Initial Study

996 Loraine Avenue Mixed Use Project



prepared by

CITY OF LOS ALTOS • CALIFORNIA
INCORPORATED DECEMBER 1·1952

In Consultation with

DAVID J. POWERS & ASSOCIATES, INC.
ENVIRONMENTAL CONSULTANTS & PLANNERS

June 2025

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Section 1.0 Introduction and Purpose

1.1 Purpose of the Initial Study

The City of Los Altos, as the Lead Agency, has prepared this Initial Study for the 996 Loraine Avenue Mixed-Use project in compliance with the California Environmental Quality Act (CEQA), CEQA Guidelines (California Code of Regulations §15000 et. seq.) and regulations and policies of the City of Los Altos, California.

The project proposes to demolish the existing commercial building, surface parking lot, and landscaping on-site and construct a three-story mixed-use building, with 962 square feet of ground floor retail and 12 residential units. This Initial Study evaluates the environmental impacts that might reasonably be anticipated to result from implementation of the proposed project.

1.2 Tiering of Environmental Review

The CEQA Guidelines Section 15152 contains the following information on tiering an environmental document:

(a) "Tiering" refers to using the analysis of general matters contained in a broader EIR (such as one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project.

(b) Agencies are encouraged to tier the environmental analysis which they prepare for separate but related projects including general plans, zoning changes, and development projects. This approach can eliminate repetitive discussions of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy or program to an EIR or negative declaration for another plan, policy or program of lesser scope, or to a site-specific EIR or negative declaration. Tiering does not excuse the lead agency from adequately analyzing reasonably foreseeable significant environmental effects of the project and does not justify deferring such analysis to a later tier EIR or negative declaration. However, the level of detail contained in a first tier EIR need not be greater than that of the program, plan, policy, or ordinance being analyzed.

In January 2023, the Los Altos City Council adopted the 6th Cycle Housing Element 2023-2031 (Housing Element) which identifies opportunity sites for future housing development. A programmatic Initial Study/Mitigated Negative Declaration (MND) was adopted, which analyzed the

environmental effects resulting from buildout of the Housing Element. The Housing Element Initial Study/MND can be viewed at: https://files.ceqanet.opr.ca.gov/283489-1/attachment/kz2JVBXfkawOWHFtDKrrdfCn7L1lSszsdyqEWq71goVlGq7DjGjxR5RzxR0u2unq4TRIZ0DXpUhwnNzr0. The proposed project is consistent with the development assumptions identified for the site in the Housing Element Initial Study/MND.[1] Therefore, the project's impacts, including cumulative impacts, are consistent with the less than significant conclusions identified and disclosed in the Housing Element Initial Study/MND. The Housing Element IS/MND is incorporated herein by reference.

1.3 Public Review Period

The 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:

Sean Gallegos, Senior Planner
City of Los Altos, Community Development Department
One North San Antonio Road
Los Altos, CA 94022
sgallegos@losaltosca.gov

1.4 Consideration of the Initial Study and Project

Following the conclusion of the public review period, the City will consider the adoption of the Initial Study/ 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.

1.5 Notice of Determination

If the project is approved, the 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)).

[1] City of Los Altos. 6th Cycle Housing Element 2023-2031. August 2023. Page B-6.; City of Los Altos. City of Los Altos 2023-2031 Housing Element (SCH# 2022110605). November 2022. Page B-6.

Section 2.0 Project Information

2.1 Project Title

996 Loraine Avenue Mixed-Use Project

2.2 Lead Agency Contact

Sean Gallegos, Senior Planner
City of Los Altos, Community Development Department
One North San Antonio Road
Los Altos, CA 94022
Email: Sgallegos@losaltosca.gov
Phone Number: (650) 947-2641

2.3 Project Applicant

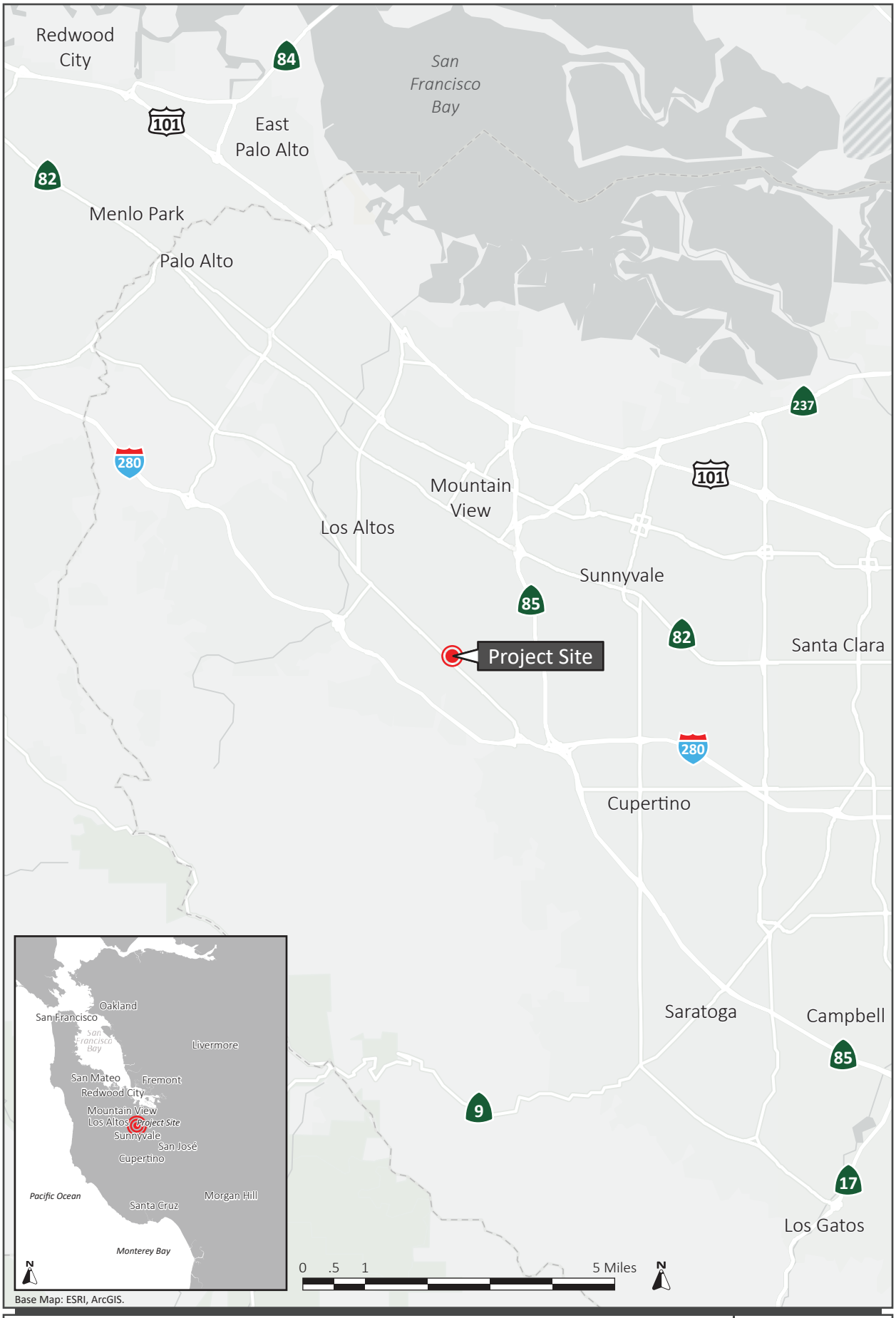
Albert Wang and Kevin Denardi
Denardi Wang Homes
4962 El Camino Real, Suite 223
Los Altos, CA 94022
Phone Number: (650) 937-9373

2.4 Project Location

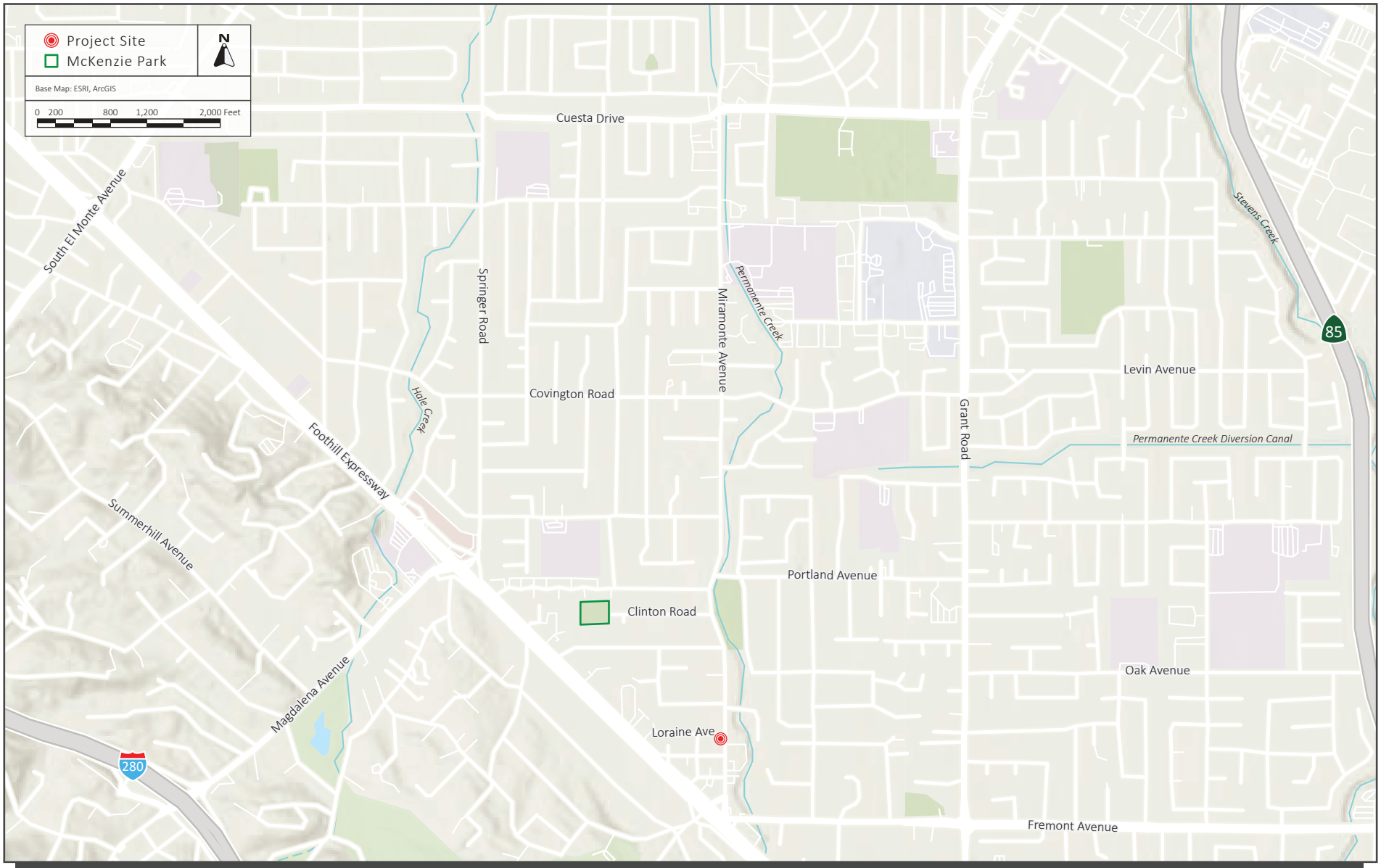
The approximately 0.2-acre project site is located at 996 Loraine Avenue, southwest of the Loraine Avenue and Miramonte Avenue intersection, in the City of Los Altos. The project site is currently developed with an approximately 2,240 square-foot, single-story commercial building, landscaping, and 11 surface parking spaces. The landscaping on-site includes a variety of shrubs. There are a total of seven trees on and adjacent to the project site.

Surrounding land uses include residences to the north, west, and east, office and commercial uses (including a U.S. Post Office) to the south and southeast. Permanente Creek is located approximately 285 feet east of the project site.

Regional and vicinity maps of the site are shown on Figure 2.5-1 and Figure 2.5-2, respectively. An aerial photograph of the project site and surrounding land uses is shown on Figure 2.5-3.



REGIONAL LOCATION MAP | FIGURE 2.5-1



VICINITY MAP

FIGURE 2.5-2



AERIAL PHOTO OF THE PROJECT SITE AND SURROUNDING LAND USES

FIGURE 2.5-3

2.5 Assessor's Parcel Number

189-15-086

2.6 General Plan Designation and Zoning District

The General Plan designation for the project site is Neighborhood Commercial. The Neighborhood Commercial land use designation typically allows for retail uses serving the needs of nearby neighborhoods. Specified areas of the city with the Neighborhood Commercial land use designation may also include general business, medical, or professional office uses. Residential land uses are allowed within the Neighborhood Commercial designation on sites within specified areas as allowed by the Zoning Ordinance.

The project site is zoned Commercial Neighborhood (CN). Specific purposes of the CN District include to retain and enhance the neighborhood convenience character, to preserve and improve the existing character by encouraging pedestrian-scale development and amenities, circulation, and landscaping; retain an emphasis on retail uses, including service and limited office uses; allow for mixed uses of commercial and residential; and buffer the impacts of commercial development on neighboring residential properties. The CN area allows building heights of up to 30 feet.

2.7 Project-Related Approvals, Agreements, and Permits

Discretionary approvals required from the City for the project include the following:

- Multiple-Family Design Review
- Tentative Map

Section 3.0 Project Description

3.1 Project Overview

The project proposes to demolish the existing one-story, approximately 2,240-square-foot commercial building, surface parking lot, and landscaping, and construct a new three-story, mixed-use building totaling approximately 17,674 square feet. The proposed mixed-use building would include approximately 962 square feet of ground floor retail, a total of 12 residential units on the second and third floors and a rooftop terrace on the fourth floor. The primary project components are described below.

The project would utilize the State Density Bonus Law and the City's Affordable Housing Ordinance to exceed the allowed maximum building height and requests waivers to the front and side setbacks, third story step-back, building recess guidelines, window and balcony orientation at the side yard, specifications for windows at the side yards, and parking and loading requirements.

3.2 Proposed Building

The ground floor of the building would include approximately 962 square feet of retail space, 924 square feet residential support facilities, and a partially enclosed parking garage. Twelve residential units would be located on the second and third floors (including two low income BMR units) and an approximately 1,824 square foot landscaped rooftop terrace and two mechanical equipment areas screened by the roof forms would be located on the fourth floor. The building would have a maximum height of 51 feet, two-inches to the top of the elevator tower.

The proposed site plan is shown on Figure 3.5-1 and elevations of the proposed building are shown on Figure 3.5-2 below.

3.3 Landscaping and Rooftop Terrace

There are three existing trees on the project site and four trees on adjacent properties. The project would remove all three trees within the project site and would not require the removal of the trees adjacent to the site. None of the trees on or adjacent to the project site meet the definition of "protected trees" per Chapter 11.08.050 of the City's Municipal Code.[2] Fourteen new trees would

[2] A protected tree is any of the following: a.) Any tree that is thirty-eight (38) inches in circumference (twelve (12) inches in diameter) measured at forty-eight (48) inches (four feet) above grade; b.) Any tree of a native species that is ten (10) inches in diameter or greater measured at forty-eight (48) inches above grade, c.) Any tree designated by the historical commission as a heritage tree or any tree under official consideration by the historical commission for heritage tree designation, d.) Any tree which was required by the city to be either saved or planted in conjunction with a development review application. Source: City of Los Altos. *Municipal Code Section 11.08.050.* July 2, 2024.

be planted on-site, including nine on the ground level and five in planters on the rooftop terrace. The rooftop terrace would include seating areas and other amenities. The rooftop terrace would be accessible to project residents only.

Additional ornamental shrubs and plants would be planted around the perimeter of the project site and in planters adjacent to the proposed building on Loraine and Miramonte Avenues as shown in Figure 3.5-3 A six-foot-tall solid wood fence would be installed along the northern and western project boundaries.

3.4 Site Access and Parking

Vehicle access to the project site is currently provided via one, inbound driveway on Miramonte Avenue and one, outbound driveway on Loraine Avenue. The project would remove both existing driveways and construct a new full-access driveway on Loraine Avenue in approximately the middle of the frontage. The new driveway would have a width of 20 feet and would provide access to the ground-level, podium parking garage. This garage would contain a total of 16 vehicle parking spaces, including one stall for each dwelling unit and four stalls for the ground floor retail space. Eight of the proposed vehicle parking spaces would be Electric Vehicle (EV) ready and four additional parking spaces would include EV charging stations.

The parking also includes a total of five, long-term bicycle parking spaces in a secure storage room on the ground floor of the building (refer to Figure 3.5-3). Two, short-term bicycle parking spaces would be provided on the sidewalk at the intersection of Loraine Avenue and Miramonte Avenue.

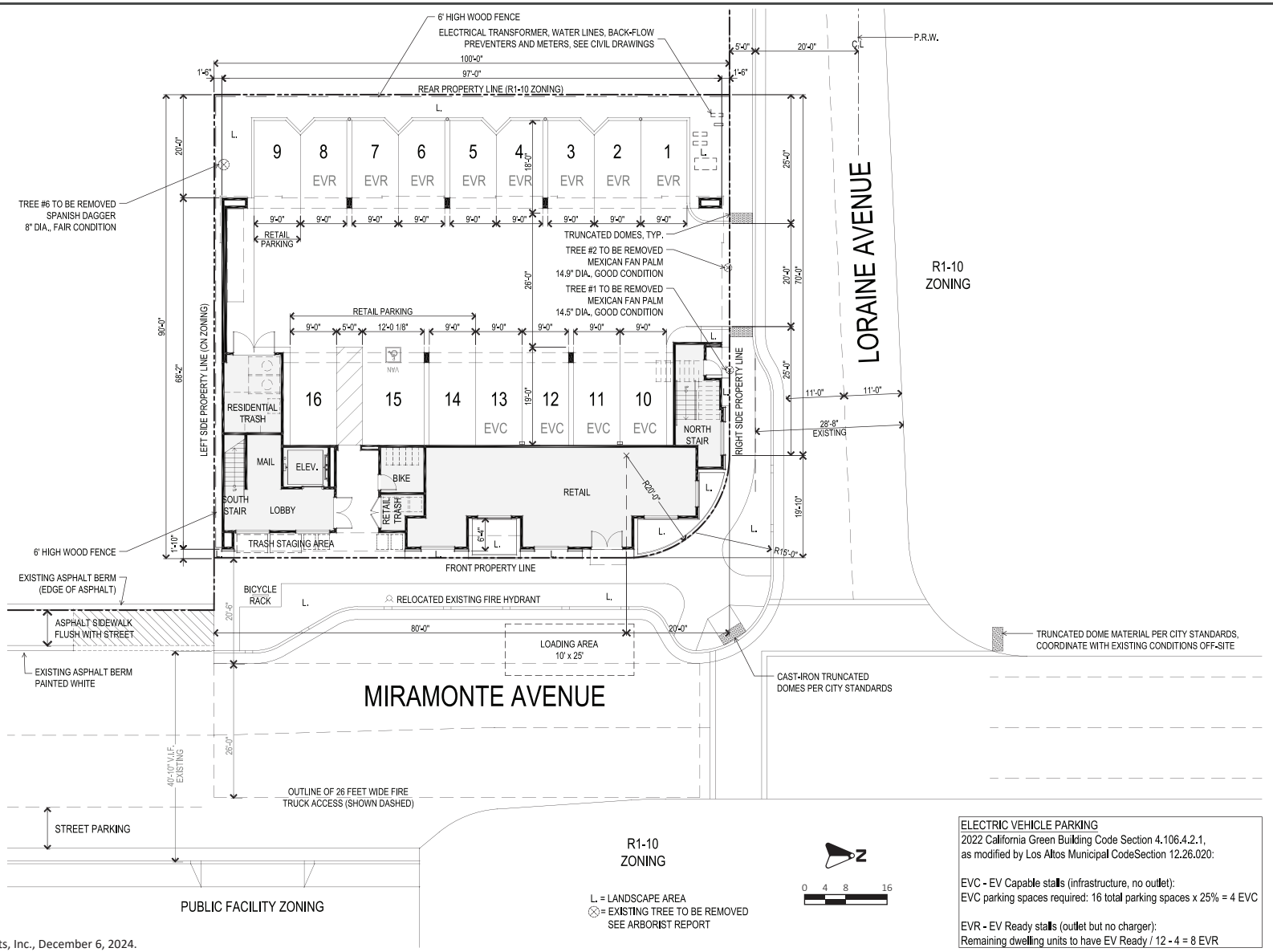
Pedestrian access to the project site would continue to be provided via sidewalks on Loraine and Miramonte Avenues.

3.5 Utility Improvements

3.5.1 Stormwater Controls and Storm Drainage

Construction of the project would result in a decrease in impervious surfaces compared to existing conditions.[3] With implementation of the project, the impervious surface area would total 6,591 square feet (or 74 percent of the site). Stormwater runoff from the site would be directed to and treated via new on-site stormwater planting areas along the western property line, adjacent to the proposed parking lot, on the perimeter of the building at the intersection of Loraine and Miramonte Avenues and along the eastern façade of the building (refer to Figure 3.5-3).

[3] The project site is currently 90 percent covered by impervious surfaces.



Source: SDG Architects, Inc., December 6, 2024.

CONCEPTUAL SITE PLAN

FIGURE 3.5-1



MIRAMONTE AVENUE STREET ELEVATION



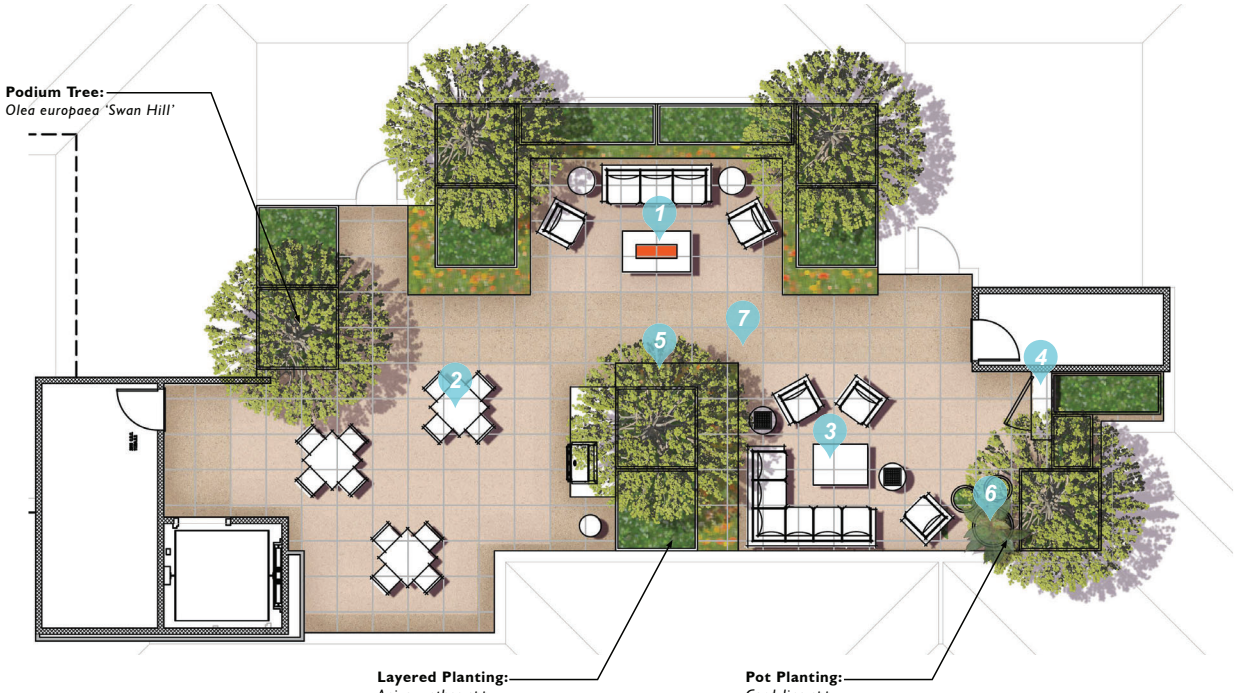
LORAINE AVENUE STREET ELEVATION

Source: SDG Architects, Inc., December 6, 2024.

CONCEPTUAL BUILDING ELEVATION

FIGURE 3.5-2

ROOF TERRACE



1. Fire Lounge w/ Electric Fire Pit
2. Outdoor Kitchen and Dining Zone
3. Game Zone
4. Community Library
5. Layered Planting
6. Decorative Pots
7. Pedestal Pavers



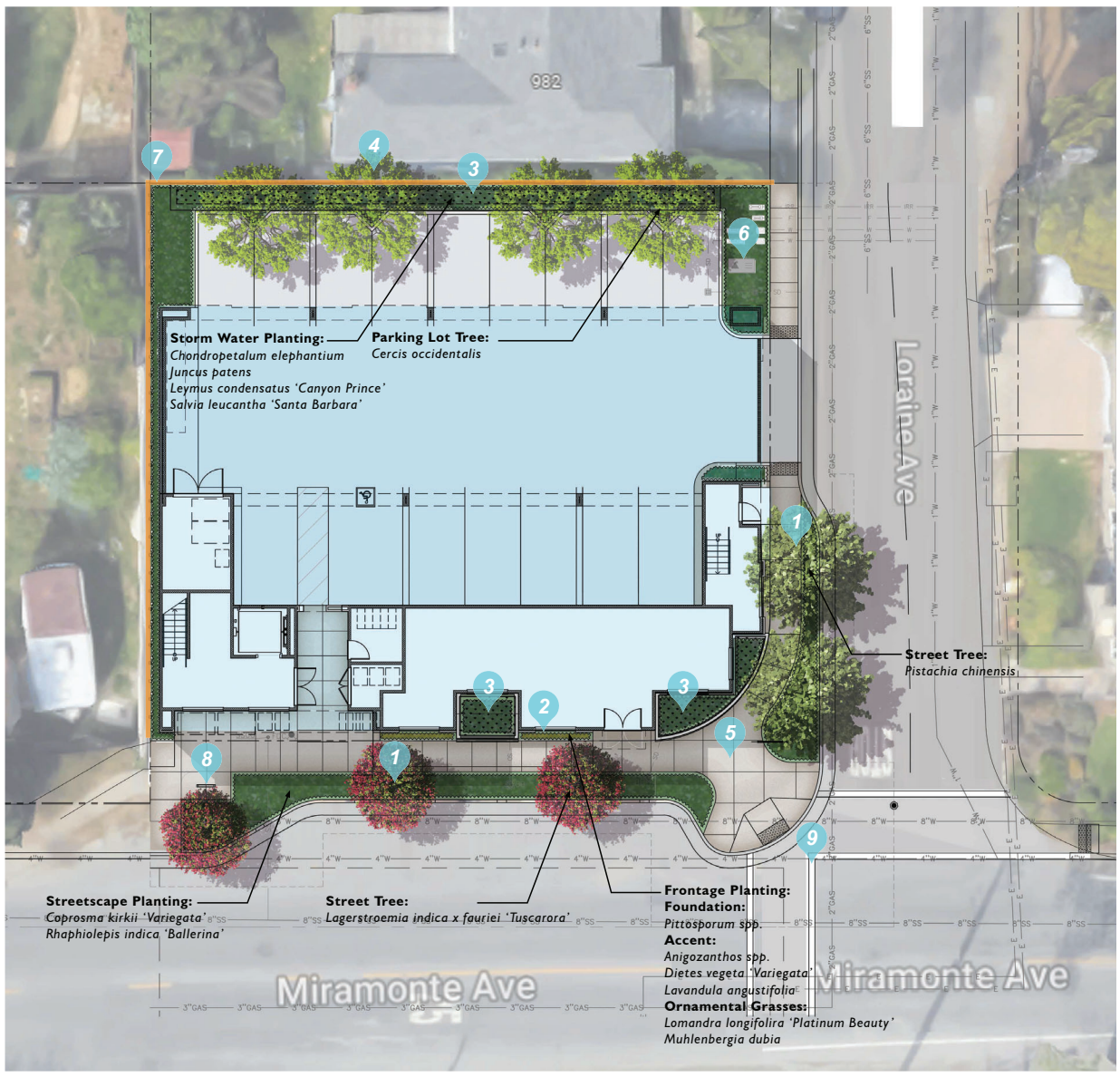








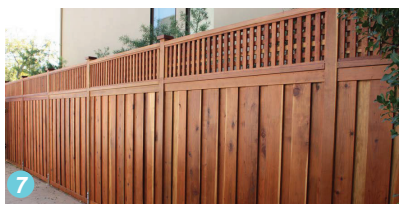
GROUND LEVEL



1. Street Tree per City Standards
2. Planting Along Frontage
3. Storm Water Planting
4. Trees in Silva Cell System
5. Sidewalk per City Standards
6. Utility Area, S.C.D.
7. 6' Good Neighbor Fence
8. Bike Rack to comply with Loyola Corners Specific Plan
9. New Striping, S.C.D.









SURFACE AREA CALCULATIONS

Ground Level:

Onsite Planting: 1105 SF
Onsite Hardscape: 5409 SF

Offsite Planting: 994 SF
Offsite Hardscape: 1231 SF

NOTE:
1. All proposed landscape plans shall be conditioned to comply with the City's Water Efficient Landscape Ordinance
2. Special encroachment permit is required for bike rack installation within the public right-of-way

0 4 8 16 Feet

Source: Gates + Associates, December 20, 2024.

CONCEPTUAL LANDSCAPING PLAN

FIGURE 3.5-3

3.5.2 Water and Sanitary Sewer Utilities

The project would connect to the existing, eight-inch, water line in Loraine Avenue via four new lateral connections for irrigation, fire, residential, and commercial water. The project would connect to the existing, six-inch sanitary sewer line in Miramonte Avenue via one new sanitary sewer lateral on-site.

3.6 Off-Site Improvements

The project would replace the existing sidewalk curb and gutters on Loraine and Miramonte Avenues along the project site frontage with new five-foot-wide sidewalks, rain gardens, curbs, and gutters. The existing crosswalks on Loraine and Miramonte Avenues would be restriped and the existing fire hydrant on Miramonte Avenue would be relocated approximately 10 feet east on Miramonte Avenue to avoid conflict with a building entrance.

