

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PC 3/23/04	NH-69 (Dominican University Hillside Area)	Delete first clause, last sentence "If sold for private single-family residential..."		Edit: Revise as shown. If sold for private single family residential development ‡The permitted density should reflect the significant site constraints.
	NH-69a (Development Review Process)	Suggested edit: eliminate the Master Use Permit reference.		Edit: Revise as shown. Through the development review process, amend the Master Use Permit as needed. Apply the Hillside Design Guidelines to design of housing at the site. Involve the neighborhood in the planning and review process of proposed development.
66-2	NH-71 (Freeway Sound Wall Landscaping)	Include "sound deadening materials" in policy.		Edit: Revise as shown. NH-71. Freeway Sound Wall Landscaping . Encourage Caltrans to landscape along the freeway sound wall and to incorporate sound-deadening technology. Change reference to Program N-6f (due to numbering change).
PC 3/23/04 PH-59	NH-71a (Freeway Landscaping)	Revise program to delete reference to GAP closure project. Suggested edit "In reviewing plans for the Gap Closure project or other subsequent separately funded project, encourage adequate landscaping."		Edit: Revise as shown. NH-71a. Freeway Improvements and landscaping . In reviewing plans for the Gap Closure freeway projects, encourage adequate landscaping and use of sound-deadening materials on the sound wall and/or the roadway surface.
PC 7/8/04	NH-73 (New Residential Areas)	Add the missing word "densities"		Edit: Develop well-designed new residential areas at medium to high densities in the neighborhood....
PC 2/29/04	NH-74 (Conflicting Uses)	State 'district' instead of 'area.'		Edit: Prevent the encroachment of new residential development into the Light Industrial/Office District areas to minimize conflicts.
PC 3/23/04	NH-80 (Possible Hotel Development)	Identify location referred to.	Response: The policy is outdated, and overlaps with LU-21 (Hotels, Motels and Inns) which encourages hotel development. The intent statement of this policy has been added to LU-21 (see Land Use Element comments.)	Delete policy NH-80 (Possible Hotel Development).
38-4	NH-82 (Canalways)	Statement about the efforts by some parties to purchase the Canalways property, and about recent drainage pond improvements.	Response: Comment noted.	

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
46-3	NH-82 (Canalways)	To the extent that Canalways is presently wet, it is only because of the City's unlawful flooding of our property resulting from the City's failure to repair its broken drainage pumps and discharge lines.	Response: See attached May 25, 2004 letter from Assistant City Attorney Clark Guinan.	
96-1	NH-82 (Canalways)	Re. using the site for dredge spoils: "...a designated portion of Canalways for beneficial reuse of dredge spoils for the SR creek and across the flats. This was the original plan and it should remain a viable solution."	Response: There is no approved plan to use a portion of Canalways for dredge spoils.	
100-1	NH-82 (Canalways)	<p>1. Who was involved in drawing the mapping and zoning designations that were applied to this Orthophoto?</p> <p>2. When were the drawings and designations undertaken and completed?</p> <p>3. Were the Canalways property owners consulted on how the lands were to be dissected with lines, acreage sizes and zoning designations?</p> <p>4. What science was used in coming to these drawing and mapping conclusions?</p> <p>5. What other input was used to draw these area breakouts?</p> <p>6. Why was the land usable to address community needs reduced from 25 acres in General Plan 2000 to 11.5 acres in Draft General Plan 2020?</p> <p>7. Was an economic impact report done to determine what detrimental effects reducing developmental potential would do to the</p>	<p>Response:</p> <ol style="list-style-type: none"> The Steering Committee recommended the land use designations; the City Council adopted the zoning designation. The 'orthophoto' map was prepared by City staff. The land use recommendation was made August 4, 2003, and zoning was adopted September 1992. The 'orthophoto' map was prepared early March 2004. In 1992, all property owners were sent a notice of the Public Hearings for the new Zoning Ordinance. A representative of the property owners received notices of all meetings of the Steering Committee, which were open to the public. Staff used the City's GIS/autocad mapping program to prepare the March 2004 map. The lot line and property owner information is from the Marin County's Assessor's Office; the acreage sizes is calculated using the computer mapping program. Other information include the City's digitized aerial photos. See response to NH-82, for comments 24-1, 53-9, etc. No. Yes. See response to NH-82, comments PH091 and 185-1. 	

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
		<p>Canal Community, San Rafael or the property owners?</p> <p>8. Was any consideration given during this drawing and mapping process to designating portions of the site for the community cost effective beneficial reuse of dredge materials, as called for in the Federal Government's long term management study for the placement of dredge material in the San Francisco Bay?</p>		
PH-129	NH 82 (Canalways)	<p>How can the development potential be reduced from 25 acres to 11 acres when the staff report indicated that it is not possible to make the final determination between upland and wetland habitat without having a wetland delineation conducted?</p>	<p>Response: The Steering Committee recommended land uses for the site using information from the <i>Background Report</i> (2001), and topographic information. In the Conservation District states that the City will consider some level of intensity and density of development upon evidence (i.e., a wetlands delineation submitted by the property owner) that such use is appropriate.</p>	
PH-119	NH-82 (Canalways)	<ol style="list-style-type: none"> 1. Raise the levee of Canalways at least three feet. 2. Kerner Blvd. Gap Closure has been overlooked. 3. Create the I-580/101 expressway 4. Cross I-580 at Andersen to provide a double loop and traffic relief 5. Preserve some wetlands and also build affordable housing in Canalways. 6. Build a pedestrian/bicycle bridge over the canal at San Rafael High School 	<p>Response:</p> <ol style="list-style-type: none"> 1. The degree of levee improvements at Canalways would be determined in consultation with Public Works and geotechnical evaluation. 2. Connecting Kerner Blvd. was a necessary improvement for the <i>General Plan 2000</i> traffic mitigation of Irene overcrossing. With the alternative improvement of the 580 connection at Shoreline/Andersen, the Kerner Blvd. gap closure is no longer needed. 3. Comment noted. 4. A connection across I-580 at Andersen is proposed at Shoreline Drive. 5. Comment noted. 6. A pedestrian/bicycle bridge over the Canal is recommended as a circulation improvement in the draft Plan. 	

