

This final revised recirculated Initial Study/Mitigated Negative Declaration for the Victory Village Senior Housing residential development contains a few minor text edits to the version circulated on March 29, 2017. Text changes in this final document are indicated by ***bold italicized*** text. This includes minor revisions to the project description, additional text to Mitigation Measure CULT-2, and minor text amendments to Section X: Land Use and Planning.

The original IS/MND was circulated on November 30, 2016 with a public comment period of 20 days (extended an additional 15 days) ending on January 4th. Several comment letters were received by the Town based on the original proposed project and IS/MND document. The Town had prepared a response to comments document to respond to those comments received (both merit based comments and comments relating to the IS/MND) however, the project and Town process changed. As a result, many of the original public comments and response statements are no longer valid. Furthermore, many of the public comments have been addressed by the applicant as a result of the project revisions implemented since January 2017.

The IS/MND was recirculated on March 29, 2017 with another public comment period of 20 days ending on April 19, 2017. No public comments were submitted to the Town during this second public comment period.

**INITIAL STUDY /
MITIGATED NEGATIVE DECLARATION - RECIRCULATED
Environmental Checklist**

Victory Village – Affordable Housing
2626 Sir Francis Drake Blvd; Fairfax, CA 94930
Assessor's Parcel Nos. 174-070-17

April 27, 2017

Prepared for:
Town of Fairfax Planning Department
142 Bolinas Road
Fairfax, CA 94930

Prepared by
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APPENDIX C: Tree Preservation and Protection report, Urban Forestry Associates (UFA), October 5, 2016.

APPENDIX D: Cultural Resources Investigation letter report, Pacific Legacy, prepared June 2016; October 5, 2016 AB 52 consultation letter from Town of Fairfax and response from THPO/NAGPRA, November 2, 2016

APPENDIX E: Geotechnical Site Investigation, Herzog Geotechnical, December 2012, May 2016 and August 12, 2016.

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DATE: ~~NOVEMBER 30~~ MARCH 29, 2017
TO: Public Agencies, Organizations and Interested Parties
FROM: Sean Kennings, Contract Planner
SUBJECT: RECIRCULATED NOTICE OF PUBLIC REVIEW AND INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970" as amended to date, this is to advise you that the Town of Fairfax has prepared an Initial Study on the following project:

Project Name: Victory Village – Fairfax Senior Housing

Location: 2626 Sir Francis Drake Boulevard, Fairfax, CA 94930

Assessor's Parcel Nos. 174-070-17

Property Description:

-The affected property is approximately 20 acres in size, of which two +/- acres comprises an existing private church facility and a private elementary school for pre-school through fifth grades with situs address of 2626 Sir Francis Drake Boulevard, Fairfax CA 94930.

The development sponsor proposes to first subdivide the existing 20-acre site into three parcels: one 2-acre parcel (Lot 1) and two remaining 9-acre parcels (Lot 2 & 3). A new General Plan land use designation, RM-S (Residential Multi-Family – Senior), will be adopted and the ~~The~~ General Plan land use designation for the 2-acre parcel will ~~remain PDD~~ be changed from PDD to RM-S (Residential Multi-Family – Senior), while the two 9-acre parcels will also require a General Plan amendment in order to re-designate those properties from PDD to UR-7-10. In addition, the two 9-acre parcels will remain zoned UR-7, while the 2-acre parcel will need to be rezoned ~~PDD~~ RM-S (Residential Multi-Family – Senior). A new ~~Planned Development District~~ RM-S zoning district ordinance in the Fairfax Municipal Code will be adopted ~~for the 2-acre parcel~~ to establish the land uses and development standards applicable ~~to the site~~ for senior residential and specific to the subject property. ~~-The development potential of other potential RM-S zoned properties or~~ of the two 9-acre remainder parcels is not included as part of the proposed project. There is no potential development beyond that proposed by Victory Village for the MND to analyze because there are no other parcels proposed to be zoned RM-S (Residential Multi-Family – Senior) elsewhere in the Town of Fairfax. ~~Because~~ Since the subject property is currently zoned UR-7, the subdivision to allow two remainder parcels of 9-acres each does not create a new intensity of development or create a change in land use for the subject property. Any future development proposals for those parcels would require a separate application to the Town of Fairfax including design review and environmental review and approval. Similarly, the development potential for RM-S eligible

properties would also require separate analysis pursuant to the Town of Development Code and environmental review.

On the 2-acre site, the applicant proposes to demolish the existing primary school and church structures, A-frame building, and parking area and replace them with 54 total residential units (53 affordable apartments for low-income seniors and one manager's apartment) and ~~39-43~~ parking spaces, including 40 resident spaces and 3 staff spaces. The development will be seeking a State Affordable Housing Density Bonus and Concessions for height, covered parking, undergrounding utilities, ~~a small portion of the required parkland dedication~~ and overall density. Housing developments that are 100% affordable to very low households are eligible to receive a density bonus of at least 35%. The Fairfax General Plan has established that the 2-acre portion of the property has a land use density of 20 units/acre (not including any additional density that may result from the application of a density bonus). As applied to this site, the proposed RM-S zoning district would recognize this 20 units/acre density. ~~The development intensity density and design standards included in the proposed project are the exact same that are allowed in the RM-S (Residential Multi-Family – Senior) district for this site. No other intensity density could be established on the project site than what is included in the proposed project. The increase in intensity (over the 20 units/acre allowed) is due to the Density Bonus requested by the project applicant regardless of what zoning district it could be developed in. (Note that the density standards of the RM-S zoning district would generally set the density at 10 units/acre, unless a different density was established by the Town's General Plan, as is the case for the 2-acre site here.)~~ Therefore, ~~Because the 2-acre portion of the property is designated 20 units/acre,~~ the density bonus allows an additional 14 units for a total of 54 units. As proposed, 18 of the total units will ~~serve very~~ serve very low-income households, and 35 will be affordable to low income households. The two 9-acre ~~remainder~~ sites will remain undeveloped. The proposed project also includes parkland dedication of .32 acres located at the rear of Lots 2 and 3.

The new building on the 2-acre portion of the site is proposed to be approximately 50,755 sf in an "E" shaped building with two- and three-story wings that wrap around two courtyards that terrace as the grade changes. The heights of the structure vary as the building moves uphill away from Sir Francis Drake Boulevard. The two-story front façade has a roofline of 26' above existing grade, but becomes a three-story structure 33'-6" above grade at the ridgeline of the first wing of the building. Moving uphill, the building reaches a maximum height of 40'-10" at the ridgeline of the middle wing and then drops down to 32'-10" at the ridgeline of third wing. Solar panels would be installed on west and south facing roof slopes. A new access point and driveway will ~~have the same curb cut location as the existing drive and will run along the southeast edge of the property to the rear and northeast corner of the new building~~ be constructed directly off Sir Francis Drake Boulevard and run west to east and parallel to (south of) to the proposed building footprint. There are perpendicular parking spaces along the drive for the convenience of residents and guests, with accessible parking along the drive and at the rear parking area. The parking areas also include potential to construct future electrical vehicle charging stations (EVCS). The rear parking area extends behind the upper building where trash collection, recycling, and servicing of the building will take place outside of the public view. There is also over 800 sf of secured interior bicycle storage space including 27 resident bicycle parking stalls. Sidewalks are also included connecting the entire 2-acre site to pedestrian access along Sir Francis Drake with an internal pedestrian

circulation system. An on-site drainage system, including two detention basins, and an upgraded drainage ditch and drainage swales has been designed to capture stormwater flows from the new housing development consistent with Town standards for 10 to 100-year storm events.

~~The proposed project also includes an alternative access to connect to the existing storm water drainage system and an alternative vehicle access located off Sir Francis Drake Boulevard that aligns with the drive along the southeast edge of the site. Currently, the~~Presently, ~~the~~ project site is accessed via a driveway off Mitchell Drive, the primary access for the Canon Village residential development. Mitchell Drive is a private street controlled by the Canon Village Homeowners Association. Currently, the Christ Lutheran church located on the subject property has a ~~prescriptive easement to access to~~ the project site via Mitchell Drive. ~~Stormwater-Existing stormwater~~ drainage is also routed through this driveway access. The previous iteration of the proposed project includeincluded ans this alternative drainage and driveway access due to the fact the road and infrastructure connections at Mitchell Drive are located on the Canon Village Homeowners Association (CVHOA) property. ~~Currently~~At present, the CVHOA must vote to ~~continue to allow a prescriptive~~the proposed project and access easement for access to the subject property. This vote is not subject to the local application review and permitting process and therefore cannot be guaranteed to occur prior to project approval from the Town of Fairfax. ~~Therefore~~The previous IS/MND evaluated the proposed vehicular access and drainage routing connecting the project site through Mitchell Drive as well as the alternative access to connect project infrastructure directly through Sir Francis Drake Boulevard.; Based on public comment at the December 15, 2016 Planning Commission hearing, the project applicant determined that four additional parking spaces would make for a superior project thus necessitating the alternate access utilized as the primary access. Therefore, the original access drive off Mitchell is no longer considered in this environmental document and the alternative access is considered the primary (and only) access. As the alternate drainage and access is-was previously evaluated for potential environmental impacts, the previous discussion and environmental assessment is still valid in the recirculated document. Where new analysis is needed in the Checklist, text has been inserted as redlined text. included as part of the project, and will be reviewed in this environmental document for impact assessment.

Discretionary Actions

Development of the proposed project would require discretionary approvals by the Town as the Lead Agency. The Town's discretionary actions would include the following:

- **General Plan Amendment.** The General Plan land use designation for the entire 20-acre site is currently PDD. The A new General Plan land use designation will be created RM-S (Residential Multi-Family – Senior), and applied to for the 2-acre parcel, will remain PDD, while the two 9-acre parcels will require a General Plan amendment in order to re-designate those parcels UR-7-10. Clarifications and corrections needed to implement these changes will likewise be made.
- **Residential Multi-Family District Ordinance.** A new Residential Multi-Family district ordinance (Town Code Chapter 17.112.090) will be adopted to establish the land uses and development standards applicable to sites within the new zone. The new zone will

- accommodate parcels between 2-3 acres in size and be limited to only senior housing. The density will be limited to either 10 units per acre, or as established in the General Plan
- **Zone Change and Text Amendment.** Lot 1, the 2-acre proposed project site, will be rezoned from PDDUR-7 to RM-S (Residential Multi-Family – Senior). The two 9-acre parcels will remain zoned UR-7, while the 2-acre parcel will need to be rezoned PDD. In addition, ~~the existing Planned Development District Ordinance (Town Code Chapter 17.112) will require revision in order to reflect General Plan requirements and to allow a more streamlined review process for sites, such as this one, that are identified as Opportunity Sites in the Town’s Housing Element.~~
 - ~~**Planned Development District Ordinance.** A new Planned Development District ordinance will be adopted for the 2-acre parcel to establish the land uses and development standards applicable to the site.~~
 - **Parcel Map.** A parcel map will be necessary to subdivide the existing 20-acre site into three parcels, one consisting of 2-acres and two parcels of 9-acres each.
 - **Density Bonus Agreement.** The project proposes to develop at densities in excess of what is permitted by the General Plan. The new General Plan designation (RM-S) will be consistent with the development intensities established in the evaluation of this site, which is identified as Opportunity Site #1 in the Town’s Housing Element. In accordance with the Density Bonus Statute (California Government Code § 65915), the project proposes to offer all 53 resident units at rents affordable to very low and low income households and thus qualifies for a density bonus of not less than 35%. This density bonus allows for a total of 54 units in the 2-acre portion of the proposed project. Eighteen of the total units will also serve very low-income households, and 35 will serve low income households. With this density bonus, the project can develop at the proposed density. In order to document the terms of the density bonus, the applicant will be required to enter into a Density Bonus Agreement with the Town.
 - **Traffic Impact Permit.** Town Code Chapter 17.056 requires a traffic impact permit as a prerequisite to any building permit, site improvement, occupancy permit or any discretionary approval from the Town for applicable projects, including the proposed project.
 - **Design Review.** The project will require design review approval.
 - **Excavation Permit.** The project will require an excavation permit from the Planning Commission because it will entail the excavation/~~fill~~ of 315-2,110 cubic yards of material and 440 cubic yard of fill.
 - **Tree Removal Permit.** The project will require a tree removal permit.

Ministerial Actions

Ministerial permits and approvals would be issued by the Town (or other appropriate agency) to allow site preparation, curb cuts, utility connections and other project features subject to ministerial permits.

The Initial Study was completed in accordance with the Lead Agency’s Guidelines for Implementing the California Environmental Quality Act (CEQA). The Initial Study was undertaken for the purpose of deciding whether the project may have a significant effect on the environment. On the basis of such Initial Study, the Lead Agency’s Staff has concluded that the Project will not have a significant effect

on the environment, and has therefore prepared a Draft Mitigated Negative Declaration. The Initial Study reflects the independent judgement of the Lead Agency.

The Project site IS NOT on a list compiled pursuant to Government Code section 65962.5 and is not known to contain any hazardous waste.

The proposed project IS NOT considered a project of statewide, regional or area wide significance.

The proposed project WILL NOT affect highways or other facilities under the jurisdictions of the State Department of Transportation.

A scoping meeting WILL NOT be held by the Lead Agency.

Copies of the Initial Study and Draft Mitigated Negative Declaration are on file and are available for public review at the Lead Agency's office, located at 142 Bolinas Road, Fairfax CA 94930.

The Proposed Mitigated Negative Declaration can be obtained in electronic format by the following method: Contact Linda Neal, Fairfax Principal Planner at (415) 499-8223 or by e-mailing lneal@townoffairfax.org.

Comments from all Responsible Agencies are also requested.

If the Lead Agency finds that the project will not have a significant effect on the environment, it may adopt the Mitigated Negative Declaration. This means that the Lead Agency may proceed to consider the project without the preparation of an Environmental Impact Report.

A twenty-day (20-day) public review period shall commence on ~~November 30~~ **March 29 20162017**. Written comments must be sent to the Town of Fairfax Planning Department, 142 Bolinas Road, Fairfax CA 94940 ~~by December 20~~ **April 19, 20167**. The Town of Fairfax will hold a public hearing on the Initial Study/Negative Declaration and project merits on ~~December 15~~ **April 20, 20162017, 7:00 PM** in the **Fairfax Women's Club at 46 Park Road**. **Correspondence and comments can be delivered to Larry Sean Kennings, Contract Planner, phone: (415) ~~207-2780~~ **533-2111**, email: larrysean@lakassociates.com.**

Date received for Filing: _____

Staff

(Clerk's Stamp)

Title

INITIAL STUDY AND ENVIRONMENTAL CHECKLIST

1. Project Title:

Victory Village – Fairfax Senior Housing

2. Lead Agency Name and Address:

Town of Fairfax
Planning Department
142 Bolinas Road
Fairfax, CA 94930

3. Contact Person and Phone Number:

Sean Kennings, Contract Planner
Phone number: 415.533.2111
Email: sean@lakassociates.com

4. Project Location:

2626 Sir Francis Drake Boulevard, Fairfax, CA 94940;
Assessor's Parcel Nos. 174-070-17

5. Project Sponsor's Name /Address:

Resources for Community Development
2220 Oxford Street
Berkeley, CA 94704

6. General Plan Designation:

Current: PDD (planned development district), proposed: ~~PDD-RM-S~~ (~~planned development Residential Multi-Family – Senior~~-district) for 2 acres, UR-7-10 (upland residential, 7- to 10-acre minimum) for two 9-acre remaining parcels

7. Zoning:

~~Current:~~ UR-7 (upland residential, 7-acre minimum), proposed: ~~PDD-RM-S~~ (~~Residential Multi-Family – Senior planned development~~-district) for 2 acres, UR-7 (upland residential, 7-acre minimum) for two 9-acre remaining parcels

8. Description of Project:

Project Location

The project site is located within the Town of Fairfax in Marin County in the northern San Francisco Bay Area. The property is located at 2626 Sir Francis Drake Boulevard, approximately 3.5 miles west of Highway 101. (Assessor's Parcel Number ~~1~~74-070-17). See Figures 1 and 2 showing the Regional Map and Vicinity Map.

Project Setting

The Victory Village site is northwest of downtown Fairfax off Sir Francis Drake Boulevard at Mitchell Drive. Two-acres of the 20-acre site currently houses the Christ Lutheran Church and was formerly the location for a private elementary school, which was on the site for over ten years and served grades K-8 and 73-78 children. The church is comprised of two buildings (3,500 sf and 6,076 sf) located on the north and east sides of a parking lot which has 35 spaces. Accessed off Mitchell Drive,

the parking covers approximately 19,532 sf in asphalt. The church buildings are surrounded by 4,500 sf of paved patio. There is a small 150 sf storage building on the southwest corner of the church. The site slopes with the grade rising to the northeast and hillsides to the southeast and northwest. Behind the church building at the upper level, there is a flat, compacted-dirt play area. This play area was also used as overflow parking during large events such as graduation and holiday music events and held an additional 25 to 30 parking spaces. To the east of the dirt play area is a 1,800 sf tanbark play area, a volleyball court and a wooden stage and seating area on the northeast end of the site. There is also a small 400 sf A-frame building at the northeast corner of the developed area, which the school used informally for an art and drama room.

The school traffic was surge in nature with peak periods at between 8:00 and 9:30am when all students were required to be at school. The second surge was between 2:45pm and 4:30pm when school was let out. The drop offs and pickups both maximized the use of the parking area with approximately 35 vehicles in the parking lot at each time, particularly at pickup time as parents parked, went to the classrooms or play yard to pick up children, thus overlapping and often filling the parking lot. This pattern occurred daily, Monday through Friday, from mid-August to early June each year.

Project Description

The development sponsor proposes to first subdivide the existing 20-acre site into three parcels: one 2-acre parcel (Lot 1) and two remaining 9-acre parcels (Lot 2 & 3). The General Plan land use designation for the 2-acre parcel will be changed from PDD to RM-S (Residential Multi-Family – Senior), while the two 9-acre parcels will also require a General Plan amendment in order to re-designate those properties UR-7-10. –In addition, the two 9-acre parcels will remain zoned UR-7, while the 2-acre parcel will need to be rezoned RM-S (Residential Multi-Family – Senior). A new RM-S district ordinance in the Fairfax Town Code will be adopted to establish the land uses and development standards applicable to the new senior residential zoning district, which would apply to Lot 1. –The development potential of other potential RM-S zoned properties or the two 9-acre remainder parcels is not included as part of the proposed project as there is no other proposed development (beyond that proposed by Victory Village) for the IS/MND to analyze. There is no potential development beyond that proposed by Victory Village for the MND to analyze because there are no other parcels proposed to be zoned RM-S (Residential Multi-Family – Senior) elsewhere in the Town of Fairfax. Since the subject property is currently zoned UR-7, the subdivision to allow two 9-acre parcels does not create a new intensity of development or create a change in land use for those parcels. Any future development proposals for those parcels would require a separate application to the Town of Fairfax including design review and environmental review and approval. Similarly, the development potential of any future site seeking rezoning to RM-S would also require separate analysis pursuant to the Town Code and environmental review.

On the 2-acre site, the applicant proposes to demolish the existing primary school and church structures, A-frame building, and parking area and replace them with 54 total residential units (53 affordable apartments for low-income seniors and one manager’s apartment) and 43 parking spaces, including 40 resident spaces and 3 staff spaces. The development will be seeking a State Affordable Housing Density Bonus and Concessions for height, covered parking, **undergrounding utilities**, and overall density. Housing developments that are 100% affordable to very low households are eligible to receive a density bonus of at least 35%. The Fairfax General Plan has established that the 2-acre portion of the property has a land use density of 20 units/acre. As applied to this site, the proposed

RM-S zoning district would recognize this same 20 units/acre density (not including any additional density that may result from the application of a density bonus). The development density and design standards included in the proposed project are the exact same that are allowed in the RM-S (Residential Multi-Family – Senior) district. (Note that the density standards of the RM-S zoning district would set the density at 10 units/acre, unless a different density was established by the Town’s General Plan, as is the case for the 2-acre site here.) No other density could be established on the project site than what is included in the proposed project. The increase in density (over the 20 units/acre allowed) is due to the Density Bonus requested by the project applicant regardless of what zoning district it could be developed. Because the 2-acre portion of the property is designated 20 units/acre, the density bonus allows an additional 14 units for a total of 54 units. As proposed, 18 of the total units will serve very low-income households, and 35 will be affordable to low income households. The two 9-acre sites will remain undeveloped. The proposed project also includes parkland dedication of .32 acres located at the rear of Lots 2 and 3.

The new building is proposed to be approximately 50,755 sf in an “E” shaped building with two- and three-story wings that wrap around two courtyards that terrace as the grade changes. The heights of the structure vary as the building moves uphill away from Sir Francis Drake Boulevard. The two-story front façade has a roofline of 26’ above existing grade, but becomes a three-story structure 33’-6” above grade at the ridgeline of the first wing of the building. Moving uphill, the building reaches a maximum height of 40’-10” at the ridgeline of the middle wing and then drops down to 32’-10” at the ridgeline of third wing. Solar panels would be installed on west and south facing roof slopes. A new access point and driveway will be constructed directly off Sir Francis Drake Boulevard and run west to east and parallel (south) to the proposed building footprint. There are perpendicular parking spaces along the drive for the convenience of residents and guests, with accessible parking along the drive and at the rear parking area. The parking areas also include potential to construct future electrical vehicle charging stations (EVCS). The rear parking area extends behind the upper building where trash collection, recycling, and servicing of the building will take place outside of the public view. There is also over 800 sf of secured interior bicycle storage space including 27 resident bicycle parking stalls. Sidewalks are also included connecting the entire site to pedestrian access along Sir Francis Drake with an internal pedestrian circulation system. An on-site drainage system, including two detention basins, and an upgraded drainage ditch and drainage swales has been designed to capture stormwater flows from the new housing development consistent with Town standards for 10 to 100-year storm events.

Presently, the project site is accessed via a driveway off Mitchell Drive, the primary access for the Canon Village residential development. Mitchell Drive is a private street controlled by the Canon Village Homeowners Association. Currently, the Christ Lutheran church located on the subject property has access to the project site via Mitchell Drive. Existing stormwater drainage is also routed through this driveway access. The previous iteration of the proposed project included an alternative drainage and driveway access due to the fact the road and infrastructure connections at Mitchell Drive are located on the Canon Village Homeowners Association (CVHOA) property. At present, the CVHOA must vote to allow the proposed project access to the subject property. This vote is not subject to the local application review and permitting process and therefore cannot be guaranteed to occur prior to project approval from the Town of Fairfax. The previous IS/MND evaluated the proposed vehicular access and drainage routing connecting the project site through Mitchell Drive as well as the alternative access to connect project infrastructure directly through Sir Francis Drake

Boulevard. Based on public comment at the December 15, 2016 Planning Commission hearing, the project applicant determined that four additional parking spaces would make for a superior project thus necessitating the alternate access utilized as the primary access. Therefore, the original access drive off Mitchell is no longer considered in this environmental document and the alternative access is considered the primary (and only) access. As the alternate drainage and access was previously evaluated for potential environmental impacts, the previous discussion and environmental assessment is still valid in the recirculated document. Where new analysis is needed in the Checklist, text has been inserted as redlined text.

~~—Because the subject property is currently zoned UR-7, the subdivision to allow two remainder parcels of 9 acres each does not create a new intensity of development or create a change in land use for the subject property. Any future development proposals for those parcels would require a separate application to the Town of Fairfax including Hill Area Residential Development permit to analyze soils and hydrology, design review and environmental review and approval. Similarly, the development potential for RM-S eligible properties would also require separate analysis pursuant to the Town development Code and environmental review.~~

~~On the 2-acre site, the applicant proposes to demolish the existing primary school and church structures, the A-frame building, parking area and replace them with 54 total residential units (53 affordable apartments for low-income seniors and one manager's apartment) and 39 parking spaces. The development will be seeking State Affordable Housing Density Bonus and Concessions for height, covered parking, a small amount of parkland dedication (roughly 8,900 square feet), and density. Housing developments that are 100% affordable to very low households are eligible to receive a density bonus of at least 35%. The Fairfax General Plan designates the property with a land use intensity of 20 units/acre. The proposed RM-S zoning district would also designate the same 20 units/acre intensity. Because the property is designated 20 units/acre, the density bonus allows an additional 14 units for a total of 54 units. As proposed, 18 of the total units will serve very low-income households, and 35 will be available to low-income households. The two 9-acre sites will remain undeveloped.~~

~~The new building is proposed to be approximately 50,755 sf in an "E" shaped building with two and three-story wings that wrap around two courtyards that terrace as the grade changes. The heights of the structure vary as the building moves uphill away from Sir Francis Drake Boulevard. The two-story front façade has a roofline of 26' above existing grade, but becomes a three-story structure 33'-6" above grade at the ridgeline of the first wing of the building. Moving uphill, the building reaches a maximum height of 40'-10" at the ridgeline of the middle wing and then drops down to 32'-10" at the ridgeline of third wing. A new driveway will have the same curb cut location as the existing drive and will run along the southeast edge of the property to the rear and northeast corner of the new building. There are perpendicular parking spaces along the drive for the convenience of residents and guests, with accessible parking along the drive and at the rear parking area. The rear parking area extends behind the upper building where trash and servicing of the building will take place outside of the public view. There is also over 800 sf of secured interior bicycle storage space. Sidewalks are also included connecting the site to pedestrian access along Sir Francis Drake with an internal pedestrian circulation system. An on-site drainage system including two detention basins, and an upgraded~~

~~drainage ditch and drainage swales has been designed to capture stormwater flows from the new housing development consistent with Town standards for 10 to 100-year storm events.~~

~~The proposed project also includes an alternative access to connect to the existing storm water drainage system and an alternative vehicle access located off Sir Francis Drake Boulevard that aligns with the drive along the southeast edge of the site. (See Figure 8: Alternate Utility and Grading Plan). Currently, the project site is accessed via a driveway off Mitchell Drive, the primary access for the Canon Village residential development. Mitchell Drive is a private street controlled by the Canon Village Homeowners Association. Currently, the Christ Lutheran church on the subject property has a prescriptive easement to access the project site via Mitchell Drive. Stormwater drainage is routed through this driveway access. The proposed project includes this alternative drainage and driveway access due to the fact the road and infrastructure connections at Mitchell Drive are located on the Canon Village Homeowners Association (CVHOA) property. Currently, the CVHOA must vote to continue to allow a prescriptive access easement for the subject property. This vote is not subject to the local application review and permitting process and therefore cannot be guaranteed to occur prior to project approval from the Town of Fairfax. Therefore, the alternate drainage and access is included as part of the project, and will be reviewed in this environmental document for impact assessment.~~

Discretionary Actions

Development of the proposed project would require discretionary approvals by the Town as the Lead Agency. The Town's discretionary actions would include the following:

- **General Plan Amendment.** The General Plan land use designation for the entire 20-acre site is currently PDD. A new General Plan land use designation will be created RM-S (Residential Multi-Family – Senior), and applied to the 2-acre parcel, while the two 9-acre parcels will require a General Plan amendment in order to re-designate those parcels UR-7-10. Clarifications and corrections needed to implement these changes will likewise be made.
- **Residential Multi-Family District Ordinance.** A new Residential Multi-Family district ordinance (Town Code Chapter 17.112.090) will be adopted to establish the land uses and development standards applicable to sites within the new zone. The new zone will accommodate parcels between 2-3 acres in size and be limited to only senior housing. The density will be limited to either 10 units per acre, or as established in the General Plan.
- **Zone Change and Text Amendment.** Lot 1, the 2-acre proposed project site, will be rezoned from PDDUR-7 to RM-S (Residential Multi-Family – Senior). The two 9-acre parcels will remain zoned UR-7.
- **Parcel Map.** A parcel map will be necessary to subdivide the existing 20-acre site into three parcels, one consisting of 2-acres and two parcels of 9-acres each.
- **Density Bonus Agreement.** The project proposes to develop at densities in excess of what is permitted by the General Plan. The new General Plan designation (RM-S) will be consistent with the development intensities established in the evaluation of this site, which is identified as Opportunity Site No. 1 in the Town's Housing Element. -In accordance with the Density Bonus Statute (California Government Code § 65915), the project proposes to include 100% very low income units and thus qualifies for a density bonus of not less than 35%. This density bonus allows for a total of 54 units on the 2-acre portion of the proposed project. Eighteen of the units will serve very low-income households, and 35 will be offered to low income households. With this density bonus, the project can develop at the proposed density. In order

to document the terms of the density bonus, the applicant will be required to enter into a Density Bonus Agreement with the Town.

- **Traffic Impact Permit.** Town Code Chapter 17.056 requires a traffic impact permit as a prerequisite to any building permit, site improvement, occupancy permit or any discretionary approval from the Town for applicable projects, including the proposed project.
- **Design Review.** The project will require design review approval.
- **Excavation Permit.** The project will require an excavation permit from the Planning Commission because it will entail the excavation of 2,110 cubic yards of material and 440 cubic yard of fill.
- **Tree Removal Permit.** The project will require a tree removal permit.

Ministerial Actions

Ministerial permits and approvals would be issued by the Town (or other appropriate agency) to allow site preparation, curb cuts, utility connections and other project features subject to ministerial permits.

9. Surrounding land uses and setting:

The subject property is situated at the base of a heavily wooded valley adjacent to residential developments. The property is bordered on the north and east by private undeveloped open space and the Canyon Village multi-family residential development. Sir Francis Drake and multi-family and apartment residential neighborhoods are west. An undeveloped wooded hillside is south of the property and the Fairfax Congregation of Jehovah's Witnesses is further south.

10. Other Public Agencies Whose Approval Is Required:

BAAQMD, RWQCD,

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

The lead agency, The Town of Fairfax, contacted Buffy McQuillen, Tribal Heritage Preservation Officer for the Federated Indians of Graton Rancheria, via written notice on October 4, 2016. The Tribe responded with a ~~formal~~ letter on November 2, 2016 requesting a tribal consultation for project input with the Town of Fairfax. The Town ~~began the consultation process~~ responded on November 10, 2016, but has yet to formally meet-schedule a meeting with the Tribe as of the publication of this document.

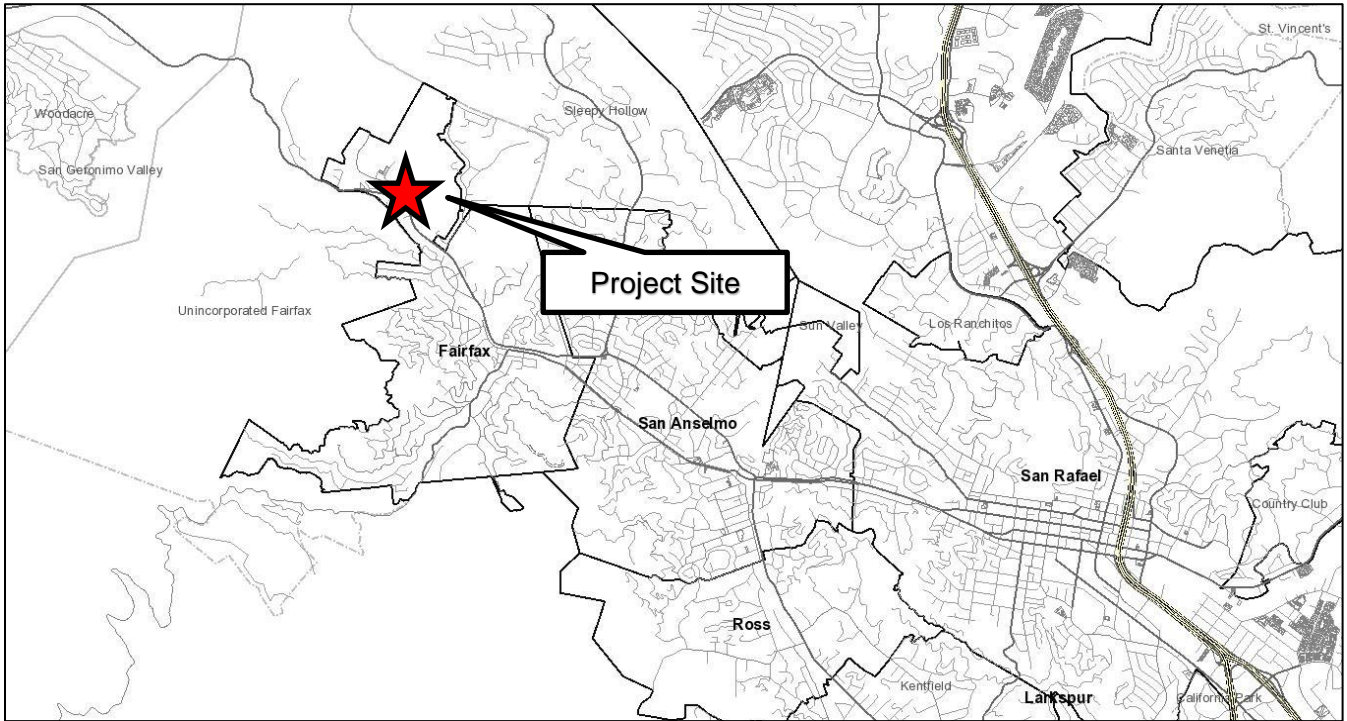


Figure 1: Regional Map

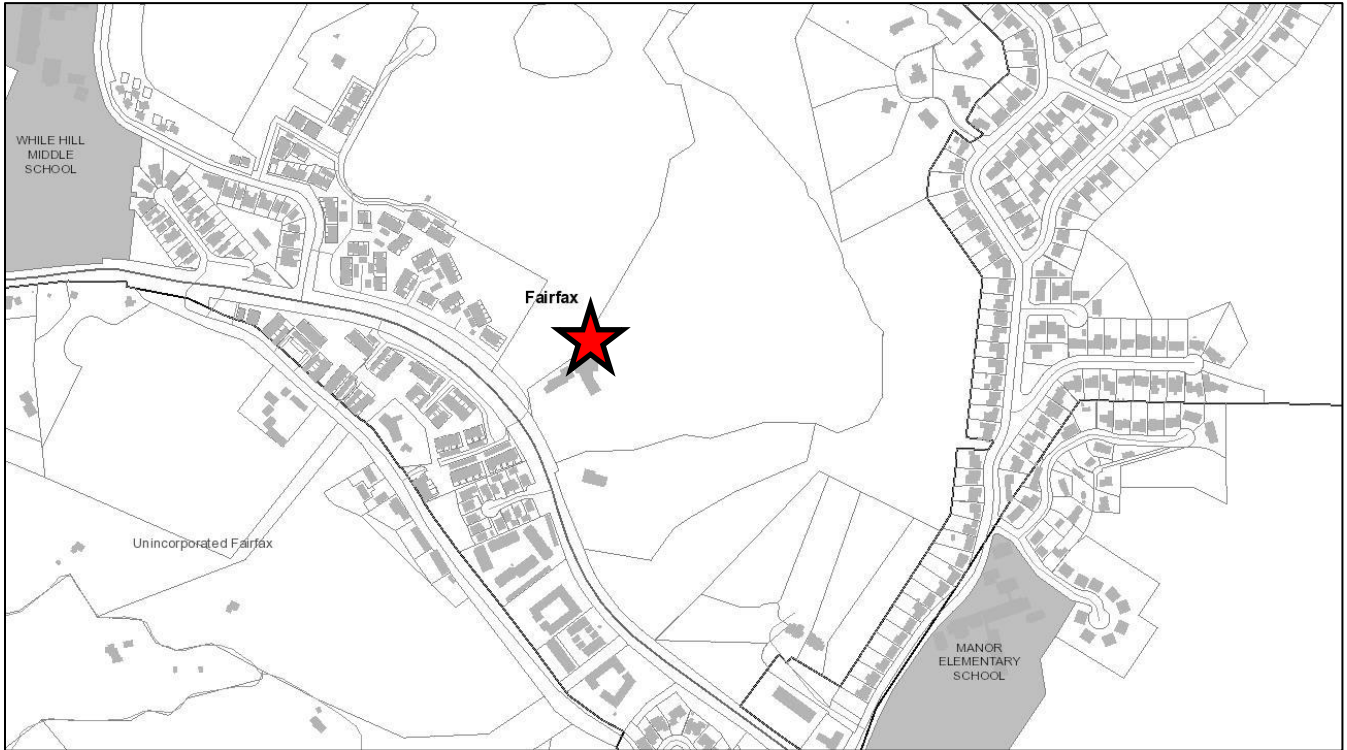
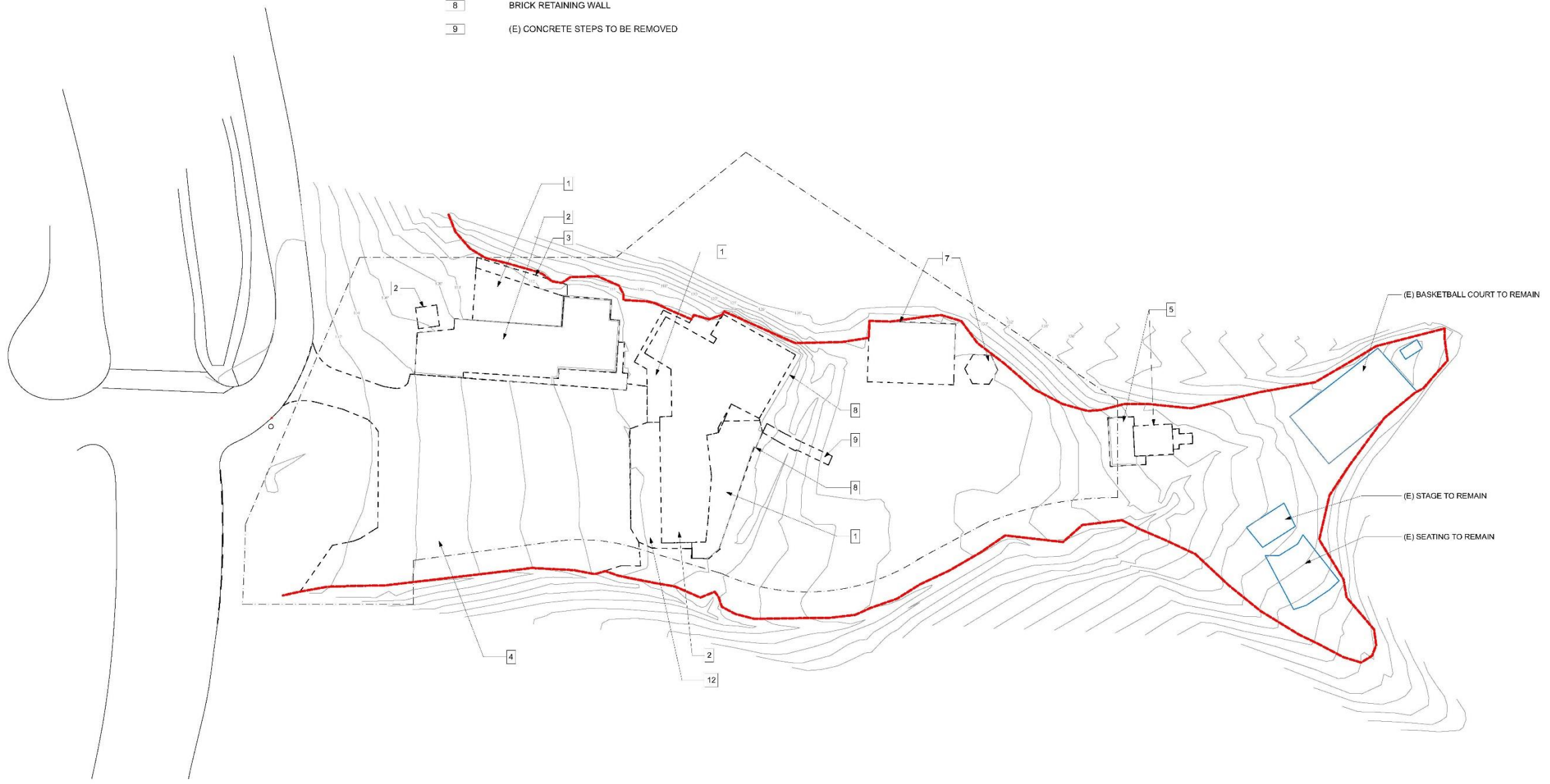