3.7 Green Building Features

The project would be built in accordance with the California Green Building Standards Code (CALGreen) requirements, which minimize wasteful energy consumption. The project would incorporate green building features including, but not limited to, the following:

- Rooftop solar panels
- Electric Vehicle (EV) charging stations and EV ready parking spaces (consistent with CalGreen Tier 2 Standards)
- Efficient construction equipment meeting United States Environmental Protection Agency (EPA) Tier 4 standards

3.8 Construction Activities

Construction of the project would be completed in one phase over a period of 15 months. During this time, construction activities would occur between 7:00 AM and 7:00 PM Monday through Friday and from 9:00 AM to 6:00 PM on Saturdays. No construction would occur anytime on Sundays or City observed holidays. All equipment used during construction would meet EPA Tier 4 standards. The maximum depth of excavation required to construct the proposed project would be 2.5 feet below ground surface (bgs). Approximately 200 cubic yards of soil would be hauled off site with implementation of the project and disposed of at Newby Island Landfill in the City of San José. No soil would be imported to the site. No pile driving is proposed.

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. The existing commercial building has historically been occupied for about 50 years. The last tenant vacated the building in 2019 when the site was purchased by the current owner and slated for redevelopment. Because the building has historically been occupied and could be re-occupied at any time without the need for substantial renovation, the analysis in this Initial Study assumes its occupancy where appropriate.
- **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 BIO-1.3 refers to the third mitigation measure for the first impact in the Biological Resources section.

4.1 Aesthetics

4.1.1 Environmental Setting

4.1.1.1 *Regulatory Framework*

State

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.

Local

Los Altos General Plan

The City of Los Altos General Plan (General Plan) was adopted in November of 2002 and serves as the primary source of long-range planning and policy direction. It is used to guide growth and preserve the quality of life within the city. Implementation of the General Plan ensures future development is consistent with the community's goals and that adequate urban services are available to meet the needs of new development. The General Plan is divided into eight different elements, each of which provides issues, goals, and policies related to the element topic. The eight elements include Community Design and Historic Resources, Land Use, Housing, Economic Development, Open Space, Conservation and Community Facilities, Circulation, Natural Environment and Hazards, and Infrastructure and Waste Disposal.

The following policies in the General Plan have been adopted for the purposes of reducing or avoiding impacts related to aesthetic resources and are applicable to the project.

Policy	Description
CDHR 1.1	Preserve trees, especially heritage and landmark trees, and trees that protect privacy in residential neighborhoods.
CDHR 1.6	Continue to provide for site planning and architectural design review within the city, with a focus on mass, scale, character, and materials.
CDHR 1.7	Enhance neighborhood character by promoting architectural design of new homes, additions to existing homes, and residential developments that are compatible in the context of surrounding neighborhoods.
CDHR 2.2	Allow neighborhood-by-neighborhood determination of street lighting needs.

Los Altos Municipal Code

The City of Los Altos Municipal Code contains provisions and laws adopted by the City Council to maintain a healthy and safe community and to preserve the quality of life in Los Altos.

The City of Los Altos has adopted a Tree Protection Ordinance in Chapter 11.08 of the Municipal Code. The Tree Protection Ordinance prescribes measures for removal and replacement of trees in the city, in addition to protective actions to be taken to avoid damage to existing trees. The Tree Protection Ordinance defines a "protected tree" as:

- Any tree that is 48 inches in circumference measured at 48 inches (our feet) above grade;
- Any tree designated by the historical commission as a heritage tree or any tree under official consideration by the historical commission for heritage tree designation;[4]
- Any tree which was required by the City to be either saved or planted in conjunction with a development review application.
- Any tree located within a public right-of-way.

All protected trees require a Tree Removal Permit before they can be removed based on the criteria described in Municipal Code Subsection 11.08.090.A., including tree condition, health, size, age, and preservation suitability. Based on the aforementioned criteria, the City would make a determination on the number of required replacement trees.

Title 14 (Zoning) of the Los Altos Municipal Code provides development standards and regulations that are meant to enhance the visual quality of new development through building height limits, building density, building design and landscaping standards, setback requirements, sign regulations, open space requirements, and lighting requirements. These standards and regulations are provided for each individual zoning district. Title 14 also outlines the design review process for new projects within the City, in addition to the required design review findings that projects must meet.

State Density Bonus Law

The State Density Bonus law was enacted in 1979 to encourage developers to construct affordable housing units in exchange for increased density in a residential or mixed-use housing project, as long as the project includes a certain percentage of affordable units at specified levels of affordability. The levels of affordability include very-low income, low-income, or moderate-income households and vary depending upon the area median income. In order to increase the density of a project, it is frequently necessary to increase the size and mass of buildings. As a result, the State Density Bonus Law allows developers to apply for concessions/incentives and/or

[4] Trees may be designated as "heritage trees" upon application by the owner of the property on which the tree is located, a study of the proposed tree by the historical commission, and a determination of designation based on the criteria outlined in Section 12.44.030 of the Municipal Code

waivers/modifications to local development standards such as zoning standards to accommodate the increased units.

Affordable Housing Ordinance

The Los Altos Affordable Housing Ordinance is contained in Chapter 14.28 of the Los Altos Municipal Code and includes requirements and standards for the production of affordable housing units. Specifically, the City's Affordable Housing Ordinance requires a percentage of the units constructed in multi-family residential development projects to be reserved as below market rate and establishes standards for the timing and construction of these units.

4.1.1.2 *Existing Conditions*

Project Site

The approximately 0.2-acre project site is generally rectangular shaped and includes a 2,240-square foot, one-story commercial building on the southern portion of the site. The commercial building has a gabled roof and is clad in wood panel and concrete siding with a wood pergola that extends from the western façade to create a covered dining area. The existing landscaping comprises of three trees with a variety of ornamental plants and shrubs along the perimeter of the site and building.

Views of the project site and surrounding area are shown in Photos 1 – 4.

Surrounding Area

The surrounding area in the immediate vicinity of the project site consists primarily of one-story, single-family residences to the north, west, and east, and one-story office and commercial uses to the south, and southeast. A two-story, multi-family residential building is currently being constructed at 1550 Miramonte Avenue, approximately 240 feet south of the project site.

Scenic Vistas and Resources

There are no designated scenic vistas in Los Altos.[5] The project site is located in a developed area of the city approximately 560 feet northeast of Foothill Expressway. It is located on relatively flat land, which limits expansive views from the project site. Obstructed views of the Santa Cruz Mountains can be seen in the project vicinity, looking southwest on Miramonte Avenue.

[5] City of Los Altos. *Initial Study/Mitigated Negative Declaration for the Los Altos General Plan Update.* November 2002. Page 12.

Scenic Corridors and Highways

There are no state-designated scenic highways in Los Altos. Interstate 280 from the San Mateo County line to State Route (SR) 17, which includes segments in Los Altos, is an eligible, but not officially designated, State Scenic Highway.[6]

Skyline Boulevard (SR 35) is the nearest officially designated State Scenic Highway to the project site and is located approximately 5.4 miles west of the project site. The project site is not visible from Skyline Boulevard.

[6] California Department of Transportation. "Scenic Highways." Accessed October 20, 2023. https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways.



Photo 1: View of Existing Commercial Building from Loraine Avenue



Photo 2: View of Existing Commercial Building from Miramonte Avenue

Source: Chronicle Heritage, February 2, 2024.

PHOTOS 1 & 2



Photo 3: Existing Residence Adjacent to Northeast



Photo 4: Existing Commercial Building Across Miramonte Avenue from Project Site

Source: SDG Architects, Inc., January 5, 2024.

PHOTOS 3 & 4

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:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings?[7] If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

a) Would the project have a substantial adverse effect on a scenic vista?

As discussed in Section 4.1.1.2 Existing Conditions, the project site is located in a developed area of Los Altos surrounded by existing development and mature trees. The project site and surrounding area are flat and there are no scenic vistas visible from or around the site. For these reasons, the project would not have a substantial effect on a scenic vista. **(Less than Significant Impact)**

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

The project site is not located within a State Designated Scenic Highway. The nearest State Designated Scenic Highways to the project site is SR 35, approximately 5.4 miles west of the project site. The site is not visible from SR 35. Because the project site is not located within and is not visible from a State Designated Scenic Highway, implementation of the project would not damage scenic resources within a State Designated Scenic Highway. **(Less than Significant Impact)**

[7] Public views are those that are experienced from publicly accessible vantage points.

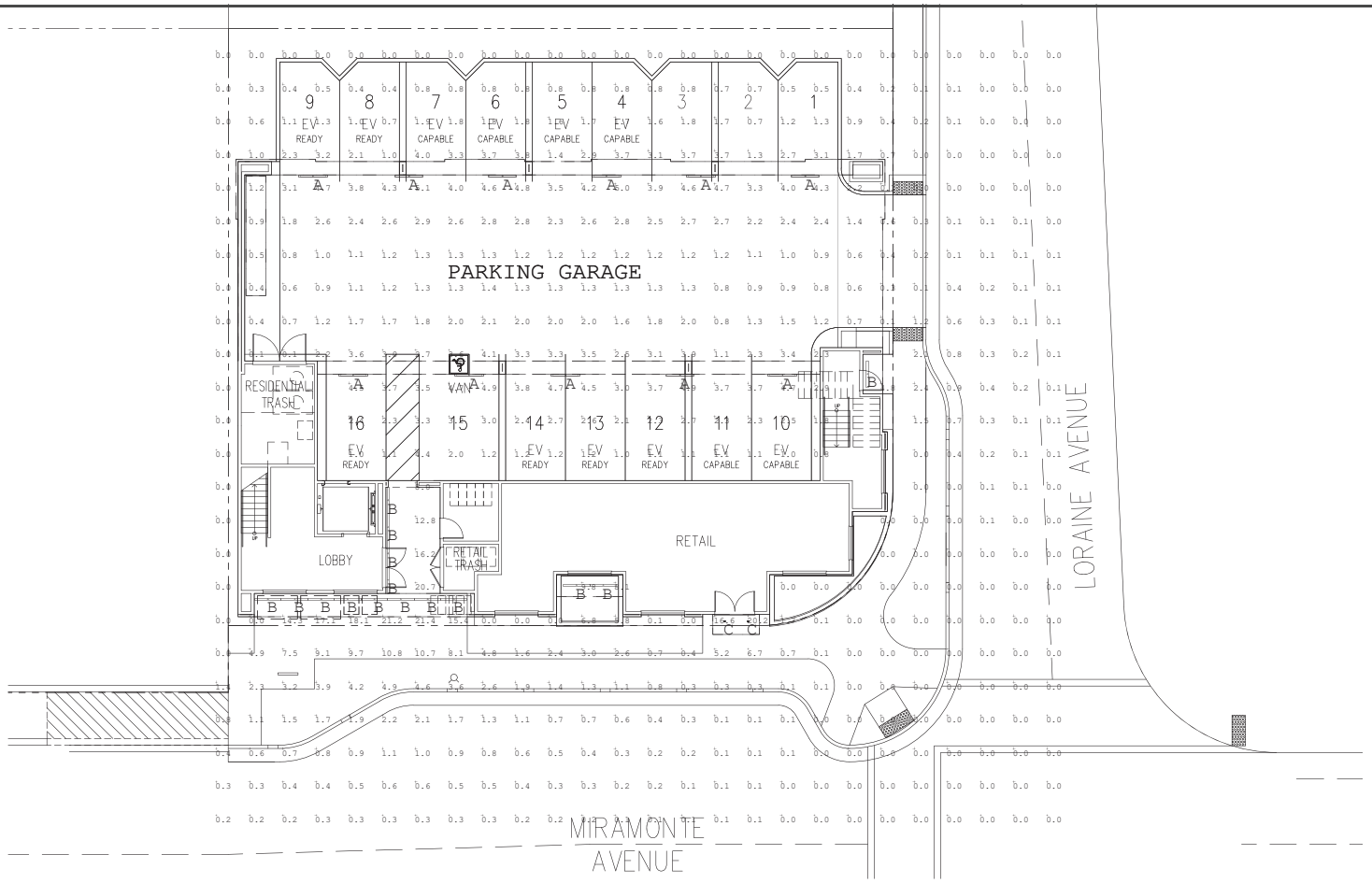
c) In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

The project site is located in an urbanized area of Los Altos with buildings in the project area ranging from one to two stories. The project would replace the existing one-story commercial building with a three-story, mixed-use building containing 962 square feet of ground floor retail space and 12 residential units. As discussed in Section 4.11 Land Use and Planning, the project site has a General Plan land use designation of Commercial Neighborhood and is zoned CN. The project would utilize the State Density Bonus Law and the City's Affordable Housing Ordinance to exceed the allowed maximum building height and requests waivers to the front and side setbacks, third story step-back, building recess guidelines, window and balcony orientation at the side yard, specifications for windows at the side yards, and parking and loading requirements.

Consistent with General Plan Policies CDHR 1.1 the existing trees adjacent to the project site along the northern project boundary would be protected during construction to retain privacy for the adjacent residential neighborhood and additional trees would be planted along the project perimeter and within the rooftop terrace. As shown in Figure 3.1-2, the building would feature a standing seam metal roof, and a combination of stone, cement plaster, and horizontal wood siding, and dark bronze anodized windows and storefront system, consistent with the materials and colors used in the surrounding buildings. Additionally, the building's gabled roof mimics the design of the surrounding neighborhood, consistent with General Plan Policy CDHR 1.7. With the exception of the requested concession for increased building height and waivers from the setbacks, step-back, building recess guidelines, window and balcony orientation, windows at the side yard, and parking and loading requirements, which are permitted per the State Density Bonus Law and the City's Affordable Housing Ordinance, the project would meet all required site standards related aesthetics. Consistent with General Plan Policies CDHR 1.6 and 2.2, the project would be reviewed through the City of Los Altos' design review process for Multiple-Family Residential developments which would ensure that the final design, site layout, and lighting plan for the project is consistent with all applicable design findings and CN District specific design controls. For these reasons, the project would not result in a significant impact due to conflict with applicable zoning and other regulations governing scenic quality. **(Less than Significant Impact)**

d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

The project site is located in an urban area with existing residential and commercial development and vehicular traffic. The project site is currently developed with a commercial building and surface parking. The existing use results in light and glare from building-mounted security lights, streetlights, and vehicle headlights as vehicles enter and exit the project site. The proposed mixed-use building would not include large areas of reflective façade materials (such as metal and glass) that would create glare when illuminated by the sun or vehicle headlights. The façade materials primarily consist of wood, stucco, and stone. The proposed mixed-use building would include security and parking garage lights, which would incrementally increase the amount of nighttime lighting on the project site. However, the conceptual photometric plan (refer to Figure 4.1-1) shows that all lighting installed on the project site would be designed to illuminate the project site and minimize light spillover onto adjacent properties, consistent with Section 14.40.060 Required Conditions in the Municipal Code. The design of the project, in conformance with the Municipal Code requirements, would not create a new source of nighttime light or daytime glare that would adversely affect views and impacts would be less than significant. **(Less than Significant Impact)**



Luminaire Schedule											
Symbol	Qty	Label	Arrangement	Mounting Ht.	Description	UDF	LLF	Lum. Lumens	Lum. Watts	Tot. Watts	Data Source Filename
	11	A	Single	10.5	FINELITE HP-4-WM-WL-D-4ft-S-840-F	1.032*	0.877	1415	14.4	158.4	HP-4-WM-WL-D-4ft-S-835-F-ITL90390.005.IES
	15	B	Single	11	FINELITE HP-4-R-4ft-B-840	1.032*	0.877	1918	18.4	276	HP-4-R-4ft-B-835-ITL85128.002.ies
	2	C	Single	10	LUCIFER A2RS-80CRI-1000LM-4000K-35DEG	1.240**	1.054	693	12	24	A2RS_90CRI_1000LM_3000K_35DEG_SFL (1).ies

* UDF FACTOR PRORATED TO SIMULATE 4000K CCT OPTION

** UDF FACTOR PRORATED TO SIMULATE 80 CRI, 4000K CCT OPTION

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
PARKING GARAGE	Illuminance	Fc	2.14	5.1	0.1	21.40	51.00

N

0 4 8 16

Source: SDG Architects, Inc., December 11, 2024.

CONCEPTUAL PHOTOMETRIC PLAN

FIGURE 4.1-1

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.[8]

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.[9]

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.[10] 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.[11]

[8] California Department of Conservation. "Farmland Mapping and Monitoring Program." Accessed October 20, 2023. http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx.
[9] California Department of Conservation. "Williamson Act." Accessed October 20, 2023. http://www.conservation.ca.gov/dlrp/lca.
[10] 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)).
[11] California Department of Forestry and Fire Protection. "Fire and Resource Assessment Program." Accessed October 20, 2023. http://frap.fire.ca.gov/.

4.2.1.2 *Existing Conditions*

According to the Santa Clara County Important Farmland map, the project site is designated as Urban Built-Up Land, which is defined as land with at least six structures per 10 acres. Common examples of Urban Built-Up Land are residential, institutional, industrial, commercial, landfill, golf courses, airports, and other utility uses.

The project site is zoned Commercial Neighborhood (CN) and developed with a commercial building. The project site and surrounding sites are not used for agricultural, forestry, or timberland uses, nor are they subject to a Williamson Act contract.[12] The project site is in a developed, urban area of Los Altos. It is surrounded by sites zoned for and developed with urban uses including by commercial, office, and residential uses (refer to Figure 2.5-3).

4.2.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) 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))?	☐	☐	☐	☒
d) Result in a loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

[12] County of Santa Clara. "Williamson Act Properties Map," Accessed October 20, 2023. https://sccplanning.maps.arcgis.com/apps/webappviewer/index.html?id=1f39e32b4c0644b0915354c3e59778ce

a) Would the project 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?

As discussed in Section 4.2.1.2, the project site is not designated for agricultural use. Therefore, designated farmland would not be converted to non-agricultural use as a result of project implementation. **(No Impact)**

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

The project site is zoned Commercial Neighborhood (CN) and is not zoned for agricultural use. The project site is not under a Williamson Act contract. Therefore, the project would not conflict with existing zoning for an agricultural use or a Williamson Act contract. **(No Impact)**

c) Would the project conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production?

The project site is not zoned, or adjacent to land zoned, for forest land, timberland, or Timberland Production. The project site is located in an urban area surrounded by existing development. Therefore, the project would not conflict with existing zoning or cause rezoning of forest land or timberland uses. **(No Impact)**

d) Would the project result in a loss of forest land or conversion of forest land to non-forest use?

The project site is in an urbanized area of the city and is developed with a commercial building and surface parking. There is no existing forest land near the site. Therefore, no forest land would be lost as a result of the project, nor would the project result in the conversion of existing forest land to non-forest uses. **(No Impact)**

e) Would the project 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?

As described in Section 4.2.1.2, the project site and adjacent properties are not designated or used as farmland or forest land. For this reason, development of the project would not cause the conversion of farmland to non-agricultural use or forest land to non-forest use. **(No Impact)**

4.3 Air Quality

The following discussion is based, in part, on a Construction Air Quality Assessment prepared by Illingworth & Rodkin, Inc. in February 2024.[13] This report is included as Appendix A to this Initial Study.

4.3.1 Environmental Setting

4.3.1.1 *Background Information*

Criteria Pollutants

Criteria air pollutants are pollutants that have established federal or state standards for outdoor concentrations to protect public health. Pursuant with the federal and state Clean Air Act, the United States Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established and enforce the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS), respectively. The NAAQS and CAAQS address the following criteria air pollutants: ozone (O_3), nitrogen dioxide (NO_2), carbon monoxide (CO), particulate matter with a diameter of 10 microns or less (PM_{10}), particulate matter with a diameter of 2.5 micros or less ($PM_{2.5}$), sulfur dioxide (SO_2), and lead. The CAAQS also includes visibility reducing particles, sulfates, hydrogen sulfide, and vinyl chloride.

Toxic Air Contaminants

Toxic air contaminants (TACs) include airborne chemicals that are known to have short- and long-term adverse health effects. 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). Unlike criteria air pollutants, which have a regional impact, TACs are highly localized and regulated at the individual emissions source level.

DPM 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).[14] Chemicals in diesel exhaust, such as benzene and formaldehyde, are also TACs identified by the CARB.

[13] The Construction Air Quality Assessment prepared by Illingworth & Rodkin, Inc. was revised on February 28, 2025 to reflect changes in the plans made after the initial report was prepared.
[14] California Air Resources Board. "Overview: Diesel Exhaust and Health." Accessed October 20, 2023. https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health.

An overview of the sources of criteria pollutants and TACs, as well as their associated health effects, is provided in Table 4.3-1.

Table 4.3-1: Sources and Health Effects of Criteria Air Pollutants and Toxic Air Contaminants

Pollutants	Description and Sources	Primary Effects
Ozone (O_3)	O_3 is a secondary criteria air pollutant that is the result of a photochemical (sunlight) reaction between reactive organic gases (ROG) and nitrogen oxides (NO_x). Pollutants emitted by motor vehicles, power plants, industrial boilers, refineries, and chemical plants are the common sources for this reaction. High O_3 levels are caused by the cumulative emissions of ROG and NO_X. These precursor pollutants react under certain meteorological conditions to form high O_3 levels. Commons sources of ROG and NO_x are vehicles, industrial plants, and consumer products.	• Aggravation of respiratory and cardiovascular diseases • Irritation of eyes • Cardiopulmonary function impairment
Nitrogen Dioxide (NO_2)	NO_2 is a reactive gas that combines with nitric oxide (NO) to form NO_x. NO_2 is the byproduct of fuel combustion, with common sources of NO_2 being emissions from cars, trucks, buses, power plants, and off-road equipment. Other sources of NO_2 include high temperature stationary combustion and atmospheric reactions.	• Aggravation of respiratory illness • Reduced visibility
Carbon Monoxide (CO)	CO is a colorless, odorless, and toxic gas that is the product of incomplete combustion of carbon-containing substances (e.g., when something is burned). Common outdoor sources of CO include mobile vehicles (passenger cars and trucks) and machinery that burn fossil fuels.	• Interferes with oxygen delivery to the body's organ due to binding with the hemoglobin in the blood. • Fatigue, headaches, confusion, and dizziness
Fine Particulate Matter ($PM_{2.5}$) and Coarse Particulate Matter (PM_{10})	Particulate Matter is any material that is emitted as liquid or solid particles or a gaseous material, such as dust, soot, aerosols, and fumes. PM_{10} and $PM_{2.5}$ are both small enough particulates to be inhaled into the human lungs, and $PM_{2.5}$ is small enough to deposit into the lungs, which poses an increased health risk compared to PM_{10}. Typical sources of particular matter include stationary combustion of solid fuels, construction activities, vehicles, industrial processes, and atmospheric chemical reactions.	• Reduced lung function, especially in children • Aggravation of respiratory and cardiorespiratory diseases • Increased cough and chest discomfort • Reduced visibility

Pollutants	Description and Sources	Primary Effects
Sulfur Dioxide (SO_2)	SO_2 is a pungent and colorless gaseous pollutant. SO_2 is part of the sulfur oxides (SO_x) group and is the pollutant of greatest concern in the SO_x group. SO_x can react with other compounds in the atmosphere to form small particles. These particles contribute to particulate matter pollution. SO_2 is primarily formed from fossil fuel combustion at power plants and other industrial facilities. Sources of SO_2 include motor vehicles, locomotives, ships, and off-road diesel equipment that are operated with fuels that contain high levels of sulfur. Industrial processes, such as natural gas and petroleum extraction, oil refining, and metal processing.	• Aggravation of respiratory illness • Respiratory irritation such as wheezing, shortness of breath and chest tightness. • Increased incidence of pulmonary symptoms and disease, decreased pulmonary function
Lead	Lead is a naturally occurring element that can be found in all parts of the environment including the air, soil, and water. As an air pollutant, lead is present in small particles. The most common historic source of lead exposure was the past use of leaded gasoline in motor vehicles. The exhaust resulting from use of leaded gasoline would release lead emissions into the air. Now, major sources of lead in the air are from ore and metals processing plants and piston-engine aircraft operating on leaded aviation fuel. Other sources are waste incinerators, utilities, and lead-acid battery manufacturers. The highest air concentrations of lead are usually found near lead smelters.	• Adversely affect the nervous system, kidney function, immune system, reproductive and developmental systems and the cardiovascular system
Toxic Air Contaminants (TACs)	TACs include certain air pollutants known to increase the risk of cancer and/or other serious health effects that range from eye irritation, respiratory issues, and neurological damage. Sources of TAC include, but are not limited to, cars and trucks, especially diesel-fueled; industrial sources, such as chrome platers; dry cleaners and service stations; and building materials and products.	• Cancer • Chronic eye, lung, or skin irritation • Neurological and reproductive disorders

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 EPA is responsible for overseeing implementation of the Clean Air Act and its subsequent amendments. The federal Clean Air Act requires the EPA to set national ambient air quality standards for the six common criteria pollutants (discussed previously): PM, O_3, CO, SO_2, NO_2, and lead.[15]

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.

Diesel 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, this plan involves application of emission control strategies to existing diesel vehicles and equipment to reduce 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.

[15] NO_x is the group of nitrogen compounds (NO_2 and nitric oxide [NO]) that typically represents NO_2 emissions because NO_2 emissions contribute the majority of NO_x exhaust emissions emitted from fuel combustion.

Regional

2017 Clean Air Plan

The Bay Area Air District (BAAD) 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 BAAD, must prepare air quality plans specifying how federal and state air quality standards will be met. BAAD's most recently adopted plan is the Bay Area 2017 Clean Air Plan. The 2017 Clean Air Plan focuses on the following two related BAAD goals and how to achieve them:

- Protect air quality and health at the regional and local scale by attaining all state and national air quality standards and eliminating disparities among Bay Area communities in cancer health risk from TAC; and
- Protect the climate by reducing Bay Area GHG emissions 40 percent below 1990 levels by 2040 and 80 percent below 1990 levels by 2050.[16]

CEQA Air Quality Guidelines

The BAAD 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 (Bay Area) Air Basin utilize the thresholds and methodology for assessing air quality impacts developed by BAAD within their CEQA Air Quality Guidelines. The guidelines include information on legal requirements, BAAD rules, methods of analyzing impacts, and recommended mitigation measures. The latest CEQA Air Quality Guidelines are the 2022 CEQA Air Quality Guidelines adopted on April 20, 2023, by the Air District Board of Directors.

Local

Los Altos General Plan

The following policies in the City's General Plan have been adopted for the purposes of reducing or avoiding impacts related to air quality and are applicable to the project.

Policy	Description
NE 8.3	Interpret and implement the General Plan to be consistent with the regional Bay Area Air Quality Management Plan, as periodically updated.
NE 8.4	Ensure location and design of development projects so as to conserve air quality and minimize direct and indirect emissions of air contaminants.

[16] Bay Area Air Quality Management District. *Final 2017 Clean Air Plan.* April 19, 2017. Page 12.

Los Altos Climate Action and Adaptation Plan

The City of Los Altos Climate Action and Adaptation Plan (CAAP) includes goals and strategies to reduce Citywide GHG emissions and address climate related risk factors including poor air quality events.

4.3.1.3 *Existing Conditions*

The Bay Area Air Basin is designated a nonattainment area for the federal O_3 and $PM_{2.5}$ standards and for the state O_3, PM_{10}, and $PM_{2.5}$ standards.[17,18] The area has attained both NAAQS and CAAQS for CO, SO_2, and NO_2. As the regional air district, BAAD is responsible for attaining the NAAQS and CAAQS for these pollutants. As part of an effort to attain and maintain ambient air quality standards for O_3, PM_{10}, and $PM_{2.5}$, BAAD has established thresholds of significance for these air pollutants and their precursors that apply to both construction period and operational period impacts. 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 where temperatures are higher, there is less wind circulation, and sources of the precursor pollutants (ROG and NO_x) are prominent. In the Bay Area, most particulate matter is generated from the following activities: combustion, factories, construction, grading, demolition, agriculture, and motor vehicles. Motor vehicles are currently responsible for about half of particulates in the Bay Area. Elevated concentrations of PM_{10} and $PM_{2.5}$ are the result of both region-wide emissions and localized emissions.

Existing pollutants generated on the project site include emissions from vehicle traffic to and from the site and emissions from energy use are generated by building lighting, heating, and cooling. The nearest sensitive receptors to the project site are the residences adjacent to the northwest and the SquareCare Montessori Loyola Corners day care adjacent to the southwest of the site. Additional nearby sensitive receptors include residences to the north, east, and west of the project site.

[17] Bay Area Air Quality Management District. "Air Quality Standards and Attainment Status." Last Updated January 5, 2017. Accessed October 20, 2023.

[18] The area has attained both state and federal ambient air quality standards for CO. The project does not include substantial new emissions of SO2 or lead. These criteria pollutants are not discussed further.

4.3.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) 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?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) 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.

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

The BAAD CEQA Air Quality Guidelines set forth criteria for determining consistency with the 2017 CAP. In general, a project is considered consistent if it: 1) supports the primary goals of the 2017 CAP; 2) includes relevant control measures; and 3) does not interfere with implementation of the 2017 CAP control measures.

Support of Primary 2017 CAP Goals

As discussed in Section 4.3.1.2, the goals of the 2017 CAP include 1) protecting public health by progress towards attaining air quality standards and eliminating health risk and 2) protecting the climate. If a project exceeds the BAAD thresholds of significance, its emissions are considered to result in significant adverse air quality impacts to the region's existing air quality conditions. Similarly, if the project exceeds the BAAD community health risk threshold of significance, the project would result in a community health risk. An analysis of the project's construction and operational air pollutant emissions is provided below, as well as a discussion of the project's community health risk. The project's consistency with the 2017 CAP goal of protecting the climate is discussed below in Section 4.8 and was concluded to be less than significant.

Construction Period Emissions – Criteria Pollutants

Construction period emissions associated with the project would be generated from operation of construction equipment and vehicle trips to and from the site by construction workers and delivery drivers. The California Emissions Estimator Model (CalEEMod) Version 2020.4.0 was used to estimate annual emission from construction activities. Construction emissions were modeled based on an equipment list and schedule information provided by the applicant and based on default assumptions. Details about the equipment list, construction schedule, modeling, data inputs, and assumptions are included in Appendix A. Table 4.3-2 summarizes the construction emissions for the project.

