

Exhibit 4
 San Rafael Municipal Code
 Title 14 (Zoning) Consistency Analysis
 Northgate Town Square

| CHAPTER 14.07 (PLANNED DEVELOPMENT DISTRICT) | |
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| SECTION 14.07.020 (LAND USE REGULATIONS) | |
| <p>A. No use other than an existing use or a temporary use approved pursuant to section D, below, shall be permitted in a PD district except in accord with a valid development plan. Any permitted or conditional use authorized by this title may be included in an approved development plan, consistent with the general plan land use designation(s) and intensities for land within the PD district. The PD zoning approval shall establish the range of allowable land uses for the development.</p> | <p><i>Consistent.</i> The Northgate Town Square Planned Development District establishes a range of permitted and conditionally permitted land uses and densities that are consistent with the Community Commercial Mixed Use General Plan land use designation of the site. Specifically, the PD district allows commercial and multi-family uses, as well as all uses permitted and conditionally permitted within the General Commercial zoning district.</p> |
| <p>B. A master use permit or individual use permits may be required to establish specific uses on the property consistent with general plan land uses and parking standards. A master use permit shall be required for nonresidential, phased and/or multi-tenant development.</p> | <p><i>Consistent.</i> The Northgate Town Square project includes a request for approval of a Master Use Permit (see consistency discussion related to the Master Use Permit below).</p> |
| <p>D. Temporary uses may be permitted within a PD district, with or without an approved or valid development plan. The performance standards and provisions of Section 14.17.130 of this Title shall apply to temporary uses, and shall be administered through a use permit (zoning administrator).</p> | <p><i>Consistent.</i> As conditioned, temporary uses on the project site will require review and approval by the Zoning Administrator, subject to all performance standards and findings contained in the Northgate Town Square Planned Development District approval and in Section 14.17.130 of the San Rafael Municipal Code.</p> |
| SECTION 14.07.030 (PROPERTY DEVELOPMENT REGULATIONS) | |
| <p>A. Minimum Area. The minimum net area of a PD district shall be 2.5 acres, provided that a PD district may be subdivided in accord with a valid PD plan; exceptions to this provision are lots over 0.5 acres in size where developed to provide affordable housing and hillside residential lots over one acre in size where unusual site characteristics exist.</p> | <p><i>Consistent.</i> The net area of the Northgate Town Square Planned Development District is 44.76 acres.</p> |
| <p>B. Residential Unit Density. The total number of dwelling units in a PD plan shall not exceed the maximum number permitted by the general plan density for the total site area. Density bonuses for senior</p> | <p><i>Consistent.</i> The PD plan includes 1,422 residential units at buildout, which equates to a residential density of 31.8 units per net acre, and is therefore within the density range of 21.8 to 43.6 units per net acre</p> |

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| housing development and affordable housing development may be considered consistent with general plan policies and state law. | established for the Community Commercial Mixed Use General Plan land use designation. |
| C. Nonresidential Intensity. Nonresidential development shall not exceed floor area ratios, as specified in the general plan, except in the downtown where a one-time ten percent (10%) bonus may apply for business expansion. | <i>Consistent.</i> The PD plan includes a total of 219,380 square feet of commercial space at buildout, resulting in a floor area ratio (FAR) of 0.11, which complies with the maximum 0.3 FAR identified in the General Plan. |
| D. Building Height Limits. Building heights shall be consistent with height standards contained in the general plan. | <i>Consistent.</i> The PD plan establishes a maximum building height of 36-feet, consistent with the General Plan. The project includes heights up to 72-feet which is permissible consistent through State Density Bonus Law. |
| E. Other Development Regulations. Other development regulations shall be as prescribed by the development plan. | <i>Consistent.</i> The PD plan includes other development regulations including, but not limited to minimum yards, minimum landscaping, parking, lighting, fences, and walls. |
| SECTION 14.07.090 (FINDINGS) | |
| A. The development plan is consistent with the general plan, adopted neighborhood plans and other applicable city plans or policies; | <i>Consistent.</i> As fully documented in Attachment 6 (General Plan Consistency Analysis) The PD District and Development Plan are consistent with policies and programs contained in the Land Use; Neighborhoods; Community Design and Preservation; Conservation and Climate Change; Parks, Recreation, and Open Space; Safety and Resilience; Mobility; Community Services and Infrastructure; Housing; and Diversity, Equity, and Inclusion Elements of the General Plan General Plan 2040. |
| B. Any residential development shall constitute a residential environment of sustained desirability and stability in harmony with the character of the surrounding neighborhood, and where applicable, adequate open space shall be provided; | <i>Consistent.</i> Residential townhomes (Residential 1 and Residential 2) are strategically located across from single-family residential uses south of the site and are in harmony with these uses in scale and intensity. Residential 3 is located north of an existing assisted living facility (known as AlmaVia of San Rafael). Although the Residential 3 apartment building has a higher density and intensity than the nearby assisted living facility, the building is designed to appropriately decrease in scale and height at the nearest point to this existing facility and incorporates a variety of architectural features to break up the massing and ensure harmony with |

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| | <p>the character of this existing use. All other apartment buildings (Residential 4, 5, and 6) offer the highest residential density and intensity on the site and are appropriately located away from existing residential uses and nearer to existing and proposed commercial uses and parking areas. All residential parcels incorporate landscaping, architectural features, and varied colors and materials that create a residential environment of sustained desirability and stability that is in harmony with the character of the surrounding neighborhood. Additionally, all residential parcels include adequate private and common open space.</p> |
| <p>C. Any nonresidential uses shall be appropriate in area, location and overall planning for the purpose intended, and the design and development standards shall create a nonresidential environment of sustained desirability and stability, and where applicable, adequate open space shall be provided;</p> | <p><i>Consistent.</i> Nonresidential uses are integrated into the ground floors of Residential 4, 5, and 6, which support the intended mixed-use environment at strategic locations on the site. Additionally, the project includes standalone single- and multi-tenant commercial buildings that are intended to serve a variety of uses, including retail shops, restaurants, and other commercial uses. The varied size and configuration of commercial space helps to create a nonresidential environment of sustained desirability and stability as it provides flexibility in building form, allowing businesses of various types and sizes to adapt over time. A focal point of the project is the 56,975 square foot Town Square, which is located in the center of the site, near existing and proposed commercial uses. This centrally located open space is adequate for, and complimentary to the proposed non-residential uses as it serves as an amenity to attract potential customers to the site.</p> |
| <p>D. The applicant demonstrates that public facilities are provided to serve the anticipated population;</p> | <p><i>Consistent.</i> As detailed in the Environmental Impact Report prepared for the project, adequate public facilities and services are provided to serve the anticipated population in that the proposed development is within the limits anticipated by the General Plan 2040. The site is served by Marin Sanitary Service, Marin Municipal Water District, and the City' s Police, Fire and Public Works Departments have reviewed the project and determined that services are available. Additionally, the project will replace the existing 3,000 square foot library located within the Northgate Mall with an approximately 5,000 square foot library, which will ensure public access to a library is maintained on the site. Furthermore,</p> |

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| | <p>conditions of approval have been imposed on the project to pay applicable development impact fees, including but not limited to parkland, traffic mitigation, water and sewer connection, and school fees.</p> |
| <p>E. The development is improved by deviations from typical zoning ordinance property development and parking standards; and</p> | <p><i>Consistent.</i> The development is improved by establishment of the Northgate Town Square Planned Development District as it will:</p> <ul style="list-style-type: none"> • Require and provide usable open space for residential units, where none is currently required by the General Commercial zoning district. • Allow the minimum landscaping, floor area ratio, parking, and other standards to be achieved at a site-wide level rather than on a parcel-by-parcel basis, thereby providing more flexibility and ensuring cohesive development of the site as a whole. |
| <p>F. The auto, bicycle and pedestrian traffic system is adequately designed for circulation needs and public safety. Emergency vehicle access is provided to serve the proposed development.</p> | <p><i>Consistent.</i> The auto, bicycle and pedestrian traffic system is adequately designed for circulation needs and public safety in that internal access and circulation meet City standards. Pedestrian walkways and pathways are provided throughout the site, including ADA-compliant pathways from surface parking areas to commercial uses. The project also includes multi-modal pathways and dedicated bike lanes on and adjacent to the site, which meets the needs of non-motorized visitors and residents. Lastly, as proposed and conditioned, the development plan provides adequate emergency vehicle access to serve the proposed development, in compliance with City standards.</p> |
| CHAPTER 14.16 (SITE AND USE REGULATIONS) | |
| SECTION 14.16.025 (REFUSE ENCLOSURE REQUIREMENT) | |
| <p>Suitable area shall be provided on-site for collection of trash and recyclable materials for all multi-family, mixed-use and non-residential development projects. Refuse storage areas shall be adequately screened from view. The refuse area enclosure shall be designed to meet the minimum recommended dimensional standards of the local refuse collection agency, as well as any requirements of other agencies</p> | <p><i>Consistent.</i> The project as proposed and conditioned includes dedicated refuse storage for all commercial and residential uses onsite. All commercial refuse storage will be contained within enclosures provided for each commercial tenant, or groupings of commercial tenants. Typical trash enclosures are shown on Sheet RT-49 of Attachment 16 (Retail Architecture). Townhomes (Residential 1 and Residential 2) will have individual refuse bins that will be stored within private garages, and all</p> |

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| <p>responsible for review and permitting of the facility; such as building, fire, public works or county health.</p> | <p>apartment buildings (Residential 3, 4, 5, and 6) will have refuse enclosures within enclosed parking garages. As such, all commercial and residential refuse storage areas will be adequately screened from view</p> <p>A Waste and Recycling Plan, prepared by Recycling & Waste Solutions (RWS), dated July 11, 2023 was prepared for the project and accepted by Marin Sanitary Service, the local refuse collection agency. As conditioned, the project is required to comply with the approved Waste and Recycling Plan, including but not limited to moving bins/totes to staging areas for pickup, removing bins/totes from the staging area once pickup is complete, and clearing any debris left behind.</p> |
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SECTION 14.16.030 (AFFORDABLE HOUSING REQUIREMENT)

