

From: Maxine Turner <[REDACTED]>
Sent: Monday, September 25, 2023 4:14 PM
To: Manira Sandhir <msandhir@cityofsanmateo.org>
Cc: Zachary Dahl <zdahl@cityofsanmateo.org>; Alex Khojikian <akhojikian@cityofsanmateo.org>
Subject: DEIR comments

Dear Ms. Sandhir - The purpose of CEQA is to give decision-makers adequate information upon which to base decisions that minimize negative impacts to the community. The Draft EIR (DEIR) for the 2040 Draft General Plan is so filled with vague statements about future actions as to be useless. Words like “suggest, promote and encourage” are meaningless. This DEIR does not give policy makers the data to evaluate the long-term impacts of their proposed GP Project. It is an insult to the residents and businesses in San Mateo who will have no idea of the true fiscal and environmental impacts of the proposed Project nor of viable alternatives that will lessen these impacts. The consultants can and must do better.

Staff knows that the City Council can still approve a project with “significant impacts” by making statements of overriding consideration. But misleading the public and decision-makers by avoiding discussion about the true impacts is unconscionable. This adds to the mistrust of government and threatens our fragile democracy. This DEIR must be rewritten and recirculated.

THE DEIR IS INADEQUATE AND INCOMPLETE BECAUSE IT FAILS TO:

1 - Identify which program level environmental effects City staff intends to utilize as having been addressed as “specifically and comprehensively as is reasonably possible” in this program EIR so that later activities may qualify for a streamlined environmental review process or may be exempt from environmental review. The DEIR does not provide the supporting data for the “no significant impact” conclusions related to land use and zoning, traffic, air quality, noise, infrastructure capacity and water availability, public services and hydrology. If the consultants have given these details to the City this data must be included for public review and the DEIR recirculated.

2 - Evaluate a “reasonable range” of alternatives as required by CEQA. The GP land use map chosen by the City Council as the “Project” was the highest level of development considered during the public input phase. This high-development project results in Significant and Unavoidable (SU) impacts in Air Quality, Noise, and Wildfire even with mitigations. The DEIR does not adequately evaluate other alternatives that can lessen these and other impacts to less than significant levels. Alternatives A and B were considered during the public input phase of the GP UPDATE with much public support and these should be evaluated for potentially less impacts in the EIR. A highest development level ‘Project’ or no project is not adequate.

3 - Note specifically in the Land Use Regulations Measure Y paragraph that General Plan 2030 is Measure Y, approved by the voters in 2020, and a vote of San Mateo residents will be required to approve any changes to Measure Y heights and densities in the Project General Plan 2040. Identify specifically where land use changes increase the heights or densities allowed under Measure Y. The DEIR paragraph on Measure Y is inaccurate, incomplete and missing information on the Strive website and must be rewritten. Measure Y is of vital interest to a majority of the voters in San Mateo and needs to be clearly and accurately described in the DEIR.

Rewrite the Measure Y paragraph to also note that it better supports affordable housing than the state density bonus law. The Measure Y General Plan 2030 requires that 10% of new residential development be for affordable units built on-site at the same time as the market rate units are constructed. Note how many affordable units have been built in San Mateo under Measure Y. It does not allow off-site or in-lieu fee payments that can sit in a pot for years. The state density bonus law only requires 10% affordable units yet gives the developer 2 extra floors of height for doing what is already required in San Mateo. Also note that the Measure Y density allowances result in a larger number of 2-3 bedroom family sized units than the higher density bonus units have resulted in.

4- Justify how the conclusion of LU-2 *“The proposed project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect”* was determined. Clearly, GP 2040 land uses conflict with Measure Y unless a mitigation is added to phase the high-development land use changes in the Project to after Measure Y ends in 2030. Staff notes that the current RHNA cycle housing requirements can be met under Measure Y. Projections for the next RHNA cycle will most likely be reduced. Much impact language throughout the DEIR notes that build-out will not occur all at once so this mitigation will not significantly impact GP 2040 policies.

5 - Identify the conflicts between the Project’s high-level of development land uses in the Downtown with the goals of pedestrian oriented and preserving historic and cultural resources. Compare the likely wind and shadow impacts of higher heights, including density bonuses, to existing plan heights on outdoor seating and walking.

6 - Identify the true potential heights with the density bonus increases in heights. Maximum height potential MUST include the density bonus heights.

6 - Identify specifically what increased service needs (fire, police, parks, recreation, and libraries) will be required by the high level of new development and how funding will be provided. These service impacts are one of the “Standards of Significance” that the “no significant impact” was based on. More importantly, identify at what level of new development (population or structures) WHEN new “staffing, facilities and equipment” will be needed. *Policy LU 12.1 states: “Retain and grow existing businesses and attract new businesses that can generate and diversify the City’s tax revenue and increase job opportunities to ensure the City has adequate resources for infrastructure improvements and essential City services, such as police, fire, parks, recreation, and libraries.”* If new staffing and equipment does not exist to maintain a less than significant impact, will project approvals be delayed until adequate staffing, equipment and facilities are in place? Perhaps this should be added as a mitigation.

For example, fire services currently closely meet the standard set by the National Fire Protection Association that there be one firefighter for every 1,000 population. At what specific new level of project development and population growth would new facilities, staffing and equipment be required? How tall can buildings be to be served by existing fire trucks? The “no significant impact” conclusion in the DEIR only refers to the construction impacts of new facilities, not the lack of services which negatively impact the community. *“PS-1 The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in*

order to maintain acceptable service ratios, response times, or other performance objectives for fire protection services.”

The same is true for police services. “SMPD has identified that its staffing level has decreased since 2020, and an increase in population would result in a need for increased staffing. Physical expansion of SMPD facilities may be needed to accommodate increases in staffing and maintain response times. The SMPD has indicated that existing stations would be inadequate to accommodate future needs; due to this, a new police substation or substantial adjustments, expansions, or renovations to the existing police headquarters facility have been identified as needed.” If new staffing and equipment does not exist to maintain a less than significant impact, will project approvals be delayed until adequate staffing, equipment and facilities are in place? Perhaps this should be added as a mitigation.

Current services are adequately funded by existing revenues. The DEIR makes clear that the large increase in population and structures will require more funding for services. There is no data about how much revenue will be lost or gained by the Project land use changes. How much sales tax revenue will be lost by upzoning downtown and El Camino Real small businesses for housing or office? How much property tax increase stays with the city as opposed to sales, hotel, business and other taxes? This is fundamental information needed by decision makers prior to approving the High-Development 2040 General Plan.

The DEIR does not provide the public nor decision-makers with the data they need to approve the Project. There is no information about how water will be provided, traffic impacts reduced, the jobs/housing balance maintained, and displacement of affordable housing and small businesses avoided. Every resident, voter and taxpayer in San Mateo understands the Project high-level of development will negatively impact their lives. This DEIR does not meet legal requirements and it must be revised and recirculated.

Thank you,
Maxine Turner