Table 4.3-2: Construction Period Emissions

Year	ROG (lbs/day)	NO_x (lbs/day)	PM_{10} Exhaust (lbs/day)	$PM_{2.5}$ Exhaust (lbs/day)
2025 (117 construction workdays)	1.15	2.54	0.09	0.08
BAAD Threshold	*54*	*54*	*82*	*54*
Exceed Thresholds?	**No**	**No**	**No**	**No**

Source: Illingworth & Rodkin, Inc. *996 Loraine Avenue Construction Air Quality Emissions Assessment, Los Altos, California.* February 12, 2024. Revised February 28, 2025.

As shown in Table 4.3-2, the proposed project's construction criteria pollutant emissions would not exceed BAAD thresholds. When construction criteria air pollutant emissions are below the thresholds, BAAD considers the impact to be less than significant impact with implementation of the following best management practices to reduce fugitive dust during construction:

Standard Condition of Approval:

- The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by Bay Area Air District (BAAD) to reduce fugitive dust emissions. Emissions reduction measures will include at a minimum, the following measures:

    a) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times a day.
    b) All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
    c) All visible mud or dirt trackout 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.
    d) All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).

e) 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.

f) All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.

g) All trucks and equipment, including their tires, shall be washed off prior to leaving the site.

h) Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall be visible to ensure compliance with applicable regulations.

With incorporation of the above Best Management Practices, the project would have a less than significant fugitive dust and criteria air pollutant emissions impact during construction.

Operational Period Emissions – Criteria Pollutants

Operational period criteria pollutant emissions associated with the project would be generated primarily from vehicles driven by future residents, and to a lesser extent by waste disposal and daily energy and water usage. According to the BAAD screening tool and criteria for operational emissions, the proposed project would not result in operational criteria pollutant emissions exceeding the BAAD significance thresholds.[19]

Community Health Risk

The project's community health risk impact is discussed in more detail under checklist question c). In summary, the project as proposed would not result in health risks above BAAD thresholds of significance.

Consistency with 2017 CAP Control Measures

The protect the climate, the 2017 CAP includes control measures to reduce emissions of GHG emissions. As discussed in Table 4.3-3 below, the project would be consistent with all applicable measures of the 2017 CAP and would not interfere with implementation of the 2017 CAP control measures.

[19] Illingworth & Rodkin, Inc. *996 Loraine Avenue Construction Air Quality Emissions Assessment, Los Altos, California.* February 12, 2024. Revised February 28, 2025.

Table 4.3-3: Project Consistency with Applicable 2017 CAP Control Measures

Summary of Applicable Control Measures	Consistency Discussion
Transportation Measures	
TR9 – Bicycle and Pedestrian Access and Facilities: Encourage planning for bicycle and pedestrian facilities in local plans, e.g., general and specific plans, fund bike lanes, routes, paths and bicycle parking facilities.	**Consistent:** The project would replace the existing sidewalks on Loraine Avenue and Miramonte Avenue with new five-foot-wide sidewalks and install rain gardens as a buffer between pedestrian and vehicle traffic. The project would also include five long term bicycle parking spaces for residents within the ground floor of the building and two, short term bicycle parking spaces on the sidewalk near the Loraine Avenue/Miramonte Avenue intersection for public use. The project is consistent with this measure.
TR10 – Land Use Strategies: Support implementation of Plan Bay Area, maintain and disseminate information on current climate action plans and other local best practices.	**Consistent:** The project would replace the existing commercial building on-site with higher density mixed-use development, consistent with Plan Bay Area strategies for infill development. The project is consistent with this measure.
TR13 – Parking Policies: Encourage parking policies and programs in local plans, e.g., reduce minimum parking requirements; limit the supply of off-street parking in transit-oriented areas; unbundle the price of parking spaces; support implementation of demand-based pricing in high-traffic areas.	**Consistent:** The project would include 16 vehicle parking spaces, including one stall for each dwelling unit and four stalls for the ground floor retail space, consistent with the City's maximum parking requirements. The project is consistent with this measure.
Building and Energy Measures	
BL1 – Green Buildings: Identify barriers to effective local implementation of CALGreen (Title 24) statewide building energy code; develop solutions to improve implementation/ enforcement. Engage with additional partners to target reducing emissions from specific types of buildings.	**Consistent:** The project would comply with Building Energy Efficiency Standards (Title 24) and the most recent CALGreen requirements. As discussed in Section 3.7 Green Building Features, the project would include eight EV capable spaces consistent with CALGreen Tier 2 standards and utilize efficient construction equipment meeting EPA Tier 4 standards during construction. The project would be consistent with this measure.
BL2 – Decarbonize Buildings: Explore incentives for property owners to replace their furnace, water heater or natural-gas powered appliances with zero-carbon alternatives. Update Air District guidance documents to recommend that commercial and multi-family developments install ground source heat pumps and solar hot water heaters.	**Consistent:** The project would comply with the most recent CALGreen requirements and include eight EV capable spaces. The project is consistent with this measure.

Summary of Applicable Control Measures	Consistency Discussion
BL4 – Urban Heat Island Mitigation: Develop and urge adoption of a model ordinance for "cool parking" that promotes the use of cool surface treatments for new parking facilities, as well existing surface lots undergoing resurfacing. Develop and promote adoption of model building code requirements for new construction or reroofing/roofing upgrades for commercial and residential multifamily housing.	**Consistent:** All of the proposed on-site parking is provided on the ground floor within the building, thus minimizing the urban heat island effect. The project is consistent with this measure.
Natural and Working Lands Measures	
NW2 – Urban Tree Planting: Develop or identify an existing model municipal tree planting ordinance and encourage local governments to adopt such an ordinance. Include tree planting recommendations, the Air District's technical guidance, best management practices for local plans, and CEQA review.	**Consistent:** The project would remove three existing trees on the project site and plant a total of 14 replacement trees, including nine street trees and five in planters within the rooftop terrace. The proposed tree removal and replacement would be completed consistent with the requirements of the City's Tree removal ordinance (Chapter 11.08 of the City's Municipal Code). The project is consistent with this measure.
Waste Management	
WA4 – Recycling and Waste Reduction: Develop or identify and promote model ordinances on community-wide zero waste goals and recycling of construction and demolition materials in commercial and public construction projects.	**Consistent:** The project would comply with the City of Los Altos Demolition Permit and Construction Diversion Ordinance, which requires 65 percent of construction waste generated by the project be recovered and diverted from landfills. In addition, the project would include on-site recycling collection services. The project is consistent with this measure.
Water Conservation Measures	
WR2 – Support Water Conservation: Develop a list of best practices that reduce water consumption and increase on-site water recycling in new and existing buildings; incorporate into local planning guidance.	**Consistent:** The project would comply with the state's Model Water Efficient Landscaping Ordinance and use a drip irrigation system and high-efficiency appliances and fixtures. The project is consistent with this measure.

As discussed above, the project supports the primary goals of the 2017 CAP, would be consistent with all applicable measures of the 2017 CAP, and would not interfere with implementation of the 2017 CAP control measures. **(Less than Significant Impact)**

b) Would the project 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?

As stated in the BAAD CEQA Air Quality Guidelines, air pollution by its nature is largely a cumulative impact. No single project is sufficient in size to, by itself, 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 described in Section 4.3.2.2 Existing Conditions, the Bay Area is considered a non-attainment area for ground-level O_3 and $PM_{2.5}$. The area is also considered non-attainment for PM_{10} under the California Clean Air Act, but not the federal act. As part of an effort to attain and maintain ambient air quality standards for ozone and PM_{10}, BAAD has established thresholds of significance for these air pollutants and their precursors. As described under checklist question a), the project would not result in an exceedance of BAAD thresholds for these air pollutants during construction or operation. Therefore, the project would not result in a cumulatively considerable increase of any criteria pollutant for which the region is in nonattainment. **(Less than Significant Impact)**

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

Community Health Risk

Project impacts related to increased community risk can occur either by introducing a new source of TACs with the potential to adversely affect existing sensitive receptors in the project vicinity or by significantly exacerbating existing cumulative TAC impacts. The project would introduce new sources of TACs during construction and operation.

Community Health Risks from Project Construction

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC. Although construction exhaust air pollutant emissions would not contribute substantially to existing or projected air quality violations (as discussed under checklist question a), construction exhaust emissions may still pose health risks for sensitive receptors such as the surrounding residents and nearby daycare. The primary community risk impact issues associated with construction emissions are cancer risk and exposure to $PM_{2.5}$. Diesel exhaust particulate matter (DPM) poses both a potential health and nuisance impact to nearby receptors.

As part of the evaluation of the potential health risks from construction of the proposed project, a comparative example from another project in Los Altos is provided. The 330 Distel Circle Residential project, a development with 90 multi-family residential units in a 116,040 square-foot, five-story

building, would have a cancer risk of 6.74 per million, hazard index of <0.1, and generate annual $PM_{2.5}$ emissions of 0.27 µg/m^3.[20] These health risk levels are below the corresponding BAAD single-source thresholds of 10 per million (cancer risk), 1.0 (hazard index), and 0.3 (annual $PM_{2.5}$). In terms of the geographical context, the proposed project is approximately three miles from the 330 Distel Circle Residential project with sensitive receptors in similar proximity to the site. The 330 Distel Circle Residential project, which would involve construction of a 557 percent larger building with 650 percent more residential units than the proposed project, would not exceed the BAAD thresholds.

In addition, the use of diesel-powered construction equipment would be temporary, move from location to location throughout the site, and would not generate emissions in a fixed location for extended periods of time. Project construction activities would be subject to and would comply with state regulations limiting the idling of heavy-duty construction equipment to no more than five minutes to further reduce nearby sensitive receptors' exposure to temporary and variable DPM emissions. Additionally, as noted in Section 3.7 Green Building Features, all construction equipment used on-site would meet EPA Tier 4 emissions standards. In general, Tier 4 construction equipment reduces DPM emissions and the associated health risks.

Therefore, based on the above reasons, it is concluded that the proposed project would similarly not result in construction health risk impacts exceeding BAAD thresholds and result in a less than significant impact. **(Less than Significant Impact)**

Community Health Risk from Project Operation

The project proposes residential and local-serving retail uses; therefore, the project would not be introducing a substantial source of operational-related, localized TACs. The operation of the project would generate emissions from mobile sources (i.e., traffic). While these emissions would not be as intensive at or near the site as construction activity, they would contribute to long-term effects to sensitive receptors.

The project would result in an increase of 26 net new daily vehicle trips, as noted in Section 4.17 Transportation and Traffic.[21] Project-related traffic would be primarily light-duty vehicle traffic, which is not a source of substantial TACs or $PM_{2.5}$. Therefore, the project would not result in significant operational TAC impacts on existing sensitive receptors. **(Less than Significant Impact)**

[20] City of Los Altos. *330 Distel Circle Residential Project Initial Study.* July 2022. Page 44.

[21] The proposed project would generate 117 gross daily trips. The existing retail use would generate 91 vehicle trips, therefore, with implementation of the project (which would remove the existing retail use and replace it with a new mixed-use building) would result in a net increase of 26 daily vehicle trips to and from the site. Source: Hexagon Transportation Consultants, Inc. *Transportation Analysis Screening for the Proposed Mixed-Use Development at 996 Loraine Avenue in Los Altos, California.* June 20, 2024.

Cumulative Community Health Risk

A review of BAAD's geographic information systems (GIS) screening maps was completed to determine the cumulative health risk impacts from existing sources of TACs in the project area.[22] These maps include the mobile and stationary source screening maps, which estimate the risk and hazard impacts from sources including roadways, railroads, and stationary equipment (e.g. diesel-powered generators, gas dispensing facilities, other generic engines). These maps indicated that the combined roadway and stationary risk impacts in the project area would be substantially below the BAAD cumulative-source thresholds.[23] Furthermore, the addition of the project's construction emissions to the cumulative health risk from roadway and stationary sources would also be below the BAAD cumulative source thresholds. **(Less than Significant Cumulative Impact)**

Health Effects from Criteria Pollutants

In a 2018 decision (Sierra Club v. County of Fresno), the state Supreme Court determined CEQA requires that when a project's criteria air pollutant emissions would exceed applicable thresholds and contribute a cumulatively considerable contribution to a significant cumulative regional criteria pollutant impact, the potential for the project's emissions to affect human health in the air basin must be disclosed. State and federal ambient air quality standards are health-based standards, and exceedances of those standards result in continued unhealthy levels of air pollutants. As stated in the 2022 BAAD 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. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. In developing thresholds of significance for air pollutants, BAAD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project has a less than significant impact for criteria pollutants, it is assumed to have no adverse health effect. **(Less than Significant Impact)**

d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

According to the BAAD CEQA Guidelines, an odor source with five or more confirmed complaints per year averaged over three years is considered to have a significant impact.[24] Construction activities for the project would generate localized emissions of diesel exhaust during construction equipment operation and truck activity. The odors from these emissions may be noticeable from time to time by adjacent receptors; however, the odors would be localized and temporary. Odors

[22] Bay Airea Air Quality Management District. "Health Risk Screening and Modeling." Accessed July 19, 2024. https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/ceqa-tools/health-risk-screening-and-modeling.

[23] Casey Divine. Senior Consultant. Illingworth & Rodkin, Inc. Personal Communication. July 19, 2024.

[24] Bay Area Air Quality Management District. California Environmental Quality Act Air Quality Guidelines. April 2022.

associated with the application of paints and coatings may also be noticeable on occasion by adjacent receptors. Painting and coating of the project would occur during daytime hours only, would be localized, and would be generally confined to the project site. These odors would also be temporary. Given the temporary nature of the above-described odors, exposure of sensitive receptors to these emissions during project construction would be limited and the impact is less than significant.

In addition, BAAD has identified a variety of land uses that produce emissions that may lead to odors and generate complaints including, but are not limited to, wastewater treatment plants, landfills, composting operations, and food manufacturing facilities. Residential uses do not typically generate objectionable odors, nor do they fall under any of the land uses identified by BAAD to cause objectionable odors. Based on the above reasons, the project would not result in odor emissions that would adversely affect a substantial number of people.**(Less than Significant Impact)**

4.4 Biological Resources

The following discussion is based, in part, on an arborist report prepared by Kielty Arborist Services, LLC in October 2022. The report is included as Appendix B to this Initial Study.

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. This includes direct and indirect acts, except for harassment and habitat modification, which are not included unless they result in direct loss of birds, nests, or eggs. 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.

Sensitive Habitat Regulations

Wetland and riparian habitats are considered sensitive habitats under CEQA. They are also afforded protection under applicable federal, state, and local regulations, and are generally subject to regulation by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), CDFW, and/or the USFWS under provisions of the federal Clean Water Act (e.g., Sections 303, 304, 404) and State of California Porter-Cologne Water Quality Control Act.

Fish and Game Code Section 1602

Streambeds and banks, as well as associated riparian habitat, are regulated by the CDFW per Section 1602 of the Fish and Game Code. Work within the bed or banks of a stream or the adjacent riparian habitat requires a Streambed Alteration Agreement from the CDFW.

Regional and Local

Los Altos General Plan

The following policies in the City's General Plan have been adopted for the purposes of reducing or avoiding impacts related to biological resources and are applicable to the project.

Policy	Description
CDHR 1.1	Preserve trees, especially heritage and landmark trees that protect privacy in residential neighborhoods.

Los Altos Municipal Code

The City's adopted a Tree Protection Ordinance in Chapter 11.08 of the Municipal Code prescribes measures for removal and replacement of trees in the city, in addition to protective actions to be taken to avoid damage to existing trees. The Tree Protection Ordinance defines a "protected tree" as:

- Any tree that is 48 inches in circumference measured at 48 inches above grade;
- Any tree designated by the Historical Commission as a heritage tree or any tree under official consideration by the Historical Commission for heritage tree designation;[25]
- Any tree which was required by the city to be either saved or planted in conjunction with a development review application.
- Any tree located within a public right-of-way.

[25] Trees may be designated as "heritage trees" upon application by the owner of the property on which the tree is located, a study of the proposed tree by the Historical Commission, and a determination of designation based on the criteria outlined in Section 11.08.050 of the Municipal Code.

All protected trees require a Tree Removal Permit before they can be removed based on the criteria described in Municipal Code Subsection 11.08.090. A., including tree condition, health, size, age, and preservation suitability. Based on the aforementioned criteria, the City would make a determination on the number of required replacement trees.

4.4.1.2 *Existing Conditions*

The project site is located in an urbanized area and is developed with a commercial building, surface parking, and landscaping. Most of the site is paved with asphalt/concrete or occupied by the commercial building. There are no wetlands, streams, or riparian habitats on or adjacent to the site. The nearest waterway, Permanente Creek, is located approximately 285 feet east of the project site. Due to the lack of sensitive habitats on and adjacent to the site and the developed nature and the human disturbance of the project site and immediate area, special-status plant and animal species are not expected to occur on the project site.

Habitats in developed areas such as the project site are extremely low in species diversity. The wildlife species most often associated with developed areas are those that are most tolerant of period human disturbances, including several introduced species such as European starlings, rock doves, and Norway rats. Native species that are able to utilize the habitats include western fence lizards, American robins, mourning doves, and squirrels. These species may be present on-site but are not considered special-status species.

The primary biological resources on the project site are trees. There are a total of seven trees within and adjacent to the project site. Of the seven trees, none of them meet the City's definition of a "protected tree" and none are identified as "heritage trees." A summary of the tree species, condition, and quantity on the project site is provided in Table 4.4-1 and the location of trees is shown on Figure 4.4-1. Additional details about the trees are included in Appendix B.

Table 4.4-1: Summary of Trees on and Adjacent to the Project Site

Tree Number	Common Name	Circumference (inches)	Location	Condition	Protected
1	Mexican Fan Palm	46	On-site	Good vigor, good form, damaging sidewalk and parking lot.	Yes
2	Mexican Fan Palm	47	On-site	Good vigor, good form, damaging sidewalk and parking lot.	Yes
3	Black Walnut	31	Adjacent	Good vigor, poor form, topped at six feet in past	No
4	Spanish Dagger	25	Adjacent	Fair vigor, fair form, covered in ivy	No
5	Spanish Dagger	25	Adjacent	Fair vigor, fair form, covered in ivy	No
6	Spanish Dagger	38	On-site	Fair vigor, poor form, decay on trunk	Yes
7	Redwood	39	Adjacent	Good vigor, good form.	Yes



TREE LOCATION MAP

FIGURE 4.4-1

4.4.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?	☐	☐	☐	☒
c) 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?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

a) Would the project 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?

As described in Section 4.4.1.2 Existing Conditions, the project site is in an urban area, fully developed, and surrounded by existing development. In addition, the site does not contain sensitive habitat, such as wetlands. Therefore, special-status plant or animal species are not present on-site.

Birds, including migratory birds and/or raptors, could nest in the mature trees on and adjacent to the project site. Nesting and migratory birds are among the species protected under provisions of the MBTA and California Fish and Game Code Sections 3503, 3503.5, and 2800. Development of the site during the nesting season (i.e., February 1 to August 31) 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 and USFWS. Any loss of fertile eggs, nesting raptors, or any activities resulting in nest abandonment would constitute an impact. Construction activities, including equipment noise and tree removal, which disturb a nesting bird or raptor on-site or immediately adjacent to the project construction zone would also constitute an impact.

The project would be required to implement the following standard measures to comply with the MBTA and California Fish and Game Code to protect nesting birds:

Standard Condition of Approval:

- **Avoidance and Preconstruction Nesting Bird Survey:** To the extent practicable, vegetation removal and construction activities shall be performed from September 1 through January 31 to avoid the general nesting period for birds. If construction or vegetation removal cannot be performed during this period, preconstruction surveys shall be performed no more than two days prior to construction activities to locate any active nests as follows:
    - The applicant shall be responsible for the retention of a qualified biologist to conduct a survey of the project site and surrounding 500 feet for active nests—with particular emphasis on nests of migratory birds—if construction (including site preparation) will begin during the bird nesting season, from February 1 through August 31. If active nests are observed on either the project site or the surrounding area, the qualified biologist, in coordination with the appropriate City staff, shall establish no-disturbance buffer zones around the nests (usually 100 feet for perching birds and 300 feet for raptors). The no-disturbance buffer shall remain in place until the biologist determines the nest is no longer active or the nesting season ends. The project applicant shall submit a report indicating the results of the nesting survey and any designated buffer zone to the Development Services Director or the Director's designee for review and approval prior to the issuance of any demolition, tree removal, or grading permit, whichever occurs earliest. If construction ceases for seven days or more and then resumes during the nesting season, an additional survey performed by a qualified biologist prior to construction resuming shall be completed to avoid impacts on active bird nests that may be present. The results of the additional nesting survey shall be submitted via a report to the Development Services Director or the Director's designee for review and approval prior to the restart of construction activities.

With implementation of the above Standard Condition of Approval, the project would not result in significant impacts to nesting birds. **(Less than Significant Impact)**

b) Would the project 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?

As described in Section 4.4.1.2 Existing Conditions, the project site and surrounding area are fully developed and do not contain any sensitive habitat, such as riparian habitat. The nearest waterway to the project site is Permanente Creek, approximately 285 feet east of the project site. Given the distance to the nearest riparian corridor and presence of intervening development between the site and the riparian corridor, implementation of the project would not adversely affect any riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations, or by the CDFW or USFWS. **(No Impact)**

c) Would the project have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means?

The project site does not contain state or federally protected wetlands. Therefore, the proposed project would have no impact on wetlands. **(No Impact)**

d) Would the project 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?

Movement of fish and wildlife species within an urban setting such as that of the project site, is typically limited to riparian corridors. As noted above, the project site is not located adjacent to any streams or waterways. The closest waterway to the project site, Permanente Creek, is located approximately 285 feet east of the project site and would be unaffected by the proposed project (refer to discussion under checklist question b). For these reasons, the project would not interfere with migratory fish or wildlife species.

Glass windows and building facades can result in injury or mortality of birds due to collisions with these surfaces. As shown in Figure 3.1-2, the majority of the proposed building facades are composed of opaque wall panels broken up by smaller windows. Bird collisions are of concern for development adjacent to large open spaces and/or waterways. These features are not present on-site. Nonetheless, some birds using the site are expected to collide with the proposed building, resulting in injury and death, a common situation for virtually all buildings to some degree. Due to the highly urbanized nature of the project area, trees on and adjacent to the project site may be conducive to use by urban-adapted resident birds that are widespread through the San Francisco

Bay Area and have a high regional population. Therefore, any bird collisions resulting from the proposed project would represent a very small portion of regional populations and would not represent a substantial portion of any species. For the reasons above, the project would not substantially interfere with movement of native resident species due to avian collision with the proposed building. **(Less than Significant Impact)**

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

There are seven trees on and adjacent to the project site, none of which meet the City's definition of a "protected tree". The project would remove three existing on-site trees and plant 14 replacement trees on-site at ground level and in planters within the proposed rooftop terrace. The other four trees surveyed would not be affected by the project. Therefore, the project would be consistent with General Plan Policy CDHR 1.1 and would not conflict with the City's Tree Protection Ordinance. **(No Impact)**

f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The project site is not located within an approved local, state, or national habitat conservation plan area. Thus, there would be no impact. **(No Impact)**

4.5 Cultural Resources

The following discussion is based upon a Literature Review and Historic Resources Evaluation prepared by Chronicle Heritage in January 2024. A copy of the Literature Search, which is a confidential report, is on file at the City of Los Altos Department of Community Development. A copy of the Historic Resources Evaluation is included as Appendix C to 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.

The NRHP is the nation's master inventory of historic resources that are considered significant at the national, state, or local level. The minimum criteria for determining NRHP eligibility include:

- The property is at least 50 years old (properties under 50 years of age that are of exceptional importance or are contributors to a district can also be included in the NRHP);
- It retains integrity of location, design, setting, materials, workmanship, feeling, and associations; and
- It possesses at least one of the following characteristics:
    - Association with events that have made a significant contribution to the broad patterns of history;
    - Association with the lives of persons significant in the past;
    - Distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant, distinguishable entity whose components may lack individual distinction; or
    - Has yielded, or may yield, information important to prehistory or history.

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.[26]

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."[27] 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.

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 Section 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 Section 5097.98. These codes protect such remains from disturbance, vandalism, and inadvertent destruction, establish procedures to be implemented if Native American human 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.

[26] California Office of Historic Preservation. "CEQA Guidelines Section 15064.5(a)(3) and California Office of Historic Preservation Technical Assistance Series #6." Accessed October 26, 2023. http://www.ohp.parks.ca.gov/pages/1069/files/technical%20assistance%20bulletin%206%202011%20update.pdf.
[27] California Code of Regulations, Chapter 11.5, Section 4852.

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 individual(s), 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.

Local

Los Altos General Plan

The following policies in the City's General Plan have been adopted for the purpose of reducing or avoiding impacts related to cultural resources and are applicable to the project.

Policy	Description
CDHR 6.1	Ensure that the integrity of historic structures and the parcels on which they are located are preserved through the implementation of applicable design, building, and fire codes.
CDHR 6.2	The City shall regard demolition of landmark and historic resources, listed in the Historic Resources Inventory as a last resort. Demolition would be permitted only after the City determines that the resource has lost its physical integrity, retains no reasonable economic use, that demolition is necessary to protect health, safety, and welfare, or that demolition is necessary to proceed with a new project where the benefits of the new project outweigh the loss of the historic resource.
CDHR 6.4	Preserve archaeological artifacts and sites found in Los Altos or mitigate disturbance to them, consistent with their intrinsic value.
CDHR-6.5	Require an archaeological survey prior to the approval of significant development projects near creeksides or identified archaeological sites.

Los Altos Municipal Code

Chapter 12.44 (Historic Preservation) of the Los Altos Municipal Code establishes the criteria and process for the designation of historic resources in the City, outlines the responsibilities of the Historical Commission, and describes the permit requirements for proposed alterations to historic resources (the primary purposes of this chapter is to ensure the protection of irreplaceable historic resources, enhancing visual character through architectural compatibility, and encouraging appreciation of the City's past).

City of Los Altos Historic Resources Inventory

The City maintains its Historic Resource Inventory, containing historic landmark properties, historic resource properties, and designated heritage trees of local importance. There are two main types of protected structures in Los Altos: historic resources and historic landmarks. A historic landmark is a building, improvement, structure, natural feature, site, or area of land that has significant historical, architectural, cultural, and/or aesthetic interest or value and is officially designated as a landmark

by the City Council. A historic resource is a property or structure that has been determined to be over 50 years old, retains its physical integrity, has historical, architectural, cultural, and/or aesthetic value, and is listed on the Historic Resources Inventory. The inventory was last updated in October 2012.[28]

4.5.1.2 *Existing Conditions*

Archaeological Resources

Native Americans occupied Santa Clara Valley and the greater Bay Area for more than 5,000 years. The exact time period of the Ohlone (originally referred to as Costanoan) migration into the Bay Area is debated by scholars. Dates of the migration range from between 3,000 B.C. and 500 A.D. Regardless of the actual time frame of their initial occupation of the Bay Area and, in particular, Santa Clara Valley, it is known that the Ohlone had a well-established population of approximately 7,000 to 11,000 people with a territory that ranged from the San Francisco Peninsula and the East Bay, south through Santa Clara Valley and down to Monterey and San Juan Bautista. The Ohlone people were hunter/gatherers focused on hunting, fishing, and collecting seasonal plant and animal resources, including tidal and marine resources from San Francisco Bay. The customary way of living, or lifeway, of the Ohlone people disappeared by about 1810 due to disruption by introduced diseases, a declining birth rate, and the impact of the California mission system established by the Spanish in the area beginning in 1777.

Based on the literature search completed for the project site, no recorded archaeological resources were identified on or within 0.5 miles of the project site.[29] However, due to the proximity of the project site to Permanente Creek (approximately 285 feet east of the project site) and known prehistoric settlement patterns in the Santa Clara Valley, the project site has moderate sensitivity for prehistoric archaeological resources.[30]

Historic Resources

The project site and surrounding area was historically developed with agricultural land uses from approximately the 1870s to the 1940s when the current street grid and surrounding residential neighborhood was constructed. The project site was planted with orchards from 1876 to 1956, at which time a small building was constructed in the northeast corner of the site. In 1965, the small building was removed from the northeast corner of the site and a commercial building was constructed by Western Pacific Construction Co. This building was then demolished and replaced with the current commercial building and parking lot three years later in 1968. The existing

[28] City of Los Altos. Historic Resources Inventory. October 2012. Accessed October 20, 2023. https://www.losaltosca.gov/historicalcommission/page/historic-inventory
[29] Chronicle Heritage. *Historic Resources Evaluation for 996 Loraine Avenue, Los Altos, California.* January 31, 2024. Page 33.
[30] Ibid.

commercial building has been continuously operated as a convenience or liquor store since its opening until it was vacated in 2019 when the property was sold to the current owner and slated for redevelopment.

NRHP/CRHR Evaluation

The existing commercial building at 996 Loraine Avenue was evaluated for historical significance against the NRHP and CRHR criteria.

Criterion A/1
The commercial building at 996 Loraine Avenue was occupied by Speedee Mart and 7-Eleven before being purchased by J&P Liquors in 1973. There are no specific events involved with J&P Liquors except the sale of several winning lottery tickets in 2013. However, this event is not unique to this building, use, or the area. Although the existing sign and parking lot on-site may be original to the building, they are not on par with the neon signage or historic institutions of the more central commercial area of Loyola Corners. Therefore, the existing commercial building does not meet criterion 1/A.

Criterion B/2
As previously noted, the project site was occupied by Speedee Mart, 7-Eleven, and J&P Liquors. There is limited information on the people who owned the site while it was Speedee Mart/7-Eleven and a limited number of names involved in J&P Liquors including: "Malstri," John Bikakis, Louis Masalilo, Peter Kavros, and Greg Rivera. Many of these people, like John Bikakis and Greg Rivera, were long-time residents in Los Altos. However, they have not made significant contributions to the development of the community. Speedee Mart was a southern California-based chain of 127 stores that merged with 7-Eleven in 1966. J&P Liquors was one of seven liquor stores in the Los Altos area. Despite its long tenure, the presence of a liquor store in the area was not unique to J&P Liquors. Therefore, the existing commercial building does not meet criterion B/2.