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| <p>B. General Requirements - Residential Development Projects. Any new residential development project with dwelling units intended or designed for permanent occupancy shall be developed to provide affordable housing units to very low, low and moderate income households in perpetuity unless, in its sole discretion and upon a finding of need pursuant to the Guidelines for the Administration of the Affordable Housing Trust Fund, as adopted and amended from time to time by the city council, the city council reduces the time frame to not less than forty (40) years.</p> <p>4. Affordable Housing Units—Percentage Required. Residential development projects shall provide affordable housing units as described in the policies and procedures specified in the San Rafael City Council's Guidelines for the Administration of the Affordable Housing Trust Fund, as adopted, and amended from time to time by city council resolution, and any new residential development project shall comply with such policy.</p> | <p><i>Consistent.</i> The City's Affordable Housing Guidelines require that residential development projects between two and 15 units meet the specified Primary and Secondary requirements. The Primary Requirement requires projects of greater than 15 units to make 5% of the proposed units (excluding density bonus units) affordable to and occupied by a low-income household. The Secondary Requirement may be satisfied through construction of additional on-site affordable housing units (5% for low income), payment of in-lieu fees for residential development, construction of off-site affordable housing, or through donation of land to the City. As proposed, the Northgate Town Square Project meets the City's affordable housing requirements as 10% (143 units) of the residential units on site will be affordable to low-income households, thereby complying with the 5% on-site Primary Requirement, and 5% on-site Secondary Requirement.</p> <p>Consistent with the City's Affordable Housing Guidelines, the project as proposed and conditioned will construct affordable units concurrent with market rate units for each residential parcel, will disperse low-income units throughout the site, will provide a similar mix of type of low-income units as to that of the residential development as a whole, including the same or substantially similar mix of unit size (number of bedrooms and square footage), and low-income units will be compatible in terms of</p> |
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| | <p>design, materials, and amenities as the market rate units. The proposed below market rate units include 14 for-sale units as part of the townhome portion of the project on Residential 1 and 2 and 129 rental units as part of the multi-family portion of the project on Residential 3, 4, 5, and 6.</p> <p>As conditioned, and consistent with the affordable housing agreement, the project will comply with Subsection E (Initial Occupancy, Control of Resale and Continued Adorability of Adorable Housing Units in Residential Development Projects) of the City’s Affordable Housing Guidelines, as the affordable units will be deed restricted so that they cannot be sold or rented to a household that does not qualify as a low income household, in perpetuity.</p> |
| <p>D. General Requirements—Nonresidential Development Projects.</p> <p>1. An affordable housing requirement is hereby imposed on all developers of nonresidential development projects, including all construction of additional square footage to existing nonresidential developments and conversion of residential square footage to nonresidential use, subject to the following exceptions:</p> <p style="padding-left: 40px;">c. A mixed-use project where the number of affordable units equals or exceeds the housing required by subsection (1)(2) of this section for the gross square footage of nonresidential uses;</p> | <p><i>Consistent.</i> There is no additional affordable housing requirement for the commercial portion of the Northgate Town Square project based on SRMC Section 14.16.030.D.1.c. which exempts a mixed-use project when the affordable units provided for the residential component exceeds the housing requirement for the commercial based on the formula provided. In other words, the applicant can satisfy its affordable housing requirements for the project as a whole through the proposed provision of inclusionary units and need not contribute any fees or additional affordable housing units as a part of the commercial portion of the project.</p> |
| SECTION 14.16.110 (DRIVE-THROUGH FACILITIES) | |
| <p>A. Traffic and Circulation.</p> | <p><i>Consistent.</i> The Northgate Town Square Project proposes drive-through facilities on Pad 2 (2025) and Pad 4 (2040). Each drive-through facility is consistent with traffic and circulation criteria in that:</p> |
| <p>1. The drive-through stacking lanes shall be separated physically (i.e., by raised curb or landscape planter) from the parking lot, and shall comply with the following capacity standards:</p> <ul style="list-style-type: none"> • Financial Institutions: 3-6 cars, depending upon volume • Fast Food Restaurants: 8-12 cars, depending upon volume • Kiosks: 2 cars | <p>1. The drive-through stacking lanes for Pad 2 and Pad 4 are physically separated from parking lots by their location/orientation n each respective parcel as well as separated by landscaping. The drive-through stacking lane for each Pad is equal to or greater than 240-feet, which accommodates up to 12 vehicles, assuming a 20-foot vehicle length. As no specific tenants have been identified for the proposed drive-through</p> |

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| <ul style="list-style-type: none"> • Other: Determined on an individual basis <p>2. The drive-through stacking lane shall be situated so that any overflow parking from the stacking lane shall not spill out onto public streets or major circulation aisles of any parking lot. If the overflow is directed to the street, additional overflow capacity shall be eighty percent (80%) of required stacking.</p> <p>3. Pedestrian crossings of the drive-through lane are discouraged.</p> <p>4. Entrances and exits to drive-through facilities near high volume intersections shall be located so as to maximize the distances to the intersection.</p> <p>5. Confusing on-site circulation shall be avoided. Entrances to and exits from drive-through facilities should be at least twenty feet (20') from the property line.</p> | <p>facilities, a condition of approval has been imposed on the project, requiring that additional analyses be provided for any specific tenants whose anticipated volume would exceed 12 cars at once.</p> <p>2. Each drive-through facility is located along the northern site boundary adjacent to Las Gallinas Avenue. As proposed, the drive-through facilities are not situated in such a way that spill out onto public streets or major circulation areas would occur. Additionally, as conditioned, drive-through lanes are required to be maintained such that overflow parking from the stacking lanes do not spill onto major circulation aisles of the adjacent parking lots.</p> <p>3. There are no pedestrian crossings across either drive-through facility.</p> <p>4. Entrances and exits to the drive-through facilities are not near high volume intersections.</p> <p>5. The Pad 2 entrance and exit are each located over 200-feet from the property line. The Pad 4 entrance is located over 40-feet from the property line, and the Pad 4 exit is located over 200 feet from the property line.</p> |
| <p>6. Parking spaces for drive-through special orders may be required</p> | <p>6. As there are no specific tenants proposed to occupy the drive-through facilities, the need for dedicated parking spaces for special orders is not know. Condition of approval 159 requires that prior approval shall be granted by the City if future tenants require dedication of parking spaces for order pick up.</p> |
| <p>B. Noise. Speakers at drive-through facilities shall not be audible from adjacent residential uses or disturbing to adjacent nonresidential uses. Sound attenuation walls or other mitigation measures shall be required as necessary.</p> | <p><i>Consistent.</i> Drive-through speakers on Pad 2 and Pad 4 are located adjacent to the Las Gallinas Avenue frontage. The nearest residential use to the two drive-through facilities is the onsite Residential 5 apartments, which are located approximately 60 feet southwest of the nearest point of the drive-through lane, and even further from the drive-through speaker.</p> |
| <p>C. Hours of Operation. Limited hours of operation shall be required where a drive-through facility could affect nearby residential uses.</p> | <p>Based on the distance of the nearest residential use, sound attenuation</p> |

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| | walls or other mitigation measures are not necessary, nor are limits on the hours of operation. |
| D. Emission Control. Drive-through stacking lanes shall not be located adjacent to patios and other pedestrian use areas, other than walkways, and should be discouraged where adjacent nonresidential buildings are within thirty feet (30') of the proposed lane. Drive-through stacking lanes shall not be located within fifty feet (50') of any residential uses. | <i>Consistent.</i> Other than pedestrian walkways along Las Gallinas Avenue, drive-through stacking lanes are not located adjacent to patios and pedestrian use areas. Generally, drive-through stacking lanes are located more than 30-feet from adjacent non-residential uses and as proposed, drive-through stacking lanes are not located within 50-feet of any residential use. |
| E. Design Review. All drive-through facilities are a minor physical improvement subject to the provisions of Chapter 14.25, Environmental and Design Review Permits. Generally, the drive-through facility shall be architecturally compatible with nearby structures, provide landscaping to buffer adjacent uses and provide adequate lighting which is shielded from adjacent properties. Trash receptacles adequate to control litter will also be required. | <i>Consistent.</i> The design of Pad 2 and Pad 4 is consistent with the overall architectural design of the Northgate Town Square project. Both drive-through facilities include landscaping and as conditioned, are required to provide greater density of landscape materials between the drive-through lane and pedestrians and bicycles utilizing the multi-use path adjacent to Las Gallinas Avenue, including selecting species selected that provide screening year-round. |
| SECTION 14.16.150 (FLOOR AREA RATIOS AND DENSITIES APPLICABLE TO NONRESIDENTIAL AND MIXED-USE DEVELOPMENT) | |
| B. Mixed-Use Development 1. Commercial or Office with Residential. FAR limits apply only to the non-residential component of a development. The number of residential units allowed on a lot is based on the minimum lot area required per dwelling unit standard for the zoning district. | <i>Consistent.</i> The Northgate Town Square Planned Development District specifies maximum permitted FAR of 0.3 and a residential density of a minimum of 1,000 square feet for every one dwelling unit. The project site is 44.76 acres (1,949,746 square feet), which would allow approximately 584,924 square feet of commercial space and approximately 1,950 residential units. At buildout, the project includes 1,422 residential units and 219,380 square feet of commercial space, both of which are within the limits established by the proposed PD zoning. |
| SECTION 14.16.170 (GEOTECHNICAL REVIEW) | |
| Development applications require geotechnical reports consistent with the geotechnical matrix in the general plan appendices to assess such hazards as potential seismic hazards, liquefaction, landsliding, mudsliding, erosion, sedimentation and settlement and hazardous soils conditions to determine the optimum location for structures, to advise of | <i>Consistent.</i> A Geotechnical Investigation was prepared for the project and assesses hazards related to geology and seismicity. As required for all developments, and as specified in Section 4.6 Geology and Soils of Northgate Mall Redevelopment Project EIR, upon submittal of building permit plans, a design-level geotechnical analysis will be required. |

