

3.8 - Land Use

3.8.1 - Introduction

This section describes the existing land use and potential conflicts between the proposed Warm Springs/South Fremont Community Plan and the City of Fremont General Plan. Descriptions and analysis in this section are based on site reconnaissance by FirstCarbon Solutions, and review of the General Plan, Fremont Municipal Code, and the proposed Community Plan.

3.8.2 - Environmental Setting

Land Use

Community Plan Area

The 879-acre Warm Springs/South Fremont Community Plan area is characterized by large-parcel developed and undeveloped commercial and industrial properties.

The most prominent land use within the plan area is the 5.4-million-square-foot Tesla Motors auto manufacturing plant. The plant grounds occupy approximately 209 acres. North and south of the plant are large undeveloped properties totaling 108 acres and 52 acres, respectively. Union Pacific Railroad owns vacant land north of the Tesla Motors plant. Thermo Fisher Scientific recently purchased 22.3 acres to the south of Tesla and is constructing a 275,000-square-foot industrial design and manufacturing facility. Tesla recently purchased the remaining vacant land to the south of its facility.

The Warm Springs/South Fremont Bay Area Rapid Transit (BART) Station is under construction at the southwest quadrant of the South Grimmer Boulevard/Warm Springs Boulevard intersection. The station is projected to open in 2015 and would serve as the southern terminus of the BART system until the extension to San Jose (Berryessa) is completed, which is anticipated to occur in 2018.

The western and northern portions of the Community Plan area along Fremont Boulevard contain older, industrial development. The northeastern portion of the Community Plan area along Osgood Road contains a mix of newer and older commercial and industrial uses. The southeastern portion of the Community Plan area contains newer research and development and industrial uses along Reliance Way and Corporate Way.

Large, undeveloped parcels are located in the center of the Community Plan area along the South Grimmer Boulevard corridor.

The Community Plan area is bisected by the Union Pacific Railroad Warm Springs and Milpitas Subdivisions—two parallel rail lines. The Warm Springs Subdivision is currently used for freight operations, while the Milpitas Subdivision ceased freight operations several years ago and is currently being converted to the BART alignment. The Warm Springs Rail Yard is located at the southern end of the Community Plan area, adjacent to the east side of the Tesla Motors plant. The Warm Springs Subdivision continues south through Milpitas and San Jose.

Major roadways serving the plan area include Fremont Boulevard, South Grimmer Boulevard, Warm Springs Boulevard/Osgood Road, and Mission Boulevard. Freeway access to Interstate 880 (I-880) is available at the Fremont Boulevard and Mission Boulevard interchanges. Freeway access to I-680 is available at the Mission Boulevard and Durham Road/Auto Mall Parkway interchanges.

Appendix I provides photographs of the Community Plan area.

Surrounding Area

West

I-880, a multi-lane freeway, and Fremont Boulevard serve as the western boundary of the plan area. West of the plan area are light industrial, office, and research and development uses.

North

Commercial retail, office, and research and development uses along the south side of Auto Mall Parkway form the northern boundary of the plan area. North of the parkway are commercial, industrial and residential uses.

East

I-680, a multi-lane freeway, serves as the eastern boundary of the plan area. East of the freeway are single-family residential uses.

South

Mission Boulevard (State Route 262 [SR-262]) and office/ research and development uses form the southern boundary of the plan. South of the plan area are commercial, office, and medium density residential (apartments) uses.

Land Use Designations

Project Site

The Community Plan area is designated Industrial-General, Industrial-Tech, and Public Facility, by the City of Fremont General Plan. In addition, the various drainage channels are designated Open Space-Resource Conservation/Public by the General Plan. The General Plan also designates the entire plan area as a Study Area. Land uses within ½ mile of the future Warm Springs/South Fremont BART station have a “Transit Oriented Development” overlay. Table 3.8-1 summarizes the existing General Plan land use designations by site. Exhibit 2-3a and Exhibit 2-3b in Section 2, Project Description depicts the General Plan land use designations and zoning for the Community Plan area.

The plan area is zoned I-G (General Industrial), I-R (Restricted Industrial), P-2000-268 (Planned District), and P-F (Public Facilities). Land uses within ½ mile of the future BART station have a Transit Oriented Development overlay. In addition, the various drainage channels are zoned “OS (Open Space),” with certain areas within 100-year flood plains having an F (Flood) overlay designation. Table 3.8-1 summarizes the existing zoning designations by site.

Table 3.8-1: Existing General Plan and Zoning Designations

Plan Area	Site	City of Fremont General Plan	Fremont Zoning Ordinance
1	Amerco Real Estate/30 Industrial Partnership/Quality Transport/Northern California Industrial Portfolio	Industrial – General	G-I (General Industrial)
1	Reeves Ruth and RMB Management	Industrial – General	G-I (General Industrial)
1,3	Serra Corporation	Industrial – General	G-I (General Industrial)
2	Southern Pacific	Industrial – General	G-I (General Industrial)
2	Roberts and Robert/Inland American Stephens Timber Ventures LLC	Industrial – General	G-I (General Industrial)
4,5	Union Pacific (North of Tesla)	Industrial – General	G-I (General Industrial)
5	Lopes	Industrial – General	G-I (General Industrial)
5	Union Pacific (Rail Yard)	Public Facility	G-I (General Industrial)
6	Tesla Motors	Industrial – General	G-I (General Industrial)
6	Thermo Fisher	Industrial – General	G-I (General Industrial)
7	Fremont Industrial Portfolio	Industrial – Tech	I-R (Restricted Industrial)
7	Scoffone Family LLC	Industrial – General	G-I (General Industrial)
8	BART	Public Facility	P-F (Public Facilities)
9	Warm Springs Station LLC	Industrial – Tech	P-2000-268 (Planned District)
10	Heng/Animated LLC/State Street Research	Industrial – Tech	I-R (Restricted Industrial)
10	Sobrato Interests	Industrial – Tech	I-R (Restricted Industrial)
10	Murco Industrial Limited Partnership	Industrial – General	I-R (Restricted Industrial)
10	Mission Court Properties	Industrial – General	I-R (Restricted Industrial)
<p>Note: This table represents the major land owner properties, not every property in the plan area. Source: City of Fremont, 2013.</p>			

Surrounding Land Uses

Table 3.8-2 summarizes the General Plan and zoning for the land uses that surround the Community Plan Area.

Table 3.8-2: Surrounding Land Use Designations

Land Use	Relationship to Project Site	Land Use Designation (City of Fremont)	
		General Plan	Zoning
Light Industrial (West of Fremont Boulevard)	West	General Industrial	G-1 (General Industrial)
Office/Research and Development (West of Fremont Boulevard)	North	General Industrial	G-1 (General Industrial)
Skyway Plaza (Walmart)	North	Regional Commercial	G-1 (General Industrial)
Office/Research and Development (East of Osgood Road)	North	Tech Industrial	G-1 (General Industrial)
Single-Family Residential Neighborhood (East of I-680)	East	Hillside Residential	R-1-x-6/R-1-x-7.4/R-1-x-10 (Residential Single Family, various densities)
Office/Research and Development Uses (Brown Road)	East	Tech Industrial	I-R (Restricted Industrial)
Fremont Times Square/Warm Springs Plaza	South	Regional Commercial	C-C (Community Commercial)
Avalon Warm Springs Apartments	South	Medium Residential	R-G-19 (Residential Garden Apartment, 19 dwelling units per acre)
Warm Springs Professional Center	South	General Commercial	C-O (Administrative Office)

Source: City of Fremont, 2013.

3.8.3 - Regulatory Framework

Local

City of Fremont

General Plan

The City of Fremont General Plan serves as a “blueprint” for growth within the Fremont city limits. The Fremont City Council adopted the current General Plan in December 2011.

The following are summaries of relevant land use designations set forth in the General Plan.

Tech Industrial

This designation primarily applies to areas used for research and development; “clean and green” technology; and semiconductor, computer hardware, software, and related technological, administrative, sales, and engineering facilities. These areas play an essential role in the Silicon Valley economy and provide a high volume of business-to-business sales tax for Fremont.

Manufacturing is permitted, provided that characteristics such as noise, vibration, and odor do not generate significant impacts. Warehousing, wholesaling, and distribution facilities also may locate within these areas.

Some of the Tech Industrial areas are characterized by a campus-like environment of one and two story buildings on large parcels. Architectural and landscape standards have been applied in these areas to maintain high standards of visual quality. Other areas with this designation have a more varied mix of parcels and uses. A permitted floor area ratio (FAR) of 0.35 applies, although FARs up to 0.45 are permitted for manufacturing and warehouse uses.

General Industrial

This is the broadest of the three industrial designations, accommodating such uses as heavy manufacturing, warehousing, recycling facilities, and corporation yards. These areas have been mapped to recognize the greater potential of these uses to generate offsite impacts, including noise, odors, vibration, and truck traffic. General industrial uses may also require extensive areas for outdoor storage. Buffering and screening may be required to enhance public rights-of-way and ensure land use compatibility. General Industrial areas support a wide range of jobs, generate a significant amount of revenue, and provide essential services that underpin the local and regional economies. A permitted FAR of 0.35 applies.

Public Facility

The Public Facility designation generally applies to non-open space parcels owned by public agencies or utilities. The designation includes City facilities, public schools, water and sanitary district facilities, transit agency facilities, utilities, and other federal, state, county, and local government facilities. Sites designated as Public Facility are not precluded from future private use through joint public-private development, provided such development is consistent with the policies of the General Plan. Allowable development intensity on Public Facility properties is determined on a case-by-case basis and a 45-foot height limit generally applies. Public Facility also applies to unmapped portions related to freeway and railroad right-of-way.