Criterion C/3
The building at 996 Loraine Avenue is not significant for its physical design or construction. The building is utilitarian with minimal architectural detailing. It does not embody distinctive characteristics of a type, period, or method of construction, and does not possess high artistic value. Furthermore, the building is not known to be the work of a master architect. While there are designated historical signs in the project area, the interior-lit plastic box sign at J&P Liquors is not among them, suggesting that it has not been found to be significant to the area. For these reasons, the building at 996 Loraine Avenue does not meet the eligibility criterion C/3.

Criterion D/4

The project site was undeveloped until approximately 1965 when a small building was constructed in the northeast corner of the site. This building was then demolished and replaced with the current commercial building and parking lot three years later in 1968. Due to the lack of long-term development of the site during the historic era and previous disturbance of native soils for the current commercial building, there is no reason to expect the building at 996 Loraine Avenue to have the potential to yield important information regarding prehistory or history. For these reasons, the existing commercial building does not meet the eligibility criterion D/4.

In conclusion, the property at 996 Loraine Avenue is not eligible for listing on the NRHP or CRHR because it does not meet Criteria A/1 through D/4.

Los Altos Criteria Significance Evaluation

The existing commercial building at 996 Loraine Avenue was evaluated for historical significance against the City of Los Altos criteria for inclusion on the Los Altos Historic Resources Inventory. These criteria reflect the NRHP and CRHR but prioritize the evaluation of a structure's integrity first in evaluation of its Historic Significance as opposed to evaluating integrity only after historic significance is determined as is the case under the NRHP and CRHR criteria. The following evaluation of the existing commercial building is provided for purposes of determining the building's significance under the City of Los Altos criteria.

Design

The property at 996 Loraine Avenue maintains the design of a corner store. The building's simple layout and utilitarian materials reflect the continued usage of the store as a liquor store and convenience store for almost 50 years. Therefore, 996 Loraine Avenue retains its integrity of design.

Setting

996 Loraine Avenue's setting within Los Altos has changed since its construction. When it was first constructed, the surrounding plots were either residential or minimally developed. Since the departure of Safeway (previously located at 1525 Miramonte Avenue, approximately 63 feet south of the project site) from this area in 1986, the neighborhood has suffered a decline and many nearby restaurants, like the long-standing Echo Restaurant, have closed or been demolished. Therefore, it does not retain its integrity of setting.

Materials

The materials of 996 Loraine Avenue are not high-quality materials, being a mix of wood siding, composition shingles, glass bricks, and concrete masonry unit (CMU). These materials were chosen to be durable, unremarkable, and replaceable. Because of this, the materials used to construct 996 Loraine Avenue do not suggest a specific historic period or stylistic movement. Therefore, it does not possess integrity of materials.

Workmanship
996 Loriane Avenue was initially constructed as a convenience store and became a liquor store in 1973. The building's workmanship reflects this history with simple design and modest materials. The utilitarian design suggests that it was not constructed to have high artistic or architectural value, prioritizing durability and simple layouts to support the liquor store's operations. The building does not reflect the work of any particular person, firm, or style of construction. Therefore, it does not retain its integrity of workmanship.

Feeling
The building at 996 Loraine Avenue was operated as a convenience store and liquor store between 1968 and 2019. Since then, the building has not been occupied. Because of this, the materials and workmanship of the building have fallen into disrepair. The rear yard and vines of the eastern façade are overgrown and the pavement in the northern portion of the lot is not smooth or cared for. The period of disuse has resulted in the loss of the building's integrity of feeling.

The existing commercial building at 996 Loraine Avenue retains its integrity of design, but does not retain the integrity of setting, materials, workmanship, or feeling. Therefore, it does not meet the criteria for inclusion on the Los Altos Historic Resources Inventory.

In conclusion, the project site is not eligible for listing on the NRHP, CRHR, or Los Altos Historic Resources Inventory and is, therefore, not considered a historic resource under CEQA.

The nearest historic resource to the project site is the Cyrus P. Berry House located at 965 Berry Avenue, approximately 0.45-mile north of the project site.[31]

4.5.2 Impact Discussion

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

[31] Historic Resources Inventory. October 2012. Accessed October 20, 2023. https://www.losaltosca.gov/historicalcommission/page/historic-inventory

a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?

As discussed in Section 4.5.1.2 Existing Conditions, the project site, including the existing building are not listed or eligible for listing in the NRHP, CRHP, or City of Los Altos Historic Resources Inventory. There are no historic resources adjacent to the project site. Therefore, the project would not cause a substantial adverse change in the significance of a historic resource on or adjacent to the project site. **(No Impact)**

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?

As noted above, no previously recorded archaeological resources were identified on the project site or adjacent properties. However, the site is located within an area with moderate sensitivity for prehistoric archaeological resources and it is possible that unrecorded archaeological resources could be encountered during project construction. The project would be required to implement the following standard construction-related measures to avoid impacts to unrecorded archaeological resources (if discovered on-site):

Standard Condition of Approval:

- **Discovery of Archaeological Resources:** If prehistoric or historic-period cultural materials are unearthed during ground-disturbing activities, then all work within 100 feet of the find shall be halted and the Development Services Director or the Director's designee shall be notified. The project applicant shall contract with a qualified archaeologist and Native American representative that is traditionally and culturally affiliated with the geographic area as described in Public Resources Code Section 21080.3 to examine the find. Prehistoric materials might include, but are not limited to, obsidian and chert-flaked stone tools (e.g., projectile points, knives, scrapers) or tool-making debris; culturally darkened soil ("midden") containing heat-affected rocks and artifacts; stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered-stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. If the find is determined to be potentially significant, the archaeologist, in consultation with the Native American representative, shall develop a treatment plan that could include, but is not limited to, site avoidance, capping, or data recovery. A report of findings documenting any data recovery shall be submitted to the Development Services Director or the Director's designee and the Northwest Information Center (if applicable). Project personnel shall not collect or move any cultural materials.

Implementation of the above measure would reduce impacts to unrecorded archaeological resources (if discovered on-site) to a less than significant level by stopping construction and preparing and implementing a research design and treatment plan if any archaeological resources are found thereby protecting the resource. **(Less than Significant Impact)**

c) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

Human graves are most often associated with prehistoric occupation sites. Although unlikely, it is possible that project construction activities, such as excavation and grading, could disturb as-yet-undiscovered human remains.

Standard Condition of Approval:

- **Discovery of Human Remains:** In the event of the discovery of human remains during construction or demolition, there shall be no further excavation or disturbance of the site within a 50' radius of the location of such discovery, or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to their authority, the Coroner shall notify the Native American Heritage Commission, which shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner shall reinter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. A final report shall be submitted to the City's Development Services Director prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results, including a description of the monitoring and testing resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City's Development Services Director.

With implementation of the above measure, the project would not result in significant impacts due to disturbance of human remains, including those interred outside of dedicated cemeteries. **(Less than Significant Impact)**

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 California Building Standards Code (CBC) 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.[32] Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments.[33]

Part 11 of the of the CBC establishes mandatory green building standards for buildings in California. Part 11 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. These standards include the following mandatory set of measures, as well as more rigorous voluntary guidelines, for new construction projects to achieve specific green building performance levels:

- Reducing indoor water use by 20 percent;
- Reducing wastewater by 20 percent;
- Recycling and/or salvaging 65 percent of nonhazardous construction and demolition debris; and
- Providing readily accessible areas for recycling by occupants.

Advanced Clean Cars Program

CARB adopted the Advanced Clean Cars II program in 2022 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 2026 through 2035. The program promotes development of environmentally superior passenger cars and other vehicles, as well as saving the consumer money through fuel savings.[34]

[32] California Building Standards Commission. "California Building Standards Code." Accessed October 20, 2023. https://www.dgs.ca.gov/BSC/Codes#@ViewBag.JumpTo.
[33] California Energy Commission (CEC). "2022 Building Energy Efficiency Standards." Accessed October 20, 2023. https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency.
[34] California Air Resources Board. "Advanced Clean Cars II." Accessed October 20, 2023. https://ww2.arb.ca.gov/our-work/programs/advanced-clean-cars-program/advanced-clean-cars-ii

Energy Independence and Security Act

The Energy Independence and Security Act was passed in 2007 and seeks to expand the production of renewable fuels, reduce the country's dependence on oil, increase energy security and address climate change. Key provisions of the Energy Independence and Security Act of 2007 include:

1. Increasing the supply of alternative fuel sources by setting a Mandatory Renewable Fuel Standard;
2. Reducing the country's demand for oil by setting a national fuel economy standard of 35 miles per gallon by 2020;
3. Provisions to improve energy efficiency in lighting;
4. Provisions to improve energy efficiency in appliances; and
5. Provisions to improve energy efficiency in buildings.

Regional and Local

Los Altos General Plan

The following policies in the City's General Plan have been adopted for the purposes of reducing or avoiding impacts related to energy and are applicable to the project.

Policy	Description
EE 7.1	The City will encourage energy and water conservation measures to reduce energy and water consumption in residential, governmental, and commercial buildings.
EE 7.2	The City will continue to implement building and zoning standards to encourage energy and water efficiency.

Los Altos Municipal Code

Chapter 6.14 – Collection, Recycling and Disposal of Waste Generated from Deconstruction, Demolition, Construction and Renovation Projects, in the City of Los Altos Municipal Code, seeks to divert at least 65 percent of construction and demolition debris unless the applicant is granted an infeasibility exemption.

Los Altos Climate Action and Adaptation Plan

The Los Altos Climate Action and Adaptation Plan (CAAP) was adopted in 2022 and outlines strategies for reducing the community's greenhouse gas emissions, consistent with statewide GHG emissions targets set by AB 32. The CAAP includes strategies to reduce emissions from energy consumption to facilitate building decarbonization and increase solar energy production.

4.6.1.2 *Existing Conditions*

Total energy usage in California was approximately 6,882 trillion British thermal units (Btu).[35] Out of the 50 states, California is ranked second in total energy consumption and 48th in energy consumption per capita. The breakdown by sector is approximately 18 percent (1,204 trillion Btu) for residential uses, 17 percent (1,193 trillion Btu) for commercial uses, 23 percent (1,539 trillion Btu) for industrial uses, and 42 percent (2,916 trillion Btu) for transportation.[36] This energy is primarily supplied in the form of natural gas, petroleum, nuclear electric power, and hydroelectric power.

Electricity

Electricity in Santa Clara County is consumed primarily by the non-residential sector, 75 percent, followed by the residential sector consuming 25 percent. A total of approximately 16,904 gigawatt hours (GWh) of electricity is consumed in Santa Clara County annually.[37]

The community-owned Silicon Valley Clean Energy (SVCE) is the electricity provider for the City of Los Altos.[38] SVCE sources the electricity, and the Pacific Gas and Electric Company (PG&E) delivers it to customers over their existing utility lines. Customers are automatically enrolled in the GreenStart plan and can upgrade to the GreenPrime plan. Both options are considered 100 percent GHG-emission free.

Natural Gas

PG&E provides natural gas services within the City of Los Altos. California's natural gas supply comes from a combination of in-state production and imported supplies from other western states and Canada.[39] Residential and commercial customers in California uses approximately 33 percent of the state's natural gas annually, power plants use 0.01 percent and the industrial sector uses 33 percent.[40] Santa Clara County represents less than one percent of the state's total annual consumption of natural gas.[41]

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[35] United States Energy Information Administration. "State Profile and Energy Estimates, 2022." Accessed July 9, 2024. https://www.eia.gov/state/?sid=CA#tabs-2.
[36] United States Energy Information Administration. "State Profile and Energy Estimates, 2022." Accessed July 9, 2024. https://www.eia.gov/state/?sid=CA#tabs-2.
[37] California Energy Commission. Energy Consumption Data Management System. "Electricity Consumption by County." Accessed July 9, 2024. http://ecdms.energy.ca.gov/elecbycounty.aspx.
[38] Silicon Valley Clean Energy. "Frequently Asked Questions." Accessed October 20, 2023. https://www.svcleanenergy.org/faqs.
[39] California Gas and Electric Utilities. 2022 *California Gas Report.* Accessed October 20, 2023. https://www.socalgas.com/sites/default/files/Joint_Utility_Biennial_Comprehensive_California_Gas_Report_2022.pdf.
[40] United States Energy Information Administration. "Natural Gas Consumption by End Use. 2021." Accessed October 20, 2023. https://www.eia.gov/state/?sid=CA#tabs-2.
[41] California Energy Commission. "Natural Gas Consumption by County." Accessed October 20, 2023. http://ecdms.energy.ca.gov/gasbycounty.aspx.

Fuel for Motor Vehicles

California produces approximately 124 million barrels of crude oil and sells approximately one billion gallons of gasoline.[42,43] 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 25.4 mpg in 2021.[44] 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 April 2022 to require all cars and light duty trucks achieve an overall industry average fuel economy of 49 mpg by model year 2026.[45,46]

4.6.2 Impact Discussion

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

[42] U.S. Energy Information Administration. "Petroleum & Other Liquids, California Field Production of Crude Oil." February 28, 2023. https://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=pet&s=mcrfpca1&f=a.

[43] California Department of Tax and Fee Administration. "Net Taxable Gasoline Gallons." Accessed October 20, 2023. https://www.cdtfa.ca.gov/dataportal/dataset.htm?url=VehicleTaxableFuelDist.

[44] United States Environmental Protection Agency. "The 2022 EPA Automotive Trends Report: Greenhouse Gas Emissions, Fuel Economy, and Technology since 1975." December 2022. https://www.epa.gov/system/files/documents/2022-12/420s22001.pdf.

[45] United States Department of Energy. *Energy Independence & Security Act of 2007.* Accessed October 20, 2023. http://www.afdc.energy.gov/laws/eisa.

[46] United States Department of Transportation. USDOT Announces New Vehicle Fuel Economy Standards for Model Year 2024-2026." Accessed October 20, 2023. https://www.nhtsa.gov/press-releases/usdot-announces-new-vehicle-fuel-economy-standards-model-year-2024-2026

a) Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Energy would be consumed during the construction and operation of the project, as discussed below.

Energy Use During Construction

Project construction would consume energy during demolition, site preparation, grading, excavation, trenching, and paving; however, the project would not waste or use energy inefficiently. Construction processes are generally designed to be efficient to save money. That is, equipment and fuel are not typically used wastefully on the site because of the added expense associated with renting the equipment, as well as maintenance and fuel. Compared to construction in outlying, undeveloped areas, the proposed project would save energy by constructing in an urbanized area that is proximate to roadways, construction supplies, and workers. In addition, construction of the proposed project includes several measures to improve the efficiency of the construction process, including participating in the City's recycling construction and demolition materials program, restricting equipment idling times to five minutes or less, and requiring the project to post signs on-site reminding workers to shut off idling equipment (see Standard Permit Conditions under Section 4.3 Air Quality, checklist question c).

Energy Use During Operation

Operation of the proposed project would consume energy for multiple purposes, including building heating and cooling, lighting, and appliance use. Energy would also be consumed in the form of fuel for vehicles (e.g., residents, visitors, and building management employees, etc.) traveling to and from the project site.

The project would replace an existing building with a new building designed to meet the most recent CALGreen requirements for energy efficiency. The project would result in an increase in electricity and gasoline demand compared to existing conditions. However, the project would not represent a wasteful or inefficient use of energy resources because the project would comply with Title 24 and CALGreen requirements to reduce energy consumption and plant shade trees, reducing the urban heat island effect and energy consumption from building heating. For these reasons, the project would not result in a wasteful use of energy or conflict with a state or local plan for renewable energy or energy efficiency and impacts would be less than significant. **(Less than Significant Impact)**

b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

As noted in Section 3.7 Green Building Features, the project would include rooftop solar photovoltaic panels, parking spaces equipped with EV charging stations and electrical infrastructure to support future installation of EV charging stations (consistent with CALGreen Tier 2 Standards and General Plan Policies EE 7.1 and EE 7.2), receive 100% carbon free energy from SVCE (consistent with EO B-55-18), and utilize efficient construction equipment meeting EPA Tier 4 standards. Consistent with Chapter 6.14 of the Municipal Code, the project would divert 65 percent of construction and demolition waste from landfills. Thus, the project would be consistent with the policies described in Section 4.6.1.1 Regulatory Framework and would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. **(Less than Significant Impact)**

4.7 Geology and Soils

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 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. Section J110 of the CBC requires implementation of measures to control erosion on projects involving faces of cut and fill slopes. 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

Los Altos General Plan

The following policies in the City's General Plan have been adopted for the purpose of reducing or avoiding impacts related to geology and soils and are applicable to the project.

Policy	Description
NEH 1.2	Avoid placement of critical facilities and high occupancy structures in areas known to be prone to ground failure during an earthquake.
NEH 1.3	Require soil analysis and erosion mitigation for all development proposed on sites known to be prone to erosion or ground failure.

4.7.1.2 *Existing Conditions*

Regional Geology

The City of Los Altos is located in the northern portion of the Coast Ranges Geomorphic Province in California. The mountain ranges in this Geomorphic Province are generally northwest trending and were formed tens of millions of years ago by intense folding and faulting caused by tectonic activity between the Pacific Oceanic Plate and the North American Continental Plate.

On-site Geological Conditions

Soils and Topography

The topography of the site is relatively flat with the site being approximately 238 feet above mean sea level (amsl). Soils beneath the site are classified as Urban Land-Flaskan complex, which is made up of sandy loam, sandy clay loam, and gravelly sandy clay loam associated with alluvial fan deposits derived from metamorphic and sedimentary rock.[47] On-site soils are classified as having low expansion potential.[48]

No unique geologic features, such as serpentine rock outcrops and boulders, pinnacles, or sandstone are located on-site.

Seismicity and Seismic Hazards

As the San Francisco Bay Area contains numerous active and potentially active faults, there is a high potential for seismic events such as fault surface ruptures and ground shaking, which can cause ground failure (landslides), settlement, erosion, liquefaction, lateral spreading, and soil expansion. Faults in the region are capable of generating earthquakes of magnitude 6.7 or higher, and strong to very strong ground shaking would be expected to occur at the project site during a major earthquake on one of the nearby faults. While no faults cross the project site, there are several major faults nearby (refer to Table 4.7-1).

Table 4.7-1: Active Faults in the Vicinity of the Project Site

Fault Name	Distance and Direction from Project Site*
Monte Vista-Shannon	1.2 miles west
San Andreas	5 miles west
Hayward	13 miles east
San Gregorio	14 miles west
Calaveras	17 miles east
Zaynte-Vergeles	19 miles north
Mount Diablo Thrust	31 miles east

* Approximate distances

Source: California Department of Conservation. "Earthquake Zones of Required Investigation." Accessed July 9, 2024. https://maps.conservation.ca.gov/cgs/EQZApp/

[47] United States Department of Agriculture. Soil Map – Santa Clara Area, California, Western Part (996 Loraine Avenue Mixed-Use). Accessed October 25, 2023.
[48] County of Santa Clara. "Soils of Santa Clara County." Accessed July 9, 2024. https://sccplanning.maps.arcgis.com/apps/webappviewer/index.html?id=39cca200bb4743eeaab0e15838ab85d2

The ground shaking intensity felt at the project site would depend on the size of the earthquake (magnitude), distance from the site to the fault source, directivity (focusing of earthquake energy along the fault in the direction of the rupture), and site-specific soil conditions.

The project site is not located within a State of California Earthquake Fault Zone or a Fault-Rupture Hazard Zone.[49]

Liquefaction and Lateral Spreading

Soil liquefaction can be defined as a complete loss of strength that causes otherwise solid soil to take on the characteristics of a liquid. The types of soil most susceptible to this hazard are loose, saturated, uniformly graded, fine-grain sands. Liquefaction most frequently occurs under vibratory conditions, such as those created by seismic events. The project area is not located in a designated compressible soil hazard zone or a liquefaction hazard zone.[50]

Lateral spreading typically occurs as a form of horizontal displacement of relatively flat-lying soil toward an open or "free" face such as an open body of water, channel, or excavation. This movement is often associated with liquefaction and commonly occurs on gentle slopes in seismically active regions. Lateral spread presents a significant hazard to the integrity of buildings and other structures.

The project site is not located adjacent to bodies of water, channels, or excavations that would result in hazards from lateral spreading. The nearest waterbody to the project site where lateral spreading may occur is Permanente Creek, approximately 285 feet east of the project site.

Landslides

The project site is relatively flat and is not mapped within a state-designated Landslide Hazard Zone.[51]

Groundwater

Groundwater is present at a depth of approximately 126 feet bgs at the project site.[52] Water levels on-site may vary depending on seasonal precipitation, irrigation practices, and other climate conditions.

[49] California Department of Conservation. "Earthquake Zones of Required Investigation." Accessed July 9, 2024. https://maps.conservation.ca.gov/cgs/EQZApp/
[50] Ibid.
[51] Ibid.
[52] Radius. *Phase II Limited Subsurface Investigation, Commercial Property, 996 Loraine Avenue, Los Altos, CA 94024*. October 4, 2024. Page 2.

Paleontological Resources

Most of the City, including the project site, is situated on alluvial fan deposits of Holocene age that have a low potential to contain significant nonrenewable paleontological resources.[53]

4.7.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) 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?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) 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?	☐	☐	☐	☒

[53] City of Los Altos. *Los Altos General Plan Initial Study/Mitigated Negative Declaration.* November 2002. Page 20.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	☐	☐	☒	☐

a) Would the project 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?

Fault Rupture

The project site is not located in an Alquist-Priolo Earthquake Fault Zone and no known faults cross the site; therefore, fault rupture would not occur at the site. While active faults are located within five miles of the site (Monte Vista-Shannon and San Andreas fault), the project site is not located within their fault rupture zones. **(No Impact)**

Seismic Ground Shaking

There are several major fault lines within 30 miles of the project site that have the potential to produce earthquakes with a magnitude of 6.0 or higher. During a major earthquake on a segment of one of the nearby faults, strong to very strong ground shaking is expected to occur at the project site. The ground shaking could potentially damage structures and threaten the safety of occupants in the proposed development.

The project would be required to adhere to the CBC and recommendations in the site-specific geotechnical report prepared for the project, prior to permit issuance. Additionally, the project would be required to utilize standard engineering techniques to increase the likelihood that the project could withstand minor earthquakes without damage and major earthquakes without collapse. For these reasons, the proposed project would not result in seismic (e.g., ground shaking) or seismic-related hazards (e.g., liquefaction and lateral spreading) as it would be constructed in accordance with current design and engineering standards. As such, the existing seismic hazards on the project would not be exacerbated by the project that it would impact (or worsen) off-site conditions. **(Less than Significant Impact)**

Liquefaction and Lateral Spreading

As discussed under 4.7.1.2 Existing Conditions, the project site is not subject to lateral spreading and is not located within a designated liquefaction hazard zone. Therefore, the project would not cause potential substantial adverse effects related to liquefaction or lateral spreading. **(No Impact)**

Landslides

As discussed under 4.7.1.2 Existing Conditions, the project site is not located in a designated landslide hazard zone. The project site is relatively flat and is not located in the vicinity of steep embankments that could increase the risk of landslides affecting the site. Construction of the project would not include substantial earthwork that would create unstable slopes that would exacerbate any existing landslide risks, and there are no risks of landslides impacting the project. Accordingly, the project is not susceptible to landslides, on or off the site. **(No Impact)**

b) Would the project result in substantial soil erosion or the loss of topsoil?

Construction activities associated with the proposed project including demolition of the existing commercial building and surface parking lot as well as excavation and grading for the proposed mixed-use building would result in disturbance of soils. These activities would increase exposure of soil to wind and water erosion and increase sedimentation. By implementing standard grading and best management practices as required by the CBC, General Plan Policy NEH 1.3, in addition to the site design and post-construction treatment control measures required by the Municipal Regional Stormwater Permit (MRP) (as discussed in Section 4.10), the project's erosion and sedimentation impacts would be less than significant. Compliance with existing regulations and best management practices for erosion control would ensure potential construction-related erosion impacts would be less than significant. **(Less than Significant Impact)**

c) Would the project 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?

As discussed under Section 4.7.1.2 Existing Conditions and the discussion under checklist question a), implementation of the project has no potential for on or off-site landslides, liquefaction, or lateral spreading. **(No Impact)**

d) Would the project be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property?

Expansive soils possess a "shrink-swell" characteristic. Shrink-swell is the cyclic change in volume (expansion and contraction) that occurs in fine-grained clay sediments from the processes of wetting and dying. Structural damage may result over a long period of time, usually the result of inadequate soil and foundation engineering or the placement of structures directly on expansive soils.

As discussed under Section 4.7.1.2 Existing Conditions, the project site is located on soils with low potential for expansion. Nonetheless, the project construction would be completed in accordance with the most recent CBC and incorporate the recommendations of a design-level geotechnical investigation (which would ensure the project is constructed properly to minimize and avoid effects from expansive soils, as well as seismic and other seismic-related effects). For these reasons, the project would not create substantial direct or indirect risks to life or property. **(Less than Significant Impact)**

e) Would the project 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?

The project would connect to the City's existing sanitary sewer systems to dispose of wastewater from the project site. Therefore, the project site would not need to support septic tanks or alternative wastewater disposal systems. **(No Impact)**

f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geological feature?

As described in Section 4.7.1.2 Existing Conditions, there are no unique geological features (e.g., serpentine rock outcrops) at the project site. While the project site has low potential to contain significant nonrenewable paleontological resources. While unlikely, the project would implement the following standard measures to reduce impacts to paleontological resources (if encountered on-site):

Standard Condition of Approval:

- **Discovery of Paleontological Resources:** In the event that a fossil is discovered during construction of the project, excavations within 50 feet of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The applicant shall include a standard

inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the find is determined to be significant and if avoidance is not feasible, the paleontologist shall design and carry out a data recovery plan consistent with the Society of Vertebrate Paleontology standards.

With implementation of the above standard permit condition, the project would result in less than significant impacts to paleontological resources (if discovered on-site) by halting work in the vicinity of the find, assessing the find, and implementing actions to preserve the paleontological resource. **(Less than Significant Impact)**

4.8 Greenhouse Gas Emissions

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 and State 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. The first Scoping Plan was approved by CARB in 2008 and must be updated at least every five years. Since 2008, there have been two updates to the Scoping Plan.

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 $MMTCO_2e$.

2022 Scoping Plan

On December 15, 2022, CARB approved the 2022 Scoping Plan. The 2022 Scoping Plan provides a sector-by-sector guide on how to reduce man-made (i.e., anthropogenic) GHG emissions by 85 percent below 1990 levels and achieve carbon neutrality by 2045 over a 25-year horizon.[54] The primary focus of the 2022 Scoping Plan is to reduce the usage of fossil fuels by electricizing the transportation sector, procuring electricity from renewable resources, phasing out natural gas in land use developments, and building transit-oriented communities that encourage multi-modal transportation. If implemented successfully, the 2022 Scoping Plan would not only reduce GHG emissions but also reduce smog-forming air pollution (NO_x) by 71 percent and reduce fossil fuel demand by 94 percent. The 2022 Scoping Plan also details natural carbon capture and storage process along with mechanical carbon capture programs to address the remaining 15 of anthropogenic GHG emissions that will remain post-2045. To meet these goals, CARB also includes a revised goal of reducing state GHG emissions 48 percent below 1990 levels by 2030.

[54] CARB. *2022 Scoping Plan for Achieving Carbon Neutrality*. November 16, 2022. Page 5.

Senate Bill 375 and Plan Bay Area 2050

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 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), BAAD, 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 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.[55]

Play Bay Area 2050 includes a goal to increase the number of households that live within 0.5 mile of frequent transit by 2050. Plan Bay Area 2050 promotes strategies that support active and shared modes, combined with a transit-supportive land use patterns, which together are forecasted to lower the share of Bay Area residents that drive to work alone from 50 percent in 2015 to 33 percent in 2050, resulting in a decrease in GHG emissions. Plan Bay Area 2050 also includes goals to expand TDM initiatives that support and augment employers' commute programs, providing a path to emissions reductions.

SB 100

SB 100, known as the 100 Percent Clean Energy Act of 2018, was adopted on September 10, 2018. The overall goal is to have all retail electricity sold in California be procured from 100 percent renewable and zero-carbon resources by the year 2045. SB 100 also modified the renewables portfolio standard to 50 percent by 2025 and 60 percent by 2030.

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

Executive Order B-55-18 and Assembly Bill 1279

Executive Order B-55-18 was issued in September 2018. It ordered a new statewide goal of achieving carbon neutrality no later than 2045 and to maintain net negative emissions thereafter.

Assembly Bill 1279, also known as the California Climate Crisis Act, was approved on September 16, 2022, and codifies the statewide goal set by Executive Order B-55-18 of achieving net zero GHG emissions no later than the year 2045 and maintaining net negative emissions thereafter. In addition, this bill has a statewide goal of reducing anthropogenic GHG emissions by 85 percent below the 1990 levels by the year 2045. The bill requires CARB to work with relevant state agencies to ensure that updates to the scoping plan identify and recommend measures to achieve these policy goals and implement strategies that enable CO_2 removal solutions and carbon capture, utilization, and storage technologies in California. The bill requires CARB to submit an annual report.

Advanced Clean Cars II Regulation

To continue reducing air pollutants and GHG emissions in the transportation sector, CARB adopted the Advanced Clean Cars II Regulations (Resolution 22-12) on August 25, 2022. The new regulation requires that by 2035 all new passenger cars, trucks, and SUVs sold in California will have zero emissions. This regulation bans the sale of new gasoline or diesel passenger cars, trucks, and SUVs in California from automakers. Beginning in 2026, 35 percent of new vehicle sales must be zero-emission vehicles and plug-in hybrid electric vehicles and that percentage will increase per year. By 2030, 70 percent of new vehicle sales will be zero-emissions vehicles and by the 2035 model year 100 percent of new vehicle sales will be zero-emissions. CARB will limit the use of plug-in hybrid electric vehicles in the percentage requirements to keep the manufacturing of zero-emissions as the primary goal. Existing gasoline cars can continue to be driven and sold as used cars beyond 2035. CARB is required to track and report on the zero-emissions vehicle market development annually.