Figure 2: Vicinity Map

- 1 (E) PATIOS TO BE DEMOLISHED
- 2 (E) STRUCTURES TO BE DEMOLISHED
- 3 (E) FENCES & GATES TO BE DEMOLISHED
- 4 ASPHALT PARKING AREA TO BE DEMOLISHED
- 5 (E) WOOD DECK AND A-FRAME BUILDING TO BE REMOVED
- 6 (E) CONCRETE WALL TO BE REMOVED
- 7 (E) TANBARK PLAY AREA TO BE REMOVED
- 8 BRICK RETAINING WALL
- 9 (E) CONCRETE STEPS TO BE REMOVED

- 10 (E) WOOD RETAINING WALL TO BE REMOVED
- 11 (E) CONCRETE DITCH TO BE REMOVED
- 12 (E) PLANTER TO BE REMOVED

- PROPERTY LINE
- BOUNDARY OF PREVIOUSLY DEVELOPED AREA
- TO BE REMOVED



1 EXISTING SITE DEMO PLAN
A-1.1 SCALE: 1" = 30'



Fairfax Senior Housing | A-1.1 EXISTING/DEMO SITE PLAN

Fairfax, California | 03/17/2017 | Resources for Community Development | # 1429



Figure 3: Existing/Demolition Site Plan

PROJECT DATA

Building Area Summary	Unit Count			
	2 Bedroom	1 Bedroom	Studio	Unit Count
Floor LL (+104')	1	2	1	4
Floor Main (+114')		14	2	16
Floor 2 (+124')		18	1	19
Floor 3 (+134')		13	2	15
TOTAL	1	47	6	54

Parking Summary	Spaces
Resident Parking	40
Staff Parking	3
TOTAL	43
Parking Ratio	0.80

SHEET NOTES

- 1 FIRE CONNECTION
- 2 BACK FLOW PREVENTERS
- 3 PAD MOUNTED TRANSFORMER
- 4 EXISTING HYDRANT
- 5 NEW HYDRANT
- 6 EXISTING ELECTRIC UTILITY POLE
- 7 CONCRETE RETAINING WALL
- 8 LOW STEEL FENCE WITH WOOD RAIL
- 9 RAISED ACCESSIBLE PLANTERS
- 10 METAL DEER FENCE
- 11 PARKING POLE LIGHT FIXTURE

- 12 (E) CROSSWALK
- 13 NEW CROSSWALK
- 14 EXTEND SIDEWALK, CURB AND GUTTER TO PROPERTY LINE AS SHOWN
- 15 POTENTIAL PEDESTRIAN CROSSING ENHANCEMENT- SIGNAL WITH FLASHING LIGHT BOTH SIDES OF SIR FRANCIS DRAKE
- 16 STORM DRAIN
- 17 ROUGHENED CHANNEL, SEE CIVIL DRAWINGS.
- 18 DESIGNATED SMOKING AREA WITH BENCH
- 19 DASHED LINE REPRESENT PREVIOUSLY DEVELOPED AREA
- 20 DECOMPOSED GRANITE PATH TO MECHANICAL ROOM

LEGEND

- PROPERTY LINE
- (N) METAL FENCE
- BOUNDARY OF PREVIOUSLY DEVELOPED AREA
- ACCESSIBLE PARKING SPACE
- RESIDENTIAL
- CIRCULATION/MAINTENANCE
- COMMON AREAS
- NEW TREE LOCATION, SEE SHEET L-1



1 SITE PLAN
A-1.0 SCALE: 1" = 30'



Fairfax Senior Housing | A-1.0 PROPOSED SITE PLAN AND PROJECT DATA

Fairfax, California | 03/17/2017 | Resources for Community Development | # 1429



Figure 4: Proposed Site Plan



1 VIEW OF LOBBY ENTRANCE AND COURTYARD



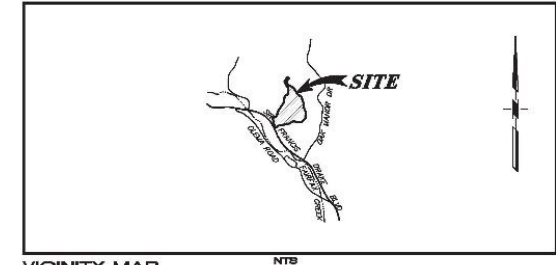
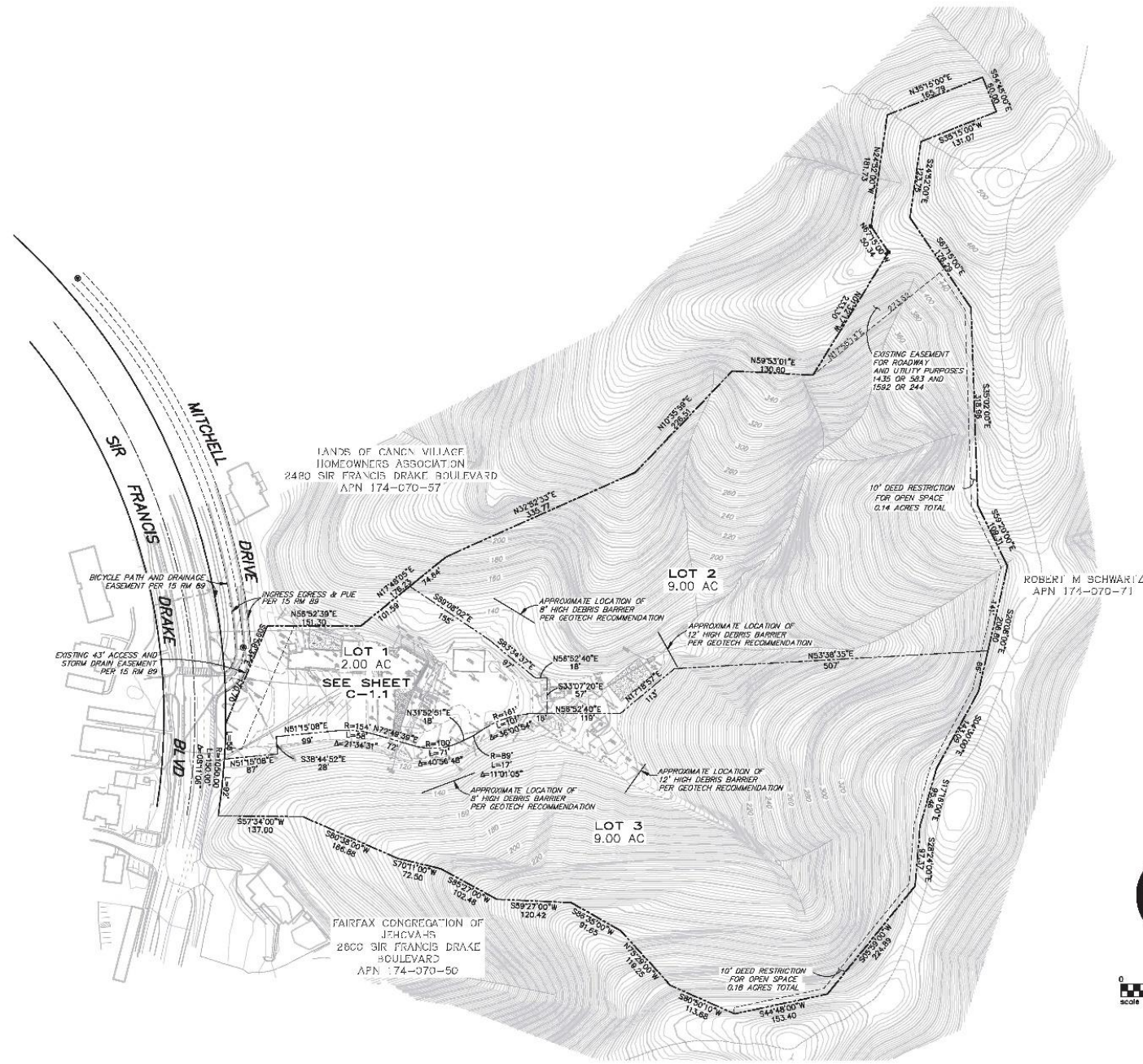
2 VIEW FROM SIR FRANCIS DRAKE

Fairfax Senior Housing | A-0.1 PERSPECTIVE VIEWS

Fairfax, California | 03/17/2017 | Resources for Community Development | # 1429

**VAN METER
WILLIAMS
POLLACK**

Figure 5: Perspective Views



VICINITY MAP NTS

LEGEND

- SUBDIVISION BOUNDARY
- STREET GRADE
- WATER (PVC), FIRE HYDRANT, BLOWOFF
- SEWER (PVC), MANHOLE, CLEAN OUT
- STORM DRAIN (RCP), CATCH BASIN, DROP INLET
- RETAINING WALL
- SLOPE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- VEGETATIVE SHALE
- PUBLIC STORM DRAIN EASEMENT
- EXISTING TREES: SAVE REMOVE MAY REMOVE

NOTES

1. ALL STREETS ARE PUBLIC UNLESS OTHERWISE SHOWN.
2. ALL PAD ELEVATIONS ARE ABOVE 100-YEAR FLOOD ELEVATION.
3. ALL SEPTIC SYSTEMS AND WELLS WILL BE REMOVED IN ACCORDANCE WITH MARIN COUNTY HEALTH DEPARTMENT REGULATIONS.
4. ENGINEER IS NOT AWARE OF ANY ADVERSE SOIL CONDITIONS THAT WOULD PRECLUDE THIS TYPE OF DEVELOPMENT.
5. ENGINEER IS NOT AWARE OF ANY HAZARDOUS MATERIALS ON SITE.
6. ALL EXISTING STRUCTURES ARE TO BE REMOVED.
7. STORM DRAIN SIZES SHOWN ARE APPROXIMATE ONLY. EXACT SIZE WILL BE DETERMINED WITH IMPROVEMENT PLANS AND CALCULATIONS.
8. SEWER INVERT ELEVATIONS SHALL BE BASED UPON THE FINAL DESIGN OF INFRASTRUCTURE SEWER IMPROVEMENTS.
9. SUBDIVIDER INTENDS TO RESERVE THE RIGHT TO FILE MULTIPLE FINAL MAPS FOR THIS PROJECT PURSUANT TO SECTION 66496.1 OF THE SUBDIVISION MAP ACT.
10. ALL EASEMENTS ARE SHOWN PER THE TITLE REPORT AND TO THE KNOWLEDGE OF THE SURVEYOR.
11. DEBRIS BARRIERS PER PRELIMINARY GEOTECHNICAL RECOMMENDATIONS REPORT BY HERZOG GEOTECHNICAL DATED AUGUST 12, 2016.

PROJECT DATA

ADDRESS 2626 SIR FRANCIS DRAKE BOULEVARD

ASSESSORS PARCEL NUMBER 174-070-17

TOTAL GROSS ACRESAGE 20.0 ACRES

GENERAL PLAN LAND USE PLANNED DEVELOPMENT DISTRICT

ZONING: EXISTING ZONING UR-7

PROPOSED ZONING LOT 1: SENIOR HOUSING LOTS 2&3: UR-7

DENSITY LOT 1: 21.55 DU/AC LOTS 2&3: 1 UNIT/1 AC

LOT SIZES LOT 1: 2.00 ACRES, LOT 2: 10.30 ACRES, LOT 3: 7.30 ACRES

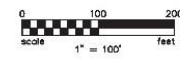
AVERAGE LOT SLOPE LOT 1: 12.6%, LOT 2: 61.2%, LOT 3: 56.6%

WATER SUPPLY MARIN MUNICIPAL WATER DISTRICT

SEWAGE DISPOSAL ROSS VALLEY SANITARY DISTRICT

BENCH MARK

FOUND CENTERLINE MONUMENT ON EAST END OF MITCHELL DRIVE PER 84 RM SHEETS 84-9 ELEV. = 99.98 (ASSUMED)



MARK R. HALE, PE 43073 DATE



JAMES LEE SMITH, PLS 8185 DATE

3 LOTS 20.0 ACRES MARCH, 2017

BEING A SUBDIVISION OF THE LANDS OF CHRIST THE VICTOR LUTHERAN CHURCH AS RECORDED IN DOCUMENT NUMBER 1542 OR 241, OFFICIAL RECORDS OF MARIN COUNTY, CALIFORNIA.

OWNER
CHRIST THE VICTOR LUTHERAN CHURCH
2626 SIR FRANCIS DRAKE BLVD
FAIRFAX, CA. 94930
(415) 454-6363

DEVELOPER
RESOURCES FOR COMMUNITY DEVELOPMENT
2220 OXFORD ST
BERKELEY, CA. 94704
(510) 841-4410

ENGINEER & SURVEYOR
CARLILE • MACY
15 Third Street
Santa Rosa, CA. 95401
(707) 542-6451

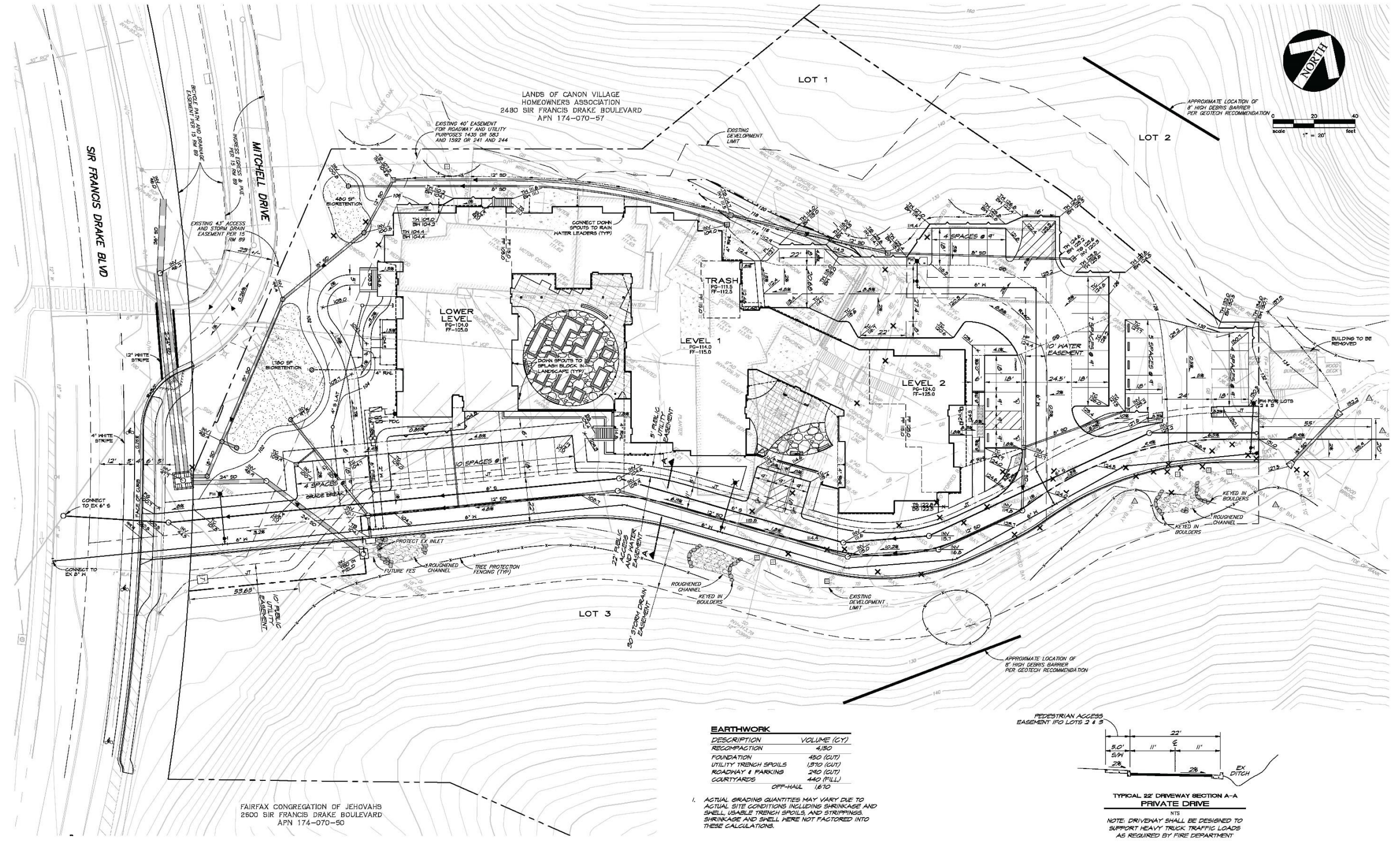
Fairfax Senior Housing | C-1.0 TENTATIVE MAP

Fairfax, California | 3/17/2017 | Resources for Community Development | # 1429

CARLILE • MACY
CIVIL ENGINEERS • URBAN PLANNERS
LAND SURVEYORS • LANDSCAPE ARCHITECTS
15 THIRD STREET, SANTA ROSA, CA 95401
TEL. (707) 542-6451 FAX. (707) 542-6212
PROJECT No. 2016004

VAN METER WILLIAMS POLLACK LLP

Figure 6: Proposed Tentative Map/Lot Plan

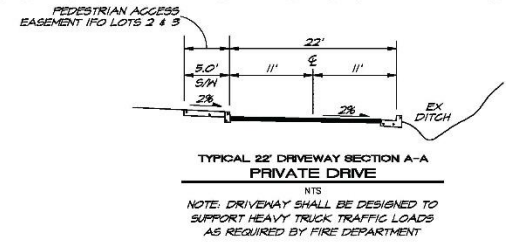


FAIRFAX CONGREGATION OF JEHOVAHS
2600 SIR FRANCIS DRAKE BOULEVARD
APN 174-070-50

EARTHWORK

DESCRIPTION	VOLUME (CY)
RECOMPACTION	4,150
FOUNDATION	430 (CUT)
UTILITY TRENCH SPOILS	1,870 (CUT)
ROADWAY & PARKING	240 (CUT)
COURTYARDS	440 (FILL)
COURTYARDS	OFF-HALL 1,670

1. ACTUAL GRADING QUANTITIES MAY VARY DUE TO ACTUAL SITE CONDITIONS INCLUDING SHRINKAGE AND SWELL, USABLE TRENCH SPOILS, AND STRIPPING. SHRINKAGE AND SWELL WERE NOT FACTORED INTO THESE CALCULATIONS.



Fairfax Senior Housing | C-2.0 UTILITY & GRADING PLAN

Fairfax, California | 3/17/2017 | Resources for Community Development | # 1429

CARLILE • MACY
CIVIL ENGINEERS • URBAN PLANNERS
LAND SURVEYORS • LANDSCAPE ARCHITECTS
15 THIRD STREET, SANTA ROSA, CA 95401
TEL (707) 542-6451 FAX (707) 542-5212
PROJECT No. 2016004

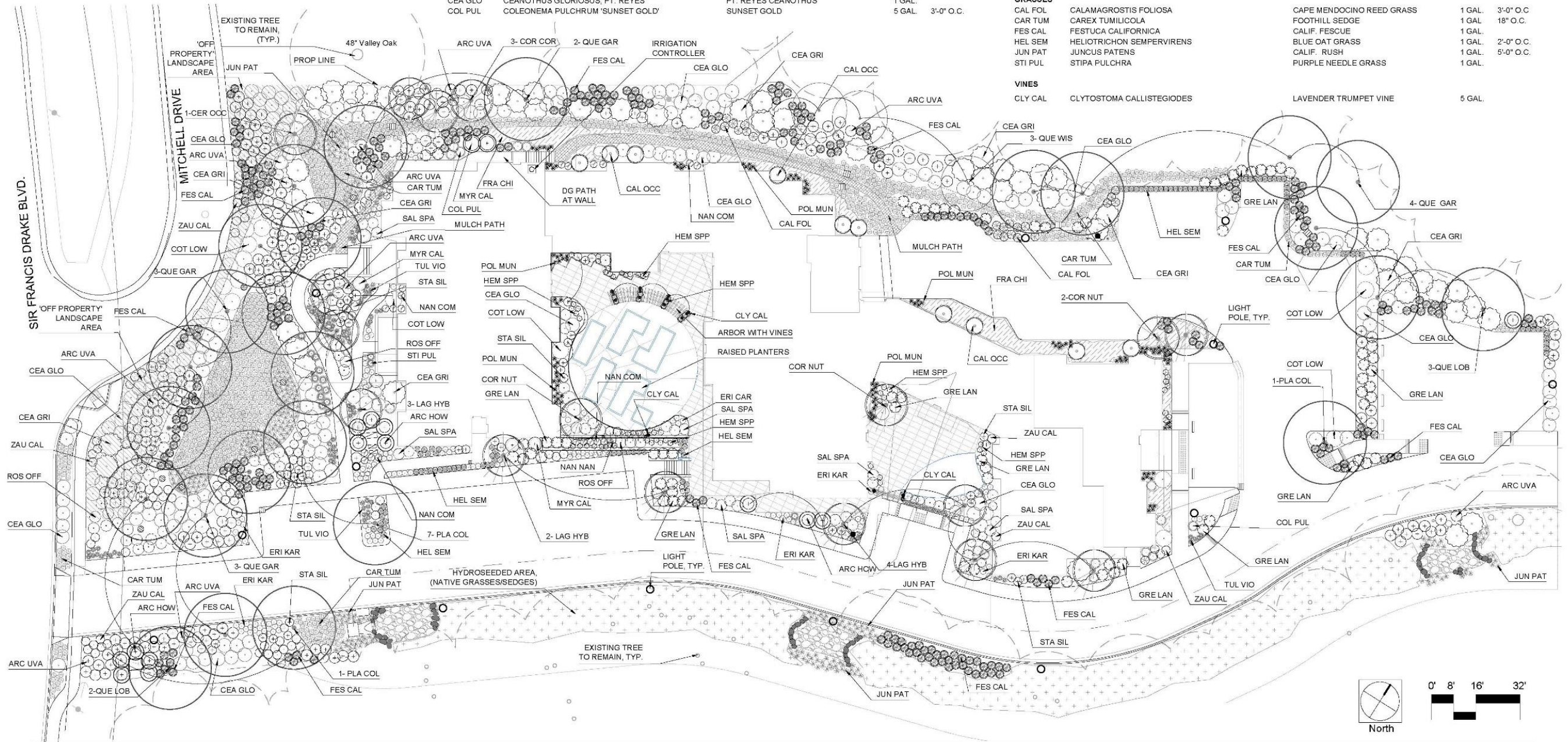
**VAN METER
WILLIAMS
POLLACK**

Figure 7: Utility and Grading Plan

PLANT LIST

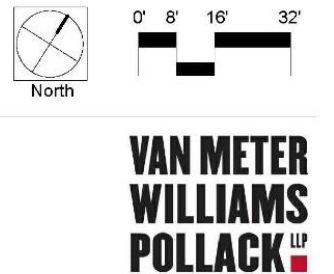
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
TREES				
COR NUT	CORNUS NUTTALLII	CALIFORNIA DOGWOOD	15 GAL.	
COR COR	CORYLUS CORNUTA CALF.	CALIFORNIA HAZELNUT	15 GAL.	
LAG HYB	LAGERSTROEMIA X TRIBE HYBRID	CRAPEMYRTLE	15 GAL.	
PLA COL	PLATANUS X A. 'COLUMBIA'	COLUMBIA LONDON PLANE	15 GAL.	
QUE GAR	QUERCUS GARRYANA	WHITE OAK	15 GAL.	
QUE LOB	QUERCUS LOBATA	VALLEY OAK	15 GAL.	
QIE WIS	QUERCUS WISLIZENI	INTERIOR LIVE OAK	15 GAL.	
CER OCC	CERCIS OCCIDENTALIS	WESTERN REDBUD	15 GAL.	
SHRUBS/GROUNDCOVERS				
ARC HOW	ARCTOSTAPHYLOS D. HOWARD MCMINN	HOWARD MCMINN MANZANITA	5 GAL.	
ARC UVA	ARCTOSTAPHYLOS UVA-URSI	BEARBERRY	1 GAL.	
CAL OCC	CALYCANTHUS OCCIDENTALIS	SPICE BUSH	5 GAL.	
CEA GRI	CEANOTHUS GRISEUS HORIZONTALIS	CARMEL CREEPER	1 GAL.	8'-0" O.C.
CEA GLO	CEANOTHUS GLORIOSUS, PT. REYES	PT. REYES CEANOTHUS	1 GAL.	
COL PUL	COLEONEMA PULCHRUM 'SUNSET GOLD'	SUNSET GOLD	5 GAL.	3'-0" O.C.

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
SHRUBS/GROUNDCOVERS (CONT)				
COT DAM	COTONEASTER DAMMERI 'LOWFAST'	BEARBERRY COTONEASTER	1 GAL.	6'-0" O.C.
FRA CHI	FRAGARIA CHILOENSIS	WILD STRAWBERRY	1 GAL.	30" O.C.
GRE LAN	GREVILLEA LANIGERA, COASTAL GEM	COASTAL GEM GREVILLEA	1 GAL.	
MYR CAL	MYRICA CALIFORNICA	PACIFIC WAXMYRTLE	5 GAL.	
NAN NAN	NANDINA NANA	DWARF NANDINA	1 GAL.	
NAN COM	NANDINA D. COMPACTA	COMPACT HEAVENLY BAMBOO	5 GAL.	
ROS OFF	ROSMARINUS OFF. PROSTRATA	PROSTRATE ROSEMARY	1 GAL.	
PERENNIALS/FERNS				
HEM DAY	HEMEROCALLIS	DAYLILY	1 GAL.	2'-0" O.C.
POL MUN	POLYSTICHUM MUNITUM	WESTERN SWORD FERN	1 GAL.	
SAL SPA	SALVIA SPATHACEA	HUMMINGBIRD SAGE	1 GAL.	
STA SIL	STACHYS BYZANTINA SILVER CARPET	SILVER CARPET LAMBS EAR	1 GAL.	
TUL VIO	TULBAGHIA VIOLACEA	SOCIETY GARLIC	1 GAL.	
ZAU CAL	ZAUSCHNERIA CALIFORNICA	CALIF. FUCHSIA	1 GAL.	
GRASSES				
CAL FOL	CALAMAGROSTIS FOLIOSA	CAPE MENDOCINO REED GRASS	1 GAL.	3'-0" O.C.
CAR TUM	CAREX TUMILICOLA	FOOTHILL SEDGE	1 GAL.	18" O.C.
FES CAL	FESTUCA CALIFORNICA	CALIF. FESCUE	1 GAL.	
HEL SEM	HELIOTRICHON SEMPERVIRENS	BLUE OAT GRASS	1 GAL.	2'-0" O.C.
JUN PAT	JUNCUS PATENS	CALIF. RUSH	1 GAL.	5'-0" O.C.
STI PUL	STIPA PULCHRA	PURPLE NEEDLE GRASS	1 GAL.	
VINES				
CLY CAL	CLYSTOSTOMA CALLISTEGIODES	LAVENDER TRUMPET VINE	5 GAL.	



Fairfax Senior Housing | L-1 | Planting Plan
 Fairfax, California | 03-17-17 | Resources for Community Development | #1429

abey arnold
 LANDSCAPE ARCHITECTS
 1005 A Street, Suite 305
 San Rafael, California 94901
 Phone 415-258-8580
 Fax 415-258-9780
 CA License #2616



**VAN METER
 WILLIAMS
 POLLACK**

Figure 8: Proposed Planting/Landscaping Plan

COLORS

- A] SHERWIN-WILLIAMS SW2822 "DOWNING SAND"
- B] SHERWIN-WILLIAMS SW7733 "BAMBOO SHOOT"
- C] SHERWIN-WILLIAMS SW0044 "HUBBARD SQUASH"
- D] SHERWIN-WILLIAMS SW7024 "FUNCTIONAL GRAY"
- E] SHERWIN-WILLIAMS SW7101 "FUTON"

MATERIALS & SYSTEMS

- 1] CEMENT PLASTER
- 2] VERTICAL CEMENT BOARD SIDING
- 3] FIBER CEMENT BOARD & BATTEN SIDING, BATTENS EVENLY SPACED
- 4] FIBER CEMENT PANEL
- 5] STANDING SEAM METAL ROOF
- 6] FIBERGLASS COMPOSITION SHINGLE ROOF
- 7] ALUMINUM STOREFRONT SYSTEM
- 8] WOOD TRELLIS
- 9] ALUMINUM WINDOWS (VINYL ALTERNATE)
- 10] EXPOSED CONCRETE BASE
- 12] COVERED ENTRY STRUCTURE W/ WD POST
- 13] CONCRETE SEAT WALLS
- 14] METAL GATE WITH ALUMINUM PERFORATED PANEL
- 15] WOOD AND METAL FENCE
- 16] DOWNSPOUT
- 17] GUTTER AND DOWNSPOUT
- 18] WOOD SUNSHADE WITH STEEL FRAME
- 19] PTAC (HVAC) LOUVER
- 20] SOLAR PANELS
- 21] DOUBLE SIDED FIREPLACE
- 22] STAINED CONCRETE STEPS



1 SOUTHWEST ELEVATION
A-3.1 SCALE: 3/32" = 1'-0"



2 NORTHEAST GARDEN COURT ELEVATION
A-3.1 SCALE: 3/32" = 1'-0"



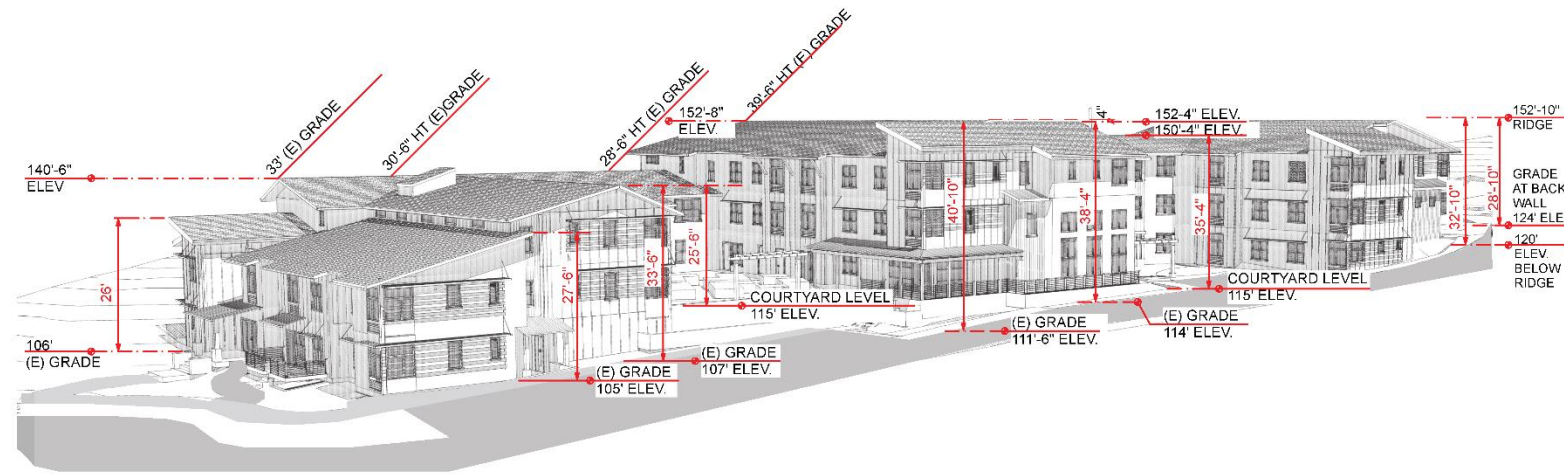
3 SOUTHEAST ELEVATION
A-3.1 SCALE: 3/32" = 1'-0"

Fairfax Senior Housing | A-3.1 EXTERIOR ELEVATIONS

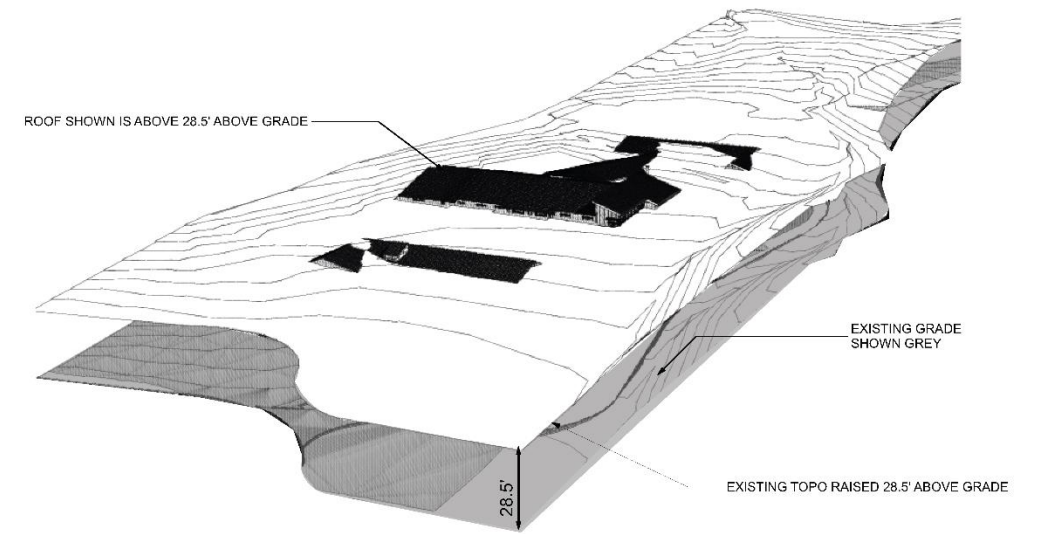
Fairfax, California | 9/8/2016 | Resources for Community Development | # 1429



Figure 9: Proposed Elevations



3 BUILDING HEIGHTS FROM EXISTING GRADE
NOT TO SCALE



2 3D VIEW WITH 28.5' EXISTING TOPO PLANE
NOT TO SCALE



1 SOUTHEAST BUILDING HEIGHTS
SCALE: 3/32" = 1'-0"

Fairfax Senior Housing | A-3.4 BUILDING HEIGHT DIAGRAM

Fairfax, California | 9/8/2016 | Resources for Community Development | # 1429



Figure 10: Proposed Height Diagram

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ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Transportation / Traffic | <input checked="" type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Utilities / Service Systems |
| <input type="checkbox"/> Mandatory Finding of Significance | | |

DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an EARLIER EIR or NEGATIVE DECLARATION pursuant to applicable legal standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Date

EVALUATION OF ENVIRONMENTAL IMPACTS

Please note: The response to each question below is supported by a source of data or information, which is provided in Source References (Section C below) of this checklist.

I. AESTHETICS	<i>Potentially Significant Impact</i>	<i>Less-Than-Significant With Mitigation Incorporation</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>
<i>Would the project:</i>				
<i>a. Have a substantial adverse effect on a scenic vista?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>c. Substantially degrade the existing visual character or quality of the site and its surroundings?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Fairfax is located 3.25 miles (5.2 km) west-northwest of San Rafael, at an elevation of 115 feet (35 m). The town’s natural setting encompasses a series of valleys, canyons, and forested hills with largely undeveloped ridgelines. Scenic and natural resources are key aspects of the community’s sense of place and contribute to the overall quality of life in Fairfax. In addition to the form of the land, mature trees and the extensive areas of protected open space in and around the Town help define the community character. The architectural diversity of the neighborhoods and the compact, small scale Town Center area also make Fairfax a very special place for residents and visitors. The Fairfax General Plan Land Use Element includes goals (Goal LU-1), policies (LU-1.2.2) and associated programs that are intended to protect the scenic and natural resources within the Fairfax Planning Area.

Discussion a): Have a substantial adverse effect on a scenic vista?

No Impact. The project is not in proximity to any designated scenic vistas in the surrounding area. Neither the Marin Countywide Plan nor the Town of Fairfax General Plan identifies the project site as being within or next to a Visually Significant Hillside, Ridge, or Landform. Similarly, the project site is not visible from any designated Scenic Rural Roadways. Although the proposed project includes new construction, the new three-story structure has been designed to minimize the mass and scale by articulating and varying the heights and facades fronting Sir Francis Drake. The proposed design is generally compatible with buildings in the area that are mostly two story wood construction apartments.

Accordingly, there are no designated scenic vistas in Town, thus, the proposed project will not result in an adverse effect on a scenic vista. For these reasons, the impact is considered less than significant and no mitigation is required.

Discussion b): Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway

No Impact. The proposed project is not located on a site with designated or identified scenic resources. Sir Francis Drake Boulevard, one of two main arterial roads in Fairfax, is not designated as a scenic highway in the California State Scenic Highway Program (http://www.dot.ca.gov/hq/LandArch/scenic_highways/). Therefore, the proposed project will have no impact on scenic resources such as trees or rock outcroppings on a state scenic highway.

Furthermore, the project would not impede views of scenic resources such as ridgelines, hillsides, historic visual resources, or scenic trees because the development is designed to limit the overall mass, height, and scale of the new building. This is achieved by articulating and stepping the façade closest to Sir Francis Drake so that overall height and mass does not project above ridgelines or further degrade existing views to trees above and beyond the development site (see Figure 5: Perspective Views). Because there is no state scenic highway near the subject property and new construction would not create impediments to views of scenic resources, there is no impact and no mitigation is required.

(Sources: 1, 2, 3)

Discussion c): Substantially degrade the existing visual character or quality of the site and its surroundings?

Less Than Significant Impact. The proposed project would not substantially degrade the existing visual character or quality of the site or the surroundings because the proposed project would be located in a similar footprint of disturbance to existing development on the project site. The project does not propose significant amounts of grading or landform alterations, incompatible uses, or significant vegetative clearing that could substantially degrade the existing visual character of the project site or the surrounding area.

The Town of Fairfax limits height to 28.5 feet or two stories, except if the lot slope exceeds 10%, in which case structure height may not exceed 28.5 feet or three stories. Although the proposed project includes portions of the residential building that exceed the height limit by 13', the application seeks a density bonus that allows the additional height – up to 42' maximum. The building has been articulated and stepped in such a way that the main mass and height of the building is set back from Sir Francis Drake Boulevard to avoid blocking ridgeline views from the public right-of-way and neighboring residential developments (see Figure 5: Perspective Views). The proposal also minimizes the areas of the roofline over 28.5 feet by stepping the building's three wings up the sloping site following the terraces of the site's topography. The main frontage to Sir Francis Drake is a two-story 27' tall façade, while the central portion of the building is three stories and 40'-10" and the building's rear wing then steps back down to two stories and 32'-10". Roof plan and elevation exhibits in the plan submittal indicate several west and south facing roof slopes will include solar panels. Illustrative exhibits and project elevations in the revised project plan set depict the solar panels as flush mounted (or within 6" to 8") on the shingled roof. Roof panels do not appear to project over proposed roof peaks. Panel construction would be reviewed for design review consistency with the Fairfax General Plan and analyzed for compatibility with overall heights of

the proposed structure. Finally, the revised project access and revised landscape plan include adequate substantial vegetation and tree replanting to provide substantial adequate screening of the project site from Sir Francis Drake Boulevard as required by the Fairfax Town Code for Design Review (see Figure 4: Project Illustrations).

