

## PUBLIC SERVICES AND RECREATION

### 4.12 PUBLIC SERVICES AND RECREATION

This chapter describes public services provided at the Project site and evaluates the potential impacts to public services that could result from development of the Project.

#### 4.12.1 FIRE PROTECTION SERVICES

##### Environmental Setting

###### *Regulatory Framework*

###### *State Regulations*

The following sections explain State of California fire protection regulations relevant to the Project.

###### California Code of Regulations

###### Public Safety (Division 1 of Title 19)

Division 1 of Title 19, Public Safety, of the California Code of Regulations pertains to fire and life safety and constitutes the Basic Building Design and Construction Standards of the Office of the State Fire Marshal. Title 19 includes prevention and engineering measures for new construction. Title 19 is regularly reviewed and updated by the Office of the State Fire Marshal.

###### California Building Code (Title 24, Part 2)

The State of California provides a minimum standard for building design through the California Building Code (CBC), which is located in Part 2 of Title 24 of the California Code of Regulations. The California Building Code is based on the 2012 International Building Code, but has been modified for California conditions. It is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions. Commercial and residential buildings are plan-checked by local, City, and County building officials for compliance with the CBC. Typical fire safety requirements of the CBC include: the installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildfire hazard areas.

###### California Fire Code (Title 24, Part 9)

The California Fire Code (CFC) incorporates, by adoption, the International Fire Code of the International Code Council, with California amendments. This is the official Fire Code for the State and all political subdivisions. It is located in Part 9 of Title 24 of the California Code of Regulations, which is described in Section B.2.a.ii of the code. The CFC is revised and published every three years by the California Building Standards Commission.

## **PUBLIC SERVICES AND RECREATION**

### California Health and Safety Code

The California Health and Safety Code provides regulations pertaining to the abatement of fire-related hazards. This Code also requires that local jurisdictions enforce the Uniform Building Code, which provides standards for fire-resistant building and roofing materials and other fire-related construction methods, as discussed above.

### California Fire Plan

The California Fire Plan is the State's "road map" for reducing the risk of wildfire. The overall goal of the plan is to reduce total costs and losses from wildland fire in California through focused pre-fire management prescriptions and increased initial attack success. The current plan was finalized in early 2010. The Plan provides guidance to local jurisdictions, in meeting State goals.<sup>1</sup>

### *Local Regulations*

The following sections explain City of San Leandro and Alameda County Fire Department (ACFD) fire protection regulations relevant to the Project.

### San Leandro General Plan

The City of San Leandro General Plan was adopted in 2002 and contains a vision for San Leandro through the year 2015 including policies and actions to help achieve that vision. Table 4.12-1 provides a list of policies in the San Leandro General Plan relevant to fire protection services.

### San Leandro Municipal Code

#### Chapter 3-3 Uniform Fire Code

This Section of the Municipal Code incorporates the California Building Code, 2013 editions and the International Fire Code, 2012 edition by reference and adopts these documents as the Fire Code of the City of San Leandro.

#### Section 1-2-129 Functions of Fire Department

This section of the Municipal Code states that for the term of the agreement between the City of San Leandro and the ACFD, the Alameda County Fire Chief will take on the obligations and liability of the San Leandro Fire Chief. These obligations could be incurred by the general law of the State, through the Charter of the City of San Leandro, through the San Leandro Municipal Code, or any un-codified ordinance or administrative rule. Essentially, this section of the Municipal Code makes it clear that the ACFD is responsible for fire protection services in San Leandro.

---

<sup>1</sup> California Department of Forestry and Fire protection, 2014, [http://cdfdata.fire.ca.gov/fire\\_er/fpp\\_planning\\_cafireplan](http://cdfdata.fire.ca.gov/fire_er/fpp_planning_cafireplan), accessed September 3, 2014.

**PUBLIC SERVICES AND RECREATION**

**TABLE 4.12-1 POLICIES OF THE SAN LEANDRO GENERAL PLAN RELATING TO FIRE PROTECTION SERVICES**

Policy Number	Policy Text
<b>Chapter 8 Community Services and Facilities</b>	
Policy 45.01	Levels of Service. Maintain high-quality police and fire protection services through the most efficient and effective possible means. The following minimum level of service standards for police and fire response time (exclusive of dispatch time) shall be maintained: <ul style="list-style-type: none"> <li>■ Police Services: 5-minute response time for 90 percent of all Priority One calls.</li> <li>■ Fire Services: 5-minute response time for 90 percent of all medical calls; 10-minute response time for 90 percent of all fire calls.</li> </ul>
Policy 45.03	Positive Public Image. Promote a positive image of the local Police and Fire Departments through public information and outreach, effective media relations, and active participation of the Police and Fire departments in community events.
Policy 45.05	Review of Development Plans. Require Police and Fire Department review of proposed development plans to ensure that sufficient provisions for emergency access and response are made, fire code requirements are satisfied, and adequate levels of service can be provided.
Policy 45.07	Mutual Aid. Maintain mutual aid agreements for police and fire service with other jurisdictions to ensure that the capacity exists to adequately respond to local emergencies.
Policy 45.08	Staffing Diversity. Strive to maintain Police and Fire Department staffing which ensures high quality service while reflecting the gender and ethnic diversity of the community.
Policy 45.09	Paramedic Services. Continue to maintain a high level of paramedic services within the local Fire Department.

Source: San Leandro General Plan.

Alameda County Fire Department Fire and Emergency Services Strategic Business Plan

The ACFD’s Fire and Emergency Services Strategic Business Plan includes strategic initiatives, goals, and objectives aimed at maximizing the performance of the department and evaluating the long term direction of the ACFD. The plan includes strategic initiatives related to staffing, training, and performance management among others.