California Building Standards Code – Title 24 Part 6 and Part 11

The California Building Energy Efficiency Standards (California Energy Code) is under Title 24, Part 6 of the CBC and is overseen by the CEC. This code includes design requirements to conserve energy in new residential and non-residential developments. This Energy Code is enforced and verified by cities during the planning and building permit process. The 2022 Energy Code replaced the 2019 Energy Code as of January 1, 2023. There are new 2022 standards for single-family residences, multi-family residences, and non-residential uses.[56,57] Major changes include electric-ready single-

[56] California Energy Commission. "2022 Building Energy Efficiency Standards What's New for Multifamily." Revised August 4, 2022. Accessed October 25, 2023. https://www.energy.ca.gov/sites/default/files/2022-08/2022_Multifamily_Whats_new_Summary_ADA.pdf.
[57] California Energy Commission. "2022 Building Energy Efficiency Standards What's New for Nonresidential." Revised August 4, 2022. Accessed October 25, 2023. https://www.energy.ca.gov/sites/default/files/2022-08/2022_Nonresidential_Whats_New_Summary_ADA.pdf.

family and multi-family residence and solar photovoltaic systems and energy storage systems for residential and commercial developments.

The CALGreen Code is part of the CBC under Title 24, Part 11.[58] The CALGreen Code encourages sustainable construction standards that incorporate planning/design, energy efficiency, water efficiency resource efficiency, and environmental quality. These green building standard codes are mandatory statewide and are applicable to residential and non-residential developments. The most recent CALGreen Code (2022 CALGreen Code) was effective as of January 1, 2023. Requirements for electric vehicle (EV) charging infrastructure are set forth in Title 24 of the California Code of Regulations and are regularly updated on a three-year cycle. The CALGreen standards consist of a set of mandatory standards required for new development, as well as two more voluntary standards known as Tier 1 and Tier 2. The 2022 CALGreen standards require deployment of additional EV chargers in various building types, including multi-family residential, hotel, and non-residential land uses. They include requirements for both EV capable parking spaces and the installation of EV supply equipment for multi-family residential and nonresidential buildings.

CALGreen also requires new construction and demolition projects to have a diversion of at least 65 percent of the construction waste generated.

Regional and Local

2017 Clean Air Plan

To protect the climate, the 2017 Clean Air Plan prepared by BAAD 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.

BAAD CEQA Thresholds for Evaluating Climate Impacts from Land Use Projects and Plans

In April 2022, the BAAD Board of Directors adopted the Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plans. The report includes BAAD's thresholds of significance for use in determining whether a proposed project or plan will have a significant impact on climate change and provides substantial evidence to support these thresholds. The April 2022 GHG thresholds are included in the current 2022 BAAD CEQA Air Quality Guidelines and represent what is required of new land use development projects and plans to achieve California's long-term climate goal of carbon neutrality by 2045.

[58] California Building Standards Code. https://www.dgs.ca.gov/BSC/Codes

Los Altos Climate Action and Adaptation Plan

The CAAP was adopted in 2022 and outlines strategies for reducing the community's greenhouse gas emissions, consistent with statewide GHG emissions targets set by SB 32. The CAAP includes strategies to reduce emissions such as increasing use of clean energy, building electrification, sustainable transportation, building weatherization, waste reduction, water and energy conservation, green infrastructure, smart growth, sea level rise protection, restoration of nature areas, equipping communities for extreme heat, and disaster preparedness.

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.

The existing commercial building and use on-site generates GHG emissions primarily from vehicular travel to and from the site.[59] GHG emissions are also generated through building heating and cooling, electricity use, and solid waste disposal.

4.8.2 Impact Discussion

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

[59] As explained in Section 4.0, while the commercial building is currently unoccupied, the building could be reoccupied at any time without the need for substantial renovation. For this reason, the GHG emissions of the building as occupied has been disclosed.

a) Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?

Construction Emissions

Short-term GHG emissions from the construction phase of the project would be primarily from heavy equipment exhaust, worker travel, materials delivery, and solid waste disposal. Neither the City of Los Altos nor BAAD have an adopted threshold of significance for construction-related GHG emissions. As noted in Section 4.3 Air Quality, BAAD encourages the incorporation of best management practices to reduce GHG emissions during construction where feasible and applicable.

The project would use Tier 4 equipment during construction and limit idling to no more than five minutes, consistent with BAAD best management practices, which would reduce GHG emissions during construction. Additionally, because construction would be temporary (approximately 15 months) and would not result in a permanent increase in emissions, the project would not result in a significant GHG impact from construction emissions. **(Less than Significant Impact)**

Operational Emissions

Per BAAD, a project is considered to have a less than significant GHG impact if it is consistent with a qualified GHG reduction strategy meeting the criteria under CEQA Guidelines Section 15183.5(c). The CAAP is a qualified plan pursuant to CEQA Guidelines Section 15183.5 (c). As discussed in more detail under checklist question b), the project would be consistent with the CAAP because the project is consistent with the General Plan land use designation for the site and planned growth from buildout of the General Plan, would be designed to CALGreen standards, and incorporates mandatory GHG reduction measures required by the CAAP. Therefore, the project would have a less than significant operational GHG emissions impact. **(Less than Significant Impact)**

b) Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs?

CBC, Municipal Code, SB 100, Plan Bay Area

The project would be constructed in conformance with existing regulations in the CBC, which require high-efficiency water fixtures water-efficient irrigation systems, compliance with current energy efficiency standards, and EV charging infrastructure. During construction, the project would comply with Chapter 6.14 of the Municipal Code by diverting 65 percent of construction and demolition waste from landfills. The project would obtain electricity from SVCE, which is 100 percent GHG emissions free energy from renewable and hydroelectric sources, consistent with the state's SB 100. In addition, although the project would not be located within a PDT, or 0.5 mile of existing transit facilities, the project would increase the density of development on the site in

walking distance to existing commercial uses, consistent with the goals of Plan Bay Area. **(Less than Significant Impact)**

2017 Clean Air Plan

The BAAD 2017 CAP focuses on two goals: protecting public health and protecting the climate. The 2017 CAP includes air quality standards and control measures designed to reduce emissions of methane, carbon dioxide, and other super-GHGs.[60] As discussed in Section 4.3 Air Quality, the project is consistent with the 2017 Clean Air Plan because the project would not exceed BAAD criteria air pollutant emissions thresholds during construction or during operation, would not result in significant community health risk, and would be consistent with applicable 2017 CAP control measures. **(Less than Significant Impact)**

SB 32, AB 1279, and 2022 Scoping Plan

Consistent with the requirements of SB 32 and AB 1279, CARB updated their Scoping Plan in December 2022 to refine the necessary strategies required to reduce GHG emissions to levels mandated by the state. The proposed project would use energy-efficient appliances and equipment, as required by Title 24.

As discussed above in Section 4.8.1.2 Regulatory Framework, the primary focus of the 2022 Scoping Plan is to reduce the usage of fossil fuels by electrifying the transportation sector, procuring electricity from renewable resources, phasing out natural gas in land use developments, and building transit-oriented communities that encourage multi-modal transportation. As described under checklist question a) above, the project would not include any natural gas connections and would receive energy from SVCE which provides 100 percent GHG emissions free energy from renewable and hydroelectric sources. In addition, the project would benefit from efforts by the state and utility providers to increase the portion of electricity provided by renewable resources, and from state efforts to increase vehicle fuel economy standards and reduce the carbon content of fuels. For these reasons, the proposed project would not impede implementation of GHG reduction strategies identified by CARB and would be consistent with the 2022 Scoping Plan Update. **(Less than Significant Impact)**

CAAP Consistency

To be consistent with the CAAP, development projects shall demonstrate consistency with the General Plan Land Use designation and Zoning for the site. In addition, projects shall demonstrate consistency with all applicable GHG reduction measures identified in the CAAP. As discussed in Section 4.11 Land Use and Planning, the project is consistent with the General Plan land use

[60] Bay Area Air Quality Management District. *Final 2017 Clean Air Plan.* April 19, 2017. Page ES/5.

designation and zoning for the site. The project's consistency with applicable CAAP measures is discussed in Table 4.8-1 below.

Table 4.8-1: Los Altos Climate Action and Adaptation Plan Consistency

Policy	Consistency Analysis
1.1 A – Fully implement the 2022 Complete Streets Master Plan by 2035 and make adjustments as needed to comply with VMT reduction objectives	The project would replace the existing sidewalks on Loraine and Miramonte Avenues with new five-foot-wide sidewalks and install rain gardens as a buffer between pedestrian and vehicle traffic. The project would also include five long term bicycle parking spaces for residents within the ground floor of the building and two short term bicycle parking spaces on the sidewalk near the Loraine Avenue/Miramonte Avenue intersection for public use. Incorporation of these measures would enhance the pedestrian and bicycle environment in the project area and incentivize pedestrian and bicycle activity in the project area, consistent with the 2022 Complete Streets Master Plan. The project is consistent with this measure.
1.1 B – Create a pedestrian-friendly Downtown and other community and commercial spaces throughout the city	The project would replace the existing sidewalks on Loraine and Miramonte Avenues with new five-foot-wide sidewalks and install rain gardens as a buffer between pedestrian and vehicle traffic. Incorporation of these measures would enhance the pedestrian environment in the project area. The project is consistent with this measure.
1.1 C Develop and implement a new Parking Management Plan that supports strategic VMT reduction	The project would include 16 vehicle parking spaces, including one stall for each dwelling unit and four stalls for the ground floor retail space, consistent with the City's maximum parking requirements. The project is consistent with this measure.
1.4 B – Actively promote EV adoption and require EV only parking	As noted in Section 3.7 Green Building Features, the project would include eight parking spaces equipped with EV charging stations and four with electrical infrastructure to support future installation of EV charging stations consistent with CALGreen Tier 2 Standards. The project would be consistent with this measure.
1.5 A - Increase the number of available Level 2 EV charging stations in workplace, commercial, and multifamily areas	As noted in Section 3.7 Green Building Features, the project would include eight parking spaces equipped with EV charging stations and four with electrical infrastructure to support future installation of EV charging stations, consistent with CALGreen Tier 2 Standards. The project would be consistent with this measure.
2.1 B – Increase residential and commercial energy efficiency	The project would comply with Building Energy Efficiency Standards (Title 24) and the most recent CALGreen requirements. Furthermore, the project would be designed to meet the state's Model Water Efficient Landscaping Ordinance to facilitate efficient water use. The project would be consistent with this measure.
2.5 A – Increase community solar capacity	The project would comply with Building Energy Efficiency Standards (Title 24) and the most recent CALGreen requirements. As discussed in Section 3.7 Green Building Features, the project would include rooftop photovoltaic panels, which would increase community solar capacity. The project would be consistent with this measure.

Policy	Consistency Analysis
3.1 A Increase the landfill diversion rate	The project would comply with the CalGreen and the City of Los Altos Demolition Permit and Construction Diversion Ordinance, which requires 65 percent of construction waste generated by the project be recovered and diverted from landfills. The project is consistent with this measure.
3.1 C Reduce waste from demolition, construction, and building materials	The project would comply with the CalGreen and the City of Los Altos Demolition Permit and Construction Diversion Ordinance, which requires 65 percent of construction waste generated by the project be recovered and diverted from landfills. The project is consistent with this measure.
3.2 D – Increase communitywide water efficiency	The project would comply with the water use efficiency measures in Title 24 and the most recent CALGreen requirements. Furthermore, the project would comply with the state's Model Water Efficient Landscaping Ordinance and use a drip irrigation system and high-efficiency appliances and fixtures. The project is consistent with this measure.
5.1 A – Create water-efficient buildings and landscapes	As discussed above, the project would comply with water use efficiency measures in Title 24, the most recent CALGreen requirements, the state's Model Water Efficient Landscaping Ordinance and use a drip irrigation system and high-efficiency appliances and fixtures to ensure efficient water use. The project is consistent with this measure.
5.2 A – Increase urban tree canopy	The project would remove three existing trees on the project site and plant a total of 14 replacement trees, including nine street trees and five in planters within the rooftop terrace. The proposed tree removal and replacement would be completed consistent with the requirements of the City's Tree removal ordinance (Chapter 11.08 of the City's Municipal Code). The project is consistent with this measure.

For the reasons discussed above, the project would implement all applicable CAP measures intended to reduce GHG emissions. **(Less than Significant Impact)**

4.9 Hazards and Hazardous Materials

The following discussion is based, in part, on a Phase I Environmental Site Assessment and Phase II Limited Subsurface Investigation prepared by Radius in November 2021 and October 3, 2024, respectively. These reports are included as Appendix D to this Initial Study.

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 the 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

<u>Federal Aviation Regulations Part 77</u>

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.[61]

[61] United States Environmental Protection Agency. "Superfund: CERCLA Overview." Accessed October 26, 2023. https://www.epa.gov/superfund/superfund-cercla-overview.

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.[62]

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).[63]

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.

[62] United States Environmental Protection Agency. "Summary of the Resource Conservation and Recovery Act." Accessed October 26, 2023. https://www.epa.gov/laws-regulations/summary-resource-conservation-and-recovery-act.
[63] California Environmental Protection Agency. "Cortese List Data Resources." Accessed October 25, 2023. https://calepa.ca.gov/sitecleanup/corteselist/.

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 Santa Clara County Department of Environmental Health 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 began phasing out use of friable asbestos products in 1973 and issued a ban in 1978 on manufacture, import, processing, and distribution of some asbestos-containing products and new uses of asbestos products.[64] The EPA is currently considering a proposed ban on on-going use of asbestos.[65] 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 (LBP) in 1978. Removal of older structures with LBP 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 LBP is peeling, flaking, or blistered, it is required to be removed prior to demolition.

[64] United States Environmental Protection Agency. "EPA Actions to Protect the Public from Exposure to Asbestos." Accessed October 25, 2023. https://www.epa.gov/asbestos/epa-actions-protect-public-exposure-asbestos
[65] Ibid.

Regional and Local

Municipal Regional Permit Provision C.12.f

PCBs were produced in the United States between 1955 and 1978 and used in hundreds of industrial and commercial applications, including building and structure materials such as plasticizers, paints, sealants, caulk, and wood floor finishes. In 1979, the EPA banned the production and use of PCBs due to their potential harmful health effects and persistence in the environment. PCBs can still be released to the environment today during demolition of buildings that contain legacy caulks, sealants, or other PCB-containing materials.

With the adoption of the San Francisco Bay Region Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit (MRP) by the San Francisco Bay Regional Water Quality Control Board on November 19, 2015, Provision C.12.f requires that permittees develop an assessment methodology for applicable structures planned for demolition to ensure PCBs do not enter municipal storm drain systems.[66]

Bay Area Air Quality Management District Regulation 11, Rule 2

In December 1976, BAAD adopted Regulation 11, Rule 2, Asbestos Demolition, Renovation and Manufacturing to control emissions of asbestos to the atmosphere during demolition, renovation, milling and manufacturing and to establish appropriate waste disposal procedures. Under this regulation, all demolition activities and all renovation activities involving removal of 100 square feet or greater of regulated asbestos containing materials are required to submit notification to BAAD at least 10 working days prior to commencement of demolition or renovation activities.

Los Altos General Plan

The following policies in the City's General Plan have been adopted for the purpose of reducing or avoiding impacts related to hazards and hazardous materials and are applicable to the project.

Policy	Description
NEH 6.1	Maintain an updated Emergency Preparedness Plan. The plan should increase public awareness of natural hazards and hazards associated with human activity and of methods to avoid or mitigated the effects of these hazards and should ensure that critical facilities will function during and after a disaster.

[66] California Regional Water Quality Control Board. *San Francisco Bay Region Municipal Regional Stormwater NPDES Permit.* November 2015.

Los Altos Municipal Code

Chapter 10.08 - Sewer System Protection Regulations in the City of Los Altos Municipal Code seeks to protect the citizens of Los Altos through prevention and control of unauthorized discharges of hazardous materials. Chapter 10.08 includes several hazardous materials regulations, such as requiring construction sites to maintain a spill response plan, prohibiting the storage of materials next to storm drains, and prohibiting the disposal of hazardous materials in an area that may eventually lead to pollution reaching the sewer system.

The City of Los Altos adopted Ordinance 2019-456, which added Chapter 6.15 Managing Polychlorinated Biphenyls to the Municipal Code. Chapter 6.15 of the Municipal Code outlines the City's regulations for the disposal of PCBs in buildings constructed between 1950 and 1980. In order to obtain a demolition permit, the project must conduct a Priority Building Materials Screening Assessment and submit results of the screening to the City. If PCBs are present in one or more of the Priority Building Materials (based on the screening assessment), the project must comply with all related applicable federal and state law, including the Federal Clean Water Act, the California Porter-Cologne Water Quality Control Act, and the Municipal Regional Stormwater Permit Order No. R2-2015-0049.

City of Los Altos Emergency Operations Plan

The City of Los Altos updated its Emergency Operations Plan (EOP) in October 2018. The City of Los Altos EOP outlines the City's framework for managing a variety of hazards such as natural disasters and human-caused events. The EOP describes organizational structures, roles and responsibilities, policies, and protocols for providing emergency support. The EOP details the City's mitigation strategies, preparedness planning, short and long-term recovery strategies, and the operating procedures for the Emergency Operations Center (EOC). It also details the jurisdictional structure for responding to emergencies when the response may require regional, state, or federal coordination.

4.9.1.2 *Existing Conditions*

Site History

The project site was used for agricultural purposes from approximately the 1870s to 1956, at which time a building was constructed in the northeast corner of the site. By 1968, this building was demolished and replaced with the current commercial building and parking lot. The existing commercial building has been continuously operated as a convenience or liquor store since its opening until it was vacated in 2019 when the property was sold to the current owner and slated for redevelopment.

Potential On- and Off-Site Sources of Contamination

Soil and Soil Vapor

The Phase I ESA prepared for the proposed project did not identify any recorded releases, evidence of underground storage tanks, above ground storage tanks, or evidence of chemical storage or use on-site. The project site is not located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.[67] However, an active dry-cleaning facility located at 1555/1554 Miramonte Avenue, approximately 380 feet up gradient (south) of the project site, was identified as a recognized environmental condition due to the soil vapor contamination and associated with this off-site use.

A Phase II Limited Subsurface Investigation was prepared to determine whether the project site had been impacted by soil vapor contamination from the dry-cleaning facility located 1555/1554 Miramonte Avenue. The results of the investigation found tetrachloroethene (PCE), chloroform, benzene, and bromodichloromethane in on-site soil vapor samples at concentrations of 201 µg/m^3, 1.61 µg/m^3, 6.23 µg/m^3, and 3.16 µg/m^3 respectively, exceeding their respective Tier 1 environmental screening levels for cancer risk for vapor intrusion. No other contaminants of concern were detected at levels exceeding their respective Tier 1 environmental screening levels.

Additionally, indoor air quality samples detected chloroform, benzene, and methylene chloride within the existing commercial building at concentrations exceeding their respective commercial/industrial environmental screening levels for cancer risk. No PCE or Trichloroethylene (TCE) were detected above laboratory reporting limits.

Asbestos Containing Materials, Polychlorinated biphenyls, and Lead-Based Paint

Due to the age of the existing commercial building (constructed in 1968), ACMs, PCBs, and LBP may be present on-site.

Wildland Fires

The project site is in an urban area surrounded by existing development. The project site is not located near wildlands that could present a fire hazard. The site is not located within an identified Very High Fire Hazard Severity Zone in an SRA or an LRA.[68] [69]

[67] California Environmental Protection Agency. "Cortese List Data Resources." Accessed October 25, 2023. https://calepa.ca.gov/sitecleanup/corteselist/.

[68] California Department of Forestry and Fire Protection. "Fire Hazard Severity Zones in State Responsibility Area." September 29, 2023. https://osfm.fire.ca.gov/divisions/community-wildfire-preparedness-and-mitigation/wildfire-preparedness/fire-hazard-severity-zones/
California Department of Forestry and Fire Protection. "Fire Hazard Severity Zones in *Local Responsibility Area*. October 2008.

[69] California Department of Forestry and Fire Protection. Fire Hazard Severity Zones in Local Responsibility Area Map. October 8, 2008.

Proximity to an Airport

The project site is not located within an airport land use plan. Moffett Federal Airfield, a joint civil military airport, is the closest airport to the project site and it is located approximately four miles northeast of the project site.

4.9.2 Impact Discussion

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

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Construction of the project would involve the use of potentially hazardous materials, including vehicle fuels, oils, and fluids. All hazardous materials would be transported, contained, stored, used, and disposed of in accordance with manufacturers' instructions and would be handled in compliance with all applicable standards and regulations. Construction-related hazardous materials use would be temporary, and does not constitute routine transport, use, or disposal.

After construction of the project is completed, the proposed mixed-use development would include the on-site use and storage of cleaning supplies and maintenance chemicals in small quantities (oil, paint, pesticides, etc.). These materials would be managed in accordance with existing laws and regulations that ensure that the routine transport, storage, use, and disposal of these materials would result in a significant hazard to the public or environment. **(Less than Significant Impact)**

b) Would the project 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?

Soil and Soil Vapor Contamination

As discussed in Section 4.9.1.2 Existing Conditions, a release at a dry-cleaning facility located at 1555/1554 Miramonte Avenue has impacted on-site soil vapor with PCE, chloroform, and Bromodichloromethane exceeding applicable environmental screening levels. Implementation of the project could, therefore, expose future occupants of the proposed project to existing sources of contamination on-site. To address this existing site condition, the project would implement the following Standard Condition of Approval.

Standard Condition of Approval:

- The applicant shall work with City staff, the necessary oversight agency (e.g., the U.S. Environmental Protection Agency, the State Department of Toxic Substances Control, State Regional Water Quality Control Board, County of Santa Clara Department of Environmental Health, etc.), and other responsible parties (as necessary), to address any site remediation or building design/construction requirements (e.g., vapor barrier, HVAC system designed to maintain positive pressure) to ensure appropriate on-site improvements are constructed in accordance with the oversight agency standard practice; local, state, and federal regulations; and City Code requirements. Prior to the issuance of any building or fire permits, the applicant shall either:

(a) submit written proof of an approval from the oversight agency of remediation activity and/or building and site design documenting the adequacy of the measures for the project as proposed; or

(b) provide written proof the work is not subject to approval from an oversight agency.

A Certificate of Occupancy cannot be issued until final inspections have been completed by the City and the oversight agency, if required.

With implementation of the above Standard Condition of Approval, impacts associated with exposure of future occupants to on-site soil vapor contamination would be less than significant level by installing a vapor barrier to prevent vapor intrusion into the occupiable portion of the first floor. **(Less than Significant Impact)**

Asbestos Containing Materials, Lead Based Paint, Polychlorinated Biphenyls, and Accidental Discharge

As described in Section 4.9.1.2 Existing Conditions, the existing commercial building was constructed in 1968 and was previously used as a liquor and convenience store. Because the existing building was constructed before the ban on asbestos containing materials, PCBs, and LBP, these materials may be present on-site and could be exposed during demolition. The project would adhere to BAAD Regulation 11, Rule 2, which requires notification and proper handling and disposal of asbestos containing materials during demolition. The project would also be required to complete testing monitoring, containment, and disposal of LBP, consistent with Cal/OSHA regulations. Pursuant to the MRP Provision C.12.f and Los Altos Municipal Code Chapter 6.15, the project would be required to perform a screening to test for the presence of PCBs. If building materials are found to contain these hazardous materials in excess of regulatory limits, that information would be required to be reported to the appropriate agencies and the material would be disposed of properly to prevent accidental release into the environment.

In addition, during construction, the project would also comply with Chapter 10.08 of Los Altos Municipal Code, which requires that a spill response plan be maintained to prevent accidental discharge of hazardous materials.

For the above stated reasons, the project's compliance with existing regulations would reduce the risk involving the release of hazardous materials into the environment due to reasonably foreseeable upset and accident conditions to a less than significant level.**(Less than Significant Impact)**

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The closest school to the project site is Loyola Elementary School, located approximately 0.4 miles northwest of the project site. Therefore, 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. However, a daycare, Square Care Montessori Loyola Corners, is located approximately 53 feet west of the project site. As discussed under checklist question b, with implementation of Standard Conditions of Approval and with compliance with existing regulations (including BAAD Regulation 11, Rule 2, MRP Provision C.12.f and Los Altos Municipal Code Chapter 6.15, and Chapter 10.08 of Los Altos Municipal Code), would not result in hazardous materials impacts. For these reasons, the project would not significantly impact the nearby daycare. **(Less than Significant Impact)**

d) Would the project 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?

As discussed in Section 4.9.1.2, the project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. **(No Impact)**

e) If located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

As discussed in Section 4.9.1.2 Existing Conditions, the project site is not located within an airport land use plan or within two miles of an airport. Therefore, the proposed project would not result in safety hazard or noise impacts due to airport activities. **(No Impact)**

f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The City of Los Altos has an EOP that outlines the City's framework for managing a variety of hazards such as natural disasters and human-caused events. The project would be designed in accordance with current building and fire codes and regulations and would not impair implementation of, or physically interfere with, the EOP, including its operating procedures. In addition, as discussed in Section 4.15 Public Services, while the project would incrementally increase the demand on fire and police protection services compared to existing conditions, the City

would still continue to provide adequate response times for police and fire protection services emergencies, consistent with General Plan Policy OSCCF 6.3. **(Less than Significant Impact)**

g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

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)**

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 State Water Resources Control Board (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.

Under Section 303(d) of the federal Clean Water Act, the SWRCB and RWQCBs are required to identify impaired surface water bodies that do not meet water quality standards and develop total maximum daily loads (TMDLs) for contaminants of concern. The list of the state's identified impaired surface water bodies, known as the "303(d) list" can be found on the on the SWRCB's website.[70]

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.

[70] California State Water Resources Control Board. "2020-2022 California Integrated Report (Clean Water Act Section 303(d) List and 305(b) Report)." May 11, 2022. Accessed October 25, 2023. https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/2020_2022_integrated_report.html.

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 May 2022 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.[71] Under Provision C.3 of the MRP, new and redevelopment projects that create or replace 5,000 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: (1) the post-project impervious surface area is less than, or the same as, the pre-project impervious surface area; (2) the project is located in a catchment that drains to a hardened (e.g., continuously lined with concrete) engineered channel or channels or enclosed pipes, which extend continuously to the Bay, Delta, or flow controlled reservoir, or, in a catchment that drains to channels that are tidally influenced; or (3) the project is located in a catchment or subwatershed that is highly developed (i.e., that is 70 percent or more impervious).[72]

[71] California Regional Water Quality Control Board San Francisco Region. Municipal Regional Stormwater NPDES Permit, Order No. R2-2022-0018, NPDES Permit No. CAS612008. May 11, 2022.

[72] The Hydromodification Applicability Maps developed the permittees under Order No. R2-2009-0074 were prepared using this standard, adjusted to 65 percent imperviousness to account for the presence of vegetation on

Municipal Regional Permit Provision C.12.f

Provision C.12.f of the Municipal Regional Permit (MRP) requires co-permittee agencies to implement a control program for PCBs that reduces PCB loads by a specified amount during the term of the permit, thereby making substantial progress toward achieving the urban runoff PCBs wasteload allocation in the Basin Plan by March 2030.[73] Programs must include focused implementation of PCB control measures, such as source control, treatment control, and pollution prevention strategies. Municipalities throughout the Bay Area are updating their demolition permit processes to incorporate the management of PCBs in demolition building materials to ensure PCBs are not discharged to storm drains during demolition.

California Building Standards Code

The CBC prescribes standards for building construction. Section J110 of the CBC requires implementation of measures to control erosion on projects involving faces of cut and fill slopes.

Water Resources Protection Ordinance and District Well Ordinance

Valley Water operates as the flood control agency for Santa Clara County. Valley Water also provides stream stewardship and is the wholesale water supplier throughout the county, which includes the groundwater recharge program. Well construction and deconstruction permits, including borings 45 feet or deeper, are required under Valley Water's Well Ordinance 90-1. Under Valley Water's Water Resources Protection Ordinance, projects within Valley Water property or easements are required to obtain encroachment permits.

2021 Groundwater Management Plan

The 2021 Groundwater Management Plan (GWMP) describes Valley Water's comprehensive groundwater management framework, including existing and potential actions to achieve basin sustainability goals and ensure continued sustainable groundwater management. The GWMP covers the Santa Clara and Llagas subbasins, which are located entirely in Santa Clara County. Valley Water manages a diverse water supply portfolio, with sources including groundwater, local surface water, imported water, and recycled water. About half of the county's water supply comes from local sources and the other half comes from imported sources. Imported water includes the District's State Water Project and Central Valley contract supplies and supplies delivered by the San Francisco Public Utilities Commission (SFPUC) to cities in northern Santa Clara County. Local sources include natural groundwater recharge and surface water supplies. A small portion of the county's water supply is recycled water.

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the photographic references used to determine imperviousness. Thus, the maps for Order No. R2-2009-0074 are accepted as meeting the 70 percent requirement.

[73] California Regional Water Quality Control Board San Francisco Region. Municipal Regional Stormwater NPDES Permit, Order No. R2-2022-0018, NPDES Permit No. CAS612008. May 11, 2022.

Local groundwater resources make up the foundation of the county's water supply, but they need to be augmented by Valley Water's comprehensive water supply management activities to reliably meet the county's needs. These include the managed recharge of imported and local surface water and in-lieu groundwater recharge through the provision of treated surface water and raw water, acquisition of supplemental water supplies, and water conservation and recycling.[74]

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.

Los Altos General Plan

The following policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating impacts on hydrology and water quality and are applicable to the project:

Policy	Description
IWD 3.1	Control surface runoff discharges into the stormwater system to comply with the National Pollution Discharge Elimination System Permit and the receiving water limitations assigned by the California Regional Water Quality Control Board.
IWD 3.3	Minimize the amount of impervious surfaces and directly connected impervious surfaces in areas of new development and redevelopment and where feasible maximize on-site infiltration of stormwater runoff.
IWD 3.4	Implement pollution prevention methods supplemented by pollutant source controls and treatment. Use small collection strategies located at, or as close as possible to the source (i.e., the point where water initially meets the ground) to minimize the transport of urban runoff and pollutants offsite.

Los Altos Municipal Code

The City's Municipal Code Section 10.16 requires new development to implement permanent stormwater pollution measures, including source control requirements, site design and treatment requirements and prevention consistent with the requirements of the RWQCB.

4.10.1.2 *Existing Conditions*

The project site is covered by approximately 8,075 square feet (90 percent) impervious surfaces (). The remaining 823 square feet of the site is covered by pervious areas which consist of small areas of exposed soil around the trucks of the three on-site trees and a raised planter at the Loraine Avenue/ Miramonte Avenue intersection.

