

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BURLINGAME
RECOMMENDING TO THE CITY COUNCIL ADOPTION OF THE UPDATE OF THE
BURLINGAME GENERAL PLAN**

THE PLANNING COMMISSION OF THE CITY OF BURLINGAME HEREBY FINDS:

WHEREAS, pursuant to the requirements of California Government Code Section 65300 et seq., the City of Burlingame has prepared and proposes to adopt a new general plan for the physical development of the City (the "Project"); and

WHEREAS, the proposed General Plan establishes appropriate goals, objectives, policies and programs to address such issues as land use; housing; economic development; community design, neighborhoods and districts; transportation and circulation facilities and infrastructure; public facilities, services and infrastructure; parks, recreation and open space facilities and waterways; health and safety; youth and elderly services and facilities; education and community services and facilities; and natural, cultural and historical resources; and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA") (Public Res. Code, § 21000 et seq.) and the State CEQA Guidelines (14 CCR § 15000 et seq.), the City Council of the City of Burlingame ("Council") is the lead agency for the Project, as the public agency with general governmental powers; and

WHEREAS, the City of Burlingame, as lead agency, determined that a Program Environmental Impact Report ("EIR") should be prepared pursuant to CEQA in order to analyze all adverse environmental impacts of the Project; and

WHEREAS, a Notice of Preparation ("NOP") identifying the scope of environmental issues was distributed to numerous State, federal, and local agencies and organizations on August 2, 2017, with comments requested by September 1, 2017 pursuant to State CEQA Guidelines sections 15082(a), 15103 and 15375. A total of five comment letters were received and are included in Volume 2 of the Draft EIR ("DEIR"). Relevant comments received in response to the NOP were incorporated into the DEIR; and

WHEREAS, a public seeing meeting was held at the City of Burlingame on August 14, 2017 and input from the public providing direction and scope of the EIR was received; and

WHEREAS, a DEIR was prepared for the Project in accordance with CEQA and the State CEQA Guidelines, where the City analyzed the Project's environmental impacts; and

WHEREAS, the DEIR was distributed for a 45-day public review period on July 3, 2018, with the comment period expiring on August 20, 2018. Ten comment letters were received during the public comment period. The City prepared written responses to all comment received on the DEIR, and those responses to comments are incorporated into the Final EIR.

WHEREAS, the Final EIR (“FEIR”) is comprised of the DEIR, and all appendices thereto, the comments and responses to comments, and the mitigation monitoring and reporting program; and

WHEREAS, on October 12, 2018, the Response to Comments Document was made available to the public; and

WHEREAS, the Planning Commission of the City of Burlingame held a public hearing to consider the General Plan Update, the Final EIR, and staff recommendations, on October 22, 2018. Notice of this Planning Commission hearing was provided through publication on October 11, 2018;

WHEREAS, as contained herein, the City has endeavored in good faith to set forth the basis for its decision on the Project; and

WHEREAS, all the requirements of CEQA and the State CEQA Guidelines have been satisfied in the EIR, which is sufficiently detailed so that all of the significant environmental effects of the Project have been adequately evaluated; and

WHEREAS, the findings made in this Resolution are based upon the information and evidence set forth in the Final EIR and upon other substantial evidence that has been presented at the hearings and in the record of the proceedings. The documents, staff reports, technical studies, appendices, plans, specifications, and other materials that constitute the record of the proceedings on which this Resolution is based are on file for public examination during normal business hours at the Planning Division located at City of Burlingame City Hall, 501 Primrose Road, Burlingame; and

WHEREAS, the Planning Commission finds that agencies and interested members of the public have been afforded ample notice and opportunity to comment on the EIR and the Project; and

WHEREAS, Section 15091 of the State CEQA Guidelines requires that the City, before approving the Project, make one or more of the following written findings for each significant effect identified in the Final EIR accompanied by a brief explanation of the rationale for each finding: (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR; or, (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency; or, (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR; and

WHEREAS, Section 15093 of the State CEQA Guidelines requires that if the Project will cause significant unavoidable adverse impacts, the City must adopt a Statement of Overriding Considerations prior to approving the project. A Statement of Overriding Considerations states that any significant adverse project effects are acceptable if expected project benefits outweigh unavoidable adverse environmental impacts; and