**Existing Conditions<sup>2</sup>**

The ACFD, through a contract for services, provides fire protection service to the City of San Leandro. The ACFD provides fire suppression, hazardous materials mitigation, paramedic response, urban search and rescue (including in the waters of the San Francisco Bay), fire prevention and public education services.

The ACFD maintains mutual aid agreements with the Oakland Fire Department as well as other departments in the County, in the case of a major emergency. The Department maintains active public education, CPR training, paramedic services, and emergency training programs, providing day-to-day contact with the public. The Department also works closely with City staff to review building permits and development applications, to ensure that adequate provisions are made for fire protection and emergency access before new projects are approved.

<sup>2</sup> Personal communications between Mark Kenegos (PlaceWorks) and Alameda County Fire Department Fire Marshall Bonnie S. Terra, June, 26, 2014.

## PUBLIC SERVICES AND RECREATION

ACFD maintains 30 fire stations throughout Alameda County. There are five ACFD fire stations in San Leandro. These stations are listed below:

- ACFD Station 9. Located at 450 Estudillo Avenue, this station houses both an engine and a truck company, and services a predominantly residential area of approximately 3.25 square miles, which also contains portions of Highway 580.
- ACFD Station 10. Located at 2194 Williams Street, this station houses one engine company and services portions of Highways 880 and 238, along with a residential and commercial area of approximately 2.75 square miles. Located ½-mile from the Project site, this is the closest station to the Project site.
- ACFD Station 11. Located at 14903 Catalina Street, this station houses one engine company and services a rather large area of 4 square miles, which is mostly industrial and commercial with a small portion of residential. This station is the second closest station to the Project site, at just under a mile away.
- ACFD Station 12. Located at 1065 143rd Avenue, this station houses both an engine and a truck company. It is also the home of HazMat Response Vehicles, and the Battalion Chief for Battalion 1. Station 12 services an area of approximately 2.5 square miles, which consists of predominantly residential with some light commercial.
- ACFD Station 13. Located at 637 Fargo Avenue, this station houses one engine company and services an area of approximately 3.25 square miles, which is densely populated with predominantly single-family dwellings and also covers portions of Highways 880 and 238.

The ACFD's average emergency response time within San Leandro is five minutes or less for 90 percent of all medical calls and 10 minutes or less for 90 percent of all fire calls. The current service ratio for the entire ACFD service area is 1.04 sworn personnel per 1,000 residents (approximately 410 sworn personnel for 394,000 residents). In fiscal year 2013/2014, ACFD stations serving the City of San Leandro and surrounding areas responded to 36,621 calls, which equates to approximately 447 calls per 1,000 residents.<sup>3</sup> The majority of calls received by the ACFD pertained to fires, eruptions/explosions, emergency medical services/rescue, hazardous conditions, and general services.<sup>4</sup>

### 4.12.1.2 THRESHOLDS OF SIGNIFICANCE

The Project would have a significant impact related to fire protection and emergency services if in order to maintain acceptable service ratios, response times, or other performance objectives for fire services, the Project would result in a need for new or physically altered facilities, the construction or operation of which could cause significant environmental impacts.

---

<sup>3</sup> This is based on a population of 82,000, as described in Chapter 4.11, Population and Housing, of this Draft EIR.

<sup>4</sup> Personal communications between Mark Kenegos (PlaceWorks) and Alameda County Fire Department Fire Marshall Bonnie S. Terra, June, 26, 2014.

## PUBLIC SERVICES AND RECREATION

### 4.12.1.3 IMPACT DISCUSSION

---

**SVCS-1            The Project would not result in the 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.**

---

The Project would have a significant environmental impact if it would exceed the ability of fire and emergency medical responders to adequately serve the Project site, thereby requiring construction of new facilities or modification of existing facilities, the construction of which could cause significant environmental impacts.

Construction of the Project would result in a more intensive use of the site. Although the relationship is not directly proportional, more intense uses of land typically result in increased potential for fire and emergency incidents. This means that the Project would create an increased demand for fire protection services.

While there would be increased demand for fire protection services, there are several factors, which show that existing facilities are adequate to respond to this increase in demand. As mentioned above, ACFD Stations 10 and 11, which would be the primary stations responding to incidents on the Project site, have been replaced within the last 12 years. Additionally, as shown above, Policy 45.05 of the San Leandro General Plan calls for the fire department to review proposed development plans to ensure that there is adequate emergency access, Fire Code requirements are satisfied, and that adequate levels of service can be maintained with implementation of the Project. This process is implemented through the development review process. This required review would ensure that the final Project plans would not adversely affect the department's performance objectives. Finally, the ACFD has confirmed that the Project would not require the expansion of existing facilities in order to maintain acceptable service ratios, response times, or other performance objectives.<sup>5</sup> Therefore, a *less-than-significant* impact would result in this respect.

**Applicable Regulations:**

- California Building Code
- San Leandro General Plan
- San Leandro Municipal Code

**Significance Before Mitigation:** Less than significant.

---

<sup>5</sup> Personal communications between Mark Kenegos (PlaceWorks) and Alameda County Fire Department Fire Marshall Bonnie S. Terra, June, 26, 2014.

## PUBLIC SERVICES AND RECREATION

### 4.12.1.4 CUMULATIVE IMPACT DISCUSSION

---

**SVCS-2            The Project, in combination with past, present and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to fire protection services.**

---

The area of cumulative effect for this analysis is the City of San Leandro. A significant cumulative impact would result if, in combination with past, present, and reasonably foreseeable projects, any increases in demand for fire protection services resulted in the construction and/or alteration of fire protection facilities, of which the construction and/or alteration would result in potential environmental impacts.

