

4.9 LAND USE AND PLANNING

This chapter describes the regulatory framework and existing conditions related to land use in the vicinity of the Project site, and the potential land use and policy consistency impacts that could result from development of the Project.

4.9.1 ENVIRONMENTAL SETTING

4.9.1.1 REGULATORY FRAMEWORK

This section describes land use plans and policies relevant to the Project.

Regional Plans

Plan Bay Area, Strategy for a Sustainable Region

The Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) *Plan Bay Area* is the Bay Area's Regional Transportation Plan (RTP)/Sustainable Community Strategy (SCS). The draft *Plan Bay Area* was adopted July 18, 2013.¹ The SCS sets a development pattern for the region, which, when integrated with the transportation network and other transportation measures and policies, would reduce greenhouse gas (GHG) emissions from transportation (excluding goods movement) beyond the per capita reduction targets identified by CARB. According to *Plan Bay Area*, the Plan meets a 16 percent per capita reduction of GHG emissions by 2035 and a 10 percent per capita reduction by 2020 from 2005 conditions.

In 2008, MTC and ABAG initiated a regional effort (FOCUS) to link local planned development with regional land use and transportation planning objectives. Through this initiative, local governments identified Priority Development Areas (PDAs) and Priority Conservation Areas (PCAs). PDAs and PCAs form the implementing framework for *Plan Bay Area*.

- **PDAs** are transit-oriented, infill development opportunity areas within existing communities that are expected to host the majority of future development.
- **PCAs** are regionally significant open spaces for which there exists broad consensus for long-term protection but nearer-term development pressure.

Overall, well over two-thirds of all regional growth by 2040 is allocated within PDAs. PDAs are expected to accommodate 80 percent (or over 525,570 units) of new housing and 66 percent (or 744,230) of new jobs.²

¹ It should be noted that the Bay Area Citizens filed a lawsuit on MTC's and ABAG's adoption of *Plan Bay Area*.

² Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG), 2013. *Plan Bay Area, Strategy for a Sustainable Region*.

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Although there are two PDAs within Daly City, including the Bayshore Neighborhood and the Mission BART Corridor, neither of them encompass the Project site.

Local Plans and Ordinances

City of Daly City General Plan

The City of Daly City 2030 General Plan (2030 General Plan) was adopted on March 25, 2013 and contains a Land Use Element which provides the framework for future decisions, providing policy direction for the future development of vacant lands and underutilized parcels in the City.³ The Land Use Element establishes 13 distinct planning areas throughout Daly City, and two unincorporated areas. The Project site is located within the Serramonte Planning Area, which is discussed in detail in Section 4.9.1.2, Existing Conditions, of this Chapter. Table 4.9-1 contains land use policies relevant to the Project.

TABLE 4.9-1 CITY OF DALY CITY GENERAL PLAN POLICIES RELEVANT TO LAND USE

Policy Number	Policy
Policy LU-1	Maintain and, where possible, encourage larger commercial development sites throughout the City.
Policy LU-2	Continue to allow neighborhood-serving businesses in neighborhoods where such businesses presently exist and where such continued operation does not impact the quality of life within the neighborhood.
Policy LU-7	Recognize the physical differences between different parts of the City and regulate land uses within these areas accordingly (same as Policy RME-20).
Policy LU-9	Ensure that traffic from commercial development does not significantly increase traffic on residential streets.
Policy LU-16	Regulate of the size, quantity, and location of signs to maintain and enhance the visual appearance of Daly City.
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.

Source: City of Daly City, Daly City 2030 General Plan, Land Use Element, March 25, 2013.

Zoning Ordinance

Contained in Title 17 of the Daly City Municipal Code, the City's Zoning Ordinance implements the land use policies established in the 2030 General Plan. The Zoning Ordinance identifies specific zoning districts within the city and describes the development standards, which apply to each district.

Upon approval, the Project site would be zoned Planned Development (PD). The PD zoning district is designed to accommodate various types of development such as neighborhood and district shopping centers, professional and

³ City of Daly City, Daly City 2030 General Plan, page 1.

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administrative areas, single-family and multiple family residential development, commercial service centers and industrial parks or any other use or combination of uses which can appropriately be made a part of planned development.

The Project site is currently zoned as a Heavy Commercial (C-2) district, which allows for permitted uses, such as art studios, bakery, retail stores, department stores, drugstores, and other commercial businesses typically serving neighborhoods.