[74] Valley Water. *2021 Groundwater Management Plan, Santa Clara and Llagas Subbasins*. November 2021.

Hydrology and Drainage

Four creeks are located within the City of Los Altos, including Adobe Creek, Stevens Creek, Permanente Creek, and Hale Creek. The closest creek to the project site is Permanente Creek, located approximately 285 feet east of the project site. The project site is located in the Hale Creek drainage basin which drains to Hale Creek via a network of connecting stormwater pipes.

Groundwater

The project site is located in the Santa Clara Plain groundwater subbasin. Groundwater is present at the project site at a depth of approximately 126 feet bgs. Water levels on-site may vary depending on seasonal precipitation, irrigation practices, and other climate conditions.

Flooding

The project site is not located in a 100-year floodplain, according to FEMA Flood Insurance Rate Map for Santa Clara County.[75] The project site is located in Flood Zone X.[76] Zone X is designated as areas of 0.2 percent annual change of flood, areas of one percent annual chance of flood with average depths of less than one foot or with drainage areas of less than one square mile, and areas protected by levees from one percent annual chance floods.

Seiches and Tsunamis

A seiche is defined as a standing wave generated by rapid displacement of water within an enclosed body of water (such as a reservoir, lake, or bay) due to an earthquake that triggers land movement within the water body or land sliding into or beneath the water body. There are no landlocked bodies of water near the project site that would affect the site in the event of a seiche.

A tsunami is a large tidal wave caused by an underwater earthquake or volcanic eruption. Tsunamis affecting the Bay Area can result from offshore earthquakes. Tsunami inundation maps for Santa Clara County show that the project site is not within a tsunami inundation area.[77]

[75] Federal Emergency Management Agency. Flood Insurance Rate Map: Number 06085C0202H. May 18, 2009.
[76] Ibid.
[77] California Geological Survey. Santa Clara County Tsunami Inundation Maps. Accessed October 23, 2023. https://www.conservation.ca.gov/cgs/tsunami/maps/santa-clara

4.10.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) 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?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Construction Impacts

Construction activities, such as grading and excavation, have the potential to result in temporary impacts to surface water quality in adjacent waterways. When disturbance to the soil occurs, sediments may be dislodged and discharged into the storm drainage system when surface runoff flows across the site. The project would comply with the Construction General Permit, provision C.12.f of the MRP, and CBC requirements which require projects that disturb less than one acre to implement control measures to reduce pollution in construction stormwater. Examples of control measures include regular street sweeping, removing soil from the wheels of off-road equipment, and installing straw bales to prevent trash, soils, and pollutants from entering the storm drains. **(Less than Significant Impact)**

Post-Construction Impacts

The project would add or replace more than 5,000 square feet of impervious surface area and would, therefore, require conformance with Provision C.3 of the MRP as well as Section 10.16 of the Municipal Code. To comply with Provision C.3 and Section 10.16 of the Municipal Code, the project includes landscaping and treatment control measures (i.e., bioretention areas, permeable paving, and storm drain treatment unit) to reduce the rates, volumes, and pollutant loads of runoff from the project. Therefore, the project would have a less than significant impact on postconstruction water quality. **(Less than Significant Impact)**

b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Groundwater is present at approximately 126 feet bgs. Development of the proposed project would include excavation for the proposed building foundations and footings, as well as trenching for new utility connections to a maximum depth of 2.5 feet bgs. Therefore, the project would not encounter the water table and dewatering would not be required during construction.

The project would rely on existing sources of water and the City's existing water delivery system. Although the project would increase the demand for water within the City, this increase would not result in a substantial depletion of aquifers relied upon for local water supplies (see discussion under checklist question b in Section 4.19 Utilities and Service Systems). The project site is not

located within or adjacent to any groundwater recharge facilities used by Valley Water.[78] Implementation of the project would increase the amount of pervious surfaces on-site compared to existing conditions, thereby, increasing the amount of rainfall infiltration on-site. For these reasons, the project would not substantially deplete groundwater supply or interfere with groundwater recharge. **(Less than Significant Impact)**

c) Would the project 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?

As discussed under Section 4.10.1.2 Existing Conditions, there are no waterways on-site, the project site is not located within a special hazard flood zone, and the site is almost entirely covered by impervious surfaces. The project would reduce the amount of impervious surface area on-site from 8,075 to 6,591 square feet, a reduction of 18 percent compared to existing conditions on-site. The project would include site design and post-construction treatment control measures in compliance with the MRP (as previously discussed under checklist question a above) and the City's permanent stormwater control standards (Municipal Code Section 10.16).

The project would reduce runoff volumes compared to existing conditions. Therefore, the project would not result in off-site flooding and the existing public storm drain system would continue to have capacity to treat runoff from the site. Therefore, the project would not increase the amount of surface runoff from the site nor exceed the capacity of existing or planned stormwater drainage systems.

Based on the above discussion, the project would not substantially alter the drainage pattern of the site or area. **(Less than Significant Impact)**

d) Would the project risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones?

As discussed under checklist question a in Section 4.9 Hazards and Hazardous Materials, no hazardous materials besides limited amounts of cleaning supplies, maintenance chemicals, and herbicides and pesticides for landscape maintenance would be routinely stored or used by the project. As discussed in Section 4.10.1.2, the project site is within Flood Zone X, where there is a 0.2

[78] Valley Water. *2021 Groundwater Management Plan*. Figure 1-3. November 29, 2021. https://www.valleywater.org/your-water/where-your-water-comes/groundwater/sustainable.

percent annual chance of flooding. Due to the project site's inland location and distance from large bodies of water (i.e., the San Francisco Bay), it is not subject to seiche or tsunami hazards.

Additionally, the project would be required to comply with Provision C.3 of the MRP requirements to reduce the impacts of stormwater runoff on post-construction water quality (refer to checklist question a above). For these reasons, the project would result in a less than significant risk for releasing pollutants due to inundation. **(Less than Significant Impact)**

e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

San Francisco Bay Basin Plan

As discussed under checklist question a above, the project would comply with Provision C.3 of the MRP. Thus, the project would not conflict with or obstruct implementation of the San Francisco Bay Basin Plan. **(Less than Significant Impact)**

2021 Groundwater Management Plan

As discussed in 4.10.1.2, the project site is within the Santa Clara Plain groundwater subbasin, and this subbasin has not been identified in the GMP as being over drafted. The project site is not located within or adjacent to any groundwater recharge facilities used by Valley Water.[79] Implementation of the project would not interfere with any actions set forth by Valley Water in its GMP regarding groundwater recharge, transport of groundwater, and/or groundwater quality. In addition, as discussed under checklist question b above, the project would not substantially decrease groundwater supplies or substantially interfere with groundwater recharge. **(Less than Significant Impact)**

[79] Valley Water. *2021 Groundwater Management Plan*. Figure 1-3. November 29, 2021. https://www.valleywater.org/your-water/where-your-water-comes/groundwater/sustainable.

4.11 Land Use and Planning

4.11.1 Environmental Setting

4.11.1.1 *Regulatory Framework*

State

State Density Bonus Law

The State Density Bonus law was enacted in 1979 to encourage developers to construct affordable housing units in exchange for increased density in a residential or mixed-use housing project, as long as the project includes a certain percentage of affordable units at specified levels of affordability. The levels of affordability include very-low income, low-income, or moderate-income households and vary depending upon the area median income. In order to increase the density of a project, it is frequently necessary to increase the size and mass of buildings. As a result, the State Density Bonus Law allows developers to apply for concessions/incentives and/or waivers/modifications to local development standards such as zoning standards to accommodate the increased units.

Local

Los Altos General Plan

The following policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating land use impacts and are applicable to the proposed project:

Policy	Description
LU4.6	Continue to review development proposals to ensure a balance between development rights and impacts on surrounding residential neighborhoods.

Los Altos Municipal Code

Title 14 of the Municipal Code contains the Zoning Code, where standards for growth and development in the City are codified. The Zoning Code is the primary tool for implementing the policies of the General Plan and addressing physical development standards and criteria for the City. Government Code Section 65860 requires municipalities to maintain consistency between their zoning ordinance and their adopted General Plan. One of the purposes of zoning is to implement the land use designations set forth in the General Plan. Although the two are distinct documents, the Los Altos General Plan and Zoning Code are closely related, and state law mandates that zoning regulations be consistent with the General Plan maps and policies.

Affordable Housing Ordinance

The Los Altos Affordable Housing Ordinance is contained in Chapter 14.28 of the Los Altos Municipal Code and includes requirements and standards for the production of affordable housing units. Specifically, the City's Affordable Housing Ordinance requires a percentage of the units constructed in multi-family residential development projects to be reserved as below market rate and establishes standards for the timing and construction of these units.

4.11.1.2 *Existing Conditions*

As described in Section 2.6 General Plan Designation and Zoning District, the General Plan designation for the project site is Neighborhood Commercial. The Neighborhood Commercial land use designation typically allows for retail uses serving the needs of nearby neighborhoods. Specified areas may also include residential, general business, medical, or professional office uses.

The project site is zoned Commercial Neighborhood (CN). Specific purposes of the CN District include to retain and enhance the neighborhood convenience character, to preserve and improve the existing character by encouraging pedestrian-scale development and amenities, circulation, and landscaping; retain an emphasis on retail uses, including service and limited office uses; allow for mixed uses of commercial and residential; and buffer the impacts of commercial development on neighboring residential properties. Permitted uses within the CN District include office uses, restaurants, retail and personal service establishments. Conditionally allowed uses within the CN district include day care centers, housing located above the ground floor, medical and dental clinics and nurseries or garden supply stores. The Commercial Neighborhood area allows building heights of up to 45 feet.

The project site is currently developed with a commercial building and associated improvements. Surrounding land uses include residences to the north, west, and east, office and commercial uses to the south, and commercial uses to the southeast. An aerial photograph of the project site and surrounding land uses is shown on Figure 2.5-3.

4.11.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	☐	☐	☒	☐
b) 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?	☐	☐	☒	☐

a) Would the project physically divide an established community?

A physical division of an established community typically refers to the construction of a physical feature (such as a wall, roadway, or railroad tracks) or the removal of a means of access (such as a local roadway or bridge) that would impair mobility within an existing community or between communities.

The project would redevelop the site with a mixed-use building. The project would not construct physical features or close an existing street that would impair mobility. For these reasons, the project would not physically divide an established community. **(Less than Significant Impact)**

b) Would the project 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?

The proposed land uses are allowed under the existing Commercial Neighborhood General Plan land use designation and CN zoning. As described in Section 3.0 Project Description, the project would utilize the State Density Bonus Law and the City's Affordable Housing Ordinance to exceed the allowed maximum building height.

With the exception of the requested incentives for increased building height and waivers from the setbacks, step-back, building recess guidelines, window and balcony orientation, windows at the side yard, and parking and loading requirements, which are permitted per the State Density Bonus Law and the City's Affordable Housing Ordinance, the project would meet all required site standards, including buffer zones between adjacent land uses. The City of Los Altos' design review process for multi-family residential developments would ensure that the final design and site layout of the project is consistent with all applicable design findings and CN District specific design controls.

In addition, the project would be designed to comply with the 2017 CAP, City's noise regulations, and transportation policies, as described in Sections 4.3 Air Quality, 4.13 Noise and Vibration, and 4.17 Transportation, respectively. For the reasons discussed above, implementation of the proposed project would be consistent with established land use plans, policies, and regulations. **(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 City of Los Altos exists on the very deep alluvial soils in the Santa Clara Valley formed from erosion of the nearby Santa Cruz Mountains to the west. As a result of this process, the topography of the project area is relatively flat and there are no significant mineral resources within the City of Los Altos.[80]

4.12.2 Impact Discussion

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

[80] City of Los Altos. *Los Alto General Plan 2020 Initial/Mitigated Negative Declaration*. November 2002. Page 32.

a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state?

As discussed in Section 4.12.1.2 Existing Conditions, there are no mineral resources on the project site. Therefore, development of the project would not result in the loss of availability of a mineral resource. **(No Impact)**

b) Would the project 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?

There are no identified mineral resources recovery sites located on-site. Therefore, the project would not result in the loss of a locally important mineral resource recovery site. **(No Impact)**

4.13 Noise

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.[81] 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 ground-borne 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.

[81] 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*

Federal

Federal Transit Administration Vibration Limits

The Federal Transit Administration (FTA) has developed vibration impact assessment criteria for evaluating vibration impacts associated with transit projects. The FTA has proposed vibration impact criteria based on maximum overall levels for a single event. The impact criteria for groundborne vibration are shown in Table 4.13-1 below. These criteria can be applied to development projects in jurisdictions that lack vibration impact standards.

Table 4.13-1: Groundborne Vibration Impact Criteria

Land Use Category	Groundborne Vibration Impact Levels (VdB inch/sec)		
	Frequent Event	Occasional Events	Infrequent Events
Category 1: Buildings where vibration would interfere with interior operations	65	65	65
Category 2: Residences and buildings where people normally sleep	72	75	80
Category 3: Institutional land uses with primarily daytime use	75	78	83

Source: Federal Transit Administration. *Transit Noise and Vibration Assessment Manual.* September 2018.

State and Local

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, apartments, and dwellings other than single-family residences. Title 24 mandates that interior noise levels attributable to exterior sources do not exceed 45 DNL/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.

For commercial uses, Section 5.507.4.1 and 5.507.4.2 requires that wall and roof-ceiling assemblies exposed to the adjacent roadways have a composite STC rating of at least 50 or a composite outdoor/indoor transmission class (OITC) rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30 when the commercial property falls within the 65 dBA DNL or greater noise contour for a freeway or expressway, railroad, or industrial or stationary noise source.

The state requires interior noise levels to be maintained at 50 dBA L_{eq} (1-hour) or less during hours of operation at a proposed commercial use.

Los Altos General Plan

The following policies in the City's General Plan have been adopted for the purposes of reducing or avoiding impacts related to noise, and are applicable to the project:

Policy	Description
NEH 7.2	Enforce the following maximum acceptable noise levels for new construction of various noise-sensitive uses in an existing noise environment. • 60 dBA CNEL is the maximum acceptable outdoor noise exposure level for single-family residential areas. • 65 dBA CNEL is the maximum acceptable outdoor noise exposure level for multiple-family residential areas. • 70 dBA CNEL is the maximum acceptable outdoor noise exposure level for schools (public and private), libraries, churches, hospitals, nursing homes, parks, commercial, and recreation areas. Excepted from these standards are golf courses, stables, water recreation, and cemeteries.
NEH 7.3	Work to achieve indoor noise levels not exceeding 45 dBA CNEL in the event that outdoor acceptable noise exposure levels cannot be achieved by various noise attenuation mitigation measures.
NEH 7.5	Require reasonable mitigation measures to reduce noise levels to those determined to be acceptable in the event that significant increased noise levels will result from an improvement to the circulation system.
NEH 7.9	Minimize stationary noise sources and noise emanating from construction activities.

Los Altos Municipal Code

Chapter 6.16 of the City's Municipal Code contains standards and regulations to control unnecessary, excessive, and annoying noise and vibration within the City. Specifically, Section 6.16.50 of the Los Altos Municipal Code establishes exterior noise limits for various zoning districts as shown in Table 4.13-2.

Table 4.13-2: Exterior Noise Limits

Receiving Land Use Category	Time Period	Noise Level (dBA)[1]
All R1 Zoning Districts	10:00 PM – 7:00 AM	45
	7:00 AM – 10:00 PM	55
All R3 Zoning Districts	10:00 PM – 7:00 AM	50
	7:00 AM – 10:00 PM	55
All R3 Zoning Districts	10:00 PM – 7:00 AM	55
	7:00 AM – 10:00 PM	60
All OA Zoning Districts	10:00 PM – 7:00 AM	60
	7:00 AM – 10:00 PM	65
All C Zoning Districts	10:00 PM – 7:00 AM	60
	7:00 AM – 10:00 PM	65

Notes: [1] Levels not to be exceeded more than 30 minutes in any hour.

The Municipal Code prohibits the production of noise on one property that would (i) exceed the noise standard on any other property for a cumulative period of more than thirty minutes in any hour; (ii) exceed the noise standard plus five dB on any other property for a cumulative period of more than fifteen minutes in any hour; (iii) exceed the noise standard plus 10 dB on any other property for a cumulative period of more than five minutes in any hour; (iv) exceed the noise standard plus 15 dB on any other property for a cumulative period of more than one minute in any hour; or (v) exceed the noise standard plus 20 dB or the maximum measured ambient on any other property for any period of time. The City's Municipal Code states that if the measured ambient level exceeds the maximum permissible noise level within any of the first four situations described above, the allowable noise exposure standard shall be increased in five dB increments in each category. In the event the ambient noise level exceeds the fifth noise limit category, the maximum allowable noise level under said category shall be increased to reflect the maximum ambient noise level. If the noise measurement occurs on a property adjacent to a zone boundary, the noise level limit applicable to the lower noise zone, plus five dB is the applicable noise limit.

To ensure that unnecessary or excessive noise disturbances from specific activities and equipment are avoided, the Noise Control Ordinance sets noise thresholds for musical instruments, loudspeakers, loading and unloading, construction and demolition, and air-conditioning equipment (Section 6.16.070). Exceeding those thresholds is considered a prohibited act and would constitute a violation of the Ordinance.

Chapter 6.16.070 of the City's Municipal Code establishes allowable hours of construction within residentially zoned properties between 7:00 AM and 5:30 PM Monday through Friday and between 9:00 AM and 3:00 PM on Saturdays. Construction occurring during allowable hours is limited to 75 dBA in single-family residential areas (all R1 Zoning Districts), 80 dBA in multi-family residential areas (all R3 Zoning Districts), and 85 dBA in commercial areas (all OA and C Zoning Districts).

4.13.1.3 *Existing Conditions*

The primary noise sources in the project vicinity include vehicular traffic along Miramonte Avenue and Loraine Avenue and occasional aircraft flyovers.

The project site is currently developed with a commercial building and associated improvements. Surrounding land uses include residences to the north, and office and commercial uses to the south. The nearest residential receptor is the existing residence at 982 Loraine Avenue (approximately five feet north of the project site as measured from the nearest property line or 48 feet from the center of project construction). The nearest commercial receptor to the project site is the post office located at 1525 Miramonte Avenue (approximately 59 feet from the nearest property lines or 103 feet southwest as measured from the center of the project site).

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:				
a) 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?	☐	☐	☐	☒
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) 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?	☐	☐	☐	☒

A significant impact would be identified if project construction or operations would result in a substantial temporary or permanent increase in ambient noise levels at sensitive receivers in excess of the local noise standards contained in the Los Altos General Plan or Municipal Code, as follows:

- Operational Noise in Excess of Standards. 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. The City of Los Altos limits sound levels generated by air-conditioning or air-handling equipment to 50 dBA at residential property lines. Other operational noise sources, such as vehicle trips and circulation, are limited to the levels specified in Table 4.13-2.
- Permanent Noise Increase. A significant impact would be identified if traffic generated by the project 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 DNL or greater, with a future noise level of less than 60 dBA DNL, or b) the noise level increase is three dBA DNL or greater, with a future noise level of 60 dBA DNL or greater.
- Temporary Noise Increase. A significant temporary noise impact would be identified if construction would occur outside of the hours specified in the Municipal Code or if construction noise levels were to exceed the City's construction noise limits at adjacent noise sensitive land uses. Construction occurring during allowable hours is limited to 75 dBA in single-family residential areas (all R1 Zoning Districts), 80 dBA in multi-family residential areas (all R3 Zoning Districts), and 85 dBA in commercial areas (all OA and C Zoning Districts).

The City of Los Altos does not specify a construction vibration limit. For structural damage, Caltrans recommends a vibration limit of 0.5 in/sec PPV for new residential and modern commercial/industrial structures, 0.3 in/sec PPV for older residential structures, and a limit of 0.25 in/sec PPV for historic and some old buildings. The 0.3 in/sec PPV vibration limit would be applicable to properties in the vicinity of the project site.

a) Would the project 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?

Temporary Construction Noise

Noise impacts resulting from construction depend upon the noise generated by various pieces of construction equipment, timing and duration of noise-generating activities, and distance between construction noise sources and noise-sensitive areas. Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (e.g., early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise-sensitive land uses, or when construction lasts over extended periods of time.

Chapter 6.16.070 of the City's Municipal Code establishes allowable hours of construction within residentially zoned properties between 7:00 AM and 5:30 PM Monday through Friday and between 9:00 AM and 3:00 PM on Saturdays. The City also provides recommended maximum noise limits for construction occurring during allowable hours. These limits are 75 dBA in single-family residential areas, 80 dBA in multi-family residential areas, and 85 dBA in commercial areas.

Construction activities generate considerable amounts of noise, especially during earth-moving activities when heavy equipment is used. During each stage of construction, there would be a different mix of equipment operating, and noise levels would vary by stage and vary within stages, based on the amount of equipment in operation and the location at which the equipment is operating. Table 4.13-3 shows, typical construction noise levels for residential and mixed-use developments at a distance of 50 feet.

Table 4.13-3: Typical Construction Noise Levels by Phase

Construction Activity	Noise Level at 50 Feet, Leq (dBA)[1]
Ground clearing	83
Excavation	75-88
Foundations	81
Building Construction	65-81
Finishing	72-88

[1] When range is provided, lower number represents noise levels when minimum required equipment is present and higher number represents noise level when all pertinent equipment is present.

Source: City of Los Altos. *330 Distel Circle Residential Project Initial Study Application Number: 2021-0006.* July 2022. Appendix E: Noise Assessment.

Project construction activities would occur between 7:00 AM and 5:30 PM Monday through Friday and between 9:00 AM and 3:00 PM on Saturdays, consistent with the City's allowed construction hours. As shown in Table 4.13-3 above, project construction could generate noise levels up to 88 dBA at a distance of 50 feet. Therefore, although project construction would be limited to the City's allowed construction hours, noise levels at the nearest single-family residential use (approximately five feet north as measured from the nearest property lines) and the nearest commercial use (approximately 59 feet north as measured from the nearest property line) would exceed the City's recommended noise limits of 75 dBA in single-family residential areas and 85 dBA in commercial areas.

Impact NOI-1: Project construction activities would generate noise levels in excess of City limits of 75 dBA in single-family residential areas and 85 dBA in commercial areas.

Mitigation Measures:

MM NOI-1.1: The project shall implement the following standard measures to reduce temporary construction noise:

- For development projects involving construction within 50 feet of sensitive receivers, the applicant shall develop a site-specific Construction Noise Reduction Program prepared by a qualified acoustical consultant to reduce construction noise impacts to the maximum extent feasible, subject to review and approval of the Planning Director in advance of issuance of building permits. The following measures to minimize exposure to construction noise shall be included:
    - Mufflers. During excavation and grading construction phases, all construction fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers consistent with manufacturers' standards.
    - Air compressors. Utilize "quiet" models of air compressors and other stationary noise sources to the greatest extent practicable. Select hydraulically or electrically powered equipment and avoid pneumatically powered equipment where feasible.
    - Pile driving. If pile driving is required, pre-drill foundation pile holes to minimize the number of impacts required to seat the pile. Examine whether the use of sonic pile driving is feasible and quieter. If so, utilize that method.
    - Stationary Equipment. All stationary construction equipment shall be placed so that the emitted noise is directed away from the nearest sensitive receivers. Construction temporary noise barriers or partial enclosures to acoustically shield such equipment to the maximum extent feasible.
    - Smart Back-Up Alarms. Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction.
    - Perimeter Noise Reduction. Construct solid plywood fences around construction sites adjacent to operational businesses, residences or other noise-sensitive land uses where the noise

control plan analysis determines that a barrier would be effective at reducing noise.

- Signage. For the duration of construction, the applicant or contractor shall post a sign in a construction zone that includes contact information for any individual who desires to file a noise complaint.

Implementation of the above Standard Conditions of Approval would reduce temporary construction noise levels to less than significant by using best available noise suppression devices and techniques. **(Less than Significant Impact with Mitigation Incorporated)**

Permanent Operational Noise

Project-Generated Traffic

A significant impact from project generated traffic would result if project generated traffic were to result in a permanent noise level increase of five dBA CNEL or greater in a residential area where the resulting noise environment would continue to be 60 dBA CNEL or less. A permanent noise level increase of three dBA CNEL is typically generated if a project would double existing traffic volumes along a roadway.

Based on a review of the Transportation Screening Memo prepared for the project (refer to Appendix E), the project would result in a net increase of 26 vehicle trips per day compared to baseline conditions on-site.[82] In addition, since the project would not double the amount of development in the area, the project would not double existing traffic volumes and would not, therefore, result in a perceptible change in traffic noise levels in the project area. Since operation of the project would not result in a permanent five dBA DNL increase in ambient noise levels, the project would not substantially increase ambient noise levels. **(Less than Significant Impact)**

Parking

As discussed in Section 3.1.2 Site Access and Parking, parking would be provided within a partially enclosed ground-floor parking garage which would attenuate noise levels from parking lot activities as perceived by nearby receptors such as the adjacent residence. As previously mentioned, the project would result in a net increase of 26 vehicle trips compared to existing conditions on-site which does not constitute a doubling of traffic on area roadways. Therefore, traffic noise levels, including those resulting from parking lot activity, would not substantially increase ambient noise levels. **(Less than Significant Impact)**

[82] While the commercial building is currently unoccupied it has historically been occupied for about 50 years and could be reoccupied at any time without the need for substantial renovation. For this reason, this analysis assumes the existing building is occupied. If no credit were taken for existing trips, the project would result in 117 average daily trips.

Mechanical Equipment Noise

The project would include mechanical equipment, such as heating, ventilation, and air conditioning systems (HVAC). Mechanical equipment would be located on the roof level of the proposed mixed-use building and would be screened by the roof form. However, the exact location, make, and model of proposed equipment has not been determined at this time. Typical residential air-cooled condensing units generate noise levels ranging from 50 to 60 dBA at a distance of 50 feet from the equipment, depending on the equipment selected. Consistent with City standard practice, the project would implement the following standard measures to ensure mechanical equipment noise is consistent with Municipal Code thresholds:

Standard Condition of Approval:

- **Mechanical Equipment:** Prior to issuance of a building permit, the applicant shall show the location of any mechanical equipment and demonstrate compliance with the requirements of Chapter 11.14 (Mechanical Equipment) and Chapter 6.16 (Noise Control) of the Los Altos City Code.

- **Acoustical Report for Mechanical Equipment:** Prior to issuance of a building permit, the applicant shall submit a report from an acoustical engineer/consultant ensuring that the rooftop mechanical equipment meets the City's Noise Control Ordinance (Chapter 6.16).

With implementation of the above Standard Conditions of Approval, the impact would be less than significant. **(Less than Significant Impact)**

b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Project construction may generate perceptible vibration when heavy equipment or impact tools (e.g., jackhammers, hoe rams) are used in the vicinity of nearby sensitive land uses. Construction activities would include demolition, site preparation, grading and excavation, trenching and foundation, building (exterior), interior/architectural coating, and paving. Pile driving is not proposed.

The City of Los Altos does not specify a construction vibration limit. Therefore, the Caltrans recommended vibration limit of 0.5 in/sec PPV for new residential and modern commercial/industrial structures, 0.3 in/sec PPV for older residential structures, and 0.25 in/sec PPV for historic buildings is assumed. The 0.3 in/sec PPV vibration limit would apply to properties near the project site and the 0.25 in/sec PPV vibration limit would apply to the nearest historic property.

Table 4.13-4 shows the vibration levels generated by typical construction equipment.

Table 4.13-4: Vibration Levels for Construction Equipment

Equipment		PPV at 25 feet (in/sec)	PPV at 50 feet (in/sec)
Clam shovel drop		0.202	0.094
Hydromill (slurry wall)	in soil	0.008	0.001
	in rock	0.017	0.002
Vibratory roller		0.210	0.099
Hoe Ram		0.089	0.004
Large bulldozer		0.089	0.004
Caisson drilling		0.089	0.004
Loaded trucks		0.076	0.036
Jackhammer		0.035	0.016
Small bulldozer		0.003	0.001

Source: Federal Transit Administration, Office of Planning and Environment, U.S. Department of Transportation. *Transit Noise and Vibration Impact Assessment Manual.* September 2018.

As shown in Table 4.13-4, construction equipment could generate vibration levels of up to 0.202 in/sec PPV at a distance of 25 feet and up to 0.09 at a distance of 50 feet. The nearest building to the project site is the residence located at 982 Loraine Avenue (approximately five feet as measured from the property line to the nearest building wall). According to the Santa Clara County Department of Planning and Development, this building was constructed in 1942 and would be considered an older building under the Caltrans recommended vibration limits. Therefore, operation of vibratory rollers and clam shovel drops within 25 feet of the residence at 982 Loraine Avenue could exceed the Caltrans recommended vibration limit for this structure. All other buildings in the project vicinity would be located greater than 25 feet from the project site and would, therefore, not be subject to vibration levels exceeding the Caltrans recommended vibration limits.

Impact NOI-2: Construction vibration levels at 982 Loraine Avenue would exceed the Caltrans recommended vibration limit of 0.3 in/sec PPV within 25 feet of the project site.

Mitigation Measures:

MM NOI-2.1: The project applicant shall retain a qualified acoustical professional to prepare a Construction Vibration Operations plan. The applicant is responsible for ensuring the plan is implemented during construction to reduce vibration levels to 0.3 in/sec PPV or less at 982 Loraine Avenue. The plan shall include, but is not limited to, the following measures:

- Place operating equipment on the construction site as far as possible from vibration-sensitive receptors.
- Use smaller vibratory rolling equipment, for example the Caterpillar model CP433E vibratory compactor, within 25 feet of older buildings.
- Select demolition methods not involving impact tools.
- Avoid dropping heavy equipment within 25 feet of older buildings, and use alternative methods for breaking up existing pavement, such as a pavement grinder.
- Hoe rams, large bulldozers, drill rigs, loaded trucks, and other similar equipment shall not be used within 25 feet of adjacent older buildings.
- Designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site.
- Prior to issuance of any demolition, grading, or building permits for the project, the applicant shall submit a Construction Vibration Operations Plan to the Director of Development Services for review and approval. Additionally, the measures shall be included on the issued Grading Permit and Building Permit plans.