As discussed above, the Project would increase demand for fire protection services in the city but this increase would not be of a magnitude that would require the ACFD to construct new facilities or expand existing facilities in order to maintain acceptable service ratios, response times, or other performance objectives. In combination with the Project, future development, as listed in Table 4-1 of Chapter 4, Environmental Analysis, would also contribute to increased demand for fire protection services, which could result in the need for altered and/or new fire protection facilities, the construction of which could result in potential environmental impacts. However, these other projects would be reviewed by the ACFD for their respective contributions to the cumulative increase in demand for fire protection services (in accordance with San Leandro General Plan Policy 45.05).

The ACFD passes on all of the direct costs for fire protection services in San Leandro in addition to a portion of the shared costs for management and administrative staff and services for the entire ACFD to the City of San Leandro, in accordance with the contract for services between the City of San Leandro and the ACFD. In fiscal year 2014-2015, 16.8 percent of ACFD's revenue came from charges for service from the City of San Leandro.<sup>6</sup> Since the money needed to pay the ACFD for its services comes from the City's General Fund, General Fund forecasting done as a part of the City of San Leandro annual budgetary process would ensure that adequate amounts of funds are allocated to support fire protection services. In addition, a Development Agreement between the City and the developer of the Project would ensure that funding for the Project's contribution to adequate fire protection facilities and services is provided. Therefore, a *less-than-significant* impact would result.

#### Applicable Regulations:

- California Building Code
- San Leandro General Plan
- San Leandro Municipal Code
- Alameda County Fire Department Fire and Emergency Services Strategic Business Plan

**Significance Before Mitigation:** Less than significant.

---

<sup>6</sup> Alameda County Fire Department, Alameda County Budget Work Session FY 2014-2015.

## PUBLIC SERVICES AND RECREATION

### 4.12.1.5 SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION MEASURES

The Project would not result in any significant Project-specific or cumulative impacts to fire protection services and therefore no mitigation measures are required.

## 4.12.2 POLICE SERVICES

### 4.12.2.1 ENVIRONMENTAL SETTING

#### Regulatory Framework

##### *Local Regulations*

The following section explains City of San Leandro regulations pertaining to police services, relevant to the Project.

##### San Leandro General Plan

Table 4.12-2 lists the San Leandro General Plan Policies relevant to police services.

#### Existing Conditions

Police services in the vicinity of the Project site are provided by the San Leandro Police Department (SLPD), with mutual aid provided on an as-needed basis from the Alameda County Sheriff's Department. First response services would be provided by the SLPD station headquarters at 901 East 14th Street, approximately 3 miles northeast of the Project site.<sup>7</sup>

The San Leandro Police Department is composed of 137 employees, including one chief, two captains, six lieutenants, 13 sergeants, and 68 officers. In 2001, the City had a ratio of 1.2 officers for every 1,000 residents in the City.<sup>8</sup> Using the estimate for the 2010 population of San Leandro produced in ABAG's *Projections 2013*, of 84,950, the existing officer-to-resident ratio in the city is 1.06. This is lower than the national average of 1.8 but is similar to the average for cities in Alameda County. SLPD does not have a service ratio standard.

At this time, the department's average response time is 4.3 minutes for priority 1 calls, 4.8 minutes for priority 2 calls, and 7.6 minutes for priority 3 calls. San Leandro is divided into seven "beats" for patrol functions, and is patrolled by at least one officer on a 24-hour basis.<sup>9</sup> The Project site is located within SLPD's Beat 4.<sup>10</sup> The SLPD computer system does not track average response times.

<sup>7</sup> Personal Communications between Police Captain Greg Lemmon (SLPD) and Mark Kenegos (PlaceWorks), June 30, 2014.

<sup>8</sup> City of San Leandro, 2002, San Leandro General Plan, Community Services and Facilitates Element, page 8-2.

<sup>9</sup> City of San Leandro, 2002, San Leandro General Plan, Community Services and Facilitates Element, page 8-2.

<sup>10</sup> City of San Leandro, City of San Leandro website, <http://www.sanleandro.org/depts/pd/aslpd/beatmap/beat4.asp>. Accessed on June 18, 2014.

## PUBLIC SERVICES AND RECREATION

TABLE 4.12-2 POLICIES OF THE SAN LEANDRO GENERAL PLAN RELATING TO POLICE SERVICES

Policy Number	Policy
<b>Chapter 8 Community Services and Facilities</b>	
Policy 45.02	Community Policing. Support a community-based approach to police and fire services. This approach should emphasize a high level of communication and interaction between officers, local residents, neighborhood groups, schools, and businesses.
Policy 45.03	Positive Public Image. Promote a positive image of the local Police and Fire Departments through public information and outreach, effective media relations, and active participation of the Police and Fire departments in community events.
Policy 45.04	Safe Environment for Youth. Support the proactive involvement of the Police Department in creating a safe and healthy environment for youth in San Leandro. Partnerships between the Police Department, School Districts, and private schools should be maintained through such programs as D.A.R.E., and the assignment of student resource officers to the High and Middle Schools. Active participation by students and their parents in these programs will be strongly encouraged.
Policy 45.05	Review of Development Plans. Require Police and Fire Department review of proposed development plans to ensure that sufficient provisions for emergency access and response are made, fire code requirements are satisfied, and adequate levels of service can be provided.
Policy 45.07	Mutual Aid. Maintain mutual aid agreements for police and fire service with other jurisdictions to ensure that the capacity exists to adequately respond to local emergencies.
Policy 45.08	Staffing Diversity. Strive to maintain Police and Fire Department staffing which ensures high quality service while reflecting the gender and ethnic diversity of the community.

Source: San Leandro General Plan.