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| <p>special structural requirements and to evaluate the feasibility and desirability of a proposed facility in a specific location.</p> | |
| SECTION 14.16.180 (HAZARDOUS SOIL CONDITIONS) | |
| <p>New development on lots filled prior to 1974 or on lots which were used for auto service uses, industrial uses or other land uses which may have involved hazardous materials shall be evaluated for the presence of toxic or hazardous materials prior to development approvals.</p> | <p><i>Consistent.</i> As detailed in Section 4.8 Hazards and Hazardous Materials of the Northgate Mall Redevelopment Project EIR, development of the site was initiated in 1957 and by 1965, the Emporium (later the Northgate Mall) was opened. Additional development occurred at the site from 1968 to 2012. Based on the initial development prior to 1974 and due to former operation of auto service uses, a Phase 1 Environmental Site Assessment was prepared to evaluate for the presence of toxic or hazardous materials. Based on the conclusions of the analysis, the EIR identifies applicable Mitigation Measures that are necessary to address hazardous materials identified onsite. Specifically, measures include HAZ-1, which requires preparation of a hazardous materials building survey and HAZ-2, which requires preparation of a Soil and Groundwater Management Plan.</p> |
| SECTION 14.16.227 (LIGHT AND GLARE) | |
| <p>A. Glossy finishes and reflective glass such as glazed or mirrored surfaces are discouraged, and prohibited where it would create an adverse impact on pedestrian or automotive traffic or on adjacent structures; particularly within the downtown environs and in commercial, industrial and hillside areas.</p> | <p><i>Consistent.</i> The project does not propose glossy finishes or reflective glass that would create adverse impacts on pedestrians or vehicular traffic. Glazing is provided throughout the site at the pedestrian to create a pedestrian-oriented environment and is provided on upper levels of buildings to create visual interest and break up the overall mass of individual buildings.</p> |
| <p>B. Lighting fixtures shall be appropriately designed and/or shielded to conceal light sources from view off-site and avoid spillover onto adjacent properties.</p> | <p><i>Consistent.</i> As shown in Attachment 20 (Lighting Plans), all light fixtures are appropriately designed and/or located to shield light sources from view offsite and will not result in spillover onto adjacent properties.</p> |
| <p>C. The foot-candle intensity of lighting should be the minimum amount necessary to provide a sense of security at building entryways, walkways and parking lots. In general terms, acceptable lighting levels would provide one (1) foot-candle ground level overlap at</p> | <p><i>Consistent.</i> As proposed and conditioned, the project meets the lighting intensity levels specified and is compatible with existing on- and off-site light sources, including existing public street lighting.</p> |

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| <p>doorways, one-half (½) foot-candle overlap at walkways and parking lots, and fall below one (1) foot-candle at the property line.</p> | |
| <p>D. Lighting shall be reviewed for compatibility with on-site and off-site light sources. This shall include review of lighting intensity, overlap and type of illumination (e.g., high-pressure sodium, LED, etc.). This may include a review by the city to assure that lighting installed on private property would not cause conflicts with public street lighting.</p> | |
| <p>E. Installation of new lighting fixtures or changes in lighting intensity on mixed use and non-residential properties shall be subject to environmental and design review permit review as required by Chapter 14.25 (Design Review).</p> | <p><i>Consistent.</i> Lighting plans have been included with the overall plans for development for consideration of lighting fixtures and lighting intensity as part of the Environmental and Design Review Permit.</p> |
| <p>F. Maximum wattage of lamps shall be specified on the plans submitted for electrical permits.</p> | <p><i>Consistent.</i> As required under the building code, maximum wattage of lamps will be included on plans submitted for electrical permits.</p> |
| <p>G. All new lighting shall be subject to a 90-day post installation inspection to allow for adjustment and assure compliance with this section.</p> | <p><i>Consistent.</i> As a condition of project approval, all new lighting will be subject to a 90-day post installation inspection.</p> |
| 14.16.243 (MECHANICAL EQUIPMENT SCREENING) | |
| <p>Equipment placed on the rooftop of a building or in an exterior yard area shall be adequately screened from public view.</p> | <p><i>Consistent.</i> As proposed, mechanical equipment on commercial and residential structures will be screened from view by parapets and other architectural features.</p> |
| SECTION 14.16.260 (NOISE STANDARDS) | |
| <p>Any new development located in a "conditionally acceptable" or "normally unacceptable" noise exposure area, based on the land use compatibility chart standards in the general plan, shall require an acoustical analysis. Noise mitigation features shall be incorporated where needed to assure consistency with general plan standards. New construction is prohibited in noise exposure areas where the land use compatibility chart indicates the noise exposure is "clearly unacceptable."</p> | <p><i>Partially Consistent.</i> As detailed in Section 4.12 Noise of the Northgate Mall Redevelopment EIR, impacts of temporary (construction) and long term (operational) noise impact were analyzed. As detailed in the acoustical analysis prepared for the project, noise impacts specific to temporary short term construction activities would be less than significant with incorporation of Mitigation Measure NOI-1, requires installation of a</p> |

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| | <p>temporary barrier near construction activities during Phase 1 construction at a height of 10 feet and 11 feet during Phase 2 construction.</p> <p>As detailed in the EIR and associated acoustical analysis, noise impacts during project operations would be significant and unavoidable as nighttime noise levels at measured at sensitive receptors would slightly exceed the City's land use compatibility thresholds. Mitigation Measure NOI-2 requires incorporation of noise control and sound abatement features and consideration of stationary equipment during nighttime hours into the proposed project design to reduce operational noise effects to on-site sensitive receptors to the extent feasible.</p> <p>Documentation on proposed sound abatement features is required to demonstrate whether these measures, or any additional feasible mitigation measures, will reduce the sound level to below the established 45 dBA Leq nighttime thresholds for on-site sensitive receptors.</p> <p>Despite operational noise levels exceeding established thresholds, a Statement of Overriding Considerations has been recommended for adoption by the City Council that balances the project benefits with these noise impacts.</p> |
| SECTION 14.16.295 (SIGHT DISTANCE) | |
| <p>Fencing, vegetation and improvements shall be established and maintained only in a manner that does not reduce visibility for the safe ingress and egress of vehicles or pedestrians within a required vision triangle, e.g., fifteen feet (15') from the curb return at any intersection or driveway, or as determined by the director of public works. In general, fencing and improvements or vegetation located within the established vision triangle (as determined below) shall not exceed a height of three feet (3') as measured above the adjacent street pavement. The vision triangle shall be kept free of any visual obstruction between a height of three feet (3') to eight feet (8') above the street grade elevation.</p> | <p><i>Consistent.</i> As proposed, the project generally complies with this requirement. Additionally, as conditioned, and as required by Mitigation Measure TRA-1 provided in Section 4.9 Transportation of the EIR, plans submitted for building permits are required to label all areas located within 15 feet of the curb return of all intersections and driveways (Vision Triangle), and all landscaping, signage, and other project improvements located within this area are required to be kept under 3 feet in height, except that trees and hanging branches are required to be trimmed to a minimum height of 7 feet.</p> |
| SECTION 14.16.370 (WATER-EFFICIENT LANDSCAPE) | |

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| <p>When an applicable project is subject to an environmental and design review permit pursuant to chapter 14.25 of this title, the landscape and irrigation plans required by and submitted with this permit application shall be designed and prepared to comply with the provisions and requirements of MMWD Ordinance as adopted and periodically amended. The approval of an environmental and design review permit shall be conditioned to require the applicant to provide written verification of plan approval from MMWD prior to the issuance of a building permit and/or grading permit.</p> | <p><i>Consistent.</i> As proposed and conditioned, the project complies with the provisions and requirements of MMWD Ordinance and the applicant will be required to provide written verification of plan approval by MMWD prior to issuance of a building or grading permit.</p> |
| CHAPTER 14.18 (PARKING STANDARDS) | |
| SECTION 14.18.040 (PARKING REQUIREMENTS) | |
| <p>Off-street parking shall be provided in accord with the following chart (Table 14.18.040).</p> | <p><i>Consistent.</i> Because the project site is located within one-half mile of a major transit stop, Assembly Bill (AB) 2097, signed into law in 2022, precludes the City of San Rafael from imposing or enforcing minimum parking standards on the development project. The SMART station located at 3801 Civic Center Drive is considered a “major transit stop” pursuant to AB 2097, which is defined as including existing rail or bus rapid transit stations, ferry terminals served by bus or rail, the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during morning and afternoon peak commute periods, and transit stops that are included in any applicable regional transportation plan. The draft PD specifies that no parking minimums apply to the site pursuant to AB 2097 and proximity to the SMART station which is a rail station.</p> <p>Though no parking minimums apply to the project based on the above, as proposed, the project includes a total of 4,754 parking spaces in Phase 1 (1,841 for commercial uses and 1,612 for residential uses) and 3,887 parking spaces in Phase 2 (1,301 for commercial uses and 2,586 for residential uses).</p> |
| SECTION 14.18.045 (DESIGNATED PARKING FOR CLEAN AIR VEHICLES) | |

