95th percentile queue length would be 80 feet or less during both the AM and PM peak hour and would not cause any queuing deficiencies.

Parking Analysis

The proposed mixed-use building and the rest of the Westlake Shopping Center are part of Planned Development Zoning District PD-60A. The PD-60A zoning requires a certain number of parking spaces to be provided relative to the size or number of each proposed facility on-site. The applicant is proposing to amend the PD-60A requirements to allow a 20 percent reduction in total required parking spaces. Table 4.17-4 summarizes the parking requirements for the project below.

Table 4.17-4: Project Parking Requirements			
Facility	**Size/Number**	**PD-60A Requirement**	**Required Parking Spaces**
Studio Apartment	26 units	1 space/unit	26
One Bedroom Apartment	97 units	1.5 spaces/unit	146
Two Bedroom or Larger	91 units	2 spaces/unit	182
Shopping Center	10,800 sf	3.29 spaces per 1,000 sf of leasable building area	36
Total Required Parking			390
Total Required Parking (with 20% Reduction applied to Residential)			**319**
Total Proposed Parking Spaces			**341**

As shown in Table 4.17-4, the project would exceed the minimum number of required parking spaces.

Shared Parking

There is potential for shared parking between the proposed mixed-use project and the remainder of the Westlake Shopping Center. For example, residents of the proposed project would most likely leave their vehicles parked within the residential garage and walk to the retail or restaurant uses within the Westlake Shopping Center rather than drive and park within the retail parking lots. Also, there is no restriction for the commercial parking, so retail customers may choose to park and walk to any uses within the PD-60A area.

Construction of the proposed mixed-use building would result in a 24-27 percent shared parking reduction for the project site. It is estimated that parking demand in the PD-60A area ranges from 1,511 to 2,267 parking spaces. With construction of the proposed mixed-use building and existing entitlements, the PD-60A area would contain a total of approximately 2,563 parking spaces and will have an interim total of 2,375 parking spaces. Therefore, the PD-60A area would have enough shared parking spaces to accommodate the maximum estimated demand.

4.18 TRIBAL CULTURAL RESOURCES

4.18.1 Environmental Setting

4.18.1.1 *Regulatory Framework*

State

Assembly Bill 52

AB 52, effective July 2015, established a new category of resources for consideration by public agencies called Tribal Cultural Resources (TCRs). AB 52 requires lead agencies to provide notice of projects to tribes that are traditionally and culturally affiliated with the geographic area if they have requested to be notified. Where a project may have a significant impact on a tribal cultural resource, consultation is required until the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource or until it is concluded that mutual agreement cannot be reached.

Under AB 52, TCRs are defined as follows:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are also either:
    - Included or determined to be eligible for inclusion in the California Register of Historic Resources, or
    - Included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).
- A resource determined by the lead agency to be a TCR.

4.18.1.2 *Existing Conditions*

Archaeological resources in Daly City consist primarily of the remains of the Ohlone Indian tribe, which inhabited a large area along the California Coast from the San Francisco Bay to the Monterey Bay. The Mussel Rock archaeological site is the only source of Ohlone artifacts within the City.

The project site is currently developed with a retail store and the original land surface has been buried underneath artificial fill.

4.18.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				

1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	☐	☒	☐	☐
2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Impact TCR-1:	The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). **(Less than Significant Impact with Mitigation Incorporated)**

No tribes have contacted the City to request notification under AB 52. The project site is currently developed and there are no known tribal cultural resources on-site. In the event that an inadvertent discovery of a tribal cultural resource is made, mitigation measures MM CUL-2.1, MM CUL-2.2, and MM CUL-3.1 would be implemented, as stated in Section 4.5 Cultural Resources of this Initial Study. **(Less Than Significant Impact with Mitigation Incorporated)**

Impact TCR-2:	The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. **(Less than Significant Impact with Mitigation Incorporated)**

Please see response to Impact TCR-1. **(Less than Significant Impact with Mitigation Incorporated)**

4.19 UTILITIES AND SERVICE SYSTEMS

The following discussion is based, in part, on a hydraulic analysis prepared for the project by Brown and Caldwell, dated April 2021, and a sanitary sewer capacity evaluation prepared for the project by Woodard & Curran, dated March 2021. Copies of these reports are included in Appendix H and Appendix I of this Initial Study, respectively.