### 4.12.2.2 THRESHOLDS OF SIGNIFICANCE

The Project would have a significant impact related to police protection and emergency services if in order to maintain acceptable service ratios, response times, or other performance objectives for police services, the Project would result in a need for new or physically altered facilities, the construction or operation of which could cause significant environmental impacts.

### 4.12.2.3 IMPACT DISCUSSION

**SVCS-3      The Project would not result in the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives.**

As described above, the existing officers to residents ratio is 1.06 officers for every 1,000 residents. As discussed in Section 4.11, Population and Housing, the Project would add 970 residents to the Project site. Without adding any additional officers, this increase in population would result in 1.05 officers for every 1,000 residents. As such, in order to maintain the existing ratio of officer per 1,000 residents, one additional officer would be needed. Additionally, a police service technician would be needed to

## PUBLIC SERVICES AND RECREATION

accommodate an increase to calls for police service.<sup>11</sup> However, as stated above, the City has not established a service ratio standard at this time. Overall, the slight reduction in the existing ratio or the potential need for one additional officer and one police service technician would not likely result in the need for expansion of police protection facilities.

The addition of retail space and recreation opportunities included as a part of the Project would increase the visitor population within the Project site. This increase in the visitor population would increase the demand for police services. However, as required by Policy 45.05 of the San Leandro General Plan, the SLPD would be required to review the development plans for the Project to ensure that adequate levels of service can be provided. Although one additional officer and one police service technician would be needed to accommodate an increase in calls for police protection services, it is unlikely that two additional staff of the SLPD would result in the need for expanded and/or new police protection facilities. Therefore, a *less-than-significant* impact would result with respect to police protection services.

### Applicable Regulations:

- San Leandro General Plan

**Significance Without Mitigation:** Less than significant.

### 4.12.2.4 CUMULATIVE IMPACT DISCUSSION

---

#### **SVCS-4      The Project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to police services.**

---

The area of cumulative effect for this analysis is the service area for the SLPD, which are the city limits of San Leandro. A significant cumulative impact would result if, in combination with past, present, and reasonably foreseeable projects, any increases in demand for police protection services resulted in the construction and/or alteration of fire protection of facilities, of which the construction and/or alteration would result in potential environmental impacts.

As described above, on its own, the Project would not result in the need for an expansion of SLPD facilities. However, the Project in conjunction with other planned and reasonably foreseeable projects, as listed in Table 4-1 of Chapter 4, Environmental Analysis, in the city would have the potential to exceed the SLPD's existing capacity, necessitating the expansion and or construction of police facilities. San Leandro's General Fund supports police services in the city. Seventy-five percent of the General Fund is supported by sales taxes, property taxes, utility user's taxes, and business license taxes.<sup>12</sup> For fiscal years 2014-2015, police services make up 34.6 percent of total General Fund expenditures.<sup>13</sup> The Project, along with future development throughout the city, would contribute to the tax base for all of these types of taxes,

---

<sup>11</sup> Communication between PlaceWorks staff and the City (City confirmed input from Greg Lemmon of the San Leandro Police Department) on September 22, 2014.

<sup>12</sup> City of San Leandro, City Council's Adopted Biennial Budget, Fiscal Years 2014 and 2015, page 5.1.

<sup>13</sup> City of San Leandro, City Council's Adopted Biennial Budget, Fiscal Years 2014 and 2015, page 5.20

## **PUBLIC SERVICES AND RECREATION**

therefore, ensuring adequate police protection facilities are provided as development occurs. Funds for police services are allocated during the annual or biennial monitoring and budgeting process to ensure that the provision of police services is adequate to respond to changes in the city. General Fund forecasting done as a part of the City of San Leandro annual budgetary process would help to ensure that adequate amounts of funds are allocated to support police services.

Additionally, a Development Agreement between the City and the developer of the Project would ensure that funding for the Project's contribution to adequate police protection facilities and services is provided. Therefore, a *less-than-significant* cumulative impact would result with respect to police services.

### **Applicable Regulations:**

- San Leandro General Plan

**Significance Before Mitigation:** Less than significant.

### **4.12.2.5 SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION MEASURES**

The Project would not result in any significant Project-specific or cumulative impacts to police services and therefore no mitigation measures are required.

## **4.12.3 SCHOOLS**

### **4.12.3.1 ENVIRONMENTAL SETTING**

#### **Regulatory Framework**

##### *State Regulations*

The following sections explain State of California regulations pertaining to schools, relevant to the Project.

##### California State Assembly Bill 2926 (AB 2926) – The School Facilities Act of 1986.

AB 2926 allows for local agencies to impose developer impact fees on new development in order to pay for school facilities. This act was expanded in 1987 with the passage of AB 1600. AB 1600 added Section 66000 et seq. of the Government Code also known as the Mitigation Fee Act. This act establishes the requirement of nexus between the fees being exacted and the needs being created by the project paying the fee as well as other requirements related to the collection of development impact fees which apply to fees collected for school facilities.

##### California Senate Bill 50 (SB 50)

SB 50 places limitations on the power of local governments to require mitigation of school facilities by developers. Under the provisions of SB 50, school districts can collect fees to offset the cost of expanding school capacity which becomes necessary as development occurs. These fees are determined based on the square footage of proposed uses. As a part of this Bill, school districts must base their long-term facilities needs and costs on long-term population growth in order to qualify for this source of funding. Payment of statutory school fees is deemed to be adequate mitigation of school impacts under CEQA.

## **PUBLIC SERVICES AND RECREATION**

### California State Assembly Bill 97 (AB 97)

Approved in July, 2013, AB 97 revises existing regulations related to financing for public schools, by requiring State funding for county superintendents and charter schools that previously received a general-purpose entitlement. The bill authorizes local educational agencies to spend, for any local educational purpose, the funds previously required to be spent for specified categorical education programs, including, among others, programs for teacher training and class size reduction.