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| <p>A. Parking spaces serving new nonresidential buildings shall be designated for any combination of low-emitting, fuel-efficient, and carpool/van pool vehicles, as defined by Section 5.102 of the California Green Building Standards Code, California Code of Regulations, Part 11 of Title 24.</p> <p>B. Parking spaces for clean air vehicles shall be provided in accord with the chart contained in Section 14.18.045, which specifies project's providing 201 parking spaces and greater, shall provide a minimum of 8% of the total spaces as clean air vehicle spaces.</p> | <p><i>Consistent.</i> As proposed, the project meets and exceeds the requirements of this section. Phase 1 of the project includes a total of 1,841 parking spaces, of which 445 spaces are new or improved as compared to existing conditions. Of the 445 new or improved vehicular parking spaces, 424 will be designated for low-emitting and fuel-efficient vehicles (223 clean air vehicle and 201 EV capable, 67 of which are active EV charging spaces). The total number of parking spaces in Phase 1 that are designated for low-emitting and fuel-efficient vehicles is approximately 23% (424 spaces for low-emitting and fuel-efficient vehicles / 1,841 parking spaces = 23%), which exceeds the minimum 8% requirement set forth in Section 14.18.045 of the SRMC.</p> <p>Phase 2 of the project includes a total of 1,301 parking spaces, of which 165 are new or improved spaces. Of the 165 new or improved vehicular parking spaces, 158 will be designated for low-emitting and fuel-efficient vehicles (83 clean air vehicle and 75 EV capable, 25 of which are active EV charging spaces), bringing the project total, to 582 spaces for low-emitting and fuel-efficient vehicles. At buildout, the total number of parking spaces that are designated for low-emitting and fuel-efficient vehicles, inclusive of those provided in Phase 1 is approximately 45% (582 spaces for low-emitting and fuel-efficient vehicles / 1,301 parking spaces = 44.7%), which exceeds the minimum 8% requirement set forth in Section 14.18.045 of the SRMC.</p> |
| <p>C. Parking Stall Marking. The following characters shall be painted, using the same paint for stall striping, such that the lower edge of the last word aligns with the end of the stall striping and is visible beneath a parked vehicle: "CLEAN AIR VEHICLE".</p> | <p><i>Consistent.</i> As conditioned, clean air vehicle parking spaces will be painted consistent with this section.</p> |
| <p>D. Prewiring for Electric Vehicle Charging Stations. In new or substantially renovated parking facilities of twenty-five (25) or more spaces electrical conduit capable of supporting suitable wiring for an electric vehicle charging station shall be installed between an electrical service panel and an area of clean air vehicle parking</p> | <p><i>Consistent.</i> As conditioned, the project is required to install a raceway, service panel 208/240V, 40 AMP minimum for EV each EV capable space.</p> |

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| spaces as required by this section. The conduit shall be capped and labeled for potential future use. | |
| SECTION 14.18.050 (OFF-STREET LOADING AND UNLOADING) | |
| A. Retail and service establishments: one off-street loading and unloading space with minimum dimensions of ten feet (10') in width by thirty-five feet (35') in length, with a fourteen-foot (14') height clearance. | <i>Consistent.</i> As shown on Sheets RT-1 and RT-35 of Attachment 16 (Retail Architecture), loading areas are provided throughout the site for the various retail and commercial uses. All loading areas meet the minimum dimensions required by this section. |
| C. Each loading area shall have adequate driveways, turning and maneuvering areas for access and usability, and shall at all times have access to a public street or alley. | <i>Consistent.</i> Loading areas have been reviewed by the City's public works department and have been determined to have adequate area for access and usability. All loading areas have access to internal project roadways, all of which are connected to a public street. |
| E. Off-street loading and unloading spaces shall be adequately screened from view from public rights-of-way to the satisfaction of the planning director. | <i>Consistent.</i> Loading areas are screened from the public right-of way by buildings or landscaping. |
| SECTION 14.18.090 (BICYCLE PARKING) | |
| B. Number of Short-Term Spaces Required. 1. Commercial, office, industrial, and multi-family residential uses: five percent (5%) of the requirement for automobile parking spaces, with a minimum of one two-bike capacity rack. | <i>Consistent.</i> Phase 1 includes a total of 1,841 vehicular parking spaces for commercial uses and will provide 102 (5.5%) short-term bicycle parking spaces. Phase 2 includes 1,301 vehicular parking spaces for commercial uses and will provide 72 (5.5%) short-term bicycle parking spaces. Phase 1 includes a total of 1,612 vehicular parking spaces for multi-family residential uses and will provide 138 (8.5%) short-term bicycle parking spaces. Phase 2 includes 2,586 vehicular parking spaces for multi-family residential uses and will provide 188 (7.2%) short-term bicycle parking spaces. |
| C. Number of Long-Term Spaces Required. 1. For nonresidential buildings with over ten (10) tenant-occupants: Five percent (5%) of the requirement for automobile parking spaces, with a minimum of one space. | <i>Consistent.</i> Phase 1 and Phase 2 include a total of 96 long-term bicycle parking spaces for commercial uses, which equates to 5% and 7% of the total vehicular parking provided for each Phase, respectively. |

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| | <p>Though long-term bicycle parking is not required for multi-family residential uses, the project will provide a total of 764 and 1,356 long-term bicycle parking spaces in Phase 1 and Phase 2, respectively. This equates to just under 5% of the total vehicular parking for Phase 1 and 5% of the total vehicular parking for Phase 2. It should be noted that these calculations do not include long-term bicycle parking provided in individual townhome garages.</p> |
| <p>E. Design.</p> <ol style="list-style-type: none"> 1. Short-Term Parking: Bike racks shall be provided with each bicycle parking space. The rack shall consist of a stationary object to which the user can lock the bike. 2. Long-Term Parking: Acceptable parking facilities include: (a) covered, lockable enclosures with permanently anchored racks for bicycles; (b) lockable bicycle room with permanently anchored racks, or (c) lockable, permanently anchored bicycle lockers. 3. Parking facilities shall support bicycles in a stable position. 4. The facilities shall provide at least an eighteen inch (18") clearance from the centerline of adjacent bicycles on the left and right, and at least ten inches (10") to walls or other obstructions. 5. An aisle or other space shall be provided to bicycles to enter and leave the facility. This aisle shall have a width of at least five feet (5') to the front or rear of a standard six-foot (6') bicycle parked in a facility. 6. Bicycle parking should be situated at least as conveniently to building entrances as the most convenient car parking area, but a minimum distance of one hundred feet (100') of a visitors' entrance. Bicycle and auto parking areas shall be separated by a physical barrier or sufficient distance to protect parked bicycles from damage by cars. 7. Bicycle parking facilities should be located in highly visible, well-lit areas to minimize theft and vandalism. | <p><i>Consistent.</i> As proposed, all long-term bicycle parking for residential uses will be contained in lockable bicycle rooms, consistent with the design criteria listed in Section 14.18.090(E)(2). Additionally, all short-term bicycle parking is situated near commercial and residential building entrances and are located in highly visible areas. Lastly, as conditioned, the project will be required to meet all other applicable design criteria for short- and long-term bicycle facilities.</p> |

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| 8. Overhead coverage or rain shelters for bicycle parking facilities are encouraged. | |
| SECTION 14.18.100 (PARKING SPACE DIMENSIONS) | |
| A. Standard size parking spaces shall be nine feet (9') by nineteen feet (19') in dimension. | <i>Consistent.</i> As proposed, new standard sized parking spaces measure 9-foot long by 19-foot wide. |
| B. Compact parking spaces shall be eight feet (8') by sixteen feet (16') in dimension. | <i>Consistent.</i> As proposed, new compact parking spaces measure 8-foot long by 16-foot wide. |
| SECTION 14.18.110 (COMPACT SPACES – ALLOWABLE PERCENTAGE) | |
| A. Allowable Percentage. A maximum thirty percent (30%) of the required parking spaces may be compact spaces for facilities exceeding five (5) spaces. | <i>Consistent.</i> As proposed, out of 445 new or improved parking spaces provided in Phase 1, 23 spaces (5%) are compact. Of the 165 new or improved spaces provided in Phase 2, 33 spaces (20%) will be compact. |
| B. Spaces Labeled. Compact spaces shall be labeled in parking facilities as compact spaces to the satisfaction of the city traffic engineer. | <i>Consistent.</i> As shown on Sheet RT-1 and RT-35 of Attachment 16 (Retail Architecture), compact spaces are labeled. Additionally, upon submittal of building permit plans the City's public works department will review the project and confirm the adequacy of compact space labels. |
| C. Distribution. Compact spaces should be distributed throughout the parking lot to the extent feasible. | <i>Consistent.</i> As shown in Sheet RT-1 and RT-35 of Attachment 16 (Retail Architecture), compact spaces are distributed throughout areas where new or improved parking areas are provided. |
| SECTION 14.18.130 (PARKING FACILITY DIMENSIONS AND DESIGN) | |
| A. Minimum Standards. As outlined in the illustrations contained therein, unless otherwise approved by the City Traffic Engineer. | <i>Consistent.</i> As proposed and conditioned, the project complies with parking facility dimension and design requirements. The project, including proposed parking facilities, have been reviewed by the City's Public Works and Fire Departments and where appropriate, conditions of approval related to design have been imposed, including a requirement that the Subdivision Improvement Plan onsite traffic circulation and parking be subject to approval by the City Traffic Engineer and Fire Marshal. |
| B. Parking Spaces for the Handicapped. All parking facilities shall comply with state requirements regarding parking for the disabled, as per state Chapter 71 of the Uniform Building Code, Site Development Requirements for Handicapped Accessibility. | |
| C. Double Line Striping. Delineation of parking stalls by double line striping is encouraged, and may be required by the city traffic | |

