

## 4.5 LAND USE AND PLANNING POLICY

This section describes existing land uses and planning policies on the project site and in the surrounding area. A regulatory framework is provided in this section describing applicable agencies and regulations related to the project. Land use impacts associated with the project are identified and mitigation measures are recommended, where appropriate. This section also contains a discussion of the project's consistency with relevant land use policies. However, conflicts between a project and applicable policies do not constitute a significant physical environmental impact in and of themselves; as such, the project's consistency with applicable policies is discussed separately from the physical land use impacts associated with the project.

### 4.5.1 Environmental Setting

This section discusses existing land uses in and around the project site, General Plan and zoning regulations, and relevant planning documents.

#### 4.5.1.1 Local Land Uses

The project is located in the City of Belmont at 6-8 and 10 Davis Drive. Belmont is located on the San Francisco peninsula, to the west of San Francisco Bay—approximately 20 miles south of San Francisco and 25 miles north of San Jose. Belmont itself is a relatively suburban area, with areas of residential development separated by open space lands. Retail and commercial use development is primarily located along Highway 101, El Camino Real, and Ralston Avenue. Belmont's downtown core is located near the intersection of El Camino Real and Ralston Avenue.

The surrounding project area contains a mix of business and commercial uses, school, residential, and open space areas. Adjacent land uses include Ralston Middle School to the west, office uses to the north and east, Water Dog Lake Park and an open space canyon area to the south. Trails extend by the project site and through Water Dog Lake Park, connecting with Ralston Middle School and surrounding residential areas. Land uses across Ralston Avenue and south of Water Dog Lake Park are composed of single-family residential uses. More distant surrounding land uses east of the project site include a mix of single-family and condominium residential uses.

#### 4.5.1.2 Existing Land Use and Zoning at the Project Site

The project site is composed of three different parcels. The project site is developed with office, warehouse, and parking lot uses.

The project site is designated as Commercial Office (CO) in the City of Belmont General Plan and zoned as Executive Office and Warehouse (E2.2). The CO land use designation is one of four commercial uses in the General Plan. The CO designation allows for exclusive commercial office uses. The E2.2 zoning allows for administrative, executive, sales offices, financial offices, professional offices, research and development laboratories, warehousing, storage, and distribution facilities.

## 4.5.2 Regulatory Setting

The City has several planning and zoning documents that guide development in the City. The plans and policies outlined below are relevant to the project. Table 4.5-1 discusses the project's consistency, prior to mitigation, with relevant policies of the General Plan.

### 4.5.2.1 City of Belmont General Plan

The City's General Plan was adopted on August 24, 1982. Although, the City is in the process of a General Plan Update, until a new General Plan is adopted, the 1982 General Plan is still the principal policy document for guiding future land use, conservation, and development in the City. The General Plan serves as a comprehensive guide for making decisions about land use, economic development, road improvements, and protection of natural resources and public health and safety. It also provides the legal foundation for all zoning, subdivision, and public facilities ordinances, decisions, and projects.

The General Plan is organized into the following chapters: 1) Introduction; 2) Part 1-This is Belmont; 3) Part 2-Elements of the Land Use Pattern; 4) Part 3-Elements of Community Quality; and 5) Part 4-General Plan Diagram.

### 4.5.2.2 Belmont Zoning Ordinance

The City of Belmont Zoning Ordinance was adopted by the City for the zoning of land within the City to promote and protect the public health, safety, peace, comfort, convenience and general welfare, and to provide a precise guide for the physical development of the City. The Zoning Ordinance implements the goal and polices of the General Plan by classifying and regulating the uses of land and structures within the City. The Zoning Ordinance includes regulations for permitted, conditional, accessory and prohibited uses of land and structures; building location and height; parking requirements; and signs.

**Table 4.5-1: Project Consistency with City of Belmont General Plan Policies**

Relevant Goal, Policy or Program	Consistency
<b>General Community Goals and Policies</b>	
<b>Goal 1015-1:</b> To assure that Belmont will be a balanced community with residences, schools, business, industry and space and facilities for social, recreational and cultural activities in keeping with the present character of the City.	<b>Consistent.</b> The project would construct a private middle-school, which could potentially provide an additional private school choice for City residents.
<b>Goal 1015-3:</b> To preserve significant open spaces, trees, views, waterways, wildlife habitats, and other features of the natural environment.	<b>Consistent.</b> The project would be designed to incorporate features that would preserve open spaces, trees, views, waterways, wildlife habitats, and other features of the natural environment to the greatest extent feasible.
<b>Goal 1015-4:</b> To maintain and enhance the appearance of the City through controlling the location, timing, design and landscaping of new development and encouraging renovation of older areas.	<b>Consistent.</b> The project meets the City's standards related to maintenance and enhancement of the appearance of the City.
<b>Goal 1015-7:</b> To guide the timing and location of growth	<b>Consistent.</b> The project would undergo a project