IV. NEIGHBORHOODS ELEMENT


Comment #	Policy/Program	Comment	Response	Recommendation
136-3	NH-82 (Canalways) Canalways designations	<ol style="list-style-type: none"> 1. How did staff come to the conclusion that only the selected 11.5 acres is developable? 2. Did the Live Oak consultant determine the 11.5 acre choice? 3. Did a committee reduce the acreage 11.5 and choose the parcels of land? 4. Who participated in or made this decision? 5. On what science is this 11.5 acre LI/O decision based? 	<p>Response:</p> <ol style="list-style-type: none"> 1. The land use recommendation has been made by the Steering Committee, not by staff. 2. No. 3. The Mapping Subcommittee made a land use recommendation for Canalways to the General Plan 2020 Steering Committee, which discussed and confirmed the Subcommittee's recommendation. 4. The Mapping Subcommittee, the Steering Committee, and the public. 5. See response to NH-82, for comments 24-1, 53-9, etc.v 	
PH-140	NH-82 (Canalways)	The Canalways site is a wetland habitat that includes more than wetlands. Birds and animals use the western side for resting, hunting and feeding. Site should be preserved. The Corps of Engineers previously denied development project. It would be very difficult to build due to the importance of the habitat.	Comment noted.	
PH-131	NH 82 (Canalways)	Many people believe that Canalways is a wetland site, but the language should not be included in policy until studies are conducted.	Response: The <i>Background Report</i> (2001) identified a significant portion of the site as wetlands. The site-specific implementing program recognizes that a wetlands delineation will assist in identifying appropriate area(s) for development.	
PC 3/23/04 108-1 109-1 113-1 115-1 116-1 117-1 153-1 184-1	NH-82 (Canalways)	Leave as is. Change the wording to "provide habitat for rare, endangered and other species.	Edit: Revise as shown. Recognize the high resource value of the site's wetlands that provide habitat to many species, <u>which may include</u> rare and endangered species.	

IV. NEIGHBORHOODS ELEMENT			
Comment #	Policy/Program	Comment	Response
22-2 23-1	NH-82 (Canalways)	Include language stating that if development is allowed, special tax assessments and development arrangements are to be made for Canalways restoration and park completion/maintenance.	Response: The site is zoned PD-WO (Planned District – Wetlands Overlay). The Wetlands Overlay zoning requires delineation of wetlands by the Army Corps of Engineers, and a Wetlands Management Plan for the protection, restoration and/or creation of site wetlands as determined necessary. Bond funding may be required if necessary to implement the Wetlands Management Plan. Staff recommends no change to the policy.
22-3 114-1	NH-82 (Canalways)	Add language to prevent current abuse and degradation of the Canalways property.	Response: Abuse and degradation of the site can be reported to the Police Department or the Code Enforcement Division. The City has in the past taken action to evict homeless encampments and report mowing of Pickleweed vegetation. Staff recommends no change to the policy.
24-1 53-9 65-1 137-1 138-2 PH-57 PH-63 PH-64 PH-90 PH-120	NH-82 (Canalways)	<ol style="list-style-type: none"> 1. State the facts about this property in the General Plan. Use helpful verbiage instead of unfairly burdensome language. 2. Canalways is one of the last major infill sites in San Rafael. Evidence has never been supported that Canalways is a thriving wetlands supporting endangered species. Suggested waiting until a development plan is submitted and let the EIR determine the outcome. 3. Concerned about the reduction in permitted development from 25 to 11.5 acres. 4. In support of jobs and housing on Canalways site. 5. Concerned about the elimination of residential housing as an anticipated permitted use. 6. Inappropriate to designate entire site as Conservation. 	Response: <ol style="list-style-type: none"> 1. General Plan Exhibits 26 (Geology and Stability), 28 (Flood Hazard Areas), 34 (Biotic Habitat), 35 (Baylands), 36 (Watershed Boundaries and Significant Hydrologic Features) and 37 (Threatened and Endangered Species) provide the background environmental information in support of the draft policy. 2. As noted in the comment, an EIR prepared for proposed development of the site would identify the extent of wetlands and the existence of endangered species on the site. 3. The southwest corner of the site is designated Light Industrial/Office, consistent with the surrounding area along Kerner Blvd, and allowing for some development that would provide jobs. 4. Residential use is not recommended for the site given the environmental and traffic constraints. Because residential use is a 24-hour use, with pets that could have a negative impact on species in the habitat areas, it is not recommended for this site. 5. The remainder of the site is designated Conservation, indicating that the site has “visual or other natural resource significance that should be protected through the development review process.” The Conservation land use category is proposed to be amended (see comments under Exhibit 10 above) to indicate that development potential in the Conservation district would be identified once environmental and other resources have been identified. 6. It’s not possible at this point to identify the size of the area available for development. Only with a thorough site-specific environmental assessment, as would be conducted if a development proposal were submitted, could the City identify the appropriate extent of development on the site.

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PH-116	NH-82 (Canalways)	East/west overcrossing could connect Kerner Blvd. to Andersen through Canalways. This could be an alternative connection.	Response: The Traffic Engineer has recommended an east/west crossing under Highway 580 as an alternative connection to the Irene Street overcrossing listed in <i>General Plan 2000</i> . The undercrossing is less expensive than an overcrossing, and it would have the least impact on surrounding land uses.	
96-1 185-1 PH-91	NH-82 (Canalways)	Suggested establishing dredged spoils to Canalways property such as those established at Bay Pointe.	Response: A Use Permit would be required for wetlands restoration, including for a project using dredged spoils. Environmental and project review would determine the appropriateness of this use at the site.	
110-1 114-1 173-1 179-1 151-1 154-1 155-1 156-1 158-1 159-1 160-1 161-1 162-1 163-1 164-1 165-1 166-1 167-1 168-1 169-1 170-1 171-1 172-1 174-1 181-1 PH-65 PH-125	NH-82 (Canalways)	Opposed to any development to Canalways site. Traffic, air quality and wetlands issues. In support of the current wording on NH-82. Canalways site is useful as a seasonal wetlands site. Site has over 100 species of wildlife. Leave in current draft wording. Canalways is the last remaining undeveloped San Rafael shoreline habitat area. It should be preserved in perpetuity for the local citizens to enjoy.	Response: The Planning Commission has recommended no change to the draft policy.	