Although the project would be taller than the maximum height allowed for the subject property, the proposed project would be consistent with the Town of Fairfax General Plan Initial Study and the goals, policies and programs that are intended to preserve scenic and natural resources, specifically, General Plan policy (LU-1.2.3) *New or renewed development shall be designed and located so as to minimize the visual mass.* As discussed in Response I(a) and (b) above, the project has been designed to vary the heights and facades facing Sir France Drake Boulevard and is thus consistent with this policy.

The development of any structure within the Town boundaries is subject to Planning Commission Design Review for consistency with current General Plan policies. In addition to consistency with the existing General Plan and zoning designations, per the Fairfax Code Chapter 17.040.020 for design review, the project approval process must evaluate the project's compatibility and harmony with existing development, preservation of existing trees and natural landforms, how the project will create a visually pleasing setting for occupants, use quality building materials and landscaping, and how the landscaping will be maintained over time. The overall design aesthetic, including the proposed height and articulation of the building mass would be reviewed for Design Review approval pursuant to the Code. For these reasons, the project would not substantially degrade the existing visual character of the site or its surrounding area and potential visual impacts are considered less than significant and no mitigation is required.

(Sources: 1, 2, 3)

Discussion d): Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less Than Significant Impact. The proposed project includes development of a new three story "E" shaped senior living residential building on a previously developed site. Although the subject property included a church and a private elementary school, the new development will generate a greater intensity of daily usage including night time activity which could create a new source of light or glare. However, the project applicant has included a perimeter and security lighting plan ~~has been included~~ in the revised application and includes a photometric lighting study with fixture selections for various locations throughout the project site (See Figure 12: Proposed Lighting Plan). The Plan shows that all exterior perimeter light fixtures will be shielded and downcast to avoid "spillover" and unnecessary lighting that may affect nearby residents. Based on a review of the lighting plan and photometric study the Town has concluded that the perimeter lighting would not create a substantial nighttime light or glare that would adversely views in the area. Night time lighting would be required to comply with the existing Title 24 (Section 130.2(b)) building code, which requires exterior lighting to be shielded and pointed away from offsite properties. Proposed lighting fixtures for the proposed project would be reviewed for consistency by the Town during Design Review and building plan check.

~~Further, night time lighting would be required to comply with the existing Title 24 (Section 130.2(b)) building code, which requires exterior lighting to be shielded and pointed away from offsite properties. Proposed lighting fixtures for the proposed project will also be reviewed for consistency with the~~

~~development code by the Town during Design Review and building plan check where findings would be made regarding light or glare during day or nighttime views in the area.~~

Therefore, the proposed project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area and potential impacts are considered less than significant and no mitigation is required.

(Sources: 1, 2, 3)

II. AGRICULTURE AND FOREST RESOURCES

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than-Significant Impact	No Impact
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In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resource Board. Would the project:

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Timberland Production (as defined by Government Code section 511104(g))

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d. Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion a through e):

No impact. There are no Agricultural land use designations in the Town of Fairfax. The Town of Fairfax is a highly urbanized community in the County of Marin, CA. There are no agricultural lands or agriculture designations in the Town Code and General Plan that exist within the Town boundaries of Fairfax. There are no areas within the Town of Fairfax Planning Area that are classified by the California Department of Conservation as “Prime Farmland” or “Farmland of Statewide Importance.” The proposed project would not result in the conversion of important farmland to other uses, and there is no property in the Town’s Planning Area that is under a Williamson Act contract. The project site is a school and church serving adjacent residentially developed properties and throughout Marin, and would be utilized as a residential property after project completion. Therefore, the project would have no impact on agriculture or forest resources.

(Sources: 1, 2, 3)

III. AIR QUALITY

	<i>Potentially Significant Impact</i>	<i>Less-Than-Significant With Mitigation Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>
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Would the project:

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a. Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non – attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Illingworth & Rodkin, Inc. (I&R) prepared an Air Quality and Greenhouse Gas CEQA Evaluation for the proposed project in October, 2016. Their report is the basis for the environmental determinations in the discussion section below. The primary air quality impacts associated with the project are temporary construction activities that could affect nearby sensitive receptors and emissions from project traffic on Sir Francis Drake Boulevard. Due to the small size of the project, the Town has concluded that impacts associated with emissions of air pollutants and greenhouse gases would not be significant. The project would also not be a source of odors and the project site is not adversely affected by odor sources. As a result, this study focuses on the impacts of project construction and increased Sir Francis Drake Boulevard traffic resulting from the project. This analysis addresses environmental air quality issues following the guidance provided by the Bay Area Air Quality Management District (BAAQMD) for addressing community risk impacts that applies to sensitive receptors. Furthermore, project revisions, including the new main access drive and new zoning designations for the subject property do not change the evaluation for the proposed project.

The BAAQMD is the regional agency tasked with managing air quality in the region. At the State level, the California Air Resources Board (CARB -a part of the California Environmental Protection Agency) oversees regional air district activities and regulates air quality at the State level. The BAAQMD has recently published CEQA Air Quality Guidelines that are used in this assessment to evaluate air quality impacts of projects.

The Town of Fairfax is located in Marin County, CA, which is in the San Francisco Bay Area Air Basin. Ambient air quality standards have been established at both the State and Federal level. The Bay Area meets all ambient air quality standards with the exception of ground-level ozone, respirable particulate matter (PM₁₀) and fine particulate matter (PM_{2.5}). While exceedances of these standards do not occur in Marin County, emissions from the area can contribute to exceedances elsewhere in the Bay Area.

High ozone levels are caused by the cumulative emissions of reactive organic gases (ROG) and nitrogen oxides (NO_x). These precursor pollutants react under certain meteorological conditions to form high ozone levels. Controlling the emissions of these precursor pollutants is the focus of the Bay Area's attempts to reduce ozone levels. The highest ozone levels in the Bay Area occur in the eastern and southern inland valleys that are downwind of air pollutant sources. High ozone levels aggravate respiratory and cardiovascular diseases, reduce lung function, and increase coughing and chest discomfort.

Particulate matter is another problematic air pollutant of the Bay Area. Particulate matter is assessed and measured in terms of respirable particulate matter or particles that have a diameter of 10 micrometers or less (PM₁₀) and fine particulate matter where particles have a diameter of 2.5 micrometers or less (PM_{2.5}). Elevated concentrations of PM₁₀ and PM_{2.5} are the result of both region-wide (or cumulative) emissions and localized emissions. High particulate matter levels aggravate respiratory and

cardiovascular diseases, reduce lung function, increase mortality (e.g., lung cancer), and result in reduced lung function growth in children.

Toxic air contaminants (TAC) are a broad class of compounds known to cause morbidity or mortality (usually because they cause cancer) and include, but are not limited to, the criteria air pollutants listed above. TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, fuel combustion, and commercial operations (e.g., dry cleaners). TACs are typically found in low concentrations, even near their source (e.g., diesel particulate matter near a freeway). Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, state, and Federal level.

Diesel exhaust is the predominant TAC in urban air and is estimated to represent about three-quarters of the cancer risk from TACs (based on the Bay Area average). According to the CARB, diesel exhaust is a complex mixture of gases, vapors and fine particles. This complexity makes the evaluation of health effects of diesel exhaust a complex scientific issue. Some of the chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by the CARB, and are listed as carcinogens either under the state's Proposition 65 or under the Federal Hazardous Air Pollutants programs.

CARB has adopted and implemented a number of regulations for stationary and mobile sources to reduce emissions of diesel particulate matter (DPM). Several of these regulatory programs affect medium and heavy duty diesel trucks that represent the bulk of DPM emissions from California highways. These regulations include the solid waste collection vehicle (SWCV) rule, in-use public and utility fleets, and the heavy-duty diesel truck and bus regulations. In 2008 CARB approved a new regulation to reduce emissions of DPM and nitrogen oxides from existing on-road heavy-duty diesel fueled vehicles. The regulation requires affected vehicles to meet specific performance requirements between 2011 and 2023, with all affected diesel vehicles required to have 2010 model-year engines or equivalent by 2023. These requirements are phased in over the compliance period and depend on the model year of the vehicle.

Discussion a.) Conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact. Fairfax is located at the western edge of the urban corridor in eastern Marin County, which is part of the nine-county San Francisco Bay Air Basin. Marin County is bounded on the west by the Pacific Ocean, on the east by San Pablo Bay and San Francisco Bay, on the south by the Golden Gate, and on the north by the Petaluma Gap. Fairfax is sheltered from prevailing northwesterly winds off the Pacific Ocean by elevated terrain. Temperatures in Fairfax are moderated by the cooling effect of the San Francisco Bay in summer and the warming effect of the Bay in winter.

As a result of these climatological and topographic conditions, eastern Marin County and Fairfax have a greater potential for air quality problems compared to the rest of the County. Air pollution potential is a function of climate alone and not indicative of actual air pollution levels. High air pollution potential means that the sheltering terrain and relatively light winds often limit the atmosphere's ability to transport and dilute pollutants. Marin County and the Town of Fairfax, do not have many polluting industries and are located on the up-wind edge of the air basin, so current air quality is good despite a high climatological pollution potential.

The BAAQMD CEQA Air Quality Guidelines provide methods for determining the consistency of General Plan update projects with the Bay Area's latest clean air plan, the Bay Area 2010 Clean Air Plan (CAP) that was adopted by BAAQMD in September 2010. A key tool for local agency implementation is the development of land use policies and implementing measures that address new development or redevelopment in local communities. The 2010 CAP includes about 55 control measures that are intended to reduce air pollutant emissions in the Bay Area either directly or indirectly. The consistency of the proposed General Plan update is evaluated with respect to each set of control measures. The Fairfax General Plan Update incorporates many of the recommendations included in the Climate Action Plan. These are addressed in the Conservation Element as programs contained in CON-1.1, CON-1.2, CON-1.3 and CON-2.1. In addition, CON-7.1 and CON-7.2 address the reduction of solid waste, which indirectly generates Green House Gas (GHG) emissions.

In addition to the 2010 Clean Air Plan, in January 2014, the Town adopted the Fairfax Climate Action Plan. The General Plan contains policies and strategies to reduce greenhouse gas emissions. These policies and programs are referenced and integrated into the Fairfax Climate Action Plan. Though both the General Plan and the Climate Action Plan are intended as long-range plans, the Climate Action Plan may be updated on a more regular basis to add and amend strategies as new information, policy guidance, and regulations regarding climate change evolve and new technologies to address it are developed. The Fairfax Climate Action Plan includes greenhouse gas reduction strategies and actions for Natural Systems, Transportation, Green Building, and Waste Reduction.

The proposed project is consistent with the General Plan Update, which itself does not conflict with the latest Clean Air planning efforts since (1) the project will have emissions well below the BAAQMD thresholds (see discussion c below), (2) the project would redevelop existing developed site, and (3) the project would be located near transit with regional connections. According to the BAAQMD Clean Air Plan Screening Level Criteria the project is too small to exceed any of the significance thresholds and, thus, it is not required to incorporate project-specific transportation control measures listed in the latest Clean Air Plan. Tables AIR-1 and AIR-2 in Section III (c) below document the screening criteria for project related impacts as defined by the Clean Air Plan.

For these reasons, the proposed project would not conflict with or obstruct implementation of the applicable air quality plan and the impact is considered less than significant with no mitigation required.

(Sources: 1, 2, 8, 9, 10, 11, 12)

Discussion b.) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Less Than Significant Impact. Carbon monoxide emissions from traffic generated by the proposed project will be the pollutant of greatest concern at the local level. Congested intersections with a large volume of traffic have the greatest potential to cause high-localized concentrations of carbon monoxide. Air pollutant monitoring data indicate that carbon monoxide levels have been at healthy levels (i.e., below State and Federal standards) in the Bay Area since the early 1990s. As a result, the region has been designated as having attained the standard. There is an ambient air quality monitoring station in San Rafael that measures carbon monoxide concentrations. The highest measured level over any eight-hour averaging period during the last three years is less than two parts per million (ppm), compared to the ambient air quality standard of 9.0 ppm. Intersections in Fairfax will have traffic volumes that are below

screening levels used by BAAQMD to identify potential air quality impacts from local traffic. BAAQMD screening guidance indicates that projects will have a less than significant impact to carbon monoxide levels if project traffic projections indicate traffic levels will not increase at any affected intersection to more than 44,000 vehicles per hour.

Carbon monoxide emissions from traffic generated by the project would be the pollutant of greatest concern at the local level. Congested intersections with a large volume of traffic have the greatest potential to cause high-localized concentrations of carbon monoxide. Air pollutant monitoring data indicate that carbon monoxide levels have been at healthy levels (i.e., below State and federal standards) in the Bay Area since the early 1990s. As a result, the region has been designated as having attained the required standard. The highest measured level over any eight-hour averaging period during the last three years in the Bay Area is less than 3.0 parts per million (ppm), compared to the ambient air quality standard of 9.0 ppm. Intersections affected by the project would have traffic volumes less than the BAAQMD screening criteria and, thus, would not cause a violation of an ambient air quality standard or have a considerable contribution to cumulative violations of these standards. Therefore, the project will not contribute substantially to existing or projected violations of those standards and the impact would be considered less than significant and no mitigation would be required.

(Sources: 1, 2, 8, 9, 10, 11, 12)

Discussion c.): Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

Less Than Significant Impact with Mitigation Incorporation. The Bay Area is considered a non-attainment area for ground-level ozone and fine particulate matter (PM_{2.5}) under both the Federal Clean Air Act and the California Clean Air Act. The area is also considered non-attainment for respirable particulates or particulate matter with a diameter of less than 10 micrometers (PM₁₀) under the California Clean Air Act, but not the Federal act. The area has attained both State and Federal ambient air quality standards for carbon monoxide. As part of an effort to attain and maintain ambient air quality standards for ozone and PM₁₀, the BAAQMD has established thresholds of significance for these air pollutants and their precursors. These thresholds are for ozone precursor pollutants (ROG and NOx), PM₁₀ and PM_{2.5} and apply to both construction period and operational period impacts.

Opportunity sites in the Town of Fairfax, where much of the growth under the General Plan Update would occur, were considered for new air pollutant emissions in the Fairfax 2010-30 General Plan Update IS/MND. The URBEMIS2007 model was used to predict annual and daily emissions associated with new development or redevelopment of the six opportunity sites. Emissions were modeled with URBEMIS2007 default inputs for the San Francisco Bay Area. This includes default trip rates and travel characteristics for the selected land uses. Because model defaults were used, these predictions likely overestimate the actual emissions that will occur. For example, the model did not incorporate any effects of transit, bicycle or pedestrian travel modes. Furthermore, only the potential development build out of the 2-acre parcel was evaluated. Development of the two 9-acre remainder parcels would require a separate application and environmental review process. Emissions of both area and operational (i.e., traffic) were predicted assuming complete build out in 2020. See below - Table AIR-1: Average Daily Emissions for Development/Redevelopment of General Plan Update Opportunity Sites from the Illingworth & Rodkin report. The proposed project was analyzed in the Fairfax 2010-30 General Plan as opportunity site #1.

**Table AIR-1
Criteria Air Pollutants and Precursors and GHG Screening Level Sizes**

Scenario	Total Exhaust or Evaporative Emissions			
	ROG	NOx	PM10	PM2.5
Emissions in tons per year				
Site #1 Lutheran Church	0.82	0.4	0.71	0.14
Site #2 10 Olema	0.41	0.23	0.57	0.11
Site #3 Westside Commercial	0.27	0.14	0.31	0.06
Site #4 School Street Plaza	0.67	0.41	1.11	0.21
Removal of existing uses	-0.5	-0.61	-1.81	-0.34
Site #5 Fair Anselm Shopping Center	0.35	0.26	0.68	0.13
Site #6 Eastside Commercial	0.34	0.26	0.75	0.14
Total	2.36	1.09	2.32	0.45
<i>BAAQMD Thresholds (tons/year)</i>	<i>10</i>	<i>10</i>	<i>15</i>	<i>10</i>
Emissions in in pounds per day				
Site #1 Lutheran Church	4.5	2.2	3.9	0.8
Site #2 10 Olema	2.2	1.3	3.1	0.6
Site #3 Westside Commercial	1.5	0.8	1.7	0.3
Site #4 School Street Plaza	3.7	2.2	6.1	1.2
Removal of existing uses	-2.7	-3.3	-9.9	-1.9
Site #5 Fair Anselm Shopping Center	1.9	1.4	3.7	0.7
Site #6 Eastside Commercial	1.9	1.4	4.1	0.8
Total	12.9	6.0	12.7	2.5
<i>BAAQMD Thresholds (pounds/day)</i>	<i>54</i>	<i>54</i>	<i>82</i>	<i>54</i>

**Table AIR-2
Criteria Air Pollutants and Precursors and GHG Screening Level Sizes**

Land Use	Operational Criteria Pollutant Screening Size	Operational GHG Screening Size	Construction Criteria Pollutant Screening Size
<i>Apartment, low-rise</i>	<i>451 du (ROG)</i>	<i>78 du</i>	<i>240 du (ROG)</i>
<i>Retirement community</i>	<i>487 du (ROG)</i>	<i>98 du</i>	<i>114 du (ROG) -</i>

THE SCREENING VALUES IN THIS TABLE CANNOT BE USED AS SCREENING FOR RISK AND HAZARD IMPACTS

Notes: du = dwelling units; ksf = thousand square feet; NOx = oxides of nitrogen; ROG = reactive organic gases.

Screening levels include indirect and area source emissions. Emissions from engines (e.g., back-up generators) and industrial sources subject to Air District Rules and Regulations embedded in the land uses are not included in the screening estimates and must be added to the above land uses.

Source: BAAQMD CEQA Guidelines May 2011

As depicted in the tables above, the proposed uses of a 54-unit residential development would be significantly smaller than the operational or construction screening sizes, that are considered to generate emissions pursuant to BAAQMD thresholds. For impacts, the screening project size is identified at a minimum of 78 dwelling units for operation and 240 dwelling units for construction. Due to the project size, construction and operational-period emissions would be less than significant. In the 2011 update to the CEQA Air Quality Guidelines, BAAQMD identifies screening criteria for the sizes of land use projects that could result in significant air pollutant emissions. Low-rise apartment projects of smaller size would be expected to have less-than-significant impacts with respect to air pollutant emissions. Since the project

proposes to develop up to 54 dwelling units, it is concluded that emissions would be below the BAAQMD significance thresholds for criteria air pollutants. Stationary sources of air pollution (e.g., back-up generators) have not been identified with this project. Additionally, BAAQMD notes that residential projects would have lower emissions than those on which screening sizes are based. Finally, emissions from existing land uses at the site would further reduce net annual emissions from implementation of the proposed project.

However, construction activities, particularly during site preparation and grading, would temporarily generate fugitive dust in the form of PM₁₀ and PM_{2.5}. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soils. Unless properly controlled, vehicles leaving the site would deposit mud on local streets, which could be an additional source of airborne dust after it dries. The BAAQMD CEQA Air Quality Guidelines consider these impacts to be less than significant if best management practices are implemented to reduce these emissions. In order to reduce the potential impact to less than significant levels, implementation of the following mitigation measure, including BAAQMD-recommended best management practices, is required:

MM AIR-1: Include basic measures to control dust and exhaust during construction.

During any construction period ground disturbance, the applicant shall ensure that the project contractor implement measures to control dust and exhaust. Implementation of the measures recommended by BAAQMD and listed below would reduce the air quality impacts associated with grading and new construction to a less than significant level. The contractor shall implement the following best management practices that are required of all projects:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
8. A publicly visible sign shall be posted with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Implementation of mitigation measure MM AIR-1 would reduce the potential impacts related to the cumulatively considerable net increase of any criteria pollutant to less than significant levels and no further mitigation is required.

(Sources: 1, 2, 8, 9, 10, 11, 12)

Discussion d.) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact with Mitigation Incorporation. The BAAQMD defines sensitive receptors as facilities where sensitive receptor population groups (children, the elderly, the acutely ill and the chronically ill) are likely to be located. These land uses include schools, retirement homes, convalescent homes, hospitals and medical clinics. Sensitive receptors are spread throughout most parts of Fairfax and the proposed project is located on an existing school / church site.

This impact is evaluated using the Community Risk Impact thresholds. The BAAQMD recommends using a 1,000-foot screening radius around a project site for purposes of identifying community health risk from siting a new sensitive receptor or a new source of TACs. Operation of the project is not expected to cause any localized emissions that could expose sensitive receptors to unhealthy air pollutant levels. There are thresholds that address both the impact of single and cumulative TAC sources upon projects that include new sensitive receptors (see Table 1). This community risk assessment predicts potential cancer risk, non-cancer health hazards, and annual concentrations of PM_{2.5}. The health risk impact methodology used in this analysis is included as part of Attachment 1 of the I&R October 2016 report.

Community Risk Affecting Project Residences

The project would include new sensitive receptors, which are the residences. A review of the area within 1,000 feet of the project indicates that the project is adjacent to Sir Francis Drake Boulevard. Sir Francis Drake Boulevard is considered a source of TACs and PM_{2.5}. For local roadways, BAAQMD has provided the Roadway Screening Analysis Calculator to assess whether roadways with traffic volumes of over 10,000 vehicles per day may have a potentially significant effect on a proposed project. Two adjustments were made to the cancer risk predictions made by this calculator: (1) adjustment for latest vehicle emissions rates and (2) adjustment of cancer risk to reflect new OEHHA guidance described above.

The BAAQMD calculator uses EMFAC2011 emission rates for the year 2014. Overall, emission rates will decrease by the time the project is constructed and occupied. The project is not likely to be occupied prior to 2018. In addition, a new version of the emission factor model, EMFAC2014, is available. This version predicts much lower emission rates than EMFAC2011 and the rates for 2018 are lower than the rates for 2014. Using a fleet mix typical of local roadways operating at 30 mph, EMFAC2014 predicts diesel (DSL) PM_{2.5} aggregate emission rates in 2018 that are 46 percent of EMFAC2011 rates for 2014.

TOG for gasoline-powered vehicle rates are 56 percent of EMFAC2011 year 2014 rates. An adjustment factor of 0.5 was applied to the Roadway Screening Analysis Calculator results.

The adjusted predicted cancer risk was then adjusted using a factor of 1.3744 to account for new Office of Environmental Health Hazard (OEHHA) guidance (see discussion above regarding cancer risk calculation methodology). This factor was provided by BAAQMD for use with their CEQA screening tools that are used to predict cancer risk.

Assuming a traffic volume of less than 20,000 average daily trips on Sir Francis Drake Boulevard, which is a southeast-northwest roadway, and a building setback of 75 feet, the community risk impacts are shown in Table AIR-2 below. The screening model computes impacts on the either side of a north-south or east-west roadway. Since Sir Francis Drake Boulevard is a southeast-northwest roadway, the highest impact was compared against the thresholds and found not to exceed those for cancer risk and annual PM_{2.5} concentrations. This would be a less-than-significant impact. Attachment 2 in the October 2016 I&R report includes the screening risk calculations for Sir Francis Drake Boulevard.

Table AIR-3. Screening Community Risk Levels from Sir Francis Drake Boulevard

<i>Segment</i>	<i>Cancer Risk per million</i>		<i>PM_{2.5} Concentration in $\mu\text{g}/\text{m}^3$</i>	
	<i>North</i>	<i>East</i>	<i>North</i>	<i>South</i>
<i>75 feet northeast of roadway</i>	<i>3.4</i>	<i>6.9</i>	<i>0.08</i>	<i>0.16</i>
BAAQMD Threshold	10.0		0.3	
<i>Notes:</i>				
<i>(1) Based on BAAQMD Roadway Screening Calculator with conservative traffic estimates and adjustments for year 2018 emission factors using EMFAC2014 and new 2015 OEHHA cancer risk guidance.</i>				
<i>(2) Non-cancer Hazards from local roadways are negligible, based on BAAQMD Highway Screening Analysis Tool</i>				

Cumulative TAC impacts are assessed by predicting the combined community risk impacts from the project and nearby sources at the sensitive receptor by all sources (i.e., within 1,000 feet). Traffic on Sir Francis Drake Boulevard is the only source of PM_{2.5} and TACs in the area.

Project Impacts to Existing Sensitive Receptors (Construction)

Construction activities would cause temporary emissions of dust and diesel exhaust emissions that could affect nearby sensitive receptors. The primary community risk impact issues associated with construction emissions are cancer risk and exposure to PM_{2.5}. Diesel exhaust poses both a potential health and nuisance impact to nearby receptors. A health risk assessment of the project construction activities was conducted that evaluated potential health effects of sensitive receptors at these nearby residences from construction emissions of diesel particulate matter (DPM) and PM_{2.5}. Exposure to construction equipment and truck exhaust can cause increased cancer risk and other adverse non-cancer health effects.

Sensitive Receptors

The closest sensitive receptors to the project site are residences about 200 feet southwest of the project site on the south side of Sir Francis Drake Boulevard and residences about 250 feet northwest of the project site on Mitchell Drive. Additional residences are located farther northwest, west, and southwest of the project site. Since sensitive receptors (existing residences) are located near the where project

construction would occur a refined health risk assessment of the construction activity was conducted that evaluated emissions of DPM and PM_{2.5}. Emissions and dispersion modeling was conducted to predict the off-site concentrations resulting from project construction, so that lifetime cancer risks and non-cancer health effects could be evaluated. Figure AIR-1 below shows the project site, nearby sensitive receptor locations where potential health impacts were evaluated, and emission sources used in the air quality dispersion modeling analysis.

Construction Emissions

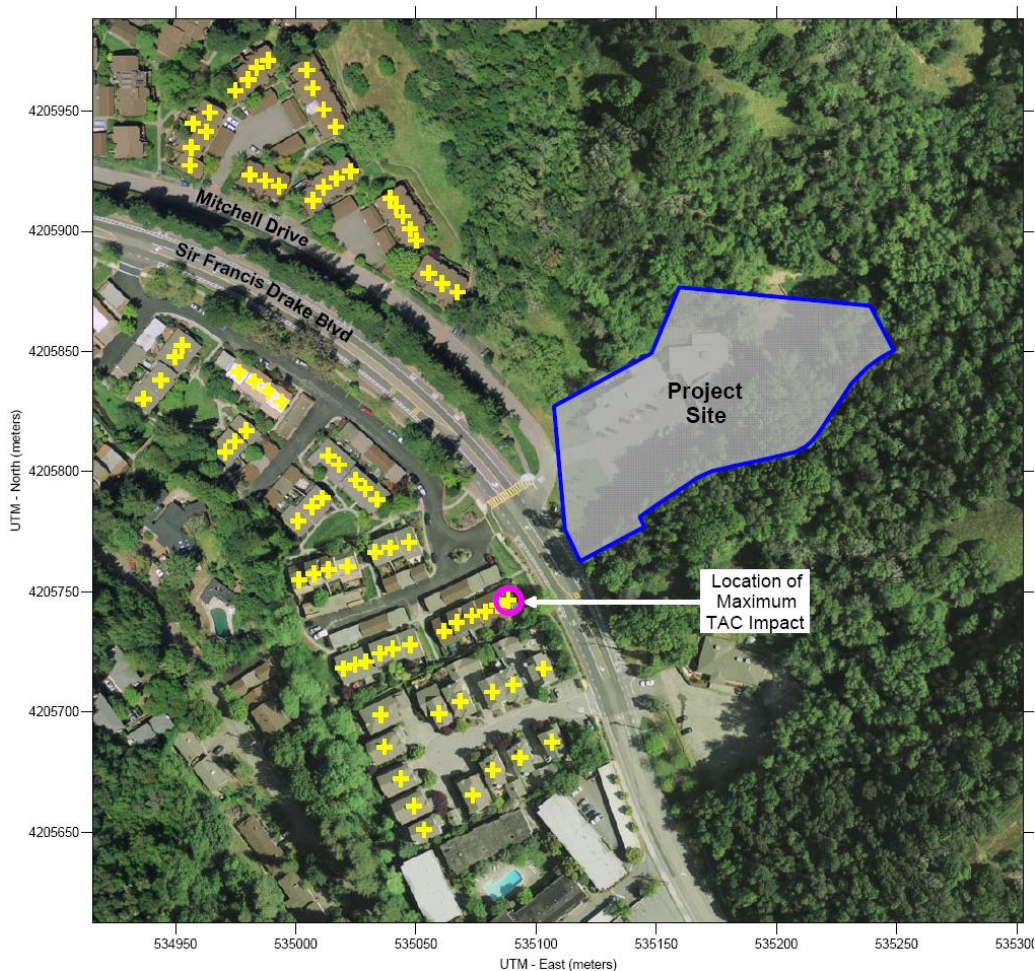
Construction activity is anticipated to include demolition of the existing on-site buildings and parking lot areas, grading and site preparation, trenching, building construction, and paving. Construction period emissions were modeled using the California Emissions Estimator Model, Version 2013.2.2 (CalEEMod) along with projected construction activity. The number and types of construction equipment and diesel vehicles, along with the anticipated length of their use for different phases of construction were based on site-specific construction activity schedules. The project would be constructed over about a one-year period beginning in January 2018.

The CalEEMod model provided total annual PM_{2.5} exhaust emissions (assumed to be diesel particulate matter) for the off-road construction equipment and for exhaust emissions from on-road vehicles, with total emissions from all construction stages of 0.171 tons (342 pounds). The on-road emissions are a result of haul truck travel during demolition and grading activities, worker travel, and vendor deliveries during construction. A trip length of one mile was used to represent vehicle travel while at or near the construction site. It was assumed that these emissions from on-road vehicles traveling at or near the site would occur at the construction site. Fugitive PM_{2.5} dust emissions were calculated by CalEEMod as 0.028 (56 pounds) for the overall construction period. The project emission calculations are provided in Attachment 1.

Dispersion Modeling

The U.S. EPA ISCST3 dispersion model was used to predict concentrations of DPM and PM_{2.5} at existing sensitive receptors (residences) in the vicinity of the project construction area. The ISCST3 dispersion model is a BAAQMD-recommended model for use in modeling analysis of these types of emission activities for CEQA projects. The ISCST3 modeling utilized two area sources to represent the on-site construction emissions, one for exhaust emissions and one for fugitive dust emissions. To represent the construction equipment exhaust emissions, an emission release height of 6 meters (19.7 feet) was used for the area source. The elevated source height reflects the height of the equipment exhaust pipes plus an additional distance for the height of the exhaust plume above the exhaust pipes to account for plume rise of the exhaust gases. For modeling fugitive PM_{2.5} emissions, a near-ground level release height of two meters (6.6 feet) was used for the area source. Emissions from the construction equipment and on-road vehicle travel were distributed throughout the modeled area sources. Figure AIR-1 below shows the project site and nearby sensitive receptor locations where health impacts were evaluated. DPM and PM_{2.5} concentrations were calculated at nearby residential locations at a receptor height of 1.5 meters (4.9 feet).

Figure AIR-1. 2-Acre Project Site, Locations of Residential Receptors and Location of Maximum TAC Impact



Since representative historical meteorological data are not available for the area being modeled, the modeling relied upon screening meteorological data provided by BAAQMD. The screening meteorological data are comprised of 54 combinations of wind speed and atmospheric stability that represent meteorological conditions that may exist over a 24-hour period (daytime and nighttime conditions). The screening meteorological conditions were used to model worst-case maximum 1-hour concentrations. These worst-hour concentrations were then converted to annual concentrations, needed to address cancer, non-cancer chronic health risk impacts, and annual $PM_{2.5}$ concentrations, by applying the BAAQMD recommended conversion factor of 0.1 to the one-hour concentrations. This procedure tends to provide overestimations of impacts but is the only available modeling method where meteorological data is not available.

The maximum-modeled DPM and $PM_{2.5}$ concentrations occurred across from the project construction site at a residences off of Sir Francis Drake Boulevard. The location where the maximum TAC impacts occurred is identified on Figure AIR-1 above.

Predicted Cancer Risk, Annual $PM_{2.5}$ and Hazards

Increased cancer risks were calculated using the annual concentration for 2017 calculated based on the maximum one-hour concentration from the modeling using screening meteorological data and BAAQMD recommended risk assessment methods. The cancer risk calculations were based on applying the BAAQMD-recommended age sensitivity factors to the TAC concentrations. Age-sensitivity factors reflect the greater sensitivity of infants and small children to cancer causing TACs. Attachment 1 in the October

2016 I&R report includes a description of how the cancer risk and non-cancer impacts are computed. Infant and adult exposures were assumed to occur at all residences during the construction period.

Results of the assessment for project construction indicate the maximum residential incremental infant cancer risk at the receptor with the maximum impact would be 106.5 in one million and the residential adult incremental cancer risk would be 1.9 in one million. The maximum residential infant cancer risk would exceed the BAAQMD significance threshold for cancer risk of greater than 10.0 in one million and would be considered a significant impact.

The maximum-modeled annual PM_{2.5} concentration at a residential receptor, which is based on combined exhaust and fugitive dust emissions, was 0.98 µg/m³. This maximum PM_{2.5} concentration would exceed the BAAQMD significance threshold for annual PM_{2.5} concentration greater than 0.3 µg/m³ and would be considered a significant impact.

The maximum modeled annual DPM concentration (i.e., from construction exhaust) was 0.65 µg/m³. The maximum computed HI based on this DPM concentration is 0.13, which is lower than the BAAQMD significance criterion of a HI greater than 1.0.

Attachment 3 in the October 2016 I&R report includes the emission calculations used for the area source modeling and the health risk calculations.

Sir Francis Drake Boulevard is the only other TAC emission source in the area. To assess cumulative impacts, the combined potential cancer risk and annual PM_{2.5} concentrations were predicted at the receptor with the highest impact from construction and shown in Table AIR-3.

Table AIR-4. Construction Community Risk Levels

	<i>Cancer Risk per million</i>	<i>PM_{2.5} Concentration in µg/m³</i>
<i>Project Construction (unmitigated)</i>	<i>106.5 (infant exposure) 1.9 (adult exposure)</i>	<i>0.96</i>
<i>Project Construction (mitigated)</i>	<i>9.3 (infant exposure)</i>	<i>0.21</i>
BAAQMD Threshold	10.0	0.3
<i>Sir Francis Drake Boulevard at 50 feet</i>	<i>9.0</i>	<i>0.21</i>
<i>Cumulative - Unmitigated Project Construction</i>	<i>115.5 (infant exposure) 10.9 (adult exposure)</i>	<i>1.17</i>
<i>Cumulative - Mitigated Project Construction</i>	<i>18.3 (infant exposure)</i>	<i>0.42</i>
BAAQMD Threshold	10.0	0.3
Significant without mitigation	Yes	Yes
Significant With Mitigation	No	No
<i>Notes:</i> (1) Based on BAAQMD Roadway Screening Calculator with conservative traffic estimates and adjustments for year 2018 emission factors using EMFAC2014 and new 2015 OEHHA cancer risk guidance. (2) Non-cancer Hazards from local roadways are negligible, based on BAAQMD Highway Screening Analysis Tool		

The project would have a significant impact with respect to community risk caused by project construction activities, since cancer risk is above the single-source thresholds of 10.0 per million and the maximum PM_{2.5} concentration would be above the single-source threshold of 0.3 µg/m³. In addition, the project combined with screening levels exposures from traffic on Sir Francis Drake Boulevard would exceed the cumulative community risk thresholds.

MM AIR-2: Selection of equipment during construction to minimize emissions. Such equipment selection would include the following:

- All mobile diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously shall meet, at a minimum, U.S. EPA particulate matter emissions standards for Tier 2 engines or equivalent and
- All mobile diesel-powered off-road equipment larger than 25 horsepower and operating on the site for more than two days continuously shall be equipped with CARB-certified Level 3 Diesel Particulate Filters¹ or filters that are considered to be more effective.

Alternatively, diesel equipment could meet U.S. EPA particulate matter emissions standards for Tier 4 (Interim) engines. Equipment that is alternatively fueled (i.e., non-diesel) would meet these requirements. Other measures may be the use of added exhaust devices, or a combination of measures, provided that these measures are approved by the City and demonstrated to reduce community risk impacts to less than significant.

Implementation of mitigation measure MM AIR-1 is considered to reduce exhaust emissions by 5 percent and fugitive dust emissions by over 50 percent. Mitigation measure MM AIR-2 would reduce emissions further. With implementation of these recommended measures, DPM emissions would be reduced by over 91 percent. This would reduce the maximum construction cancer risk (for infant exposure) to below 9.3 in one million, which is below the single-source significance threshold of 10 in one million, and bring down the annual PM_{2.5} concentration to 0.21 µg/m³, which is less than the single-source significance threshold of 0.3 µg/m³. The cumulative cancer risk (for infant exposure) would be reduced to 18.3 per million, which is below the cumulative threshold of 100.0 per million. The annual PM_{2.5} concentration would be reduced to 0.42 µg/m³, which is below the threshold of 0.8 µg/m³.

Therefore, after implementation of mitigation measures MM AIR-1 and MM AIR-2, the project would have a less-than-significant impact with respect to community risk caused by construction activities and no further mitigation is required.

(Sources: 1, 2, 8, 9, 10, 11, 12)

Discussion e): Create objectionable odors affecting a substantial number of people?

Less than Significant Impact. The BAAQMD CEQA Guidelines classify a project that could create objectionable odors as any of the following: wastewater treatment plant, sanitary landfill, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing, fiberglass manufacturing, auto body shops, rendering plants, and coffee roasters.

¹ See <http://www.arb.ca.gov/diesel/verdev/vt/cvt.htm>

Impacts resulting from odors can result when sensitive receptors (e.g., new residences) are located near the odor sources listed above. Review of the BAAQMD's screening criteria determined that the proposed project is not a typical source of objectionable odors nor is the site located within the recommended screening distances listed above. Therefore, the project would generate a less than significant odor impact during project operations.

During construction and grading, diesel powered vehicles and equipment used on the site could create localized odors, but these would be temporary in nature and would quickly dissipate. Construction activities are considered temporary because activities are limited to the hours of 8:00 am to 6:00 pm on weekdays and 9:00 am to 4:00 pm on weekends (Fairfax Town Code Chapter 8.20.070). Additionally, the use of heavy construction equipment will be reduced as the construction process progresses and will cease upon completion of project construction. As such, construction-period and operation-period odor impacts would be considered less than significant.

The project would generate localized emissions of diesel exhaust during construction equipment operation and truck activity. These emissions may be noticeable from time to time by adjacent receptors. However, they would be localized and are not likely to adversely affect people off site resulting in confirmed odor complaints. The project would not include any sources of significant odors that would cause complaints from surrounding uses. Therefore, the project would be considered less than significant and no mitigation is required.

(Sources: 1, 2, 6, 7, 8, 9, 10, 11, 12)

IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

filling, hydrological interruption, or other means?

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The Town of Fairfax 2010-30 General Plan includes a Conservation Element and an Open Space Element that include goals and policies that protect and enhance the natural characteristics and habitats found in Town. Fairfax lies at the confluence of San Anselmo Creek and Fairfax Creek that constitute the headwaters of Corte Madera Creek. The structure of the Town has evolved around these dynamic streams, which historically supported salmon and steelhead and a wide variety of aquatic and terrestrial wildlife, all dependent on a healthy riparian corridor and floodplain.

Fairfax is near the head of the Ross Valley watershed, and the policies and programs identified in the General Plan are intended to improve protection measures for creek and watershed areas not only within the Town, but downstream through a series of other communities to San Francisco Bay.