**Table 4.5-1: Project Consistency with City of Belmont General Plan Policies**

Relevant Goal, Policy or Program	Consistency
and development to ensure the availability of services and protection of sensitive natural environments.	approval process to ensure the availability of services and protection of sensitive natural environments.
<b>Goal 1015-8:</b> To protect persons and property from unreasonable exposure to natural hazards such as floods, fire, unstable ground, erosion and earthquakes.	<b>Consistent.</b> The project is designed to reduce risk and exposure from natural hazards. The project would undergo a project approval process to protect persons and property from unreasonable exposure to natural hazards such as floods, fire, unstable ground, erosion and earthquakes.
<b>Goal 1015-9:</b> To protect and conserve significant community resources such as energy, clean air and water and historic or architecturally interesting buildings.	<b>Consistent.</b> The project is designed to protect and conserve significant community resources. The project would undergo a project approval process to ensure the project meets the City’s standards for this conservation.
<b>Policy 1016-1:</b> New development should be of a scale and character compatible with surrounding land uses and Belmont's small city environment.	<b>Consistent.</b> The project would be compatible in scale and character of the surrounding land uses.
<b>Policy 1016-2.c:</b> Intensity of use of individual parcels and buildings should be governed by considerations of existing development patterns, water and air quality, accessibility, traffic generation, parking, noise, fire safety, drainage, natural hazards, resource conservation and aesthetics.	<b>Consistent.</b> The project has been designed to ensure that the intensity of use meets the City’s standards to maintain existing development patterns, water and air quality, accessibility, traffic generation, parking, noise, fire safety, drainage, natural hazards, resource conservation and aesthetics.
<b>Policy 1016-3:</b> All land uses should conform with the environmental quality and safety policies in Part 3 of this plan.	<b>Consistent.</b> The project would be designed to conform with the City’s environmental and safety policies to the greatest extent feasible.
<b>Policy 1016-4:</b> The following standards shall apply to all new development: <ul style="list-style-type: none"> <li>a. Sewage disposal shall be by sanitary sewers.</li> <li>b. Storm drainage facilities shall be provided.</li> <li>c. Erosion shall be minimized through such measures as runoff retention and revegetation.</li> <li>d. Grading and new impervious surfaces shall be kept to the minimum necessary to permit development of land in a manner compatible with its characteristics and designated use.</li> <li>e. Land, water and energy shall be used efficiently.</li> <li>f. Structures shall be clustered, where possible, to maximize open space and minimize costs of providing public services.</li> <li>g. Safe access to the public road system of the community shall be provided.</li> <li>h. Fire and police protection shall be adequately provided.</li> <li>i. Slopes exceeding 30 percent shall be avoided whenever possible.</li> </ul>	<b>Consistent.</b> The project would include sanitary sewers and storm drainage facilities; measures to reduce and limit erosion, grading, and the amount of impervious services; energy-efficient components; safe access by the public and emergency service providers; and would not be located on a slope.
<b>Policy 1016-6:</b> Natural features, such as ridgelines, canyons, steep hillsides, meadows, streamsides and	<b>Consistent.</b> The project would not require grading of any ridgeline or hillsides and would be sited and constructed