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
Staff	NH-83 (Coordinated City, Canalways, and Windward Way Residential Site Design)	<p>This policy is the same as ESR-24 from <i>General Plan 2000</i>; it addresses a design issue concerning housing development on the northern end of Canalways, and the access issues involving the three sites. However, in <i>General Plan 2020</i> development on Canalways will no longer be contiguous with these two sites. This policy is no longer needed.</p>	<p>Map of the area:</p> 	<p>Edit: Delete policy NH-83 (Coordinated City, Canalways and Windward Way Residential Design)</p>
41-1	NH-84 (Windward Way)	<p>The General Plan and Zoning Ordinance should be clear about allowing housing as a use on this site.</p>	<p>Response: Staff does not recommend that the proposed Park land use designation be changed to a housing designation. Policy PR9a contains language that would allow consideration of developing a portion of the site to facilitate creation of the park. This site has been designated for development of a park due to the insufficient amount of park acreage compared to population within the surrounding neighborhood. It should be noted that the site has limited development potential due to existing wetlands, limited traffic capacity and the cost of building on former landfill.</p>	

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
25-1 78-4 89-1 PC 3/23/04 PH-121 5/25/04	NH-87 (Cal-Pox Site)	Any development should include special taxes to complete adjoining wetlands restoration, building height limits, planting of trees to provide privacy. Sentence in italics should be deleted. It is not appropriate, or safe, for residential use. On behalf of the owners of Cal-Pox, support recommendation that hotel and/or residential uses be considered for the site. Title 27 of the California Code of regulations regulates post-closure development on landfills, and allows housing and hotel development subject to scrutiny. There are examples where former landfill sites have been used for residential and land use. Hotels and senior housing are benign uses in terms of peak hour traffic.	Response: On May 25, the Planning Commission considered the benefits and constraints to residential development on this site. As a site with known hazardous materials, the environmental constraints may be prohibitive of residential use. Additionally, the site is an isolated location for residential use, being a considerable distance for neighborhood services or transit. On the other hand, there is a pressing need for housing sites, and senior housing and hotels do have fewer traffic impacts than other possible uses. The Planning Commission recommended that residential not be allowed at the site.	Edit: Allow light industrial/office and specialty retail uses. Traffic congestion in the area, prior to needed roadway improvements, may limit development on the site to low traffic-generating uses. Residential and/or Hotel use may be considered for the site provided that environmental analysis demonstrates that potentially hazardous soils conditions are in compliance with State and Federal laws and that geo-seismic conditions and commercial use conflicts have been mitigated
78-2 PC 3/23/04	NH-90 (Parks and Recreation)	Add Bellam/Windward Way Park to this policy.		Edit: Revise as shown. Complete planned Pickleweed Park and Starkweather Shoreline Park improvements, and plan and implement park improvements at the Bellam/Windward Way site. Change/add references: PR-8a (Neighborhood Park Improvements) and PR-9a (Bellam/Windward Way site)
Staff	NH-96 (Shoreline Embankments)	There is the potential for the loss of soil resources due to erosion as well as the potential for the exposure of improvements to erosion-related damage. Additional wording should be added.		Edit the policy by adding the sentence: Require riprap on the outside face of levees facing the Bay. After large storms, inspect existing riprap on levee faces. Repair and replace as necessary to provide adequate wave erosion protection.
PC 1/13/04	NH-97 (Fill Heights)	Duplicative with S-15 (see below)		Edit: Delete policy and program. Add reference to S-15.

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
<p>PC 6/29/04</p>	<p>NH-99 (Environmental Resources)</p>	<p>Say "encourage the preservation and conservation" instead of "protect and conserve"</p>	<p>Response: Original wording is in 1988 plan. The policy should be deleted as it is redundant with other policies and programs.</p>	<p>Edit: Delete policy. NH-99 Environmental Resources: Protect and conserve the following significant environmental resources in the Canal: <ul style="list-style-type: none"> • Wetlands/Baylands including the San Rafael Canal. • Threatened and endangered species and their habitats. Such habitats include but are not limited to East San Rafael ponds, marshlands and baylands, and (potentially) San Quentin Ridge. • The Bay shoreline. • San Quentin Ridge/hillside. • Archaeological resources on upland sites. </p>
<p>PC 7/8/04</p>	<p>NH-105 (New Development)</p>	<p>Delete redundant phrase in second bullet</p>		<p>Edit: Assuring that new development and significant remodeling respect and enhance the character of surrounding housing in terms of density and design, and...</p>
<p>Staff</p>	<p>NH-109 (Existing Retail Centers Upgrade)</p>	<p>Add reference to redevelopment incentive in FAR policy.</p>		<p>Edit: Add reference See LU-LU-9 (Intensity of Nonresidential Development).</p>
<p>PC 3/23/04 57-12</p>	<p>NH-110 (Unused Portions of the Former NWP Right-of-Way)</p>	<p>Revise to clarify. Uses of this right-of-way should ensure protection of any adjacent wetland habitats.</p>		<p>Edit: Revise as shown. Unused Portions of the Former NWP SMART Right-of-Way. Encourage use, while ensuring protection of any adjacent wetland habitat, of the unused portions of the former Northwest Pacific Railroad right-of-way that is not part of the new SMART right-of-way including the section between Downtown and the Larkspur ferry terminal to facilitate desired redevelopment of adjacent parcels and an easement for the North-South bike way.</p>