4.19.1 Environmental Setting

4.19.1.1 *Regulatory Framework*

State

State Water Code

Pursuant to the State Water Code, water suppliers providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet (approximately 980 million gallons) of water annually must prepare and adopt an urban water management plan (UWMP) and update it every five years. As part of a UWMP, water agencies are required to evaluate and describe their water resource supplies and projected needs over a 20-year planning horizon, water conservation, water service reliability, water recycling, opportunities for water transfers, and contingency plans for drought events. The City of Daly City adopted its most recent UWMP in June 2021.

Assembly Bill 939

The California Integrated Waste Management Act of 1989, or AB 939, established the Integrated Waste Management Board, required the implementation of integrated waste management plans, and mandated that local jurisdictions divert at least 50 percent of solid waste generated (from 1990 levels), beginning January 1, 2000, and divert at least 75 percent by 2010. Projects that would have an adverse effect on waste diversion goals are required to include waste diversion mitigation measures.

Assembly Bill 341

AB 341 sets forth the requirements of the statewide mandatory commercial recycling program. Businesses that generate four or more cubic yards of garbage per week and multi-family dwellings with five or more units in California are required to recycle. AB 341 sets a statewide goal for 75 percent disposal reduction by the year 2020.

Senate Bill 1383

SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The bill grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that at least 20 percent of currently disposed edible food is recovered for human consumption by 2025.

California Green Building Standards Code

CALGreen establishes mandatory green building standards for buildings in California. CALGreen was developed to reduce GHG emissions from buildings, promote environmentally responsible and healthier places to live and work, reduce energy and water consumption, and respond to state environmental directives. CALGreen covers five categories: planning and design, energy efficiency, water efficiency and conservation, material and resource efficiency, and indoor environmental quality. CALGreen requires that construction projects recycle or salvage 65 percent of non-hazardous construction and demolition waste.

Local

Daly City 2030 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from development projects within the City. The following policies are specific to utilities and service systems and are applicable to the proposed project.

Policy/Task	Description
Policy RME-1	Reduce average per capita demand by implementing cost effective water conservation programs that address all applicable methods of water conservation.
Task RME-1.1	Enforce the provisions of the Indoor Water Use Efficiency Ordinance through an extensive public outreach campaign to residents and contractors, to be completed by 2014.
Policy RME-2	Require drought resistant landscaping and water conserving irrigation methods in new development, and encourage the replacement of existing water-intensive landscaping.
Task RME-2.1	Enforce the provisions of the Water Conservation in Landscaping Ordinance and conduct a public education effort to ensure that residents, businesses, and contractors are aware of the Ordinance provisions.
Policy RME-3	Continue to use recycled wastewater for irrigating and explore opportunities to expand capacity to accommodate its use in development projects, landscaped medians, golf courses, cemeteries, parks, and school playgrounds.
Policy RME-4	For development projects which will create water demand exceeding a pre-defined amount, require that developers provide a water supply analysis for the project to demonstrate water availability to adequately serve the proposed project.
Policy RME-8	Through the development of a Stormwater Management Program, ensure that all new development complies with applicable municipal stormwater Municipal Regional Stormwater NPDES Permit by incorporating controls that reduce water quality impacts over the life of the project in way that is both technically and economically feasible, and reduces pollutants in stormwater discharges to the maximum extent practicable.
Task RME-8.2	Evaluate acceptable development standards for stormwater treatment mechanisms and publish such standards for distribution to developers. Such standards shall be based on a thorough evaluation of modern stormwater control mechanisms and shall, to the extent feasible, consider soil conditions in various parts of Daly City.

Task RME-8.4	Assess projected stormwater impacts from new development in conformance with the San Mateo County Water Pollution Prevention Program, CEQA Guidelines and relative to state and federal standards.
Policy RME-9	Balance stormwater mitigation measures with the other inherent benefits of higher density development that is in close proximity to public transit, i.e., reduction of VMT on local and regional roadways, to the ex-tent permitted under the Municipal Regional Stormwater Permit.
Policy HE-27	Through the development of a Stormwater Management Program, ensure that all new development complies with applicable Municipal Regional Stormwater NPDES Permit requirements by incorporating controls that reduce water quality impacts over the life of the project in way that is both technically and economically feasible, and reduces pollutants in stormwater discharges to the maximum extent practicable.