Transit Oriented Development Overlay

Transit Oriented Development (TOD) is an overlay designation applied to areas generally within a 0.5-mile radius of the Fremont BART Station, the future BART Stations in Irvington and Warm Springs, and the ACE/Amtrak Station in Centerville. The TOD overlay only applies to property with an underlying designation in one of the seven commercial and industrial categories, or the Urban Residential category. Each TOD area is unique. However, they share a common goal of maximizing transit use through density, land use mix, building form, and design. Each TOD is intended to be a vibrant pedestrian-oriented district. The particular mix of uses around a given station will vary depending on surrounding land use, access, infrastructure, and other factors. TOD areas will generally have more intense development than immediately surrounding areas in order to support transit ridership and promote a sense of place. Low-intensity, auto-oriented uses that do not take advantage of the proximity to transit will be discouraged.

Parking requirements, setbacks, and other development standards are aimed at encouraging transit use and walkability, although public and on-street parking should be sufficient to anticipate and accommodate vehicle trips from Fremont neighborhoods to each respective station. FARs may range from 1.0 to 3.0 depending on location, with higher FARs typically permitted in mixed-use projects that incorporate housing over ground-floor commercial uses or high-rise office buildings. Minimum FARs would typically apply and will be specified through zoning, but in no case would the minimum FAR be less than 0.5. If additional major investments in public transit (additional rail stations or light rail systems) are made in the future, this designation could be applicable in other locations.

Study Area

The Study Area designation is used to identify areas or properties where changes to the current General Plan designations are likely to be proposed in the future. It would be premature to change the designation of these lands at this time due to the need for future study and impact assessment. As appropriate, the City may undertake or authorize studies of these areas to respond to General Plan Amendment proposals or changing circumstances in the City. All Study Areas have an underlying General Plan designation that will remain in effect until a General Plan Amendment is formally approved. The Warm Springs/South Fremont Community Plan is the culmination of several studies for the area and adoption of the Community Plan would most likely include a General Plan amendment.

Municipal Code

The Fremont Municipal Code contains Title 18, Planning and Zoning, that regulates development and land use activities within the Fremont City limits. The ordinance establishes zoning districts and associated development standards and land use activity requirements. The following are summaries of the zoning districts within the Community Plan area.

General Industrial

The purpose of the G-I (General Industrial) district is to provide areas for general industrial, manufacturing, wholesale and other related service uses needed by the City and the region. Impacts associated with noise, odor, heavy traffic, and other hazards associated with certain hazardous materials may occur within the G-I district.

Restricted Industrial

The purpose of the I-R (Restricted Industrial) district is to provide areas devoted to research and development activities, such as product development, engineering, sales and administration, as well as light manufacturing and wholesale uses. Within this district, certain Group A, B, and C hazardous materials uses, manufacturing, or the storage of particularly large sizes and quantities of hazardous materials are regulated to minimize potential for offsite impacts. The I-R district is characterized by superior architectural and landscaping treatment and site planning.

Public Facilities

The purpose of the P-F (Public Facilities) district is to foster the orderly development of large-scale educational and public service uses in the community and special approved uses on publicly owned land; to ensure the presence of said uses as a vital part of the community balance; and to prevent intrusion of uses that may overburden community facilities and resources.

Planned District

The purpose of the P (Planned District) is to encourage and provide a means for effectuating desirable development, redevelopment, rehabilitation and conservation in the city, which features variations in siting, mixed land uses or varied dwelling types. The amenities and compatibility of P districts is to be ensured through adoption of a precise site plan, showing proper orientation, desirable design character, and compatible land uses.

P-2000-268 was adopted by the Fremont City Council in October 2000 to allow development of seven industrial buildings totaling 603,800 square feet on an approximately 36-acre site located at the southeastern quadrant of South Grimmer Boulevard/Warm Springs Boulevard, east of the planned Warm Springs/South Fremont BART station. However, development of P-2000-268 has not occurred and the site remains vacant.

Transit Oriented Development Overlay

The purpose of the TOD overlay district is to create a compact and high intensity mix of residential, office, retail, service and public use to promote areas of the City that have a high potential for pedestrian activity, generally within 0.5 mile of existing and planned transit stations. Increased development potential and higher allowances for building intensity are allowed in the TOD overlay to promote economic potential, pedestrian activity and transit access, improve urban form and design, and reduce vehicle miles traveled.

Each TOD overlay district is unique in its character and underlying land use. They share a common goal of maximizing transit use through density, land use mix, building form and design. Each TOD overlay district is intended to be a vibrant pedestrian-oriented district. The particular mix of uses around a transit station will vary depending on surrounding land use, access, infrastructure, and other factors. A TOD district will generally have more intense development than immediately surrounding areas in order to support transit ridership and promote a sense of place.

3.8.4 - Methodology

FirstCarbon Solutions (FCS) evaluated the potential for land use impacts through site reconnaissance, use of aerial photos, and review of applicable land use policy documents. Photographs were taken of the project site and surrounding land uses to document existing conditions. FCS reviewed the City of Fremont General Plan and the Fremont Municipal Code to identify applicable policies and provisions that pertain to the proposed Community Plan. Finally, FCS reviewed the proposed Warm Springs/South Fremont Community Plan for consistency with the General Plan and Municipal Code.

3.8.5 - Thresholds of Significance

According to Appendix G, Environmental Checklist, of the CEQA Guidelines, land use impacts resulting from the implementation of the proposed project would be considered significant if the project would:

- a) Physically divide an established community.
- b) 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.

- c) Conflict with any applicable habitat conservation plan or natural community conservation plan. (Refer to Section 7, Effects Found Not To Be Significant.)

3.8.6 - Project Impacts and Mitigation Measures

This section discusses potential impacts associated with the development of the project and provides mitigation measures where appropriate.

Division of an Established Community

Impact LU-1: The Community Plan would not physically divide an established community.

Impact Analysis

The proposed Community Plan boundaries encompass approximately 879 acres and contain primarily developed commercial, industrial, public facilities, and undeveloped properties contemplated for urban development. The Lopes property at South Grimmer Boulevard and Lopes Court contains non-conforming residential uses reflecting land use activities that pre-dated the incorporation of the City of Fremont. Moreover, the Community Plan area does not contain any existing schools, parks, or other community gathering facilities. For these reasons, the Community Plan's existing land use characteristics would not constitute an "established community," and buildout of the plan would not physically divide an established community. Impacts would be less than significant.

Level of Significance Before Mitigation

Less than significant impact.

Mitigation Measures

No mitigation is necessary.

Level of Significance After Mitigation

Less than significant impact.

General Plan Consistency

Impact LU-2: The proposed Community Plan would be consistent with applicable provisions of the City of Fremont General Plan.

Impact Analysis

This impact addresses the potential for the Warm Springs/South Fremont Community Plan to conflict with the City of Fremont General Plan.

General Plan Land Use Designation Consistency Analysis

The proposed Community Plan identifies potential new development and redevelopment of properties to accommodate 11,521,526 square feet of light industrial, research and development, office, and retail uses, hotel uses, up to 4,000 residential units, and an elementary school. The plan

assumes TOD principles for land use densities that are supportive of transit services and an urban form. Development of individual sites would vary in intensity and height based upon the targeted use and location within the plan area. The plan would include associated infrastructure improvements and public facility needs, as well as transportation and circulation network improvements.

Implementation of the Community Plan would be in accordance with the General Plan’s policies regarding the preparation and implementation of the Community Plan as a transit- and pedestrian-oriented development.

The City of Fremont General Plan contemplates the development of Community Plans for 11 geographical areas within the city limits. The Warm Springs/South Fremont Community Plan boundaries encompass most of the South Fremont Community Plan area (as designated in the Community Plans Element of the General Plan) and a small portion of the Warm Springs Community Plan area (as designated in the Community Plans Element of the General Plan). Because the proposed Community Plan seeks to implement this aspect of the General Plan, Table 3.8-3 provides a consistency analysis with each policy identified in the General Plan for the South Fremont and Warm Springs areas.

Table 3.8-3: General Plan Consistency Analysis – Community Plan

Chapter	Policy		Consistency Determination
	No.	Text	
11 – Community Plans (South Fremont)	11-10.1	South Fremont as an Employment Center. Support the continued development of South Fremont as a major employment center. Future development in this area should enhance the city’s tax base, create jobs for Fremont residents, maximize economic opportunities to be created by the new BART station, and contribute to the city’s overall quality of life.	Consistent: The proposed Community Plan is anticipated to create 20,000 new jobs at buildout. Many of the new jobs would be concentrated around the Warm Springs/South Fremont BART station.
	11-10.2	South Fremont - Warm Springs BART Station. Develop the area around the future Warm Springs BART station with high-intensity land uses that promote the use of BART and encourage walking or bicycling to and from the station.	Consistent: The proposed Community Plan is intended to facilitate transit-oriented, high-density residential and employment generating uses around the Warm Springs/South Fremont BART station.
	11-10.3	Innovation as a Community Design Theme. Promote the concept of “innovation” as a development theme around the South Fremont - Warm Springs BART station.	Consistent: The vision for the proposed Community Plan is an innovation district that supports and attracts the most talented employers, inventors, researchers, workers, and forward thinkers from around the world.