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| <p>engineer based on site conditions, such as "high turnover" utilization or restricted maneuvering space.</p> <p>D. Tree Wells. Tree wells shall have a minimum area of thirty-six (36) square feet and a minimum interior width of six feet (6'), exclusive of curbs. See Section 14.18.160, Parking lot screening and landscaping for additional landscape design standards.</p> <p>E. Curb Overhang. A minimum of two feet (2') shall be allowed for overhang at curblines. Where overhangs are provided, the minimum stall depth (dimension "B") may be reduced by two feet (2'). Wherever "parking overhang" encroaches into sidewalk areas, the sidewalks shall be a minimum of six feet (6') in width. In landscaped areas, ground cover and irrigation systems should not be placed within the overhang areas.</p> <p>F. Parking Stall Access. Use of a required parking space shall not require more than two (2) vehicle maneuvers. At the end of a parking facility with four (4) or more parking spaces, an aisle or driveway providing access to the end parking space shall extend at least two feet (2') beyond the required width of the parking space in order to provide adequate on-site area for turnaround purposes.</p> | |
| SECTION 14.18.140 (ACCESS TO PUBLIC RIGHT-OF-WAY) | |
| <p>A. Driveway Widths. The minimum curb cut for driveways at the face of the curb serving residential uses with 25 parking spaces or more shall be 12-feet (1 way) or 24 feet (2 way). Driveways serving non-residential uses of 25 parking spaces or more shall be 15 feet (1 way) or 26 feet (2 way).</p> | <p><i>Consistent.</i> As noted above, the project is conditioned such that the Subdivision Improvement Plan onsite traffic circulation and parking is subject to approval by the City Traffic Engineer and Fire Marshal, including final approval of curb cuts for driveways.</p> |
| SECTION 14.18.160 (PARKING LOT SCREENING AND LANDSCAPING) | |
| <p>A. Screening. Parking areas visible from the public right-of-way shall be screened to headlight height through the use of landscaped earth berms, low walls, fences, hedges, or combination thereof, with trees</p> | <p><i>Consistent.</i> The project includes landscaping along all project frontages to screen parking areas from the public right-of-way.</p> |

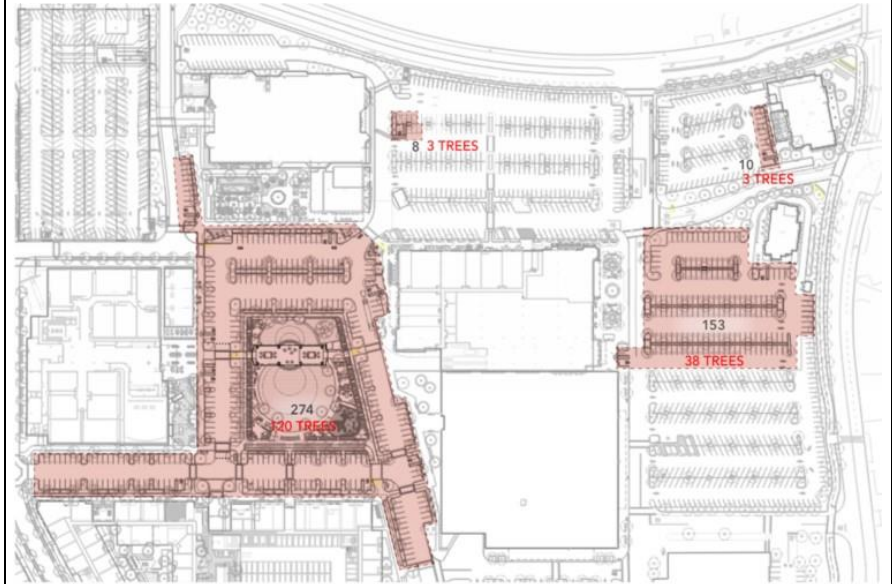
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and plantings, or similar means. Fences, walls, and hedges need not be solid.

B. **Minimum Trees.** A minimum of one (1) canopy tree shall be provided for every four (4) parking spaces. Trees shall be distributed throughout the parking area to shade cars and paved areas. Clustering of trees may be considered subject to approval of the decision-making body, where it is demonstrated that the intent will be met to provide ample shading and screening of parking areas and enhance the visual appearance of parking lots. In downtown, this section does not apply to parking lots for twenty (20) or fewer cars, and the standards in this section may be reduced for parking lots for twenty-one (21) to forty (40) cars, with the approval of a minor design review permit.

Consistent. As proposed, Phase 1 of the project includes installation of 445 new or improved parking spaces, requiring a minimum of 112 parking lot trees (1 tree for every 4 parking spaces). As proposed, Phase 1 includes installation of 164 parking lot trees, which will be distributed throughout parking areas proposed for improvements (see image below) and therefore exceeds the requirements of this section of the Zoning Ordinance.



Phase 2 of the project includes installation of 165 new or improved parking spaces, requiring a minimum of 42 parking lot trees. As proposed, Phase 2 includes installation of 58 parking lot trees which will be distributed throughout parking areas proposed for improvements (see image below) and therefore exceeds the requirements of this section of the Zoning Ordinance.

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| <p>C. Tree Selection and Distribution. Parking lot trees shall be selected and located to achieve maximum shading of paved surfaces.</p> | <p><i>Consistent.</i> All parking lot trees are a minimum 24-inch box size and are distributed throughout parking areas to achieve maximum shading.</p> |
| <p>D. Minimum Size of Planting Areas and Tree Wells. Planting areas containing trees and tree wells shall have a minimum area of thirty-six (36) square feet and a minimum interior width of six feet (6'), exclusive of curbs. For large canopy tree species, tree wells shall have a minimum area of sixty-four (64) square feet and a minimum width of eight feet (8') exclusive of curbs, to the extent this larger planting area is practicable and can be accommodated on-site.</p> | <p><i>Consistent.</i> As proposed, all new interior parking lot tree wells have a minimum interior dimension of 6-feet by 7-feet (42 square feet).</p> |

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| <p>E. Curbs and Wheel Stops. A maximum overhang of two feet (2') shall be allowed for overhang of vehicles into planting areas. All planters and sidewalks located adjacent to driveways, loading areas, or parking lots shall be protected along the parking lot side with concrete curbs or wheel stops. Alternative treatments may be considered, subject to the approval of the community development director (or the director's designated appointee) or the appropriate hearing review body.</p> | <p><i>Consistent.</i> As proposed, the project does not include overhang of vehicles into planting areas. All planters are protected along the parking lot side with concrete curbs or wheel stops.</p> |
| <p>F. Irrigation. Permanent, automatic irrigation systems shall be provided for all planted areas, in compliance with Section 14.16.370 Water-Efficient Landscape.</p> | <p><i>Consistent.</i> As proposed and conditioned, the project will comply with the California Model Water Efficient Landscape Ordinance (MWEL0), all landscaped areas will be irrigated with recycled water, and landscape plans will demonstrate inclusion of high-efficiency irrigation systems.</p> |
| <p>G. Soil Preparation and Verification. Planting areas and tree wells shall be prepared by excavation to a minimum depth of three feet (3'), scarifying sides of tree wells (to promote soils integration, water absorption and healthy root growth), amendment of soil (as recommended based on soils analysis), and compaction to no more than seventy-five percent (75%) within twelve inches (12") of a curb or sidewalk. For parking lots containing twenty-five (25) spaces or more a licensed landscape architect shall monitor tree well excavation, soil preparation and tree planting and provide written verification to the community development director that excavation, soil preparation and tree planting have complied with the standards established by this subsection to promote normal healthy tree growth. Such written verification shall be received by the community development director prior to use of the parking facility and/or occupancy of the use.</p> | <p><i>Consistent.</i> As conditioned, soil preparation and verification in compliance with this section is required.</p> |
| <p>H. Maintenance. Landscaped areas associated with parking lots shall at all times be maintained in a healthy and clean condition, with replanting as necessary to maintain compliance with the previously approved landscape plan. For parking lots containing twenty-five (25) spaces or more the property owner shall obtain a minimum one (1)</p> | <p><i>Consistent.</i> As conditioned, landscaping maintenance in compliance with this section is required.</p> |

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| <p>year maintenance contract and warranty for tree growth and provide documentation of such to the community development director prior to use of the parking facility and/or building or site occupancy.</p> | |
| <p>I. Parking Structures. The top level of parking structures shall utilize light-colored/high albedo paving material (reflectance of at least 0.3), or utilize shade structures, photovoltaic carports, landscaped trellises, or trees to achieve at least fifty percent (50%) daytime shading.</p> | <p><i>Consistent.</i> As proposed, the top level of the existing parking garage contains shade structures, on top of which photovoltaic panels will be mounted. The total shading area is approximately 17,120 square feet, which accounts for approximately 20% of the total surface area of the top level of the parking structure. As a condition of approval, the project will be required to install additional shade structures, or will be required to utilize a light colored, high albedo paving material.</p> |
| <p>J. Bio-filtration. Persons owning or operating a parking lot, gas station, area of pavement or similar facility developed with hardscape surfaces shall undertake all practicable measures to minimize discharge of pollutants to the city storm drain, in compliance with city standards, including utilization of all best management practices and the requirements of San Rafael Municipal Code Title 9.30 (Urban Runoff) enforced by the department of public works. To facilitate compliance with city storm drain pollution discharge requirements, innovative landscape design concepts may be substituted for the above standards subject to the approval of the appropriate review body, including use of permeable pavers, bio-swales, at grade curbs and openings in curbs to allow filtration of runoff through landscape areas. Landscape plans and alternative measures shall subject to compliance with any recommendations of the department of public works.</p> | <p><i>Consistent.</i> As proposed, the project includes stormwater control plantings throughout the site. Additionally, as conditioned, the project is required to comply with the Marin County Stormwater Pollution Prevention Program including preparation of a Stormwater Control Plan, Stormwater Facilities Operations and Maintenance (O&M) Plan, and Stormwater Facilities Operations and Maintenance Agreement.</p> |
| SECTION 14.18.170 (LIGHTING) | |
| <p>Lights provided to illuminate any parking facility or paved area shall be designed to reflect away from residential use and motorists. It is the intent to maintain light standards in a low profile design, as well as to be compatible to the architectural design and landscape plan. Light fixtures (e.g., pole and wall-mount) should be selected and spaced to minimize</p> | <p><i>Consistent.</i> See consistency discussion under Section 14.16.227 (Light and Glare), above.</p> |

