

## 3.10 - Public Services and Recreation

### 3.10.1 - Introduction

This section describes the existing public services and recreation setting, and potential effects from project implementation on the site and its surrounding area. Descriptions and analysis in this section are based on information provided by the City of Fremont, the Fremont Unified School District, and East Bay Regional Parks District.

### 3.10.2 - Environmental Setting

#### Fire Protection and Emergency Medical Services

The Fremont Fire Department (Fire Department) provides fire protection and emergency medical services to the City of Fremont. The Fire Department’s total service area is 92 square miles, containing a population of approximately 219,926. The Fire Department is headquartered at 3300 Capitol Avenue, Building A, Fremont.

#### Fire Stations

The Fire Department operates 11 stations, 10 of which are currently staffed. (Station No. 11 is temporarily closed at the time of this writing.) The four closest stations to the plan area are listed in Table 3.10-1.

**Table 3.10-1: Fire Station Summary**

Station No.	Address	Distance From Plan Area
4	1000 Pine Street	2.0 miles
5	55 Hackamore Lane	1.1 miles
7	43600 S. Grimmer Boulevard	3.0 miles
11	47200 Lakeview Boulevard (Temporarily Closed)	1.5 miles

Source: City of Fremont, 2013.

Fremont voters approved Measure R in 2002, which authorized the City to issue bonds for \$51 million for capital improvements to fire facilities. The bond proceeds were used to replace three fire stations with new modern stations, build a public safety training center, and make remodeling and seismic improvements to seven existing fire stations. All capital improvements were completed by the end of 2011.

#### Staffing

The Fire Department is currently staffed with 153 positions. Of the 153 positions, 136 are sworn fire personnel, and the remaining 17 are non-sworn civilian positions. The Fire Department staffs 13 in-service fire companies.

#### Apparatus and Equipment

The Fire Department’s apparatus and equipment consists of the following:

- 8 command staff vehicles
- 11 engines and 2 trucks
- 5 reserve engines and 1 reserve aerial ladder truck
- 2 Type IV and 5 Type III engines
- 1 Air/Light unit
- 1 hazardous materials unit and 1 rescue unit
- 2 boats/trailer
- 20 staff vehicles
- 8 utility vehicles

### ***Response Times***

According to the City of Fremont’s General Plan, the City aims to maintain an emergency response time of six minutes and 40 seconds to 90 percent of emergency calls. In 2012, the average response time was five minutes, 21 seconds.

### ***Calls for Service***

In 2012, the Fire Department responded to 13,320 calls for service. Approximately 80 percent of calls are for EMS/rescue and three percent of calls are for fire. Although fire calls make up a small percentage of total call volume, they account for 14 percent of staff time.

### ***Mutual Aid***

The Fire Department also participates in the Alameda County Mutual Aid plan with all other fire agencies within Alameda County. The Alameda County Fire Mutual Aid Plan is implemented when resources have been depleted to the point that additional resources are necessary to provide reasonable protection for the jurisdiction. Fremont also participates in the California Master Mutual Aid Plan that allows out source requests to be filled from an agency outside Alameda County.

### ***Police Protection***

The Fremont Police Department would be the primary law enforcement agency serving the Community Plan area, and the Bay Area Rapid Transit (BART) Police Department would provide law enforcement at the Warm Springs/South Fremont BART station. Each agency is discussed separately.

### ***Fremont Police Department***

The Fremont Police Department (Police Department) provides police and emergency response services to residents in the City of Fremont. The Police Department is headquartered at 2000 Stevenson Boulevard, Fremont.

### ***Organization and Staffing***

The Police Department is organized into three divisions: Administrative, Patrol, and Special Operations. The Police Department is currently staffed by 265 personnel, of whom 167 fill sworn positions and 98 fill non-sworn professional positions. The Police Department is currently recruiting for full-time officers.

*Response Times*

According to the City of Fremont’s General Plan, the City aims to maintain an emergency response time of six minutes and 40 seconds to 90 percent of emergency calls. The Police Department has a response time goal of five minutes for Priority 1 calls, which include felony assaults, stolen vehicles, robberies, vehicle injuries, suicides, shootings, and other similar events. In 2012, the average response time for Priority 1 calls was seven minutes, 15 seconds.

*Calls for Service*

In 2012, the Police Department responded to 72,720 calls for service.

**BART Police Department**

The BART Police Department is responsible for law enforcement on BART property, including trains, stations, and parking areas. The BART Police Department is staffed by 213 positions, including 142 sworn officers. The planned Warm Springs/South Fremont station would be located within Zone 3, Patrol Service Area 2.