Table 3.8-3 (cont.): General Plan Consistency Analysis – Community Plan

Chapter	Policy		Consistency Determination
	No.	Text	
	11-10.4	<p>South Fremont Open Space. Ensure that future development in the vicinity of the BART station includes provisions for open space. Plans for open space should recognize the needs of the local workforce as well as Fremont residents. Open space may include parks, plazas, courtyards, and other public gathering places, and should contribute to a sense of identity in the station area.</p>	<p>Consistent: The Community Plan envisions a public plaza around the Warm Springs/South Fremont BART station.</p>
	11-10.5	<p>South Fremont Community Facilities. Provide for the community facilities necessary to support the level and type of expected growth in the South Fremont - Warm Springs area. This could include schools, neighborhood parks, community centers, public safety facilities, and similar public uses.</p>	<p>Consistent: The proposed Community Plan identifies community facilities within the plan area, including a school site and public open space areas.</p>
	11-10.6	<p>Auto Mall Parkway Corridor. Maintain the function of the Auto Mall Parkway corridor as a transition area and buffer between residential areas to the north and industrial areas to the south. Continued development of regional commercial, service industrial, and hospitality uses should be encouraged here. To avoid further traffic delays, ingress and egress to Auto Mall Parkway shall use existing access points or side streets rather than new curb cuts.</p>	<p>Not Applicable: The Auto Mall Parkway Corridor is not within the Community Plan boundaries; thus, the plan would not alter development or land use activities along this roadway.</p>
	11-10.7	<p>Connecting South Fremont. Improve linkages through South Fremont to better connect the Warm Springs District and the Irvington District. This could include additional sidewalks, bicycle trails, greenways, changes to the</p>	<p>Consistent: The proposed Community Plan is intended to facilitate transit-oriented, high-density residential and employment generating uses around the Warm Springs/South Fremont BART station. As part of this, upgrades would be made to the circulation</p>

Table 3.8-3 (cont.): General Plan Consistency Analysis – Community Plan

Chapter	Policy		Consistency Determination
	No.	Text	
		street system, and other improvements that enhance north-south connectivity.	system, including development of new roadways with pedestrian and bicycle facilities and improvements to existing roadways to add or enhance pedestrian and bicycle facilities. Collectively, these features would improve connectivity between South Fremont, Warm Springs, Irvington, and other areas of Fremont.
11 – Community Plans (Warm Springs)	11-11.1	Maintaining Warm Springs Residential Areas. Maintain and enhance Warm Springs residential neighborhoods and promote continued investment in the area’s housing stock, roads, parks, and public facilities.	Not Applicable: The residential areas located south of Mission Boulevard are not within the Community Plan boundaries; thus, the plan would not alter development or land use activities within this area.
	11-11.2	Warm Springs Town Center. Pursue the long-term transformation of the Warm Springs Boulevard/Mission Boulevard shopping area into a walkable “Town Center” with a more unified design theme, improved pedestrian connections within and between the individual shopping centers, and infill development which creates a stronger sense of place and more diverse mix of uses. A civic park may also be considered for this area.	Consistent: The northern portion of the Warm Springs Town Center is not within the Community Plan area. However, because the Community Plan would promote transit-oriented, high-density residential and employment generating uses, it would be consistent with the policy of guiding the transformation of the Town Center into a walkable, connected area.
	11-11.3	Improving Connectivity. Improve north-south connectivity within the Warm Springs District by creating circulation alternatives to Warm Springs Boulevard, especially for bicycles and pedestrians.	Consistent: The Community Plan contemplates upgrades to the circulation system, including development of new roadways with pedestrian and bicycle facilities and improvements to existing roadways to add or enhance pedestrian and bicycle facilities. Collectively, these features would improve north-south connectivity within Warm Springs.
	11-11.4	Warm Springs Identity. Create a stronger sense of identity in the Warm Springs District through streetscape improvements, signage, gateways, historic markers, and the development of new community gathering places.	Consistent: The Community Plan contemplates upgrades to the circulation system, including streetscape improvements and gateways.

Table 3.8-3 (cont.): General Plan Consistency Analysis – Community Plan

Chapter	Policy		Consistency Determination
	No.	Text	
	11-11.5	Connecting Warm Springs to Central Fremont. Enhance linkages between Warm Springs and Central Fremont through road improvements, pedestrian and bicycle improvements, and support for better transit service to and from the City Center.	Consistent: The Community Plan contemplates upgrades to the circulation system, including development of new roadways with pedestrian and bicycle facilities and improvements to existing roadways to add or enhance pedestrian and bicycle facilities. Collectively, these features would enhance linkages between Warm Springs and Central Fremont.
	11-11.6	Public and Quasi-Public Facilities. Provide additional public facilities in the Warm Springs area to address existing deficiencies, respond to projected needs, and create a stronger sense of community.	Not Applicable: The portion of the Warm Springs area within the Community Plan boundaries is not contemplated for additional public facilities.
	11-11.7	Land Use Compatibility. Continue to regulate and monitor industrial activities west of Warm Springs Boulevard to avoid and mitigate the potential for land use conflicts and/or safety hazards in the residential areas east of Warm Springs Boulevard.	Not Applicable: This policy pertains to the segment of Warm Springs Boulevard south of Mission Boulevard, which is outside the Community Plan boundaries.
	11-11.8	Interstate 680. Work with Caltrans to reduce noise and visual impacts associated with Interstate 680 on Warm Springs residential neighborhoods.	Not Applicable: The portion of the Warm Springs area within the Community Plan boundaries does not contain existing residential uses that are exposed to freeway noise from I-680.
	11-11.9	Hillside Areas. Enforce the provisions of Measure A and Measure T for land use and development decisions in the portion of the Warm Springs area above Interstate 680. The Hill Area Community Plan should be consulted for additional policies applying to this area.	Not Applicable: There are no Hillside Areas within the Community Plan boundaries.
Source: City of Fremont, 2011; FirstCarbon Solutions, 2013.			

General Plan Goals and Policies Consistency Analysis

Table 3.8-4 summarizes the proposed project’s consistency with all applicable goals and policies of the General Plan. As shown in the table, the proposed Community Plan is consistent with all applicable General Plan goals and policies.

Table 3.8-4: General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
2 – Land Use	Goal 2-1	City Form and Structure. A city transformed from an auto-oriented suburb into a distinctive community known for its walkable neighborhoods, dynamic city center, transit-oriented development at focused locations, attractive shopping and entertainment areas, thriving work places, and harmonious blending of the natural and built environments.	Consistent: The Community Plan area currently contains mostly auto-oriented industrial and commercial land uses, and undeveloped land. The proposed Community Plan is intended to facilitate transit-oriented, high-density residential, and employment generating uses around the Warm Springs/South Fremont BART station. These characteristics are consistent with the goal of transforming the City from an auto-oriented suburb to a more vibrant, transit-oriented urban environment.
	Policy 2-1.1	Fremont’s Regional Identity. Create a positive regional identity for Fremont as a major San Francisco Bay Area city known for its outstanding neighborhoods, shopping areas, public facilities, parks, and employment districts. As the Bay Area’s fourth largest city in population and its second largest in land area, Fremont should continue to evolve into a major regional destination with a distinct cultural and civic identity and a reputation for reinventing the suburban development model.	Consistent: The Community Plan area currently contains mostly auto-oriented industrial and commercial land uses, and undeveloped land. The proposed Community Plan is intended to facilitate transit-oriented, high-density residential and employment generating uses around the Warm Springs/South Fremont BART station. These characteristics are consistent with the policy of enhancing Fremont’s regional identity.
	Policy 2-1.2	A Complete City. Plan and develop Fremont’s available land supply in a way that achieves a balance between jobs and housing, matches future jobs to the capabilities of the local workforce, and provides an array of shopping choices, recreational choices, and	Consistent: The Community Plan area currently contains mostly auto-oriented industrial and commercial land uses, and undeveloped land. The proposed Community Plan will increase industrial and corporate office space, as well as residential living spaces. This will allow

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
		entertainment and cultural facilities, thereby reducing the need for residents to travel outside the City.	residents to remain within walking distance of employment as well reduce the need for Fremont residents to travel outside the City.
	Policy 2-1.4	Neighborhoods. Sustain and enhance Fremont’s neighborhoods as the basic “building blocks” of the community. Fremont’s neighborhoods should accommodate a high quality of life by providing diverse housing choices, safe and walkable streets, and convenient access to services, schools, and parks. While the basic pattern of land uses in most neighborhoods is set, over time the City’s residential areas will adapt and evolve to reflect Fremont’s vision for a more sustainable future.	Consistent: The Community Plan area currently contains limited bicycle and pedestrian facilities. The Community Plan contemplates upgrades to the circulation system, including development of new roadways with pedestrian and bicycle facilities and improvements to existing roadways to add or enhance pedestrian and bicycle facilities. Collectively, these features would enhance circulation in a manner that enhances the quality of life
	Policy 2-1.6	Town Centers. Recognize Fremont’s five original towns—Centerville, Irvington, Mission San Jose, Niles, and Warm Springs—as important and unique places that contribute to Fremont’s identity. Plans for these districts should address the preservation of historic resources; appropriate areas for new commercial, residential, and mixed-use infill development; parking and transportation strategies which foster a pedestrian-oriented shopping environment; and provisions to ensure that future development helps enhance and define each area’s character. In Centerville, Irvington, Mission San Jose, and Niles, development should build on the strengths of the existing historic towns, retaining their basic form and encouraging infill. In Warm Springs, where the historic town no longer exists, the challenge is to re-create it—building a more pedestrian-friendly center that	Consistent: The proposed Community Plan is intended to facilitate transit-oriented, high-density residential and employment generating uses around the Warm Springs/South Fremont BART station. The Community Plan area is surrounded by urban uses, and would involve development and redevelopment of existing uses to create a pedestrian-friendly environment.