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
69-1 PH-45	Gerstle Park Vision	A suggested revision of the Vision was submitted.		<p>Edit: Revise Vision Statement as shown.</p> <p>Gerstle Park is a unique, historic and walkable neighborhood in close proximity to Downtown. It is essentially built-out and will remain a very diverse and active residential neighborhood with relatively little change. Future development will be limited to small scale multi-residential projects. Opportunities should be taken to visually upgrade or replace apartment buildings to be more compatible with the historic neighborhood design character, preserve historic structures and architectural character, reduce impacts of through-traffic on neighborhood streets and restore adequate parking on neighborhood streets. Edit: Revise Vision Statement as shown.</p>
69-2 PH-48	Gerstle Park Introduction	<p>Suggested wording “Gerstle Park has three distinctly unique neighbors on three sides that vary in terms of feel, zoning, use, and congestion/traffic generation, plus the neighborhood’s Northern Boundary is a major Transportation Corridor.”</p> <p>Last sentence add suggested wording “non-neighborhood related pass-thru and commercial traffic”</p>	<p>Response: The transition between Gerstle Park and the Downtown is mentioned in the descriptive text due to its importance in the policy statements which follow. It is not an attempt to describe all the boundaries of the neighborhood.</p>	<p>Edit: Revise text (neighborhood description, Page 109) as follows:</p> <p>Neighborhood issues that need to be addressed are traffic problems such as lack of parking and, excessive speed and protection of neighborhood streets from the impacts of through-traffic, adequate drainage, and maintenance of streets, sidewalks, historic preservation, and private property maintenance.</p>
PH-137	Gerstle Park	Consider the improvements for Gerstle Park Neighborhood section. Change is good, but it must be tempered and rebalanced. Suggested to proceed cautiously.	Comment noted.	
122-1	Gerstle Park	More definitive language providing acknowledgement and protection needs to be included in the General Plan.	<p>Response: The letter comments in general terms about conditions in Gerstle Park but does not request specific changes to draft policies and programs.</p>	

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
69-3 PH-121A	NH-116. (New Development)-last bullet	Suggested wording. "Requiring that adjacent Downtown land use designations and developments are compatible with and provide adequate transition or gateway thereby, not infringing upon Gerstle Park's distinct character or quality of life to not negatively affect the neighborhood. "		Edit: Revise as shown. Requiring that adjacent Downtown land use designations and developments are compatible with and do not negatively affect the neighborhood and that sensitive transitions occur where <u>Downtown development abuts neighborhood residences</u> : Add reference to CD-11b. (Compatibility of Patterns) , revised as follows: Adopt design guidelines to ensure compatibility of nonresidential building patterns. Guidelines may address setback patterns, parking and driveway patterns, building scale, height and building setbacks, transitions between commercial and residential districts, signage and landscaping.
Staff	NH-116. (New Development)-second bullet	Confirm that land use designations in Gerstle Park do not conflict with policies limiting residential density and prohibiting additional nonresidential development.		Edit: Revise as shown: <ul style="list-style-type: none"> Prohibiting additional nonresidential development in Gerstle Park consistent with except as allowed in zoning regulations.
69-4	NH-116a (Development Review Process)	Suggested wording. "Use the development review process to encourage design and use consistent with this policy, and provide special attention, <u>notification and/or required DRB for gateway or corridor projects adjacent to Gerstle Park.</u> "	Response: Note proposed modifications above which specifically refer to design transitions between Gerstle Park and Downtown development and the change to Program CD-11b which calls for creation of design guidelines to identify desired design solutions for residential/commercial interface.	
57-13	NH-118 (Albert Park)	Policies should require the Creek in this area to be protected and enhanced.		Edit: Add a new policy and references as shown. NH-X. Mahon Creek. Preserve and enhance Mahon Creek. See CON-8a (Creek Restoration), CON-8c (Tree Retention) and LU-2a (Development Review)

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
69-5	Suggested New Policy. Gerstle Park.	Suggest wording for new policy "Gerstle Park. Commit to improvements that enhance the community's use of this neighborhood park. E.g. resurface the tennis courts, repair the basketball courts, get the water fountains working, upgrade the redwood grove facilities, and perhaps consolidated signage to improve appearance, as well as encourage solutions/policing of homeless encampments."	Response: Policy PR-7a calls for preparation of a new master plan for Gerstle Park. These specific issues should be brought up and addressed when such a master plan is prepared and public input sought.	
69-6 PH-48	Suggested New Policy	Suggested wording "Promote and plan for Gateway at neighborhood entrances that might include signage or landscape, traffic calming or other means to transition to Gerstle Park as a residential neighborhood at main streets of B, C, E, and Woodland.	Response: Several associations had very specific suggestions for entry points into their neighborhoods. Therefore, a common policy regarding Neighborhood Identity and Landmarks (NH-7) was prepared. Specifics would be determined during preparation of a neighborhood plan. Policy CD-8 discusses City-identified gateways shown on Exhibits 17 and 18. The gateway of Wolfe Grade is identified in the Gerstle Park neighborhood for further consideration and enhancement.	
69-7 PH-48	Suggested New Policy. Short School Site.	Suggested wording. "Short School Site. Encourage and survey potential for community use first before consideration for housing and even then only in keeping with current scale, density and architecture of predominant neighborhood character."	Response: This is another issue which was addressed in several neighborhood plans and was consolidated in Policy NH-11 Schools, which says: "Retain local schools where possible, but when reuse is necessary, housing development at prevailing densities in the immediate area should be the appropriate land use. Where it is in the community's interest to retain public recreation, on-site density transfers will be allowed to the remaining school site acreage, provided the resulting housing design is compatible with the neighborhood character." (emphasis added)	
75-7 75-13	Vision of Lincoln/San Rafael Hill	Comments regarding traffic congestion, traffic speed, safety and parking.	Response: General comments and observations are noted. Comments are too specific to be included in a general plan	