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| <p>conflicts with tree placement and growth. (See Section 14.16.227 for additional standards on foot-candle intensity).</p> | |
| CHAPTER 14.19 (SIGNS) | |
| SECTION 14.19.046 (SIGN PROGRAMS) | |
| <p>C. Design Continuity. Sign programs shall be designed so that all signage has a consistent and common design theme and placement, utilizing common materials, colors and illumination.</p> | <p><i>Consistent.</i> The Northgate Town Square Sign Program includes a variety of sign types including pylon signs, monument signs, vehicle and pedestrian wayfinding, parking signs, and banners. Project identification signs (pylon and monument signs) are strategically placed at the site entrances and contain the site name (Northgate Town Square), site address, and a unifying logo. Signs at these locations also include tenant signage in a uniform background color and illumination. The Sign Program also provides a range of compatible font, color, and sign design options for shopfront and under-awning signage that tenants can choose from. This helps creates overall cohesion between all building and structures while also providing flexibility for individual tenants to select options that most align with their identity.</p> |
| <p>D. Findings Required for Approval of a Sign Program. The planning commission shall make the following findings in rendering a decision on a sign program:</p> <ol style="list-style-type: none"> 1. All of the signs contained in the program have one or more common design elements such as placement, colors, architecture, materials, illumination, sign type, sign shape, letter size and letter type; 2. All of the signs contained in the program are in harmony and scale with the materials, architecture, and other design features of the | <p><i>Consistent.</i> The Northgate Town Square Sign Program is consistent with the required findings, in that:</p> <p>The sign program provides a range of compatible color and font types for tenants to choose from as well as the option for circular or rectangular blade signs that are internally illuminated. All non-tenant signs, such as banners and wayfinding signs have common design elements including fonts and placement of the Northgate Town Square logo. All free-standing pylon, monument, and wayfinding signs also have common design elements, including use of natural stone, painted aluminum with push-through acrylic lettering, a unifying Northgate Town Square logo, and back-lit illumination.</p> <p>All signs contained in the Northgate Town Square Sign Program are in harmony and scale with the materials, architecture, and design features</p> |

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| <p>buildings and property improvements they identify, and the program is consistent with the general design standards specified in Section 14.19.054; and</p> | <p>of the overall Northgate Town Square development. Specifically, project identification, monument, and wayfinding signs contain stone accents that are compatible with retail and mixed-use buildings containing stone, and brick siding. The size of individual tenant building signs is based on the length of the corresponding tenant frontage, which ensures that signs are in scale with the overall buildings. Additionally, as detailed below, the Sign Program is consistent with the general design standards specified in Section 14.19.054 of the Zoning Ordinance.</p> |
| <p>3. The amount and placement of signage contained in the program is in scale with the subject property and improvements, as well as the immediately surrounding area.</p> | <p>The proposed pylon and monument signs are in scale with the overall Northgate Town Square project as they provide clear identification of the site through use of uniform signage at primary intersections and entrances. Some project identification signs will be repurposed from the existing Northgate Mall and are appropriately located proximate to commercial uses on the site. As proposed, pylon and monument signs are not located across from existing single-family residences, which is in keeping with the character of residential areas. A 25-foot pylon sign is located near Residential 3 and across from the existing AlmaVia assisted living facility, however, as conditioned, this sign is required to be replaced with a lower profile monument sign to ensure signage of a compatible scale with the nearby assisted living facility, which features a similar monument sign identifying the AlmaVia facility.</p> <p>Vehicular and pedestrian wayfinding signage measures between 7- and 9-feet, which is compatible with the purpose of the signage as it is large enough to easily identify while traveling through the site by car or by foot, but is not so large that it is out of scale with the overall project.</p> <p>Lastly, the amount and placement of tenant signs is in scale with the overall Northgate Town Square project. The Sign Program sets forth different regulations for multi- and single- tenant building signs, where multi-tenant buildings are permitted a smaller sign area (1 square foot of signage for every linear foot of frontage with a public entrance) and single-tenant buildings are permitted a larger sign area (1.5 square feet of signage for every linear foot of frontage with a public entrance). This ensures overall compatibility with building architecture as multi-tenant</p> |

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| | <p>buildings will be permitted lesser sign area to ensure building facades are not overpowered by out oversized signage, and single tenant building are permitted more sign area to ensure signage is appropriately integrated with the overall architectural features of the building.</p> |
| SECTION 14.19.054 (GENERAL DESIGN STANDARDS) | |
| <p>A. Sign Design. The design of the sign, including the shape shall be:</p> <ol style="list-style-type: none"> 1. An integral part of, compatible with, and complement the design of the buildings and improvements on the site where the sign is to be located and shall be compatible with the character and design of signs in the immediate neighborhood of the site. Creative and unique design is encouraged provided that the design is appropriate for the site and improvements and compatible with the character of the surrounding area. 2. The sign message, including the use of graphic symbols shall be simple. Lettering shall be legible, uncomplicated, and appropriate to the image of the building. | <p><i>Consistent.</i> The Northgate Town Square Sign Program is consistent with the Sign Design Standards in that:</p> <p>See Section 14.19.046, Finding #3 above.</p> <p><i>Consistent.</i> The Northgate Town Square Sign Program includes an identifying graphic logo that is simple and is used currently as part of the Northgate Mall, creating consistency and familiarity between the existing Northgate Mall and the proposed project. Additionally, the Sign Program incorporates the use of compatible sans serif fonts which enhance overall signage and, by extension, the overall image of the site, including building architecture. The clean lines that are characteristic of sans serif fonts creates a sense of simplicity and clarity, which complements the overall modern architectural styles of the Northgate Town Square project. Additionally, sans serif fonts are easier to read from a distance, making them ideal for large-scale signs, such as the proposed pylon and monument signs which are intended to be viewed from multiple vantage points as site visitors are approaching. Furthermore, the enhanced legibility of sans serif fonts is beneficial to the overall user experience, as visitors can easily identify and locate specific tenants, amenities, or information points.</p> |

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| <p>B. Sign Type. The type of sign shall be appropriate for the building and improvements on the site where the sign is to be located. The following sign types are encouraged:</p> <ol style="list-style-type: none"> 1. The use of individual letters incorporated into the building design is encouraged and preferred over signs contained in a canister or frame, or signs directly painted on the surface of a building. 2. Monument-type freestanding signs are encouraged and preferred over pylon or pole-type signs. | <p><i>Consistent.</i> The Northgate Town Square Sign Program is consistent with the Sign Type Standards in that:</p> <p>The Sign Program allows individual tenants to choose between wall-mounted signs with individual letters (see Sheet 28 and 29 of Attachment 21 (Sign Program)) or blade signs in a circular or rectangular format.</p> <p>The Sign Program includes both monument and pylon signs throughout the site at primary entrances. As detailed in Section 14.19.046, Finding #2 and #3 above, monument and pylon signs are in harmony and scale with the materials, architecture, and other design features of the buildings and property improvements and the amount and placement of signage contained in the program is in scale with the Northgate Town Square site and associated improvements, as well as the immediately surrounding area.</p> |
| <p>C. Sign Colors and Materials. The colors and materials for the sign shall be compatible with and complement the colors and materials of the buildings and improvements on the site where the sign is to be located. The following standards are required:</p> <ol style="list-style-type: none"> 1. Sign colors shall be subtle. Bright and reflective colors shall be avoided, unless such colors are proposed to promote a creative or unique sign design. The use of contrasting colors between sign background and the sign script or logo is encouraged to maximize legibility. 2. Sign materials shall be compatible with the materials used on the buildings and improvements found on the site. | <p><i>Consistent.</i> The Northgate Town Square Sign Program is consistent with the Sign Colors and Materials Standards in that:</p> <p>The Sign Program allows for a range of colors in the purple, blue, green, yellow, and neutral palettes. Although some of the colors allowed are a brighter hue, the use of these colors is intended to provide flexibility in design and creativity and will be reviewed as part of individual tenant sign permits. At such time, the use of any bright colors will be reviewed to ensure overall compatibility and to ensure contrasting colors are used to maximize legibility.</p> <p>Sign materials include stone (pylon, monument, wayfinding), painted aluminum (pylon, monument, wayfinding, tenant), glass (wayfinding), metal (wayfinding), acrylic (parking garage), and fabric (banners). Sign materials are compatible with building materials used onsite, such as stone and brick veneer siding used on residential, commercial, and mixed-use buildings, metal railings used on apartment buildings</p> |

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| <p>3. Sign materials that are metal or have reflective qualities shall have a matte or non-glare surface.</p> | <p>balconies, and aluminum fence materials used in conjunction with commercial uses.</p> <p>As conditioned, any sign materials, such as the glass face and etched metal pattern materials used for pedestrian wayfinding are required to include a matte finish or to be a non-glare surface.</p> |
| CHAPTER 14.22 (USE PERMITS) | |
| Section 14.22.080 (FINDINGS) | |
| <p>A. That the proposed use is in accord with the general plan, the objectives of the zoning ordinance, and the purposes of the district in which the site is located;</p> | <p><i>Consistent.</i> The Northgate Town Square project is in accordance with the Community Commercial Mixed Use General Plan land use designation, which encourages a mix of residential and commercial uses. As proposed, the proposed Master Use Permit would allow for establishment of 1,422 residential units and 219,380 square feet of renovated and new commercial uses, which is consistent with the intent of the General Plan land use designation for the site.</p> <p>The overall Northgate Town Square project is consistent with the General Plan, including various General Plan policies contained in the Land Use; Neighborhoods; Community Design and Preservation; Conservation and Climate Change; Parks, Recreation, and Open Space; Safety and Resilience; Mobility; Community Services and Infrastructure; Housing; and Diversity Equity and Inclusion Elements of the General Plan as fully detailed in Attachment 6 (General Plan Consistency Analysis). In addition, the proposed uses are consistent with several General Plan policies related to use of the site in that:</p> <ul style="list-style-type: none"> • The project focuses a mixed-use project, including new residential development in an area proximate to the Marin Civic Center SMART Station and bus stops (Policy LU-1.3 Land Use and Climate Change). • The project proposes a residential density of 31.8 which is within the established range for the Community Commercial Mixed Use Land Use Designation, which provides for a residential density between |