City of Daly City Municipal Code

Chapter 12.40, Urban Forestry, establishes regulations and guidelines for the planting, removal, maintenance, and preservation of trees within Daly City. Chapter 12.40 also requires a permit application for the maintenance or removal of trees that are considered to be within a public area, right-of-way, or considered a street tree.

Chapter 17.45, Design Review, of the Daly City Municipal Code establishes a design review committee for the purpose of investigating the design, layout and other features of development to ensure consistency with the character of the adjacent properties or areas. Required materials for design review include: a site plan; building design, including elevations, color renderings, perspective drawings, lighting, signs, art work, and design features related to utilities and infrastructure; landscape plans and other data deemed necessary by the design review committee or planning commission to make the required findings.

4.9.1.2 EXISTING CONDITIONS

Surrounding Land Uses and Context

The Project site is generally bounded by Interstate 280 (I-280) and Highway 1 on the western, northern, and eastern boundaries. Serramonte Boulevard serves as the main access point to the Project site and also serves as the southern boundary of the Project site. As mentioned in Chapter 3, Project Description, of this Draft EIR, adjacent land uses include office to the north, retail and multi-family housing to the south (across Serramonte Boulevard), retail to the east (across I-280), multi-family residential to the west (across Callan Boulevard and Highway 1), and multi-family residential to the west (across Highway 1).

As mentioned above, the Project Site is located within the Serramonte Planning Area under the 2030 General Plan. The Serramonte Planning Area includes a single-family home subdivision, constructed in the late 1960s and early 1970s, adjacent to the Shopping Center at its western boundary (across Highway 1). Located to the south are low- and medium-density singly family units, and immediately to the west (across Callan Boulevard) are very high density multi-family units. Commercial uses in the area include a strip mall south of Serramonte Boulevard and east of Gellert Boulevard, which includes commercial offices, retail stores, and restaurants. South of the Project site is Gellert Park, which is also the largest park in the City.⁴

⁴ City of Daly City, *Daly City 2030 General Plan*, page 9.

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In general, the Project Area serves as a commercial center to serve the needs of residents and visitors of Daly City. The area is highly urbanized with several small strip malls, gas stations, restaurants, and the neighborhood serving shopping centers. The 2030 General Plan identifies intensification of existing regional and neighborhood serving commercial centers as an opportunity for the Serramonte Planning Area. Constraints were identified as lack of buildable, vacant land; small number of infill single-family residential parcels; and a portion of the neighborhood is in the Alquist-Priolo Special Study zone.

Existing Uses on the Project Site

As described in Chapter 3, Project Description, of this Draft EIR, the Project site sits on an approximately 80-acre site that includes a main shopping center, restaurants, parking, and other commercial services typical of a regional shopping center. The Serramonte Shopping Center is the largest regional shopping center in the City.⁵ Currently, there are four anchor stores, including a Macy's, JC Penney, Target, and Dick's Sporting Goods (summer 2014). Overall, the main shopping mall is occupied by approximately 90 retail stores and a food court.

4.9.2 STANDARDS OF SIGNIFICANCE

An Initial Study was prepared for the Project (see Appendix A of this Draft EIR). Based on the analysis contained in the Initial Study it was determined that development of the Project would not result in significant environmental impacts per the following significance criteria and therefore, are not discussed in this chapter.

- Conflict with any applicable habitat conservation plan or natural community conservation plan.

Based on the Initial Study it was determined that the Project could result in a significant land use and planning impact if it would:

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

4.9.3 IMPACT DISCUSSION

This section analyzes potential project-specific and cumulative impacts to land use and planning.

LU-1 **The Project would not physically divide an established community.**

The Project would have a significant effect if it would physically divide an established community. As described above, the Project site is generally bounded by I-280 and Highway 1, which serve as buffers between the adjacent neighborhoods and

⁵ City of Daly City, Daly City 2030 General Plan, page 9.

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the Shopping Center. Given the unique location in that the Shopping Center is essentially enclosed by two major freeways, the Project would not physically divide an established community.

Further, the Project would include renovations and expansion to a previously developed site currently operating as a regional shopping center and the renovations and expansion would remain within the existing approximately 80-acre site. Additionally, there are no residential communities immediately adjacent to the Project site given the site is enclosed by I-280 and Highway 1, with the exception of the multi-family units directly across Callan Boulevard; however, those units would not be divided as a result of the Project. Therefore, the impact would be *less than significant*.

Applicable Regulations:

- Daly City 2030 General Plan

Significance Before Mitigation: Less than significant.