WHEREAS, environmental impacts identified in the Final EIR as significant but which the City finds can be mitigated to a level of less than significant, through the imposition of feasible mitigation measures identified in the Final EIR and set forth herein, are described in Table 2-1 of the DEIR, attached hereto as Exhibit B and incorporated herein by this reference; and

WHEREAS, environmental impacts identified in the Final EIR as significant but which the City finds cannot be fully mitigated to a level of less than significant, despite the imposition of all feasible mitigation measures identified in the Final EIR and set forth herein, are described in Table 2-1 of the DEIR, attached hereto as Exhibit B and incorporated herein by this reference; and

WHEREAS, alternatives to the 2040 General Plan Update that might eliminate or reduce significant environmental impacts are described in Section 21 of the DEIR, incorporated herein by this reference; and

WHEREAS, a discussion of the project benefits and a Statement of Overriding Considerations for the environmental impacts that cannot be fully mitigated to a less than significant level are set forth in Exhibit B, attached hereto and incorporated herein by this reference; and

WHEREAS, Public Resources Code Section 21081 .6 requires the City to prepare and adopt a mitigation monitoring and reporting program for any project for which mitigation measures have been imposed to assure compliance with the adopted mitigation measures. The Mitigation Monitoring and Reporting Program is summarized in Table 2-1 of the DEIR, attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, prior to making its recommendation to the City Council action, the Planning Commission reviewed, considered and has exercised its independent judgment on the Final EIR and all of the information and data in the administrative record, and all oral and written testimony presented to it during meetings and hearings and finds that the Final EIR is adequate and was prepared in full compliance with CEQA. No comments or any additional information submitted to the City have produced any substantial new information requiring recirculation or additional environmental review of the Project under CEQA.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends to the City Council certify the Final EIR and adopt the findings, statement of overriding considerations, and mitigation monitoring and reporting program for the update to the General Plan.

Chairman

I, _____, Secretary of the Planning Commission of the City of Burlingame, do hereby certify that the foregoing resolution was introduced and adopted at a regular meeting of the Planning Commission held on the 22nd day of October, 2018, by the following vote:

Secretary

EXHIBIT A: SUMMARY OF SIGNIFICANT IMPACTS AND RECOMMENDED MITIGATION MEASURES

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
Greenhouse Gas Emissions				
<p>Impact 10-1: Increases in GHG Emissions. The proposed General Plan Update would result in GHG emissions that could exceed the 2030 and 2040 GHG emission targets necessary to fully demonstrate progress and consistency with long-term state GHG reduction goals, even after inclusion of all policies contained within the General Plan. The Climate Action Plan (CAP) would assess feasible policies contained within the proposed General Plan and include, if necessary, additional measures to further reduce GHG emissions. Until these additional reductions have been demonstrated, this would be a significant and unavoidable impact (see criterion [a] under Section 10.3.1, "Significance Criteria," above).</p>	SU	<p>Mitigation 10-1. There are no measures that would reduce this impact. This impact would be significant and unavoidable.</p>	City	SU
<p>Impact 10-2: Plan Consistency. Adoption and implementation of the proposed General Plan Update would conflict with the 2017 Scoping Plan, Plan Bay Area 2040, and the 2017 Clean Air Plan. This would be a significant and unavoidable impact (see criterion [b] under Section 10.3.1, "Significance Criteria," above).</p>	SU	<p>Mitigation 10-2. The proposed General Plan Update would be inconsistent with the 2017 Scoping Plan Update, and the 2017 Clean Air Plan, because community-wide emissions are not in line with state GHG reduction goals. The General Plan Update is also inconsistent with Plan Bay Area 2040, because although there are many features that support a sustainable, transit-oriented Burlingame, the City cannot demonstrate the currently</p>	City	SU