With implementation of the above mitigation measures, project construction vibration would be reduced to below the Caltrans recommended vibration limit of 0.3 in/sec PPV at the residence at 982 Loraine Avenue. **(Less than Significant Impact with Mitigation Incorporated)**

c) 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?

The project site is not located within two miles of a public airport or in the vicinity of a private airstrip and, therefore, would not expose people residing or working in the project area to excessive aircraft noise levels. **(No 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. BAAD), 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 Los Altos has policies (including General Plan Policies NEH 7.2 and 7.3 identified in Section 4.13.1.2 Regulatory Framework) that address existing noise conditions affecting a proposed project.

Future Exterior Noise Environment

As noted in Section 4.13.1.2 Regulatory Framework, the City's Noise Element establishes 65 dBA CNEL as the maximum acceptable outdoor exposure level for multiple family residential areas.

Standard Condition of Approval:

- **Detailed Acoustical Analysis:** Prior to issuance of any building permit, the project applicant shall retain a qualified acoustical consultant to prepare a detailed acoustical study during final building design to evaluate the land use compatibility of the proposed common use outdoor spaces with the future noise environment at the site and to identify necessary noise controls that are included in the design to meet the City's requirements. The study shall be submitted to the Director of the Department of Development Services prior to issuance of any building permit.

Implementation of the above Standard Conditions of Approval would ensure that exterior noise levels are reduced to acceptable outdoor exposure levels for multiple family residential areas.

Future Interior Noise Environment

General Plan Policy NEH 7.3 and CBC requires indoor noise levels not exceed 45 dBA CNEL for residential uses and 60 dBA CNEL for commercial uses. Interior noise levels would vary depending upon the design of the buildings 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.

Standard Condition of Approval:

- **Site-Specific Building Acoustical Analysis:** A qualified acoustical consultant shall review final site plans, building elevations, and floor plans prior to construction to calculate expected interior noise levels as required by State noise regulations. Project-specific acoustical analyses are required by the California Building Code to confirm that the design results in interior noise levels reduced to 45 dB(A) CNEL or lower. The specific determination of what

noise insulation treatments are necessary shall be completed on a unit-by-unit basis. 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 prior to issuance of a building permit. Building sound insulation requirements shall include the provision of forced-air mechanical ventilation for all residential units as recommended by the qualified acoustical consultant, so that windows can be kept closed at the occupant's discretion to control noise. Special building techniques (e.g., sound-rated windows and building facade treatments) shall be implemented as recommended by the qualified acoustical consultant to maintain interior noise levels at or below acceptable levels. These treatments shall include, but are not limited to, sound-rated windows and doors, sound-rated wall construction, acoustical caulking, protected ventilation openings, etc.

Implementation of the above Standard Condition of Approval would ensure that interior noise levels are reduced to acceptable levels by allowing for closing the windows to control noise. Depending on exterior noise levels, a combination of forced-air mechanical ventilation and sound-rated windows and doors may be required to meet interior noise levels.

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.[83] The City of Los Altos Housing Element and related land use policies were last updated in August 2023.[84]

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 PDAs. PDAs are areas generally near existing job centers or frequent transit that are locally identified for housing and job growth.[85]

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,

[83] California Department of Housing and Community Development. "Regional Housing Needs Allocation and Housing Elements" Accessed October 24, 2023. https://www.hcd.ca.gov/planning-and-community-development/housing-elements

[84] City of Los Altos. 6th Cycle Housing Element 2023-2031. Adopted January 2023, revised August 2023. https://www.losaltosca.gov/sites/default/files/fileattachments/development_services/page/85539/lwc_losaltos_heu_final_081623_compiled_compressed.pdf

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

MTC, and local jurisdiction planning staff created the Forecasting and Modeling Report, which is a technical overview of the growth forecasts and land use models upon which Plan Bay Area 2050 is based.

4.14.1.2 *Existing Conditions*

As of January 2024, the City of Los Altos had a total population of approximately 31,255 residents.[86] In 2040, it is estimated that the City will have approximately 32,960 residents.[87]

The project site is developed with a commercial building and does not contain any housing units. As noted in Section 1.2, the City adopted its updated Housing Element in January 2023. The adopted Housing Element assumed development of up to 12 residential units on the project site.[88]

4.14.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) 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)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

[86] State of California Department of Finance. *E-5 population and Housing Estimates for Cities, Counties and the State – January 1, 2021 – 2024, with Benchmark.* Sacramento, California. May, 2024. Accessed September 24, 2024. https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2024/

[87] Association of Bay Area Governments. Plan Bay Area Projections 2040. November 2018. Page 130.

[88] City of Los Altos. 6th Cycle Housing Element 2023-2031. Adopted January 2023. Revised August 2023. Page B-6. https://www.losaltosca.gov/sites/default/files/fileattachments/development_services/page/85539/lwc_losaltos_heu_final_081623_compiled_compressed.pdf

a) Would the project 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)?

A project can induce substantial population growth by proposing new housing beyond projected or planned development levels, generating demand for housing as a result of new businesses, extending roads, or other infrastructure to previously undeveloped areas, or removing obstacles to population growth (e.g., expanding capacity of a wastewater treatment plant beyond that necessary to serve planned growth).

The project proposes 12 residential units and 962 square feet of ground floor retail space on-site. Assuming the City average household size of 2.75 people per dwelling unit,[89] the project would increase the local population by approximately 33 persons. Additionally, the proposed retail space would generate approximately one jobs assuming it is occupied by a retail land use.[90] The project is consistent with the City's General Plan designation; therefore, the project is part of the growth in the City. Furthermore, the project would be adequately served by existing infrastructure and would not extend roads or other infrastructure. For these reasons, the project would not directly or indirectly induce substantial unplanned growth in the area. **(Less than Significant Impact)**

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

There are no housing units or residences on-site. Therefore, implementation of the project would not displace existing residents from the project site that would necessitate construction of replacement housing elsewhere. **(Less than Significant Impact)**

[89] State of California Department of Finance, E-5 population and Housing Estimates for Cities, Counties and the State – January 1, 2021 – 2024, with 2020 Benchmark. Sacramento, California. May 2024. Accessed September 24, 2024.

[90] Employee count was estimated based on the AM/PM peak hour of generator vehicle trip rate per 1,000 square feet. (7.60/13.24) divided by the AM/PM peak hour of generator trip rate per employee 5.29 (10.15) to get 1.44/1.30 employees/1,000 square feet. Source: Michelle Hunt, Vice President and Principal Associate. Hexagon Transportation Consultants, Inc. Personal Communication. June 21, 2024.

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.

Regional and Local

Countywide Trails Master Plan

The Santa Clara County Trails Master Plan Update is a regional trails plan approved by the Santa Clara County Board of Supervisors. It provides a framework for implementing the County's vision of providing a contiguous trail network that connects cities to one another, cities to the county's regional open space resources, County parks to other County parks, and the northern and southern urbanized regions of the County. The plan identifies regional trail routes, sub-regional trail routes, connector trail routes, and historic trails.

City of Los Altos General Plan

The following policies in the City's General Plan have been adopted for the purpose of avoiding or reducing public services impacts and are applicable to the project:

Policy	Description
OSCCF 1.4	Require park dedication, public open space, or require fees in lieu thereof, for all new subdivisions and multi-family residential development in Los Altos.
OSCCF 6.1	Promote community order by preventing criminal activity, enforcing laws, and meeting the community service demands.
OSCCF 6.4	Continue cooperative mutual aid agreements with nearby jurisdictions to ensure rapid and sufficient response to emergency situations.

Los Altos Municipal Code

The City of Los Altos has established a Parkland Dedication Ordinance (Chapter 13.24.010 of the Municipal Code) which requires residential subdivisions to dedicated land for park or recreational purposes, or pay a fee in-lieu thereof, as a condition of approval for the final subdivision or parcel map. The intent of the ordinance is to allow development to occur within the City in a manner that meets the City's parks and recreation goals.

Los Altos Parks Plan

The Los Altos Parks Plan, adopted in May 2012, is intended to create a clear set of goals, policies, and objectives that provide direction to the City Council and City staff for the development, improvement, and enhancement of the City's park system for the next 20 to 30 years. The Parks Plan was designed to parallel the General Plan's Open Space, Conservation, and Facilities Element by providing specific direction and recommendations related to parks in Los Altos.

4.15.1.2 *Existing Conditions*

Fire and Police Protection Services

The City of Los Altos contracts with the Santa Clara County Fire District for fire and emergency medical services. There are two fire stations in Los Altos: Almond Fire Station located at 10 Almond Avenue; and Loyola Fire Station located at 765 Fremont Avenue. The closest station to the project site is the Loyola Fire Station, located approximately 0.3 miles northwest of the project site.

Police protection serves for the project site are provided by the Los Altos Police Department, headquartered at 1 North San Antonio Road, approximately 2.3 miles northwest of the project site. The Department has 32 sworn officers and 14 professional support staff.[91]

Schools

The project site is located in the Los Altos School District and the Mountain View-Los Altos High School District. Elementary school students in the project area attend Loyola Elementary School, located approximately 0.4 miles northwest of the project site. Middle school students in the project area attend Georgina P. Blach Junior High School, located approximately 0.6 miles northeast of the project site. High School students in the project area attend Mountain View High School, located approximately 1.0 mile southeast of the project site.

As of 2023, Loyola Elementary School has a capacity of approximately 550 students and an enrollment of approximately 350 students. Georgina P. Blach Junior High School has a capacity of approximately 515 students and an enrollment of approximately 404 students. There are portable classrooms at both schools that provide additional educational space in addition to permanent educational facilities, if needed. The District has no plans for expanding facilities at Loyola Elementary School or Georgina P. Blach Junior High School at this time.[92]

Mountain View High School has a capacity of 1,950 students and a current enrollment of 2,220 students. There are portable classrooms that currently provide additional educational space in addition to permanent education facilities to accommodate existing enrollment. According to the Mountain View-Los Altos School District, as new residential units are constructed, additional facilities to house students generated from new development will be needed.[93]

Parks

The City provides and maintains developed parkland and open space to serve its residents. Residents of Los Altos are served by community park facilities, neighborhood parks, playing fields, and community centers. The City's Department of Recreation and Community Services is responsible for development, operation, and maintenance of all City park facilities.

The project site is located near several public parks. The closest park to the project site is Heritage Oaks Park, located approximately 960 feet northeast of the project site. Other park facilities in the

[91] City of Los Altos. "About the Los Altos Police Department." Accessed July 10, 2024. https://www.losaltosca.gov/police/page/about-los-altos-police-department
[92] Walukiewicz, Erik. Assistant Superintendent-Business Services, Los Altos School District. Personal Communication. November 20, 2023.
[93] Aguilar, Irene. Assistant to the Associate Superintendent, Business Services. Mountain View Los Altos High School District. Personal Communication. October 31, 2023.

vicinity include McKenzie Park, approximately 0.3 miles north of the project site; and Marymeade Park, located approximately 0.4 miles southeast of the project site.

Libraries

The City of Los Altos is served by the Santa Clara County Library District. The closest library to the project site is Arthur D. Harris Library and Media Center, approximately 0.5 miles northeast of the project site.

Community Centers

There are two community centers located in Los Altos: Grant Park Community Center located at 1575 Holt Avenue, approximately 1.1 miles south of the project site and Hillview Community Center located at 97 Hillview Avenue, approximately two miles 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, the 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:				
a) Fire Protection?	☐	☐	☒	☐
b) Police Protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☒	☐
d) Parks?	☐	☐	☒	☐
e) Other Public Facilities?	☐	☐	☒	☐

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection services?

The development of the project would incrementally increase the local population, jobs, and associated demand on fire protection services compared to existing conditions. The incremental increase in demand, however, would not, by itself, require new facilities or expansion of existing facilities to provide adequate fire protection services. The project would comply with General Plan Policy OSCCF 6.1 by being constructed in compliance with the current iterations of the CBC and CFC to ensure the building is fire safe. The project would be reviewed by the Santa Clara County Fire District to ensure applicable Fire Code standards to reduce potential fire hazards are included in the project design when construction permits are issued, including sprinklers and smoke detectors. For these reasons, the project would not significantly impact fire protection services. **(Less than Significant Impact)**

b) 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 police protection services?

The project site is currently served by the Los Altos Police Department. Similarly to fire protection services, the proposed project would incrementally increase the demand for police protection services at the project site compared to existing conditions. The incremental increase in demand for police protection services would not require new or expanded police protection facilities in order to maintain acceptable emergency service. As discussed in Impact PS-1, the project would comply with General Plan Policy OSCCF 6.1 by being constructed in conformance with current codes and the project design would be reviewed by the Los Altos Police Department to ensure the project design incorporates appropriate safety features to minimize criminal activity. For these reasons, the project would not significantly impact police protection services. **(Less than Significant Impact)**

c) 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 schools?

The project would develop 12 multi-family residential units and 962 square feet of ground floor retail space. Based on the student generation rate of 0.09 students per unit for elementary schools and junior high schools from the Los Altos School District, the project would generate approximately one new elementary or middle school student.[94, 95] Based on the student generation rate of 0.047 students per market rate unit and 0.312 students per below market rate unit for the Mountain View Los Altos High School District, the project would generate about one new high school student.[96]

As noted in Section 4.15.1.2 Existing Conditions above, both Loyola Elementary and Georgina Blach Junior High School are currently operating below capacity and would be able to accommodate existing student enrollment and the project-generated students with existing facilities.

As stated above, the project would generate approximately one new high school student. Mountain View High School is currently utilizing portable classrooms to meet their enrollment capacity and would continue to do so regardless of the project. The addition of one new student generated by the project would not alone require the construction of new or expanded school facilities.

In summary, the project itself would not trigger the need to construct or expand school facilities. The project is required to pay school impact fees in accordance with California Government Code Section 65996 to mitigate its impact to local school facilities to a less than significant level. **(Less than Significant Impact)**

[94] Walukiewicz, Erik. Assistant Superintendent-Business Services, Los Altos School District. Personal Communication. November 20, 2023.
[95] The Los Altos School District does not have a separate student generation rate for below market rate units.
[96] Aguilar, Irene. Assistant to the Associate Superintendent, Business Services. Mountain View Los Altos High School District. Personal Communication. October 31, 2023.

d) 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 parks?

The new residents and employees from the project would incrementally increase the use of existing recreational facilities in the project area.[97] The proposed project would include approximately 1,824 square feet of shared outdoor amenity space, in the form a rooftop terrace, that would offset the project's demand on park facilities. The project would conform to the City's Parkland Dedication Ordinance (Chapter 13.24.010 of the Municipal Code) which requires residential subdivisions to dedicate land for park or recreational purposes, or pay a fee in-lieu thereof, as a condition of approval for the final subdivision or parcel map.

Standard Condition of Approval:

- **Payment of Impact and Development Fees:** The applicant shall pay all applicable development and impact fees prior to issuance of a building permit, including but not limited to Sanitary Sewer Connection fee, Transportation, Park and Recreation, Public Art, Public Safety, and General Government impact fees as required by the City of Los Altos Municipal Code and current adopted fee schedule

Implementation of the above Standard Condition of Approval would ensure impacts to existing parks and recreational facilities would be less than significant. **(Less than Significant Impact)**

e) 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 other public facilities?

New residents and employees of the project would incrementally increase the use of nearby libraries and community centers, including the Los Altos Library, Grant Park Community Center, and Hillview Community Center.[98] This incremental increase, however, would not necessitate the construction of new facilities or the expansion of existing facilities. For these reasons, the proposed

[97] Employees of commercial developments typically do not use parks and recreational facilities as much as residents because the majority of their time in the area is spent working. Use of park facilities by employees of the project is assumed to be limited to during breaks or before or after work.
[98] Similar to parks and recreational facilities, use of library and community center facilities by employees of the project is assumed to be limited to during breaks or before or after work.

project would not result in significant impacts to libraries or community centers. **(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

Los Altos General Plan

The following policies in the City's General Plan have been adopted for the purposes of avoiding or reducing recreation impacts and are applicable to the project:

Policy	Description
OSCCF 1.4	Require park dedication, public open space, or require fees in lieu thereof, for all new subdivisions and multi-family residential development in Los Altos.
OSCCF 4.1	Provide adequate level of maintenance for City parks, open space, and public property to ensure safety, aesthetics, and recreational enjoyment for Los Altos residents.

Los Altos Municipal Code

The City of Los Altos has established a Parkland Dedication Ordinance (Chapter 13.24.010 of the Municipal Code) requiring residential subdivisions to dedicate land for park or recreational purposes, or pay a fee in-lieu thereof, as a condition of approval for the final subdivision or parcel map. The intent of the ordinance is to allow development to occur within the City in a manner that meets the City's parks and recreation goals.

Los Altos Parks Plan

The Los Altos Parks Plan, adopted in May 2012, is intended to create a clear set of goals, policies, and objectives that provide direction to the City Council and City staff for the development, improvement, and enhancement of the City's park system for the next 20 to 30 years. The Parks

Plan was designed to parallel the General Plan's Open Space, Conservation, and Facilities Element by providing specific direction and recommendations related to parks in Los Altos.

4.16.1.2 *Existing Conditions*

The City of Los Altos' Department of Recreation and Community Services is responsible for maintaining various parks and recreation facilities, as well as managing special interest programs and classes, senior programs, and community events. Overall, the City maintains a total of 19 parks, nature preserves, gyms, youth centers, and community centers that serve the community.

As described in Section 4.15 Public Services, nearby recreational facilities include Heritage Oaks Park, McKenzie Park, Marymeade Park, Grant Park Community Center, and Hillview Community Center.

4.16.2 Impact Discussion

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

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

As discussed under checklist question d in Section 4.15 Public Services, the project would result in new residents and employees on the project site that would incrementally increase demand for parks and recreational facilities.[99] The project includes on-site outdoor amenities space, including the rooftop terrace which would offset some of the project's demand on parks and recreational facilities. The project would conform to the City's Parkland Dedication Ordinance (Chapter

[99] Employees of commercial developments typically do not use parks and recreational facilities as much as residents because the majority of their time in the area is spent working. Use of park facilities by employees of the project is assumed to be limited to during breaks or before or after work.

13.24.010 of the Municipal Code) through implementation of the following Standard Condition of Approval for the final subdivision or parcel map.

Standard Condition of Approval:

- **Payment of Impact and Development Fees:** The applicant shall pay all applicable development and impact fees prior to issuance of a building permit, including but not limited to Sanitary Sewer Connection fee, Transportation, Park and Recreation, Public Art, Public Safety, and General Government impact fees as required by the City of Los Altos Municipal Code and current adopted fee schedule

Implementation of the above Standard Condition of Approval would ensure the project would not result in substantial physical deterioration or substantial accelerated deterioration of parks and recreational facilities. **(Less than Significant Impact)**

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The proposed project would include approximately 1,704 square feet of outdoor amenities space on-site in the form of a common rooftop terrace. The physical impacts of these outdoor amenities are evaluated as a part of the project in this Initial Study. As discussed throughout this Initial Study, no significant impacts would occur as a result of the project. For these reasons, the project would not require the construction of new recreational facilities with potential to adversely affect the environment. **(Less than Significant Impact)**

4.17 Transportation

The following is based, in part, on a Transportation Screening Memo prepared by Hexagon Transportation Consultants, Inc. in June 2024. This report is attached as Appendix E to 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 Santa Clara 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 2050 in October 2021, 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 the 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

Congestion Management Program

VTA oversees the Congestion Management Program (CMP), which is aimed at reducing regional traffic congestion. The relevant state legislation requires that urbanized counties in California prepare a CMP in order to obtain each county's share of gas tax revenues. State legislation requires

that each CMP define traffic LOS standards, transit service standards, a trip reduction and transportation demand management plan, a land use impact analysis program, and a capital improvement element. VTA has review responsibility for proposed development projects that are expected to affect CMP-designated intersections.

Los Altos General Plan

The following policies in the City's General Plan have been adopted for the purpose of reducing or avoiding impacts related to transportation and traffic and are applicable to the proposed project.

Policy	Description
CE 2.4	Require development projects to mitigate their respective traffic and parking impacts by implementing practical and feasible street improvements.
CE 2.6	Implement and require developers to implement street improvements that accommodate and encourage the use of non-automobile travel modes including walking, bicycling, and transit.
CE 2.17	Maintain adequate emergency access for all land uses.
CE 2.20	Enhance driving safety in the community.

Los Altos Municipal Code

Title 14 of the City's Municipal Code consists of the City's zoning ordinance, which contains the development standards and land use regulations that guide development within Los Altos. Chapter 14.74 of the zoning ordinance describes the off-street parking and loading requirements for each zoning district in the City. These standards include the number of off-street parking spaces required, the number of loading spaces required, the required parking space dimensions, and the required driveway dimensions.

Los Altos Bicycle Transportation Plan

The City's Bicycle Transportation Plan was adopted in 2012 with the stated goals of increasing the amount of bicycling in the City, improving access to bicycle infrastructure for students, improving commute routes and end-of-trip accommodations, and establishing Los Altos as a biking destination. The Bicycle Transportation Plan provides a detailed analysis of existing infrastructure conditions, evaluates the needs of the community, provides potential improvements to be implemented, and outlines funding possibilities.

Los Altos Pedestrian Master Plan

The City's Pedestrian Master Plan was adopted in 2015 to evaluate the existing pedestrian infrastructure in the City and recommend strategies and actions to improve pedestrian facilities. The Pedestrian Master Plan provides an analysis of existing infrastructure and safety conditions, evaluates the needs of the community, provides potential policy and project recommendations, outlines cost estimates and funding possibilities, and provides a strategy for evaluating and prioritizing the potential improvements in the Pedestrian Master Plan.

Neighborhood Traffic Management

In 1999, the City of Los Altos established a comprehensive neighborhood traffic management program (NTMP), which has been periodically updated since then. The most recently updated NTMP from 2005 identifies a process for implementing traffic calming measures designed to reduce or manage volumes and travel speeds on local streets.

Los Altos Complete Streets Master Plan

The Complete Streets Master Plan is intended to build from the Bicycle and Pedestrian Master Plans that were previously adopted by the City. The Complete Streets Master Plan provides recommendations and strategies for developing a comprehensive bicycle and pedestrian network that facilitates easy and safe circulation throughout the City. The Complete Streets Master Plan outlines the existing conditions in the City, recommends improvements for the existing infrastructure, provides the Safe Routes to School Plan, and describes a strategy for evaluating and prioritizing suggested improvements.

Los Altos VMT Policy

SB 743 requires local jurisdictions to implement a VMT policy that can utilize VMT to determine the significance of transportation impacts from proposed projects. In February 2023, the City of Los Altos City Council adopted a VMT policy that establishes screening criteria to identify projects (including small multi-family residential developments with 20 or fewer units) which are presumed to result in a less than significant VMT impact and are not required to prepare a VMT analysis.

4.17.1.2 *Existing Conditions*

Roadway Network

Regional access to Los Altos is provided by State Route (SR) 85 and Interstate 280 (I-280). Local access to the project site is provided by El Camino Real (SR 82), Foothill Expressway, Miramonte Avenue, Covington Road, and Loraine Avenue. These facilities are described in detail below and shown in Figure 2.5-2.

I-280 is generally an eight-lane freeway that extends from San Francisco in the north to San José in the south. Access between Los Altos and I-280 is provided by interchanges at Foothill Expressway and Magdalena Avenue, portions of which are located in the City. El Monte Avenue also provides a full access interchange to I-280 and is located in the Town of Los Altos Hills.

SR 85 is a six-lane freeway linking U.S. 101 in Mountain View to U.S. 101 in south San José. A full access interchange is provided at both Fremont Avenue and El Camino Real. Access to and from the north is provided at Homestead Road. All three interchanges are located outside Los Altos city limits.

El Camino Real (SR 82) is a six-lane major arterial roadway extending through Los Altos south towards San José and north towards San Francsico. El Camino Real is the historic main highway serving inter-city travel between San José and San Francisco.

Foothill Expressway is a four-lane divided arterial that extends between Cupertino and Palo Alto through Los Altos. Foothill Expressway has eight access points within Los Altos city limits, including an interchange at I-280.

Miramonte Avenue is a two-lane road that extends in a north-south direction between Fremont Avenue/Foothill Expressway and El Camino Real. North of El Camino Real, Miramonte Avenue becomes Shoreline Boulevard. In Mountain View, Miramonte Avenue includes four travel lanes.

Covington Road is generally an east-west, two-lane street that connects Grant Road and El Monte Avenue.

Loraine Avenue is generally an east-west two-lane street that provides local access to properties from Miramonte Avenue.

Bicycle Facilities

Existing bicycle facilities within the project vicinity are shown in Figure 4.17-1. Bicycle facilities within the vicinity of the project site consist of separated bike lanes, bike routes, bike lanes, and bike routes which are routes on slow speed residential streets where bicyclists share the roadway with motor vehicles. These facilities are described as follows.

- Separated bike lane on Miramonte Avenue from Fremont Avenue to Covington Road
- Separated bike lane on Covington Road from Grant Road to El Monte Avenue
- Bike lane on Berry Avenue from Miramonte Avenue to Springer Road
- Bike path from Fremont Avenue to Clinton Road north of McKenzie Park

In addition to the above existing bicycle facilities, planned bicycle facilities in the project vicinity include a buffered bike lane is planned along Miramonte Avenue from Portland Avenue to Foothill Expressway.

Pedestrian Facilities

Existing pedestrian facilities within the project vicinity include sidewalks and crosswalks. Sidewalks are not present on Loraine Avenue, with the exception of a segment on the southbound side of the street from the Miramonte Avenue intersection to approximately 183 feet north of the project site. Sidewalks are present on both sides of Miramonte Avenue from the Loraine Avenue intersection to B Street. Crosswalks are provided on Miramonte Avenue in the project vicinity.

Transit Facilities

Existing bus transit service to the project area is provided by the Santa Clara Valley Transportation Authority (VTA) and the City of Mountain View. Three local bus routes (Route 40, 51, and 52), and one free shuttle serve the project area. The nearest bus stop to the project site is located on Grant Road, approximately 0.65 miles southwest of the project site. The operational details of existing transit facilities are provided in Table 4.17-1.

Table 4.17-1: Existing Bus Routes Serving Project Area

Bus Route	Route Description	Closest Stop (Distance to Project Site)	Weekday Hours of Operations	Headway (Minutes)
Local Bus 40	Foothill College – Mountain View Transit Center	San Antonio & Almond (2.55 miles)	6:55 AM to 10:19 PM	15 minutes
Local Bus 51	Moffett Field – West Valley College	Grant & Eunice (1.1 miles)	6:20 AM to 7:24 PM	30 minutes
Local Bus 52	Foothill College – Mountain View Transit Center	El Camino & El Monte (2.6 miles)	7:35 AM to 6:20 PM	30 minutes
Mountain View Go (MV go)	Route C: Charleston, Garcia & San Antonio	El Camino & Distel 2.27 miles	Route C Morning: 6:28 AM to 9:41 AM Route C Evening: 2:50 PM to 7:396 AM	45 minutes



EXISTING BICYCLE FACILITIES IN PROJECT AREA | FIGURE 4.17-1

4.17.2 Impact Discussion

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

a) Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities?

Roadway System

While a project's effect on automobile delay is no longer considered an impact under CEQA, the City of Los Altos has roadway LOS standards. As discussed in more detail in Appendix E, the project would generate 26 net new daily vehicle trips compared to baseline conditions at the site. The Los Altos Local Transportation Analysis Requirements states that any discretionary project that would generate 50 or more net new daily vehicle trips is required to prepare an LTA. Therefore, the project is not required to prepare an LTA and presumed to have a less than significant effect on the roadway network and would not result in LOS deficiencies or conflict with the City's LOS standards. **(Less than Significant Impact)**

Bicycle Facilities

As discussed in Section 4.17.1.2, bicycle facilities are located in the vicinity of the project site. These existing bicycle facilities would be unchanged by implementation of the project. In addition, the project would install a bike rack containing two short term bike parking at the Miramonte Avenue/Loraine Avenue intersection and provide five long term bike parking spaces within a secured room on the ground floor of the building. The proposed bike parking supports the City's broader goals of encouraging multimodal transportation. Shade trees would also be planted in landscaping strips along the Loraine Avenue and Miramonte Avenue frontages, which would provide shade for bicyclists, consistent with the goals identified in the Los Altos Complete Streets

Master Plan. In addition, the project would pay City Traffic Impact Fees which would fund construction of planned bicycle improvements including a buffered bike lane on Miramonte Avenue, consistent with the Los Altos Complete Streets Master Plan. For these reasons, the project would not conflict with or impede implementation of any improvements or goals identified in the Los Altos Complete Streets Master Plan or Bicycle Transportation Master Plan. Therefore, the project would not conflict with a program, plan, ordinance, or policy addressing the bicycle circulation system. **(Less than Significant Impact)**

Pedestrian Facilities

As discussed in Section 4.17.1.2, there are existing sidewalks and crosswalks in the vicinity of the project site. These pedestrian facilities would be unchanged by implementation of the project. In addition, the project would replace the existing sidewalk with new five-foot-wide sidewalks along the Loraine and Miramonte Avenue frontages. Landscaping strips with shade trees would be added along both project frontages to separate pedestrians from vehicle traffic, consistent with the goals of the Los Altos Complete Streets Master Plan, Pedestrian Master Plan, and design vision for the area as identified in the Loyola Corners Concept Plan. The project would not conflict with any improvements or goals identified in the Los Altos Complete Streets Master Plan or Pedestrian Master Plan. Therefore, the project would not conflict with a program, plan, ordinance, or policy addressing the bicycle circulation system. **(Less than Significant Impact)**

Transit Facilities

The project would construct a mixed-use building with 12 residential units and 962 square feet of commercial uses, generating 33 new residents and approximately one new employee on-site. Due to the small number of people living and working at the project site, the increase in demand for transit services generated by the project would be small and could be accommodated by existing transit facilities. The project would not conflict with any improvements or goals related to transit facilities. Therefore, the project would not conflict with a program, plan, ordinance, or policy addressing the transit circulation system. **(Less than Significant Impact)**

b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

As noted in Section 4.17.1.1 Regulatory Setting, the City of Los Altos adopted a VMT policy in February 2023. Under this policy, a project may be screened out of a detailed VMT analysis if the use, size, or location supports a presumption that, if analyzed, the project's VMT impact would be less than significant. These screening criteria include:

- Small Projects: Any development that would generate fewer than 110 daily vehicle trips shall be presumed to have a less-than-significant transportation impact.