LU-2 The Project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

The Project would have a significant impact if it conflicted with applicable land use plans, policies, or regulations. However, there are no plans other than the 2030 General Plan that are applicable to the Project. Although the Project would include developing several new structures such as medical buildings located at the southwest corner of the site, and a hotel at the northern border, the additions would be consistent with General Plan Policy LU-1. Table 4.9-2 is a policy consistency analysis that describes how the Project would be consistent with relevant land use policies contained in the 2030 General Plan.

As indicated throughout the policy consistency table, the Project would not conflict with the land use policies of the Daly City 2030 General Plan.

Additionally, the Project would include the removal and replacement of existing trees; however, compliance with Chapter 12.40, Urban Forestry, of the Daly City Municipal Code would ensure the removal and replacement is done so according to local regulations. Further, the Project would comply with design review guidelines to ensure consistency in design and character with surrounding land uses. Therefore, land use and planning impacts would be *less than significant*.

Applicable Regulations:

- Daly City 2030 General Plan
- Daly City Municipal Code Chapter 12.40, Urban Forestry
- Daly City Municipal Code Chapter 17.45, Design Review

Significance Before Mitigation: Less than significant.

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TABLE 4.9-2 CITY OF DALY CITY GENERAL PLAN POLICY CONSISTENCY

Policy / Goal Number	Policy / Goal	Determination of Plan Consistency
Policy LU-1	Maintain and, where possible, encourage larger commercial development sites throughout the City.	Consistent. The Project would include renovation and expansion of an existing shopping center.
Policy LU-2	Continue to allow neighborhood-serving businesses in neighborhoods where such businesses presently exist and where such continued operation does not impact the quality of life within the neighborhood.	Consistent. The Project would further expand and renovate a shopping center to offer more neighborhood, and regional, serving retail stores and services.
Policy LU-7	Recognize the physical differences between different parts of the City and regulate land uses within these areas accordingly (same as Policy RME-20).	Consistent. The Project would comply with local regulations, such as design review, to ensure consistency between design and surrounding land uses.
Policy LU-9	Ensure that traffic from commercial development does not significantly increase traffic on residential streets.	Consistent. The Project would include improvements to Loop Road to allow for better vehicle circulation within the Shopping Center. Because there are very few residential neighborhoods immediately adjacent to the Project site, it is unlikely that traffic would be significantly impact considering the primary uses of the Project site would remain similar to existing conditions.
Policy LU-16	Regulate of the size, quantity, and location of signs to maintain and enhance the visual appearance of Daly City.	Consistent. The Project would include updating signage and the addition of new signs; however, the Project would comply with all local ordinances and regulations governing sign regulations and design guidelines.
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.	Consistent. The Project is expected to comply with and pay all applicable fees, or provide necessary improvements, at the time of development that may be required to mitigate for potential impacts. Any potential impacts identified in this Draft EIR, along with associated mitigation measures, are also expected to be carried out as necessary by the Applicant and/or City.
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.	Consistent. The Project site is previously developed shopping center, and the Project would primarily renovate and expand the existing shopping center, with the exception of some new construction. Although new construction would occur, the buildings would be developed within the overall boundaries of the Project site, which has already been urbanized. Therefore, the Project is unlikely to significantly disrupt the natural or urban environmental. Further, any potentially significant impacts identified under this Draft EIR would contain associated mitigated measures.

Source: City of Daly City, 2013. *Daly City 2030 General Plan, Land Use Element*, March 25.

4.9.4 CUMULATIVE IMPACTS

LU-3	The Project, in combination with past, present and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to land use and planning.
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The Project would have a significant impact if, in combination with past, present, and reasonably foreseeable projects, would result in significant cumulative impacts with respect to land use and planning. The Project would include renovations and expansion of the existing Serramonte Shopping Center commencing over ten years. At buildout, there would be additional retail space, restaurant space, a parking garage, a hotel, a cinema, and a medical building.

As listed in Table 4-1 in Chapter 4, Environmental Analysis, of this Draft EIR, there are four major developments in the process of being constructed that consist of a mixed-use development, office and retail, renovations to a regional shopping center, and condominiums. Although there are other projects in Daly City, they are generally located north of the Project site from approximately 2 miles to 3.8 miles away. Assuming the other projects comply with General Plan policies and other applicable local land use regulations, it is unlikely the Project would contribute to a significant cumulative impact. Therefore, cumulative land use and planning impacts would be *less than significant*.

Applicable Regulations:

- Daly City 2030 General Plan

Significance Before Mitigation: Less than significant.

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