The Conservation Element goals and policies are consistent with the larger context of the Marin landscape matrix of protected lands. Fairfax is bordered by Marin Open Space Loma Alta Open Space Preserve to the north, Mt. Tam State Park and MMWD land to the west and south, and the Golden Gate Recreation Area to the far west. Wildlife habitats of many kinds cover all these areas and it is important to understand and allow for both seasonal and resident wildlife use of the habitat. The General Plan proposes to enhance healthy stream corridors, connections between lowland and upland habitat, areas of low human disturbance, contiguous stands of mature trees, open meadow, and riparian cover to help maintain diverse and resilient wildlife habitats.

The adjacency of the larger protected lands to incorporated Fairfax create opportunities for interactions and conflicts between people and wildlife, but the policies of the General Plan attempt to reduce the conflict potential and enhance the protection and restoration of wildlife habitat within the Fairfax Planning Area. The General Plan has set goals for removal of invasive species and restoration of endangered species in an effort to reduce the detrimental impact of land use and development in the Fairfax Planning Area.

Adanta, Inc. prepared a Biological Constraints Analysis in January 2013, which addresses the biological resources occurring within and in the vicinity of the 2626 Sir Francis Drake Boulevard site, located within

the City of Fairfax, Marin County, California. A site visit was conducted on December 18, 2012. The biological constraints analysis documented the vegetation communities, habitat types, potential special-status plant and wildlife species, and aquatic resources within a five-mile area centered on the subject property. Adanta further analyzed the biological resources currently present within the property boundaries of the site. A supplemental site survey to identify presence of North Coast Semaphore Grass was also conducted in May 2016.

The developed portion of the subject property is approximately 2 acres in size and currently contains school rooms and outdoor play areas for the Cascade Canyon School, a private primary and middle school educational facility, and the Christ Lutheran Church of Fairfax sanctuary and parking lot. The property is located in a valley between two hills dominated by California Bay (*Umbellularia californica*) Forest. Elevation ranges from 200 to 240 feet and the topography slopes downhill from east to west with the eastern portion consisting largely of bare ground, while the western portion is developed with buildings and paved parking lot. An ephemeral stream is located along the length of the southern property boundary. Residential developments are situated directly opposite Sir Francis Drake Boulevard (Boulevard) to the west of the proposed project. Residential development also occurs approximately 0.1 mile north of the property on the east side of Sir Francis Drake.

Project revisions, including the new main access drive and new zoning designations for the subject property, do not change the conclusions from the previous evaluation of the proposed project. The new access driveway will require grading and excavation in areas that are typical of landscaped surface parking lots and would not require disturbance of natural habitats or areas that may would be suitable for sensitive species.

Discussion a.): Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Less Than Significant impact with Mitigation Incorporation. The proposed project includes the demolition of three primary structures including landscaping and associated site features like walkways, patios, decks, fences and paved parking areas. The project proposes to add a new three story “E” shaped building with associated landscaping and internal paved vehicular and pedestrian circulation.

Adanta’ site investigations included a review of aerial photographs, USGS topographic maps, National Wetlands Inventory (NWI) data, and literature on local and regional floras (Munz and Keck 1973; Howell et al. 2007; Baldwin et al. 2012). Critical habitat geographic information system (GIS) data provided by the USFWS was reviewed to identify any critical habitats that occur within five (5) miles of the subject property. In addition, Adanta reviewed the CNDDDB list of “high priority” habitats that include habitats likely, based on hydrology and vegetation composition, to be wetlands subject to the jurisdiction of the U.S. Army Corps of Engineers under §401 and §404 of the federal Clean Water Act (33 U.S.C. 1344) (Environmental Laboratory 1987).

A search of the California Natural Diversity Database (CNDDDB), maintained by the California Department of Fish and Wildlife (CDFW), was conducted to identify special status plant species documented to occur within a five-mile radius of the project area. State and federal agency literature were consulted for current listing information for federally listed species (USFWS 2012a, b) and for State of California listed species

(CDFW 2012a). Other sources of information included the California National Park Service (CNPS) Inventory of Rare and Endangered Vascular Plants of California and the USFWS list of Federal Endangered and Threatened Species that Occur in or may be Affected by Projects in the San Rafael, Novato, Bolinas, and San Geronimo USGS 7.5-Minute Quadrangles.

Species were considered special-status if they met one or more of the following criteria:

- Listed on California Rare Plant Rank (CRPR) List 1B.1, 1B.2, 1B.3, 2.1, 2.2, or 2.3;
- Federally listed as endangered, threatened, or a candidate for listing status; and/or
- State-listed as endangered, threatened, a species of special concern, or fully protected.

Regulatory agencies evaluate the potential for a species to occur based on habitats observed onsite and the degree of connectivity with other special-status habitats in the vicinity of a project site. The potential for a special-status species to occur was evaluated using the following criteria:

- High Potential: Occurrences have been recorded within 0.25 mile of the property and suitable habitat is present.
- Moderate Potential: Occurrences have been recorded within 0.25 to one mile of the property area and suitable habitat is present.
- Low Potential: Marginal habitat occurs on the property and no records of the species have been recorded within 15 years within 0.25 mile; or records of the species within five miles of the project may be extirpated.
- No Potential: The property is not located within the range of the species; suitable habitat is not present; the species is restricted to a specific area outside of the property; previous occurrences of the species within one mile of the property are known to be extirpated; or there are no local records of the species within the last 50 years; or if directed or protocol-level surveys were conducted and the species was not found.

Plants

Adanta's literature and CNDDDB search conducted for the subject property produced records of occurrences of 81 special-status plant species within five miles of the property boundaries as shown in *Figure 2: CNDDDB Map of Special-status Plant Species* and *Table 2: List of Special-Status Plant and Wildlife Species Potentially Occurring* in the January 2013 Adanta report. Eighty special-status plant species have either a low or no potential to occur on the property. Only one plant species, North Coast semaphore grass (*Pleuropogon hooverianus*), has a moderate potential to occur and is described below.

No special-status plant species were observed by Adanta during the on-site survey of the subject property during the December 18, 2012 field visit. All but one of the plant species listed in the Adanta *Table -2: List of Special-Status Plant and Wildlife Species Potentially Occurring* have either no potential or a low potential to occur in the survey area, due in general, to the absence of suitable habitat from the survey area, or to the marginal nature of the habitat and the small size and disturbance history of the site, and in some cases, due either to the fact that the species would have been readily identifiable at the time of the survey or that the survey area is well outside the species' known ranges.

North Coast Semaphore Grass (Pleuropogon hooverianus)

North Coast semaphore grass is listed as threatened by the State of California (CDFG 2012). It is also listed on CNPS List 1B (CNPS 2012). It is a rhizomatous perennial grass with stems up to 16 dm (5.25

feet) tall and distinctive, long, narrow spikelets that are spreading to erect or ascending at maturity. It occurs in wet to moist, open or partly shaded places, including freshwater marshes and meadows, and also including the understory of north coast coniferous forest (e.g., redwood forest) and broad-leaved upland forest (CNDDDB; CNPS 2012; Baldwin et al. 2012). It blooms from March to June.

North Coast semaphore grass occurs only in Marin, Sonoma, and Mendocino counties (CNPS 2012). The CNDDDB lists a total of 24 occurrences, some possibly extirpated or of unknown status. The species has been found in two locations within five miles of the subject property: one location along San Geronimo Drive (San Geronimo Valley Drive) between Woodacre and San Geronimo (CNDDDB Occurrence No. 7) and one location near Lake Lagunitas on Marin Municipal Water District land (CNDDDB Occurrence No. 2). Two additional occurrences are within six miles of the property (CNDDDB Occurrence Nos. 5 and 20). The understory of the California bay forest appears to be suitable habitat for North Coast semaphore grass, although perhaps somewhat marginal, due to the dense canopy cover and the relatively high level of disturbance on the site. Due to the presence of potentially suitable habitat and the proximity of known occurrences of this species, the property has a moderate potential to support North Coast semaphore grass.

Based on the 2013 constraints analysis that identified North Coast Semaphore Grass as the only special-status plant species having a moderate (or higher) potential to occur on the project site, Adanta conducted a second site survey on May 5, 2016. Adanta conducted a reference site visit on May 5, 2016 to a known population of North Coast semaphore grass within approximately 3 miles of the project site. Botanist Neal Kramer confirmed that the species was up and readily identifiable at the reference and therefore, the survey for semaphore grass was conducted on the same day at the subject property. The survey consisted of walking transects chosen to ensuring 100% visual coverage of the entire 2.2-acre project site. All plant species observed during the survey were identified and were recorded in a field notebook.

No North Coast Semaphore Grass was found on the project site during the May 5, 2016 survey. Based on this finding, it is concluded that any project development on the site will not adversely impact this special-status plant species. No further site surveys are required to determine presence of North Coast Semaphore Grass.

However, a population of California bottle-brush grass (*Elymus californicus*) was observed near the southern boundary of the project site. This native grass has a California rare plant rank of 4.3 (plants of limited distribution: a watch list). The California bottle-brush grass population, consisting of approximately 40 plants and located within a 5-meter radius around Urchin Tracking Module (UTM) coordinates 10S 535213E 4205811N, appears to be outside the project boundary and is therefore not expected to be impacted by project development.

The Adanta 2013 constraints analysis also identified eight additional special-status species as having a low potential to occur on the site. These included bent-flowered fiddleneck (*Amsinckia lunaris*), Franciscan thistle (*Cirsium andrewsii*), San Francisco collinsia (*Collinsia multicolor*), Baker's larkspur (*Delphinium bakeri*), streamside daisy (*Erigeron bioletii*), pale-yellow hayfield tarplant (*Hemizonia congesta* ssp. *congesta*), small groundcone (*Kopsiopsis hookeri*) and marsh microseris (*Microseris paladosus*).

No bent-flowered fiddleneck, Franciscan thistle, San Francisco collinsia, Baker's larkspur, small groundcone or marsh microseris were observed on the site during the May 5, 2016 survey. This finding supports the conclusion that project development will not adversely impact these five special-status plant species.

Wildlife

The CNDDDB search produced occurrences of 11 special-status wildlife species within five miles of the property as shown in Adanta's *Table 2: List of Special-Status Plant and Wildlife Species Potentially Occurring* and *Figure 3: CNDDDB Map of Special-status Wildlife Species*. Nineteen of these species have either a low or no potential to occur on the property, due to a lack of suitable habitat. One wildlife species – pallid bat (*Antrozous pallidus*) – has a moderate potential to occur, and only one species – northern spotted owl (*Strix occidentalis caurina*) – has a high potential to occur within.

Pallid Bat (Antrozous pallidus)

The pallid bat inhabits a wide range of habitats, including arid desert regions, oak savannah, shrub-steppe, and pine-oak woodlands, but is most commonly found in xeric locations such as the Mojave, Sonoran, and Great Basin Deserts. Pallid bats have a wide elevational distribution, and occur in deserts, canyon lands, karst formations oak savanna, and shrub-steppe grasslands at elevations below 6,000 feet, and in coniferous forests above 7,000 feet in elevation. Pallid bats are very good at climbing and crawling, but are slower flyers with little maneuverability when compared to smaller bats. Pallid bats forage for insect prey almost exclusively on the ground, which makes them vulnerable to terrestrial predators and injury. Terrestrial predators may include snakes, cats, foxes, coyotes, and raccoons. Adult and young bats are mainly preyed on by snakes or crepuscular and nocturnal raptors, mainly owls. (Verts and Carraway 1998).

Pallid bats play an important role as predators of desert insects, and in addition, they visit flowers in their hunt for insects, and are natural, indirect pollinators of several species of cactus. Pallid bats are highly social and a single colony can range from 12 to 100 bats. About 95% of pallid bat groups consist of at least 20 individuals, with the largest colony documented consisting of 162 bats. Pallid bats stay in their roosts longer into the evening, before emerging to hunt, than other species of bats. Time of emergence will change with season. During summer males and females can be found roosting together or in single-sex colonies. Pallid bat roosts are located in caves, rock crevices, mines, hollow trees, snags, buildings, and bridges, with breeding occurring from October through February. Gestation takes approximately two months, with birth occurring late April through July, and females can give birth to twins, but typically have single births. Pups can fly at four to five weeks of age and are generally weaned in August six to eight weeks after birth. Pallid bats are susceptible to mild disturbances, which cause them to abandon their roosting sites and can be negatively impacted by pesticide use that offsets prey populations.

Northern Spotted Owl (Strix occidentalis caurina)

The Northern Spotted Owl was listed in 1993 as a threatened species by the USFWS and is protected under the ESA. Northern Spotted Owls use a range of landscapes for nesting, roosting, and foraging, including the complex multi-level, canopy coverage found in oak woodlands, redwood, and mixed conifer forests. Northern Spotted Owls that respond immediately to an acoustic survey call initiated at dawn or dusk are typically found close to their home territories. Where there is suitable habitat, spotted owls are known to be territorial, have high nest site fidelity, and often return to the same nest, or nest stand of trees, year after year. When Northern Spotted Owls have established themselves in a territory during the

breeding season, or are frequenting an area, locations can often be identified by observations of concentrated excrement in the form of whitewash, cast pellets, molted feathers, or prey remains.

Marin County is the southernmost end of the Northern Spotted Owl subspecies range where detailed records of the Marin population have been diligently documented and maintained due to the relatively small geographic area containing suitable habitat. The CNDDDB query identified three historic spotted owl territories within 1.0 miles of Fairfax Creek. Although the most recent records of detections date back to 2007, 2005, and 2005, for each of these three territories, Northern Spotted Owls have been documented to live up to 20 years, and may still be occupying these areas. To prevent an unauthorized incidental take from occurring as a result of the proposed project activities, we recommend that surveys be conducted for Northern Spotted Owl prior to the initiation of work. In February 2011 the USFWS adopted a revised spotted owl survey protocol to be applied to spotted owl populations within the state of California titled, *Protocol For Surveying Proposed Management Activities That May Impact Northern Spotted Owls (2011 NSO Survey Protocol)*. These protocol surveys guidelines are to be adhered to “in areas where management activities may remove or modify spotted owl nesting, roosting or foraging habitat” and “should also be applied to activities that disrupt essential breeding activities and to activities that may injure or otherwise harm Northern Spotted Owl other than through habitat modification (e.g., noise disturbance, smoke from prescribed fire).”

The only wildlife species observed during the December 2012 reconnaissance survey was the American Crow (*Corvus brachyrhynchos*). However, the California Bay forest is suitable habitat for foraging by Northern Spotted Owl, and may also be suitable habitat for foraging and roosting for pallid bat.

The subject property supports a sensitive habitat, California bay forest, characterized by unusually large individuals of California bay, which is also potentially suitable habitat for the protected Northern spotted owl and sensitive pallid bat. Although the most recent records of Northern spotted owl detections date back to 2007, 2005, and 2005, for each of these three territories, northern spotted owls have been documented to live up to 20 years, and may still be occupying these areas. To prevent an unauthorized incidental take from occurring as a result of the proposed project activities, surveys will need to be conducted for Northern Spotted Owl, prior to the initiation of work.

In February 2011, the USFWS adopted a revised spotted owl survey protocol to be applied to spotted owl populations within the state of California titled, *Protocol For Surveying Proposed Management Activities That May Impact Northern Spotted Owls (2011 NSO Survey Protocol)*. These protocol surveys guidelines are to be adhered to “in areas where management activities may remove or modify spotted owl nesting, roosting or foraging habitat” and “should also be applied to activities that disrupt essential breeding activities and to activities that may injure or otherwise harm spotted owl other than through habitat modification (e.g., noise disturbance, smoke from prescribed fire).” An evaluation of spotted owl territories inhabiting the California coastal range physiographic provinces require a survey radius of 0.7 – 1.3 miles and would be recommended for any projects within this distance.

Although, no special-status plant species were observed during the Adanta December 2012 survey or the May 5, 2016 survey, the site does have a moderate potential to support one special-status plant species, North Coast semaphore grass, and potentially streamside daisy and pale-yellow hayfield tarplant, and California bottle-brush grass. Surveys for eight rare plant species confirmed that six species are not present on the subject property. With respect to the other three plant species, streamside daisy

and pale-yellow hayfield tarplant, and California bottle-brush grass, a second late season (mid-summer) survey is necessary to confirm that the three species are not present on the subject property. To ensure that substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species are reduced to less than significant levels, the following mitigation measures are required:

MM BIO-1a: Prior to submittal for demolition, grading, or building permit, the project sponsor shall hire a qualified botanist to conduct a late-season (mid-summer) survey during the applicable blooming period to confirm presence or absence of streamside daisy and pale-yellow hayfield tarplant, and California bottle-brush grass in accordance with standard protocol. Should streamside daisy and pale-yellow, hayfield tarplant, or California bottle-brush grass species be present on the subject property, the following measures shall be implemented:

1. *Avoidance:* If streamside daisy and pale-yellow, hayfield tarplant, or California bottle-brush grass are found to be present on the Property and within the development envelope, the project sponsor shall redesign or modify the buildings or site improvements, as may be appropriate to avoid direct and indirect impacts to the plants, if feasible. Further, any special status plant species occurrences present near the proposed project grading and development envelope shall be protected by environmentally sensitive area fencing (orange construction barrier fencing) installed around the special status species populations. The environmentally sensitive area fencing (orange construction barrier fencing) shall be installed at least 50 feet from the edge of the population where feasible. If that is infeasible, then the buffer shall be established in consultation with a botanist to confirm that the buffer is wide enough to protect the plants from project grading activities.
2. *Transplantation and Relocation.* If the species are identified on the subject property and avoidance of one or all species is infeasible, the project sponsor and botanist shall consult with CDFW to determine if transplantation of the particular species is feasible. If CDFW concurs that transplantation and relocation is a feasible mitigation measure, the botanist shall develop and implement a Rare Plant Relocation, Management, and Protection Plan (Rare Plant Plan) in coordination with CDFW. The Rare Plant Plan shall include:
 - Identification of the proposed relocation methods to minimize the potential loss of plants from relocation,
 - A management plan identifying the applicable success criteria by which the transplanted plant populations can be measured for success, and regular monitoring to ensure that the plants are successfully transplanted. Success criteria shall require that at least 75% of the plants survive.
 - Specific, measurable triggers for adaptive management actions that are necessary to ensure survival.

The Rare Plant Plan shall specify annual monitoring of the site to which the plant populations are transplanted for at least five years after planting, and shall assess factors such as population size and density, recruitment, and individual plant health and vigor. Monitoring shall also assess whether the mitigation requires adaptive

management actions, such as collection and sowing of additional seed, tillage/disturbance within existing populations to induce establishment, installation of container plants, and control of exotic invasive vegetation (such as yellow star thistle) to ensure successful plant establishment and survival. The site at which the plants are transplanted shall be evaluated at the end of the 5-year monitoring period to determine whether the mitigation has met the success criteria identified in the Rare Plant Plan. If success criteria are not met at that time, then mitigation activities and monitoring shall continue until success criteria are met.

As part of the Rare Plant Plan, the project sponsor, in conjunction with a qualified restoration ecologist and/or botanist shall identify a suitable on- or off-site location for mitigation, and appropriate methods for seed collection, propagation, relocation, maintenance, and monitoring. The site shall be located within the range of the affected plant and contain suitable habitat sites, and the process for collecting seed crop and salvage shall be verified based on the particular species necessitating transplantation. The individuals shall not be removed until seeds have been collected.

3. Acquisition of Mitigation Credits. If transplantation and salvage of individual plant populations is not considered feasible, then the project sponsor shall purchase rare plant mitigations credits from a mitigation bank in the service territory at 1:1 ratio to compensate for the impacted population.
4. If no plants are found, no further actions are required.

Although the likelihood of the species presence on the property is very low based on surveys conducted to date, the mitigation measures described above will reduce potential impacts to a less than significant level.

MM BIO-1b: Prior to approval of a demolition, grading, or building permit, the project sponsor shall conduct hire a qualified biologist to conduct Pre-Construction Nesting Bird Surveys and submitted to the Planning Director.

1. Protocol Northern Spotted Owl surveys and pallid bat surveys shall be conducted to determine if the species is present within the California bay forest surrounding the subject property.
2. If construction is planned during the nesting season, a nesting bird survey shall be conducted a maximum of three days prior to the removal of vegetation and/or initiation of construction to determine absence or presence of nesting bird species. If active nests are present, then an approved biological monitor shall remain on site to ensure that nesting birds are not impacted by construction. Seasonal restrictions limiting construction to occur outside the avian nesting season which typically extends from March through July.
3. A no-disturbance buffer zone shall be established around any active nests. The biological monitor would consult with CDFW to determine the extent of the no-

disturbance buffer. If construction is planned during the raptor nesting season — March through July — a nesting raptor survey shall be conducted a maximum of three days prior to the removal of vegetation and/or initiation of construction to determine absence or presence of nesting raptors. All trees surrounding the subject property will be surveyed.

4. If active raptor nests are present within trees bordering the subject property, then an approved biological monitor will remain on site to ensure that nesting birds are not impacted by construction. A no-disturbance buffer zone of 250 feet will be established around any active raptor nests and the site protected until fledging of the young is verified by the approved biological monitor.
5. No action is necessary if active nests are not found or if construction will occur during the non-breeding season (generally September 1st through February 28th).

While no sensitive bird species or habitats have been identified during onsite surveys, implementation of mitigation measure MM BIO-1a and MM BIO-1b will protect potential special status species habitats and potential nesting birds and ensure there are no conflicts with the Migratory Bird Treaty Act. As a result, potential impacts would be reduced to less than significant levels with mitigation incorporated.

(Sources: 1, 2, 3, 15)

Discussion b.): Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

Less Than Significant impact. As discussed above, an ephemeral stream is located directly south of the planning area. The ephemeral stream located on the southern boundary was dry during Adanta's December 18, 2012 field survey. The stream does not connect to Fairfax Creek. No riparian habitat was observed on the subject property during the site visit in 2012 or again in 2016. Although the planning area near the project site may contain sensitive natural communities identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service, there are no proposed improvements or disturbances in these areas. All development will be contained to existing areas of disturbance.

The two major waterways in Fairfax, San Anselmo Creek and Fairfax Creek, are not identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or by the U.S. Fish and Wildlife Service as riparian or sensitive natural communities. The General Plan identifies, specifically Goal CON-3: Watershed and Stream Management, as a means to protect and enhance these systems throughout Town. Conservation Goal CON-3 ensures that potential impacts to adjacent wetlands would be avoided due to the fact that no disturbance is proposed in buffer areas adjacent to sensitive habitats and new construction is limited to areas sufficiently setback from potentially sensitive sites. Therefore, the project would have a less than significant impact on biological resources and no further mitigation is required.

(Sources: 1, 2, 3)

Discussion c.): Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Less Than Significant Impact. See Response IV(b) above. Although the project may contain areas of sensitive habitat in wooded upland areas, there are no physical improvements or disturbances proposed for this area of the project site. Furthermore, proposed improvements would avoid potential impacts to an adjacent ephemeral stream because no disturbance is proposed in this area or adjacent to sensitive habitats and new construction is limited to areas of existing disturbance.

Therefore, the project would not remove, fill, or hydrologically interrupt federally protected wetlands as defined by Section 404 of the Clean Water Act and the impact is considered less than significant with no further mitigation required.

(Sources: 1, 2, 3, 15)

Discussion d.): Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less Than Significant impact. See response to IV (a and b) above. The project site does not contain nor provide corridors for resident or migratory wildlife. Furthermore, the project site is not a native wildlife nursery site because the project site does not grow native plants that are sold or distributed for planting in other areas. Although there are areas of the project site, such as the ephemeral stream on the eastern side or the wooded hillsides that make up the northern portion of the site that could be considered sensitive habitats, no development is proposed in or near these areas. The project would not impede the use of any wildlife nursery sites because no documented wildlife nursery sites are located on the adjacent properties or in the surrounding vicinity.

Implementation of mitigation measures MM BIO-1a and MM BIO-1b would reduce potential impacts to sensitive species and habitat loss to less than significant levels. Therefore, the project would not interfere with wildlife species movement or with established wildlife corridors or nursery sites; and the project would have a less than significant impact on biological resources and no further mitigation is required.

(Sources: 1, 2, 3)

Discussion e.): Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less Than Significant impact with Mitigation Incorporation. The proposed project would require removal of several trees on the subject property. Habitat on both the east and west sides of the subject property consists predominantly of closed-canopy forest dominated by California bay (*Umbellularia californica*). This forest corresponds to the California bay forest habitat type of Holland (1986), to the California bay forests and woodlands alliance of CDFW (CDFG 2003), and to the *Umbellularia californica* (California bay forest) alliance of Sawyer *et al.* (2009) and CDFG (2010a, b). Associated tree species are sparsely distributed and include coast live oak (*Quercus agrifolia* var. *agrifolia*), Pacific madrone (*Arbutus menziesii*), and, upslope of the site on the east side, Oregon oak (*Quercus garryana* var. *garryana*). This forest includes many unusually large California bay individuals; the larger trees are 2 to 6 feet in diameter at breast height.

On the east side of the property, the forest understory is essentially unvegetated on the canyon bottom and on the lowermost slope. Further upslope, the understory consists of moderate (40-50 percent) cover of species such as the woody vine hairy honeysuckle (*Lonicera hispidula* var. *vacillans*) and such native herbaceous species as wood fern (*Dryopteris arguta*), Columbia brome (*Bromus vulgaris*), California brome (*Bromus carinatus* var. *carinatus*), sword fern (*Polystichum munitum*), and mountain sweet cicely (*Osmorhiza chilensis*), along with scattered small (< 2 feet tall) individuals of the invasive non-native shrub French broom (*Genista monspessulana*). A shallow, but well-defined intermittent drainage borders, the base of the slope on this side of the site.

Under the forest canopy on the west side of the subject property, the understory is locally vegetated with a moderately dense cover of non-native herbaceous species such as rattlesnake grass (*Briza maxima*), a weedy member of the parsley family, either bur-chervil (*Anthriscus caucalis*) or spreading hedge-parsley (*Torilis arvensis*), and cleavers (*Galium aparine*, possibly native), along with a few native species such as rough hedge-nettle (*Stachys ajugoides* var. *rigida*) and Pacific sanicle (*Sanicula crassicaulis*). Small individuals of French broom are also scattered and locally abundant in this understory. Dense stands of larger (4-6 feet tall) individuals of French broom are local in the understory, and are more extensive upslope to the west of the survey area. California bay forest is recognized by CNDDB as a "high priority" and, therefore, sensitive habitat type (Holland 1986; CDFG 2003, 2010a, b).

Urban Forestry Associates (UFA) prepared a Tree Preservation and Protection report on October 5, 2016. UFA conducted a site visit on September 28, 2016 to assess the condition of the trees on the subject property and to provide a prognosis on tree health, vigor, structural stability and potential impacts to the trees resulting from the proposed development. The majority of trees immediately west of the on-site drainage are planned removals for the main access road. Many of the trees within the footprint of development have structural defects increasing their potential to cause damage to targets of value. Thus there a number of trees being recommended for removal for poor structural condition.

As required under Chapter 8.36.080 of the Town's Municipal Code, the project sponsor is required to submit a tree protection plan to protect trees during construction. Furthermore, pursuant to mitigation measure MM BIO-1b, the project sponsor is required to conduct pre-construction surveys for nesting birds present on the subject property if disturbance or tree removal will take place during the nesting season. Proposed project revisions, including the new primary access driveway and additional parking do not require further analysis for conflicts with tree preservation policies because changes to the project design do not change the number of trees impacted or removed. However, to ensure that the remaining trees on site are protected during construction, the following mitigation measure is required to reduce potential impacts to less than significant levels:

MM BIO-2: Pursuant to the Arborist's Checklist in the October 2016 UFA Tree Protection Report, and prior to submittal of a demolition, grading or general building permit, the project sponsor shall submit a tree protection plan prepared by a licensed qualified arborist, including the following:

- *Tree Protection:* The project sponsor shall establish a Tree Protection Zone (TPZ) prior to starting the demolition work. Four-foot high wire deer fencing will be erected by the contractor to limit access to the TPZ. Prior to the beginning of demolition, the project arborist shall meet with the contractor on site to direct

installation of tree protection measures. Tree protection will consist of non-intrusion zone fencing to limit disturbance from construction activities.

- *Debris barriers:* There are four proposed debris barriers per Geotechnical recommendations (C-1.0 Tentative Map). Arborist oversight will be required during placement and installation of these barriers to ensure excavation (if required) will not impact trees to be protected during construction.
- *Sudden oak death:* Existing bay trees display foliar symptoms of sudden oak death (*Phytophthora ramorum*). Heavy mortality of coast live oak trees was observed and is further evidence supporting the conclusion that the pathogen is present on site. Any coast live oak trees with targets of value or of particular importance shall be prophylactically sprayed at least once yearly in November with Agrifos or Reliant fungicide and Pentrabark surfactant. This work shall be performed by a licensed pesticide company and shall comply with the Town pesticide ordinance, Town Code Chapter 8.52.

The presence of the pathogen has implications for the landscaping plan as it is not advisable to plant susceptible species. Interior live oak (*Quercus wislizeni*) is a good alternative to coast live oak as it possesses virtually the same aesthetic attributes and has shown resistance to the pathogen.

- *Trimming leaf trees:* Trees around the perimeter of the property will require pruning for risk mitigation to comply with Ross Valley Fire Department and Fairfax fire code. Trimming will be required of remaining bay trees lining the proposed main access road.
- *Removals:* Due to the lack of surveyed tree locations, the project arborist shall mark all trees to be removed prior to commencement of tree work.

MM BIO-3: As required by Chapter 8.36.040 and 8.36.050 of the Town's Municipal Code, and prior to submittal of a demolition, grading or general building permit, the project sponsor shall comply with the Town of Fairfax Heritage Tree Ordinance, including submittal for a tree removal permit obtained from the Fairfax Tree Advisory Committee. The application shall include a description of the tree replacement program and identification of any conditions imposed by the Town. The tree replanting plan shall include primarily native trees to offset the loss of trees removed due to construction as determined by the Tree Advisory Committee and the Director of Planning and Building Services.

Implementation of mitigation measure MM BIO-2 and MM BIO-3, in conjunction with protection and replanting of trees within the project site, would ensure the project does not conflict with any local ordinances protecting biological resources such as the Town's Tree Ordinance, Town Code Chapter 8.36. As a result, potential impacts are considered less than significant and no further mitigation is required.

(Sources: 1, 2, 3)

Discussion f.): Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Less Than Significant impact. The proposed project includes improvements and modifications to previously developed and disturbed properties. Proposed improvements are consistent with existing land uses and are consistent with the Fairfax 2010-30 General Plan.

The Fairfax General Plan is designed to protect and enhance natural features and habitats. Furthermore, there are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans that conflict with the goals and policies of the General Plan. Therefore, the proposed project would result in no impact related to conflicts with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. There are no adopted local, regional or state habitat conservation plans that apply to the project site. Potential impacts are considered less than significant and no mitigation is required.

(Sources: 1, 2, 3, 13)

V. CULTURAL RESOURCES					
	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact	
<i>Would the project:</i>					
<i>a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<i>b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<i>c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<i>d. Disturb any human remains, including those interred outside of dedic cemeteries?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

The proposed project application includes a cultural resources investigation letter report from Pacific Legacy, prepared in June 2016. This report includes an archival and record search of the 20-acre subject parcel and a surrounding 0.25-mile radius, contact with the Native American Heritage Commission (NAHC) and potential Native American stakeholders, and a field inventory of the subject parcel that included an architectural review of standing buildings and structures that lie within the proposed development area. Project revisions, including the new main access drive and new zoning designations

for the subject property, do not change the conclusions from the previous evaluation of the proposed project.

Discussion a): Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

Less Than Significant impact. The Pacific Legacy report includes a field inventory conducted by architectural historian Brad Brewster, MA, on June 1, 2016. No prehistoric or historic period archaeological resources were discovered within the Project area through an archival and records search, contact with the NAHC, or through field inventory. A single historic period built-environment resource was identified, however, specifically a sanctuary and classroom building constructed in 1961 that serves as a part of the Christ the Victor Lutheran Church. The interior of the sanctuary consists of a large, clear-span space with carpeted floors, painted plaster walls and ceilings, hanging pendant lights, a wood pulpit on a raised platform, and a wood cross. The rear classroom addition to the east of the sanctuary has an irregular plan, flat roof forms, and one pent roof with clerestory windows, vertically scored wood siding, wood frame windows with fixed glazing, and single wood-frame doors. A large cross made of steel I-beams is located directly in front of the sanctuary to the west. A steel school bell hangs from a matching steel I-beam support structure to the east of the building. Other areas to the east include a concrete aggregate patio and stairway leading to an outdoor picnic/yard area.

To be eligible for listing in the NRHP and to be regarded as “historic property” under Section 106 of the NHPA, a cultural resource or must meet at least one of four criteria. Those criteria are listed under 36 CFR Part 60.4. and read as follows:

The quality of significance in American history, architecture, archeology, and culture is present in districts, sites, buildings, structures, and objects of state and local importance that possess integrity of location, design, setting, materials, workmanship, feeling and association, and

- A) that are associated with events that have made a contribution to the broad pattern of our history; or
- B) that are associated with the lives of people significant in our past; or
- C) that embody the distinct characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or,
- D) that have yielded, or are likely to yield, information important in prehistory or history.

To be eligible for listing in the CRHR and to be regarded as a “historical resource” under CEQA, a cultural resource must be significant according to one or more of the following four criteria:

- 1) it is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
- 2) it is associated with the lives of persons important to local, California, or national history;
- 3) it embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values; or,
- 4) it has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition to meeting one or more of the NRHP and/or CRHR criteria, a cultural resource must retain the quality of integrity in order to qualify for listing in either register. The concept of integrity is usually interpreted to mean “intactness” of physical characteristics or the extent to which a property retains or is able to convey the essential characteristics that would render it significant under the eligibility criteria listed above. These characteristics may be expressed as a property’s integrity of location, design, setting, materials, workmanship, feeling, and association (NPS 1995). In his examination of the Christ the Victor Church sanctuary and classroom building, Pacific Legacy found the building was not associated with any events (Criterion A/1) or individuals (Criterion B/2) significant in local, state, or national history. The building was not determined to be the work of a master or to possess unique or significant physical characteristics (Criterion C/3). As a historic period built-environment resource, Pacific Legacy suggests that it has no significant research potential (Criterion D/4). As the building met none of the significance criteria noted above, Pacific Legacy recommended it not eligible for listing in either the NRHP or the CRHR (see Attachment D).

Demolition of the existing structures and development of the proposed project would have a less than significant impact to historic resources and no further mitigation is required.

(Sources: 1, 2, 3)

Discussion b.): Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less Than Significant Impact with Mitigation Incorporation. New requirements regarding tribal cultural resources approved by the California State Legislature in Assembly Bill 52 are effective July 1, 2015. The legislative intent of AB 52 is to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources. The Public Resources Code now establishes that “[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.” (Pub. Resources Code, § 21084.2.) To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project.

The archival and records search revealed that no cultural resources had been previously recorded and that cultural resource studies had previously been completed within 0.25 miles of the subject parcel (see Appendix D, Attachment A: Figure 3). A request for a search of the Sacred Lands File as it encompasses the subject parcel was submitted to the NAHC on May 2, 2016. The NAHC responded on June 13, 2016 and stated that no Native American resources had been identified within the area. The NAHC provided contact information for two potential Native American stakeholders who may have further knowledge of the Project vicinity. Those individuals were contacted via certified letter on June 14, 2016 to request any information that they might be able to offer about the subject parcel (see Attachment C). Responses from Buffy McQuillen, the Tribal Heritage Preservation Officer (THPO) at Native American Graves Protection and Repatriation Act (NAGPRA), indicated that there is a high probability of tribal cultural resources below the surface. The Tribe requested for further site surveys in a specific manner that looks at buried deposits. Furthermore, the Tribe requested to be involved in the proposed project so as to avoid areas where it’s cultural deposits are present. Pursuant to AB 52, on October 5, 2016, the Town sent a letter to the Federated Indians of Graton Rancheria to solicit any request for consultation. The Tribe responded on

November 2, 2016 with a requested consultation meeting. The Town began the consultation process on November 10, 2016, but has yet to formally meet with the Tribe as of the publication of this document.

To reduce this potentially significant impact to a less than significant level, a pre-construction site survey shall be required according to the following mitigation measure CULT-1:

MM CULT-1a: There is a moderate potential of identifying Native American archaeological resources in the project area. Prior to submittal of a demolition, grading or construction permit, the project sponsor shall have a qualified archaeologist conduct further archival and field studies to identify potential cultural resources within the proposed footprint of disturbance. The field study may include, but is not limited to, pedestrian survey, hand auger sampling, shovel test units, or geo-archaeological analyses as well as other common methods used to identify the presence of archaeological resources. If potential resources are discovered on site, documentation and treatment shall be in accordance with recommendations in mitigation measure MM CULT-2 below. The qualified archaeologist shall be selected from the list of consultants who meet the Secretary of Interior's Standards at <http://www.chrisinfo.org>.

MM CULT-1b: Prior to scheduling the on-site filed survey, the project sponsor shall contact the local Native American tribe representative to coordinate a Tribe member's presence during the field survey.

Following the field survey, the proposed project may still have the potential to impact unknown archaeological resources because grading activities may result in the discovery of unknown cultural resources that are buried beneath the ground surface. If Tribal Cultural Resources are discovered during project construction, the property owner/project sponsor is required to follow state law regarding disturbance of any existing and previously undiscovered cultural resource, including that the project shall be stopped until a cultural resources evaluation is conducted, and the requirements or recommendations set forth within the evaluation are met. To reduce this potentially significant impact to a less than significant level, all construction related impacts of soil shall be monitored in accordance with Mitigation Measure CULT-2:

MM CULT-2: Prior to initiating ground disturbing activities within the Project area, construction personnel should be alerted to the possibility of encountering buried prehistoric or historic period cultural materials. If any prehistoric or historic subsurface cultural resources are discovered during ground-disturbing activities, all work within 50 feet of the resources shall be halted and a tribally-preferred ~~qualified~~ archaeologist (qualified per the standards of the Secretary of the Interior), as well as a representative of the Federated Indians of Graton Rancheria, shall be consulted to assess the significance of the find according to CEQA Guidelines Section 15064.5. Personnel should be advised that, upon discovery of buried archaeological deposits, work in the immediate vicinity of the find should cease and a qualified archaeologist should be contacted immediately. Once the find has been identified, plans for the treatment, evaluation, and mitigation of impacts to the find will need to be developed if it is found to be NRHP and/or CRHR eligible. Potential cultural materials include prehistoric and historic period artifacts that may consist of, but are not limited to:

- historic period artifacts, such as glass bottles and fragments, tin cans, nails, ceramic and
- pottery shards, and other metal objects;
- historic period features such as privies, wells, cellars, foundations or other structural
- remains (bricks, concrete, or other building materials);
- flaked-stone artifacts and debitage, consisting of obsidian, basalt, and/or chert;
- groundstone artifacts, such as mortars, pestles, and grinding slabs;
- dark, almost black, soil with a “greasy” texture that may be associated with charcoal,
- ash, bone, shell, flaked stone, groundstone, and fire-affected rock; or,
- human remains.

If any find is determined to be significant, representatives from the Town and the archaeologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation. All significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards. In considering any suggested mitigation proposed by the consulting archaeologist to mitigate impacts to historical resources or unique archaeological resources, the Town shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations.

If avoidance is infeasible, other appropriate measures (e.g. data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is being carried out.

Therefore, implementation of mitigation measures MM CULT-1a & b, and MM CULT-2 will reduce the potential impact to less than significant levels and no further mitigation is required.