Daly City Urban Water Management Plan (2020)

The UWMP is a long-range plan that assesses the City's water supply over a 25-year planning horizon (2045) to ensure adequate water supplies to meet existing and future demands for water. The UWMP presents forecasted supplies and demands, describes conservation programs, and includes a water shortage contingency analysis.

Daly City Municipal Code

Chapter 17.41, Water Conservation in Landscaping, establishes regulations to implement water conservation practices on existing and new landscapes. For projects containing more than 1,000 square feet of irrigated landscape, a landscape permit is required which requires irrigation design review. Further, this Chapter mandates that any owner of landscape of over one acre in size shall comply with local agency programs that may be instituted relating to irrigation audits, surveys and water use analysis, and shall maintain landscape irrigation facilities to prevent water waste and runoff.

4.19.1.2 *Existing Conditions*

Water Supply

Water service to the project site is provided by the Daly City Department of Water and Wastewater Resources (DWWR). The City relies on local groundwater pumping from six municipal wells and water supply purchases from the SFPUC.[74] The City also uses tertiary recycled water from the North San Mateo County Sanitation District wastewater treatment plant, to offset potable/aquifer water demands. The project site is served by 10-inch water mains in Southgate Avenue and Lake Merced Boulevard.

Storm Drainage

The project site is located within the Vista Grande Watershed which encompasses 2.5 square miles and borders San Francisco County on the north, Colma Creek watershed to the south and east, and the Pacific Ocean on the west. The project site currently consists of approximately 82,910 sf (98.5

[74] City of Daly City. *General Plan Environmental Impact Report. Utilities and Service Systems.* 2012.

percent) impervious surface area and 1,340 sf (1.5 percent) pervious surface area. Stormwater not absorbed within the project site is directed to the curb inlets and conveyed into the existing stormwater lines in Southgate Avenue and Palmcrest Drive.

Wastewater/Sanitary Sewer System

Wastewater collection and treatment for Daly City is managed by the North San Mateo County Sanitation District (NSMCSD), which is a subsidiary of the City of Daly City. Wastewater produced within the District is treated at the NSMCSD Treatment Plant (WWTP), which is located at the corner of John Daly Boulevard and Lake Merced Boulevard.

Sanitary sewer lines in the project area are maintained by the City of Daly City Department of Water and Wastewater Resources. The project site is served by an existing six-inch sanitary sewer main in Southgate Avenue and an existing eight-inch sanitary sewer main in Lake Merced Boulevard.

The City's WWTP has an average dry weather flow design capacity of 10.3 million gpd. However, the NSMCSD discharges and operates the WWTP at or below the permitted average dry weather flow rate of eight million gpd (averaged over three consecutive dry months) and does not anticipate a need to increase the permitted flow rate in the next five years.

Solid Waste

Solid waste is collected from Daly City homes and businesses and is processed by Republic Services of Daly City at its Mussel Rock Transfer Station. Materials that cannot be recycled or composted are transferred to the Ox Mountain Sanitary Landfill near Half Moon Bay. In 2001, Browning-Ferris Industries, owner of the Ox Mountain Landfill, obtained a revised solid waste facility permit for Ox Mountain to increase the permitted disposal acreage from 173 acres to 191 acres and to change the closure date of the facility from 2018 to 2023, with a longer period of operation allowed pending renewal of the landfill's permit. The current landfill permit estimates closure of the landfill in 2034.[75] The Ox Mountain Landfill has a remaining capacity of approximately 22,180,000 cubic yards of solid waste. . Capacity may change based on such factors such as amount of waste landfilled, compaction rates, waste settlement, and cover soil use, and therefore the closure date may also change.

Natural Gas and Electricity Facilities

An existing four-inch natural gas line runs through the southern end of the project site from Lake Merced Boulevard to Palmcrest Drive. Underground electricity lines exist in Palmcrest Drive and the alley along the southern border of the project site.

[75] CalRecycle. "Solid Waste Information Sheet: Corinda Los Trancos Landfill (Ox Mtn) (41-AA-0002)." Accessed January 21, 2021. https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1561?siteID=3223

4.19.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
2) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
3) Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
4) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
5) Be noncompliant with federal, state, or local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Impact UTL-1: The project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. **(Less than Significant Impact)**

Water

The project would connect to the existing water mains in Southgate Avenue and Lake Merced Boulevard. The project would also modify the existing system to accommodate the proposed mixed-use building. The project would relocate the existing water mains in Southgate Avenue and Palmcrest Drive out of private property and into the public right-of-way. The project would also upsize a portion of the existing six-inch water main in Lake Merced Boulevard, between North Coronado Avenue and the alley along the southern border of project, to a 10-inch main. The project would also demolish and relocate the existing eight-inch water main located in the southwest corner of the project site. The proposed modifications to the existing water system would be subject to the

construction-related mitigation measures and standard conditions described in previous sections of this Initial Study[76] and thus, would not have a significant impact on the environment.