### Education Code Section 17620

This section of the California Education Code allows the governing board of school districts in the state to levy a fee, charge, dedication, or other requirement against construction projects within the boundaries of the school district, for the purpose of funding the construction or reconstruction of school facilities. The city or county responsible for issuing the permit for such a construction project is not permitted to issue a building permit for any construction without certification by the appropriate school district that any fee, charge, dedication, or other requirement levied by the school district is complied with.

At the time this legislation was passed, a maximum fee rate of \$1.50 per square foot for residential construction and \$0.25 per square foot for commercial/industrial construction was established. Government Code Section 65995 provides for an inflationary increase in the fees every two years based on the changes in the Class B construction index. As a result of these adjustments, the fees authorized by Education Code 17620 are, as of 2014, \$3.36 per square foot of residential construction and \$0.54 per square foot of commercial or industrial construction.

### *Local Regulations*

The following sections explain City of San Leandro regulations pertaining to schools, relevant to the Project.

### Measure B

Measure B was a \$109 million school facilities bond measure passed by the citizens of San Leandro in 2006. One of the main objectives of the measure was to address overcrowding at San Leandro High School. Construction projects associated with Measure B include a self-contained comprehensive campus dedicated to 9<sup>th</sup> graders, the San Leandro High School Arts Education Center and 550-seat theater, a 2,200-square-foot library expansion at San Leandro High School, the career technical education and industrial arts center, as well as a district parking lot at San Leandro High School.<sup>14</sup>

### Measure M

Measure M was a \$50.1 million school facilities bond passed by San Leandro voters in 2010. These funds are to be distributed to all of the schools in the district, primarily for upgrades and expansion of athletic facilities. Some of the projects to be paid for by measure M funds include a synthetic track and field at

---

<sup>14</sup> San Leandro Unified School District, San Leandro Unified School District website, <http://www.sanleandro.k12.ca.us//site/default.aspx?PageID=120>. Accessed on September 8, 2014.

## PUBLIC SERVICES AND RECREATION

John Muir Middle School, a par course at Bancroft Middle School, a new Swim Center, Track and Field at San Leandro High School, the San Leandro Unified School District (SLUSD) Pacific Sports Complex at Burrell Field, and renovations at every elementary school.<sup>15</sup>

### San Leandro General Plan

Table 4.12-3 lists the San Leandro General Plan Policies pertaining to schools, relevant to the Project.

**TABLE 4.12-3 POLICIES OF THE SAN LEANDRO GENERAL PLAN RELATING TO SCHOOLS**

Policy Number	Policy
<b>Chapter 8 Community Services and Facilities</b>	
Policy 46.01	Partnerships. Promote coordination and partnerships between the City, the School Districts, and the business community which emphasize the importance of education to the social and economic vitality of the City.
Policy 46.02	Mitigation of Development Impacts. When new residential development is approved, require mitigation of school impacts to the full extent permitted by law. Work collaboratively with the San Leandro and San Lorenzo Unified School Districts to ensure that appropriate fees are collected and other allowable mitigation measures are taken.
Policy 46.05	Private Schools. Encourage the involvement of private schools and other learning institutions in City discussions relating to education and school facilities.

Source: San Leandro General Plan.

## Existing Conditions

The San Leandro Unified School District (SLUSD) and the San Lorenzo Unified School District (SLZUSD) operate the public schools within the City of San Leandro. The Project site is covered by the SLUSD which in the 2013-14 school year had a total enrollment of 8,658 students from kindergarten through grade 12. SLUSD consists of eight elementary schools, two middle schools, one comprehensive high school with two campuses, an alternative high school and four other facilities which include administrative offices, a community education center, and Burrell Field which contains athletic fields for sporting events.<sup>16</sup>

SLUSD has produced a Strategic Action Plan for the period between 2013 and 2016. Goal number five in this document calls for the district to continue to improve school district facilities and infrastructures to ensure facilities are user friendly, accessible and energy efficient. Within this goal it is noted that SLUSD will discuss and decide on a new Master Facility Plan. Additionally, it is noted under this goal that SLUSD will decide on a new bond for any other facility items not covered by pervious bonds, continue maintenance on SLUSD facilities and ensure that the General Fund budget has adequate resources to maintain all the facilities; existing and new.<sup>17</sup>

<sup>15</sup> San Leandro Unified School District, San Leandro Unified School District website, <http://www.sanleandro.k12.ca.us/MeasureM>. Accessed on September 8, 2014.

<sup>16</sup> San Leandro Unified School District, San Leandro Unified School District website, <http://www.sanleandro.k12.ca.us/Domain/45>, accessed September 12, 2014.

<sup>17</sup> San Leandro Unified School District, Strategic Action Plan 2013-2016.

## PUBLIC SERVICES AND RECREATION

The closest elementary school to the Project site is Garfield Elementary, located at 13050 Aurora Drive, approximately a quarter of a mile away from the Project site. During the 2013-14 school year, enrollment at Garfield Elementary was 412 students, and the capacity of the facility was 450 students. The closest middle school to the Project site is John Muir Middle School, located at 1444 Williams Street, approximately 1.3 miles from the Project site. During the 2013-14 school year, the enrollment at John Muir Middle School was 986, and the capacity of the facilities was 1,000. San Leandro High School is approximately 2.5 miles from the Project site. During the 2013-14 school year, the enrollment at San Leandro High School was 2,535, and the capacity of the facilities was 2,600.