(Sources: 1, 2, 3, 16, 17)

Discussion c.): Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact with Mitigation Incorporation. The subject property is currently developed with existing structures and is considered an urban or disturbed site. There are known instances of unique paleontological resources occurring throughout the Town of Fairfax. Several mapped sites are located around the two watercourses running through downtown, including areas along Center Boulevard and near the Town Pavilion. The Fairfax General Plan is sensitive to the existence of known cultural and historic resources and has identified protective measures by creating Goal CON-8.1: Historical and cultural preservation, in the Conservation Element. The subsequent policies and programs listed under this goal of the Conservation Element outline the proper protection and documentation procedures to address cultural and historic resources in Town. All future projects shall prepare applications based on the requirements of Goal Con-8.1 and evaluated by the criteria set forth in CEQA Guidelines Section 15064.5. However, to reduce this potentially significant impact to a less than

significant level, all related impacts to the destruction of unique paleontological resources or sites or unique geologic features shall be monitored in accordance with Mitigation Measure CULT-3:

MM CULT-3: Should any potentially unique paleontological resources (fossils) be encountered during development activities, work shall be halted immediately within 50 feet of the discovery. The Town of Fairfax Planning Department shall be notified immediately, and a qualified paleontologist shall be retained to determine the significance of the discovery. Based on the significance of the discovery, the qualified paleontologist shall present options to the Town for protecting the resources. Appropriate action may include avoidance, preservation in place, excavation, documentation, and/or data recovery, and shall always include preparation of a written report documenting the find and describing steps taken to evaluate and protect significant resources. The Town will implement feasible and appropriate recommendations and mitigation measures of the qualified paleontologist for any unanticipated discoveries. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery or other appropriate measures.

Therefore, implementation of mitigation measure MM CULT-3 will reduce the potential impact to less than significant levels and no further mitigation is required.

(Sources: 1, 2, 3, 16, 17)

Discussion d.): Disturb any human remains, including those interred outside of formal cemeteries?

Less Than Significant Impact with Mitigation Incorporation. See Item V.(c) above. State CEQA Guidelines Section 15064.5, subdivision (e) requires that excavation activities be stopped whenever human remains are uncovered and that the county coroner be called in to assess the remains. If the county coroner determines that the remains are those of Native Americans, the Native American Heritage Commission must be contacted within 24 hours. At that time, the lead agency must consult with the appropriate Native Americans, if any, as timely identified by the Native American Heritage Commission. Section 15064.5 directs the lead agency (or applicant), under certain circumstances, to develop an agreement with the Native Americans for the treatment and disposition of the remains.

MM CULT-4: If human remains are encountered during construction, work in that area must cease and the Marin County Coroner must be notified immediately. If the remains are determined to be Native American, the NAHC must be notified within 48 hours as required by Public Resources Code 5097. The NAHC will notify the designated Most Likely Descendant, who will in turn provide recommendations for the treatment of the remains within 24 hours.

Therefore, implementation of mitigation measure MM CULT-4 will reduce the potential impact to less than significant levels and no further mitigation is required.

(Sources: 1, 2, 3, 16, 17)

VI. GEOLOGY AND SOILS

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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Would the project:

<i>a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</i>				
<i>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</i>				
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>ii) Strong seismic ground shaking?</i>				
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>iii) Seismic related ground failure, including liquefaction?</i>				
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>iv) Landslides?</i>				
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>b. Result in substantial soil erosion or the loss of topsoil?</i>				
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on, or off, site landslide, lateral spreading, subsidence, liquefaction or collapse?</i>				
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?</i>				
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?</i>				
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project applicant included geotechnical investigation reports prepared by Herzog Geotechnical for the proposed project in December, 2012, May 2016 and again on August 12, 2016. The geotechnical investigation included geologic reconnaissance, test borings of subsurface conditions, and laboratory testing and engineering analyses. Project revisions, including the new main access drive and new zoning designations for the subject property, do not change the conclusions from the previous evaluation of the proposed project. The discussion for Response VI (a)(iv) below has been updated to provide a clearer explanation of the potential projects impacts. Similarly, text has been

added to Mitigation Measure MM GEO-3 to provide clarification of recommended project improvements. The mitigation has not been changed or intensified, rather a clearer description of the action required.

Discussion a.): Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving,

- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.***

Less Than Significant Impact. The project site is not located within Alquist-Priolo Special Studies Zone. The nearest known active earthquake faults to the project site are the North Golden Gate Segment of the San Andreas Fault System and the North Segment of the Hayward Fault System, both 'active' faults are located approximately nine miles to the west and seven miles east of the site, respectively. The probability of a magnitude 6.7 or greater earthquake occurring on the North Coast San Andreas Fault or North Hayward Fault, between 2000 and 2030, is 12% and 16%, respectively. In the event of a major earthquake in the Bay Area, the site may be susceptible to seismic shaking and related ground failure. The threat of surface rupture is remote since no known active earthquake faults cross the site. Therefore, the proposed project area is not considered susceptible to the risk of loss, injury, or death due to fault rupture and the associated impacts would be less than significant.

(Sources: 1, 2, 3, 18)

- ii) Strong seismic ground shaking?***

Less Than Significant Impact with Mitigation Incorporation. The project site is relatively close to known active faults, and is located approximately seven (7) miles northeast of the San Andreas Fault Zone and 11 miles southwest of the Hayward Fault Zone. Herzog Geotechnical produced geotechnical investigation reports for the proposed project in December, 2012, May 2016 and again on August 12, 2016. According to the site investigation, the site will likely experience seismic ground shaking similar to other areas in the seismically active Bay Area and is anticipated to be subject to strong earthquake shaking during the life of improvements. The intensity of ground shaking will depend on the characteristics of the causative fault, distance from the fault, the earthquake magnitude and duration, and site specific geologic conditions. Estimates of peak ground accelerations are based on either deterministic or probabilistic methods. Deterministic methods use empirical attenuation relations that provide approximate estimates of median peak ground accelerations. A summary of the active faults that could most significantly affect the planning area, their maximum credible magnitude, closest distance to the center of the planning area, and probable peak ground accelerations is included in the table on Page 5 of the Herzog report.

Ground shaking can result in structural failure and collapse of structures or cause non-structural building elements, such as light fixtures, shelves, cornices., to fall, presenting a hazard to building occupants and contents. Compliance with provisions of the most recent version of the California Building Code (2013 CBC) should result in structures that do not collapse in an earthquake. Damage may still occur and hazards associated with falling objects or non-structural building elements will remain.

The potential for strong seismic shaking at the project site is high. Due to their proximity and historic rates of activity, the San Andreas and Hayward Faults present the highest potential for severe ground shaking. The significant adverse impact associated with strong seismic shaking is potential damage to structures and improvements.

MM GEO -1: Prior to grading or building permit submittal, the project sponsor shall prepare a design-level geotechnical investigation prepared by a qualified and licensed geotechnical engineer. Design criteria of new structures and foundations shall be in accordance with the provisions of the 2013 California Building Code or subsequent codes in effect when final design occurs. Recommended seismic design coefficients and spectral accelerations shall be consistent with the findings presented in the Conclusions of the May 25, 2016 Herzog report.

Implementation of Mitigation Measure GEO-1 will reduce potential impacts to less than significant levels and no further mitigation measures will be required.

(Sources: 1, 2, 3, 18)

iii) Seismic related ground failure, including liquefaction?

Less Than Significant Impact with Mitigation Incorporation. Liquefaction refers to the sudden, temporary loss of soil strength during strong ground shaking from earthquakes. This phenomenon can occur in saturated, loose, granular deposits subjected to seismic shaking. Recent advances in liquefaction studies indicate that liquefaction can occur in granular materials with relatively high fines content provided the fines exhibit a plasticity index less than 7. Liquefaction can result in flow failure, lateral spreading, ground movement, settlement, and other related effects.

As indicated in the Herzog report the site is mapped within a zone of moderate susceptibility to liquefaction (USGS, 2004). The results of the subsurface exploration indicate the project site is underlain by layers of clean sand which are subject to liquefaction including fill and colluvial/alluvial soils consisting of medium dense silty sand and of loose silty gravel. The fill and upper colluvium and alluvium are weak and compressible, and portions of the sand deposits are subject to seismic liquefaction and cyclic strength loss. The soils encountered are of low expansion potential, and become stiffer and less compressible with increasing depth.

To evaluate liquefaction risk, the seismic energy from an earthquake is compared with the ability of the soil to resist pore pressure generation. The earthquake energy is termed the cyclic stress ratio (CSR) and is a function of the maximum credible earthquake peak ground acceleration and depth. The soil resistance to liquefaction is based on the relative density, and the amount and plasticity of the fines (silts and clays). The relative density of cohesionless soil is correlated with Standard Penetration Test blow count data measured in the field during the exploratory borings.

Liquefaction analyses calculated by Herzog indicates the presence of layers of clean sand which are subject to liquefaction. The post-liquefaction consolidation settlements of these materials may result in

several inches of settlement at the ground surface. Thus, the likelihood of liquefaction and related effects impacting the proposed improvements is generally moderate to high.

Lateral spreading occurs when continuous liquefiable soil layers lose strength and slopes flow toward a free face along the liquefied soil layer, resulting in large scale slope instability. The Herzog report concluded that potentially liquefiable deposits are not continuous across the site, but lateral spreading could occur in sloping areas.

The following mitigation measure is included to ensure that the recommendations of the final geotechnical report are incorporated into the project design plans:

MM GEO-2: Prior to grading or building permit submittal, the project sponsor shall prepare a design-level geotechnical investigation prepared by a qualified and licensed geotechnical engineer. Foundation design shall account for settlements due to possible liquefaction within the fill and colluvial/alluvial soils. Foundation support designs shall extend into competent materials below the liquefiable zone as recommended in the May 25, 2016 Herzog report. Foundation supports for sloping areas shall be designed to resist forces imposed by lateral spreading.

Implementation of Mitigation Measure GEO-2 will reduce impacts from seismic related ground failure, including liquefaction, to a less than significant level and no further mitigation is required.

(Sources: 1, 2, 3, 18)

iv) **Landslides:**

Less Than Significant impact with Mitigation Incorporation. The Geotechnical Report prepared for the proposed project indicates that several swales draining into the project area contain earthflow landslides and that much of remaining slopes are blanketed by colluvial deposits. These earthflow deposits are mapped as Slope Stability Zone 4 as defined in “*Geology for Planning: Central and Southeast Marin County*” (Rice, 1976). Zone 4 includes areas of previous sliding and areas subject to potential instability. The remaining side slopes are generally within Slope Stability Zone 3, which includes areas where steepness of slopes approaches the stability limits of the underlying geologic materials. Zones range from 1 to 4, with Zone 4 being least stable. ~~It was observed that renewed sliding of these areas may occur as a result of heavy rainfall and/or earthquake shaking, and that the slide debris could flow onto the valley floor and could impact proposed improvements. As outlined in the August 12, 2016 and May 24, 2016 report, Herzog noted topographic features indicative of instability within several of the swales above the proposed project. It was judged that renewed sliding of these areas may occur as a result of heavy rainfall and/or earthquake shaking, and that the slide debris could flow onto the valley floor and could impact proposed improvements. Herzog determined that debris catchment systems would be required upslope of improvements (See Figure 6: Tentative Map). The recommended feasible mitigation method would be to install high-energy ring net barriers such as GeoBrugg's Debris Flow Barrier UX system (www.geobruigg.com), or equivalent, across the base of these swales. Preliminary~~

recommended alignments and corresponding minimum heights for the barriers are depicted on Plate 1 of the August 12, 2016 Herzog report.

MM GEO-3: Prior to grading or building permit submittal, the project sponsor shall prepare a design-level geotechnical investigation including criteria for high-energy ring net barriers or buttress, catchment and/or diversion facilities based on recommendations included in the Herzog Preliminary Geotechnical Recommendations reports submitted with the project application. This report shall be prepared by a qualified and licensed geotechnical engineer. ~~It will be necessary to provide debris catchment facilities upslope of improvements. The catchments may consist of earthen berms, structural walls, or high-energy ring net barriers (GeoBrugg®, or equivalent).~~ The barriers should be supported on drilled, cast-in-place, reinforced concrete piers extending into approved competent soils or bedrock. Anchor cables for the barriers should be restrained with drilled tieback anchors extending into bedrock. The actual alignments and structural requirements for the barriers should be determined as part of design-level geotechnical investigation for the project, and the materials and installation for the fences should conform with project-specific shop drawings and specifications by the manufacturer which are prepared and submitted for review prior to commencing work. Runoff and debris from the swales may also be channeled to detention basins utilizing diversion walls or berms. It will be necessary to periodically remove accumulated material from behind the catchment facilities and detention basins to maintain adequate storage capacity. Alternatively, slide areas located on the subject property may be over-excavated and reconstructed as compacted and underdrained fill buttresses that are keyed into competent bedrock.

Implementation of mitigation measure GEO-3 would reduce potential impacts related to landsliding to less than significant levels and no further mitigation is required.

(Sources: 1, 2, 3, 18)

Discussion b): Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact with Mitigation Incorporation. See Response VI (a)(iv) above. Sandy soils on moderately steep slopes or clayey soils on steep slopes are susceptible to erosion when exposed to concentrated surface water flow. The potential for erosion is increased when established vegetation is disturbed or removed during normal construction activity. The proposed project is within existing disturbed areas but that area is at the base of a broad southwest trending valley. The valley floor has been in-filled as a result of slope-wash processes and grading activities required for existing development. As documented in the Herzog report, it is important that surface and subsurface water be controlled to reduce future moisture variations in the weak on-site soils. Ground surface adjacent to structures should be sloped to drain away from improvements in order to prevent ponding of surface water. Runoff from the side swales should be collected in new culverts or lined channels and directed to an approved storm drain. Roofs should be provided with gutters and downspouts. Roof downspouts and storm drain facilities should be connected to closed conduits that discharge into an approved storm drain. Roof downspouts and surface drains must be maintained entirely separate from retaining wall backdrains and foundation drains.

Therefore, improper drainage and soil erosion could be considered a significant long-term geologic hazard. However, a qualified drainage plan prepared prior to construction can prevent excess erosion when the soils will likely be exposed and during the lifetime of the project. The following mitigation measure is included to ensure that the recommendations of the final geotechnical report are incorporated into the project design plans to address issues of soil erosion and loss of topsoil:

MM GEO-4: Prior to grading or building permit submittal, the project sponsor shall prepare a design-level drainage plan including criteria for a site drainage system to collect surface water and discharging it into an established storm drainage system. New retaining walls should be properly back-drained to prevent the buildup of hydrostatic pressure behind the walls, and foundation drains should be installed around the perimeter of new structures to reduce seepage beneath the improvements. A qualified and licensed civil engineer shall be responsible for designing the site drainage system and, an erosion control plan shall be developed prior to construction per the current guidelines of the California Stormwater Quality Association's Best Management Practice Handbook (2003).

Implementation of mitigation measure GEO-4 will reduce impacts from loss of soil or topsoil erosion, to a less than significant level and no further mitigation is required.

(Sources: 1, 2, 3, 18)

Discussion c): *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on, or off, site landslide, lateral spreading, subsidence, liquefaction or collapse?*

Less Than Significant Impact with Mitigation Incorporation. See Section VI(a)(ii) and (iii) above. The project site is located in areas of high seismic activity and features areas that could be considered unstable as a result of the project, and potentially result in on, or off, site landslide, lateral spreading, subsidence, liquefaction or collapse. As discussed above, the likelihood of liquefaction and lateral spreading and related effects impacting the proposed improvements is generally likely.

Design criteria for building foundations and other structural supports shall be designed in accordance with the findings in the Herzog geotechnical report. Furthermore, building plans would be required to comply with The Uniform Building Code (UBC) and the California Building Code (CBC) for earthquake-resistant design parameters. This would include designing the foundations to account for minor settlements and lateral ground movements due to possible lurching. Implementation of design level incorporation of the Herzog geotechnical report and mitigation measures GEO-1, GEO-2, GEO-3 and GEO-4 would reduce the potential impacts to less than significant levels and no further mitigation is required.

(Sources: 1, 2, 3, 18)

Discussion d): *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?*

Less Than Significant Impact with Mitigation Incorporation. See Section VI.(a).ii and iii above. Herzog conducted a site investigation in December 2012, and May and August 2016. Near-surface soils identified in the on-site borings are weak and compressive and susceptible to seismic liquefaction and

cyclic strength loss. The Herzog report details many aspects of the soils and subsurface conditions but does not conclude the risk of expansive soil affecting the proposed improvements. Expansive soils will shrink and swell with fluctuations in moisture content and are capable of exerting significant expansion pressures on building foundations, interior floor slabs and exterior flatwork. Distress from expansive soil movement can include cracking of brittle wall coverings (stucco, plaster, drywall) racked door and/or window frames, uneven floors, and cracked slabs. Flatwork, pavements, and concrete slabs-on-grade are particularly vulnerable to distress due to their low bearing pressures. Building plans would be required to comply with the Uniform Building Code (UBC) and the California Building Code (CBC) for earthquake-resistant design parameters for foundations and structural elements.

The following mitigation measure is included to ensure that the recommendations of the final geotechnical report are incorporated into the project design plans to address issues of expansive soils:

MM GEO-5: During site preparation and construction, the project sponsor shall ensure that soils should be moisture conditioned to above the optimum moisture content during site grading and maintained at this moisture content until imported aggregate base and/or surface flatwork is completed. Moisture conditioned soils shall be consistent with recommendations by a licensed geotechnical engineer

Furthermore, incorporation of mitigation measures GEO-1 through GEO-5 would reduce the potential impacts to less than significant levels and no further mitigation is required.

(Sources: 1, 2, 3, 18)

Discussion e): Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No impact. No septic tanks would be used as part of the proposed project. The project will be required to connect to the existing Ross Valley Sanitation District sanitary sewer. As a result, no impacts associated with the use of septic tanks would occur as part of the proposed project's implementation.

(Sources: 1, 2, 3, 18)

VII. GREENHOUSE GAS EMISSIONS	<i>Potentially Significant Impact</i>	<i>Less-Than-Significant With Mitigation Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>
Would the project:				
a. <i>Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. <i>Conflict with an applicable plan, policy or regulation for the purpose of reducing the emissions of greenhouse gases?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion a): Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Gases that trap heat in the atmosphere, Greenhouse Gases (GHGs), regulate the earth's temperature. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate. The most common GHGs are carbon dioxide (CO₂) and water vapor but there are also several others, most importantly methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). These are released into the earth's atmosphere through a variety of natural processes and human activities. Sources of GHGs are generally as follows:

- CO₂ and N₂O are byproducts of fossil fuel combustion.
- N₂O is associated with agricultural operations such as fertilization of crops.
- CH₄ is commonly created by off-gassing from agricultural practices (e.g., keeping livestock) and landfill operations.
- Chlorofluorocarbons (CFCs) were widely used as refrigerants, propellants, and cleaning solvents but their production has been stopped by international treaty.
- HFCs are now used as a substitute for CFCs in refrigeration and cooling.
- PFCs and sulfur hexafluoride emissions are commonly created by industries such as aluminum production and semi-conductor manufacturing.

Each GHG has its own potency and effect upon the earth's energy balance. This is expressed in terms of a global warming potential (GWP), with CO₂ being assigned a value of 1 and sulfur hexafluoride being several orders of magnitude stronger with a GWP of 23,900. In GHG emission inventories, the weight of each gas is multiplied by its GWP and is measured in units of CO₂ equivalents (CO₂e).

An expanding body of scientific research supports the theory that global warming is currently affecting changes in weather patterns, average sea level, ocean acidification, chemical reaction rates, and precipitation rates, and that it will increasingly do so in the future. The climate and several naturally occurring resources within California could be adversely affected by the global warming trend. Increased precipitation and sea level rise could increase coastal flooding, saltwater intrusion, and degradation of wetlands. Mass migration and/or loss of plant and animal species could also occur. Potential effects of global climate change that could adversely affect human health include more extreme heat waves and heat-related stress; an increase in climate-sensitive diseases; more frequent and intense natural disasters such as flooding, hurricanes and drought; and increased levels of air pollution.

The San Francisco Bay Area Air Basin is currently designated nonattainment for the state and federal ozone ambient air quality standards, as well as the state PM₁₀ and PM_{2.5} ambient air quality standards. The primary sources of ozone-precursor emissions (i.e., ROG and NO_x) within the basin are from mobile sources. The primary sources of fine and respirable particulate matter (PM_{2.5} and PM₁₀) emissions in Marin County from new development are associated with grading, construction, and wood smoke.

New development is subject to the Town's Climate Action Plan and State implemented measures (e.g., new Title 24 requirements) that are anticipated to reduce GHG emissions by 8 to 27 percent lower than traditional land use development. GHG impacts in Fairfax were addressed in the General Plan with Amended Land Uses within Site #1 "Peace Village." That scenario evaluated for GHG impacts in the

Town assumed the site would be comprised of 40 senior living units, a private school serving up to 150 students, and a church. Now with only 54 senior living units, GHG emissions would be anticipated to be less, so the project is not anticipated to interfere with GHG planning assumptions in the Town of Fairfax.

Project emissions were evaluated separately against the most stringent thresholds published by BAAQMD. GHG emissions associated with development of the proposed project would occur over the short-term from construction activities, consisting primarily of emissions from equipment exhaust and worker and vendor trips. There would also be long-term operational emissions associated with vehicular traffic within the project vicinity, energy and water usage, and solid waste disposal. The BAAQMD CEQA Air Quality Guidelines provides project screening sizes to determine if a refined analysis of GHG emissions is necessary to make impact determinations. The project would have emissions less than the BAAQMD screening size of 78 dwelling units for evaluating impacts related to GHGs.

The Town of Fairfax General Plan Initial Study considered Greenhouse Gases (“GHG”) in 2012. Illingworth & Rodkin prepared a report that provides detailed analysis of the GHG impacts related to the Town of Fairfax General Plan and Climate Action Plan. The Town of Fairfax has developed a draft Climate Action Plan. The discussion below under Criterion b. analyzes the draft Climate Action Plan and its qualifications according to the BAAQMD criteria, and judges the Specific Plan GHG emissions under the performance-based thresholds.

The results shown in Table 2, below, reflect the potential land use growth in the General Plan Update that could produce emissions. As these results do not include the effects of the General Plan policies or Draft Climate Action Plan, the GHG emissions are overestimated.

Table 2. Annual GHG Emissions Associated with Development/Redevelopment of General Plan Update Opportunity Sites

Scenario	Annual Emissions (metric tons) CO ₂	
Emissions in tons per year		
Site #1 Lutheran Church	524	
Site #2 10 Olema	303	
Site #3 Westside Commercial	176	
Site #4 School Street Plaza	544	
Removal of existing uses	-835	
Site #5 Fair Anselm Shopping Center	337	
Site #6 Eastside Commercial	364	
Total	1,412	
<i>BAAQMD Thresholds (tons/year)</i>	<i>1,100</i>	
GHG Emissions Per Capita		
Annual Emissions	1,412	metric tons per BGM
Population	88	= 44 apts* 2 people/unit
Students	400	= 100 students *300 students
Workers	-24	= -7,046 sf * 1 worker/300 sf

The 2010-30 General Plan Update includes several features that are intended to reduce the GHG emissions from the numbers shown in Table 2. Most importantly, the General Plan Update will include the Climate Action Plan Greenhouse Gas Reduction Strategies. These included 10 different recommended actions that reduce vehicle travel associated with land use. An approximate four percent reduction from overall Town emissions is anticipated with these measures alone. The draft Climate Action Plan also includes 14 recommended actions to reduce energy consumption and use cleaner (i.e., lower GHG emitting) sources of energy to reduce GHG emissions. These Green Building, Energy Efficiency and Renewable Energy measures are anticipated to reduce Town GHG emissions by almost 13 percent.

The Town's adopted Climate Action Plan is considered a qualified plan using the BAAQMD criteria, as it contains: a baseline inventory, business-as-usual scenario demonstrating the rise in GHG emissions in the absence of the Climate Action Plan, and an acceptable numerical target for GHG reduction in line with the Governor's Executive Order S-03-5. The draft Climate Action Plan analyzed growth in Fairfax assuming ABAG and MTC projections for future population and vehicle activity. The General Plan Update is not anticipated to cause growth that will exceed those projections. For these reasons, GHG emissions related to the proposed project are considered less than significant and no mitigation is required.

(Sources: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12)

Discussion b): Conflict with an applicable plan, policy or regulation for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant Impact. In January 2014, the Town of Fairfax adopted a Climate Action Plan (CAP), which focuses on the efforts Fairfax can take to reduce its greenhouse gas emissions and mitigate, to the extent feasible at the local level, the potential impacts of climate change. The Town of Fairfax 2010-30 General Plan, adopted by the Town Council in April 2012, contains policies and programs that promote community sustainability and effective management of renewable and non-renewable natural resources through energy conservation, and solid waste management and recycling in the Conservation Element. Compliance with the Fairfax 2010-30 General Plan, and specifically with Policies Con-2.1, CON-2.1.2 and CON-2.1.3, would ensure that the proposed project meet's the Town's objectives for reducing greenhouse gas emissions. These policies are specific to locating development near Town Center to reduce motorized transportation requirements, applying existing air quality guidelines to minimize air quality impacts, and improving air quality by promoting green building techniques for new development.

Demolition of existing structures for this project includes removal of the existing structures. Removal of the existing structures will generate construction debris that will require waste disposal. GHG reduction strategies identified in the CAP, include the recommended action WST-4 that strives to increase the waste diversion rate pursuant to the Solid Waste Joint Powers Authority (JPA) model. This goal can be achieved through implementation of the General Plan goal 7.1.2.2, which calls for implementing a Green Building Ordinance to reduce the amount of waste created by construction activities.

This requires project compliance with BAAQMD's requirements involving lead paint and asbestos and construction emission control measures that are appropriate for the specifics of the project (e.g., length

of time of construction and distance from sensitive receptors). BAAQMD's approach to developing a Threshold of Significance for GHG emissions is to identify the emissions level for which a project would not be expected to substantially conflict with existing California legislation adopted to reduce statewide GHG emissions needed to move us towards climate stabilization. If a project would generate GHG emissions above the threshold level, it would be considered to contribute substantially to a cumulative impact, and would be considered significant.

As shown in Response VII(a) above, the proposed project is less than the BAAQMD's screening level for GHG emissions and would result in a less than significant impact. Therefore, the project would not substantially conflict with the emission reduction requirements of AB 32. In addition to the Fairfax CAP, the Marin County Climate Action Plan (MCCAP) (2015 Update), adopted in August 2015, is consistent with the implementation requirements of AB 32 and SB 375. The MCCAP is in compliance to the BAAQMD's CEQA Guidelines for GHG reduction plans and provides guidance for reducing GHG emissions within the County through sustainable actions, including use of energy efficient vehicles, waste reduction, renewable energy production, and water conservation among others. Therefore, the project would not conflict with the MCCAP and is considered less than significant.

Implementation of the Town of Fairfax General Plan and recently adopted CAP would ensure project impacts would be less than significant and would not conflict with the implementation of plans, policies, or regulations adopted for the purpose of reducing greenhouse gas emissions. Therefore, due to the existing conditions and proposed improvements, the impact is considered less than significant and no mitigation is required.

(Sources: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12)

VIII. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Running Moose Environmental Consulting, LLC was retained by the project sponsor to perform a Phase I Environmental Site Assessment (ESA) of the subject property in April 2016. The purpose of the assessment was to identify Recognized Environmental Conditions (RECs) associated with the site, as defined by ASTM E 1527-13, Standard Practice for Environmental Site Assessments and 40 CFR Part 312, Standards and Practices for All Appropriate Inquiries; Final Rule. Project revisions, including the new main access drive and new zoning designations for the subject property, do not change the conclusions from the previous evaluation of the proposed project.

Discussion a): Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact with Mitigation Incorporation. The proposed project is a redevelopment of existing school and church uses on the subject property with a new three story 54-unit senior residential building. The major transportation route in proximity to the project site is Sir Francis Drake Boulevard, a major east-west arterial road connecting west Marin to the east Marin urban corridor. Surrounding land uses mainly consist of medium to low density residential, school uses, and open space. Transportation accidents involving hazardous materials could occur on Sir Francis Drake, which provide access to the project site. However, the proposed improvements on the subject property include development of a senior residential building, and no hazardous materials would be included in the construction or long term use of the residential property. Use of the subject property is not expected to transport, use, or dispose of significant amounts of hazardous materials. Hazardous materials would be limited to those associated with property maintenance including common landscaping fertilizers,

pesticides, paint, solvent, and petroleum products. These materials would be used in limited quantities and are not considered a significant hazard to the public.

As identified in the Running Moose report, based on the age of the buildings, Asbestos-Containing Materials (ACM) and Lead Based Paint (LBP) are presumed to be present. Materials and surfaces observed within the buildings appeared to be in fair to good condition with the exception of severely peeling ceiling material within the worship center of the eastern building. The proposed project includes the demolition of the existing structures on the subject property. As such, demolition work could require transport, use, or disposal of hazardous materials during construction. Removal of demolition debris may contain hazardous building materials such as asbestos-containing pipe, asbestos-containing materials, polychlorinated biphenyls, and lead containing paints. As a result, the potential for disposal of hazardous materials would require the following mitigation measure:

MM HAZ-1: Prior to submittal for a demolition permit, the project sponsor shall use a qualified and licensed professional to prepare a hazardous building materials survey for all structures proposed for demolition or renovation as part of the project. All lead-based paint and asbestos-containing materials (ACM) shall be abated by a certified contractor in accordance with local, state, and federal requirements. All hazardous materials shall be removed from buildings prior to demolition in accordance with California Division of Occupational Safety and Health (DOSH) and California Department of Toxic Substances Control (DTSC) regulations. A completion of abatement activities report shall be prepared by a qualified professional and submitted to the Town prior to permit approval.

Implementation of this mitigation measure MM HAZ-1 would reduce potential impacts from release of hazardous materials during building demolition to a less-than-significant levels and no further mitigation is required.

(Sources: 1, 2, 4, 6, 7)

Discussion b): Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant Impact. The project site contains an elementary classroom building and church structure and there are no known hazardous materials currently stored, used, or delivered to the project area. Development and use of the subject property would be residential/senior care in nature, and is not expected to upset or release hazardous materials into the environment. As discussed in Response VIII(a) above, hazardous materials would be limited to those associated with property maintenance including common landscaping fertilizers, pesticides, paint, solvent, and petroleum products. These materials would be used in limited quantities and are not considered a significant hazard to the public. Disposal needs of any on-site hazardous materials handled during project construction are addressed under Response VII(a) above mitigation measure HAZ-1. Potential impacts associated with the proposed project are, therefore, considered less than significant and no further mitigation is required.

(Sources: 1, 2, 3, 4, 6, 7)

Discussion c): Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact. As discussed in Response VIII(a) and (b) above, the proposed project is a redevelopment/removal of existing school and church uses on the subject property with a new two and three story 54-unit senior residential building. The proposed use is as a residential/senior care and there are currently no hazardous emissions or hazardous materials on site. White Hill middle school is located approximately .3 miles to the northeast 101 Glen Drive. Manor Elementary is approximately .3 miles to the southeast at 150 Oak Manor Drive. As an existing school facility and use, there would be no hazardous emissions or the handling or hazardous or acutely hazardous substances or waste on the subject property. Furthermore, some hazardous materials could be used in the daily maintenance of the subject property, but not in quantity considered hazardous to sensitive receptors. Similarly, there would be no uses on the proposed project site that would result in hazardous emissions or require the handling or use of hazardous or acutely hazardous materials, substances, or waste. Therefore, there the impact is considered less than significant and no mitigation is required.

(Sources: 1, 2, 4, 6, 7)

Discussion d): Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The proposed project includes redevelopment of a church and school site for use as 54 senior living units, and therefore would not create a significant hazard to the public or environment.

(Sources: 1, 2, 5)

Discussion e): For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

No impact. The project site is not located within an airport land use plan. There are no air-related facilities in the existing Town limits; however, there are two airports within approximately 10.5 miles and 4 miles of Fairfax within Marin County. Marin County Airport at Gness Field is located at 351 Airport Road in the City of Novato, approximately 10.5 miles from Fairfax. The nearest general aviation airport is the San Rafael Airport located at 400 Smith Ranch Road in San Rafael, approximately four miles from Fairfax. The project area is not within the safety zones (or Comprehensive Land Use area) of either airport. The project site is not located within an airport land use plan, nor within two miles of a public airport or public use airport. Therefore, no impact would result from implementation of the project and as such, no mitigation measures are required.

(Sources: 1, 2, 3)

Discussion f): For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

No impact. See Item VIII(e) above. There are no airstrip-related facilities in the existing Town limits. The project is not located within the vicinity of a private airstrip. No impact would occur in regards to an airport safety hazard for people residing and working in the project area since no such facilities exist within the project vicinity.

(Sources: 1, 2, 3)

Discussion g): Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant impact. The proposed project would not impair or physically interfere with an adopted emergency response or evacuation plan because the project does not include any actions that would interfere with emergency response and evacuation plan policies adopted by the Town or other emergency agency responsible for emergency preparedness. The Town of Fairfax General Plan includes a section on Community Preparedness in the Safety Element. The goals, policies and programs of this section are intended to be compatible with any and all adopted emergency response plans or emergency evacuation plans. Goal C-4 of the Circulation Element and Policy S-3.1.3 of the Safety Element are designed to ensure access for emergency vehicles and public evacuation. Furthermore, primary access to the proposed project is consistent with the existing vehicular access to the subject property and all major roads would be maintained during construction and operation of the proposed project. No major improvements or modifications would be required for construction or operation of the proposed project, and as discussed in Section XIV below, there are no potentially significant impacts related to traffic. Therefore, the impact is considered less than significant and no mitigation is required.

(Sources: 1, 2, 4)

Discussion h): Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Less Than Significant Impact. The project site is located within the Wildland Urban Interface (WUI) zone. Although, the proposed project is located on a disturbed site, the subject property is located adjacent to a woodland or heavily forested area. The Town of Fairfax General Plan and Zoning Ordinance impose the recommended setbacks and standards from the State of California Department of Forestry and Fire Protection as well as the Ross Valley Fire Department for projects within the Wildland Urban Interfaces (WUI). The Town is at risk from wildland fire and as a result, the goals, policies and programs in the Safety Element are intended to prepare Fairfax residents for potential wildfire occurrences. *Goal S-3: Minimize risk due to fire hazards* contains policies and programs (such as implementing fuel, vegetation management and defensible space activities) that, when implemented, will protect the people and property of Fairfax from the risks associated with wildland fires. Furthermore, the policies contained within the General Plan Safety Element, will help mitigate the impacts of potential wildfires. Therefore, the General Plan Safety Element is designed to reduce the impacts of wildland fires and, when implemented, will not expose people or structures to a significant risk of loss, injury or death involving wildland fires.

The proposed project entails the redevelopment of the project site with a 54-unit senior living residential building and associated landscaping. New construction in Fairfax is required to meet the fire code for WUI compliance pursuant to FMC § 15.04.060, including selection of the appropriate building materials and other related fire suppression measures. Additionally, the proposed project includes a Vegetation Management Plan to manage defensible space around the proposed project. As such, the proposed project would be consistent with the Town code for new construction and requirements of the Ross Valley Fire Department and therefore not expose people or structures to a risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are

intermixed with wildlands. The impact would be considered less than significant and no mitigation is required.

(Sources: 1, 2, 3, 5)

IX. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off- site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project applicant hired Carlile Macy from Santa Rosa, CA to prepare a Hydrology Study for the proposed project in August 2016 and a revised study in November 14, 2016 and March 17, 2017. Project revisions required Carlile Macy to update and further refine the preliminary hydrology study including assumptions and calculation for the 10-year and 100-year storms. The current flow calculations and explanatory text are reflected below in underlined text below. Project revisions did not result in modifications to recommended mitigation measures.

The subject property consists of a total of 20 acres and is bounded to the northwest by the Canon Village multi-family residential development, to the south by Sir Francis Drake Boulevard, and to the east by the Fairfax Congregation of Jehovah's Witnesses. The property is currently a developed lot with multiple buildings a driveway and associated parking. Carlile Macy analyzed the hydrologic impacts of the proposed improvements consisting of constructing a new residential building, driveway and parking lot. The existing onsite watershed for the property covers an area of 24.18 acres and includes a large portion of the open space above the site. The offsite water shed covers an area of 18.76 acres and includes the Canon Village Condos, the East-West portion of Mitchell Drive, and a large portion of the open space above Canon Village. Neighbors in the vicinity of the subject property have sent comments to Town staff indicating that flooding may occur within Fairfax Creek during storm events under the existing conditions. The region wide storm drain system is managed by the Ross Valley Flood District Zone 9. Currently, the Ross Valley Flood District Zone 9 is conducting a flood control study and evaluating flood control options to address the 100-year conditions in Ross Valley.

The Town of Fairfax drainage and flood control standards set forth in Section 16.24.160 of the Municipal Code require that a proposed drainage system take into consideration the effects of any runoff on other drainage systems and the ability of the proposed drainage system and affected drainage systems to convey run-off volumes generated by the 100-year storms, as approved by the Town Engineer. If the proposed system would not accommodate 100-year storms, then an on-site detention system is allowed to regulate storm water discharge in order to avoid conveying any additional run-off to the affected drainage system during a 10 to 100-year storm. Accordingly, the proposed project includes two detention basins on the western portion of the project site and drainage swales on the north and south boundaries of the project that attenuate all the project site drainage prior to discharge into the storm system at Mitchell Drive. The proposed project has one building envelope on Lot 1, which will largely consist of impervious surfaces. The two 9-acre remainder parcels are indicated as Lots 2 & 3 in the drainage plan (see Figure 6: Proposed Tentative Map/Lot Plan). The access driveway will contain and collect most of the drainage from Lot 1. The remaining drainage from Lot 1 will be collected by one of the storm drain systems to the

north of the new residential building and partly captured in the 480 sq ft detention basin to the north of the main driveway. The other northern storm drain system incorporates swales to intercept offsite run-on from the north west of the site and bypass the treatment area. The storm drain inlets at the northeast portion of Lot 1 will also collect a small portion of the drainage from Lot 2. The majority of the drainage from Lots 2 and 3 will bypass Lot 1 via the existing drainage swale between lots 1 and 3.

~~As discussed in the revised project description above, the revised project description includes accessproposes access, storm drainstorm drain, water, and sewer locations alongacross the subject property's frontage on Sir Francis Drake Boulevard, thereby avoiding crossing over privately owned property at Mitchell Drive, (see Figure 8: Utility and Grading Plan). All of the drainage from Lots 1, 2, and 3 will combine at the proposed manhole structure at the driveway access at Sir Francis Drake Blvd. Dual 24" reinforced concrete pipes (RCP) will carry the drainage under Mitchell Drive, to a 36" RCP which will discharge to the existing ditch between Sir Francis Drake Blvd and Mitchell Drive. The ditch drainage then enters an existing 30" RCP which runs under Sir Francis Drake Blvd.~~

~~Most of the drainage from Lots 1, 2, and 3 will combine at the proposed 1,800 sq ft detention basin at the driveway access at Mitchell Drive and will enter a new 24"x38" reinforced concrete pipe (RCP) which would run under Mitchell Drive and discharge to the existing ditch between Sir Francis Drake Blvd and Mitchell Drive. From the ditch drainage then enters an existing 30" RCP which runs under Sir Francis Drake Blvd.~~

Pages ~~2-4~~ through ~~5-7~~ of the Carlile Macy ~~November 2016~~March 2017 Hydrology Study describe the peak flow conditions for the 10-year and 100-year events for both the interim and future conditions. All Carlile Macy hydrology calculations were performed in accordance with the County of Marin Department of Public Works, Hydrology Manual Simplified Instructions (Revision: 8/2/00).