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Northgate Town Square

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| | <p>21.8 to 43.6 units per net acre (Policy LU-1.8 Density of Residential Development; Program LU-1.8B Minimum Densities).</p> <ul style="list-style-type: none">• The project, at buildout, proposes a non-residential intensity (floor area ratio) of 0.11 where 0.3 is the established intensity for the Community Commercial Mixed Use Land Use Designation (Policy LU-1.10 Intensity of Non-Residential Development).• The project includes for-sale townhomes and rental apartments at a range of affordability levels, unit types, and unit sizes (Policy LU-3.3 Housing Mix).• The project will strengthen the role of the North San Rafael Town Center as an attractive, thriving heart for the North San Rafael community as it includes a mix of for-sale and rental housing options of various sizes, will update the site with existing and new commercial uses, and includes publicly accessible open space, including a 56,975 square foot Town Square with a variety of amenities (Policy NH-4.2 North San Rafael Town Center).• The project includes a 56,975 square foot Town Square which will provide a day-to-day public outdoor gathering space as well as provide a public space that supports community activities and entertainment such as periodic arts and cultural events. The project also includes provisions for outdoor patio dining, a children’s play area within the Town Square, and other uses that provide outdoor seating (Program NH-4.2B Outdoor Gathering Places).• As proposed and conditioned, the project will improve access between the site and surrounding area through installation of pedestrian and bicycle paths throughout the project site, installation of a multi-modal path along the Las Gallinas Avenue frontage, and through a financial contribution of \$500,000 that will be used to support improved access from the site to the Civic Center Sonoma Marin Area Rail Transit Station located at 3801 Civic Center Dr (Policy NH-4.4 Transportation Safety and Accessibility). |
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- The project site is located in an urbanized and built-up area, surrounded by development of varying density and intensity. Though the project will increase building heights on the site, it is appropriate for and respects the context of the surrounding area. The project design improves the appearance and function of the North San Rafael Town Center as it includes redevelopment of an underutilized site and strengthens the identity of the surrounding neighborhoods through provisions for lower density and intensity residential uses proximate to areas where this land use pattern is part of the existing character of the surrounding neighborhoods (Residential 1 and 2 include townhomes across from single-family residences), and focuses denser residential, mixed-use, and commercial buildings proximate to existing commercial uses (Policy CDP-1.2 Natural Features; Policy CDP-1.5 Views; Program CDP-1.5A Evaluating View Impacts; Policy CDP-2.1 Neighborhoods, Districts, and Centers)
- The project integrates privately owned, publicly accessible open space and associated amenities throughout the site. As proposed and conditioned, these spaces will be operated in such a way that they are continually maintained, remain safe and attractive, and contribute positively to the community, such as through conditions of approval requiring annual programming, including a requirement that a minimum of six community events be held per year, and that up to four events be city-sponsored community events (Policy CDP-3.1 Plazas and Active Public Spaces; Program CDP-3.1E North San Rafael Improvements).
- The project includes redevelopment of the Northgate Mall into a mixed-use community and includes bicycle lanes, pedestrian pathways, and multi-modal facilities around the entirety of the site's boundaries and throughout the project site. In addition, the project includes various pedestrian and bicycle amenities that encourage access to the site by walking or biking, consistent with the intent of the North San Rafael Promenade Conceptual Plan. (Policy CDP-3.7 Greenways)

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- The project includes provision of two types of open space, including privately owned, publicly accessible open space (Town Square, bicycle and pedestrian paths, Bike Hub Plaza, Corner Monument Rest Stops) and private open space as part of each residential parcel (pools, BBQ areas, private patios, etc.), and as proposed and conditioned these open space areas will be maintained throughout project operation, unless amendments to the Development Plan are otherwise approved. (Policy CDP-4.6 Open Space in Multi-Family Housing)
- The project is within the development assumed for the project site in the General Plan and Housing Element. Additionally, the project will contribute new, privately owned, publicly accessible recreational space on the project site (e.g., the Town Square), and therefore would increase the amount of publicly-accessible recreational space within San Rafael. With implementation of the proposed project, a ratio of 4.09 acres of parkland per 1,000 residents would be maintained within the City's Sphere of Influence. (Policy PROS-1.2 Per Capita Acreage Standard)
- The project includes a variety of privately owned, publicly accessible open space with a variety of amenities for gathering. Additionally, each residential building includes useable open space including but not limited to courtyards, roof decks, and private patios. (Policy PROS-1.11 Urban Parks and Plazas, Policy PROS-1.13 Recreational Facilities in Development Projects)
- The project is within the development potential anticipated by the General Plan. As proposed and conditioned, the project can be adequately served by existing community services and infrastructure. (Policy CSI-3.2 Mitigating Development Impacts; CSI-4.2 Adequacy of City Infrastructure and Services; CSI-4.8 Potable Water Supply and Delivery; CSI-4.9 Wastewater Facilities; CSI-4.17 Reducing Landfilled Waste Disposal)
- The project includes a mixed use development proximate to existing transit opportunities including busses providing local and regional

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| | <p>access and the Marin Civic Center SMART station. The project applicant has also committed to contributing \$500,000 to fund improvements between the project site and the SMART station. The project also includes a variety of sustainable design elements such as all-electric residential construction and compliance and, in some cases, exceedance of CalGreen. (Policy H-3.5 Housing and Greenhouse Gas Emissions; Policy H-3.6 Sustainable Design)</p> <ul style="list-style-type: none"> • The project includes construction of onsite affordable housing the meets the City’s Primary and Secondary Requirements detailed in the Affordable Housing Guidelines. As conditioned, affordable units will be deed restricted in perpetuity, unless otherwise reduced by the City Council. (Policy H-4.3 Affordable Housing Requirements) • The project includes construction of on-site affordable housing for low income households. As proposed, the project includes construction of 143 affordable housing units, of which, 14 will be for-sale townhomes, and 129 will be available for rent. (Policy EDI-3.2 Affordable Housing Development) <p>The Northgate Town Square project includes a rezone of the site from General Commercial to Planned Development. As proposed, and provided in detail above, the proposed PD is consistent with the land use and property development contained in Chapter 14.07 of the Zoning Ordinance, and all findings required under Section 14.07.090 can be made in the affirmative.</p> |
| <p>B. That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, or to the general welfare of the city;</p> | <p><i>Consistent.</i> The proposed uses contained within the Northgate Town Square, together with conditions of approval, will not be detrimental to the public health, safety and general welfare or materially injurious to properties or improvements in the vicinity, or to the general welfare of the city as the proposed use of the site implements the General Plan, conforms with applicable City standards. Furthermore, an Environmental Impact Report was prepared for the project and includes all feasible mitigation measures to reduce impacts to a less-than-significant level. Additionally, a statement of overriding considerations has been prepared which weighs the benefits of the project with the significant and</p> |

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| | unavoidable environmental impacts, and as proposed and conditioned all feasible mitigation measures will be implemented to reduce to the extent possible, those significant and unavoidable impacts. |
| C. That the proposed use complies with each of the applicable provisions of the zoning ordinance. | <i>Consistent.</i> As fully detailed herein, the uses contained in the Northgate Town Square project, as proposed and conditioned, comply with all applicable provisions of the Zoning Ordinance, including those contained in Chapters 14.07 (Planned Development District), 14.16 (Site and Use Regulations), 14.18 (Parking Standards), 14.19 (Signs), 14.22 (Use Permits), 14.25 (Environmental And Design Review Permits), And 14.27 (Amendments). |
| CHAPTER 14.25 (ENVIRONMENTAL AND DESIGN REVIEW PERMITS) | |
| SECTION 14.25.090 (FINDINGS) | |
| A. That the project design is in accord with the general plan, the objectives of the zoning ordinance and the purposes of this chapter; | <p><i>Consistent.</i> The Northgate Town Square project is in accordance with the Community Commercial Mixed Use General Plan land use designation, which encourages a mix of residential and commercial uses. As proposed, the development of 1,422 residential units and 219,380 square feet of renovated and new commercial uses, is within the residential density and commercial intensity established for the site.</p> <p>The overall Northgate Town Square project is consistent with the General Plan, including various General Plan policies contained in the Land Use; Neighborhoods; Community Design and Preservation; Conservation and Climate Change; Parks, Recreation, and Open Space; Safety and Resilience; Mobility; Community Services and Infrastructure; Housing; and Diversity Equity and Inclusion Elements of the General Plan as fully detailed in Attachment 6 (General Plan Consistency Analysis). In addition, the proposed uses are consistent with several General Plan policies related to use of the site in that:</p> <ul style="list-style-type: none"> • The project proposes a residential density of 31.8 which is within the established range for the Community Commercial Mixed Use Land Use Designation, which provides for a residential density between |