Approximately 30 years ago, the SLUSD had two comprehensive high schools, San Leandro High School on the east side of the city and Pacific High School on the west side of San Leandro. Pacific High school was eventually closed and replaced with the Marina Square outlet mall near the intersection of Marina Boulevard and I-880. At this time, San Leandro High School is the only comprehensive high school in the district and is approximately 2.5 miles from the Project site. During the 2013-14 school year, enrollment at San Leandro High School was 2535, and the capacity of the facilities was 2600 students. Lincoln High and Lighthouse Independent Study Center, an alternative high school near the Project site, is located at 2600 Teagarden Avenue, approximately 1.3 miles from the Project site. During the 2013-14 school year, enrollment at the Lincoln High and Lighthouse Independent Study Center was 159, and the capacity of the facilities was 170 students. In total, during the 2013-2014 school year, Garfield Elementary, John Muir Middle School, San Leandro High School, and Lincoln Alternative High School had excess capacity of 128 students.<sup>18</sup> For the district as a whole, in the 2013-14 school year, the total available capacity was 1,314 students.<sup>19</sup>

### 4.12.3.2 THRESHOLDS OF SIGNIFICANCE

The Project would have a significant impact related to school services if in order to maintain acceptable service ratios, or other performance objectives for school services, the Project would result in a need for new or physically altered facilities, the construction of which could cause significant environmental impacts.

### 4.12.3.3 IMPACT DISCUSSION

---

**SVCS-5      The Project would not result in the need for new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, or other performance objectives.**

---

As described above, during the 2013-14 school year, the schools closest to the Project site had a total excess capacity of 128 students and the SLUSD as a whole had an excess capacity of 1,314 students.

---

<sup>18</sup> Personal communications between Mark Kenegos (PlaceWorks) and SLUSD Superintendent Mike McLaughlin, Ed.D, September 11, 2014.

<sup>19</sup> San Leandro Unified School District, February 2014, Level I – Developer Fee Justification Study for San Leandro Unified School District, page 10.

## PUBLIC SERVICES AND RECREATION

However, the district has estimated that, in part, as a result of the passage of AB 97, which ties sources of funding for schools to reduced class sizes for kindergarten through grade 3, the district will reach capacity of existing facilities in 2016 or 2017. Furthermore, based on estimated future growth on the west side of San Leandro, SLUSD projects 1 additional elementary school and 1 additional high school will be needed in 2016 or 2017.<sup>20</sup>

As described above, California Education Code Section 17620 allows school districts to levy fees against new construction projects, which would generate students that would use district school facilities. The Developer Fee Justification Study for SLUSD has established level I developer impact fees at the rate of \$3.36 per square foot for residential construction and \$0.54 per square foot for commercial/industrial construction.<sup>21</sup> Since the Project proposed to add 296,050 square feet of commercial space and 353,770 square feet of residential space, the total fee that would be collected by SLUSD from the Project applicant from Level I fees would be \$1,348,534.<sup>22</sup> These fees would be used to accommodate the students generated by the Project. Where a school district determines that additional revenues are required to accommodate students, the district can assess Level II and Level III impact fees, issue a general obligation bond, or establish a community facilities district.

Regardless of if, when or where expanded facilities would be built, the collection of statutory development impact fees for the Project would address the potential impacts resulting from an increase in students to a *less-than-significant* level.

### Applicable Regulations:

- AB 2926
- SB 50
- AB 97
- San Leandro General Plan
- San Leandro Municipal Code

**Significance Before Mitigation:** Less than significant.

### 4.12.3.4 CUMULATIVE IMPACT DISCUSSION

---

<b>SVCS-6</b>	<b>The Project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to school services.</b>
---------------	---

---

---

<sup>20</sup> Personal communications between Mark Kenegos (PlaceWorks) and SLUSD Superintendent Mike McLaughlin, Ed.D, September 11, 2014.

<sup>21</sup> San Leandro Unified School District, February 2014, Level I – Developer Fee Justification Study for San Leandro Unified School District.

<sup>22</sup> Residential: 353,770 square feet X 3\$.36 = \$1,188,667. Commercial: 296,050 square feet X \$0.54 = \$159,867. \$1,188,667 + \$159,867 = \$1,348,534.

## PUBLIC SERVICES AND RECREATION

The area of cumulative effect for this analysis is considered to be the SLUSD service area. As described above, the Project is subject to payment of statutory school impact fees. Other new development in the District would similarly be subject to payment of the statutory fees, which would fully mitigate the impact of other projects in the District. With payment of statutory impact fees, the Project's contribution to the demand for school facilities would not be cumulatively considerable and a *less-than-significant* impact would result.

### Applicable Regulations:

- AB 2926
- SB 50
- AB 97
- San Leandro General Plan
- San Leandro Municipal Code

**Significance Before Mitigation:** Less than significant.

### 4.12.3.5 SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION MEASURES

The Project would not result in any significant Project-specific or cumulative impacts to school services and therefore no mitigation measures are required.

## 4.12.4 PARKS

### 4.12.4.1 ENVIRONMENTAL SETTING

#### Regulatory Framework

##### *State Regulations*

The following sections explain State of California regulations pertaining to parks, relevant to the Project.

##### The Quimby Act

Since the passage of the 1975 Quimby Act (California Government Code Section 66477), cities and counties have been authorized to pass ordinances requiring that residential subdivision developers set aside land, or pay in-lieu fees for park or recreational purposes. Revenues generated through the Quimby Act cannot be used for the operation and maintenance of park facilities.<sup>23</sup> The Mitigation Fee Act (AB 1600) is not limited to subdivisions and allows broader authority for adopting park impact fees. Cities and counties with a high ratio of park space to inhabitants can set a standard of up to 5 acres per 1,000 people for new development. Cities and counties with a lower ratio can only require the provision of up to 3 acres of park space per 1,000 people. The calculation of a city or county's park space to population ratio is based on a comparison of the population count of the last federal census to the amount of city/county-

---

<sup>23</sup> Westrup, Laura, 2002, *Quimby Act 101: An Abbreviated Overview*, Sacramento: California Department of Parks and Recreation. (<http://www.parks.ca.gov/pages/795/files/quimby101.pdf>).