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
		serves as a focal point for the southern part of Fremont.	
	Policy 2-1.7	<p>Becoming a More Transit-Oriented City. Plan for Fremont’s transition to a community that includes a mix of established lower-density neighborhoods and new higher-density mixed-use neighborhoods with access to high-quality transit. Transit-oriented development (TOD)—or the placement of higher density uses around transit facilities—should be recognized as the key strategy for accommodating Fremont’s growth in the next 20-25 years.</p> <p>TOD can achieve multiple objectives, including reduced dependence on single passenger autos, environmental sustainability, reduced greenhouse gas emissions and energy use, enhanced public health (by encouraging walking and improving air quality), a stronger sense of place, mixed income neighborhoods, higher transit ridership, and more fiscally efficient and responsible use of land. Based on the analysis performed as part of the General Plan, approximately two-thirds of Fremont’s household growth and one-third of its employment growth between 2010 and 2035 will occur within one-half mile of an existing or future BART station, or the ACE train station.</p>	<p>Consistent: The proposed Community Plan is intended to facilitate transit-oriented, high-density residential and employment generating uses around the Warm Springs/South Fremont BART station. The Community Plan includes a proposed circulation system that encourages walking and the use of bicycles and public transit to provide alternatives to single-occupant automobile use.</p>
	Policy 2-1.8	<p>Mixed-Use Emphasis. Encourage mixed-use development combining residential and commercial uses in transit-oriented development areas and also in selected commercial areas as indicated on the General Plan Land Use Map. Mixed use is encouraged in these areas to increase vitality and activity, provide housing opportunities, and advance sustainable development principles.</p>	<p>Consistent: The proposed Community Plan is intended to facilitate transit-oriented, high-density residential and employment generating uses around the Warm Springs/South Fremont BART station. Uses envisioned by the Community Plan include high-density, residential mixed-use, office, research and development, retail, restaurants, schools, and public open space. The</p>

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
		In the context of the General Plan, “mixed use” refers to housing with commercial uses, rather than office/retail, industrial/office, or other combinations of uses. There are two principal forms of mixed use. “Vertical” mixed-use refers to multi-story projects where residential uses are located above ground floor commercial space. “Horizontal” mixed-use usually refers to projects where commercial and residential uses occupy the same site, but in different buildings.	Community Plan would allow for both “vertical” mixed use and “horizontal” mixed-use developments.
	Policy 2-1.9	<p>Thoroughfares as Multi-use Corridors. Enhance the role of Fremont’s major thoroughfares as multi-use corridors that connect the city and enhance civic identity. Fremont’s corridors should contribute to a more compact pattern of development, be designed to encourage transit use and reduce vehicle miles traveled, provide comfortable walking and bicycling environments, and project a positive image of the city.</p> <p>Corridors can help Fremont achieve a more compact development pattern because they are often the best locations for higher-density mixed use development. Many corridors contain underutilized commercial sites and are well served by the local bus system. Accommodating development here reduces the pressure on built-out residential areas, while at the same time bringing new life and creating a stronger identity along the city’s thoroughfares.</p>	Consistent: The proposed Community Plan contemplates upgrades to the circulation system, including development of new roadways with pedestrian and bicycle facilities and improvements to existing roadways to add or enhance pedestrian and bicycle facilities. Moreover, the Community Plan seeks to promote the development of higher-and-better transit-oriented residential and employment generating uses around the Warm Springs/South Fremont BART station, consistent with the objective of this policy.
	Policy 2-1.10	Pedestrian Scale. Create a more pedestrian-oriented environment in Fremont’s City Center, its five Town Centers, and the other Transit-	Consistent: The proposed Community Plan is intended to facilitate transit-oriented, high-density residential and employment

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
		<p>Oriented Development areas shown on the General Plan Land Use Map. These areas should be characterized by:</p> <ul style="list-style-type: none"> • Convenient and continuous sidewalks, crosswalks, and walkways; • Easy access to transit; • Comfortable outdoor spaces for pedestrian use; and • Parking that is located in structures or in shared lots to the rear of buildings rather than between buildings and the streets they face. 	<p>generating uses around the Warm Springs/South Fremont BART station. The Community Plan contemplates upgrades to the circulation system, including development of new roadways with pedestrian and bicycle facilities and improvements to existing roadways to add or enhance pedestrian and bicycle facilities.</p>
	Policy 2-1.11	<p>Infill Emphasis. Focus new development on under-developed or “skipped over” sites that are already served by infrastructure and public streets. Strongly discourage, and where appropriate prohibit, the conversion of open space or underdeveloped land on the fringes of Fremont to urban uses.</p> <p>All of the growth projected for Fremont over the next 20-25 years is anticipated take place within the existing urbanized area. By growing more compactly, the City can preserve its hills and Baylands as open space.</p>	<p>Consistent: The Community Plan area contains numerous undeveloped or under-utilized properties that are within the service areas of utility providers (e.g., Alameda County Water District and Union Sanitary District). The Community Plan seeks to facilitate new development and redevelopment of existing developed properties within this area to higher-and-better transit-oriented, high-density residential and employment generating uses. As such, the Community Plan is consistent with this policy.</p>
	Goal 2-2	<p>Directing Change. Growth and development that is orderly and efficient, leverages public investment, ensures the continued availability of infrastructure and public services, reduces adverse impacts on adjacent properties, and protects the natural environment.</p>	<p>Consistent: The Community Plan area is intended to facilitate the logical and orderly transition of the Warm Springs/South Fremont area to support higher-and-better transit-oriented, high-density residential and employment generating uses. The Community Plan identifies infrastructure improvements intended to facilitate this transition and contains development standards to minimize impacts on surrounding land uses.</p>

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
	Policy 2-2.1	<p>Opportunity Areas for Growth and Change. Guide new growth and development to specific areas as prescribed by Diagram 2-2 in the General Plan, and as further directed by more detailed planning studies. As prescribed by the text below, growth areas may include “primary” areas where land use changes are anticipated and encouraged and “secondary” growth areas where land use changes may be longer-term.</p> <p>The primary growth areas include City Center, the areas around the proposed Irvington and South Fremont/ Warm Springs BART station areas, the area around the Centerville ACE station, and within 1,000 feet of the Fremont Boulevard corridor and other Urban Corridors identified in the Community Character Element. The areas surrounding transit stations have been formally recognized as “Priority Development Areas” (PDAs) by ABAG and may be eligible for incentives such as transportation funds and other programs that facilitate growth. The secondary growth areas include other commercially and industrially zoned lands in the city with the potential to create job and housing opportunities while contributing to the city’s evolution into a more sustainable and pedestrian-oriented city. This includes, but is not limited to, the Mowry East shopping district (at Mowry and I-880), the Shinn Terminus (at the end of Shinn Street), the Fremont Boulevard/Decoto gateway, the Warm Springs commercial area at the Mission and Warm Springs Boulevard intersection, and the remainder of Pacific Commons.</p>	<p>Consistent: The proposed Community Plan area is located within the Warm Springs/South Fremont Priority Development Area. The proposed Community Plan would include mixed-use development, construction of up to 4,000 new residential units, and creation of up to 20,000 new jobs upon full buildout.</p>

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
		Opportunities for growth and change also exist within established neighborhoods, but are more limited in scope. Change in established neighborhoods will be more incremental, with a gradual shift toward mixed land uses and less rigid separation of commercial, public, and residential activities.	
	Policy 2-2.2	Integrating Land Use and Transportation Choices. Ensure that land use decisions consider the characteristics of the transportation network, including road capacity, the quality of the streetscape, and the availability of public transportation and other modes of travel.	Consistent: The Community Plan identifies planned transportation network improvements that would improve mobility with the plan area. Additionally, this EIR evaluates transportation impacts and identifies necessary improvements. Refer to Section 3.11, Transportation for further discussion.
	Policy 2-2.3	Sustainable Development and Building. Incorporate sustainability into land use planning decisions and procedures to the greatest extent feasible.	Consistent: The Community Plan identifies various strategies to promote sustainable development practices, including accessibility to transit and a more bicycle and pedestrian friendly environment.
	Goal 2-3	Complete Neighborhoods. Compact, walkable, and diverse neighborhoods, each with an array of housing types and shopping choices, with parks, schools, and amenities that can be conveniently accessed by all residents.	Consistent: The proposed Community Plan is intended to facilitate the development of transit-oriented, high-density residential and employment generating uses around the Warm Springs/South Fremont BART station. The Community Plan contemplates residential uses within walking distance to jobs, retail, restaurants, entertainment, and schools.
	Policy 2-3.8	Location of Higher Density Housing. Generally locate new higher density housing in Priority Development Areas and the TOD Overlay where there is good access to transit, proximity to local-serving commercial uses, and proximity to collector or arterial streets. Conversely, the City should discourage the use of developable	Consistent: The proposed Community Plan contemplates transit-oriented, high-density residential uses within proximity of the Warm Springs/South Fremont BART station. Moreover, the Community Plan area is designated as a Priority Development Area and, thus, is considered an appropriate location for these types of uses.

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
		sites with these attributes for new low employee intensity or low value land uses.	
	Goal 2-4	Centers and Corridors. Distinctive, vibrant centers and corridors that accommodate housing, commerce, shopping, services, civic activities, entertainment, and culture.	Consistent: The proposed Community Plan is intended to facilitate the development of transit-oriented, high-density residential and employment generating uses around the Warm Springs/South Fremont BART station. Overall, the Community Plan is intended to create a distinctive, vibrant center around the BART station.
	Policy 2-4.4	Scale of Commercial Development. Relate the intensity of commercial development to transportation capacity. More intense commercial uses and correspondingly higher FARs should generally be located within convenient walking distance of transit stations, particularly the Fremont BART station and proposed stations at Warm Springs and Irvington.	Consistent: The proposed Community Plan is intended to facilitate the development of transit-oriented, high-density residential and employment generating uses around the Warm Springs/South Fremont BART station. The Community Plan contemplates higher-density commercial uses around the BART station.
	Goal 2-5	Employment Districts. Strengthen Fremont as a major regional job center, a health care and professional office hub, a preferred location for technology, research, and development, and home to a diverse mix of businesses and industries.	Consistent: The proposed Community Plan is anticipated to create 20,000 new jobs at buildout, with many of them in the technology and research and development sectors.
	Policy 2-5.1	Land Supply and Job Growth. Maintain an industrial land supply that is adequate and suitable for the continued growth of the City’s core industries, including computer and communications manufacturing, biotechnology, green technology, logistics/distribution, and emerging technologies. The City should capitalize on its proximity to Silicon Valley, regional transportation facilities, and educated and skilled work force to create opportunities for job growth.	Consistent: A key principle of the Community Plan is to maintain existing industrial land use activities on viable sites, while attracting new industries to Fremont that provide opportunities for job growth.