**Table 4.5-1: Project Consistency with City of Belmont General Plan Policies**

Relevant Goal, Policy or Program	Consistency
significant stands of trees, should be preserved and protected through planning, conservation practices and, where appropriate, the dedication of open space or scenic easements.	with materials that would minimize impacts to scenic resources.
<b>Policy 1016-7:</b> No building permits for new structures shall be issued until or unless it has been demonstrated that all necessary public services can be provided within the framework of planned capital and operating budgets of the service agencies. Costs for services which exclusively benefit new development should be borne by that development.	<b>Consistent.</b> The City would be able to supply all necessary public services within the framework of planned capital and operating budgets of the service agencies. The project would contribute some share of the cost of those services, as needed, in the Development Agreement.
<b>Policy 1016-8:</b> In any development within the Planning Area, geologic conditions should be thoroughly evaluated to avoid or mitigate problems of unstable land.	<b>Consistent.</b> The project site has been evaluated for geological constraints and design and construction of the project would be consistent with the recommendations of the Geotechnical Report prepared for the project.
<b>Policy 1016-9:</b> In all new development, significant historical and archaeological features should be identified and, as determined appropriate, protected or conserved.	<b>Consistent.</b> The project is not located on a site of historical significance. Measures are required in the DEIR to reduce impacts should archaeological features be discovered.
<b>Policy 1016-11:</b> On-street parking should be controlled by requiring provision of off street parking in new developments, constructing additional off street parking spaces, especially in the Central Business District and near Old County Road, preventing the conversion of space or uses to higher intensities unless adequate off-street parking is provided.	<b>Consistent.</b> The project would include parking that is adequate to serve the project needs.
<b>Commercial Areas</b>	
<b>Policy 2026-9:</b> Commercial office uses such as executive-administrative offices, light warehousing, storage and distribution shall be concentrated in the existing office area at Davis and, as secondary uses, in the industrial area east of the Southern Pacific tracks.	<b>Consistent.</b> The project would be located in Ralston Park on Davis Drive. The project would not be considered a commercial use; however, the project would not be out of character with the surrounding commercial uses.
<b>Public Facilities and Services</b>	
<b>Goal 2041-1:</b> To provide facilities for essential public services including city administration, education, police and fire protection, water supply, sewage collection and treatment, storm drainage and utilities.	<b>Consistent.</b> The City would be able to supply all necessary public services to the project.
<b>Goal 2041-3:</b> To provide public services at a level adequate to ensure public safety, health and welfare at the lowest possible cost.	<b>Consistent.</b> The City would be able to supply all necessary public services to the project.
<b>Goal 2041-5:</b> To allocate the cost of providing public services to new development according to the general principle that properties benefiting from the services should bear the costs.	<b>Consistent.</b> The City would be able to supply all necessary public services within the framework of planned capital and operating budgets of the service agencies. The project would contribute some share of the cost of those services, as needed, in the Development Agreement.

**Table 4.5-1: Project Consistency with City of Belmont General Plan Policies**

Relevant Goal, Policy or Program	Consistency
<b>Policy 2042-1:</b> All new power, telephone and cable television lines should be placed underground.	<b>Consistent.</b> The project would include undergrounded utilities on the project site.
<b>Policy 2042-3:</b> All utility installations should be sited, designed, developed and landscaped so as to blend with the natural scenery of the area.	<b>Consistent.</b> The project would include undergrounded utilities on the project site.
<b>Policy 2042-4:</b> All utility installations should be located and designed to prevent disruption of service from identified geologic and flood hazards.	<b>Consistent.</b> The project would be located and designed to prevent disruption of service from identified geologic and flood hazards.
<b>Policy 2042-5:</b> Utility systems--water, sewer, gas, and electric--should be designed for continuity of service and rapid restoration of service in case of damage to any part of the system.	<b>Consistent.</b> The project would be designed to prevent disruption of service in the event of damage.
<b>Policy 2042-6:</b> Water supply systems must conform with established health and fire protection standards.	<b>Consistent.</b> The project water supply would conform with established health and fire protection standards.
<b>Policy 2042-8:</b> All new development shall be served by sanitary sewers. As necessary in conjunction with new development, existing deficient sewer facilities shall be upgraded.	<b>Consistent.</b> The project would be served by sanitary sewers and would replace the existing infrastructure on the site.
<b>Policy 2042-10:</b> New approaches to land use and building design and construction that are water and energy efficient and minimize waste should be supported.	<b>Consistent.</b> The project would incorporate energy efficient site design and components.
<b>Policy 2042-11:</b> All reasonable steps will be taken to maintain police and fire protection services at or above their present levels. Any proposed land use or development that requires unusually high levels of police or fire protection should not be approved unless the user guarantees to pay the excess service costs.	<b>Consistent.</b> The City would be able to supply all necessary public services within the framework of planned capital and operating budgets of the service agencies. The project would contribute some share of the cost of those services, as needed, in the Development Agreement.
<b>Policy 2042-12:</b> New ways of funding community services and facilities should be explored including increased user fees and contributions from the private sector.	<b>Consistent.</b> The City would be able to supply all necessary public services within the framework of planned capital and operating budgets of the service agencies. The project would contribute some share of the cost of those services, as needed, in the Development Agreement.