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
75-13	Vision of Lincoln/San Rafael Hill	Proposed revisions to the vision statement, including issues related to retention of low-density hillside limitations, second units, privacy impacts of new development, enforcement of parking restrictions, not considering Lincoln as a "corridor", retention of the nursery and motels, elimination of potential for height and density bonuses, mitigation of noise impacts, undergrounding of utilities, parking enforcement and new traffic signal installation.	Response: The proposed vision language is much more detailed than other neighborhood visions. No changes are proposed in the low density allowances for the hillside areas. Issues related to second units have been preempted by state law. Retention of existing motels and nursery is addressed in Comment 75-10 above. The height bonus concern is addressed in Comment 98-2. Density bonuses are required to be offered by state law.	
PC 3/23/04	NH-119 (Pedestrian Linkages)	Add bikes to this or a reference to the Bicycle/Ped. Master Plan		Edit: Revise as shown. Improve bicycle and pedestrian linkages and landscape treatment of major entry roads from the Downtown area, such as B, C, and D Streets. Add reference to Program C-26a (Bicycle and Pedestrian Plan Implementation)
74-1 74-5 PH-45 PH-48	NH-119 (Pedestrian Linkages)	Suggested edits to policy "Improve pedestrian linkages and landscape treatment of at major entry roads from the Downtown areas, such as B, C, and D Streets . Promote and plan for gateways at neighborhood entrances that would include signage or landscape design to transition to Gerstle Park as a residential neighborhood at the main streets of B, C, E, and Woodland."	Response: Same suggestions as Comment 69-6 above.	
74-2	NH-119a (Pedestrian Improvements)	No edit suggested.	No response needed.	
74-3 74-7 PH-45 PH-46	Suggested New Program. NH-119b. Bicycle Improvements.	Suggested wording "Bicycle Improvements. Promote planning to afford Gerstle Park being a safe place to bicycle..."	Response: This is an issue that was covered in several neighborhood plans and was therefore crafted into Policy NH-6 Bicycle and Pedestrian-Friendly Streets.	

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
74-4 74-8 PH-47	Suggested New Program. NH-119c. Traffic Improvements.	Suggested wording. "Implement traffic calming and redesign of traffic to minimize conflict between vehicles, pedestrians, and bicycles..."	Response: This is an issue that was covered in several neighborhood plans and was therefore crafted into Policy NH-5 Safe Streets.	
69-8 PH-44	Suggested New Policy. NH-119X	Suggested wording "Neighborhood Parking. Improve parking in the neighborhood, conduct a parking survey to further evaluate specific parking problems and identify possible solutions that allow for street parking that does not dominate the neighborhood..."	Response: This is an issue that was covered in several neighborhood plans and was therefore crafted into Policy NH-8 Parking and Programs NH-8a, NH-8b, NH-8c and NH-8d.	
98-2 PC 7/8/04	NH-120 (Lincoln Avenue)	LSRHNA opposes any attempt to allow buildings that exceed three stories to be built along Lincoln Avenue. Opposed to business uses larger than five full-time employees without major justification and full public hearings. Add reference to LU-14 (Height Bonuses).	Response: The height bonus for affordable housing along Lincoln Avenue is current policy, and proposed to be carried forward into General Plan 2020. The current policy also states that height bonuses may be granted only if the site is more than 150 feet in width and at least 20,000 sq. ft. in size. The Steering Committee did not recommend these details in keeping with a more general approach to height bonuses in policy LU-14 and Exhibit 9 (page 32 of the draft Plan). However, these specifics are recommended to be included in the zoning ordinance provision regarding a height bonus on Lincoln Avenue. The policy language prohibits further conversion of residential units to office uses. It is unclear whether the comment is referring to occupancy of existing office space by greater than 5 employees or creation of additional office space, which is allowed in the Office/Residential land use designation on portions of the east side of Lincoln.	
98-3	NH-120 (Lincoln Avenue)	Any development is opposed that does not complete design and implementation of parking spaces that meets 100% of the needs of that development.	Response: Provision of required on-site parking in new development is a given. Program NH8d also requires that parking requirements in the Zoning Ordinance be reviewed and updated for adequacy.	
98-4	NH-120 (Lincoln Avenue)	The City should be more rigorous in noticing delinquent cars and drivers and enforcing current, relevant ordinances.	Response: Enforcement issues should be raised with the neighborhood's Community Police Officer.	

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
35-1 144-8 & 9 183-1	Loch Lomond Vision	Change "residential uses" to "residential area" The Loch Lomond vision statement is not consistent with neighborhood desires. The visions of other neighborhoods reflect the desires of those neighborhoods for protection.	Response: See proposed edit below. The vision expressed by the Steering Committee for each neighborhood reflects current conditions and anticipated change. The Loch Lomond Marina was a site that was considered a community-wide resource. Other neighborhoods are also adjacent to commercial areas that differ from the residential areas. The Steering Committee made a conscious and concerted effort to distribute required housing opportunities throughout the community. This does not reflect the desires of these various neighborhoods, but to secure state mandated approval of our Housing Element the Steering Committee considered many potential housing sites, all of which are within or near existing neighborhoods and increase local traffic impacts.	
PC 3/23/04 PH-92 126-9 144-7	Loch Lomond introduction	Change tone of fourth sentence. The lack of maintenance of the site is the rationale for redevelopment.	Response: See proposed edit below. The Steering Committee's rationale for redeveloping the marina site is its potential as a housing site and an objective to make properties along the bay and the Canal more accessible to the public.	
PH-133	NH-121 (Loch Lomond Marina)	Required parking for any proposed development should be studied. Traffic is a problem which would be exacerbated	Response: Required parking for any mixed-use development would be evaluated in the EIR and by the City's Traffic Engineer. Traffic impacts will also be evaluated in the project-specific EIR. Preliminary traffic analysis performed for the General Plan EIR suggests that anticipated development on the San Pedro Peninsula of approximately 242 units to year 2020 (an 8% increase in total housing on the San Pedro Peninsula) would result in additional delay at Third and Union of 3.4 seconds per signal during the PM peak hour. The Planning Commission recommends a larger Marine Related District to allow for more trailer parking for day use boating.	
187-3	NH-121 (Loch Lomond Marina)	Policy does not support Goal 5 to have a "distinctive character"	Response: Goal 5 talks about distinctive neighborhoods, and also refers to the inclusion of parks, gathering places and services that contribute to this distinctive character. The Steering Committee determined that the addition of housing would not eliminate the distinctive character of the site, but could increase public enjoyment of the site by providing updated commercial services, community gathering places, additional recreational space and improved trails.	
144-5	NH-121 (Loch Lomond Marina)	Project conflicts with CD-14.	Response: Policy CD-14 (Single-Family Residential Design Guidelines) discusses the need for design guidelines to address additions or new construction in single-family neighborhoods. Loch Lomond Marina is not designated single-family.	