## PUBLIC SERVICES AND RECREATION

owned parkland. The City has adopted parks and recreation impact fees that are applicable to residential development. Proposed projects are required to pay these fees, which are collected at building permit issuance if they do not meet the required park square footage.

### *Local Regulations*

The following sections explain City of San Leandro regulations pertaining to parks, relevant to the Project.

### San Leandro General Plan

Table 4.12-4 shows the policy in the San Leandro General Plan relevant to parkland dedication.

**TABLE 4.12-4 POLICIES OF THE SAN LEANDRO GENERAL PLAN**

Policy Number	Policy Text
<b>Chapter 5 Open Space, Parks, and Conservation</b>	
Policy 22.02	Park Dedication. Require new residential development to pay an impact fee and/or to dedicate parkland to offset the increase in park needs resulting from new residents. Where on-site parkland is dedicated, it should be improved, maintained, and accessible to the general public.

Source: San Leandro General Plan.

### San Leandro Municipal Code

#### Chapter 7-13 Park Facilities Development Impact Fee

This section of the Municipal Code states that a park facilities impact fee has been established, establishes the use of fee revenues, contains provisions on developer construction activities, and includes administrative guidelines.

### **Existing Conditions**

Parks and recreational facilities in the city of San Leandro are under the jurisdiction of the San Leandro Recreation and Human Services Department (SLRHS). SLRHS manages a total of 121 acres of parkland.<sup>24</sup> This figure includes four community parks, ten neighborhood parks, six mini-parks, and four special use recreation areas. The recreational facilities closest to the Project site include Marina Park, the San Leandro Dog Park, the Oyster Bay Regional Shoreline area (owned and managed by East Bay Regional Park District), and Bonaire Park. These facilities contain a variety of equipment and facilities including walking paths, picnic areas, children's play equipment, shade structures, dog facilities, and sports fields.

In addition to the facilities managed by SLRHS, there are a total of 87 acres of open space and recreation facilities at local schools and 178 acres of public golf course.<sup>25</sup> The Project site is partially within the

<sup>24</sup> City of San Leandro, City of San Leandro website, <https://sanleandro.org/depts/rec/parks/default.asp>. Accessed on September 9, 2014.

<sup>25</sup> City of San Leandro, San Leandro General Plan, Parks Element, page 5-3.

## PUBLIC SERVICES AND RECREATION

existing boundaries of the 9-hole Marina Golf course and adjacent to the 18-hole Tony Lema Golf Course, both of which comprise the Monarch Bay Golf Club. Burrell Field and Pacific Sports Complex contains turf baseball and softball fields as well as a synthetic turf football stadium and track. Next door to this complex is the City's San Leandro Ball Park, a hard-ball stadium with concrete seating. Madison playground, which is collocated with James Madison elementary school and next to Bonaire Park, approximately 1.2 miles from the Project site contains a baseball field and basketball courts. Mulford Park, which is a small private park available only to residents of Mulford Gardens, less than a ¼-mile from the Project site and includes children's play equipment and picnic areas. Some of these recreation facilities, such as the Pacific Sports Complexes, are maintained by the City of San Leandro through an agreement between the San Leandro Unified School District and the City.

Including school facilities and the golf courses, the existing parkland to resident ratio is 4.54 acres of parkland for every 1,000 residents. This assumes a total of 386 acres of parkland and a total of 84,950 residents, as shown in ABAG's *Projections 2013* for the year 2010. The means that the City is currently below the parkland to residents ratio goal of 4.86 acres of improved parkland for every 1,000 residents.

### 4.12.4.2 THRESHOLDS OF SIGNIFICANCE

The Project would have a significant impact related to parks if in order to maintain acceptable service ratios, or other performance objectives, the Project would result in a need for new or physically altered facilities, the construction or operation of which could cause significant environmental impacts.

### 4.12.4.3 IMPACT DISCUSSION

---

**SVCS-7      The Project would not result in the need for new or physically altered park facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, or other performance objectives.**

---

As discussed above, the existing parkland ratio in the City is 4.54 acres of parkland for every 1,000 residents. This is below the target ratio of 4.86 acres of improved parkland for every 1,000 residents. As described in Chapter 4.11, Population and Housing, the Project is projected to result in an increase of 970 residents in San Leandro. Considering all other development remains the same, construction of the proposed housing units would bring the parkland ratio to 4.49 acres of parkland for every 1,000 residents. However, the Project would eliminate approximately 7 acres of land from the Marina 9-hole golf course to construct the north and south golf course residential components of the Project. The 9-hole Marina golf course would be reconfigured to maintain the functionality of the golf course. Additionally, the Project would add recreation facilities in the form of pedestrian and bicycle paths, boardwalks, bocce ball courts, small boat recreation in the marina, and a pedestrian bridge, which would allow more recreation opportunities by increasing connectivity.

The addition and reduction of recreation facilities that would result from implementation of the Project would essentially result in a neutral net effect on parkland in San Leandro; therefore, the city's parkland ratio would continue with the Project, albeit below the established target. Policy 22.02, Park Dedication, requires that new residential development pay an impact fee and/or dedicate parkland to offset the

## **PUBLIC SERVICES AND RECREATION**

increase in park needs resulting from new residents. This San Leandro General Plan policy is implemented through the provisions contained in Section 7-13 of the San Leandro Municipal Code, which states that a development impact fee is established to pay for public park and recreational facilities. This means that the developer of the Project would be required to pay a fee or provide parkland in accordance with City ordinance requirements. Therefore, the Project would not substantially reduce the existing parkland-to-residents ratio. A *less-than-significant* impact would result in this respect.