**Table 4.5-1: Project Consistency with City of Belmont General Plan Policies**

<b>Relevant Goal, Policy or Program</b>	<b>Consistency</b>
<b>Institutions</b>	
<b>Goal 2051-1:</b> To accommodate private institutions which provide educational, religious, cultural, health and charitable services to members of the community.	<b>Consistent.</b> The project would construct a private middle-school, which could potentially provide an additional private school choice for City residents.
<b>Policy 2052-1:</b> All institutional uses should be served directly by major collector or arterial roads.	<b>Consistent.</b> The project would be located off Ralston Avenue, a major collector road in the City of Belmont.
<b>Policy 2052-2:</b> All institutional uses should be located and designed to be compatible with the residential character of the surrounding neighborhood. In particular, compatibility of uses in terms of traffic generation, parking, and noise shall be ensured prior to the establishment of any new institutional use or expansion of an existing use.	<b>Consistent.</b> The project is compatible with surrounding nearby uses, including traffic generation, parking, and noise.
<b>Parks and Recreation</b>	
<b>Goal 2062-1:</b> To cooperate with public and private organizations in developing facilities and programs for recreational activities.	<b>Consistent.</b> The project would include a joint use agreement with the City of Belmont Parks and Recreation Department for shared use of the recreational facilities.
<b>Goal 2063-10:</b> The City should seek cooperative arrangements with private institutions, such as churches and schools, for public use of indoor and outdoor recreational facilities during times when they are presently unused.	<b>Consistent.</b> The project would include a joint use agreement with the City of Belmont Parks and Recreation Department for shared use of the recreational facilities.
<b>Open Space</b>	
<b>Policy 2071-1:</b> In any land development project, the basic visual character of the Planning Area should be conserved through project design.	<b>Consistent.</b> The project has been designed to ensure that it meets the City's standards to maintain scale and character of the surrounding land uses.
<b>Policy 2071-5:</b> A variety of vistas should be provided and preserved ranging from the small enclosed private views to the more distant views shared by many people.	<b>Consistent.</b> The project has been designed to preserve views of the project site.
<b>Policy 2071-7:</b> Landscaped open spaces should be included in new developments, especially in commercial areas and along streets and pathways.	<b>Consistent.</b> The project includes open space areas.
<b>Policy 2071-11:</b> In the West Hills and San Juan Canyon areas, development shall be clustered to the maximum extent possible with the majority of the land retained in open space.	<b>Consistent.</b> The project design maximizes the open space on the site.
<b>Circulation</b>	
<b>Policy 2082-3:</b> Commuter buses, van pools and other forms of private transit should be encouraged or required, where appropriate, especially in conjunction with major new industrial or commercial development.	<b>Consistent.</b> The project would include the use of carpooling, shuttles, and van pools.
<b>Policy 2083-3:</b> Views from Ralston Avenue of the hillsides and canyons of the western hills, Sugarloaf Mountain and the steeply sloped, wooded canyons in the	<b>Consistent.</b> The project has been designed to preserve views of the project site.

**Table 4.5-1: Project Consistency with City of Belmont General Plan Policies**

Relevant Goal, Policy or Program	Consistency
San Juan area should remain unobstructed.	
<b>Policy 2084-2:</b> No new non-residential use shall be permitted unless adequate off-street parking and loading spaces can be provided. Standards for off-street parking and loading shall be reviewed and revised as needed for all non-residential uses.	<b>Consistent.</b> The project would include parking that is adequate to serve the project needs.
<b>Noise</b>	
<b>Goal 3002:</b> To review proposals for changes in land use and occupancy to ensure compatibility with noise standards.	<b>Consistent.</b> The project would not violate any City noise standards.
<b>Goal 3003:</b> Proposed changes in land use and occupancy shall be evaluated for compatibility with the noise environment. Table 10 and Figure 8 of this element will be used to assess compatibility. The following interpretation of Table 10 will apply: a. No land use shall be approved in an area where the noise level renders the use clearly unacceptable. b. If the noise level renders a proposed use conditionally acceptable or normally unacceptable, an acoustical study shall be undertaken and noise mitigation measures required, as necessary, to reduce the noise to normally acceptable levels for the use. c. Unless mitigation can be assured, no land use should be approved where the noise level renders the use normally unacceptable.	<b>Consistent.</b> The project would not violate any City noise standards.
<b>Goal 3003-3:</b> No new land use should be approved which generates a noise level above 65 dBA on adjacent residential property.	<b>Consistent.</b> The project would not violate any City noise standards.
<b>Seismic Safety</b>	
<b>Goal 3040-3:</b> To encourage public and private development that is located, designed and constructed in such a way as to minimize the risk of loss of life and injury in the event of a major earthquake, flood, wildfire or other disaster.	<b>Consistent.</b> The project is designed to ensure that it meets the City's standards for emergency accessibility and evacuation, fire safety, and to minimize the risk of natural hazards.
<b>Goal 3040-4:</b> All environmental reports submitted to the City in support of development proposals shall include sections evaluating seismic, geologic, fire and flood hazards.	<b>Consistent.</b> The project site has been evaluated for geological constraints and design and construction of the project would be consistent with the recommendations of the Geotechnical Report prepared for the project. The project includes a Vegetation Management Plan and has been evaluated for fire and flood hazards.
<b>Goal 3040-13:</b> No new construction shall be permitted in areas where emergency access cannot be adequately ensured.	<b>Consistent.</b> The project is designed to ensure that it meets the City's standards for emergency accessibility and evacuation.
<b>Goal 3040-14:</b> Sprinkler systems and/or smoke detectors should be required according to ordinance provisions administered by the South County Fire District.	<b>Consistent.</b> The project is designed to ensure that it meets the City's standards for fire safety.