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
144-6	NH-121 (Loch Lomond Marina)	CD-16 states that public involvement should take place in review of new development. Mandates have already been set up for height and density of Loch Lomond proposed project.	Response: Extensive public input was provided during the Steering Committee's consideration of policies for the Loch Lomond Marina. Height and density provisions are not mandates, but allowances which are then subject to environmental and design review processes, both of which entail substantial opportunities for public input.	
PH-135	NH-121b (Marsh, Wetlands and Bay Views)	Suggested to add the words "public access ways" Also suggested that the development turn over a large amount of land to public access in order to continue to have prevalent views.	Response: Access ways are covered in conservation policies for wetlands and setbacks. Comment noted.	
51-1 PH-82 PH-58 183-1 PH-127	NH-121 (Loch Lomond Marina) – Residential Density	1. The developable land indicated should be no more than 6.5 acres. The proposed density is not compatible with surrounding neighborhoods. 2. Urge not to set a low-density designation to this site. The lower the density, the larger and more expensive the homes will be. Modify fourth bullet to read "Residential, with height of housing types that is consistent with zoning density, height restrictions, setbacks, and right-of-way widths of the surrounding neighborhood." 3. There is strong opposition for including Loch Lomond as a potential housing site. Would like to view the benefits of the property tax received by the development of this site.	Response: 1. The Mapping Subcommittee and the Steering Committee endorsed a designation of 10 gross acres at the site for Neighborhood Commercial, which could include both commercial and housing development. The comment suggests 6.5 net acres of the site for redevelopment (or 7.5 gross acres, including area for streets, which is used in the General Plan for gross density calculations, which could allow up to 112 housing units at maximum density of 15 units/gross acre). Staff recommends no change as the General Plan densities are based on gross density (including roadways); a net density approach would require a revision to the Land Use Categories. The property owner has submitted an application for a maximum of 88 units. The Planning Commission has recommended that the Neighborhood Commercial district be reduced to nine gross acres. 2. The Steering Committee recommended a mix of housing types. The City's housing policies have long supported the creation of mixed-density neighborhoods, such as Peacock Gap which includes condominium projects amidst single-family homes, and the new Redwood Village which is under construction on North San Pedro Road. The Planning Commission recommends that the policy be revised to note a minimum number of units that should be developed at the site. 3. The property tax from the housing portion of any redevelopment of the site would not likely cover all municipal service costs. However, the City has a legal obligation and a policy commitment to provide opportunities for construction of some additional housing in the community, regardless of the financial	Edit: Delete original wording and replace with new wording approved by Planning Commission at its 6/22/04 meeting: LOCH LOMOND The Loch Lomond neighborhood is primarily developed with single family homes on hillside lots or lots along the Bay. The hills above the neighborhood provide hiking trails and access to Harry A. Barber Memorial Park. A 40-year-old neighborhood shopping center, featuring a market, retail shops, and office space, is located at the terminus of Loch Lomond Drive along the water's edge. The shopping center buildings are old, unattractive, in need of maintenance, and lack an architectural theme. This center also features a marina with boat slips, a yacht club, a public boat launching facility, boat storage, and a restaurant. The site also has wetland and marsh areas. Neighborhood Design NH-121-Loch Lomond Marina: Improve the Loch Lomond Marina property by creating a beautiful waterfront development that maximizes the site's location facing San Francisco Bay, consistent with the following guidelines: a. Land Use. Encourage a mixed use development
138-3 PH-133				
PH-83				
PH-93				

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
			<p>effects. However, a policy statement has been added to place the financial responsibility of increased maintenance of landscaping and lighting in common areas on the property owners.</p>	<p>that includes all of the following land uses:</p> <ul style="list-style-type: none"> ● Marine and support facilities, with boat berths, a public boat launch, dry boat storage, a yacht club, and boat retail and services. ● Recreation, including fishing and walking, along the waterfront and spots to provide public access along the waterfront. ● Neighborhood serving commercial uses that meet the needs of residents in the area. Appropriate uses include a grocery, restaurant, and medical or professional offices. ● Residential, with a mix of housing types. <p>b. Marsh, Wetlands and Bay Views. Preserve and enhance existing marsh and wetland habitat areas, with development setbacks consistent with Conservation Element policies. Locate buildings and use appropriate landscaping to preserve and enhance, where appropriate, views of the Bay and its islands, Bay wetlands, and the marina from public streets and parks.</p> <p>c. Building Height. Two options:</p> <ul style="list-style-type: none"> — Strongly encourage a variety of building heights consistent with the height limit of the zoning district. <i>(7 in favor)</i> — Allow a mix of building heights from one to three stories of up to 36 feet for the three-story buildings. <i>(5 in favor)</i> <p>d. Site Design. Incorporate the following features as part of development of the site:</p> <ul style="list-style-type: none"> ● A waterfront-oriented development; ● An improved breakwater; and ● A community gathering place. <p>NH 121a. Project Design and Review. Encourage the property owner to use a community design process to ensure effective public participation in designing a high-quality development for the Loeh Lomond Marina site. Require a mixed-use parking analysis to establish adequate parking requirements; require photomontage analyses as part of the evaluation on view impacts; and, require a wetlands</p>