The Fremont Police Department regularly responds to assist calls and emergency calls for service at the Fremont BART station. These calls are typically related to thefts, robberies, disturbances on trains, weapons calls, and other similar events to which BART Police cannot respond quickly enough due to staffing limitations or distance.

**Schools**

Fremont Unified School District (FUSD) is responsible for the operation of all public schools in the City of Fremont. As of 2013, FUSD operated 41 educational facilities, including 29 elementary schools, five middle schools, and six high schools. The total FUSD enrollment was 33,308 students in academic year 2012-2013. Table 3.10-2 summarizes FUSD capacity and enrollment.

**Table 3.10-2: Fremont Unified School District Enrollment Summary (2012-2013)**

School Level	Capacity	Enrollment	Surplus (Shortage)
Elementary (K-6)	19,102	18,333	769
Middle (7-8)	4,798	4,847	(49)
High School (9-12)	9,733	10,128	(395)
<b>Total</b>	<b>33,633</b>	<b>33,308</b>	<b>325</b>

Source: Fremont Unified School District, 2013.

**Parks and Recreational Facilities**

The City of Fremont and East Bay Regional Parks District (EBRPD) own and maintain park and recreational facilities in the Fremont area. Each agency’s facilities are discussed below.

## **City of Fremont**

### *Parks*

The City of Fremont operates 58 parks, providing a wide range of recreation facilities to the community. Total acreage is about 1,205 acres, of which approximately 1,017 acres are owned by the City. The remainder is leased from other agencies. This translates to a ratio of 5.5 acres of parkland per 1,000 residents, which exceeds the City's goal of five acres of parkland per 1,000 residents. The following are summaries of parks within the plan area vicinity:

- *Arroyo Agua Caliente Park* is located along Grimmer Boulevard in the Weibel neighborhood east of the plan area. The 8.63-acre park provides basketball courts, children's playground, pathways, and open area.
- *Old Mission Park* is located along Paseo Padre Parkway in the Weibel neighborhood east of the plan area. This 24.7-acre park provides basketball courts, two playgrounds, public restroom, a grass field area, and trails.
- *Irvington Community Park* is a 12-acre park with an associated community center (Wally Pond Irvington Community Center) located on Blacow Road north of the plan area. In addition to the community center, the park features several basketball courts, soccer field, children's playground, and hiking trails. The 14,000-square-foot community center offers a sports gymnasium with a high school-sized basketball court, a championship-sized volleyball court, and six badminton courts.
- *Rix Park* is a 10.7-acre park located on Seneca Park Loop northeast of the plan area that consists of grassy areas and pathways.
- *Warm Springs Park* is a 13.15-acre park with an associated community center (Warm Springs Community Center) located on Fernald Street south of the plan area. The park consists of three tennis courts, children's play structure, basketball courts, and open area. The 6,000-square-foot facility consists of a multi-purpose room that accommodates 150 for dining and 225 for meetings, two meeting rooms with a capacity of up to 38 people, and an outdoor patio that accommodates 150 people.

### *Recreational Facilities*

The City of Fremont offers a range of recreational facilities, including recreation/community centers, a water play facility, sports fields, tennis courts, a golf course, and a dog park. The City also offers an array of recreational programs for youth and adults. The City's Parks and Recreation Department operates five community centers: Centerville, Irvington, Warm Springs, Central Park, and Los Cerritos.

### **Regional Parks**

EBRPD is a special district that operates regional parks in Alameda and Contra Costa Counties. EBRPD operates four regional recreational facilities in or near Fremont: Mission Peak Regional Preserve (2,999 acres), Quarry Lakes Regional Recreation Area (539 acres), Coyote Hills Regional Park (978 acres), and Ardenwood Historic Farm (205 acres).

### 3.10.3 - Regulatory Framework

#### State

##### ***California Fire Code and California Building Code***

The International Fire Code and the International Building Code established by the International Code Council (ICC) and amended by the State of California prescribe performance characteristics and materials to be used to achieve acceptable levels of fire protection. The City of Fremont Municipal Code, Chapter 15.10, adopts the 2013 California Building Code, with amendments, as the Fremont Building Code. The Building and Safety Division is responsible for the administration and enforcement of the Fremont Building Code.

##### ***Leroy F. Greene School Facilities Act of 1998***

The California State Legislature enacted the Leroy F. Green School Facilities Act of 1998 (Senate Bill [SB] 50), which made significant amendments to existing state law governing school fees. SB 50 prohibited state or local agencies from imposing school impact mitigation fees, dedications, or other requirements in excess of those provided in the statute. The legislation also prohibited local agencies from using the inadequacy of school facilities as a basis for denying or conditioning approvals of any project.