~~As discussed in the project description above, in the unlikely event that the existing access and storm drain routes across Mitchell Drive are not formalized as easements and that easements are not secured for water and sewer lines in the proposed locations, then access, storm drain, water, and sewer will use alternate locations along the subject property's frontage on Sir Francis Drake Boulevard, thereby avoiding crossing over privately owned property, (see Figure 8: Alternate Utility and Grading Plan). Most of the drainage from Lots 1, 2, and 3 would combine at an alternate sized 3,550 sq ft detention basin just north of the alternate driveway access. The storm drain lines will exit the property just northwest of the driveway into the Sir Francis Drake right of way and surface just west of Mitchell Drive in the same location as the existing storm drain line.~~

Existing Condition

Based on the rational method established in the Carlile Macy ~~November 2016~~March 2017 Hydrology Study, the existing 10-year runoff flow is currently 18.5 cubic feet per second (~~CFS~~cfs) over capacity resulting in overland flows towards Sir Francis Drake Blvd and Mitchell Drive. These overflows combine on Sir Francis Drake for a total overland flow of ~~24.8~~26.5 cfs. The 10-year overflows from the site are depicted in Carlile-Macy *Onsite Hydrology Map Appendix* exhibit labeled "Existing 10 Year Hydrology".

Based on the rational method the existing 100-year runoff flow is currently 41.4 cfs over capacity resulting in overland overflows combining on Sir Francis Drake for a total overland flow of 68.4 cfs. The 100 year overflows from the site are depicted in Carlile-Macy *Onsite Hydrology Map Appendix* exhibit labeled "Existing 100-Year Hydrology".

Determine Peak Flow for Proposed Condition

Run-off from the undisturbed portion of the site (lots 2 and 3) will be conveyed down-slope via two bypass systems on the southern and northern sides of the site. The southern bypass system conveys run-off from the undeveloped portion of the site that is collected by the swale south of the driveway. The northern bypass system collects run-off from the undeveloped portion of the northern side of the project. The two bypass systems combine at the proposed ~~catch basin~~manhole at north of the driveway at and east of Mitchell DriveSir Francis Drake Boulevard.

Interim and Future Proposed Improvements

The proposed project includes a drainage and stormwater plan that is designed to produce no new net run-off from the subject property. As described above, there currently is a region-wide capacity issues that has yet to be addressed by Ross Valley Flood District Zone 9. The project, as proposed, will meet the requirements for limiting site run-off such that it meets the requirements of the Town Code. However, the proposed project has also analyzed the potential for managing site run-off from the entirety of the property as well as surrounding properties such that there will be no concerns for downstream flooding. These two conditions have been evaluated by Carlile Macy for the proposed storm drain system and are designated: interim and future. The interim condition evaluated the storm drain system to meet the Town's requirement to maintain existing runoff patterns leaving the property. The future condition evaluated the storm drain system to eliminate overflows from the property once the downstream system has been upgraded, including replacing the ~~pipe under Mitchell Drive and replacing the inlet~~ to the southern bypass storm drain system with a flared end section. The interim storm drain system for the southern bypass will preserve the existing inlet to ensure the same amount of runoff enters the storm drain system. The proposed box structure at the driveway on Sir Francis Drake will have an orifice plate installed on one outlet pipe, while the other outlet pipe will be completely blocked. The orifice plate will act as a flow regulator, ensuring no additional flows above existing enter the existing downstream storm drain system. The design for interim storm drain system for the southern bypass preserves the existing inlet to ensure the same amount of runoff enters the storm drain system. The existing 24" storm drain in Mitchell Drive is also proposed to be preserved for the interim condition. The existing 24" storm drain would act as a flow regulator, ensuring no additional flows above existing enter the existing downstream storm drain system. Carlile Macy prepared the drainage plan based on calculations for the 10-Year Storm and the 100-year Storm.

10-Year Storm

Based on the rational method the ~~future southern bypass flared end section (FES)~~southern storm drain system from the existing inlet to box structure will see a flow of 26.0 cfs, from the 10-year runoff. The existing inlet will regulate the flow into the storm drain to 11.3 cfs. The remaining 14.7 cfs will overland flow on the south side of the driveway towards Sir Francis Drake Blvd. At the box structure at the driveway the flows from the northern bypass system and bio retention ponds combined for a 10-year storm flow of 16.9 cfs. The box structure will have a flow regulator as described above, which will only allow 7.3 cfs to pass through the storm drain system. For the interim condition the remaining 9.6 cfs will overflow from the box structure at the driveway and flow towards Sir Francis Drake Blvd. From the box structure the 7.3 cfs will be conveyed via dual 24" RCP's and 36" RCP to the roadside ditch. This flow will join with the existing runoff from Canon Village (24 cfs) for a total of 31.3 cfs at the inlet of the existing 30" storm drain under Sir Francis Drake. The inlet capacity of the existing 30" is 33 cfs, and therefore there will be no overflow to Sir Francis Drake at this location for the interim condition. The proposed interim 10 year overflows from the site are depicted in Onsite Hydrology Map Appendix exhibit labeled "Proposed Interim 10 Year Hydrology".~~The interim storm drain system for the southern bypass will maintain the existing inlet to~~

ensure the same amount of runoff enters the storm drain, and will experience the same 26.0 cfs for the 10-year storm. The storm drain system from the future FES (or existing inlet) to the detention basin would have sufficient capacity to convey the 10-year storm. Therefore, there would be no excess overland flow towards Mitchell Drive from the future FES.

For the interim existing inlet, catch basins and detention basin, there would be an excess overland flows totaling 31.7 cfs which would join with the existing runoff from the Canon Village residential development for a total of 55.7 cfs at the inlet of the existing 30" storm drain under Sir Francis Drake Boulevard. The inlet capacity of the existing 30" is 33 cfs, and therefore 22.7 cfs would overflow to Sir Francis Drake until the capacity of the storm culvert in that runs underneath Sir Francis Drake Boulevard is increased in the future. For the interim condition the flow to storm drain system downstream of the proposed catch basin would be limited by the existing 24" RCP storm drain. The addition of the northern bypass storm drain and bio-retention basins at the catch basin will overland flow towards Sir Francis Drake Blvd. for the interim condition.

Based on the rational method the proposed storm drain system from the future flared end section (FES) to box structure at the driveway will experience a flow of 26.0 cfs, from the 10-year runoff. The box structure will collect an additional 5.6 cfs from the bio-retention areas and northern by-pass storm drain. This future portion of the storm drain system has sufficient capacity to convey the 10-year storm. Therefore, there will be no excess overland flow towards Sir Francis Drake Boulevard from the FES in the future. The box structure will convey the combined flow from the northern and southern bypass system of 32.2 cfs for the 10-year storm to the dual 24" RCP's which will run under Mitchell Drive, parallel to Sir Francis Drake Blvd. These dual RCP's have a combined capacity of 51.5 cfs, which is sufficient to convey the 10-year storm. From the dual 24" RCP's the storm drain outlets to a single 36" RCP, with a capacity of 53.7 cfs, which is adequate to convey the 10-year flow. From the outlet of the future 36" RCP the flow will join with the existing runoff from Canon Village for a total of 53.5 cfs at the inlet of the existing 30" storm drain under Sir Francis Drake. In the Future condition this 30" storm drain under Sir Francis Drake Boulevard will be upgraded to convey the future flows. The storm drain system from the future FES (or existing inlet) to the detention basin would have sufficient capacity to convey the 10-year storm. Therefore, there would be no excess overland flow towards Mitchell Drive from the future FES. The proposed future 10-year overflows from the site are depicted in the Carlile-Macy Onsite Hydrology Map Appendix exhibit labeled "Proposed 10 Year Hydrology".

100 Year Storm

Based on the rational method the southern bypass future flared end section (FES) would experience a flow of 40.141 cfs, from the 100-year runoff. The existing inlet will regulate the flow into the storm drain to 11.3 cfs. The remaining 29.7 cfs will overland flow on the south side of the driveway towards Sir Francis Drake Boulevard. At the box structure at the driveway the flows from the northern bypass system and bio retention ponds combined for a 100-year storm flow of 20.8 cfs. The box structure will have a flow regulator as described above, which will only allow 7.3 cfs to pass through the storm drain system. For the interim condition the remaining 13.5 cfs will overflow from the box structure at the driveway and flow towards Sir Francis Drake Boulevard. From the box structure the 7.3 cfs will be conveyed via dual 24" RCP's and 36" RCP to the roadside ditch. This flow will join with the existing runoff from Canon Village for a total of 49.1 cfs at the inlet of the existing 30" storm drain under Sir Francis Drake. The inlet capacity of the existing 30" is 33 cfs, therefore an additional 16.1 cfs will overflow to Sir Francis Drake at this location for the interim condition as it did in the existing condition. The storm drain system from the FES

~~to the catch basin has sufficient capacity to convey the 100-year storm. Therefore, it was determined that there would be no excess overland flow towards Mitchell Drive from the FES. For the interim existing inlet there would be an excess overland flow of 28.8 cfs. The proposed interim 100 year overflows from the site are depicted in the Carlile-Macy Onsite Hydrology Map Appendix exhibit labeled "Proposed Interim 100 Year Hydrology".~~

~~Based on the rational method the proposed storm drain system from the future flared end section (FES) to box structure at the driveway will experience a flow of 41.0 cfs, from the 100-year runoff. The future portion of the storm drain system has sufficient capacity to convey the 100-year storm. Therefore, there will be no excess overland flow towards Mitchell Drive from the FES. The box structure will collect an additional 9.55 cfs from the bio-retention areas and northern by-pass storm drain. The box structure will convey the combined flow from the northern and southern bypass system of 51.5 cfs for the 100-year storm to the dual 24" RCP's which will run under Mitchell Drive, parallel to Sir Francis Drake Boulevard. These dual RCP's have a combined capacity of 51.5 cfs, which is sufficient to convey the 100-year storm. From the dual 24" RCP's the storm drain outlets to a single 36" RCP, with a capacity of 53.7 cfs, which is adequate to convey the 100-year flow. From the outlet of the future 36" RCP the flow will join with the existing runoff from Canon Village for a total of 88.2 cfs at the inlet of the existing 30" storm drain under Sir Francis Drake. In the Future condition the 30" storm drain under Sir Francis Drake Blvd. will be upgraded to convey the future 100 year flows. Carlile-Macy determined that all combined flows from the northern and southern bypass systems and the bio-retention basins would total 52.1 cfs conveyed in the future 24"x38" RCP elliptical pipe under Mitchell Drive, which has a full flow capacity of 53.5 cfs. Future flows joined with the runoff from Canon Village would total of 93.9 cfs at the inlet of the existing 30" storm drain under Sir Francis Drake. The inlet capacity of the existing 30" is 33 cfs, and therefore 60.9 cfs would overflow to Sir Francis Drake until the capacity of the storm culvert that runs underneath Sir Francis Drake Boulevard is increased in the future. For the interim condition the flow to the storm drain system downstream of the proposed catch basin would be limited by the existing 24" storm drain. The addition of the northern bypass storm drain and bio-retention basins at the catch basin will overland flow towards Sir Francis Drake Blvd. for the interim condition. The proposed future 100-year overflows from the site are depicted in the Carlile-Macy Onsite Hydrology Map Appendix exhibit labeled "Proposed Future 100 Year Hydrology". See also the Peak Flows: Rational Method appendix for detailed proposed system calculations in the Carlile Macy Revised ~~November 2016~~ March 2017 report.~~

Carlile Macy has designed the project storm drain system to be in conformance with the Marin County Department of Public Works Hydrology Manual and the Town of Fairfax Code §16.24.160(c). As indicated on page ~~7 and 8~~ of the Carlile Macy ~~November 2016~~ March 2017 Hydrology Study, the storm drain system is designed to contain the 10 to 100-year storm below ground. As described in the 10-Year Storm and 100-Year Storm discussion above, the proposed project would result in a reduction of storm water runoff from the subject property under existing conditions. The post development 10-year runoff of ~~22.7~~ 24.3 cfs reduces the pre-development runoff of ~~24.8~~ 26.5 cfs by ~~8.5~~%. The post development 100-year runoff of ~~60.9~~ 59.3 cfs reduces the pre-development runoff of 68.4cfs by ~~11.0~~ 13%.

Carlile Macy also identified that the existing system is designed to limit the available capacity of the proposed line to the existing runoff generated on the property, so that there would be no net increase in discharge of surface runoff from the existing system. The system is designed for sufficient capacity to accommodate the 100-year condition based on the Town's future upsizing of the storm main in Sir Francis Drake and downstream. In the future, when the Town undertakes improvements to the main system, the

~~limitations will be removed so the system can operate at its full capacity. 24" RCP storm drain under Mitchell Drive has a slope of 0.0012, and a capacity 7.3 cfs; and would therefore need to be replaced in the future when the downstream storm drain system is upgraded. A future new 24"x38" RCP elliptical storm drain with a slope of 0.020 is recommended by Carlile Macy to replace the existing pipe in the existing system. If replaced, the proposed future 24"x38" storm drain would increase the capacity to 53.5 cfs, which is sufficient to provide capacity for both the 10 and 100-year storm. This future upgrade is not part of the proposed project and no pipe replacement is planned for the existing downstream system. This upgrade is not required pursuant to the requirements of Town of Fairfax Code Section 16.24.160(c).~~

Discussion a): Violate any water quality standards or waste discharge requirements?

Less Than Significant Impact with Mitigation Incorporation. The proposed project includes redevelopment of an existing disturbed site including demolishing an existing elementary school and church facility and replacing with a three story "E" shaped senior living residential building. The project also includes a total site plan redevelopment with new landscaping, drainage and stormwater retention basins. The proposed plans are designed pursuant to Fairfax requirements and include several bio-retention basins and upgraded drainage swales along the south side of the property.

As proposed, the project storm drain system would be in conformance with the Marin County Department of Public Works Hydrology Manual and the Town of Fairfax Code Section 16.24.160(c). As indicated on page ~~7 and 8~~ of the Carlile Macy ~~November 2016~~March 2017 Hydrology Study, the storm drain system is designed to contain the 10 and 100-year storm below ground. The post development 10-year runoff of ~~22.7~~24.3 cfs reduces the pre-development runoff of ~~24.8~~26.5 cfs by 8.5%. The post development 100-year runoff of ~~60.9~~59.3 cfs reduces the pre-development runoff of 68.4cfs by ~~11.0~~13%. Thus, there is no net increase in runoff from the proposed project and flows would be regulated on-site by constricting the amount of flow that can discharge to the regional system until the downstream system is upgraded.

Water quality is regulated by the State Water Resources Control Board (SWRCB) through the National Pollution Discharge Elimination System (NPDES) program, which was established by the Clean Water Act. The goal of the program is to control and reduce pollutants to water bodies from point and non-point discharges for both long term project activities and construction activities. The San Francisco Bay Regional Water Quality Control Board (RWQCB) issues and enforces NPDES permits for discharges to water bodies in the portion of Marin County that drains to the San Francisco Bay.

Projects disturbing more than one acre of land during construction are required to file a notice of intent to be covered under the NPDES General Permit for Storm Water Discharges Associated with Construction Activity for discharges of storm water associated with construction activities. The State NPDES General Construction Permit requires development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) that uses storm water "Best Management Practices" to control runoff, erosion and sedimentation from the site both during and after construction. The SWPPP has two major objectives: (1) to help identify the sources of sediments and other pollutants that affect the quality of storm water discharges; and (2) to describe and ensure the implementation of practices to reduce sediment and other pollutants in storm water discharges.

Based on the analysis contained in the Carlile Macy ~~November 14, 2016~~March 17, 2017 Hydrology Study, the proposed project storm drain system would accommodate the 10_ to 100-year flood conditions.

Moreover, the proposed project is designed to accommodate the 100-year flood condition as described in the Carlile Macy ~~November 2016~~ March 2017 Hydrology Study, however, to avoid any interim downstream impacts, the system is designed to limit the available capacity of the proposed line to the existing runoff generated on the project site. Although there would be no net increase in discharge of surface runoff (overflow) from the project site into the existing storm drain system, the following mitigation measure has been included to reduce impacts of the proposed project on stormwater quality to less than significant levels:—:.

MM HYDRO-1: Pursuant to Fairfax Code Section 16.24.160(c) and prior to submittal for demolition, construction and grading permits for the project, the project sponsor shall provide construction detail level drainage and stormwater plans including a storm water system designed for the 10 to 100-year storm event. The drainage plan shall require Fairfax Town Engineer review and approval.

The project sponsor shall also demonstrate compliance with the Construction General Permit and Town requirements, including the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) to address stormwater runoff during project construction. The project sponsor shall also comply with all Town stormwater requirements in accordance with guidance provided by the Marin County Stormwater Pollution Prevention Program (MCSTOPPP), including preparation and implementation of a Stormwater Control Plan (SCP) containing BMP's measures to address retention and treatment of stormwater runoff, operations and maintenance of all stormwater treatment facilities, and prevention of hydro-modification during project operations.

The SCP shall address all buildings and impervious surfaces created by the project, including impervious surfaces related to temporary buildings and construction parking and staging areas.

Compliance with the requirements of the NPDES General Permit and the Town of Fairfax Building Code along with implementation of mitigation measure HYDRO-1 would ensure that the impact would be reduced to a less-than-significant level and no further mitigation is required.

(Sources: 1, 2, 3, 19)

Discussion b): Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

No Impact. The proposed project includes demolition an elementary school and church facility that also has existing water service. The subject property is currently supplied with water from the Marin Municipal Water District and does not include proposals to use any groundwater. For these reasons, the proposed project would not use any groundwater resources or lower the local groundwater table. The project would include modifications to the on-site landscaping with minimal change to the impervious area on the project site. However, the project design includes new landscaping and a drainage plan designed to collect surface water runoff. The development of the project would not interfere with groundwater recharge nor

would it deplete supplies and therefore there would be no impact. Therefore, any potential impacts on water quality and water quality requirements attributable to erosion of soils would be less than significant.

(Sources: 1, 2, 3, 19)

Discussion c): Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off- site?

Less Than Significant Impact with Mitigation Incorporation. See Response IX(a) above. As proposed, the project drainage and stormwater system is designed to attenuate the 10 to 100-year storm per the requirements of Fairfax Code Section 16.24.160(c). Future improvements to storm water infrastructure would further capture all flows from a 100-year storm from all lots of the 20-acre property but are not required for project approval. Although, the proposed project would be consistent with the Town requirements for drainage and stormwater management there is an off-site region wide system capacity issue which cannot be solved by the project given the existing land constraints and the existing region wide stormwater system deficiency.

The proposed project also includes modifications to the existing on-site drainage ditch adjacent to the south side of the proposed areas of disturbance. Improvements to this drainage way include three roughened channels composed of rip-rap and boulders to minimize peak flows and to reduce construction project erosion impacts. These rip-rap improvements are proposed in such a way to reduce the potential for erosion or siltation on and off-site. Furthermore, the design and construction of new improvements are subject to review by the Fairfax Town Engineer and Public Works Department, and are subject to the requirements of the Marin County Stormwater Pollution Prevention Program (MCSTOPPP). Town building permit standard requirements also include the submission of an erosion control plan, which includes the measures that would be taken to prevent loose dirt and soil from entering into the existing stormwater infrastructure system. Implementation of standard requirements from the Town of Fairfax, MCSTOPPP, and RWQCB would ensure that the project does not violate any water quality standards or impair water quality.

Although the proposed project would not substantially alter the existing drainage pattern of the site and area, implementation of mitigation measure HYDRO-1 and adherence to the Town's requirements for storm water prevention would reduce potential impacts to existing streams or drainage patterns. Surface water runoff would be controlled onsite that reduce potential impacts from erosion or siltation to less than significant levels and no further mitigation is required.

(Sources: 1, 2, 3, 18, 19)

Discussion d): Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off- site?

Less Than Significant Impact with Mitigation Incorporation. As described in Response IX(a) and (c) above, the proposed project would not substantially alter existing drainage patterns of the site or vicinity. There are no mapped streams or rivers within the project vicinity although the site does include an ephemeral drainage that would be modified by the proposed project. Onsite surface run-off associated with the proposed project shall be managed by an Erosion and Sediment Control Plan (ESCP) plan and

implemented stormwater control measures such as Low Impact Development (LID) and Best Management Practices (BMP's).

The proposed storm drain system is in conformance with the Marin County Department of Public Works Hydrology Manual and the Town of Fairfax Code Chapter 16.24.160(c). The storm drain system is designed to contain the 10 to 100-year storm below ground. The post development 10-year runoff of ~~22.7~~24.3 cfs reduces the pre-development runoff of ~~24.8~~26.5 cfs by ~~8.5~~% . The post development 100-year runoff of ~~60.9~~59.3 cfs reduces the pre-development runoff of 68.4_cfs by ~~11.0~~13%. Therefore, the design of the proposed project results in a reduction of stormwater run-off from existing conditions.

Based on the analysis contained in the revised November Carlile Macy report, the proposed future project storm drain system would be able to accommodate both the 10 and 100-year flood conditions. However, to avoid any interim downstream impacts, the system is designed to limit the available capacity of the proposed line to the existing runoff generated on the project site, so that there would be no net increase in discharge of surface runoff (overflow) from the project site into the existing storm drain system. Therefore, the proposed future improvement is not included in the proposed project and is not required at this time for project approval.

Because the proposed project would comply with the Fairfax Town Code Chapter 16.24.160(c) for drainage and flood control and does not significantly alter existing drainage patterns or substantially increase surface water runoff from the project site, potential impacts resulting in flooding are considered less than significant.

Implementation of mitigation measure HYDRO-1 and adherence to the Town's requirements for storm water prevention would further reduce potential impacts to existing streams or drainage patterns. Surface water runoff would be controlled onsite that would reduce potential to substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off- site to less than significant levels and no further mitigation is required.

(Sources: 1, 2, 3, 18, 19)

Discussion e): Create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

Less Than Significant Impact with Mitigation Incorporation. As described in Response IX(a)(c) and (d) above, the proposed project would not substantially alter existing drainage patterns of the site or vicinity. Implementation of General Plan policies S-2.1.3 thru 2.1.5 as well as compliance with the Town Building Code and the NPDES permit requirements under the Clean Water Act would ensure that site drainage and related erosion from site disturbance such as construction activities, will be substantially lessened to a less than significant level. New development requires preparation of an Erosion and Sediment Control Plan (ESCP) plan and implemented stormwater control measures such as Low Impact Development (LID) and Best Management Practices (BMP's). Construction level designs for the bio-retention basins and stormwater systems for the proposed project would be required that there would be no new net stormwater run-off. Furthermore, all site drainage would be discharged into the existing stormwater system and would be required to meet construction standards for the Town of Fairfax.

The Town Code also allows the installation of a detention basin as an option to detain runoff on site if a proposed storm system is unable to accommodate the 10 and 100-year flows. However, a detention basin capable of capturing these flows on site would limit the amount of land available for the senior affordable housing project. In addition, the existing topographic constraints on the property limit the potential for a practical detention basin design and was not considered to be a feasible option in terms of technological, engineering and other environmental considerations.

As documented in the ~~November 14, 2016~~ March 17, 2017 revised hydrology study from Carlile Macy, the proposed project storm drain system would provide sufficient capacity to accommodate the 10 and 100-year storms. Although the proposed storm drain system is sized to accommodate the 10 and 100-year storms, without constructing downstream improvements, overland flow will still occur, but will shift to a downstream location. In other words, although the proposed storm drainage system and bio-retention basins attenuates the stormwater flows from the 2-acre project site, the flow from the entire 20-acre Property would combine with the existing flow from Canon Village at the existing 30" storm drain pipe which does not currently have the capacity to convey the combined flow. This condition occurs because the Project proposed future 36" storm drain provides greater capacity than the existing 30" system to which it would discharge in the interim. The proposed storm drain would permanently provide sufficient capacity to convey all of the flows from a 100 year storm from the 20-acre Property in the future once the Town's downstream capacity is upgraded to accommodate the cumulative flows. ~~however, the proposed storm drain system would shift the location of the existing overflow conditions further downstream due to the higher capacity pipes carrying water from the subject property. As proposed, the storm drainage system and detention basins attenuates the stormwater flows from the 2-acre development site, however, the additional flow from the entire 20-acre property (including the two 9-acre remainder parcels) would combine with the existing flow from Cannon Village at the existing 30" storm drain pipe which does not have the capacity to convey the combined flow. This condition occurs because the proposed future 24"x38" storm drain provides greater capacity than the existing 30" system to which it would discharge in the interim. The proposed 24"x38" storm drain would permanently provide sufficient capacity to capture all the flows from a 100-year storm from the entire 20-acre property in the future once the downstream capacity is upgraded to accommodate the cumulative flows.~~ However, the region wide capacity issue cannot be solved by the proposed project and would continue to exist unless improvements are made to fix the entire storm water system.

Although project drainage has been designed to attenuate on-site flows for the 10 to 100 year storm events per Town of Fairfax Code Chapter 16.24.160(c) on site, potential impacts related to exceeding runoff water and capacity of existing storm water drainage systems for 100-year events would continue to exist due to the deficiencies in the region wide system.

Furthermore, implementation of mitigation measure HYDRO-1 and compliance with the requirements of the NPDES General Permit and the Town of Fairfax Building Code would reduce potential impacts resulting in polluted runoff to less than significant levels. As a result, the proposed project would not contribute to runoff water that would substantially exceed the capacity of existing or planned storm water drainage systems and no further mitigation is required.

(Sources: 1, 2, 3, 18, 19)

Discussion f): Otherwise substantially degrade water quality?

Less Than Significant Impact. No significant impacts were found in regards to degrading water quality. No additional water quality impacts other than those described earlier in this section are anticipated. The proposed project is not anticipated to result in water quality impacts. Short-term impacts that could result from construction would be minimal and would be managed by an erosion control plan and best management practices. Furthermore, there are no long-term operational impacts on water quality. Therefore, the proposed project would not substantially degrade water quality and the impact would be less than significant.

(Sources: 1, 2, 18, 19)

Discussion g): Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No impact. Although the proposed project includes development of 54 residential units in one three story building, there are no mapped FEMA 100-year flood hazard areas on the subject property. Fairfax creek is approximately 450 feet to the west/southwest of the subject property and includes FEMA 100-year flood hazard areas. However, the nearest boundary for a 100-year flood hazard areas is approximately 250 to the west of the proposed development footprint. The Fairfax 2010-30 General Plan allows for development and redevelopment of residential and commercial zoned vacant properties along the two main waterways in Town. Goal S-2: Minimize risks due to flood hazards, is designed to mitigate potential impacts from future flooding in Fairfax. Furthermore, Policies S-2.1.1 through 2.1.8 include the necessary measures to ensure existing and future development address the potential hazards.

As discussed in Response IX(d) above, the proposed project would not expose future residents to 100-year flood hazards. The proposed future project storm drain system would accommodate both the 10- to 100-year flood conditions and is designed to limit the available capacity of the proposed line to the existing runoff generated on the property, so that there would be no net increase in discharge of surface runoff from the existing system. Furthermore, adherence to the State NPDES General Construction Permit requiring development to implement a Storm Water Pollution Prevention Plan (SWPPP) utilizing storm water BMPs to control runoff, erosion and sedimentation from the site both during and after construction will also help to minimize potential flooding. Implementation of the policies contained in the Safety Element of the Fairfax 2010-30 General Plan will ensure that new or improvement construction projects will not place structures in areas that are susceptible to flooding. Compliance with the requirements of the NPDES General Permit and the Town of Fairfax Building Code will substantially reduce the potential impacts from floods to a less than significant level. For these reasons, and because there is no housing proposed in 100-year flood hazard areas, there is no impact and no mitigation is required.

(Sources: 1, 2, 3, 5, 14)

Discussion h): Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

No Impact. See Response IX(g) above. Although the proposed project includes development of 54 residential units in one three story building, there are no mapped FEMA 100-year flood hazard areas on the subject property. The Fairfax 2010-30 General Plan allows for development and redevelopment of residential and commercial zoned vacant properties along the two main waterways in Town. Goal S-2: Minimize risks due to flood hazards is designed to mitigate potential impacts from future flooding in Fairfax. Furthermore, Policies S-2.1.1 thru 2.1.8 include the necessary measures to ensure existing and

future development address the potential hazards. Adherence to the State NPDES General Construction Permit requiring development to implement a Storm Water Pollution Prevention Plan (SWPPP) utilizing storm water BMPs to control runoff, erosion and sedimentation from the site both during and after construction will also help to minimize potential flooding. Implementation of the policies contained in the Safety Element of the Fairfax 2010-30 General Plan will ensure that new or improvement construction projects will not place structures in areas that are susceptible to flooding, nor will implementation of the General Plan place structures that could substantially redirect flood flows. Furthermore, compliance with the requirements of the NPDES General Permit and the Town of Fairfax Building Code will substantially reduce the potential impacts from floods to a less than significant level. Therefore, because there is no structure proposed in 100-year flood hazard areas, there is no impact and no mitigation is required.

(Sources: 1, 2, 3, 5, 14)

Discussion i): Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

No Impact. There are no dams or levees located near the subject property. The nearest reservoirs with dams to Fairfax are Bon Tempe and Alpine Lakes (approximately 2.5 miles). These lakes, while close to the Town, are not within the same watershed as the project site. If either of these dams were to fail, the resulting flooding will occur southwest of Town. Phoenix Lake in Ross, is approximately 3.25 miles to the southeast. Hazard mapping of dam inundation indicates that there would be no risk to flooding of the subject property. Furthermore, the proposed project includes redevelopment of the property with new residential construction required to meet Town of Fairfax minimum flood standards for new construction. Therefore, there is no potential impact related to failure of a levee or dam and no mitigation is required.

(Sources: 1, 2, 3, 5, 14, 15)

Discussion j): Inundation by seiche, tsunami, or mudflow?

Less Than Significant impact. See Section VII above. The proposed project is not located in an area subject to flooding due to tsunamis or seiches, as mapped on the Marin County GIS database. Existing and proposed development is not located within the 100-year (AE zone) flood hazard area and would be in compliance with the minimum requirements for new construction, however localized flooding during storm events could result in flash flooding or mudflows. The proposed project is designed in such a way to avoid potentially hazardous environmental conditions and has components specifically to reduce and manage on and off-site drainage and stormwater flows. As discussed in Section VI above, the project location is susceptible to liquefaction and ground shaking consistent with earthquake related activities. However, mitigation measures contained in Section VI above are meant to reduce potential impacts related to geologic hazards related to earthquakes to less than significant levels. This includes recommended construction methods for foundations and other structural components. Implementation of the mitigation measures would also ensure that the project is designed to be more resistant to damage from environmental hazards which would also include flooding, mudflows, or related water-borne debris.

Implementation of the proposed construction methods contained in mitigation measures MM GEO-1 and 2, and the fact that the FFE for existing and proposed structures are above nearby flood hazard areas, would reduce the impacts related to inundation by seiche, tsunami, or mudflow to less than significant levels and no further mitigation is required.

(Sources: 1, 2, 3, 5, 14, 15, 18)

X. LAND USE AND PLANNING

<i>Potentially Significant Impact</i>	<i>Less-Than- Significant With Mitigation Incorporated</i>	<i>Less-Than- Significant Impact</i>	<i>No Impact</i>
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Would the project:

<i>a. Physically divide an established community?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>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?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>c. Conflict with any applicable habitat conservation plan or natural community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion a): Physically divide an established community?

No Impact. The project site is surrounded by existing development including medium residential density properties and undeveloped open areas. The project site is also developed with an existing elementary school and church facility. Although the proposed project includes redevelopment of the subject property, it is ~~neither~~ generally located in an existing area of disturbance ~~nor~~ and new construction would ~~not~~ physically divide an established community. The project does not propose any new roadways or other significant infrastructure improvements that would restrict access or require a diversion for existing travel routes. For these reasons the proposed project would have no impact related to physically dividing a community.

(Sources: 1, 2, 3)

Discussion 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?

Less Than Significant Impact. As set forth in the revised Project Description above, the existing 20-acre site will be subdivided into three parcels: one consisting of 2-acres (Lot 1) and two 9-acre remainder parcels (Lots 2 and 3). General Plan land use designation for the 2-acre portion of the site will ~~remain PDD~~ be changed from PDD to a new GP designation RM-S (Residential Multi-Family – Senior), with a permitted density of up to 20 senior dwelling units per acre (for this site), while the two 9-acre parcels will require a General Plan amendment in order to re-designate ~~that site~~ those parcels UR-7-10. In addition, the current zoning of Upland Residential 7-acre minimum (UR-7) will remain for the two 9-acre parcels of the site, while the 2-acre portion will be rezoned to ~~Planned Development District (PDD)~~ Residential Multi-Family – Senior (RM-S). ~~A-This new zoning district, Planned Development District ordinance Residential Multi-Family – Senior will be adopted as- Town of Fairfax Municipal Code (17.112.090) will be adopted~~

~~for the 2-acre parcel to establish the applicable land uses and development standards applicable to the site. These new changes were not contemplated in the Town's 2015 Housing Element update, however, as proposed, the creation of the RM-S GP and Zoning designation would only apply to the 2-acre project site at this time, and would include development standards consistent with previous environmental evaluations of land uses for the property. and, As a result, the changes would be consistent with the GP IS/MND and the Housing Element, and~~ when coupled with ~~a~~ the proposed density bonus, will result in no conflicts with the Town's land use plans, policies, or regulations. Only the potential development build out of the 2-acre parcel was evaluated in this document. Future development proposals for properties requesting the RM-S land use designation would require separate applications and environmental review pursuant to the Fairfax Town Code. The subdivision of the subject property would continue to be consistent with the existing zoning and would not create a new development intensity of change in land use for the two 9-acre parcels. Future development of Lots 2 and 3 would require a separate application and environmental review process.

The proposed project would be an affordable to very-low income households senior residential development. Eighteen of the total units would be designated for very low-income households, and 35 will be available to low income households. Given this, the applicant has requested a density bonus of 35%. This is permissible under Government Code § 65915, and will allow the project to develop at the proposed density of 27 dwelling units per acre for a total of 54 units.

The specific land use policies of the Town of Fairfax are designed to encourage infill development and limit new construction in steeply sloped and wooded areas. Review of individual development applications includes consideration and mitigation of environmental, design, traffic and other impacts. The Town has helped facilitate the construction of affordable housing in a number of ways, which include allowing planned unit developments (PUD's) and clustered housing. Furthermore, the subject property was one of several opportunity sites within Fairfax that was identified for development and analyzed for potential environmental impacts. Pursuant to the Fairfax 2010-30 General Plan Initial Study, the proposed project does not 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. The change in GP/Zoning designations for the subject property would not include revisions to any of the proposed physical improvements and therefore would not deviate from previous evaluations of the project impacts, including cumulative impacts related to full build out.

The applicant is also requesting a height exception, covered parking exception, and underground utilities exception. based on the density bonus permissible under Government Code § 65915 that allows the applicant to request incentives or concessions for a reduction or waivers of the existing development standards. Specifically, the project sponsor is requesting an exception to the 28.5' maximum height limitation for the subject property. As discussed in Section 1: Aesthetics above, the building has been designed to vary the heights and facades fronting Sir Francis Drake such that the first roof ridgeline meets the 28.5' height requirement. The building gains height at the center of the structure to a maximum 40'-10" but then steps down to 30' at the rear. This proposed design is intended to limit the excessive heights and to limit the potential for blocking views while ultimately achieving the total unit count objective for the project sponsor. The majority of surface parking for the project site is located to the rear of the proposed building and would be largely unseen from public vantage points. Parking along the main driveway would be screened by landscaping and replacement trees located strategically along the project frontage to Sir Francis Drake Boulevard (see Figure 5: Perspective Views). Currently, the

project site includes a large surface parking area with no landscaping or screening vegetation. The proposed landscape plan would be consistent with Town requirements for Design Review and would be a visual upgrade over existing conditions. **The concession specific to the undergrounding of utilities would only apply to existing overhead utilities and not new “wire” utilities that would connect the project to existing services.**

Development of the subject property would be consistent with the Housing Element and other applicable Fairfax General Plan designations for the property and for these reasons the potential impacts are considered a less than significant and no mitigation is required.

(Sources: 1, 2, 3)

Discussion c): Conflict with any applicable habitat conservation plan or natural community conservation plan?

No Impact. The proposed project is considered an infill project and is consistent with the existing development density established by the current zoning and General Plan policies and subsequent Initial Study. There are no adopted habitat conservation plans or natural community conservation plans in the project area or the Town of Fairfax. The proposed project would not result in an impact on any sensitive plant or animal species covered by a habitat conservation plan or natural community conservation plan, nor would it interfere with the implementation of such plans. As such, the project would have no impact with regard to conflicts with any applicable habitat conservation plan or natural community conservation plan.

(Sources: 1, 2, 3)

XI. MINERAL RESOURCES	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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Would the project:

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion a): Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state

No Impact. The California Geological Survey designates Mineral Resource Zones, which are areas containing mineral deposits potentially valuable to residents of California. There are no known mineral resources located in the Town of Fairfax, and no Mineral Resource Zones have been designated within the proposed Planning Area. The project is consistent with the Fairfax 2010-30 General Plan and would not affect State-designated mineral resource areas. For these reasons, there is no impact.

(Sources: 1, 2, 3)

Discussion b): Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. See discussion in XI(a), above. The project site is not delineated within the Town of Fairfax General Plan, a specific plan, or other land use plan as a locally-important mineral resource recovery site. As such, the project would have no impact with regard to the loss of availability of a locally important mineral recovery site.

(Sources: 1, 2, 3)

XII. NOISE	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
Would the project result in:				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Illingworth and Rodkin, Inc (I&R) prepared an environmental noise assessment pursuant to CEQA on September 30, 2016. A noise monitoring survey was performed at the site beginning on Thursday,

September 1, 2016 and ending on Tuesday, September 6, 2016. *Figure 1* of their report shows the short and long-term measurement locations. *Figures 2 through 7* of the I&R depict the measured noise levels. Project revisions, including the new main access drive and new zoning designations for the subject property do not change the evaluation for the proposed project. Noise measurements would be unchanged for the revised project, as potentially unwanted sound, such as vehicles accessing the site, would continue to occur as an ongoing source of noise specific to through traffic along Sir Francis Drake Boulevard. Although the access driveway is approximately 100' south of Mitchell Drive, there are no residences or sensitive receptors immediately adjacent/south of the subject property.

Noise may be defined as unwanted sound. Noise is usually objectionable because it is disturbing or annoying. The objectionable nature of sound could be caused by its pitch or its loudness. Pitch is the height or depth of a tone or sound, depending on the relative rapidity (frequency) of the vibrations by which it is produced. Higher pitched signals sound louder to humans than sounds with a lower pitch. Loudness is intensity of sound waves combined with the reception characteristics of the ear. Intensity may be compared with the height of an ocean wave in that it is a measure of the amplitude of the sound wave.

In addition to the concepts of pitch and loudness, there are several noise measurement scales which are used to describe noise in a particular location. A decibel (dB) is a unit of measurement which indicates the relative amplitude of a sound. The zero on the decibel scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Sound levels in decibels are calculated on a logarithmic basis. An increase of 10 decibels represents a ten-fold increase in acoustic energy, while 20 decibels is 100 times more intense, 30 decibels is 1,000 times more intense, etc. There is a relationship between the subjective noisiness or loudness of a sound and its intensity. Each 10-decibel increase in sound level is perceived as approximately a doubling of loudness over a fairly wide range of intensities. Technical terms are defined in Table 1 or the I&R report.