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
				<p><u>delineation</u>; <u>Responsibility</u>; <u>Community Development</u> <u>Timeframe</u>; <u>Short Term</u> <u>Resources</u>; <u>Fees</u></p> <p>Revised Wording: <u>LOCH LOMOND</u> <u>The Loch Lomond neighborhood is primarily developed with single-family homes on hillside lots or lots along the Bay. The hills above the neighborhood provide hiking trails and access to Harry A. Barbier Memorial Park.</u> <u>The neighborhood is home to the Loch Lomond Marina and Shopping Center. This extraordinary site includes neighborhood-serving shops and a market, but is primarily a 550-slip marina. The long breakwater offers unique pedestrian access along the bay front and striking views of the San Francisco and San Rafael bays, San Rafael-Richmond Bridge, Mt. Tamalpais, and the Marin Islands National Wildlife Refuge – artists are drawn to the site to capture the Bay vista. To the east and west of the site are wetlands that support all manner of wildlife. The marina includes boat slips, a yacht club, a public boat launching facility, boat storage, and a restaurant.</u></p> <p>Neighborhood Design <u>NH-121. Loch Lomond Marina.</u> <u>If the property owner proposes to redevelop the site, create a beautiful waterfront development that maximizes the site's location facing San Francisco Bay, consistent with the following guidelines and requirements:</u> a. <u>Land Use.</u> <u>Encourage a mixed-use development that includes all of the following land uses:</u></p> <ul style="list-style-type: none"> ▪ <u>Marine and support facilities, with boat berths, a public boat launch, boat trailer parking, a yacht club, boat retail and services, and other water-based recreation.</u> ▪ <u>Recreation, including fishing and walking, along the breakwater and spits to provide public access along the waterfront. Water-oriented and bicycle recreation is encouraged. For example, bird-watching and fishing opportunities should be enhanced. Access for fishing should be provided</u>

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
				<p><u>in a way that extends a welcome to visitors.</u></p> <ul style="list-style-type: none"> ▪ <u>Neighborhood-serving commercial uses that meet the needs of residents and visitors in the area should be included for their convenience and for trip reduction and for the convenience of residents in the area and visitors.</u> ▪ <u>Residential, with a mix of housing types, that meets design and housing objectives. A minimum of 50 multifamily and workforce units are required. Because of the limited area for marine uses on the site, residential use is not allowed in the Marine Related District.</u> <p>b. <u>Site Design. Achieve an extraordinary design in an innovative development that enhances the neighborhood, San Rafael, and the bayfront. New development should draw inspiration from the Bay and waterfront, provide a community gathering place with neighborhood shopping and recreational opportunities, and provide attractive and site-appropriate housing, consistent with the following guidelines:</u></p> <ul style="list-style-type: none"> 1. <u>Views of the marina and waterfront should draw people into the site and retain their value to the surrounding community.</u> <ul style="list-style-type: none"> ▪ <u>The view through the center of the site is the major public view corridor. To enhance this corridor, housing should be compact and clustered on the eastern and western portions of the site, on the north side of the property. The center of the site should include low-scale uses and/or structures such as open space, park, plaza, and/or parking designed to achieve an open, welcoming and inviting entrance to retail and recreation opportunities. Commercial buildings along the central view corridor should be low-rise, and lead to substantial open space along the waterfront. Parking should be carefully sited to enhance the corridor, but should not detract from the waterfront pedestrian-focused design.</u> ▪ <u>The primary entrance to the site should include views of the marina and waterfront and establish a welcoming sense of place. The frontage along Pt. San Pedro Road should be warm and</u>

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
				<p>welcoming, encouraging access through the site's principal entryway.</p> <ul style="list-style-type: none"> ▪ Buildings should be carefully sited and designed to enhance or minimize impacts to views of the Bay, the Marin Islands, wetlands and the marina. <p>2. A paved and landscaped bicycle and pedestrian trail should encircle the site, with side paths through the site, and should extend along the waterfront and on an improved breakwater.</p> <p>3. A community-gathering place should be included along with a park large enough to provide activities for children and adults both in the immediate neighborhood and in the surrounding area. A play area with playground equipment suitable for preschool and elementary school ages, with a water play feature is recommended, and an active recreational area, such as a sports court (i.e., bocce ball or volleyball) is desired.</p> <p>4. The streets and alleyways should be designed for slow driving speeds, and there should be an enhanced transit stop on Pt. San Pedro Road.</p> <p>NH-121a. Project Design and Review.</p> <ul style="list-style-type: none"> a. Require early conceptual design review by the Design Review Board and the Planning Commission. Encourage applicants to present alternative proposals for conceptual review in that design review. b. Prior to submitting a proposal, the property owner must confer with Federal, State and local agencies (such as Bay Conservation and Development Commission, Association of Bay Area Government's Bay Trails Project, U.S. Fish and Wildlife) with responsibility for the Bay. c. The neighborhood residents and homeowner associations shall be informed and consulted on major design issues throughout the process. d. Require a mixed-use parking analysis to establish adequate parking requirements; require photomontage analyses as part of the evaluation of view impacts; and, require a wetlands delineation. Responsibility: Community Development