##### ***Quimby Act***

The Quimby Act (Government Code Section 66477) allows local governments to require developers to dedicate land, donate conservation easements, or pay fees to fund parkland development. The Quimby Act has a standard of 3.5 acres of parkland per 1,000 residents. The City of Fremont has adopted its own local parkland ordinance and has an objective of 5.0 acres of parkland per 1,000 residents.

#### Local

##### ***City of Fremont***

###### *General Plan*

The City of Fremont General Plan sets forth the following goals and policies related to public services and recreation:

- Goal 8-1 and Policies 8-1.2 and 8-1.4 call for the provisions of parks and recreational facilities and set forth a standard of 5.0 acres of parkland per 1,000 residents.
- Goal 9-1 and Policy 9.1-2 call for a range of public facilities and services to meet the needs of Fremont residents.
- Goal 9-9 and Policy 9.9-2 call for the provision of educational facilities and the payment of school impact fees.
- Goal 10-5 and Policy 10-5.2 establish a response time standard of 6 minutes, 40 seconds for 90 percent of emergencies located below the Toe of the Hill.
- Goal 10-9 and Policy 10-9.1 promote crime preventative design in new development projects.

###### *Municipal Code*

Fremont Municipal Code Chapter 18.290 establishes development fee requirements for new development projects. Development fees are collected for traffic, park land dedication, park

facilities, capital facilities, and fire facilities. For each separate public facility category, a fee is calculated and imposed, and the collected fees are deposited in a separate and distinct “fee fund.”

### 3.10.4 - Methodology

FCS reviewed information about public service and recreation providers in the project vicinity. The City of Fremont General Plan and agency websites were reviewed for relevant information. In addition, FCS reviewed the Fremont Unified School District School Facilities Needs Analysis, dated April 2013, to obtain information about school facilities and enrollment.

### 3.10.5 - Thresholds of Significance

According to Appendix G, Environmental Checklist, of the CEQA Guidelines, public services and utilities impacts resulting from the implementation of the proposed project would be considered significant if the project would:

- a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:
  - i) Fire Protection
  - ii) Police Protection
  - iii) Schools
  - iv) Parks
  - v) Other public facilities
- b) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.
- c) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

### 3.10.6 - Project Impacts and Mitigation Measures

#### Fire Protection and Emergency Medical Services

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**Impact PSU-1:           Development and land use activities contemplated by the Community Plan would not result in a need for new or expanded fire facilities or adverse impacts on fire protection.**

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#### ***Impact Analysis***

The Fremont Fire Department currently provides fire protection and emergency medical services to the Community Plan area.

The proposed Community Plan contemplates up to 4,000 dwelling units and 11,521,526 square feet of non-residential uses, including light industrial, research and development, office, retail, a hotel, and an elementary school within the 879-acre plan area. It is estimated that the Community Plan

would add as many as 12,200 residents to the City of Fremont’s population and create approximately 20,000 new jobs at buildout. As such, there would be a corresponding increase in demand for fire protection and emergency medical services.

The Fire Station closest to the project site is Fire Station 5, which is located at 55 Hackamore Lane, 1.5 miles from the center of the Community Plan area. Using an average travel speed of 25 miles per hour, a fire engine would be able to reach the project site in approximately 3 minutes 36 seconds—within the six minute, 40 second response time objective for 90 percent of emergency responses set forth by General Plan Policy 10-5.2.

The proposed Community Plan would involve the development of commercial structures of 30 feet or more in height. In accordance with the California Fire Code, a minimum of two points of vehicular access would need to be provided.

As new development occurs pursuant to the Community Plan, projects proponents would be required to pay applicable fees in accordance with Fremont Municipal Code Chapter 18.290 to fund capital improvements for fire facilities.

In summary, the proposed project would not create a need for new or expanded fire protection facilities that result in physical impacts on the environment. 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.

**Police Protection**

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**Impact PSU-2:      Development and land use activities contemplated by the Community Plan would not result in a need for new or expanded police facilities or adverse impacts on police protection.**

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***Impact Analysis***

The Fremont Police Department currently provides police protection services to the Community Plan area. BART Police would be responsible for law enforcement on BART property, including the Warm Springs/South Fremont station.

The proposed Community Plan contemplates up to 4,000 dwelling units and 11,521,526 square feet of non-residential uses, including light industrial, research and development, office, retail, a hotel, and an elementary school within the 879-acre plan area. It is estimated that the Community Plan would add as many as 12,200 residents to the City of Fremont’s population and create approximately 20,000 new jobs at buildout. As such, there would be a corresponding increase in demand for police services.