Wastewater/Sanitary Sewer

Based on the sanitary sewer modeling completed for the project, the proposed development would result in a small increase in sewage flows that could be adequately supported by the existing sanitary sewer system without any modifications. Therefore, the project would not require new or expanded wastewater facilities.

Stormwater Drainage

The project would result in a net increase of pervious surface area. On-site stormwater treatment would occur through the use of bio-retention areas. Consistent with the City's requirements, the project would not increase site runoff from a 10-year storm for a duration of two hours of rainfall and will retain any increased flow due to reduction in pervious surfaces. Adherence to the City's stormwater retention requirements would ensure the project would not require new or expanded stormwater facilities.

Natural Gas, Electricity, and Telecommunication Facilities

The project would relocate the existing natural gas line running through the project site from private property into the existing public right-of-way of the alley along the southern border of the project site. The project does not propose any modifications to the existing electricity and telecommunication facilities. The proposed modification of the existing natural gas system would be subject to the construction-related mitigation measures and standard conditions[77] described in previous sections of this Initial Study and thus, would not have a significant impact on the environment. **(Less than Significant Impact)**

Impact UTL-2:	The project would not have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. **(Less than Significant Impact)**

Based on the UWMP, in the event the Bay Delta Plan is implemented,[78] water demand would exceed supply in normal, single-dry, and multiple-dry year scenarios by 2025. Without implementation of the Bay Delta Plan, water demand would not exceed supply in normal, single-dry, and multiple-dry year scenarios through 2045. The project would increase water use on the site by approximately 43,206 gallons per day (gpd).[79] The project would result in a population increase that is within the estimated population projections used in the City's UWMP. The City identifies demand reduction

[76] Refer to Sections 4.3 Air Quality, 4.4 Biological Resources, 4.5 Cultural Resources, 4.9 Hazards and Hazardous Materials, 4.10 Hydrology and Water Quality, and 4.13 Noise.
[77] Ibid.
[78] The implementation of the Bay Delta Plan is currently in litigation which creates uncertainty in the available supply for Daly City.
[79] Brown and Caldwell. *Hydraulic Analysis for the Westlake South Project.* April 2021. 712 net new residents x 60 gallons per capita per day = 42,720 gpd; 10,800 sf x 0.0450 gallons per sf per day = 486 gpd. Total project water use estimate: 42,720 gpd + 486 gpd = 43,206 gpd.

actions in the UWMP that could be used to reduce water demand, ranging from voluntary reductions to prohibiting landscape irrigation. The use of demand reduction measure, which could be required City-wide in single-dry and multiple-dry year scenarios, ensures the City would have adequate water supply under all scenarios. The City, therefore, would have sufficient water supplies to serve the project during normal, dry, and multiple dry years. **(Less than Significant Impact)**

Impact UTL-3:	The project would not result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. **(Less than Significant Impact)**

The WWTP has an average dry weather flow design capacity of 10.3 million gallons per day (mgd). The General Plan FEIR determined that full buildout of the General Plan would generate approximately 6.66 mgd which is below the permitted flow rate of eight mgd, leaving 1.34 mgd of unused capacity at buildout. The project would add approximately 37,460 gpd of wastewater to be treated at the WWTP, or approximately 2.8 percent of the unused capacity. The project, therefore, results in a less than significant increase in wastewater flow. In addition, the WWTP monitors its wastewater to ensure that it meets all requirements and the RWQCB routinely inspects treatment facilities to ensure permit requirements are met. For these reasons, there would be adequate capacity at the WWTP. **(Less than Significant Impact)**

Impact UTL-4:	The project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. **(Less than Significant Impact)**