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
	Policy 2-5.3	<p>Conversion of Industrial Land to Other Uses. Prohibit the conversion of industrially zoned land to non-industrial uses unless one of the following four conditions is met:</p> <ul style="list-style-type: none"> • The industrial use is isolated and is surrounded by incompatible uses. • The industrial use is within one-quarter mile of a BART or ACE transit station, as measured from the center of the platform. • Subsequent analysis and public input is provided through a Specific Plan process. • It can be clearly demonstrated that an extraordinary benefit would be provided to the City. <p>This policy provides important criteria to be applied when evaluating General Plan Amendments and Conditional Use Permit applications. It recognizes that industry may not be viable in all locations in the city in the long-term and gives the City the flexibility to respond to new economic opportunities. However, it establishes a rigorous test to ensure that those locations that are viable for industry are conserved for that purpose.</p>	<p>Consistent: The proposed Community Plan would convert some industrially zoned land to non-industrial uses within ½ mile from the future BART station. However, extensive economic studies have been provided over the past few years demonstrating that residential uses within ¼ mile to ½ mile would substantiate BART ridership and clearly provide a benefit to the area by helping to make the Plan area a 24-hour community. Therefore, the proposed Community Plan meets the criteria identified in this policy for such changes.</p>
	Policy 2-5.10	<p>Encroachment of Incompatible Uses. Protect industrial areas from encroachment by activities that would impair operations or create future land use conflicts.</p>	<p>Consistent: The proposed Community Plan is intended to promote land use compatibility between existing industrial land use activities and the transit-oriented, high-density residential and employment generating uses through the use of techniques such as appropriate siting and buffering, and limitations on hazardous materials use within certain nearby areas.</p>

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
3 – Mobility	Goal 3-1	Complete Streets. City streets that serve multiple modes of transportation while enhancing Fremont’s appearance and character.	Consistent: The proposed Community Plan contemplates upgrades to the circulation system, including the development of new roadways with pedestrian and bicycle facilities.
	Policy 3-1.1	Complete Streets. Design major streets to balance the needs of automobiles with the needs of pedestrians, bicyclists, and transit users. Over time, all Fremont’s corridors should evolve into multi-modal streets that offer safe and attractive choices among different travel modes.	Consistent: The Community Plan contemplates the development of new roadways with pedestrian and bicycle facilities consistent with the objective of creating multi-modal corridors.
	Policy 3-1.2	Contextual Street Design. Ensure that the design and scale of city streets is sensitive to the context of surrounding neighborhoods.	Consistent: The proposed Community Plan contemplates upgrades to the circulation system including the development of new roadways with pedestrian and bicycle facilities, and landscaping. Overall, the circulation system would be sensitive to the transit-oriented characteristics of the Community Plan area.
	Policy 3-1.3	Transit-Friendly Street Design. As appropriate, apply street design and development standards that require transit-supportive facilities such as bus stop curb extensions, bus shelters, benches, lighting, sidewalks, and convenient access to bus stops.	Consistent: The proposed Community Plan is intended to facilitate transit-oriented, high-density residential and employment generating uses around the Warm Springs/South Fremont BART station. The Community Plan’s circulation system would incorporate transit supportive facilities such as bus stop curb extensions, bus shelters, benches, lighting, sidewalks, and convenient access to bus stops.
	Policy 3-1.5	Improving Pedestrian and Bicycle Circulation. Incorporate provisions for pedestrians and bicycles on city streets to facilitate and encourage safe walking and cycling throughout the city. Landscaping should reduce wind, provide shade, provide a buffer to adjacent roadways, and stimulate visual interest. Visually	Consistent: The proposed Community Plan contemplates upgrades to the circulation system including the development of new roadways with pedestrian and bicycle facilities, and landscaping. Street lighting would be provided in accordance with City standards.

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
		appealing, energy-efficient street lighting should be provided to ensure night-time safety.	
	Policy 3-1.7	Sidewalks. Require the provision of sidewalks in all new development, including infill development and redevelopment, in order to eventually complete the City’s sidewalk network. Sidewalks shall be required on both sides of all public streets, except in hillside areas where a single sidewalk may be adequate. Sidewalks and direct pedestrian connections between uses should also be provided in parking lots.	Consistent: The Community Plan area currently contains limited bicycle and pedestrian facilities. The proposed Community Plan contemplates upgrades to the circulation system, including development of new roadway with pedestrian and bicycle facilities and improvements to existing roadways to add or enhance pedestrian and bicycle facilities.
	Goal 3-2	Reducing Vehicle Miles Traveled. Improve mobility in Fremont while reducing the growth of vehicle miles traveled.	Consistent: The proposed Community Plan is intended to facilitate the development of high-density, transit-oriented uses around the Warm Springs/South Fremont BART station. The Community Plan contemplates upgrades to the circulation system, including the development of new roadways with pedestrian and bicycle facilities, and landscaping. Collectively, these characteristics are consistent with improving mobility while reducing the growth in vehicle miles traveled.
	Policy 3-2.1	Coordinating Land Use and Transportation. Support land use choices and transportation investments which reduce the necessity of driving and create a community that is more walkable and serviceable by public transportation. Land use decisions should recognize the opportunities and constraints presented by the city’s transportation system, including road capacity, transit availability, and pedestrian and bicycle mobility.	Consistent: The proposed Community Plan is intended to facilitate the development of high-density, transit-oriented uses around the Warm Springs/South Fremont BART station. The Community Plan contemplates upgrades to the circulation system including the development of new roadways with pedestrian and bicycle facilities, and landscaping. Collectively, these characteristics are consistent with the objective of supporting land use decisions that reduce the necessity of driving and create a community that is more walkable and serviceable by public transportation.

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
	Policy 3-2.2	<p>Reducing Vehicle Trips through Land Use Choices. Support new forms of development that reduce the number of vehicle trips generated as compared to traditional suburban development. This includes live-work development, mixed use development (reducing the need to drive to services), and higher density development around transit stations (reducing the need to own and/or use a vehicle).</p>	<p>Consistent: The proposed Community Plan is intended to facilitate the development of high-density, transit-oriented uses around the Warm Springs/South Fremont BART station. The Community Plan contemplates upgrades to the circulation system, including the development of new roadways with pedestrian and bicycle facilities, and landscaping. Collectively, these characteristics are consistent with the objective of supporting new forms of development that reduce the number of vehicle trips generated compared with traditional suburban development</p>
	Policy 3-2.3	<p>Pedestrian Networks. Integrate continuous pedestrian walkways in Fremont’s City Center, Town Centers, residential neighborhoods, shopping centers, and school campuses. Place a priority on improving areas that are not connected by the City’s pedestrian network, with the objective of making walking safer, more enjoyable, and more convenient.</p>	<p>Consistent: The Community Plan area currently contains limited bicycle and pedestrian facilities. The proposed Community Plan contemplates upgrades to the circulation system, including development of new roadways with pedestrian and bicycle facilities and improvements to existing roadways to add or enhance pedestrian and bicycle facilities. Collectively, these pedestrian and bicycle facilities would provide continuous pedestrian walkways throughout the residential, commercial, and public uses of the proposed Community Plan area.</p>
	Policy 3-2.4	<p>Improving Bicycle Circulation. Enhance bicycle circulation, access, and safety throughout Fremont, particularly in the City Center, the Town Centers, around existing and planned BART stations, and near schools and other public facilities. Barriers and impediments to bicycle travel should be reduced.</p>	<p>Consistent: The Community Plan area currently contains limited bicycle facilities. The proposed Community Plan contemplates upgrades to the circulation system, including development of new roadways with bicycle facilities and improvements to existing roadways to add or enhance bicycle facilities. Collectively, these bicycle facilities would facilitate safe and convenient bicycle mobility within the Community Plan area.</p>

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
	Policy 3-2.7	Transit Provisions in New Development. Maximize access to public transit in new development along high-volume transit corridors and around BART stations. Buildings and pedestrian pathways in such areas should be sited and designed to facilitate transit use.	Consistent: The proposed Community Plan contemplates a network of pedestrian facilities, including development of a direct connection between the Warm Springs/South Fremont BART station and the proposed Innovation Way employment center.
	Goal 3-3	Accessibility, Efficiency and Connectivity. Maximize the efficiency of the transportation network, and its ability to connect the city, minimize travel distances, and increase mobility for all residents.	Consistent: The proposed Community Plan contemplates upgrades to the circulation system, including development of new roadway and bicycle/pedestrian facilities and improvements to existing roadways and bicycle/pedestrian facilities. Collectively, these improvements would be consistent with the objective of maximizing the efficiency of the transportation network.
	Policy 3-3.2	Street Connectivity. Promote connectivity in the street network. Except where necessitated by topography, the use of dead-ends and cul-de-sacs shall be minimized, and the extension or preservation of a grid street pattern shall be encouraged. Additional street network connectivity (i.e., a “grid pattern”) should be created and existing gaps in the road, bike, and pedestrian networks should be closed.	Consistent: The proposed Community Plan contemplates upgrades to the circulation system, including development of new roadway and bicycle/pedestrian facilities and improvements to existing roadways and bicycle/pedestrian facilities. The circulation system envisions a grid pattern network of streets within the Community Plan area. Finally, a direct bicycle/pedestrian connection is proposed between the Warm Springs/South Fremont BART station and the Innovation Way employment center.
	Goal 3-4	Balancing Mobility and Neighborhood Quality. A transportation system that balances speed and convenience with the desire to have walkable neighborhoods and an enhanced sense of place.	Consistent: The proposed Community Plan contemplates upgrades to the circulation system, including development of new roadway and bicycle/pedestrian facilities and improvements to existing roadways and bicycle/pedestrian facilities. The circulation system envisions a grid pattern network of streets within the Community Plan area. Finally, a

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
			direct bicycle/pedestrian connection is proposed between the Warm Springs/South Fremont BART station and the Innovation Way employment center. These characteristics are consistent with the objective of balancing speed and convenience with the desire to have walkable neighborhoods.
	Policy 3-4.4	Mitigating Development Impacts. Require new development to mitigate its impacts on mobility conditions through traffic impact fees, street and intersection improvements, transportation demand management programs, and other measures.	Consistent: The proposed Community Plan contemplates improvements to the circulation system, including development of new roadways and improvements to existing roadways. Additionally, future development projects would be required to pay traffic impact fees to mitigate impacts on mobility. This EIR also identifies mitigation measures consisting of structural measures (such as improvements) and non-structural measures (TDM programs) to improve mobility within the Community Plan area.
	Goal 3-7	Parking. Parking that meets the needs of residents, workers, visitors, and shoppers in a way that is consistent with broader goals related to sustainability and community character.	Consistent: The proposed Community Plan identifies various strategies for providing on-street and off-street parking, such as shared parking arrangements, and other parking management measures.
	Policy 3-7.3	Shared Parking. Strongly encourage the concept of shared parking (and shared parking agreements) for land uses where the peak parking demand occurs at different times of the day, thereby reducing the aggregate number of spaces required.	Consistent: The proposed Community Plan identifies various strategies for providing on-street and off-street parking, including shared parking arrangements.
	Policy 3-7.4	Bicycle Parking and Storage Facilities. Require the provision of secured bicycle parking at (or near) all new or substantially modified commercial or industrial development projects, education and recreational facilities, and BART	Consistent: The proposed Community Plan contemplates the provision of secure bicycle storage facilities with various residential and nonresidential developments.