There are several methods of characterizing sound. The most common in California is the A-weighted sound level (dBA). This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. Representative outdoor and indoor noise levels in units of dBA are shown in Table 2 of the I&R report. Because sound levels can vary markedly over a short period of time, a method for describing either the average character of the sound or the statistical behavior of the variations must be utilized. Most commonly, environmental sounds are described in terms of an average level that has the same acoustical energy as the summation of all the time-varying events. This energy-equivalent sound/noise descriptor is called Leq. The most common averaging period is hourly, but Leq can describe any series of noise events of arbitrary duration.

The scientific instrument used to measure noise is the sound level meter. Sound level meters can accurately measure environmental noise levels to within about plus or minus 1 dBA. Various computer models are used to predict environmental noise levels from sources, such as roadways and airports. The accuracy of the predicted models depends upon the distance the receptor is from the noise source. Close to the noise source, the models are accurate to within about plus or minus 1 to 2 dBA.

Since the sensitivity to noise increases during the evening and at night -- because excessive noise interferes with the ability to sleep -- 24-hour descriptors have been developed that incorporate artificial

noise penalties added to quiet-time noise events. The Community Noise Equivalent Level (CNEL) is a measure of the cumulative noise exposure in a community, with a 5 dB penalty added to evening (7:00 p.m. - 10:00 p.m.) and a 10 dB addition to nocturnal (10:00 p.m. - 7:00 a.m.) noise levels. The Day/Night Average Sound Level (Ldn) is essentially the same as CNEL, with the exception that the evening time period is dropped and all occurrences during this three-hour period are grouped into the daytime period.

Ground vibration consists of rapidly fluctuating motions or waves with an average motion of zero. Several different methods are typically used to quantify vibration amplitude. One method is the Peak Particle Velocity (PPV). The PPV is defined as the maximum instantaneous positive or negative peak of the vibration wave. In this report, a PPV descriptor with units of mm/sec or in/sec is used to evaluate construction generated vibration for building damage and human complaints. Table 3 displays the reactions of people and the effects on buildings that continuous vibration levels produce.

The annoyance levels shown in Table NOISE-3 should be interpreted with care since vibration may be found to be annoying at much lower levels than those shown, depending on the level of activity or the sensitivity of the individual. To sensitive individuals, vibrations approaching the threshold of perception can be annoying. Low-level vibrations frequently cause irritating secondary vibration, such as a slight rattling of windows, doors, or stacked dishes. The rattling sound can give rise to exaggerated vibration complaints, even though there is very little risk of actual structural damage.

Construction activities can cause vibration that varies in intensity depending on several factors. The use of pile driving and vibratory compaction equipment typically generates the highest construction related ground-borne vibration levels. Because of the impulsive nature of such activities, the use of the PPV descriptor has been routinely used to measure and assess ground-borne vibration and almost exclusively to assess the potential of vibration to induce structural damage and the degree of annoyance for humans.

The two primary concerns with construction-induced vibration, the potential to damage a structure and the potential to interfere with the enjoyment of life, are evaluated against different vibration limits. Studies have shown that the threshold of perception for average persons is in the range of 0.008 to 0.012 in/sec PPV. Human perception to vibration varies with the individual and is a function of physical setting and the type of vibration. Persons exposed to elevated ambient vibration levels, such as people in an urban environment, may tolerate a higher vibration level.

Structural damage can be classified as cosmetic only, such as minor cracking of building elements, or may threaten the integrity of the building. Safe vibration limits that can be applied to assess the potential for damaging a structure vary by researcher and there is no general consensus as to what amount of vibration may pose a threat for structural damage to the building. Construction-induced vibration that can be detrimental to the building is very rare and has only been observed in instances where the structure is at a high state of disrepair and the construction activity occurs immediately adjacent to the structure.

2013 California Building Code, Title 24, Part 2. The current (2013) California Building Code (CBC) does not place limits on interior noise levels attributable to exterior environmental noise sources. The July 1, 2015 Supplement to the 2013 California Building Code (CBC) corrects this omission, reinstating limits on interior noise levels attributable to exterior environmental noise sources which had been contained in all prior versions of the CBC dating back to 1974. In keeping with the provisions of the 2015 supplement, this report considers interior noise levels attributable to exterior environmental noise sources

to be limited to a level not exceeding 45 dBA Ldn in any habitable room for new dwellings other than detached single-family dwellings.

Town of Fairfax General Plan. The Town of Fairfax General Plan identifies noise and land use compatibility standards for various land uses and establishes policies to control noise within the community. General Plan Figure N-10 shows acceptable noise levels for various land uses. Multi-family residential land uses are considered compatible in noise environments of 65 dBA Ldn or less. The guidelines state that where the exterior noise levels are greater than 60 dBA Ldn and less than 75 dBA Ldn, the design of the project should include measures to reduce noise levels indoors to 45 dBA Ldn or less. Noise levels exceeding 75 dBA Ldn at residential land uses are considered unacceptable. Residential land uses proposed in noise environments exceeding 75 dBA Ldn should generally be avoided.

Discussion a): Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less Than Significant Impact with Mitigation Incorporation. The project site is located northwest of downtown Fairfax off of Sir Francis Drake Boulevard at Mitchell Drive. The noise monitoring survey included one long-term (LT) and two short-term (ST) noise measurements locations, which are shown in Figure 1 of the I&R report. The noise environment at the site and in the surrounding areas results primarily from vehicular traffic along Sir Francis Drake Boulevard. Under the General Plan, new noise-sensitive uses may be developed in noisy areas such as major roadway corridors (e.g., Sir Francis Drake Boulevard, Broadway, Center Boulevard, and Bolinas Road). Single-family residential development, schools, libraries, hospitals, convalescent homes, and places of worship are considered the most noise-sensitive land uses. Residential development is sensitive to community noise both outdoors and indoors during the daytime and nighttime. High-density/mixed-use residential, commercial, and industrial development is less noise sensitive because uses are primarily indoors, and noise levels are mitigated with building design and construction. Noise exposures along major roadways could exceed “normally acceptable” levels for these uses.

Long-term noise measurement LT-1 was made along the westernmost portion of the project site, approximately 125 feet from the centerline of Sir Francis Drake Boulevard. Hourly average noise levels at this location typically ranged from 56 to 64 dBA Leq during the day, and from 42 to 58 dBA Leq at night. Day-night average noise levels ranged from 61 to 62 dBA Ldn. The daily trends in noise levels at LT-1 are shown in Figures 2-7 of the I&R report.

Short-term noise measurements, ST-1 and ST-2, were conducted on Tuesday, September 6, 2016 in ten-minute intervals starting at 1:00 p.m. and concluding at 1:30 p.m. As shown in Figure 1, ST-1 was made at the rear of the site behind the existing church. The ten-minute average noise level measured at ST-1 was 43 dBA Leq(10-min). ST-2 was made in the open grass area located west of the existing parking lot, approximately 120 feet from the center line of Sir Francis Drake Boulevard. The ten-minute average noise level measured at ST-2 was 55 dBA Leq(10-min). Short-term measurements from ST-1 and ST-2 are summarized in Table NOISE-1 below.

TABLE NOISE-1: Summary of Short-Term Noise Measurements (dBA)

<i>Noise Measurement Location</i>	<i>L_{max}</i>	<i>L₍₁₎</i>	<i>L₍₁₀₎</i>	<i>L₍₅₀₎</i>	<i>L₍₉₀₎</i>	<i>L_{eq(10)}</i>
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<i>(Date, Time)</i>						
<i>ST-1: Easternmost portion of property. (9/6/16, 1:00 p.m.-1:10 p.m.)</i>	<i>53</i>	<i>50</i>	<i>45</i>	<i>42</i>	<i>38</i>	<i>43</i>
<i>ST-2: 120 feet from the center line of Sir Francis Drake Boulevard. (9/6/16, 1:20 p.m.-1:30 p.m.)</i>	<i>66</i>	<i>63</i>	<i>59</i>	<i>54</i>	<i>47</i>	<i>55</i>

Future Exterior Noise Environment

The Town of Fairfax considers noise environments of 65 dBA Ldn or less to be compatible with multi-family residential land uses. The Town’s exterior noise standards would be applied to the two proposed courtyards that would be used by residents as common outdoor activity areas. These courtyards would be partially shielded from traffic noise along Sir Francis Drake Boulevard by the proposed residential building. Exterior noise levels at the westernmost courtyard, located approximately 200 feet from the center of Sir Francis Drake Boulevard are calculated to be 57 dBA Ldn or less assuming the partial shielding provided by the proposed building. At a distance of 315 feet, exterior noise levels at the easternmost courtyard are calculated to be 54 dBA Ldn or less assuming the partial shielding provided by the intervening building. Exterior noise levels at the proposed common outdoor use areas would be compatible with the proposed multi-family residential land use and no additional noise control would be required.

Future Interior Noise Environment

The Town of Fairfax requires that interior noise levels within new residences be maintained at or below 45 dBA Ldn. Standard residential construction provides approximately 15 dBA of exterior-to-interior noise reduction, assuming the windows are partially open for ventilation. Standard construction with the windows closed provides approximately 20 to 25 dBA of noise reduction in interior spaces. Where exterior noise levels range from 60 to 65 dBA Ldn, the inclusion of adequate forced-air mechanical ventilation is often the method selected to reduce interior noise levels to acceptable levels by closing the windows to control noise.

Residential units located along the westernmost building façade would be exposed to future exterior noise levels of approximately 63 dBA Ldn. Residential units proposed along the northernmost or southernmost building facades would be exposed to future exterior noise levels of 60 dBA Ldn or less. Assuming windows to be partially open, the interior noise levels for the units located along the westernmost building façade nearest to Sir Francis Drake Boulevard would be up to 48 dBA Ldn, exceeding the 45 dBA Ldn interior noise threshold by up to 3 dBA Ldn. Interior noise levels for the units located along the northernmost and southernmost building façades nearest to Sir Francis Drake Boulevard would be 45 dBA Ldn assuming windows are partially open for ventilation.

Construction Noise

Construction activities would not be permitted between the hours of 6:00 p.m. and 8:00 a.m. Monday through Friday or on weekends and holidays between the hours of 4:00 p.m. and 9:00 a.m. such that the sound therefrom creates a noise disturbance. All construction noise would be exempt from the Town’s limits for fixed noise sources when conducted during allowable hours; therefore, the potential impact would be less-than-significant impact.

Mechanical Equipment Noise

The nearest noise sensitive uses include residences approximately 200 feet north and west of the project site. A place of worship is also located approximately 200 feet to the south. Under the Town's Municipal Code, noise levels from mechanical equipment would be limited to 45 dBA L50 (assuming nighttime operation) at the nearest residential land uses.

Various heating, ventilation, and air conditioning equipment would produce noise while in operation. Due to the number of variables inherent in the mechanical equipment needs of the project (number and types of units, locations, size, housing, specs) the impacts of mechanical equipment noise on nearby noise-sensitive uses should be assessed during the final project design stage. The most substantial noise-generating equipment would likely be exhaust fans and building heating and air conditioning units.

MM NOISE-1: Mechanical equipment shall be selected to reduce impacts on surrounding uses to meet the Town's noise level requirements. A qualified acoustical consultant shall be retained to review mechanical noise as these systems are selected to determine specific noise reduction measures necessary to reduce noise.

Noise reduction measures could include, but are not limited to, selection of equipment that emits low noise levels and/or installation of noise barriers such as enclosures and parapet walls to block the line-of-sight between the noise source and the nearest receptors. Design planning should take into account the noise criteria associated with such equipment and utilize site planning to locate equipment in less noise-sensitive areas. Other controls could include, but shall not be limited to, fan silencers, enclosures, and screen walls.

The implementation of the reasonable and feasible controls outlined above would operational noise levels to 45 dBA L50 or less.

With incorporation of the noise controls in mitigation measure MM NOISE-1, this impact would be considered less than significant and no further mitigation is required.

(Sources: 1, 2, 3, 5, 11, 12)

Discussion b): Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?

Less Than Significant Impact. The construction of the project may generate perceptible vibration when heavy equipment or impact tools (e.g. jackhammers, hoe rams) are used in close proximity to receptors. Construction activities would include site preparation work, foundation work, and new building framing and finishing. Demolition for an individual site may last several weeks to months and at times may produce substantial vibration. Excavation for underground levels may also occur on some project sites and vibratory pile driving could be used to stabilize the walls of the excavated area. Piles or drilled caissons may also be used to support building foundations. Based on a review of the construction equipment list provided at the time of this study, the proposed project is not expected to require pile driving, which can cause excessive vibration.

Other project construction activities, such as caisson drilling, the use of jackhammers, rock drills and other high-power or vibratory tools, and rolling stock equipment (tracked vehicles, compactors) may also potentially generate substantial vibration in the immediate vicinity. Erection of building structures themselves is not anticipated to be a source of substantial vibration.

For structural damage, the California Department of Transportation recommends a vibration limit of 0.5 in/sec PPV for buildings structurally sound and designed to modern engineering standards, 0.3 in/sec PPV for buildings that are found to be structurally sound but where structural damage is a major concern, and a conservative limit of 0.08 in/sec PPV for ancient buildings or buildings that are documented to be structurally weakened. No ancient buildings or buildings that are documented to be structurally weakened adjoin the project site. Therefore, ground-borne vibration levels exceeding 0.3 in/sec PPV would have the potential to result in a significant vibration impact.

Table NOISE-2 below presents typical vibration levels that could be expected from construction equipment at a distance of 25 feet. Project construction activities, such as drilling, the use of jackhammers, rock drills and other high-power or vibratory tools, and rolling stock equipment (tracked vehicles, compactors) may generate substantial vibration in the immediate vicinity. Jackhammers typically generate vibration levels of 0.035 in/sec PPV, and drilling typically generates vibration levels of 0.09 in/sec PPV at a distance of 25 feet. Vibration levels would vary depending on soil conditions, construction methods, and equipment used.

The nearest land uses are located approximately 200 feet from construction site boundary. At a distance of 200 feet, the highest vibration levels (e.g., produced by a vibratory roller the dropping of heavy equipment) would reach 0.02 in/sec PPV. Vibration levels would not generally be perceptible at sensitive land uses in the project vicinity and would be well below the 0.3 in/sec PPV significance threshold used to assess the potential for cosmetic damage to structures. This is a less-than-significant impact.

TABLE NOISE-2: Vibration Source Levels for Construction Equipment

<i>Equipment</i>		<i>PPV at 25 ft. (in/sec)</i>	<i>Approximate L_v at 25 ft. (VdB)</i>
<i>Pile Driver (Impact)</i>	<i>upper range</i>	<i>1.158</i>	<i>112</i>
	<i>typical</i>	<i>0.644</i>	<i>104</i>
<i>Pile Driver (Sonic)</i>	<i>upper range</i>	<i>0.734</i>	<i>105</i>
	<i>typical</i>	<i>0.170</i>	<i>93</i>
<i>Clam shovel drop</i>		<i>0.202</i>	<i>94</i>
<i>Hydromill (slurry wall)</i>	<i>in soil</i>	<i>0.008</i>	<i>66</i>
	<i>in rock</i>	<i>0.017</i>	<i>75</i>
<i>Vibratory Roller</i>		<i>0.210</i>	<i>94</i>
<i>Hoe Ram</i>		<i>0.089</i>	<i>87</i>
<i>Large bulldozer</i>		<i>0.089</i>	<i>87</i>
<i>Caisson drilling</i>		<i>0.089</i>	<i>87</i>
<i>Loaded trucks</i>		<i>0.076</i>	<i>86</i>
<i>Jackhammer</i>		<i>0.035</i>	<i>79</i>
<i>Small bulldozer</i>		<i>0.003</i>	<i>58</i>

Source: Transit Noise and Vibration Impact Assessment, United States Department of Transportation, Office of Planning and Environment, Federal Transit Administration, May 2006.

With incorporation of the mitigation included in the Fairfax 2010-30 General Plan IS/MND, the potential impacts related to exposing persons to or generation of excessive ground borne vibration or ground borne noise levels may be reduced to a less-than-significant level. As a result of implementation of the Fairfax 2010-30 General Plan and implementing the IS/MND mitigation measure NOISE-1, the impact would be reduced to less than significant levels and no further mitigation is required.

(Sources: 1, 2, 3, 5, 11, 12)

Discussion c): A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project

Less Than Significant Impact. See discussion in XII(a), above. A significant impact would occur if the permanent noise level increase due to project-generated traffic was 3 dBA Ldn or greater for ambient noise levels exceeding 60 dBA Ldn or was 5 dBA Ldn or greater for ambient noise levels at or below 60 dBA Ldn. The ambient measurements made for the proposed project indicate that existing noise levels at the noise-sensitive receptors located in the project vicinity exceed 60 dBA Ldn; therefore, a significant impact would occur if project-generated traffic increased levels by 3 dBA Ldn or more. For reference, a 3 dBA Ldn noise increase would be expected if the project would double existing traffic volumes along a roadway.

The project's traffic analysis estimates that the proposed 54 senior living units would generate 12 vehicle trips during the weekday a.m. peak hour and 15 vehicle trips during the weekday p.m. peak hour. The minor increase in traffic as a result of the project would not measurably increase peak hour traffic noise levels produced by existing traffic along Sir Francis Drake Boulevard (i.e., the noise increase would be 0 dBA Ldn along affected roadway segments in the project vicinity). Therefore, project-generated traffic would not cause a permanent noise increase at nearby noise-sensitive receptors and the impact is considered to be less-than-significant impact and no mitigation is required.

(Sources: 1, 2, 3, 5, 11, 12)

Discussion d): A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Less Than Significant Impact with Mitigation Incorporation. Noise impacts resulting from construction depend upon the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise-sensitive areas. Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (e.g., early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise-sensitive land uses, or when construction lasts over extended periods of time. A significant impact would be identified where noise from construction activities exceeds 60 dBA Leq and the ambient noise environment by at least 5 dBA Leq at noise-sensitive uses in the project vicinity for a period exceeding 18 months.

Construction activities generate considerable amounts of noise, especially during earth-moving activities when heavy equipment is used. The highest maximum noise levels generated by project construction would typically range from about 80 to 90 dBA Lmax at a distance of 50 feet from the noise source (Table 6). Typical hourly average construction-generated noise levels for residential mixed-use developments are about 81 to 88 dBA Leq measured at a distance of 50 feet from the center of the site during busy construction periods (e.g., earth moving equipment, impact tools, etc.), as shown in Table NOISE-3 below. Hourly average construction noise levels associated with the erection of the structures, such as hammer- and drilling-related noise, range from approximately 63 to 71 dBA Leq at a distance of 50 feet. The noise levels associated with construction of the building would be substantially less than the noise levels associated with grading and pavement activities during project site preparation. Construction-generated noise levels drop off at a rate of about 6 dBA per doubling of the distance between the source

and receptor. Shielding by buildings or terrain can provide an additional 5 to 10 dBA noise reduction at distant receptors.

Construction activities would include demolition, excavation, grading, trenching, building construction, paving, and architectural coating. These primary noise generating phases are anticipated to last over a period of approximately 12 months. During each stage of construction, there would be a different mix of equipment operating, and noise levels would vary by stage and vary within stages, based on the amount of equipment in operation and the location at which the equipment is operating. Once construction moves indoors, minimal noise would be generated at off-site locations.

Table NOISE-3: Construction Equipment, 50-foot Noise Emission Limits

Equipment Category	L_{max} Level (dBA)^{1,2}	Impact/Continuous
Arc Welder	73	Continuous
Auger Drill Rig	85	Continuous
Backhoe	80	Continuous
Bar Bender	80	Continuous
Boring Jack Power Unit	80	Continuous
Chain Saw	85	Continuous
Compressor ³	70	Continuous
Compressor (other)	80	Continuous
Concrete Mixer	85	Continuous
Concrete Pump	82	Continuous
Concrete Saw	90	Continuous
Concrete Vibrator	80	Continuous
Crane	85	Continuous
Dozer	85	Continuous
Excavator	85	Continuous
Front End Loader	80	Continuous
Generator	82	Continuous
Generator (25 KVA or less)	70	Continuous
Gradall	85	Continuous
Grader	85	Continuous
Grinder Saw	85	Continuous
Horizontal Boring Hydro Jack	80	Continuous
Hydra Break Ram	90	Impact
Impact Pile Driver	105	Impact
Insitu Soil Sampling Rig	84	Continuous
Jackhammer	85	Impact
Mounted Impact Hammer (hoe ram)	90	Impact
Paver	85	Continuous
Pneumatic Tools	85	Continuous
Pumps	77	Continuous
Rock Drill	85	Continuous
Scraper	85	Continuous
Slurry Trenching Machine	82	Continuous
Soil Mix Drill Rig	80	Continuous
Street Sweeper	80	Continuous
Tractor	84	Continuous
Truck (dump, delivery)	84	Continuous
Vacuum Excavator Truck (vac-truck)	85	Continuous
Vibratory Compactor	80	Continuous

Equipment Category	L _{max} Level (dBA) ^{1,2}	Impact/Continuous
Vibratory Pile Driver	95	Continuous
All other equipment with engines larger than 5 HP	85	Continuous

Notes: 1 Measured at 50 feet from the construction equipment, with a "slow" (1 sec.) time constant.

2 Noise limits apply to total noise emitted from equipment and associated components operating at full power while engaged in its intended operation.

3 Portable Air Compressor rated at 75 cfm or greater and that operates at greater than 50 psi.

TABLE NOISE-4: Typical Ranges of Construction Noise Levels at 50 Feet, L_{eq} (dBA)

	<i>Domestic Housing</i>		<i>Office Building, Hotel, Hospital, School, Public Works</i>		<i>Industrial Parking Garage, Religious Amusement & Recreations, Store, Service Station</i>		<i>Public Works Roads & Highways, Sewers, and Trenches</i>	
	<i>I</i>	<i>II</i>	<i>I</i>	<i>II</i>	<i>I</i>	<i>II</i>	<i>I</i>	<i>II</i>
<i>Ground Clearing</i>	83	83	84	84	84	83	84	84
<i>Excavation</i>	88	75	89	79	89	71	88	78
<i>Foundations</i>	81	81	78	78	77	77	88	88
<i>Erection</i>	81	65	87	75	84	72	79	78
<i>Finishing</i>	88	72	89	75	89	74	84	84
<i>I - All pertinent equipment present at site.</i>								
<i>II - Minimum required equipment present at site.</i>								

Source: U.S.E.P.A., Legal Compilation on Noise, Vol. 1, p. 2-104, 1973.

The nearest noise-sensitive land uses are located approximately 200 feet from the primary construction areas proposed at the project site. Residential land uses to the west of the site, opposite Sir Francis Drake Boulevard, would have direct line-of-sight to the construction site. Maximum noise levels generated by project construction would typically range from 68 to 78 dBA L_{max} at unshielded residential receptors west of Sir Francis Drake Boulevard. Typical hourly average noise levels produced by construction would range from 69 to 76 dBA L_{eq} at unshielded residential receptors. Residential land uses to the north and the existing church located to the south would be shielded from construction activities by intervening terrain. In such cases, construction noise levels would be approximately 10 dBA less than the noise levels described above. Ambient noise levels at the adjacent noise-sensitive land uses are approximately 56 to 64 dBA L_{eq} during the day. Therefore, construction noise levels would be expected to exceed 60 dBA L_{eq} and exceed ambient noise levels by more than 5 dBA L_{eq}.

The Town of Fairfax considers noise impacts from major projects to be less-than-significant if the duration of project construction activities is less than 18 months and if the project includes standard construction noise controls, including limiting the work to a certain schedule of allowable days and hours

Pursuant to the Fairfax 2010-30 General Plan IS/MND, the following standard controls, as defined by Mitigation Measure Noise-2: Noise Element Goal N-3 standard construction controls, would be incorporated into the project:

MM NOISE-2: The project sponsor shall incorporate the following construction control measures:

- a) Limit construction to the hours of 8:00 a.m. to 5:00 p.m. on weekdays, and 9:00 a.m. to 4:00 p.m. on Saturdays, with no noise-generating construction on Sundays or holidays.
- b) Control noise from construction workers' radios to the point where they are not audible at existing residences that border the Project site.
- c) Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.
- d) Utilize quiet models of air compressors and other stationary noise sources where technology exists.
- e) Locate stationary noise-generating equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction project area.
- f) Prohibit unnecessary idling of internal combustion engines.
- g) Notify residents adjacent to the Project site of the construction schedule in writing.
- h) Designate a noise disturbance coordinator who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaints (e.g., starting too early, bad muffler) and institute reasonable measures warranted to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site.

The implementation of the reasonable and feasible controls outlined above would reduce construction noise levels emanating from the site by 5 to 10 dBA in order to minimize disruption and annoyance. With the implementation of these controls, as well as the Municipal Code limits on allowable construction hours, and considering that construction is temporary, the impact would be reduced to a less-than-significant level.

Implementation of the Town's Noise Element Goal N-3 and mitigation measure MM NOISE-2 will reduce potential temporary or periodic increases in ambient noise levels in the project vicinity above existing levels to less than significant levels. No further mitigation is required.

(Sources: 1, 2, 3, 5, 11, 12)

Discussion e): For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The closest airstrip is Smith Ranch Marin Airport, San Rafael, CA, which is located approximately seven (7) miles east of the project site. The proposed project is not located within the airport land use plan. Furthermore, the proposed project includes continuation of similar surrounding multiple residential uses. Therefore, there is no impact.

(Sources: 1, 2, 3)

Discussion f): For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. See Response XII(e) above. The subject property is not located near a private airstrip.

(Sources: 1, 2, 3)

XIII. POPULATION AND HOUSING

<i>Potentially Significant Impact</i>	<i>Less-Than- Significant With Mitigation Incorporated</i>	<i>Less-Than- Significant Impact</i>	<i>No Impact</i>
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Would the project:

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion a): Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Less Than Significant Impact. The proposed project includes the redevelopment of a school and church site with a 54-unit residential building. Although the project is proposing new senior residential units, this type of development is not considered to directly or indirectly induce substantial population growth.

There are a limited number of potential housing sites in Fairfax that can accommodate the Town’s identified need for low-income or affordable housing units. The Town of Fairfax has identified several opportunity ~~several~~ sites that could be realistically targeted as potential sites for such housing.

The Fairfax General Plan identifies housing opportunity sites including the key parcels and/or sites that have the potential for low-income or affordable housing in-fill development. In considering these available sites, the Town determined the size, location, and current status of each site. The ideal sites should have good access and infrastructure availability, be centrally located or along transit routes and promote the principals of Transit Oriented Development (TOD) or Traditional Neighborhood Design (TND) as outlined in the 2010 Land Use Element.

The potential sites are currently zoned Commercial Highway (CH), Limited Commercial (CL), or UR-7 residential. The 2015 Housing Element recommends the rezoning of the three to Planned District Development (PDD), that promotes a mix of uses including housing; and rezoning all CH to CC. Please note: Residential uses are permitted on the second floor in the CC zone “by-right”, whereas they are only allowed by Conditional Use Permit in the CH and CL zones. This 2010 Housing Element and Land Use Element are recommending that:

- *Christ Lutheran Church be rezoned from UR-7 to PDD.*

Importantly, the Housing Opportunity Sites in the General Plan have been identified as having a high potential to accommodate at least 172 new affordable housing units, especially for very low income households.

The intent and purpose of the Town of Fairfax General Plan is to set overarching goals and direction for the community in the coming decade. The General Plan specifically includes goals that promote new development on the targeted opportunity sites.

Initially, the proposed project included a GP amendment and Zoning change to create consistency with the project’s GP land use designations and zoning, by adopting the PDD designation for the 2-acre project site and changing the General Plan and use designation to UR-7 for the 9-acre parcels. With a change to PDD zoning, the design standards for the project would have been tailored to fit the proposal. However, during the planning process, the project was revised to include a GP amendment and Zoning change to RM-S (Residential Multi-Family – Senior) for the 2-acre portion of the site to specifically allow the proposed development on that location. This change in the project description – and subsequent legislative action - will allow the proposed project to be developed with specific land use controls without resulting in development standard modifications for other properties in Fairfax. Furthermore, the revision to the proposed project would also eliminate the need to refine and modify the PDD Ordinance in the Fairfax Town Code. The proposed change in GP and Zoning designations to RM-S would continue to be consistent with the substantive GP IS/MND and Housing Element evaluations of the project site, in that the proposed land use and development density would not be modified. No physical improvements would be changed as a result of the GP/Zone change, therefore the revised project description would continue to be consistent with previous evaluations of the project.

~~The proposed project would be consistent with the General Plan after the approved rezoning.~~ Furthermore, the General Plan IS/MND~~Initial Study~~ evaluated growth related to development of all the “opportunity sites” and concluded that the build-out of all these sites would not contribute to significant population growth. For these reasons, the impact of this project is considered less than significant and no mitigation is required.

(Sources: 1, 2, 5)

Discussion b): Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

No Impact. The project area includes the redevelopment of a private elementary and church sites with a 54-unit senior residential building. The proposed project would in fact be contributing 53 total new residential apartments, including a manager’s unit, and would not necessitate the need for new housing

to be constructed as a result of the project. Therefore, the impacts on housing displacement are considered less than significant and no mitigation is required.

(Sources: 1, 2, 5)

Discussion c): Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. See discussion in XIII(b), above. Although the proposed project would remove existing development on the subject property, it would not displace substantial numbers or people or housing. For this reason, there is no impact and no mitigation is required.

(Sources: 1, 2, 5)

XIV. PUBLIC SERVICES

	<i>Potentially Significant Impact</i>	<i>Less-Than-Significant With Mitigation Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>
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Would the project 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 public services:

<i>a. Fire protection?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>b. Police protection?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>c. Schools?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>d. Parks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>e. Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Fairfax is situated in a highly desirable setting, largely related to the forested hillsides that surround the community. Despite its natural beauty, however, the Town is in fact, very densely developed. With over 3,500 residents per square mile, and with most of the existing residences built on very small lots, there are few opportunities to provide additional housing through infill development within the Town’s residential areas except through the use of “informal” second units that have traditionally provided very low income housing – though not officially recognized as such.

Fairfax is surrounded on three sides by vast areas of spectacular open space, providing the community with scenic vistas, as well as a rural ambience, despite the Town’s location in one of the nation’s largest

metropolitan areas. This protected open space amenity contributes to the Town's limited housing opportunities, as it acts as a constraint that limits the community's ability to expand, or significantly increase, the area that could be developed for housing through the traditional annexation process.

Within the existing town boundaries, Fairfax is very limited in terms of developable land. The Town is nearly built-out with all remaining undeveloped land, being either very steeply sloped or constrained from development for other reasons.

Discussion a): Fire protection?

Less than Significant Impact. The proposed project site is currently served by existing public services, including fire and police protection, schools, and parks. The Ross Valley Fire Department currently provide fire protection services for the Town. The closest fire station to the project site is RVFD Station 2 at 10 Park Road next to Fairfax Town Hall, approximately 1.25 miles to the southeast. The Town of Fairfax is mostly built out, with few opportunities for significant growth. As discussed in the Fairfax 2010-30 General Plan Initial Study / Mitigated Negative Declaration, the build out of remaining opportunity sites identified in the General Plan would not result in significant population growth requiring an expansion of existing fire and police services. Furthermore, implementation of the General Plan will not result in adverse physical impacts or cause significant environmental impacts preventing these services from continuing, therefore there will be a less than significant impact.

Additionally, the proposed project is consistent with the Fairfax 2010-30 General Plan programs and policies included in Goal S-3 (page S-21 to S-33). The General Plan IS/MND analyzed the potential for implementation of policies and programs in the General Plan to increase the demand for fire protection and emergency medical service. As development is limited in Town there would be little increased demand for fire protection services, and would not result in the need for additional fire stations.

The project does not require an extension of the existing fire service area that would significantly extend response times as it is surrounded by existing properties that currently receive fire service. Therefore, the proposed project would have a less than significant impact on Fire Protection services, and no further mitigation is required.

(Sources: 1, 2, 5, 20)

Discussion b): Police protection?

Less Than Significant Impact. The Town of Fairfax Police Department currently provides policing services for the Town. The closest police station to the subject property is located at Fairfax Town Hall at 142 Bolinas Road, approximately 1.25 miles to the southeast. The Town of Fairfax is mostly built out, with few opportunities for significant growth. As discussed in the Fairfax 2010-30 General Plan Initial Study / Mitigated Negative Declaration, the build out of remaining opportunity sites identified in the General Plan would not result in significant population growth requiring an expansion of existing fire and police services. Furthermore, implementation of the General Plan will not result in adverse physical impacts or cause significant environmental impacts preventing these services from continuing, therefore there will be a less than significant impact. No new equipment or new police stations would be required to serve the proposed project and no further mitigation is required.

(Sources: 1, 2, 5, 21)

Discussion c): Schools?

Less Than Significant Impact. The proposed project includes the construction of a 54-unit residential building. Typically, senior residential units do not have the same demands as other residential development, including the need for access to schools. As discussed in the Fairfax 2010-30 General Plan Initial Study / Mitigated Negative Declaration, full build out of the all the “opportunity sites” was evaluated for impacts related to public services. No significant impacts were identified requiring new services or new school construction as a result of the General Plan implementation and full build out of the opportunity sites. ~~build-out~~. Additionally, the 2015 Housing Element also identified several opportunity sites that could accommodate additional housing units, including the subject property. The original development scenario for the subject property opportunity site included 40 residential units and a school use. However, the proposed project includes 14 more units than previously evaluated in the General Plan IS/MND but a proposed school use previously considered is not included. This increase in potential residential units, minus the school use, will not contribute to a significant need for additional schools. Although the project includes 14 more units than previously evaluated, these units would be for senior living units which are not typically associated with “family” housing and therefore would not include increased demand for schools in Fairfax. For these reasons, the proposed project will not result in increased enrollment or increase in housing demand due to population increase and therefore would not result in substantial adverse physical impacts associated to public schools in the project area. The impact is considered less than significant and no mitigation is required.

(Sources: 1, 2, 5)

Discussion d): Parks?

Less Than Significant Impact. See Response XIV(c) above. As discussed in the Fairfax 2010-30 General Plan Initial Study / Mitigated Negative Declaration, full build out of the all the “opportunity sites” was evaluated for impacts related to public services, including parks. No significant impacts were identified requiring new services or new park construction as a result of the General Plan implementation and opportunity site build out. Additionally, the 2015 Housing Element also identified several opportunity sites that could accommodate additional housing units, including the subject property. The original development scenario for the subject property opportunity site included 40 residential units and a school use. However, the proposed project includes 14 more units than previously evaluated in the General Plan IS/MND but the proposed school use previously considered is not included. This increase in potential residential units, minus the school use, will not contribute to a significant need for additional parks. Furthermore, on-site passive recreation areas ~~is~~ are included as part of the residential development design. This area would be utilized for residents of the senior development. Additionally, as part of the revised project, the applicant is including a parkland dedication in the form of a .32 acres at the rear (east) of the subject property. This parkland dedication over Lot 2 and Lot 3, could allow for potential future trail connections between existing undeveloped areas located adjacent to the property. In addition to the many park areas within town, Fairfax is surrounded be ample areas of open space which feature numerous hiking trails. For these reasons, the impact is considered less than significant and no mitigation is required.

(Sources: 1, 2, 5)

Discussion e): Other public facilities?

Less Than Significant Impact. See Response XIV(c) and (d) above. As discussed in the Fairfax 2010-30 General Plan Initial Study / Mitigated Negative Declaration, full build out of the all the “opportunity sites” was evaluated for impacts related to public services, including public facilities. No significant impacts were identified requiring new services or new public facility construction as a result of the General Plan implementation and opportunity site build out. Additionally, the 2015 Housing Element also identified several opportunity sites that could accommodate additional housing units, including the subject property. The original development scenario for the subject property opportunity site included 40 residential units and a school use. Although there is no school use proposed as part of the project and an increase in 14 additional units, this change in intensity would not result in a substantial adverse impact to existing public facilities nor would it require development of new facilities. For these reasons, this increase in potential residential units will not contribute to a significant need for additional other public facilities and the impact is considered less than significant with no mitigation required.

(Sources: 1, 2, 5)

XV. RECREATION	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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Would the project:

a. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Fairfax is a town defined by open space. Open space not only exists within the town, it abuts most town boundaries and defines the views from Town Center, from most neighborhoods, and throughout the Fairfax Planning Area. The location of Fairfax within the Ross Valley, surrounded by undeveloped hillsides and ridges, gives the Town a very distinctive look and feel. Project revisions, including the dedication of a .32-acre parkland at the rear of the subject property, would not change the impact conclusions from the previous environmental review.

Discussion a): 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?

No Impact. See response to XIV(d) above. On-site passive recreation areas are included as part of the proposed residential development, which is required to dedicate some ~~43~~¹⁶,200 square feet of land for ~~parkland uses on~~. As proposed, the ~~Planned Development project includes~~ ~~proposes to offer some~~ 4,300 square feet of active recreational area in the form of internal courtyards. The proposed project satisfies the requirement in the proposed Fairfax Code § 17.090.050 (B) for 300 sq ft of open areas/unit through calculation of 17,394 sq ft including internal courtyards and other landscaped areas surrounding the proposed residential building. This area would be utilized for residents of the senior development. ~~Per Section 16.24.100(B)(10)(b) of the Town Code, the Town Council may elect to credit this 4,300 square foot space against any amount of land required to be dedicated. Previously, the applicant has requested a density bonus concession waiving the remaining 811,900 square feet that would be required, however, the revised project now includes a parkland dedication, in the form of a .32-acre dedication at the rear (east) of Lot 2 and Lot 3. This dedication would potentially allow for future trail access of undeveloped open areas adjacent to the subject property.~~ With regard to the two ~~9-acre parcels~~, these would bear a ~~parkland dedication requirement of some 653 square feet, given their low anticipated occupancies. The applicant proposes to pay an in-lieu fee for the value of this parkland prior to the recordation of the final map for the project.~~ Moreover, in addition to the many park areas within town, Fairfax is surrounded by ample areas of open space which feature numerous hiking trails. As discussed in the General Plan IS/MND build out of the opportunity sites would not result in an impact to the existing neighborhood or regional parks. As such, development of the proposed project in accordance with implementation of the Fairfax 2010-30 General Plan will not result in a substantial increase of residents or visitors to the Plan Area and no additional demand for recreational facilities; therefore, there will be no impact.

(Sources: 1, 2, 5)

Discussion b): Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

No impact. See response to XV(a) above. Development of the proposed project in accordance with implementation of the Fairfax 2010-30 General Plan will not result in a substantial increase of residents or visitors to the Plan Area and no additional demand for recreational facilities; therefore, there will be no impact.

(Sources: 1, 2, 5)

XVI. TRANSPORTATION/TRAFFIC

<i>Potentially Significant Impact</i>	<i>Less-Than-Significant With Mitigation Incorporated</i>	<i>Less-Than-Significant Impact</i>	<i>No Impact</i>
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Would the project:

a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all

<i>modes of transportation including mass transit and non-motorized travel and relevant component of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit)?</i>				
<i>b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>e. Result in inadequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

In December 2011 and January 2012, Parisi Associates conducted a traffic impact analysis of the 2010 – 30 Fairfax General Plan. The overall purpose of that report was to evaluate the potential traffic impacts that could occur as a result of implementing the Town of Fairfax 2010-30 General Plan over the next twenty years and the potential traffic impacts that could result upon redevelopment of the six “opportunity sites or areas” identified in the Housing Element of the Town of Fairfax General Plan. These opportunity sites are articulated in detail in the Land Use Element and the Housing Element section of the 2010-30 General Plan and composed the basis of the traffic analysis. The proposed project is included in the “opportunity sites” as Site #1: Lutheran Church Site. Each of the sites was proposed to contain affordable housing units, either for seniors or the general workforce, in addition to other land uses.