- Local-Serving Retail: Retail commercial projects comprised of stores of up to 60,000 gross square feet shall be presumed to have a less-than-significant transportation impact.

The Los Altos VMT Policy states that each land use within a mixed-use project shall be evaluated independently.[100] The project proposes to construct a multi-family development with 12 residential units and 962 square feet of ground floor retail uses. The proposed residential component of the project would generate 73 daily vehicle trips, which is fewer than 110 daily trips and the proposed retail uses (962 square feet) would be less than 60,000 gross square feet. Thus, the project is presumed to have a less than significant VMT impact. **(Less than Significant Impact)**

c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Access to the project site is currently provided via Miramonte and Loraine Avenues by two separate one-way driveways, which lead to the surface parking area in front of the existing commercial building. The proposed project would replace the two existing driveways with one 20-foot-wide driveway on Loraine Avenue and replace the existing sidewalk with a new five- foot-wide sidewalk along the Loraine and Miramonte Avenue frontages. In addition, a new landscaped bulbout is proposed at the Miramonte Avenue/Loraine Avenue intersection. The dimensions of the driveway would meet the minimum width requirement of 18 feet established in Chapter 14.74 of the Los Altos Municipal Code. Therefore, the project would not result in a significant impact due to hazards from a geometric design feature.

As shown on Figure 2.4-3, the project site is surrounded by a mix of residential and commercial land uses. The proposed residential/commercial mixed-use development would not introduce new land uses in the area. The project, therefore, does not propose a use that is incompatible with the existing mix of uses in the project area or propose a use that would bring unusual equipment on the roadways (e.g., farm equipment). For this reason, the project would not result in a significant impact due to incompatible uses. **(Less than Significant Impact)**

d) Would the project result in inadequate emergency access?

Emergency vehicle access to the project site would be provided via the new two-way driveway. The proposed development would be reviewed for consistency during the building permit process with applicable CBC and CFC requirements for access and safety. As such, the proposed project would have a less than significant emergency access impact. **(Less than Significant Impact)**

[100] Source: City of Los Altos. Vehicle Miles Traveled Policy. February 14, 2023.

4.17.3 Non-CEQA Effects

The Los Altos Local Transportation Analysis Requirements states that any discretionary project that would generate 50 or more net new daily vehicle trips is required to prepare an LTA. The project would generate 26 net new daily trips compared to baseline conditions at the site. Therefore, the project is not required to prepare an LTA and is presumed to have a less than significant effect on the roadway network and would not result in LOS deficiencies.

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 TCR, consultation is required until the parties agree to measures to mitigate or avoid a significant effect on a TCR 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 CRHR, 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*

A Sacred Lands File Search was conducted through the Native American Heritage Commission (NAHC) for the project site in November 2023 and the search results were negative. On December 6, 2023, letters were sent to 15 tribal contacts identified by the NAHC as having traditional or cultural affiliation with the project area. One response was received from Ed Ketchem of the Amah Mutsun Tribal Band, which communicated that the Amah Mutsun Tribal Band did not have traditional territory in northern Santa Clara County. No known TCRs were identified on the project site.[101] As discussed in Section 4.5 Cultural Resources, there are no recorded resources on the project site. The project site has moderate sensitivity for archaeological resources due to its proximity to Permanente Creek (approximately 285 feet east of the project site) and known prehistoric settlement patterns in the Santa Clara Valley.[102]

[101] Chronicle Heritage. *Literature Review for 996 Loraine Avenue, Los Altos, California.* January 31, 2024.
[102] Ibid.

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:				
a) 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)?	☐	☐	☒	☐
b) 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.	☐	☐	☒	☐

a) Would the project 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)?

There are no known TCRs on-site. As previously discussed in Section 4.5 Cultural Resources, there are no known archaeological resources on-site or within 0.5 mile of the site. However, due to the site's location near Permanente Creek, there is moderate potential for uncovering archaeological resources. Implementation of the Standard Condition of Approval identified in checklist question b of Section 4.5 Cultural Resources, would reduce potential impacts to unrecorded archaeological resources including TCRs (if discovered on-site) to a less than significant level by stopping construction and preparing a research design and treatment plan if any archaeological resources including TCRs are found, thereby protecting the resource. Therefore, the project would not cause a substantial adverse change to a TCR. **(Less than Significant Impact)**

b) Would the project 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?

As discussed above under checklist question a, there are no known TCRs on-site and the project, with implementation of standard permit conditions identified in Section 4.5 Cultural Resources, would not result in significant impacts to TCRs. **(Less than Significant Impact)**

4.19 Utilities and Service Systems

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. California Water Service adopted its most recent UWMP for the Los Altos Suburban District in June 2021.[103]

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

[103] California Water Service. *2020 Urban Water Management Plan, Los Altos Suburban District.* June 2021. https://www.calwater.com/docs/uwmp2020/LAS_2020_UWMP_FINAL.pdf

recovered for human consumption by 2025. CalRecycle released an analysis titled "Analysis of the Progress Toward the SB 1383 Organic Wase Reduction Goals" in August of 2020, which recommended maintaining the disposal reduction targets set forth in SB 1383.[104]

California Building Standards Code

The California Building Standards Code Title 24, Part 11 establishes mandatory green building standards for all buildings in California. This section is referred to as CALGreen and covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and indoor environmental quality. These standards include the following mandatory set of measures, as well as more rigorous voluntary guidelines, for new construction projects to achieve specific green building performance levels:

- Reducing indoor water use by 20 percent;
- Reducing wastewater by 20 percent;
- Recycling and/or salvaging 65 percent of nonhazardous construction and demolition debris; and
- Providing readily accessible areas for recycling by occupants.

Regional and Local

Countywide Integrated Waste Management Plan

Pursuant to AB 939, solid waste facility compliance requires that each county prepare and adopt a Countywide Integrated Waste Management Plan. The Santa Clara County Integrated Waste Management Plan (CIWMP) was approved in 1996 and contains goals, policies, and objectives aimed at ensuring an effective and efficient integrated waste management system. Public Resources Code Sections 41770 and 41822, and Title 24, California Code of Regulations Section 18788 require that each countywide or regional agency integrated waste management plan (CIWMP/RAIWMP), and elements thereof, be reviewed, revised (if necessary), and submitted to the CalRecycle every five years. The last such review was completed in 2021 and concluded that despite population growth, solid waste diversion has increased, Santa Clara County has adequate disposal capacity (i.e., greater than 15 years), and no revisions to the CIWMP are warranted.[105]

[104] CalRecycle. Analysis of the Progress Toward the SB 1383 Organic Wase Reduction Goals. August 18, 2020. https://www2.calrecycle.ca.gov/Publications/Details/1693#:~:text=Analysis%20of%20the%20Progress%20Toward,(DRRR%2D2020%2D1693)&text=SB%201383%20establishes%20targets%20to,75%20percent%20reduction%20by%202025.

[105] California Department of Resources Recycling and Recovery. *Five-year CIWMP/RAIWMP Review Report Template*. June 23, 2021.

Los Altos General Plan

The following policies in the City's General Plan have been adopted for the purpose of avoiding or reducing impacts on utilities and service systems and are applicable to the project:

Policy	Description
IWD 1.3	Review development proposals to determine whether adequate water pressure exists for existing and new development.
IWD 2.2	Review development proposals to ensure that if a project is approved, adequate sewage collection and treatment capacity is available to support such proposals.
IWD 4.3	Continue to require utilities in new developments to be placed underground.

Los Altos Municipal Code

Chapter 6.12 of the City's Municipal Code outlines the requirements for enrolling in solid waste collection services, proper waste storage, mandatory recycling programs for both commercial and residential properties, and enforcement procedures. Chapter 6.14 of the Municipal Code details the City's requirements for disposing of solid waste that is generated during the demolition of existing structures and the construction of new buildings in the City. Projects that are valued at $25,000 or more must divert at least 65 percent of the construction and demolition debris associated with the project from landfills in order to help the City achieve their overall waste diversion goal of 78 percent.

4.19.1.2 *Existing Conditions*

Water Supply

The project site is served by the California Water Service (Cal Water) and is located within Cal Water's Los Altos Suburban (LAS) District. Water supply for the project site is sourced from a combination of groundwater and purchased water. Approximately 21 percent of the LAS District's provided water comes from primary groundwater production and 79 percent comes from water purchases from the Valley Water, sourced from underground aquifers, reservoirs, and the San Joaquin-Sacramento River Delta. The LAS District system includes 297 miles of mains, 65 booster pumps, and 46 storage tanks.[106] The LAS District 2020 UWMP found that Cal Water has more than sufficient well capacity to meet the demands unserved by Valley Water purchases through 2045.

[106] California Water Service. *2020 Urban Water Management Plan, Los Altos Suburban District.* June 2021. Page 24. https://www.calwater.com/docs/uwmp2020/LAS_2020_UWMP_FINAL.pdf.

The project site is currently developed with a commercial building that has an estimated water demand of approximately 1,134 gallons per day (gpd) when occupied.[107] Water is supplied to the project site by an existing eight-inch water main in Loraine Avenue.

Sanitary Sewer/Wastewater Treatment

The City of Los Altos' Department of Public Works is responsible for the wastewater collection system within the City. Wastewater is conveyed to the Palo Alto Regional Water Pollution Control Plant (PARWQCP) for treatment and disposal. The PARWQCP serves the wastewater management needs of the communities of Palo Alto, Los Altos, Mountain View, East Palo Alto, Los Altos Hills, Stanford University, and East Palo Alto Sanitary District. The City owns and maintains the collection system within the City and its sphere of influence, and the trunk sewer that connects the City to the PARWQCP master metering station. The City's collection system includes approximately 140 miles of sewer pipes, most of which are six- and eight-inch vitrified clay pipe.[108]

The PARWQCP has an annual treatment capacity of 39 million gallons per day (mgd). The PARWQCP currently receives approximately 17 mgd from all its customers with the municipalities of Los Altos, Mountain View, and Los Altos Hills generating 3.6 mgd of the plant's treatment capacity (nine percent).[109] The PARQQCP, therefore, has approximately 22 mgd of treatment capacity available. [110]

The existing commercial building when occupied is estimated to generate approximately 1,077 gpd of wastewater.[111] An existing six-inch sanitary sewer main in Loraine Avenue serves the project site.

[107] The existing commercial building is 2,240 square feet and has 63 feet of frontage. Using a rate of 450 gallons of water per day per 25 feet of frontage, the water demand for the existing commercial building was calculated as follows: 2.52x 450 gallons per day = 1,134 gallons per day. Source: BKF Engineers. *Sewage Capacity Study, 996 Loraine, Los Altos, CA.* November 15, 2024.
[108] City of Los Altos. "Public Works – Sanitary Sewer." Accessed October 26, 2023. https://www.losaltosca.gov/publicworks/page/sanitary-sewer-0
[109] California Water Service. *2020 Urban Water Management Plan, Los Altos Suburban District.* June 2021. https://www.calwater.com/docs/uwmp2020/LAS_2020_UWMP_FINAL.pdf
[110] 39 mgd (total capacity) – 17 mgd (current use) = 22 mgd (remaining capacity)
[111] This analysis assumes wastewater generation is 95 percent of water demand. Source: BKF Engineers. *Sewage Capacity Study, 996 Loraine, Los Altos, CA.* November 15, 2024.

Storm Drainage

Runoff from the project site flows uncontrolled to Loraine Avenue and Miramonte Avenue before reaching the nearest 15-inch storm water line approximately 160 feet north of the project site in Loraine Avenue. Flows from the project site discharge to Hale Creek and ultimately to San Francisco Bay.[112]

Solid Waste

Solid waste collection in the City of Los Altos is provided by Mission Trail Waste Systems by contract. Mission Trail Waste Systems provides residential, commercial, and industrial collection services for garbage, recycling, and organics for the City. Mission Trail Waste Systems operates a transfer station at 1313 Memorex Drive in Santa Clara. Solid waste generated in the City is disposed of at Newby Island Sanitary Landfill (NISL) in the City of San José. As of January 2023, NISL had approximately 12.4 million cubic yards of capacity remaining and an estimated closure year of 2036.[113]

It is estimated that the existing commercial building on-site generates approximately 2.6 cubic yards of solid waste per year.[114, 115]

[112] City of Los Altos. "Stormwater Master Plan – Appendix A: Drainage Basins." Accessed October 25, 2023. https://www.losaltosca.gov/sites/default/files/fileattachments/public_works/page/31841/appendix_a_drainage_basins.pdf

[113] Boccaleoni, Anthony. Division Manager, Republic Services, Inc. Personal Communication. May 12, 2023.

[114] The solid waste generation is estimated using a rate of 1.05 tons per year per 1,000 square feet of retail strip mall uses. The solid waste generation for the existing commercial building was estimated as follows: 2,240 square foot retail. 2.24 x 1.05 tons per year = 2.4 tons per year. Source: California Air Pollution Control Officers Association (CAPCOA). California Emissions Estimator Model (CalEEMod) Default Data Tables, Table G-36: Solid Waste Disposal Rates by Analysis level and Land Use Subtype. May 2022.

[115] Compaction rate of 1,850 pounds per cubic yard was assumed. 2,000 pounds is equal to 1 ton. 2.4 tons x 2,000 =4,800 pounds. 4,600 pounds / 1,850 = 2.6 cubic yards. Source: Daniel North, General Manager, Republic Services. Personal Communication. November 21, 2019.

4.19.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) 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?	☐	☐	☒	☐
b) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) 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?	☐	☐	☒	☐
d) 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?	☐	☐	☒	☐
e) Be noncompliant with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

a) Would the project 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?

Water Facilities

It is estimated that the project would result in a water demand of 3,998 gpd.[116] The proposed project would connect to an existing eight-inch water main in Loraine Avenue via four new lateral lines to provide fire, irrigation, and domestic water to both the proposed residential and commercial uses. Lateral connections to water lines in nearby streets would be established during

[116] BKF Engineers. Sewage Capacity Study, 996 Loraine, Los Altos, CA. November 15, 2024.

grading and result in minimal impacts. No new or expanded water infrastructure is required to serve the project. **(Less than Significant Impact)**

Sanitary Sewer Facilities/Wastewater Treatment

The project would connect to the City's existing sanitary sewer system. The project would construct one new lateral connection to the existing sanitary sewer lines in Loraine Avenue, which would convey wastewater flows from the project to the PARWQCP. According to a sewage generation study prepared for the project by BKF Engineers, the two nearest pipe segments to the project site have a remaining capacity of 548,000 gpd and 454,000 gpd, respectively.[117] The project would generate approximately 3,659 gpd of wastewater, a net increase of 2,582 gpd of wastewater compared to the existing land use on-site. Therefore, the City's existing sanitary sewer system has sufficient capacity to accommodate project-generated wastewater in addition to existing and projected flows and no new or expanded wastewater conveyance facilities are required.

The availability of treatment capacity at the PARWQCP is discussed under checklist question c) below, and the analysis concluded that there is adequate capacity at the PARWQCP to handle the increase in wastewater generated by the project. For these reasons, the project would not result in significant impacts from the construction of new or expanded sewer facilities. **(Less than Significant Impact)**

Storm Drainage Facilities

As discussed in Section 4.10 Hydrology and Water Quality , the project would reduce impervious surfaces on-site compared to existing conditions, resulting in a corresponding reduction in runoff from the site. For this reason, the existing storm drain facility would continue to have adequate capacity to serve the project. In addition, the project would utilize stormwater plantings and rain gardens to capture and treat stormwater runoff. Therefore, the proposed project would not require the construction or relocation of storm drainage facilities. **(Less than Significant Impact)**

Electric Power, Natural Gas, and Telecommunications Facilities

The site is currently served by electric power, natural gas, and telecommunications utilities. Redevelopment of the site under the proposed project would not require expansion of these utilities. In addition, the project does not propose to use natural gas. For these reasons, the project would not result in a significant impact from construction or relocation of new or expanded electric power, natural gas, or telecommunications facilities. **(Less than Significant Impact)**

[117] Pipe segment J5S-105_J5S-112 has a capacity of 570,000 gpd and modeled existing and future wet weather flow of 22,000 gpd. Pipe segment J5S-409-J5S-105 has a capacity of 470,000 gpd and modeled existing and future wet weather flow of 16,000 gpd. Source: BKF Engineers. *Sewage Capacity Study, 996 Loraine, Los Altos, CA.* November 15, 2024.

b) Would the project have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

As mentioned above, the existing commercial building on-site is estimated to use approximately 165,923 gpd of water. The proposed project would result in the construction of 12 new residential units and 962 square feet of commercial uses. The water demand of the proposed project is estimated to be approximately 506,672 gpd, a net increase of 340,749 gpd compared to the existing land use on-site.

Water service is provided by Cal Water. Cal Water's water supply is sourced from Cal Water LAS District groundwater wells and water purchases from Valley Water. The Cal Water LAS District did not identify any substantial supply deficiencies through 2040 in its UWMP. The average annual water demand in the LAS District between 2016 and 2020 was 11,568 acre-feet per year (3.77 billion gallons). The LAS District estimates that annual water demand in its jurisdiction would increase to 14,197 acre-feet per year (4.63 billion gallons) by the year 2045.[118] This increase in demand would be met by the estimated equivalent amount of water supply.

The LAS District UWMP utilized General Plan land uses and projected development patterns (which included the amount of development proposed by the project on-site) to forecast local and regional water demands; therefore, the increase in water demand generated by the project has already been accounted for in the UWMP forecast. Based on this discussion, the project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. **(Less than Significant Impact)**

c) Would the project 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?

Wastewater generated by the project would be conveyed to and treated at the PARWQCP. As discussed under checklist question a above, it is estimated that the project would generate 3,659 gpd (or 0.003 mgd) of wastewater, which is a net increase of 2,582 gpd (or 0.002 mgd) of wastewater compared to the existing land use on-site.[119] The PARWQCP has approximately 22 mgd of available treatment capacity. Therefore, the increase in wastewater generated by the project would not exceed the available treatment capacity at the PARWQCP. **(Less than Significant Impact)**

[118] California Water Service Company. *2020 Urban Water Management Plan – Los Altos Suburban District*. Table 7-2. June 2021.
[119] BKF Engineers. *Sewage Capacity Study, 996 Loraine, Los Altos, CA.* November 15, 2024.

d) Would the project 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?

As noted in Section 4.19.1.2 Existing Conditions, the existing commercial building generates approximately 2.4 tons of solid waste per year (or 2.6 cubic yards per year). The project is estimated to generate approximately 81.5 tons of solid waste per year (or 88 cubic yards year).[120,121] This amounts to a net increase of 79 tons (or 85 cubic yards) of solid waste per year compared to the existing land use on-site. Given NISL's remaining capacity (12.8 million cubic yards) and the project's estimated solid waste generation, there is sufficient capacity at NISL to serve the project. **(Less than Significant Impact)**

e) Would the project be noncompliant with federal, state, or local management and reduction statutes and regulations related to solid waste?

The project's compliance with Chapter 6.12 of the Municipal Code regarding solid waste collection services and mandatory recycling programs would ensure that project operations meet state and federal solid waste statutes and regulations. During project operation, green waste, organic waste, and recycling collection would be provided by Mission Trail Waste Systems. Additionally, the project would be required to collect, recycle, and dispose of waste generated from construction and demolition activities per Municipal Code Chapter 6.14, consistent with CALGreen. Therefore, the proposed project would not conflict with federal, state, and local solid waste statutes and regulations. **(Less than Significant Impact)**

[120] The solid waste generation is estimated using a rate of 1.05 tons per year per 1,000 square feet of retail strip mall uses, and 2.47 tons per year for every resident. The solid waste generation for the project was estimated as follows: 965 square foot retail and 33 new residents proposed. 0.965 x 1.05 tons per year = 1 tons per year. 33 residents x 2.47 tons per year = 81.5 tons per year. Source: California Air Pollution Control Officers Association (CAPCOA). California Emissions Estimator Model (CalEEMod) Default Data Tables, Table G-36: Solid Waste Disposal Rates by Analysis level and Land Use Subtype. May 2022.

[121] Compaction rate of 1,850 pounds per cubic yard was assumed. 2,000 pounds is equal to 1 ton. 81.5 tons x 2,000 =163,000 pounds. 163,000 pounds / 1,850 = 88 cubic yards. Source: Daniel North, General Manager, Republic Services. Personal Communication. November 21, 2019.

4.20 Wildfire

4.20.1 Environmental Setting

4.20.1.1 *Regulatory Framework*

State

Fire Hazard Severity Zones

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 (FHSZs), these maps influence how people construct buildings and protect property to reduce risk associated with wildland fires. FHSZs are divided into areas where the state has financial responsibility for wildland fire protection, known as state responsibility areas (SRAs), and areas where local governments have financial responsibility for wildland fire protection, known as local responsibility areas (LRAs). Homeowners living in an SRA are responsible for ensuring that their property is in compliance with California's building and fire codes. Only lands zoned for very high fire hazard are identified within LRAs.

4.20.1.2 *Existing Conditions*

The project site is in an urban area surrounded by existing development. The project site is not located near wildlands that could present a fire hazard. The site is not located within an identified Very High Fire Hazard Severity Zone in an SRA or an LRA.[122]

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:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒

[122] California Department of Forestry and Fire Protection. "Fire Hazard Safety Zones in State Responsibility Area." September 29, 2023. https://osfm.fire.ca.gov/divisions/community-wildfire-preparedness-and-mitigation/wildfire-preparedness/fire-hazard-severity-zones/
Local Responsibility Area. October 2008.

	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:				
b) 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?	☐	☐	☐	☒
c) 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?	☐	☐	☐	☒
d) 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)**

4.21 Mandatory Findings of Significance

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	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?	☐	☐	☒	☐
b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☒	☐	☐
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

a) 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?

As discussed in prior sections of this Initial Study, the project as proposed would not degrade the quality of the environment. As discussed in Section 4.4 Biological Resources, the project, with implementation of Standard Conditions of Approval to protect migratory and nesting birds would not result in significant impacts to biological resources. As discussed in Section 4.5 Cultural Resources, with incorporation of Standard Conditions of Approval, the proposed project would not eliminate important examples of California history or prehistory. **(Less than Significant Impact)**

b) Does the project have impacts that are individually limited, but cumulatively considerable?

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."

As discussed in Sections 4.1, 4.2, 4.12, and 4.20, the project would result in no impact to agricultural or forestry resources, mineral resources, or wildfire. Therefore, the project would not contribute to a cumulative impact to these resources. In addition, the geographic area for cumulative aesthetics, construction noise, and hazards and hazardous materials impacts is the immediate vicinity of the site because only sites in the immediate vicinity would affect the same aesthetic resources, same sensitive noise receptor, and same common source of contamination and release (if any). There are no planned or pending cumulative projects in the immediate vicinity of the project site; therefore, the project would not contribute to a cumulative aesthetics, construction noise, or hazards and hazardous materials impact.

In general, an individual project's impact on broader resources including air quality, energy, GHGs, and VMT are evaluated at a cumulative level. That is, if a project results in a significant impact to air quality (specifically criteria air pollutants), energy, GHG, and VMT, the project would be considered to have a significant cumulative impact to those resources. As discussed in Sections 4.3, 4.6, 4.8, and 4.17, the project would not result in significant (individual and cumulative) impacts to those resources.

The project's cumulative impact on all other environmental factors (i.e., biological resources, cultural resources, geology and soils, greenhouse gas emissions, hydrology and water quality, operational noise, population and housing, public services, recreation, transportation, tribal cultural resources, and utilities and service systems) was included in the adopted Housing Element IS/MND. The analysis in the Housing Element IS/MND concluded that the buildout and implementation of the Housing Element (which includes the proposed project) would result in less than significant cumulative impacts with compliance with existing policies and regulations, and mitigation measures identified in the Housing Element IS/MND. As discussed throughout this Initial Study, the project is consistent with and would comply with the same policies, regulations, and mitigation measures identified in the Housing Element IS/MND and, therefore, would result in the same less than significant cumulative impacts identified in the Housing Element IS/MND. These existing regulations include the MBTA, Fish and Game Code, CEQA, CBC, NPDES Construction General Permit, MRP, General Plan policies, Municipal Code, California Government Code, and more.

Given the above considerations, the proposed project would not result in a cumulatively considerable contribution to a significant cumulative impact. **(Less than Significant Impact)**

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

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 air quality, geology and soils, hazards and hazardous materials, and noise. As discussed in Sections 4.3, 4.7, 4.9, and 4.13, with incorporation of Standard Conditions of Approval and mitigation measures MM NOI-1.1 and MM NOI-2.1, the project would not result in significant impacts pertaining to those resources. No substantial adverse effects on human beings would result from the project. **(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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Hunt, Michelle. Vice President and Principal Associate. Hexagon Transportation Consultants, Inc.

Walukiewicz, Erik. Assistant Superintendent-Business Services, Los Altos School District.

Section 6.0 Lead Agency and Consultants

6.1 Lead Agency

City of Los Altos
Community Development Department
Nick Zornes, Director of the Department of Development Services
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Section 7.0 Acronyms and Abbreviations

AB	Assembly Bill
ABAG	Association of Bay Area Governments
ACM	Asbestos-Containing Material
ALUC	Airport Land Use Commission
APN	Assessor's Parcel Number
ATCM	Asbestos Airborne Toxic Control Measure
BAAD	Bay Area Air Quality Management District
Bay Area	San Francisco Bay Area
bgs	below ground surface
Btu	British Thermal Unit
CAAP	City of Los Altos Climate Action and Adaptation Plan
CAAQS	California Ambient Air Quality Standard
CAL FIRE	California Department of Forestry and Fire Protection
Cal/OSHA	California Department of Industrial Relations, Division of Occupational Safety and Health
CalARP	California Accidental Release Prevention
CalEPA	California Environmental Protection Agency
CALGreen	California Green Building Standards
Cal Water	California Water Service
California Energy Code	California Building Energy Efficiency Standards Code
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Standards Code
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFC	Chlorofluorocarbon

CFR	Code of Federal Regulations
CGS	California Geological Survey
CH_4	Methane
CIWMP	Santa Clara County Integrated Waste Management Plan
CLUP	Comprehensive Land Use Plan
CNEL	Community Noise Equivalent Level
CO	Carbon Monoxide
CO_2	Carbon Dioxide
CO_2e	Carbon Dioxide Equivalents
CRHR	California Register of Historical Resources
CUPA	Certified Unified Program Agency
dBA	A-weighted decibel
DNL	Day/Night Average Sound Level
DPM	Diesel Particulate Matter
DTSC	Department of Toxic Substances Control
EIR	Environmental Impact Report
EO	Executive Order
EOP	Emergency Operations Plan
EPA	Environmental Protection Agency
ESA	Environmental Site Assessment
EV	electric vehicle
FAA	Federal Aviation Administration
FAR	Federal Aviation Regulations
FHSZ	Fire Hazard Severity Zone
FIRMs	Flood Insurance Rate Maps
FMMP	Farmland Mapping and Monitoring Program
FTA	Federal Transit Administration
General Plan	Los Altos General Plan
GHG	Greenhouse Gases
gpd	Gallons per day

GWh	Gigawatt Hour
GWP	Global Warming Potential
GWMP	2021 Ground Water Management Plan
Habitat Plan	Santa Clara Valley Habitat Plan
HFCs	Hydrofluorocarbons
HSWA	Hazardous and Solid Waste Amendments
I-280	Interstate 280
LBP	Lead-based paint
L_{eq}	Energy-Equivalent Sound/Noise Descriptor
L_{max}	Maximum A-weighted noise level during a measurement period
LOS	Level of Service
LRA	Local Responsibility Area
MBTA	Migratory Bird Treaty Act
mgd	Million gallons per day
$MMTCO_2e$	Million Metric Tons of Carbon Dioxide Equivalent
MND	Mitigated Negative Declaration
mpg	Miles per Gallon
MRP	Municipal Regional NPDES Permit
MSL	Mean Sea Level
MTC	Metropolitan Transportation Commission
N_2O	Nitrous Oxide
NAAQS	National Ambient Air Quality Standard
NAHC	Native American Heritage Commission
NCP	National Contingency Plan
NESHAP	National Emission Standards for Hazardous Air Pollutants
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Action of 1966
NISL	Newby Island Sanitary Landfill
NO	Nitric oxide

NO_2	Nitrogen Dioxide
NOA	Naturally Occurring Asbestos
NOD	Notice of Determination
NOI	Notice of Intent
NO_x	Nitrogen Oxides
NRHP	National Register of Historic Places
O_3	Ozone
OITC	Outdoor-Indoor Transmission Class
OPR	Office of Planning and Research
PARWQCP	Palo Alto Regional Water Pollution Control Plant
PCB	Polychlorinated Biphenyls
PCE	Perchloroethlene
PCF	Perfluorocarbon
PDA	Priority Development Areas
PG&E	Pacific Gas and Electric Company
PM	Particulate Matter
PM_{10}	Particulate matter with a diameter of 10 microns or less
$PM_{2.5}$	Particulate matter with a diameter of 2.5 microns or less
PPV	Peak Particle Velocity
R&D	Research and Development
RAP	Removal Action Plan
RCRA	Resource Conservation and Recovery Act
RHNA	Regional Housing Needs Allocation
ROG	Reactive Organic Gases
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SB	State Bill
SCS	Sustainable Communities Strategy
SF_6	Sulfur Hexafluoride
SFPUC	San Francisco Public Utilities Commission

SHMA	Seismic Hazards Mapping Act
SMARA	Surface Mining and Reclamation Act
SMGB	State Mining and Geology Board
SMP	Site Management Plan
SO_x	Sulfur Oxides
SR	State Route
SRA	State Responsibility Area
STC	Sound transmission class
SVCE	Silicon Valley Clean Energy
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminants
TCE	Trichloroethylene
Title 24	Title 24, Part 6 of the California Code of Regulations
TSCA	Toxic Substances Control Act
TMDL	total maximum daily loads
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
UWMP	Urban Water Management Plan
Valley Water	Santa Clara Valley Water District
VMT	Vehicle Miles Traveled
VTA	Santa Clara Valley Transportation Authority
Williamson Act	California Land Conservation Act
WUI	Wildland-Urban Interface
ZNE	Zero Net Carbon Emission