**Table 4.5-1: Project Consistency with City of Belmont General Plan Policies**

Relevant Goal, Policy or Program	Consistency
<b>Goal 3040-15:</b> Fire retardant roofing and exterior siding materials should be required for any major remodeling of structures in presently developed areas which are adjacent to wooded open space areas or without adequate emergency access or water flow, assuming that 80 percent of the siding or roofing is being remodeled.	<b>Consistent.</b> The project would be constructed of fire retardant roofing and siding materials. The project includes a Vegetation Management Plan and has been evaluated to ensure that it would not create any fire hazards.
<b>Goal 3040-16:</b> All geologic reports required by the City in support of a development application shall include an evaluation of seismic conditions on and near the site and how they could affect the proposed development.	<b>Consistent.</b> The project site has been evaluated for geological constraints and design and construction of the project would be consistent with the recommendations of the Geotechnical Report prepared for the project.
<b>Goal 3040-17:</b> The City will encourage reducing the risk of loss from brushfires in the undeveloped hillside areas of the City through such measures as landscaping with fire resistant plants between residential and open space areas, weed control, controlled burns, and placement of trails and roads to serve as firebreaks.	<b>Consistent.</b> The project includes a Vegetation Management Plan to reduce the risk of fire hazards.
<b>Conservation</b>	
<b>Goal 3051-3:</b> To minimize the erosion of soil.	<b>Consistent.</b> Construction on the project site would include measures to minimize erosion. The project incorporates storm drainage facilities and landscaping to minimize soil erosion on the site.
<b>Goal 3051-5:</b> As appropriate, to comply and encourage compliance with regulations designed to achieve state and federal air quality standards.	<b>Consistent.</b> The project is designed to ensure compliance with state and federal air quality standards.
<b>Goal 3051-8:</b> To protect scenic views to and from hillsides.	<b>Consistent.</b> The project has been designed to preserve views of the project site.
<b>Policy 3052-1:</b> New development shall be located and designed to preserve specimen trees and significant stands of trees to the extent possible.	<b>Consistent.</b> The project would remove trees on the site; however, the project would include a landscaping plan and Vegetation Management Plan.
<b>Policy 3052-2:</b> The use of native and drought resistant vegetation should be encouraged in new landscaping.	<b>Consistent.</b> The project landscaping would incorporate native and drought resistant landscaping.
<b>Policy 3052-4:</b> The City shall control both the amount and timing of grading to prevent accelerated erosion of the soil. Erosion and runoff control facilities shall be regularly maintained and preventative measures taken whenever possible.	<b>Consistent.</b> Construction on the project site would include measures to minimize erosion. The project incorporates storm drainage facilities and landscaping to minimize soil erosion on the site.
<b>Policy 3052-6:</b> In carrying out its functions, the City will comply and encourage compliance with all applicable federal and state air quality regulations.	<b>Consistent.</b> The project is designed to ensure compliance with state and federal air quality standards.
<b>Policy 3052-7:</b> The City will support public and private efforts to conserve energy and to explore alternative energy sources giving careful consideration to impacts on safety, aesthetics and noise.	<b>Consistent.</b> The project would incorporate energy efficient site design and components.
<b>Policy 3052-10:</b> Private and public resource recycling and recovery efforts shall be encouraged by the City.	<b>Consistent.</b> The project would recycle construction debris and implement a recycling program during project

**Table 4.5-1: Project Consistency with City of Belmont General Plan Policies**

Relevant Goal, Policy or Program	Consistency
	operations.
<b>Policy 3052-12:</b> Structures should be located and designed and landscaping designed and maintained to protect, to the extent possible, views to and from the hillsides.	<b>Consistent.</b> The project has been designed to preserve views to and from the project site.