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
		Stations and transit centers. In commercial areas, bicycle parking may be consolidated in racks serving multiple businesses to create a cleaner and more attractive street appearance. At larger employment centers and BART Stations, lockers and showers should be encouraged to facilitate bicycle use.	
4 – Community Character	Goal 4-1	City Form and Identity. A stronger, more memorable civic identity, shaped by well-kept neighborhoods, distinctive centers and work places, attractive transportation corridors, high-quality public spaces, and the scenic natural backdrop of Fremont’s hills and shoreline.	Consistent: The proposed Community Plan would promote City form and identity by facilitating the redevelopment of undeveloped and underutilized properties to higher-and-better transit-oriented, high-density residential and employment generating uses. The Community Plan sets forth development standards by land use category with the intent of creating a vibrant, distinctive activity center around the Warm Springs/South Fremont BART station.
	Policy 4-1.1	Elements of City Form. Recognize the basic elements of city form—community plan areas, neighborhoods, centers, corridors, employment districts, and open spaces—as the features that contribute to and define Fremont’s sense of place. Ensure that land use and transportation decisions, including design review, zoning, capital improvements, and development approvals, improve the visual qualities of these features and strengthen their identity as distinct places.	Consistent: The proposed Community Plan sets forth development standards by land use category with the intent of creating a vibrant, distinctive activity center around the Warm Springs/South Fremont BART station. Overall, the uses and infrastructure improvements contemplated by the Community Plan would improve the visual qualities of the Warm Springs/South Fremont area.
	Policy 4-1.3	Centers. Develop Fremont’s City Center and five Town Centers as focal points and destinations for the neighborhoods around them. Centers provide focal points for the City and its neighborhoods. Each of these areas should be a memorable place, imparting a positive	Consistent: The purpose of the Community Plan is to develop a focal point around the planned Warm Springs/South Fremont BART station. The Community Plan incorporates design elements that promote high-quality architecture, dynamic and thoughtfully designed public spaces,

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
		impression shaped by high-quality architecture, dynamic and thoughtfully designed public spaces, and a street environment that is comfortable and welcoming to pedestrians.	and a street environment that is comfortable and welcoming to pedestrians.
	Policy 4-1.10	<p>Neighborhood Barriers. Seek urban design, planning, and capital improvement solutions for minimizing physical barriers that divide the community such as railroad tracks, freeways, wide arterials, and flood control channels. Ensure that land use decisions and transportation projects do not divide neighborhoods or create unnecessary barriers within established neighborhoods.</p> <p>Projects that would create physical divides within or between neighborhoods are discouraged. While freeways, railroads, and similar features create clear edges and help define neighborhoods, they may also hinder the sense of unity and connectivity that Fremont desires for its future. The City encourages projects that “knit” Fremont together such as greenways and pedestrian bridges over freeways.</p>	<p>Consistent: The Community Plan’s circulation network seeks to improve mobility within the Warm Springs/South Fremont area through the use of grid-pattern street system. Additionally, the Community Plan contemplates bicycle/pedestrian facilities such as sidewalks, bike lanes, and a direct connection between the planned BART station and Innovation Way. Collectively, these characteristics would improve connectivity within the Warm Springs/South Fremont area.</p>
	Goal 4-2	<p>Sustainable Design and Construction. A city that becomes more sustainable and walkable through community planning, design, and building.</p>	<p>Consistent: The Community Plan emphasizes transit-oriented concepts, including pedestrian mobility. The Community Plan also contemplates the use of sustainable design practices.</p>
	Policy 4-2.1	<p>Complete Neighborhoods. Encourage walkable, connected neighborhoods with multiple land uses and housing types, rather than self-contained residential subdivisions with a single housing type. Neighborhoods should accommodate safe walking and</p>	<p>Consistent: The proposed Community Plan contemplates upgrades to the circulation system, including development of new roadways with pedestrian and bicycle facilities and improvements to existing roadways to add or enhance pedestrian and bicycle</p>

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
		bicycling to daily necessities, services, and transit lines.	facilities. Moreover, the Community Plan contemplates mixed land uses that incorporate a combination of residential, office, retail, research and development, industrial, and public open space uses into each Planning Area. These characteristics would be consistent with the policy of promoting walkable, connected neighborhoods with multiple land uses.
	Policy 4-2.2	Connectivity. Improve the ability to travel through Fremont and between Fremont’s neighborhoods on foot or by bicycle. Safe, comfortable sidewalks, bike lanes, trails, and paths should be incorporated for pedestrians and cyclists so that neighborhoods are conveniently connected to nearby community facilities, services, and shopping areas.	Consistent: The proposed Community Plan contemplates upgrades to the circulation system, including development of new roadways with pedestrian and bicycle facilities and improvements to existing roadways to add or enhance pedestrian and bicycle facilities. Collectively, these characteristics would provide convenient connectivity to community facilities, services, and shopping areas.
	Policy 4-2.3	Pedestrian Friendly Design. Reduce greenhouse gas emissions by encouraging, and where appropriate requiring, pedestrian-friendly design. As new projects are developed and as existing development is rehabilitated or updated, incorporate features that make it easier to travel through Fremont without a car. These features could include (but are not limited to) wider sidewalks, crosswalks or crosswalk signals, narrower streets or curb “bulb-outs” at intersections to minimize the distance a pedestrian must walk to cross a street, varied paving materials, window transparencies (to enhance the experience of walking down a street), street trees, landscaping, benches, and mid-block connections to reduce trip lengths.	Consistent: The Community Plan emphasizes transit-oriented concepts, including pedestrian mobility. The Community Plan contemplates Class I bicycle/pedestrian facilities, sidewalks along streets, a grid pattern street network with narrow residential streets, landscaping (including street trees), and plazas.

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
5 – Housing	Goal 2	Ensure Availability of High Quality, Well-Designed and Environmentally Sustainable New Housing of All Types Throughout the City	Consistent: The proposed Community Plan would include up to 4,000 new residential units at buildout. Dwelling units would primarily consist of higher-density, transit-oriented units within walking distance of BART, which is a type of housing product that is limited in Fremont. The Community Plan includes design standards to ensure that residential uses provide a high-quality, sustainable design.
	Goal 3	Encourage the Development of Affordable and Market-Rate Housing in Order to Meet the City’s Assigned Share of the Regional Housing Need	Consistent: The proposed Community Plan would include up to 4,000 new residential units at buildout. Dwelling units would include a combination of affordable and market-rate housing.
6 – Economic Development	Goal 6-1	A Dynamic Local Economy. Create and sustain a dynamic local economy that attracts investment, increases the tax base, generates public revenues, creates employment, provides recreational, shopping and service opportunities for residents, and maintains a balance of jobs and housing.	Consistent: The proposed Community Plan would facilitate the development of 11.5 million square feet of industrial, research and development, office, and other commercial uses (which may support up to 20,000 new jobs) and up to 4,000 residential units within the 879-acre plan area. Overall, the Community Plan would be consistent with the objectives of attracting investment, increasing the tax base, generating public revenues, creating new jobs, expanding retail and entertainment offerings, and maintaining a jobs-housing balance.
	Policy 6-1.1	Increasing the Tax Base. Encourage economic development that generates sales tax, property tax, and other revenues that help sustain municipal services.	Consistent: The proposed Community Plan would facilitate the development of 11.5 million square feet of industrial, research and development, office, and other commercial uses (which may support up to 20,000 jobs) and up to 4,000 residential units within the 879-acre plan area. These uses would generate new sales tax, property tax, and other revenues.
	Policy 6-1.6	Jobs-Housing Balance. Support economic growth that provides	Consistent: The proposed Community Plan would facilitate the

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
		quality employment opportunities in order to balance Fremont’s jobs with its housing supply, resulting in a more sustainable City.	creation of up to 20,000 new jobs, and development of up to 4,000 new residential units within the 879-acre plan area. These characteristics would be consistent with objective of balancing jobs and housing.
	Goal 6-3	A Diverse Mix of Industrial and Technology Uses. Support and promote a diverse mix of industrial and technology uses to provide jobs and tax revenues for the community.	Consistent: The proposed Community Plan would facilitate the development of approximately 11.5 million square feet of light industrial, research and development, and office uses within the plan area. These land use categories have the ability to support industrial and technology uses and associated employment opportunities.
	Policy 6-3.1	Diverse Industrial and Technology Uses. Provide for a variety of industrial uses to minimize the impact of industry-specific downturns on the local economy, to provide a range of job opportunities for local residents, and to provide opportunities for synergy between various industries.	Consistent: The proposed Community Plan would facilitate the development of approximately 11.5 million square feet of light industrial, research and development, and office uses within the plan area. These land use categories have the ability to support industrial and technology uses and associated employment opportunities.
	Policy 6-3.2	Attracting Emerging Growth Industries. Recruit and retain emerging growth (industries with significant employment and performance potential) industries in order to increase employment opportunities for a wide range of skill levels and salaries to meet current and future employment, with an emphasis on industries such as high tech, biotech and clean tech that seek to locate in Silicon Valley.	Consistent: The proposed Community Plan would facilitate the development of approximately 11.5 million square feet of light industrial, research and development, and office uses within the plan area. These land use categories have the ability to support emerging growth industries (e.g., high tech, biotech, and clean tech) and associated employment opportunities.
7 – Conservation	Goal 7-1	Biological Resources. A thriving natural environment with protected habitat that enhances the biological value of the City and preserves the open space frame.	Consistent: This EIR evaluates the proposed Community Plan’s effects on biological resources and requires implementation of mitigation measures as necessary. This is consistent with the goal of enhancing the biological value of the