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| | <p>21.8 to 43.6 units per net acre (Policy LU-1.8 Density of Residential Development; Program LU-1.8B Minimum Densities).</p> <ul style="list-style-type: none">• The project, at buildout, proposes a non-residential intensity (floor area ratio) of 0.11 where 0.3 is the established intensity for the Community Commercial Mixed Use Land Use Designation (Policy LU-1.10 Intensity of Non-Residential Development).• The project includes establishment of the Northgate Town Square Planned Development District, which allows flexible design standards on a site that is greater than five acres (Policy LU-1.15 Planned Development Zoning).• The project includes a variety of building types, scales, and heights and utilizes concessions and waivers permitted by SDBL, allowing for a maximum building across the site of 78-feet (Policy LU-1.17 Building Heights).• The project will enhance the existing site by upgrading the appearance of buildings, improving landscaping and outdoor spaces, providing community services, and providing multi-use pathways and incorporates appropriate transitions between existing residential development south of the site and taller, denser residential buildings and commercial buildings to the north (Policy LU-3.2 New Development in Residential Neighborhoods).• As conditioned the owner of the site will be required to maintain the property in good condition, including conditions of approval related to ongoing maintenance of landscaped areas in parking lots, stormwater facilities operations and maintenance, and waste and recycling maintenance for commercial and residential uses. (Policy LU-3-4 Property Maintenance; Policy LU-3.4B Conditions of Approval).• The project will maintain North San Rafael's character as an attractive, suburban community with a strong sense of community identity through provisions for commercial, residential, open spaces, |
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| | <p>and amenity uses located in a central and easy to access location (Policy NH-4.1 North San Rafael).</p> <ul style="list-style-type: none">• The project will strengthen the role of the North San Rafael Town Center as an attractive, thriving heart for the North San Rafael community as it includes a mix of for-sale and rental housing options of various sizes, will update the site with existing and new commercial uses, and includes publicly accessible open space, including a 56,975 square foot Town Square with a variety of amenities (Policy NH-4.2 North San Rafael Town Center).• The project site is located in an urbanized and built-up area, surrounded by development of varying density and intensity. Though the project will increase building heights on the site, it is appropriate for and respects the context of the surrounding area. The project design improves the appearance and function of the North San Rafael Town Center as it includes redevelopment of an underutilized site and strengthens the identity of the surrounding neighborhoods through provisions for lower density and intensity residential uses proximate to areas where this land use pattern is part of the existing character of the surrounding neighborhoods (Residential 1 and 2 include townhomes across from single-family residences), and focuses denser residential, mixed-use, and commercial buildings proximate to existing commercial uses (Policy CDP-1.2 Natural Features; Policy CDP-1.5 Views; Program CDP-1.5A Evaluating View Impacts; Policy CDP-2.1 Neighborhoods, Districts, and Centers)• The project includes approximately 324,870 square feet of landscaped areas and approximately 329,142 square feet of usable open space. These areas are dispersed along the public right-of-way, along site boundaries, lining pedestrian and bicycle pathways, and throughout surface parking areas and advance goals related to walkability as the landscaped and open space areas provide an environment that is conducive to walking and biking. (Policy CDP-3.3 Landscape Design in Public Rights-of-Way; Policy CDP-3.5 Street Trees) |
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- The project has been through an iterative process and incorporates design-related feedback received from the public, neighborhood groups, organizations, and the City's Planning Commission and Design Review Board. As detailed in Attachment 7 (Design Guidelines Consistency Analysis), the project is consistent with the City's adopted Residential and Non-Residential Design Guidelines. (Policy CDP-4.1 Design Guidelines and Standards; Policy CDP-4.5 Higher Density Design)
- Large scale apartment and mixed-use buildings (Residential 4, 5, and 6) offer the highest residential density and building intensity on the site and are appropriately located away from existing, low density and intensity residential uses and nearer to existing and proposed commercial uses and parking areas. These larger scale buildings provide a variety of architectural elements such as towers, courtyards, and awnings to create visual interest. (Policy CDP-4.7 Larger Scale Buildings)
- Residential townhomes (Residential 1 and Residential 2) are strategically located across from single-family residential uses south of the site and are in harmony with these uses in scale and intensity. Residential 3 is located north of an existing assisted living facility (known as AlmaVia of San Rafael) and incorporates sensitive scale and height transitions through the use of a variety of architectural features that break up the massing and ensure harmony with the character of this existing use. (Policy CDP-4.8 Scale Transitions)
- The project includes surface parking lots parking garages throughout the site. Parking areas are appropriately designed to include trees and other landscaping to minimize large expanses of pavement, screen parking areas from the street, and parking areas are designed to provide a clear path of travel to building entrances. The project also includes multi-use pathways for use by pedestrians and bicyclists throughout the project site and as required by project mitigation measures and conditions of approval, sight lines at project driveways will remain uninhibited through compliance with specific

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| | <p>provisions related to plantings and other improvements proximate to driveways. (Policy CDP-4.9 Parking and Driveways)</p> <ul style="list-style-type: none">• The project includes installation of variety of trees, shrubs, grasses, groundcovers, and stormwater treatment species. Irrigation will be provided by municipal recycled water for all landscaping, as well as low water use practices (e.g., drip irrigation and smart controllers that track weather patterns and adjust irrigation run times accordingly). Additionally, green infrastructure techniques would be used to treat and infiltrate stormwater runoff from the project site. (Policy CDP-4.10 Landscape Design)• As proposed and conditioned, the project complies with zoning code regulations related to lighting, and the lighting design is complementary to the proposed building and landscape design. (Policy CDP-4.11 Lighting)• As proposed and conditioned, the project complies with zoning code regulations related to lighting. (C-1.19 Light Pollution)• The project will reduce impervious surface on the project site as compared to existing conditions through the introduction of increased landscaping and reduced surface parking, and also includes bioretention basins that will reduce and filter runoff. Additionally, as a standard condition of approval, the project will be required to implement best management practices to control runoff throughout project construction. (Policy C-3.2 Reduce Pollution from Urban Runoff; Policy C-3.3 Low Impact Development) <p>The Northgate Town Square project includes a rezone of the site from General Commercial to Planned Development. As proposed, and provided in detail above, the proposed PD is consistent with the land use and property development contained in Chapter 14.07 of the Zoning Ordinance, and all findings required under Section 14.07.090 can be made in the affirmative.</p> |
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| <p>B. That the project design is consistent with all applicable site, architecture and landscaping design criteria and guidelines for the district in which the site is located;</p> | <p><i>Consistent.</i> As fully detailed herein, the design of the Northgate Town Square project, as proposed and conditioned, complies with all applicable site, architecture, and landscaping design criteria provisions of the Zoning Ordinance, including those contained in Chapters 14.07 (Planned Development District), 14.16 (Site and Use Regulations), 14.18 (Parking Standards), 14.19 (Signs), and 14.25 (Environmental And Design Review Permits). Additionally, the proposed design is consistent with the City of San Rafael design guidelines for residential and non-residential development, as fully detailed in Attachment 7 (Design Guidelines Consistency Analysis).</p> |
| <p>C. That the project design minimizes adverse environmental impacts; and</p> | <p><i>Consistent.</i> As proposed and conditioned, the project complies with all applicable standard regulations intended to minimize adverse environmental impacts. Additionally, as fully detailed in the Northgate Mall Redevelopment EIR, the project is required to comply with a variety of Mitigation Measures, which have been identified to reduce or offset potential environmental impacts. Although the EIR identifies some significant and unavoidable impacts, all feasible mitigation measures have been imposed on the project and a statement of overriding considerations has been prepared that weighs the benefits of the project with the significant and unavoidable environmental impacts.</p> |
| <p>D. That the project design will not be detrimental to the public health, safety or welfare, nor materially injurious to properties or improvements in the vicinity.</p> | <p><i>Consistent.</i> The Northgate Town Square design, together with conditions of approval, will not be detrimental to the public health, safety and general welfare or materially injurious to properties or improvements in the vicinity, as the proposed use of the site implements the General Plan and conforms with applicable City standards. Furthermore, an Environmental Impact Report was prepared for the project and includes all feasible mitigation measures to reduce impacts to a less-than-significant level. Additionally, a statement of overriding considerations has been prepared which weighs the benefits of the project with the significant and unavoidable environmental impacts, and as proposed and conditioned all feasible mitigation measures will be implemented to reduce to the extent possible, those significant and unavoidable impacts.</p> |

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| CHAPTER 14.27 (AMENDMENTS) | |
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| Section 14.27.060 (FINDINGS) | |
| <p>A. The proposed amendment is consistent in principle with the general plan.</p> | <p>The proposed amendment to rezone the site from General Commercial to the Northgate Town Square Planned Development District will allow for the phased redevelopment of the site into a mixed-use project containing commercial, residential, and public amenity uses. The amendment is consistent with the five essential guiding principles of the San Rafael General Plan 2040, which seek to contribute to building a thriving community through:</p> <p>Economic Vitality. The zoning amendment will support economic vitality by allowing redevelopment of an underutilized commercial property with new and revitalized commercial uses of various sizes and configurations, thereby encouraging diverse job growth and sustaining a healthy tax base.</p> <p>Opportunity for All. The zoning amendment will provide flexibility for developing the site as compared to the existing General Commercial zoning designation. The PD District includes regulations for minimum usable open space for residential uses and will also provide an approximately 56,975 square foot Town Square and other public open space amenities. As such, the zoning amendment is consistent with this guiding principle as it will facilitate redevelopment of the site which proposes to provide access to recreational amenities and opportunities for residential and commercial users, as well as the to the general public, thereby improving health and wellness for all.</p> <p>Housing Our Growing Community. The zoning amendment will allow redevelopment of the site into a mixed-use development that includes 1,422 residential units, including 143 units affordable to low-income households. As such, the zoning amendment is consistent with this guiding principle as it will facilitate redevelopment of the site, thereby building more housing, increasing housing choices for the local workforce, and improving housing affordability.</p> |

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| | <p>Adapting to the Future. The zoning amendment will allow redevelopment of the underutilized Northgate Mall into a mixed-use development that includes a public open space in the center of the site, referred to as the Town Square, as well as other publicly accessible recreation amenities, including a bike fix-it station, and bicycle and pedestrian multi-use pathways. As such, the zoning amendment is consistent with this guiding principle as it will facilitate redevelopment of the site, thereby creating great public spaces and accommodating change at the site.</p> <p>Mobility. The zoning amendment is consistent with this guiding principle as redevelopment of the site will improve bicycle and pedestrian travel by integrating multi-modal paths throughout the site, installing a bike fix it station, and increasing bicycle parking. The developer will also be required to pay a fair share to the city's traffic fund, which will ultimately help fund improvements between the site and the Marin Civic Center SMART station, which is consistent with this guiding principle as it will enhance access to public transit.</p> |
| B. The public health, safety and general welfare are served by the adoption of the proposed amendment. | The public health, safety and general welfare are served by adoption of the proposed amendment in that it implements the General Plan, and the Development Plan, as proposed and conditioned, conforms with applicable City standards. Furthermore, an Environmental Impact Report was prepared for the project, including all feasible mitigation measures to reduce impacts to a less-than-significant level, and a statement of overriding considerations has been prepared which weighs the benefits of the project with the significant and unavoidable environmental impacts, and as proposed and conditioned all feasible mitigation measures will be implemented to reduce to the extent possible, those significant and unavoidable impacts. |