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Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>adopted Specific Plans within the Burlingame El Camino Real PDA in conjunction with the policies contained in the proposed update would reduce per capita CO2 emissions from passenger vehicles and light duty trucks by 15 percent, by 2035. Accordingly, the proposed General Plan Update would conflict with or obstruct implementation of a plan, policy, or regulation adopted with the intent GHG emissions. Although implementation of Mitigation Measure 10-1 would be required by the City, and it may be able to demonstrate the City's General Plan is consistent with the 2017 Scoping Plan Update, 2017 Clean Air Plan, and Plan Bay Area 2040, until the additional policies are quantified, it cannot be assured the City would be able to reduce the significance of this impact. Thus, this impact is considered significant and unavoidable. The City would implement Mitigation Measure 10-1 to address this impact.</p>		
Paleontological Resources				
<p>Impact 12-1: Paleontological Resources. Since there is no information on the likelihood of discovering paleontological resources and there are currently no General Plan policies requiring the discovery, monitoring, and protection of paleontological resources, Mitigation 12-1 is recommended to avoid potentially significant impacts on paleontological resources should they occur in the planning area.</p>	S	<p>Mitigation 12-1. Paleontological Assessment. In areas containing middle to late Pleistocene-era sediments where it is unknown if paleontological resources exist, prior to grading an assessment shall be made by a qualified paleontological professional to establish the need for paleontological monitoring. Should paleontological monitoring be required after recommendation by the professional paleontologist and approval by the Community Development Director, paleontological monitoring shall be</p>	City	LS

EXHIBIT A: SUMMARY OF SIGNIFICANT IMPACTS AND RECOMMENDED MITIGATION MEASURES

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		implemented.		
Noise				
<p>Impact 15-1: Short-Term Construction Noise Levels. Implementation of projects under the proposed GPU would involve construction that would result in temporary noise generation primarily from the use of heavy-duty construction equipment. Based on modeling for typical construction activities, short-term construction-generated noise could exceed applicable standards. This would represent a potentially significant impact.</p>	S	<p>Mitigation 15-1. To ensure that future development projects implement appropriate construction noise controls, General Plan Policy CS-4.10 shall be revised to state:</p> <p><i>Policy CS-4.10 Construction Noise Study: All development projects shall be subject to the applicable construction hour limitations established by the City's Municipal Code. Development projects that are subject to discretionary review and that are located near noise-sensitive land uses shall assess potential construction noise levels and minimize substantial adverse impacts by implementing feasible construction noise control measures that reduce construction noise levels at sensitive receptor locations. Such measures may include, but are not limited to: 1) Construction management techniques (e.g., siting staging areas away from noise-sensitive land uses, phasing activities to take advantage of shielding/attenuation provided by topographic features or buildings, monitoring construction n); 2) Construction equipment controls (e.g., ensuring equipment has mufflers, use of electric hook-ups instead of generators); 3) Use of temporary sound barriers (equipment enclosures, berms, walls, blankets, or other devices) when necessary; and 4) Monitoring of actual construction noise levels to verify the need for noise controls.</i></p>	City	LS

EXHIBIT A: SUMMARY OF SIGNIFICANT IMPACTS AND RECOMMENDED MITIGATION MEASURES

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		Although specific construction activities and noise levels associated with future development projects are this time is not known, Mitigation Measure 15-1 revises the proposed General Plan to require the implementation of feasible construction noise control measures when development occurs near noise-sensitive land uses and, therefore, would render potential construction noise impacts from future development projects a less than significant impact with mitigation.		
<p>Impact 15-3: Increases in Traffic Noise Levels. Implementation of the proposed General Plan would increase noise levels along roadways with nearby sensitive receptors. Proposed policies would establish noise standards for new development and require that site-specific noise studies be conducted to reduce noise exposure; however, traffic-related noise increases are predicted to exceed 3 dB, the level typically audible to the human ear and, therefore, considered a substantial increase in noise. The application of the policies and objectives outlined in the City's General Plan update would reduce the amount of future vehicle trips generated from implementation of the General Plan, however, the potential level of reduction is uncertain at this time and would be contingent on the characteristic of each individual future development project. Since a reduction in vehicle trips cannot be</p>	S	<p>Mitigation 15-3. No feasible mitigation is available.</p>	NA	SU