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
			City. Refer to Section 3.3, Biological Resources for further discussion.
	Policy 7-1.2	Protection of Species. Preserve and protect rare, threatened, endangered and candidate species and their habitats consistent with State and Federal law.	Consistent: This EIR evaluates potential impacts to rare, threatened, and endangered and candidate species and requires implementation of mitigation measures as necessary. Refer to Section 3.3, Biological Resources for further discussion.
	Goal 7-2	Water Resources. A protected water resource system that offers natural habitat and enhances the biological value of the City.	Consistent: The Community Plan boundaries contain mostly man-made drainage features that are located in lined channels or culverts. As such, there is limited potential for these features to support natural habitat. Regardless, this EIR requires stormwater quality mitigation measures to minimize and avoid the potential for pollutants to enter downstream waterways. Refer to Section 3.7, Hydrology and Water Quality for further discussion.
	Policy 7-2.1	Preservation of Water Resources. Water resources such as the Niles Cone Groundwater Basin, wetlands, flood plains, recharge zones, riparian areas, open space and native habitats should be identified, preserved and restored as valued assets for flood protection, water quality improvement, groundwater recharge, habitat, and overall long term water resource sustainability.	Consistent: The Community Plan boundaries contain mostly man-made drainage features that are located in lined channels or culverts. As such, there is limited potential for these features to support wetlands, riparian areas, open space, and native habitats. Regardless, this EIR requires stormwater quality mitigation measures to minimize and avoid the potential for pollutants to enter downstream waterways. Refer to Section 3.7, Hydrology and Water Quality for further discussion.
	Goal 7-3	Water Quality. High quality water protected from pollutants and managed to improve the quality of the San Francisco Bay and groundwater resources.	Consistent: This EIR requires stormwater quality mitigation measures to minimize and avoid the potential for pollutants to enter downstream waterways. Refer to Section 3.7, Hydrology and Water Quality for further discussion.

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
	Policy 7-3.1	Protect and Improve Water Quality. Protect and improve water quality in all Fremont’s creeks, streams, water courses and water bodies.	Consistent: This EIR requires stormwater quality mitigation measures to minimize and avoid the potential for pollutants to enter downstream waterways. Refer to Section 3.7, Hydrology and Water Quality for further discussion
	Policy 7-3.3	Enforce Water Quality Requirements. Enforce Federal, State and locally issued mandates regarding water quality such as the National Pollutant Discharge Elimination System (NPDES) permit requirements.	Consistent: This EIR requires stormwater quality mitigation measures in accordance with NPDES permit requirements to minimize and avoid the potential for pollutants to enter downstream waterways. Refer to Section 3.7, Hydrology and Water Quality for further discussion
	Goal 7-7	Air Quality. Air quality improved over current conditions that meets or exceeds State and Regional standards.	Consistent: This EIR evaluates impacts associated with air quality and requires implementation of mitigation measures, where applicable. This is consistent with the goal of improving air quality such that it meets or exceeds regional or state standards. Refer to Section 3.2, Air Quality and Greenhouse Gas Emissions for further discussion
	Policy 7-7.2	Reduce Air Pollution Levels. Reduce Air Pollution Levels. Reduce City of Fremont air contaminant levels and particulate emissions below BAAQMD attainment levels, in particular, ozone and particulate matter levels.	Consistent: This EIR evaluates impacts associated with air quality and requires implementation of mitigation measures, where applicable. This is consistent with the policy of reducing air contaminant levels and particulate emissions below BAAQMD attainment levels. Refer to Section 3.2, Air Quality and Greenhouse Gas Emissions for further discussion.
	Policy 7-7.3	Land Use Planning to Minimize Health Impacts from Toxic Air Contaminants. Coordinate land use planning with air quality data and local transportation planning to reduce the potential for long-term exposure to toxic air contaminants (TAC) from permanent sources that affect the community.	Consistent: The Community Plan recognizes that there are existing sources of TACs within the plan area and sets forth mitigation measures to reduce impacts from long-term exposure. Refer to Section 3.2, Air Quality and Greenhouse Gas Emissions for further discussion.

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
	Goal 7-8	Greenhouse Gas Emissions. Greenhouse gas emissions reduced by 25% from 2005 levels by 2020. This goal is aspirational and not meant to supersede Assembly Bill 32 (AB 32) targets as a standard for project review.	Consistent: This EIR evaluates impacts associated with greenhouse gas emissions and demonstrates that the Community Plan uses can achieve a 25-percent reduction from 2005 levels by 2020. Refer to Section 3.2, Air Quality and Greenhouse Gas Emissions for further discussion.
	Policy 7-8.2	Development Trends. Review development trends for consistency with targets of AB 32: Global Warming Solutions Act of 2006.	Consistent: The Community Plan seeks to develop high-density, transit-oriented, residential, and employment generating uses within proximity of the Warm Springs/South Fremont BART station. This EIR evaluates impacts associated with greenhouse gas emissions and identifies reduction measures intended to achieve the targets identified in the Global Warming Solutions Act of 2006. Refer to Section 3.2, Air Quality and Greenhouse Gas Emissions for further discussion.
8 – Parks and Recreation	Goal 8-1	A Wide Range of Parks and Recreational Facilities. Provide a wide range of parks and recreational facilities to reflect the community’s desire for a variety of recreational experiences	Consistent: The proposed Community Plan would provide a range of public open space as well as bicycle and pedestrian facilities that can be used for recreational purposes.
	Policy 8-1.2	Acreage Standards for Park Acquisition and Development. Acquire and develop park land using a standard of five (5) acres per one thousand (1000) residents.	Consistent: The proposed Community Plan would provide a range of public open space. Additionally, residential developers would be required to pay in-lieu fees for park and recreational facilities. These methods would facilitate the development of new parks and recreational facilities in this or other areas Fremont.
	Policy 8-1.4	Interesting Urban Spaces. Develop civic parks, plazas and squares that provide interesting urban spaces in established districts and neighborhoods.	Consistent: The proposed Community Plan would provide a range of public open space.

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
9 – Public Facilities	Goal 9-1	Public Facilities and Services. A range of public facilities and services to meet the needs of Fremont residents.	Consistent: The Community Plan area would be served with public services and utilities. This EIR evaluates impacts on public service and utility providers and identifies mitigation necessary to ensure acceptable service delivery. Refer to Section 3.10, Public Services and Recreation and Section 3.12, Utilities and Service Systems for further discussion.
	Policy 9-1.2	Public Safety Facilities. Ensure public safety facilities are added or expanded as necessary to keep pace with population growth and meet operational needs. Take into account the availability of both capital and operating funds when determining the timing of new and expanded facilities	Consistent: The Community Plan area is currently served by nearby public safety facilities. This EIR evaluates impacts on fire and police. Refer to Section 3.10, Public Services and Recreation for further discussion.
	Goal 9-3	Water, Sewer and Flood Control. Water, sewer and flood control systems that meet community needs and are efficient and environmentally friendly.	Consistent: The Community Plan area is currently served with potable water and wastewater service and has existing storm drainage facilities. This EIR evaluates impacts on potable water, wastewater, and storm drainage and identifies mitigation necessary to ensure acceptable service delivery. Refer to Section 3.12, Utilities and Service Systems for further discussion.
	Goal 9-4	Gas and Electricity. Natural gas and electric infrastructure that meet the needs of new development.	Consistent: The Community Plan area is currently served with electricity and natural gas service. This EIR evaluates impacts on electricity and natural gas service and found that adequate services are available to serve the Community Plan uses. Refer to Section 3.12, Utilities and Service Systems for further discussion.
	Goal 9-6	Solid Waste Diversion. Waste diversion maximized with the long-term objective of eliminating landfill waste.	Consistent: This EIR evaluates impacts on solid waste and identifies mitigation necessary to promote recycling and waste diversion. Refer to Section 3.12, Utilities and Service Systems for further discussion.

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
	Goal 9-9	Educational Facilities. Quality educational opportunities and facilities available to the community.	Consistent: The proposed Community Plan identifies an elementary school site. In addition, developers of new residential uses would contribute school impact mitigation fees. Refer to Section 3.10, Public Services and Recreation for further discussion.
	Policy 9-9.2	Impact Fees. Continue to work with FUSD to ensure school impact fees are collected in a timely manner.	Consistent: Developers of new residential uses would contribute school impact mitigation fees prior to the issuance of building permits.
10 –Safety	Goal 10-1	Geologic Hazards. Minimum feasible risk to life and property resulting from land instability and other geologic hazards	Consistent: This EIR evaluates impacts associated with geologic hazards and requires mitigation to ensure that impacts are reduced to a level of less than significant. Refer to Section 3.6, Geology, Soils, and Seismicity for further discussion.
	Policy 10-1.1	Location of Buildings and Structures. Regulate new development and redevelopment in a manner that avoids geologic hazards to life and property.	Consistent: There are no geologic hazards within the Community Plan boundaries that preclude development (e.g., unstable geologic units or soils). This EIR evaluates impacts associated with geologic hazards and requires mitigation to ensure that impacts are reduced to a level of less than significant. Refer to Section 3.6, Geology, Soils, and Seismicity for further discussion.
	Policy 10-1.2	Mitigation of Hazards. Require proposed development in areas of potential land instability to evaluate and sufficiently mitigate such hazards through site planning, appropriate construction techniques, building design and engineering.	Consistent: This EIR evaluates impacts associated with geologic hazards and requires mitigation to ensure that impacts are reduced to a level of less than significant. Refer to Section 3.6, Geology, Soils, and Seismicity for further discussion.
	Goal 10-2	Seismic Hazards. Minimum feasible risk to life and property resulting from seismic hazards.	Consistent: This EIR evaluates impacts associated with seismic hazards and requires mitigation to ensure that impacts are reduced to a level of less than significant. Refer to Section 3.6, Geology, Soils, and Seismicity for further discussion.