Waste generation and disposal data for Daly City is maintained by CalRecycle. According to CalRecycle, the total amount of solid waste landfilled from Daly City in 2020 was 48,967 tons.[80] The project would generate approximately 110 tons of solid waste per year.[81] The Ox Mountain Landfill has a remaining capacity of approximately 22,180,000 cubic yards of solid waste.[82] The project would increase solid waste generation in the City by less than one percent and, therefore, would not generate solid waste in excess of local standards or capacity and would not impair the attainment of solid waste reduction goals. **(Less than Significant Impact)**

[80] CalRecycle. "Disposal Rate Calculator". Accessed December 17,2021. https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/DisposalRateCalculator.
[81] Illingworth & Rodkin, Inc. *99 Southgate Avenue Air Quality and Greenhouse Gas Assessment.* December 10, 2021. Attachment 2: CalEEMod Modeling Inputs and Outputs.
[82] CalRecycle. "Solid Waste Information Sheet: Corinda Los Trancos Landfill (Ox Mtn) (41-AA-0002)." Accessed March 23, 2022. https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1561?siteID=3223

Impact UTL-5:	The project would not be noncompliant with federal, state, or local management and reduction statutes and regulations related to solid waste. **(Less than Significant Impact)**

The project would comply with solid waste management and reductions statutes and regulations including CALGreen requirements for recycling and salvaging of construction and demolition waste. **(Less than Significant Impact)**

4.20 WILDFIRE

4.20.1 Environmental Setting

4.20.1.1 *Existing Conditions*

The California Department of Forestry and Fire Protection (Cal Fire) is required by law to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. Referred to as Fire Hazard Severity Zones (FHSZ), these maps influence how people construct buildings and protect property to reduce risk associated with wildland fires. The project site is not located in a FHSZ.[83]

4.20.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
1) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
2) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
3) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
4) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

The project site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones; therefore, the project would not result in wildfire impacts. **(No Impact)**

[83] CALFire. San Mateo County Fire Hazard Severity Zones in SRA. Adopted by CALFire on November 7, 2007. Map. Accessed June 22, 2021. https://osfm.fire.ca.gov/media/6802/fhszs_map41.pdf

4.21 MANDATORY FINDINGS OF SIGNIFICANCE

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
1)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
2)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☒	☐	☐
3)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Impact MFS-1: The project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. **(Less than Significant Impact with Mitigation Incorporated)**

As discussed in the individual sections, the proposed project would not degrade the quality of the environment with the implementation of identified mitigation measures. As discussed in Section 4.4 Biological Resources, the project would not impact sensitive habitat or species but requires the implementation of appropriate mitigation measures for nesting preconstruction bird surveys. There are no historic buildings on-site or in the immediate project vicinity as discussed in Section 4.5 Cultural Resources. However, the project requires implementation of appropriate mitigation measures if project construction encounters buried archaeological resources. **(Less Than Significant Impact with Mitigation Incorporated)**

Impact MFS-2:	The project does not have impacts that are individually limited, but cumulatively considerable. **(Less than Significant Impact with Mitigation Incorporated)**

Under Section 15065(a)(3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects "that are individually limited, but cumulatively considerable." As defined in Section 15065(a)(3) of the CEQA Guidelines, cumulatively considerable means "that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." This cumulative analysis considers the impacts of the project in combination with another Westlake Shopping Center mixed-use project located at 10 Park Plaza Drive that is approximately one-quarter mile north of the project site. The Westlake Shopping Center mixed-use project would redevelop a 1.95-acre with 180 dwelling units and approximately 34,000 square feet of retail space for a net loss of approximately 21,600 square feet of commercial space. The project was approved in 2018 but has not commenced construction. Other projects listed in the City's Current Project List are generally not located within the project vicinity.

Resource Topics with No Cumulative Impact

The project would not result in wildlife hazards and would have no impact on agricultural resources or mineral resources. Impacts discussed in Geology and Soils and Land Use, would all be less than significant and would be limited to the project site. Therefore, the project has no potential to combine with other projects to result in cumulative impacts to those resources.

Air Quality and GHGs

Because criteria air pollutant and GHG emissions would contribute to regional and global emissions of such pollutants, the identified thresholds developed by BAAQMD and used by the City of Daly City were developed such that a project-level impact would also be a cumulatively considerable impact. The project would not result in a significant emissions of criteria air pollutants or GHG emissions and, therefore, would not make a substantial contribution to cumulative air quality or GHG emissions impacts. The discussion in Section 4.3 Air Quality provides analysis of the cumulative health risk effects of the project's TACs emissions during construction and concluded those effects would be less than significant with implementation of MM AIR-3.1.