The Police Department evaluated calls for service from comparable existing land uses within the Fremont city limits and used them as a proxy for estimating the number of calls the Community Plan would generate. The Police Department indicated that the existing Blacow/Grimmer neighborhood (4,127 dwelling units) generated 1,127 police reports in 2012; the East Industrial commercial/industrial area generated 847 police reports in 2012; the Marriot Hotel on Landing Parkway generated 22 police reports in 2012; and a comparable grammar school generated four police reports in 2012. Summed together, this represents 2,000 police reports on an annual basis. Additionally, the Police Department indicated that it would likely respond to assist calls and emergencies at the Warm Springs/South Fremont BART station.

The policing zone in which the plan area is located is typically staffed by two to five officers and one sergeant, depending on the shift. New development associated with implementation of the Community Plan would have impacts on calls for service, response times, follow-up investigative services, and similar police services, and result in the need for one additional police officer at all hours and one additional traffic officer between 6 a.m. and 10 p.m. However, no new or expanded police facilities would be necessary to serve the Community Plan area.

New development that would occur pursuant to the Community Plan would be required to pay applicable fees in accordance with Fremont Municipal Code Chapter 18.290 to fund capital improvements for police facilities.

In summary, buildout of the Community Plan would require additional police staffing over time. Appropriate police staffing levels are a policy decision that is within the purview of the Fremont City Council and outside the scope of this EIR. Regardless, no new or expanded police facilities would be necessary and, therefore, 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.

### **Schools**

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**Impact PSU-3: Development and land use activities contemplated by the Community Plan may result in a need for new or expanded school facilities.**

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#### ***Impact Analysis***

FUSD provides K-12 education to the Community Plan area.

The proposed transit-oriented Community Plan contemplates up to 4,000 dwelling units and 11,521,526 square feet of non-residential uses including light industrial, research and development, office, retail, a hotel, and an elementary school within the 879-acre plan area. It is estimated that the Community Plan would add as many as 12,200 residents to the City of Fremont's population and



create approximately 20,000 new jobs at buildout. Note that buildout of the Community Plan would occur over a period of 22 years; thus, increases in student enrollment would occur incrementally and not in a single influx.

Developers within the Community Plan area would pay school impact fees, which, under State law, is the only mitigation the City can require to offset school impacts. In accordance with State law, payment of school impact fees to FUSD would address the Community Plan’s impacts on schools.

However, the residential developers and FUSD have proposed to enter into a Memorandum of Understanding that provides for full mitigation (100 percent) of school impacts associated with students generated from the plan area prior to receiving city approval for project entitlements. To that end, the Community Plan identifies a five- to 10-acre school site in Planning Area 4 that could support an elementary school. The school site would include land for the school and an outdoor play area, which could include shared park facilities with the City. The property owner/developer of Planning Area 4 would dedicate land for the school, and the other residential developers within the plan area would pay their fair share toward the land costs. Furthermore, FUSD and the residential developers would also fund capital improvements for school facilities at junior- and senior-high grade levels. Although the City cannot require the dedication of land or the construction of a new school, this EIR addresses the potential impacts of a future elementary school.

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.

**Parks and Recreation**

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**Impact PSU-4:**      **Development and land use activities contemplated by the Community Plan would not result in a need for new or expanded park, trail, or community facilities beyond those included in the Community Plan.**

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***Impact Analysis***

The City of Fremont provides various parks, trails, and community facilities throughout the City.

The proposed Community Plan contemplates up to 4,000 dwelling units and 11,521,526 square feet of non-residential uses including light industrial, research and development, office, retail, a hotel, and an elementary school within the 879-acre plan area. It is estimated that the Community Plan would add as many as 12,200 residents to the City of Fremont’s population and create approximately 20,000 new jobs at buildout. As such, there would be a corresponding increase in demand for parks and recreation.

The Community Plan proposes a range of parks and public plazas, and a network of bicycle/pedestrian facilities that would provide recreational opportunities for residents, employees, customers, and visitors. Public open space would consist of “engaging, well-landscaped and active frontages facing public rights-of-way, well-landscaped grounds, attractive buildings, and other employee amenities.” The bicycle/pedestrian network would consist of off-street paths (Class I facilities), on-street bike lanes (Class II facilities), shared bicycle/motor vehicle facilities (Class III facilities), and sidewalks. Additionally, a bicycle/pedestrian crossing is proposed to link the Warm Springs/South Fremont BART station with the Innovation Way employment area.

Finally, new development that occurs pursuant to the Community Plan would be required to dedicate park and recreational facilities to the City or pay in-lieu fees to the City in accordance with Fremont Municipal Code Chapter 18.290 for the development of park and recreational facilities. This would ensure that new development provides adequate parks and recreational facilities. 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.