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
	Policy 10-2.1	Location of Buildings and Structures. Regulate new development and redevelopment in a manner to minimize potential damage and hazards related to expected seismic activity.	Consistent: There are no seismic hazards within the Community Plan boundaries that preclude development (e.g., earthquake faults, liquefaction zones). This EIR evaluates impacts associated with geologic hazards and requires mitigation to ensure that impacts are reduced to a level of less than significant. Refer to Section 3.6, Geology, Soils, and Seismicity for further discussion.
	Goal 10-3	Flood Hazards. Minimum feasible risks to life and property resulting from flooding and flood induced hazards.	Consistent: Approximately 21 acres of the Community Plan area is located within a 100-year flood zone. Development that occurs within a 100-year flood zone must implement mitigation including elevating structures to at least one foot above the flood elevation. Refer to Section 3.7, Hydrology and Water Quality for further discussion.
	Policy 10-3.1	Limit Construction in Floodplain. Prohibit new buildings in the 100 year flood zone as determined by the Federal Emergency Management Agency (FEMA) and as shown on the FEMA Flood Insurance Rate Maps (FIRM) unless sufficient mitigation can be provided or the area is removed from the flood zone.	Consistent: Approximately 21 acres of the Community Plan area is located within a 100-year flood zone. Development that occurs within a 100-year flood zone must implement mitigation including elevating structures to at least one foot above the flood elevation. Refer to Section 3.7, Hydrology and Water Quality for further discussion.
	Goal 10-5	Emergency Response. A 6 minute 40 second response 90% of the time for emergencies in areas located below the Toe of the Hill (TOH)	Consistent: This EIR addresses emergency response times for both police and fire emergency services and found that adequate response times can be provided to the Community Plan area. Refer to Section 3.10, Public Services and Recreation for further discussion.
	Policy 10-5.2	6 minute 40 second Response Time. Strive to maintain a 6 minute 40 second response time for areas below the Toe of the Hill.	Consistent: This EIR addresses emergency response times for both police and fire emergency services and found that adequate response times can be provided to the Community Plan area. Refer to

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
			Section 3.10, Public Services and Recreation for further discussion.
	Goal 10-6	Hazardous Materials and Waste. Minimum feasible risks to life, property and the environment resulting from the use, storage, transportation and disposal of hazardous materials.	Consistent: This EIR evaluates hazardous materials impacts and requires the implementation of mitigation measures to minimize potential impacts to less than significant. Refer to Section 3.6, Hazards and Hazardous Materials for further discussion.
	Policy 10-6.1	Hazardous Material Regulation. Maintain sufficient regulation of land use and construction to minimize potential health and safety risks associated with future, current or past use of hazardous materials in Fremont.	Consistent: The proposed Community Plan recognizes that there are existing hazardous materials users within the plan area and locates residential and school uses in appropriate locations to help avoid exposing persons to unacceptable health and safety risks resulting from hazardous materials.
	Policy 10-6.2	Sensitive Receptors. Prohibit locating new residential uses or other sensitive receptors in areas which could be exposed to unacceptable health and safety risks resulting from hazardous materials.	Consistent: The proposed Community Plan recognizes that there are existing hazardous materials users within the plan area and locates residential and school uses in appropriate locations to help avoid exposing persons to unacceptable health and safety risks resulting from hazardous materials.
	Goal 10-8	Noise and Vibration. Minimal impacts to residents and property due to noise and ground vibration sources.	Consistent: This EIR evaluates potential noise impacts and sets forth mitigation measures to ensure that sensitive receptors (such as residential uses) are not exposed to excessive noise and ground vibration levels. Refer to Section 3.9, Noise for further discussion.
	Policy 10-8.1	Site Development Acceptable Noise Environment. A noise environment which meets acceptable standards as defined by the State of California Building Code and local policies contained herein.	Consistent: This EIR evaluates potential noise impacts and sets forth mitigation measures to ensure that the proposed Community Plan uses achieve acceptable noise standards. Refer to Section 3.9, Noise for further discussion.

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
	Policy 10-8.2	Acceptable Noise Environment. Guidelines articulated by Table 10-4 are not intended to be applied reciprocally. In other words, if an area currently is below the desired noise standards, an increase in noise up to the maximum should not necessarily be allowed. The impact of a proposed project on an existing land use should be evaluated in terms of potential for adverse community response based on a substantial increase in existing noise levels, regardless of the compatibility guidelines.	Consistent: This EIR evaluates potential noise impacts using the guidelines set forth in Table 10-4 and impacts were assessed in accordance with the guidance set forth in this policy. Refer to Section 3.9, Noise for further discussion.
	Policy 10-8.4	Commercial and Industrial Noise Sources. Control noise created by commercial or industrial sources associated with new projects or developments to not exceed the noise level standards set forth in Table 10-1 as measured at any affected residential land use property line.	Consistent: This EIR evaluates existing noise generated by surrounding commercial and industrial sources and sets forth mitigation measures to ensure noise level standards are not exceeded. Refer to Section 3.9, Noise for further discussion.
	Policy 10-8.5	Construction Noise Levels. Control construction noise at its source to maintain existing noise levels, and in no case to exceed the acceptable noise levels.	Consistent: This EIR evaluates potential construction noise impacts and sets forth mitigation measures to ensure that sensitive receptors are not exposed to excessive noise levels during construction. Refer to Section 3.9, Noise for further discussion.
	Policy 10-8.6	Sensitive Uses. Protect schools, hospitals, libraries, places of religious worship, convalescent homes, and other noise sensitive uses from noise levels exceeding those allowed in residential areas.	Consistent: The Community Plan boundaries do not contain any existing schools, hospitals, libraries, places of religious worship, convalescent homes, or other noise sensitive uses. This EIR evaluates potential noise impacts to the proposed residential uses and sets forth mitigation measures to ensure that sensitive receptors (such as residential uses) are not exposed to excessive noise and ground vibration levels. Refer to Section 3.9, Noise for further discussion.

Table 3.8-4 (cont.): General Plan Consistency Analysis – Goals and Policies

Chapter	Goal/Policy		Consistency Determination
	No.	Text	
	Policy 10-8.10	Vibration Environment. A vibration environment which meets acceptable guidelines as provided by the Federal Transit Administration (FTA).	Consistent: This EIR evaluates potential vibration impacts and sets forth mitigation measures where applicable to ensure that sensitive receptors (such as residential uses) are not exposed to excessive ground vibration levels as provided by the FTA. Refer to Section 3.9, Noise for further discussion.
	Goal 10-9	Crime Preventative Community Planning. Create and maintain a safe community through the incorporation of crime prevention design techniques into new development and redevelopment projects.	Consistent: The proposed Community Plan would include crime prevention design features that would seek to maximize visibility by creating well lit, well signed, and open areas that would deter criminal and nuisance activity. The Community Plan includes standards for open spaces and streets that incorporate adequate lighting, signage, and safety design features.
	Policy 10-9.1	Crime Preventive Design. Apply site and building design techniques and standards that are intended to deter criminal activity in new development and redevelopment projects.	Consistent: The proposed Community Plan would include crime prevention design features that would seek to maximize visibility by creating well-lit, well-signed, and open areas that would deter criminal and nuisance activity. The Community Plan includes standards for open spaces and streets that incorporate adequate lighting, signage, and safety design features.
	Policy 10-9.2	Lighting. Ensure that adequate street and property lighting is provided and maintained.	Consistent: The Community Plan sets forth standards for lighting, including street lighting.
	Policy 10-9.3	Project Design. Encourage project design to focus eyes and attention on public areas and sidewalks.	Consistent: A key concept of the Community Plan is to develop vibrant activity areas (e.g., Innovation Way), which is consistent with the concept of focusing eyes and attention on public areas and sidewalks.
Source: City of Fremont, 2011; FirstCarbon Solutions, 2013.			

Based on the analysis provided in Table 3.8-3 and Table 3.8-4, impacts associated with consistency of the proposed Community Plan with the General Plan would be less than significant.

Level of Significance Before Mitigation

Less than significant impact.

Mitigation Measures

No mitigation is necessary.

Level of Significance After Mitigation

Less than significant impact.

Municipal Code Consistency

Impact LU-3: The proposed project would not conflict with any of the applicable provisions of the City of Fremont Municipal Code.

Impact Analysis

The Community Plan area is currently has base zoning districts of I-R (Restricted Industrial), GI (General Industrial), PF (Public Facilities), and Planned District (P). A TOD overlay zoning district corresponds to properties generally within ½ mile of the future BART station. Of these zoning designations, the TOD overlay is the most significant, as it allows a high-intensity mix of residential, office, retail, service and public uses that would otherwise not be permitted within the base zoning districts.

The Community Plan would serve as the vehicle to implement the TOD overlay. The proposed Community Plan area would include land uses such as residential, office, retail, service, and public uses that are explicitly permitted by the TOD overlay in the Zoning Ordinance.

The proposed Community Plan is based upon TOD principles for land use densities that are supportive of transit services and an urban form. Development of individual sites would vary in intensity and height based upon the targeted use and location within the plan area. The Community Plan would include associated infrastructure improvements and public facility needs, as well as transportation and circulation network improvements. The Community Plan proposes performance standards that provide further guidance regarding parking requirements, setbacks, and other development standards; refer to Community Plan Chapter 3. The proposed Community Plan performance standards would be compatible with the TOD overlay.

In summary, the proposed Community Plan would be compatible with the base zoning districts and TOD overlay zoning district. Impacts would be less than significant.

Level of Significance Before Mitigation

Less than significant impact.

Mitigation Measures

No mitigation is necessary.

Level of Significance After Mitigation

Less than significant impact.