Biological Resources

The project would have no impact on special status species, wetlands, riparian habitat, or conflict with applicable habitat plans. The project would result in a net increase of trees and with implementation of MM BIO-1.1 would have a less than significant impact on nesting birds. Therefore, the project would have no potential to combine with other projects to result in a cumulatively significant impact.

Hazards and Hazardous Materials

The use, storage, transportation, and disposal of maintenance chemicals of the project would be managed in accordance with existing laws and regulations that ensure herbicide and pesticide storage, and transportation to and from the site. The project would implement MM HAZ-2.1 to address the potential for impacted soils on the site and ensure the project would not result in a significant cumulative impact related to hazardous materials.

Hydrology and Water Quality

Cumulative developments near the project would be subject to similar hydrological and urban runoff conditions. Consistent with the Municipal Code, all projects occurring within Daly City would be required to implement the same measures related to construction water quality as the proposed project (including preparation of a SWPPP if disturbance if greater than one acre). In addition, all current and probable future projects that would disturb more than one acre of soil or replace/add more at least 10,000 square feet of impervious surfaces would be required to meet applicable site design and runoff reduction measures. For these reasons, the cumulative projects, including the proposed project, would not result in significant cumulative hydrology or water quality impacts.

Noise

Construction noise would be temporary and would be kept to a less than significant level by the implementation of MM NOI-1.1. Another Westlake Shopping Center mixed-use project located at 10 Park Plaza Drive is approximately one-quarter mile north of the project site. However, this project was approved by City Council in September 2018, has had all of its entitlements approved,[84] and therefore, is not likely to be under construction at the same time as the proposed mixed-use project at 99 Southgate Avenue. If the project at 10 Park Plaza Drive is still under construction when construction for the proposed project begins, it would be in later phases of construction that generally do not cause as much noise as the early phases of construction (i.e., demolition, grading, foundation, etc.). Other projects listed in the City's Current Project List are generally not located within the project vicinity. Additionally, other projects throughout the City would be required to implement similar construction noise BMPs to control noise generated during construction. The proposed project's operational noise would be less than significant without mitigation and would be compatible with the surrounding residential and commercial uses. Therefore, the project would not result in a significant cumulative noise impact.

Population and Housing, Public Services and Recreation

The project would result in a net increase of 214 DU. Population growth generated by the project and cumulative projects would be consistent with the growth projected by the General Plan. Residents of the proposed project would be served by existing public services and recreational facilities. The project would not result in the need for new or altered facilities. The project would not result in a cumulatively significant impact on population and housing, public services or recreational facilities.

[84] City of Daly City, Planning Division. Current Project List. February 22, 2021. Accessed December 20, 2021. https://www.dalycity.org/DocumentCenter/View/4567/Current-Projects-List-Updated-01-01-21-PDF?bidId=

Transportation

The project is located near a high-quality transit corridor that would minimize VMT from the project. The project would be consistent with applicable policies regarding transportation and circulation and, therefore, would not result in a cumulative conflict with those policies. The project would comply with current building and fire codes and be reviewed by the NCFA to ensure adequate emergency access, as would all other projects in the vicinity. Therefore, the project would not result in a cumulatively significant impact to emergency access or other transportation issues.

With implementation of the mitigation measures previously described, the project would not contribute to a cumulatively significant impact. **(Less than Significant Cumulative Impact with Mitigation Incorporated)**

Impact MFS-3:	The project does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. **(Less than Significant Impact with Mitigation Incorporated)**

Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include construction TACs, potentially contaminated soils and soil vapor on-site, and noise. However, implementation of mitigation measures and General Plan policies would reduce these impacts to a less than significant level. No other direct or indirect adverse effects on human beings have been identified. **(Less Than Significant Impact with Mitigation Incorporated)**

SECTION 5.0 REFERENCES

The analysis in this Initial Study is based on the professional judgement and expertise of the environmental specialists preparing this document, based upon review of the site, surrounding conditions, site plans, and the following references:

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SECTION 6.0 LEAD AGENCY AND CONSULTANTS

6.1 LEAD AGENCY

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SECTION 7.0 ACRONYMS AND ABBREVIATIONS