Parisi Associates prepared two supplemental letter memos in June 2016, and September 2016 to address the proposed project as it relates to the earlier traffic analysis. During the September 2016 analysis, Parisi conducted weekday peak period traffic counts at 11 intersections along Sir Francis Drake Boulevard, estimated the potential number of peak hour vehicle trips the proposed Victory Village Senior Housing development project could generate, determined if these vehicle trips could affect any of the 11 study intersections, and assessed the project site’s access in the vicinity of Sir Francis Drake Boulevard and Mitchell Drive. This most recent ~~analysis study~~ also includes an analysis of the potential impacts specific to the ~~alternative~~ vehicular access directly from Sir Francis Drake to the subject property. Originally proposed as an alternative access, the revised project no longer requires access across

Mitchell Drive, and therefore this redesigned site plan includes vehicular access south of the proposed building, directly from Sir Francis Drake Boulevard. Furthermore, the revised access drive would also allow four additional perpendicular parking spaces to be constructed along the main driveway. The findings of these reports are included in the environmental assessment that follows.

The Town of Fairfax is mostly built out, with few opportunities for significant growth. The primary infrastructure, the elements of the circulation network, including the roads and streets, pedestrian and bicycle ways, and utilities are in place. Therefore, the overarching objective for the Circulation Element is to recognize and understand the opportunities and constraints presented by the established infrastructure, and how best to use the various elements to provide a safe and efficient environment for the entire community while maintaining the Town's quality of life.

The Fairfax 2010-30 General Plan calls for the limited expansion of the historic mixed-use character of the town center area allowing for more transit oriented development, infill development on two key opportunity sites appropriate for senior and workforce housing, and for the creation and utilization of existing and new second units in the residentially zoned areas – all as a way to accommodate a more equitable and sustainable evolution of the Town.

There are a few opportunities for land use changes and density increases in the Town Center area. Sir Francis Drake Boulevard, Center Boulevard, Broadway and Bolinas Road are the major roads to and through the town. All other streets in Fairfax are local streets. They provide access to residences and neighborhood functions. Most local streets in the Fairfax Planning Area were built before the Second World War and many are in hilly areas. Many do not meet minimum current standards for width, curve radius, sight distance and on-street parking.

The Fairfax Pedestrian and Bicycle Master Plan, bicycling in Fairfax fits into a number of niches: commute, school, and recreation, with of bicycle use more than three times the state average with more potential for increased bicycle use for many types of trips, and a current trend toward increased bicycle use.

Discussion a): Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant component of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit)?

Less Than Significant Impact. The Town of Fairfax uses the 2000 Highway Capacity Manual (HCM) operational procedures for evaluating signalized and unsignalized intersection performance. The HCM analysis procedures provide estimates of saturation flow, capacity, delay, level of service, and back of vehicle queue by lane group for each approach.

HCM level of service is measured as a function of vehicle delay, with the corresponding ranges shown in Table 2 from the Parisi report shown below. At signalized intersections and unsignalized intersections with all-way stop control, level of service is a measurement of the average overall delay of the intersection. For unsignalized intersections controlled with two or fewer stops, level of service is reported for the approach with the worst delay.

Table TRAFF-1: Intersection Level of Service and Delay

<i>Level of Service</i>	<i>Level of Delay</i>	<i>Signalized Delay (seconds)</i>	<i>Unsignalized Delay (seconds)</i>
<i>A</i>	<i>Insignificant</i>	<i>0 to 10</i>	<i>0 to 10</i>
<i>B</i>	<i>Minimal</i>	<i>>10 to 20</i>	<i>>10 to 15</i>
<i>C</i>	<i>Acceptable</i>	<i>>20 to 35</i>	<i>>15 to 25</i>
<i>D</i>	<i>Tolerable</i>	<i>>35 to 55</i>	<i>>25 to 35</i>
<i>E</i>	<i>Significant</i>	<i>>55 to 80</i>	<i>>35 to 50</i>
<i>F</i>	<i>Excessive</i>	<i>>80</i>	<i>>50</i>

Source: Transportation Resource Board, Highway Capacity Manual, 2000

Parisi Associates, Traffic impact analysis report, Opportunity site analysis Fairfax, California, December 2011

The Town considers level of service (LOS) D to be the minimum level of operation at both signalized and unsignalized intersections. Therefore, a signalized intersection that experiences 55 seconds or greater average delays, or an unsignalized intersection that experiences 35 seconds or greater average delays, will be required to mitigate unacceptable traffic impacts to an acceptable level of service. There are occasions, however, when the necessary improvements to mitigate the potential traffic impacts are not feasible to construct, such as an exceedingly high construction cost to improve a short duration impact, or an unduly delay for other traffic approaches.

In the traffic impact analysis of the 2010 – 30 Fairfax General Plan, Parisi assessed the level of service for weekday AM and PM peak hours for existing conditions calculated for the 17 study intersections. The findings are shown in *Table 3* of the 2012 Parisi report (Attached as Appendix D). It was found that most intersections are operating at acceptable levels. However, four intersections were determined to be operating unacceptably:

- Sir Francis Drake Boulevard/Mitchell Drive/Banchero Way: Left-turn movements from Mitchell Drive operate at LOS E during the AM peak hour (22 vehicles per hour (vph))
- Sir Francis Drake Boulevard/Olema Road: Left-turn movements from Olema Road operate at LOS E during the PM peak hour (2 vph)
- Sir Francis Drake Boulevard/Pacheco Avenue: Left-turn movements from Pacheco Avenue operate at LOS E in the AM peak hour (19 vph) and LOS F in the PM peak hour (32 vph)
- Broadway /Center Boulevard/Pacheco Avenue: Average vehicle delays for all movements are at LOS E during the PM peak hour

The vehicle trips estimated to be associated with the opportunity sites were distributed to the street network based on existing travel patterns. Traffic volumes for existing plus opportunity sites condition are shown in *Figure 3* of the 2012 Parisi report. The level of service for weekday AM and PM peak hours for the existing plus opportunity sites condition was calculated for the 17 study intersections. The results are shown in *Table 3* of the 2012 Parisi report.

Parisi updated the analysis to include proposed land use changes per amendments made and adopted by the Town Council in October 2013 to meet State requirements, and in May 2015, as requested by the Town of Fairfax, to determine if traffic impacts would result if additional land use changes were included in a new Housing Element Update, including up to 6,000 square feet of additional retail land uses within “Site #3 – Westside Commercial” and 17 additional second units spread throughout the Town. It was

subsequently determined that the same recommendations/mitigation measures from the “Traffic Impact Analysis Report for the 2010-2030 General Plan” would pertain, and the amended land uses would still be within the framework of the evaluation for the original project as documented in the Fairfax General Plan 2013 Initial Study/Mitigated Negative Declaration. Parisi also determined if the proposed land use changes in “Site #1 – Peace Village” (called “Site #1 – Christ Lutheran Church” in the original analysis) would result in additional traffic impacts compared to the previously proposed uses.

In September 2016, Parisi again estimated the weekday vehicle trip generation of the proposed project: 53 senior living units and one manager’s apartment. The trip generation data is indicated in Table TRAFF-2 below:

TABLE TRAFF-2: Estimated Weekday Vehicle Trip Generation

Land Use	Units	Daily		AM Peak Hour				PM Peak Hour			
		Rate	Trips	Rate	Trips	In	Out	Rate	Trips	In	Out
Senior Adult Housing - Attached	53	3.44	182	0.20	11	4	7	0.25	13	7	6
Apartment	1	6.65	7	0.51	1	0	1	0.62	1	1	0
Total Trips			189		12	4	8		14	8	6

Source:

ITE Trip Generation Manual, 9Edition Senior Adult

Housing – Attached (ITE #252)

Apartment (ITE #230)

The previous analysis assumed the site would be comprised of 40 senior living units, a private school serving up to 150 students, and a church. Parisi estimated that these land uses would generate 147 vehicle trips during a weekday a.m. peak hour and 27 vehicle trips during a weekday p.m. peak hour. The current proposal is to provide 53 senior living units and one manager’s apartment, but no school or church. Based on standard vehicle trip generation rates, it is estimated that these units would generate 12 vehicle trips during the weekday a.m. peak hour and 14 vehicle trips during the weekday p.m. peak hour. These values are lower than those used in the “Traffic Impact Analysis for the 2010-2030 General Plan”, meaning no additional traffic impacts would result (i.e., traffic would be somewhat lower), thus the amended land uses would still be within the framework of the evaluation previously performed for the Initial Study/Mitigated Negative Declaration.

Parisi also conducted the traffic, pedestrian and bicycle counts at the main intersections along Sir Francis Drake Boulevard between 7 and 9 a.m. and between 4 and 6 p.m. on September 20 and 22, 2016. Traffic generated by the project would not result in any service level changes at any of the study intersections during the current weekday a.m. and p.m. peak hours. Slight delay increases (e.g., one to three seconds of added delay) could result for stop sign-controlled side-street motorists, who currently experience LOS E or F conditions, entering Sir Francis Drake Boulevard from Oak Tree Lane, Marin Road, Marinda Drive, and Azalea Avenue.

Under General Plan build-out conditions, traffic generated by the project would degrade the southbound Mitchell Drive stop sign-controlled movement onto Sir Francis Drake Boulevard from LOS D to LOS E

conditions, since the added traffic would increase delays by three to four seconds per vehicle. At other study intersections, (as shown in Table 4 of the October 2016 Parisi report), no level of service changes would occur. Slight delay increases (e.g., one to three seconds of added delay) could result for stop sign-controlled side-street motorists, who would experience LOS E or F conditions under 2030 conditions, entering Sir Francis Drake Boulevard from Oak Tree Lane, Marin Road, Marinda Drive, and Azalea Avenue.

Based on the intersection level of service analysis and the Town of Fairfax's General Plan, the 2012 Parisi report concluded that development of the subject property project could result in a significant impact at the Sir Francis Drake Boulevard/Mitchell Drive intersection under 2030 build-out conditions since left-turning movements from Mitchell Drive onto Sir Francis Drake Boulevard could degrade from LOS D to LOS E operations.

It should be noted, however, that the projected number of left-turning vehicles turning from Mitchell Drive onto Sir Francis Drake Boulevard under year 2030 General Plan conditions is only 10 vehicles per hour during the weekday a.m. peak hour and six during the p.m. peak hour. The proposed project would be estimated to increase these left-turn movements to 18 and 12 vehicles per hour, respectively (i.e., one vehicle turning left every three to five minutes). By 2030 east-west through traffic on Sir Francis Drake Boulevard is expected to reach over 1,200 vehicles per hour. Therefore, signalization of the intersection is not recommended as a mitigation measure in the future as such a strategy would result in increased delays, as well as potential safety issues, for the majority of traffic traveling through the intersection. Furthermore, as the revised project access would no longer require turning movements to and from Mitchell Drive, there would be no increased turning movements at this intersection, further reducing potential requirements for signalization.

The Town of Fairfax's General Plan update predicted that the left-turn movement would be performing at LOS F conditions in 2030 and that left-turning motorists would experience delays of two to three minutes. However, the General Plan assumed that the project site would generate substantially more traffic as it assumed it would be comprised of 40 senior units, a private school serving up to 150 students, and a church. The currently proposed project would consist of 53 senior units and a manager's apartment. Instead of resulting in two- to three-minute left-turn delays in 2030, the project would result in 36-37 second delays by adding three to four additional seconds of delay due to project traffic. As noted above, because the revised project would no longer require access via Mitchell Drive, the potential increase in left turn delays (three to four seconds) would be further reduced which would continue to be consistent with the previous less than significant conclusion of the project circulation evaluation. Although the change in project access would result in a decrease of vehicle trips onto Mitchell Drive, the same amount of vehicle trips in and out of the project site would occur. However, as discussed in the Parisi 2016 traffic analysis, these traffic trips would be far below previous GP IS/MND and Housing Element evaluations for development of the property and therefore would not result in significant adverse impacts to the overall Fairfax circulation system. -For these reasons, the impact is considered less than significant and no mitigation is required.

(Sources: 1, 2, 4, 5, 14)

Discussion b): Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Less Than Significant Impact. See Response XVI (a) above. There is no adopted Congestion Management Plan for the Town of Fairfax. Therefore, the project would not conflict with an applicable CMP. As such, impacts are considered less than significant and no mitigation is required.

(Sources: 1, 2, 3, 10)

Discussion c): Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

No Impact. The proposed project does not include any aviation components or structures where height would be an aviation concern. Additionally, no substantial new air traffic would be generated at the local airports in Marin County as a result of the proposed project. The proposed project would not result in any impacts on air traffic pattern or an increase in traffic levels therefore there would be no impact.

(Sources: 1, 2, 3)

Discussion d): Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less Than Significant Impact with Mitigation Incorporation. The revised project as proposed would be accessed directly off Sir Francis Drake Boulevard, approximately 100 feet south of the existing Mitchell Drive intersection. Under the proposed alignment, project traffic would not use Mitchell Drive. Although the revised project would create a new driveway access point, Parisi had previously evaluated (page 6 of the 10/16/16 Parisi traffic analysis) this access location for potential impacts to both peak vehicle trips and overall traffic delay, as well as potential hazardous design conditions.

~~via Mitchell Drive at the existing driveway location. Modifications to the existing driveway entrance are proposed as part of the project including crosswalks and sidewalk connections from Sir Francis Drake to the northern side of the internal entry street. These site modifications would not change the existing access off Mitchell, nor would they conflict with the existing configuration of the Mitchell/Sir Francis Drake intersection. Furthermore, as~~As discussed in Response XVI(a) above, the proposed project would have a reduced amount of vehicle trips than previously analyzed in the 2010-30 General Plan traffic analysis and as result, no traffic related mitigation in the form of signalization is required for the project. ~~For these reasons, the project, as proposed, would have a less than significant impact specific to hazardous design features.~~

Alternative Site Access Evaluation

~~The existing access and site driveway is connected to Mitchell Drive which is the primary entrance to the Canon Village multi-family residential neighborhood. As discussed in the project description above, the proposed project would require a decision by the Canon Village Homeowner's Association to allow continued vehicular access to the subject property. Should access to the site via Mitchell Drive be prevented, the project proposes an alternate access directly off Sir Francis Drake Boulevard, approximately 100 feet south of the Mitchell Drive intersection. Under the alternative alignment, project traffic would not use Mitchell Drive.~~

However, in order to serve project traffic into and out of the alternative-revised driveway access, the center lane on Sir Francis Drake Boulevard between Mitchell Drive/Alhambra Circle and June Court/Kingdom Hall would need to be modified. It currently provides designated left-turn lanes to

Alhambra Circle and to the Kingdom Hall to the southwest of Sir Francis Drake. The alternative driveway alignment would necessitate creating a continuous two-way left-turn lane on this segment of Sir Francis Drake Boulevard that would permit all current traffic movements to continue under existing conditions. While each of the turning movements into and out of the roadways and driveways that would be served by a two-way left-turn lane are relatively low, there would be increased potential for conflicts in the center lane between moving vehicles, particularly due to the close spacing of the alternative driveway alignment and Mitchell Drive/Alhambra Court. As a result, the following mitigation measure is required to reduce the potential hazards related to the alternate access design feature:

MM TRAFF-1: ~~For approval of the alternate driveway access and prior~~Prior to submittal of a demolition, grading, or building permit, the project sponsor shall design a two-way left-turn pocket on Sir Francis Drake Boulevard, prepared by a licensed professional civil engineer. The turn lane design shall also incorporate high resolution lane striping and/or warning signs alerting drivers to the presence of opposite direction traffic turning conflicts. The two-way left turn lane pocket shall be submitted to the Director of Public Works for review and approval. ~~If the alternate access is not needed, the project sponsor shall submit the appropriate authorization documents to the Director of Public Works indicating that the current access of Mitchell Drive will continue as configured.~~

Implementation of the mitigation measure MM TRAFF-1 would reduce potential impacts hazards due to a design features to less than significant levels. As such, access to the project site, either through the proposed alignment or the alternative access, would not result in potential hazardous design feature impacts and would be considered less than significant with no further mitigation required.

(Sources: 1, 2, 3, 10, 20, 21)

Discussion e): Result in inadequate emergency access

Less Than Significant Impact. The proposed project has been reviewed for emergency vehicle access and would comply with all requirements per the Ross Valley Fire Department standards. Furthermore, as discussed in response XIV(a) above, the property would continue to be served by the Ross Valley Fire Department, with its closest station (No. 2) approximately one (1.25) miles to the southeast. As such, the impact is considered less than significant and no mitigation is required.

(Sources: 1, 2, 3, 10, 20, 21)

Discussion f): Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities:

Less Than Significant Impact. See Response XVI(b) above. There are no adopted policies, plans or programs regarding public transit or bicycle and pedestrian facilities adjacent to the subject property. The proposed project does not include any physical improvements or modifications to the existing transportation network.

The proposed project does not conflict with any adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. As such, the impact is considered less than significant and no mitigation is required.

(Sources: 1, 2, 5, 6, 10)

XVII. TRIBAL CULTURAL RESOURCES

Potentially Significant Impact	Less-Than- Significant With Mitigation Incorporated	Less-Than- Significant Impact	No Impact
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Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Discussion a): Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

Discussion b): A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe

Less Than Significant Impact with Mitigation Incorporation. See Response V(a), (b) and (c) above. The proposed project application includes a cultural resources investigation letter report from Pacific Legacy. This report includes an archival and record search of the 24-acre subject parcel and a surrounding 0.25-mile radius, contact with the Native American Heritage Commission (NAHC) and potential Native American stakeholders, and a field inventory of the subject parcel that included an architectural review of standing buildings and structures that lie within the proposed development area.

The sanctuary and classroom building was constructed in 1961 but was determined to not be considered a local historic resource. The existing church and school structures do not have a significance within the Town of Fairfax and are determined to not be eligible for the CRHR.

Pursuant to AB 52, the scope of the evaluation at the project level should include consultation with Native American representatives identified by the NAHC for areas outside of reservations, and with Tribal representatives of federally recognized Tribes where projects are located near or within lands associated with federally recognized Tribes. The consultation should be undertaken and be consistent with most recent guidance provided by the Office of Planning and Research. The purpose of the consultation is to identify Tribal cultural resources and ensure that such resources are taken into consideration in the planning process. Pacific Legacy submitted a request for a search of the Sacred Lands File as it encompasses the subject parcel was submitted to the NAHC on May 2, 2016. The NAHC responded on June 13, 2016 and stated that no Native American resources had been identified within the area. The NAHC provided contact information for two potential Native American stakeholders, including the Federated Indians of Graton Rancheria, who may have further knowledge of the Project vicinity. Those individuals were contacted via certified letter on June 14, 2016 to request any information that they might be able to offer about the subject parcel (see Attachment C). Responses from the Buffy McQuillen, the Tribal Heritage Preservation Officer (THPO) at Native American Graves Protection and Repatriation Act (NAGPRA), indicated that there is a high probability of tribal cultural resources below the surface. The Tribe requested for further site surveys in a specific manner that looks at buried deposits. Furthermore, the Tribe requested to be involved in the proposed project so as to avoid areas where it's cultural deposits are present. Pursuant to AB 52, on October 5, 2016, the Town sent a letter to the Federated Indians of Graton Rancheria to solicit any request for consultation. The Tribe responded on November 2, 2016 with a requested consultation meeting to provide input on the proposed project. The Town ~~began the consultation process~~ responded on November 10, 2016, but as of the publication of this document, the Tribe has not yet agreed to a time for a consultation meeting with the Town. ~~has yet to formally meet with the Tribe as of the publication of this document.~~

Records searches and cultural resources site visit did not reveal any known cultural resources within the area of potential impact of the project site and as documented by the Pacific Legacy report, the existing buildings on site do not meet the minimum criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. Therefore, the proposed project does not include structures listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5024.1(c), and the impact is considered less than significant with no mitigation required. Project revisions would not change the impact conclusions from the previous environmental review.

However, as the proposed project could have the potential to encounter unknown tribal cultural resources during ground-disturbance activities, implementation of the following mitigation measures is required:

MM TRIBAL-1: The project applicant shall retain a representative of the Federated Indians of Graton Rancheria to coordinate and accompany a qualified archaeologist to conduct pre-construction sub-surface site investigations for buried deposits. If buried deposits are found, the project sponsor shall coordinate with the Tribe representative to appropriately identify, and catalogue the deposits prior to preservation in place, unless the lead agency determines that another form of mitigation is available and provides superior mitigation of impacts.

Following the initial sub surface investigation, if no initial buried deposits are found, the project sponsor shall retain a representative of the Federated Indians of Graton Rancheria to observe and monitor all earth-moving, grading, and sub-surface activities. Prior to issuance of a grading permit, evidence shall be provided for placement in the project file that a Native American monitor has been retained. In the event that subsurface archaeological resources/human remains are encountered during the course of grading and/or excavation, all development shall temporarily cease in these areas until the archaeological resources are properly assessed and subsequent recommendations are determined by a qualified archaeologist. In the event that human remains are discovered, there shall be no disposition of such human remains, other than in accordance with the procedures and requirements set forth in California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98. These code provisions require notification of the County Coroner and the Native American Heritage Commission, who in turn must notify those persons believed to be most likely descended from the deceased Native American for appropriate disposition of the remains. Excavation or disturbance may continue in other areas of the Project Site that are not reasonably suspected to overlie adjacent remains or archaeological resources. Copies of a subsequent archaeological study or report, detailing the nature of any archaeological discovery, remedial actions taken, and disposition of any accessioned remains shall be submitted to the Northwest Information Center at California State University, Sonoma.

Therefore, implementation of the above mitigation measure as well as mitigation measures MM CULT-1a & b, and MM CULT-2 will reduce the potential impact to less than significant levels and no further mitigation is required.

(sources: 16, 17)

XVIII. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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Would the project:

c. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

d. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

e. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion a): Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Less Than Significant Impact. The proposed project includes the demolition of a private elementary school and church structure and redevelopment of the site with a 54-unit residential building. Sanitary District No. 1 of the Ross Valley Sanitary District (RVSD), a member of the Central Marin Sanitation Agency (CMSA), provides wastewater services to Fairfax. The subject property is currently served by the RVSD Sanitary District #1, and the CMSA Wastewater Treatment Plant. The wastewater flows from Sanitary District #1 are conveyed to the CMSA Wastewater Treatment Plant. Sanitary District #1 contributes approximately 10% of the average daily flow to the CMSA wastewater treatment plant. CMSA resulted from the East Marin/Southern Sonoma Study which examined alternatives for advanced treatment and deep-water discharge for seventeen wastewater agencies in Marin and southern Sonoma Counties in response to environmental concerns and deep-water discharge requirements of the mid-1970's Clean Water Quality Act. As a result, CMSA, a joint powers authority (JPA), was formed by Sanitary District No. 1, San Rafael Sanitation District, Sanitary District No. 2 and the City of Larkspur for the purpose of constructing and operating a wastewater treatment facility with deep-water discharge to San Francisco Bay. Sanitary District #1 infrastructure is considered to have adequate capacity to convey future wastewater from the project site.

As discussed in the Fairfax General Plan, the RVSD and the CMSA Wastewater Treatment Plant have adequate capacity to serve the Town and opportunity sites identified in the 2015 Housing Element. With the adoption of a "green building ordinances" – as called for in the 2010 Conservation Element (that promotes gray-water and water-efficient technologies) – the need for such energy intensive facilities will be reduced and/or eliminated.

For these reasons, the project would not result in the need for additional capacity at the wastewater treatment plant or additional wastewater infrastructure to be built offsite. Therefore, the proposed project would not exceed existing wastewater treatment requirements and the impacts are considered less than significant with no mitigation required. Project revisions would not change the impact conclusions from the previous environmental review.

(Sources: 1, 2, 22)

Discussion b): Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less Than Significant Impact. See Response XVII (a) above. The proposed project includes the demolition of a private elementary school and church structure and redevelopment of the site with a 54-unit residential building. The Fairfax 2010-30 General Plan IS/MND evaluated the potential impacts related to the build-out of the “opportunity sites” including the subject property. As documented in the Fairfax 2010-30 General Plan IS/MND implementation of the General Plan and build out of the opportunity sites would not result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. Since the proposed project is consistent with the General Plan the impact to wastewater treatment facilities is considered less than significant. Thus, water or wastewater impacts related to implementation of the proposed project would be minimal and no wastewater treatment facility or an expansion of existing facility is needed. The impacts are considered less than significant with no mitigation required~~No mitigation is required.~~

(Sources: 1, 2, 19, 22)

Discussion c): Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less Than Significant Impact. See Response IX (a through e) above. The proposed project includes the redevelopment of the subject property with a new 54-unit residential building and associated landscaping. As a result, construction of new stormwater drainage facilities would be required for the proposed project and would be subject to the requirements and standards for storm water run-off pursuant to Fairfax Town Code Chapter 16.24.160(c). The Town of Fairfax General Plan also includes Policy CON-4.2.2 that aims to improve the standard practices contained in a Storm Drain Master Plan. The General Plan does not propose specific storm drain improvement projects but is designed to improve local water quality by establishing the Storm Drain Master Plan. However, as there are no specific improvements, there is no planned upgrade to current systems and infrastructure adjacent to the subject property. This existing system is currently incapable of managing existing run-off and drainage associated with the 100-year storm events. Although the proposed project is capable of retaining and treating run-off on site pursuant to Fairfax Town Code Chapter 16.24.160(c), a new storm drain system is warranted to upgrade existing infrastructure and prevent adverse conditions downstream from the subject property. The Discussion for Section IX (c) through (f) above contains specific environmental controls with regards to existing and future storm water management. Specifically, in order to completely capture and manage site run-off of a 100-year storm event, Carlile Macy has identified several storm water design features that should be implemented to manage downstream drainage once the region wide capacity issue is addressed by the Ross Valley Flood District Zone 9.

Implementation of mitigation measure HYDRO-1 would ensure that the proposed project does not result in potential drainage and flooding impacts and ensures that the proposed stormwater system does not result in significant adverse conditions. For these reasons, the proposed project would not result in the construction of new storm water drainage facilities or expansion of existing facilities and potential impacts are considered less than significant levels with no further mitigation required.

(Sources: 1, 2, 3, 5, 15, 16, 19)

Discussion d): Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed

Less Than Significant Impact. The subject property is currently served by the Marin Municipal Water District (MMWD) for domestic water use. Even though the proposed project would demolish the existing structures and develop the site with a new 54-unit residential building, the new development would not represent a significant increase on the domestic water demand from the Town of Fairfax. As discussed in the Fairfax 2010-30 General Plan IS/MND, the build out of all the potential “opportunity sites” was factored into the environmental analysis. As such, it was determined that there is adequate supply to meet the demands of the Fairfax population, which is not anticipated to see significant population growth in the next ten years, and therefore will not generate the need to expand entitlements.

In addition, the Fairfax 2010-30 General Plan IS/MND evaluated the intent and purpose of *Objective CON-4.1: Promote water conservation to reduce overall demand on water supply resources* – which established a policy of a 20% reduction of the Town’s potable water consumption by 2015. New construction, including the proposed project, would be subject to design considerations that incorporate low-flow and other water saving fixtures to reduce overall water usage. This policy is also consistent with the guidelines outlines in the 2010 MMWD Urban Water Management Plan (UWMP). Based upon the MMWD 2010 UWMP, the MMWD has adequate water supply available for the proposed project for the entire district, including the buildout of the Town of Fairfax. In May 2016, California Governor Edmund G. Brown Jr. issued an executive order that builds on temporary statewide emergency water restrictions to establish longer-term water conservation measures, including permanent monthly water use reporting, new permanent water use standards in California communities and bans on clearly wasteful practices such as hosing off sidewalks, driveways and other hardscapes. Additionally, the MMWD Board of Directors have called for a 25% voluntary rationing for residential customers using over 65 gallons per day.

Even with the drought, the MMWD UWMP indicates that there would be adequate water supply to accommodate the proposed project. There is adequate supply to meet the demands of the current Fairfax population, which is not anticipated to see significant population growth in the next ten years even with the addition of the total build-out of the “opportunity sites”, and therefore will not generate the need to expand entitlements. Implementation of the policies in the Fairfax 2010-30 General Plan would ensure that the proposed project is consistent with existing water supply in the planning area. Therefore, the impact is considered less than significant and no mitigation is required.

(Sources: 1, 2, 3, 19)

Discussion e): Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?

Less Than Significant Impact. The subject property is currently served by the RVSD Sanitary District #1 and the Central Marin Sanitation Agency for wastewater treatment. As discussed in response XVII (a) above, Sanitary District #1 and the CMSA, would continue to provide wastewater services for the proposed project and has adequate facilities to accommodate development of the project site. Furthermore, the Fairfax 2010-30 General Plan IS/MND evaluated the potential impacts related to the build-out of the “opportunity sites” including the subject property and determined that implementation of the Fairfax 2010-30 General Plan would not result in an impact requiring the construction of new water or wastewater treatment facilities or expansion of existing facilities. For these reasons, no additional impacts would result from the proposed project and impacts would be considered less than significant.

(Sources: 1, 2, 22)

Discussion f): Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Less Than Significant Impact. The Town of Fairfax, and the subject property, is currently served by the Marin Sanitary Service for solid waste disposal needs. Waste collection and recycling services are provided by the Marin Sanitary Service for the Town of Fairfax and would not be a need for additional facilities, equipment, and/or staff to adequately serve the proposed project as evaluated in the Fairfax 2010-30 General Plan IS/MND. Solid waste collected within the Town of Fairfax is disposed of at the Redwood Landfill. The Redwood Landfill is a fully permitted Class III disposal site located approximately 3.5 miles north of the City of Novato, and is used for more than 95% of Marin County's solid waste disposal, including solid waste from the Town of Fairfax. The Redwood Landfill has a permitted capacity of 19,100,000 cubic yards. The Redwood Landfill is permitted to accept 2,300 tons per day of solid waste.

The General Plan does not directly involve the removal of materials with specific need of landfill disposal. However, Goal CON-7: Waste Management is designed to reduce waste generated by Fairfax residents, businesses and government. Future development in Town will be influenced by the policies and programs contained in Goal CON-7 as well as goals in the Fairfax Clean Air Plan and will therefore limit the amount of waste sent to the local landfills in Marin County. The addition of a 54-unit residential project would not significantly change the amount of solid waste generated within the Town because the number of people living in the units was counted in the General Plan population counts and evaluated as part of the build out of all the “opportunity sites”. Although the proposed project includes 14 more units than previously assessed, there would be no school component and thus, the project would not significantly alter the amount of waste generated within the Town. As the project is consistent with the existing General Plan and the evaluation of the “opportunity sites” build out, potential impacts are considered less than significant and no mitigation is required.

(Sources: 1, 2, 22, 23)

Discussion g): Comply with federal, state, and local statutes and regulations related to solid waste?

Less Than Significant Impact. Solid waste disposal services for the project site are handled by Mill Valley Refuse Service and the Redwood Landfill. These services would continue as part of the proposed project. Both entities are subject to the California Integrated Waste Management Act to meet state waste diversion goals. Both entities offer recycling services to minimize the solid waste that is deposited at the landfill. The Redwood Landfill recycles approximately 50% of the materials brought to the landfill site.

The project would be served by these entities and the existing recycling and waste reduction programs which comply with the California Integrated Waste Management Act.

The Marin Hazardous and Solid Waste Joint Powers Authority (JPA) provides hazardous waste collection, recycling, and disposal information to ensure compliance with state recycling mandates. The Marin County Department of Public Works/Waste Management administers the JPA. The JPA comprises the cities and towns of Belvedere, Corte Madera, Fairfax, Larkspur, Mill Valley, Novato, Ross, San Anselmo, San Rafael, Sausalito, and Tiburon, and the County of Marin. The JPA's purpose is to ensure Marin's compliance with the California Integrated Waste Management Act and its waste reduction mandates. The project would comply with the JPA through the recycling and waste reduction services provided by Marin Sanitary Service and the Redwood Landfill.

Thus, the project would not result in an impact related to compliance with federal, state, and local statutes and regulations related to solid waste

(Sources: 1, 3, 22, 23)

XIX. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion a): Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to

drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant Impact. The project site is currently both developed and disturbed, and the proposed project would not result in any significant and unavoidable impacts to plants, animals, or historic resources. While there is potential for temporary impacts related to construction disturbance, they are not considered substantial as to significantly degrade the existing quality of the environment. Potential impacts to biological or cultural resources can be reduced to less than significant levels as detailed in Section IV: Biological Resources, and Section V: Cultural Resources above.

Mitigation measures are included in this document requiring pre-construction surveys for trees proposed to be removed to ensure no significant impacts to nesting habitats and to confirm no special status species are present. Similarly, mitigation measures are required to ensure sensitive plant species, specifically the streamside daisy, pale-yellow hayfield tarplant, and California bottle-brush grass, are not impacted by the proposed project if their presence is found on the project site. The proposed project's contribution to impacts on biological resources in combination with other past and future projects would be less than cumulatively considerable. Furthermore, the proposed project would be required to comply with all regulatory requirements.

There is no substantial evidence that there are biological or cultural resources that are affected or associated with this project. Therefore, this project has a less than significant impact and has been determined not to meet this Mandatory Finding of Significance. Project revisions would not change the impact conclusions from the previous environmental review.

(Sources: 1 through 23)

Discussion b): Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Less Than Significant Impact. The project site was previously evaluated as an “opportunity site” in the Fairfax General Plan and IS/MND. Build out of this opportunity site was determined to not have a cumulative impact. The project, as proposed, is consistent with the land use designations and intensity evaluated in the Fairfax General Plan and subsequent IS/MND. In addition, the evaluation of environmental impacts in this Initial Study, the potential for cumulative impacts in connection with past and current projects were considered in the response to certain questions in Sections III: Air Quality, Section IV: Biological Resources, V: Cultural Resources, VI: Geology and Soils, IX: Hydrology and Water Quality, XII: Noise, and XVI: Traffic and Transportation. With the exception of the findings from the traffic analysis, no impacts will result in cumulatively considerable issues that cannot be mitigated to less than significant levels on a project by project basis. Furthermore, pursuant to the findings in the General Plan IS/MND of the six opportunity sites/areas and the October 2016 Parisi traffic analysis of the 14 potentially affected intersections, the recommended mitigations for five intersections in Fairfax will reduce the cumulative impact to a less than significant level with mitigation incorporation. As discussed in Section IX above, the proposed project would not exceed the requirements for stormwater treatment on-site but could reduce overall area drainage impacts by contributing or constructing additional stormwater related

infrastructure on and off-site. This drainage issue is not specific to the proposed project and would not be considered a cumulative considered impact for future projects.

No other new impacts were determined to individually exceed the thresholds established for significance and none greater than what was previously identified in the General Plan IS/MND. As a result of this evaluation, there is no substantial evidence that there are cumulative impacts associated with this project. Implementation of Mitigation measures included in this document would reduce the severity of impacts as related to the proposed project to less than significant levels. The proposed project is consistent with the land use designation and development density established by the proposed zoning, and the 2015 Housing Element update. The proposed project density is consistent with the demand anticipated for demand on local public services. Finally, the proposed project and other future projects would be subject to the requirements of the Town of Fairfax in addition to other utility agencies or other review authorities. Proper design specifications, plans and project fees would be required to comply with the appropriate standards. For these reasons, the cumulative impact of the proposed project has a less than significant impact and has been determined not to meet this Mandatory Finding of Significance. Project revisions would not change the impact conclusions from the previous environmental review.

(Sources: 1 through 23)

Discussion c): Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than Significant Impact. In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to certain questions in Sections I: Aesthetics, III: Air Quality, VI: Geology and Soils, IX: Hydrology and Water Quality, XII: Noise, and XVI: Traffic and Transportation. As a result of this evaluation, there is no substantial evidence that there are adverse effects on human beings associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

No substantial impact to human beings would result from implementation of the proposed project, as described in this checklist. Therefore, this project has a less than significant impact and has been determined not to meet this Mandatory Finding of Significance. Project revisions would not change the impact conclusions from the previous environmental review.

(Sources: 1 through 23)

SOURCE REFERENCES

The following is a list of references used in the preparation of this document. References to Publications prepared by Federal or State agencies may be found with the agency responsible for providing such information.

1. Town of Fairfax 2010-30 General Plan and IS/MND, adopted April 4, 2012.
2. Town of Fairfax Municipal Code: http://www.amlegal.com/codes/client/fairfax_ca/
3. Marin County Environmental/GIS mapping: www.marinmap.org/SilverlightViewer/Viewer.html?Viewer=PublicMap SLVR
4. Town of Fairfax, 2015 Housing Element update, adopted May 27, 2015
5. Town of Fairfax Clean Air Plan, adopted June 2014
6. 2010 Clean Air Plan, Bay Area Air Quality Management District, adopted September 15, 2010.
7. Bay Area Air Quality Management District 2011 CEQA Guidelines, May 2011.
8. California Air Pollution Control Officers Association, CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act, 2008.
9. Marin County Climate Action Plan (MCCAP), County of Marin, August 2014, (2015 Update), adopted in August 2015
10. Final Draft Congestion Management Plan, Transportation Authority of Marin (TAM) 2015
11. California Department of Transportation Vibration Guidance Manual, 2013
12. Federal Highway Administration Highway Traffic Noise Construction Noise Handbook, 2006
13. Recovery Plan for Serpentine Soil Species of the San Francisco Bay Area, US Fish & Wildlife Service, 1998
14. Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM); Panel No. 06041C0451E, updated March 16, 2016; accessed October 28, 2016.
15. Construction Erosion and Sediment Control Plan Applicant Package, Marin County Stormwater Pollution Prevention Program (MCSTOPP), November 2015
16. Governor's Office of Planning and Research, May 2015; Discussion Draft Technical Advisory: AB 52 and Tribal Cultural Resources in CEQA.
17. Assembly Bill No. 52 (2013-2014 Reg. Sess.) http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB52 (as of Feb. 17, 2015).
18. <http://earthquake.usgs.gov/hazards/qfaults/map/>;
http://www.conservation.ca.gov/cgs/geologic_hazards/earthquakes/Pages/index.aspx#Faults

19. Marin Municipal Water District, 2010 Urban Water Management Plan, 2011
20. Ross Valley Fire Department, <http://www.rossvalleyfire.org/>
21. Fairfax Police Department, <http://www.fairfaxpd.org/>
22. Central Marin Sanitation Agency: <https://www.cmsa.us/>
23. Redwood Landfill <http://redwoodlandfill.wm.com/index.jsp>

PROJECT SPONSOR'S INCORPORATION OF MITIGATION MEASURES

As the project sponsor or the authorized agent of the project sponsor, I, _____, undersigned, have reviewed the Initial Study for the _____ and have particularly reviewed all mitigation measures and monitoring programs identified herein. I accept the findings of the Initial Study and mitigation measures and hereby agree to modify the proposed project applications now on file with the City of San Rafael to include and incorporate all mitigation measures and monitoring programs set out in this Initial Study.

Property Owner (authorized agent)

Date

DETERMINATION FOR THIS PROJECT

On the basis of this Initial Study and the findings of the Environmental Checklist, I find that the proposed project would not result in a potentially significant impact on the environment. Therefore, adoption of a Mitigated Negative Declaration is recommended.

Signature

Date

Printed Name

Title