### **Applicable Regulations:**

- San Leandro General Plan
- San Leandro Municipal Code

**Significance Before Mitigation:** Less than significant.

### **4.12.4.4 CUMULATIVE IMPACT DISCUSSION**

---

**SVCS-8                    The Project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to parks.**

---

The area of cumulative effect for this analysis is the city limits of the City of San Leandro. The Project, in combination with other planned and reasonably foreseeable projects in the area would increase the demand for park services in San Leandro. However, like the Project, other projects which would increase population growth would be subject to the same provisions described above relating to the requirements for parkland dedication and/or payment of park impact fees. Therefore, a *less-than-significant* impact would result with respect to cumulative impacts to recreational facilities.

### **Applicable Regulations:**

- San Leandro General Plan
- San Leandro Municipal Code

**Significance Before Mitigation:** Less than significant.

### **4.12.4.5 SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION MEASURES**

The Project would not result in any significant Project-specific or cumulative impacts to parks and therefore no mitigation measures are required.

**PUBLIC SERVICES AND RECREATION**

**4.12.5 OTHER PUBLIC FACILITIES**

**4.12.5.1 ENVIRONMENTAL SETTING**

**Regulatory Framework**

*Local Regulations*

The following section explains City of San Leandro regulations pertaining to other public facilities, relevant to the Project.

San Leandro General Plan

Table 4.12-5 lists the San Leandro General Plan Policies pertaining to other public facilities, relevant to the Project.

**TABLE 4.12-5 POLICIES OF THE SAN LEANDRO GENERAL PLAN RELATING TO OTHER PUBLIC FACILITIES**

<b>Policy Number</b>	<b>Policy</b>
<b>Chapter 8 Community Services and Facilities</b>	
Policy 47.01	Library Expansion and Upgrades. Support the expansion and upgrading of public library facilities and services to keep pace with changes in information technology and community needs.
Policy 47.02	Adequate Funding. Ensure that library funding remains adequate to sustain existing service levels, and where possible, increased service levels. Maintain American Library Association standards throughout the City's library system.
Policy 47.03	Libraries as Neighborhood Centers. Promote programs and events that affirm the role of the City's libraries as community and neighborhood gathering places and that reflect the City's diverse population.
Policy 47.04	Resources for Self-Improvement. Ensure that San Leandro's libraries and other community institutions provide a setting for the open exchange of ideas and information and provide an opportunity for residents of all backgrounds to improve their skills and knowledge.
Policy 52.01	Development Impacts. Permit new development only when infrastructure and utilities can be provided to that development without diminishing the quality of service provided to the rest of the City.

Source: San Leandro General Plan.

**Existing Conditions**

The primary public facility, not listed above, with the potential to be impacted by the Project is the San Leandro Public Library. The City of San Leandro Library currently operates five different facilities in the city. These include the San Leandro Main Library in the downtown, the Manor Branch, the South Branch, Casa Peralta/San Leandro History Museum and Art Gallery, as well as the Mulford-Marina Branch which is located on the Project site.

**4.12.5.2 THRESHOLDS OF SIGNIFICANCE**

The Project would have a significant impact related to other public facilities if in order to maintain acceptable service ratios, response times, or other performance objectives for other public facilities, the

## PUBLIC SERVICES AND RECREATION

Project would result in a need for new or physically altered facilities, the construction or operation of which could cause significant environmental impacts.

### 4.12.5.3 IMPACT DISCUSSION

---

**SVCS-9      The Project would not result in the need for new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, or other performance objectives.**

---

Development of the Project, as discussed in Chapter 3, Project Description, would include the demolition and reconstruction of the Mulford-Marina library branch. The facility that would replace the existing branch would include community meeting space in addition to the community library component of this element of the Project. The new facility would be approximately 2,000 square feet in size and include a community meeting space, which would total approximately 500 square feet of additional space compared to the existing library. Given that this newly constructed and expanded facility would be constructed as a part of the Project, no additional libraries or other public facilities would be required to be built in order to accommodate the growth associated with development of the Project. The potential environmental impacts that could result from development of the new library facility are discussed throughout this Draft EIR. A *less-than-significant* impact would occur in this respect.

**Applicable Regulations:**

- San Leandro General Plan

**Significance Before Mitigation:** Less than significant.

### 4.12.5.4 CUMULATIVE IMPACT DISCUSSION

---

**SVCS-10      The Project, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to the construction of other public facilities.**

---

The area of cumulative effect for this analysis is the city limits of the City of San Leandro. As described above, the Project would include the construction of a 2,500-square-foot library/community center on the site of the existing Mulford-Marina Branch, and on its own, the Project would not result in the need for expansion of other library facilities in order to accommodate associated growth. Other planned and reasonably foreseeable projects, as listed in Table 4-1 of Chapter 4, Environmental Analysis, in San Leandro would have the potential to substantially increase demand for library services, such that additional facilities would be needed as a result of increased population. However, as with police and other City services, planning for new facilities would be an ongoing function of the City budgeting process. Like the Project, other new development would contribute to the tax base that funds City services. In any case, the Project would result in an improvement to the library system in San Leandro beyond the impact of the Project; the Project's contribution to this cumulative impact would be *less than significant*.

## **PUBLIC SERVICES AND RECREATION**

### **Applicable Regulations:**

- San Leandro General Plan

**Significance Before Mitigation:** Less than significant.

## **PUBLIC SERVICES AND RECREATION**

*This page intentionally blank*