ABAG	Association of Bay Area Governments
ACM	Asbestos-containing material
AIA	Airport Influence Area
ALUCP	Airport Land Use Compatibility Plan
BAAQMD	Bay Area Air Quality Management District
Bgs	Below ground surface
BMPs	Best Management Practices
Btu	British thermal units
CalARP	California Accidental Release Program
CAL FIRE	California Department of Forestry and Fire Protection
Cal/OSHA	California Department of Industrial Relations, Division of Occupational Safety and Health
CalTrans	California Department of Transportation
CAP	Clean Air Plan
CARB	California Air Resources Board
CBC	California Building Code
C/CAG	City/County Association of Governments
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CEQA	California Environmental Quality Act
CFCs	Chlorofluorocarbons
CGS	California Geological Survey
CH_4	Methane
C-MU	Commercial - Mixed Use
CMP	Congestion Management Plan
CO	Carbon monoxide
CO_2	Carbon dioxide
CO_2e	Carbon dioxide equivalent
CRHR	California Register of Historical Resources

CUPA	Certified Unified Program Agency
DPM	Diesel particulate matter
DTSC	Department of Toxic Substances Control
DU	Dwelling unit
DWWR	Department of Water and Wastewater Resources
EIR	Environmental Impact Report
EO	Executive Order
EOC	Emergency Operations Center
EOP	Emergency Operations Plan
EPA	Environmental Protection Agency
EV	Electric Vehicle
FAA	Federal Aviation Administration
FAR	Federal Aviation Regulations
FEMA	Federal Emergency Management Agency
FHBM	Flood Hazard Boundary Map
FHSZ	Fire Hazard Severity Zones
FIRM	Flood Insurance Rate Maps
FMMP	Farmland Mapping and Monitoring Program
FTA	Federal Transit Administration
GHGs	Greenhouse gases
Gpcd	Gallons per capita per day
Gpd	Gallons per day
GWP	Global warming potential
HASP	Health and Safety Plan
HCP	Habitat Conservation Plan
HFCs	Hydrofluorocarbons
HI	Hazard Index
HSWA	Federal Hazardous and Solid Waste Amendments
HVAC	Heating, ventilation, and air conditioning
In./sec	Inches/second
ITE	Institute of Transportation Engineers
LBP	Lead-based paint
LID	Low-impact development

LOS	Level of service
MBTA	Migratory Bird Treaty Act
MEI	Maximally exposed individual
MGY	Million gallons per year
$MMTCO_2e$	Million metric tons of CO_2E
MND	Mitigated Negative Declaration
Mpg	Miles per gallon
Mph	Miles per hour
MRP	Municipal Regional Stormwater NPDES Permit
MTC	Metropolitan Transportation Commission
NAHC	Native American Heritage Commission
NCFA	North County Fire Authority
NCP	National Contingency Plan
NESHAP	National Emission Standards for Hazardous Air Pollutants
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
N_2O	Nitrous oxide
NOD	Notice of Determination
NOI	Notice of Intent
NO_x	Nitrogen oxide
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NSFHA	Non-Special Flood Hazard Area
NSMCSD	North San Mateo County Sanitation District
O_3	Ground-level ozone
OITC	Outdoor-Indoor Transmission Class
OPR	Office of Planning and Research
PCBs	Polychlorinated biphenyls
PCE	Peninsula Clean Energy
PD	Planned Development
PDAs	Priority Development Areas
PFCs	Perfluorocarbons
PM	Particulate matter

PPV	Peak particle velocity
RAW	Removal Action Workplan
RCRA	Resource Conservation and Recovery Act
RHNA	Regional Housing Need Allocation
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCS	Sustainable Communities Strategy
Sf	Square feet
SF_6	Sulfur hexafluoride
SFHA	Special Flood Hazard Area
SFO	San Francisco International Airport
SFPUC	San Francisco Public Utilities Commission
SHMA	Seismic Hazards Mapping Act
SMARA	Surface Mining and Reclamation Act
SMCEHSD	San Mateo County Environmental Health Services Division
SMGB	State Mining and Geology Board
SMOA	San Mateo County Operational Area
SO_x	Sulfur oxide
SR	State Route
STC	Sound Transmission Class
STLC	Soluble Threshold Limit Concentration
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic air contaminant
TAZ	Transportation Analysis Zone
TCRs	Tribal Cultural Resources
TIA	Traffic Impact Analysis
TSCA	Toxic Substances Control Act
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
UWMP	Urban water management plan
VMT	Vehicle miles traveled