EXHIBIT A: SUMMARY OF SIGNIFICANT IMPACTS AND RECOMMENDED MITIGATION MEASURES

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
<p>guaranteed, and future noise levels would increase by 3 dB or more and/or potentially expose noise-sensitive land uses to conditionally acceptable or higher noise levels (e.g., Broadway Avenue between El Camino Real and Bernal Avenue). this would represent a significant unavoidable impact (see criteria [a] and [c] in subsection 15.3.1, "Significance Criteria," above).</p>				
Transportation and Circulation				
<p>Impact 18-1: Project Intersection Impacts. While the increased traffic associated with the proposed General Plan at the California Ave/Broadway intersection may be considerable, the proposed General Plan includes policies and implementation programs to reduce the LOS impact by updating the LOS standard to consider other modes, and encourages strategies to enhance travel modes other than the single occupant auto. Table 18-7 identifies these policies and programs. In addition to the General Plan policies, the following mitigation measure is recommended to reduce impacts on the California Avenue and Broadway intersection to less than significant.</p>	S	<p>Mitigation 18-1. At the intersection of California Avenue and Broadway, the proposed 2040 GP would worsen the intersection level of service to unacceptable LOS F and add more than 5 seconds of average delay during both the AM and PM peak hours. The draft 2040 GP identifies a policy (M-12.2) to “coordinate with Caltrain and Caltrans to design and construct a grade-separated intersection at Broadway and the rail tracks.” It is assumed that the proposed grade separation project would restore intersection level of service at California Avenue and Broadway to acceptable conditions.</p>	City	LS

EXHIBIT B

STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to Public Resources Code Section 21081 and Section 15093 of the CEQA Guidelines, the Planning Commission recommends that the City Council adopts and makes the following Statement of Overriding Considerations regarding the remaining significant unavoidable impacts of the Project, as discussed above, and the anticipated economic, social and other benefits of the Project.

The City finds and determines that: (i) the majority of the significant impacts of the Project will be reduced to less-than-significant and acceptable levels by the mitigation measures described in the Final EIR and approved and adopted by these Findings; (ii) the City's approval of the Project will result in certain significant adverse environmental effects that cannot be avoided even with the incorporation of all feasible mitigation measures into the Project; and (iii) there are no other feasible mitigation measures or feasible Project alternatives that would further mitigate or avoid the remaining significant environmental effects. The significant effects that have not been mitigated to a less-than-significant level and are therefore considered significant and unavoidable are:

- **Impact 10-1: Increases in GHG Emissions.** The proposed General Plan Update would result in GHG emissions that could exceed the 2030 and 2040 GHG emission targets necessary to fully demonstrate progress and consistency with long-term state GHG reduction goals, even after inclusion of all policies contained within the General Plan. The CAP would assess feasible policies contained within the proposed General Plan and include, if necessary, additional measures to further reduce GHG emissions. Until these additional reductions have been demonstrated, this would be a significant and unavoidable impact.
- **Impact 10-2: Plan Consistency.** Adoption and implementation of the proposed General Plan Update would conflict with the *2017 Scoping Plan*, *Plan Bay Area 2040*, and the *2017 Clean Air Plan*.
- **Impact 15-3: Increases in Traffic Noise Levels.** Implementation of the proposed General Plan would increase noise levels along roadways with nearby sensitive receptors. Proposed policies would establish noise standards for new development and require that site-specific noise studies be conducted to reduce noise exposure; however, traffic-related noise increases are predicted to exceed 3 dB, the level typically audible to the human ear and, therefore, considered a substantial increase in noise.

Despite these potentially significant impacts, it is the City's considered judgment that the benefits offered by the General Plan outweigh the potentially adverse effects of these significant impacts. Each overriding consideration set forth constitutes a separate and independent ground for finding that the benefits of the General Plan outweigh its potential adverse effects and each such consideration, standing alone, warrants approval of the General Plan.

The proposed General Plan is intended to guide growth in Burlingame through the year 2040. Growth that occurs haphazardly, without considered planning and forethought, has been demonstrated to result in unsustainable development that requires more infrastructure to serve fewer people, puts greater distances between employees and employers thereby increasing commute times, and requires more and more inefficient uses of energy. Burlingame's updated

Statement of Overriding Considerations Burlingame General Plan

General Plan is designed to produce a community that can serve as a model for sustainable growth and sustainable lifestyles and will provide benefits to its residents and neighbors for many years to come. The benefits of the General Plan include the following:

1. Establishing a plan and a process for sustainable growth that protects the environment and promotes the efficient use of finite resources. A guiding principle of the General Plan is that it should result in balanced and smart growth that conserves and promotes the efficient use of natural resources and facilitates and encourages healthy lifestyles. The community recognizes the need to grow in a manner that supports inclusivity and access while protecting established neighborhoods and community assets. General Plan policies guide future development and investments in a manner that is thoughtful, sustainable, and reflective of local values. This includes allowing growth to occur in targeted areas where supportive physical and community infrastructure are available or can readily be provided, and where such growth contributes to the positive qualities and characteristics that define Burlingame. There is also an emphasis on maintaining a balance of ownership and rental housing, with opportunities for people of all income ranges to live in Burlingame. Land use decisions are to be based on the ability of the multimodal transportation network to support growth.
2. Ensuring that development to accommodate anticipated growth is undertaken in a manner that respects the character of the existing development and the City's diverse neighborhoods, and supporting the urban forest. Burlingame's physical character is defined by its cherished tree groves and urban forest, distinct neighborhoods and business districts, and historic structures and resources. The General Plan includes goals, policies, and programs that will ensure that these features are respected and enhanced. This includes ensuring that trees continue to be an integral character-defining feature of the City's streetscapes, neighborhoods, and business districts. Furthermore, it includes recognizing the distinct qualities of Burlingame's many and varied neighborhoods and business districts, and requiring that new development respond to and respect the desired character-defining features of these places. The General Plan includes provisions to protect the character and quality of Burlingame's historical buildings, neighborhoods, districts, and landscapes, while being receptive to modern design approaches that complement the Burlingame aesthetic and are harmonious with their surroundings.
3. Providing connections that reduce the number of vehicle trips that occur in the City and the number of vehicle miles traveled by residents of the City. The General Plan includes goals, policies, and programs that allow Burlingame's residents, workforce, and visitors to access the full range of services and amenities the City offers through meaningful connections that can be safely navigated by all modes of travel. This includes the provision of a well-defined multimodal transportation network that accommodates a range of travel choices and connects Burlingame to the region. The General Plan will allow the development and maintenance of safe and easy-to-use bicycle and pedestrian travelways citywide, with an emphasis on providing connections from neighborhoods to local schools, parks, shopping, and entertainment. Emphasis is also given to ensuring the provision of "first-mile" and "last-mile" connections to and from transit stations, providing safe and effective access between transit and destinations.
4. Promoting economic development and increasing opportunities available to City residents. The General Plan contains numerous policies and programs that reflect the

Statement of Overriding Considerations Burlingame General Plan

importance of a diverse economic base for providing sustainable, reliable revenue to the City and access to economic opportunity for residents. The goals and policies of the General Plan ensure the City accommodates and supports a mix of commercial activity while providing the flexibility to adapt to a dynamic economic environment. This includes local, independent businesses co-existing alongside businesses that are regionally and nationally owned. The approach emphasizes a mix of businesses that collectively works to maintain a stable tax base and revenue stream for the City.

5. Emphasizing public health, environmental responsibility, and resilience through “healthy people and healthy places.” The health and safety of the City’s residents and its natural environment are fundamental to the many goals of the General Plan. Community resilience and the physical and social health is provided through policies and programs. Unique recreation experiences in parks, open spaces, and public plazas is anticipated citywide, and the plan promotes development approaches that emphasize nonmotorized and pedestrian access. High-quality, energy-efficient, and sustainable design is to be incorporated into all new development, and provisions are made to preserve and enhance open spaces, natural resources, and environmentally sensitive areas, including the Bay and the local creek system. Policies and programs support maintaining and enhancing public safety through community and environmental designs that promote secure, active, and safe streets and neighborhoods, and celebrating arts, culture, and diversity.
6. Valuing education. The General Plan recognizes that residents value Burlingame for the opportunities it offers, including access to high-caliber education for all ages. Burlingame is committed to fostering educational opportunity for all residents, while promoting high-quality education for K-12 students. The General Plan includes goals, policies, and programs that promote productive partnerships with local schools and other educational institutions, and recognize that high-quality education contributes to overall community success and health. This extends to programs that provide enrichment and life-long learning.
7. Promoting civic engagement. The General Plan, through “Envision Burlingame” initiative, is built on a foundation of community engagement. The City is committed to building on this legacy to implement the General Plan and foster healthy civic dialogue for all issues of public interest. The General Plan provides a framework that maintains an environment that always welcomes and encourages productive public discourse on issues shaping Burlingame’s future.