Inconsistencies between a project and applicable policies do not constitute significant environmental impacts in and of themselves. However, a policy inconsistency is considered to be a significant adverse environmental impact when it is related to a policy adopted for the purpose of avoiding or mitigating an environmental effect and it is anticipated that the inconsistency would result in a significant adverse *physical* impact. The proposed project's consistency with regional policies related to physical environmental topics (e.g., air quality, transportation, and noise) is fully analyzed and discussed in those topical sections of this EIR.

### 4.5.3 Impacts and Mitigation Measures

This subsection analyzes impacts related to land use and planning that could result from implementation of the project. This subsection begins with the criteria of significance, which establish the thresholds for determining whether an impact is significant, and concludes with land use impacts associated with the proposed project.

#### 4.5.3.1 Criteria of Significance

The proposed project would have significant land use impacts if it would:

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

#### 4.5.3.2 Methodology

Available information was collected to identify land use and planning policies for the City of Belmont. Reviewed resources include the General Plan and Zoning Ordinance. Based on a comparison of the reviewed information, the regulatory requirements, and the project's construction and use, its potential land and planning effects were qualitatively evaluated and, as necessary, mitigation measures were proposed.

#### 4.5.3.3 Less Than Significant Impacts

Project implementation would result in the following less than significant land use impacts.

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

The physical division of an established community typically refers to the construction of a physical feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying areas. The project is a private middle-school, which would be located in a developed area and would not physically divide an established community. Therefore, the project would have ***no impact*** related to the division of a community.

***Impact LU-2: The project would not conflict with applicable land use plan, policy or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. (LTS)***

The project site would require a General Plan Amendment from Commercial Office (CO) to Institution (IN) and a rezoning from Executive Office and Warehouse (E2.2) to Planned District (PD). The General Plan defines IN uses as facilities which provide educational, cultural, religious, health and related services to the community and, in some cases, to a larger service area. Institutions may be nonprofit or profit making and sometimes receive public financial support. However, their main sources of funding are private and their policies are not formed by publically elected officials.

The PD zoning district is designed to accommodate various types of development, such as single-family residential developments, multiple housing developments, neighborhood and community shopping centers, mixed-use developments, professional and administrative areas, commercial service centers, industrial parks, and other uses or a combination of uses which can be made appropriately a part of a Planned Unit Development. The district is established to allow flexibility of design, in accordance with the objectives and spirit of the General Plan.

Once the General Plan Amendment and rezoning are complete, the project uses would be consistent with land uses allowed under those designations and zones.

The project is generally consistent with the General Plan policies. The policies contained in this regulatory document seek to enhance the land uses while preserving open space, visual resources, quality of life, and the environment.

The project involves the construction of a private middle-school in the City of Belmont. The project would significantly impact traffic in conflict with the planning goals and policies included in the General Plan. Impacts on these resources are not land use impacts by nature and are discussed in applicable sections of this document.

All of the impacts associated with the project would be mitigated by implementing the measures described in this EIR, therefore the project would have ***less than significant*** impacts regarding land use plans and policies. Impacts to City standards related to traffic congestion and levels of service are described in Section 4.7, Transportation.

***Impact LU-3: The project would not conflict with applicable habitat conservation plan or natural community conservation plan. (LTS)***

There is no Habitat Conservation Plan, Natural Community Conservation Plan, or other local, regional, or state habitat conservation plan that would regulate the proposed development on this parcel. However, the General Plan has policies relevant to protect and conserve wildlife

ecosystems and sensitive habitats. The project would not conflict with any applicable habitat conservation plan or natural community conservation plan. As discussed in other sections of this document, all of the impacts associated with the project would be mitigated by implementing the measures described in this EIR.

Therefore, the project would have *less than significant* impacts regarding habitat or natural community conservation plans.

#### ***4.5.3.4 Significant Impacts***

The project would have no significant impacts related to land use and planning, and no additional mitigation measures would be required with implementation of mitigation measures described herein.

*This page intentionally left blank*