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
84-2 177-1 & 2 183-1 PH-52 PH-85 PH-87 PH-89 PH-87 PC 3/23/04 79-1 PH-82	NH-121 (Loch Lomond Marina) – Property Uses	<p>The Marina should retain its current uses.</p> <p>The Yacht Club is a community meeting point and should be encouraged and retained.</p> <p>Add parking for day use boaters.</p> <p>Suggested edits “ The marina should also continue to provide for a boat engine repair shop, dry boat storage and day use parking to meet at least current demand”. There is a preference for “homes that are individually unique and architecturally significant”.</p>	<p>Response: The policy recommended by the Steering Committee does state that a redevelopment project for the site should include a list of marina uses. Boat trailer parking should be added to the list of important marina provisions. Although the General Plan creates a framework for evaluating a future development proposal, an application has been filed and is being processed. The application filed by the property owner does propose to retain existing marina facilities, including the yacht club and boat repair facility, but proposes to reduce the area for dry boat storage and vacant parking areas for boat trailers. Dry boat storage for 41 boats is proposed in the original submittal, as well as 281 vehicular spaces (not including parking for the market and other commercial uses) and 24 trailer spaces. The project environmental impact report will assess an appropriate amount of marina parking and boat trailer parking to accommodate maximum use of the launch ramp and the effects of reducing dry boat storage.</p>	<p><u>Timeframe: Short Term</u> <u>Resources: Fees</u></p> <p>NH-121b. Common Area Maintenance. As part of the development proposal, require a reliable and efficient means to maintain common areas. <u>Responsibility: Community Development</u> <u>Timeframe: Short Term</u> <u>Resources: Fees</u></p> <p>NH-121c. Birdwatching. Encourage the developer to provide a viewing pavilion and interpretive display for birdwatchers, and to consult with the Tiburon Audubon Center (Lyford House) about the possibility of establishing a satellite operation at Loch Lomond, as well as recommendations on needed facilities. <u>Responsibility: Community Development</u> <u>Timeframe: Short Term</u> <u>Resources: Fees</u></p>
PH-83				

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PH-87		<p>Add to first bullet "Existing recreational boat launching facilities in Loch Lomond Marina areas shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space can be provided. Encourage the addition (and maintenance of boat launch facilities and boat trailer parking."</p> <p>Add to second bullet "Promote and improve the Loch Lomond Marina area as a community wide asset for public and marine related uses, where public access, use and view of the water are maximized, and sensitive wildlife habitat areas are protected."</p> <p>Edit third bullet to read "Preserve and enhance neighborhood-serving commercial uses that meet the needs of residents in the area. These Appropriate uses include a grocery, restaurant, medical or professional offices."</p>	<p>See proposed revisions to the Site Design portion of the policy wording, described below.</p> <p>The current policy language lists desired uses in a redevelopment project, but does not attempt to quantify or preserve the size of the existing uses, which could be construed with the proposed edits. The bulleted items also are phrases that do not start with verbs. However, the Steering Committee and staff support the retention of existing neighborhood commercial services in neighborhoods (see NH-159 for Sun Valley) as means of reducing vehicular trips. Staff has added language that would address retention of a grocery and restaurant to serve the local area, but does not recommend that the policy require preservation of the existing sizes of the businesses, since a full-sized market may only be economically viable at subsidized rent levels.</p> <p>The policy requires retention of neighborhood serving uses, although there can be no guarantees that existing business operators will lease space in any new project. The project approvals will specify a minimum size requirement for certain needed neighborhood services, such as a grocery store and restaurant.</p>	
183-1		<p>The proposed redevelopment will eliminate existing businesses.</p>		
PC 3/23/04 PH-120	NH-121 (Loch Lomond Marina) - Design	<p>Rewrite (delete height specifics) to refer only to variety of heights. Building height design as cognizant of impacts on views? Design performance criteria, massing and mix.</p>	<p>Response: A subcommittee of the Planning Commission has proposed more descriptive design parameters, as shown in the following column.</p>	
87-1		<p>The proposed soundwall for the</p>	<p>Soundwalls are very common along Pt. San Pedro Road. The revised</p>	

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
183-1 PH-127		noise mitigation of this project will degrade the environment and quality of life for hundreds of homeowners in adjacent neighborhoods.	policy statement, however, encourages the use of soundwalls only if necessary to achieve the interior and exterior noise levels required in the General Plan, and then only if well designed. The applicant for the Loch Lomond Marina Village project is refining the originally submitted design to either eliminate or substantially reduce the need for soundwalls.	
144-1		Policy is in conflict with CD-2, CD-3 and CD-3c.	These policies require compatibility of new development with existing neighborhood character, but also discuss opportunities for innovative design. Other General Plan policies, such as H-1, H-3, H-13, H-23 and LU-8, address the desire and need to mix housing of different types and densities, particularly in general or neighborhood commercial districts. The revised policy language attempts to clarify design objectives for the site.	
144-2		Plan fails to specify protection for the Bay waterfront such as exists at the Loch Lomond Marina.	See revised policy wording.	
144-2		CD-6 purports to protect the visual identity of the Hillside and Bay, but the developers for Loch Lomond Marina are failing to provide setbacks from the Bay.	See revised policy wording. The application submitted for the Loch Lomond Marina Village does not propose development immediately adjacent to the waterfront. In addition, the San Francisco Bay Conservation and Development Corporation (BCDC) also regulates development within 100 feet of the bay margin.	
144-2			The revised policy wording addresses the option for varying building heights for design character. Existing uses along the waterfront, which are predominately single-family houses on the San Pedro Peninsula, are allowed to build up to 30 feet in height.	
144-4			The Steering Committee's recommendations do not mandate building heights of 3 stories, but encourage a mix of building heights for visual interest. The revised language proposed by the Planning Commission subcommittee also allows for a variety of building heights.	
35-2		Why aren't there regulations that mandate one-story structures and low density housing everywhere near the Bay?	See above.	
138-3 PH-82		The draft plan mandates a height of 3 stories on top of 4 feet of fill and a density that forces narrow streets, walkways, and inadequate parking. CD-1a and 1b stress ensuring that new	See above.	

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
180-1		structures be visually compatible with and have a building scale and height that is compatible with the neighborhood where they are located. CD-12a calls for compatibility with neighborhood scale, height, and parking patterns.		
PH-83		The plan should clearly state that the proposed building height should be consistent with the surrounding neighborhoods.		
177-1		It is important to adopt the policy calling for varying building heights up to 36 feet to give the developer more flexibility.		
183-1		Support statements in "b" about view preservation, but add "and the marina from public streets, parks and public access areas." Remove "where appropriate" from bullet "b".	See the revised policy language regarding view preservation.	
		Wetland reduction, not expansion, is being proposed by the Loch Lomond Marina development proposal. The mandated building heights and densities will block views and result in inadequate parking.	The General Plan contains policies for wetlands retention. The proposed redevelopment plan for the site does not propose a reduction in delineated wetland area. The proposed height limits and density limits are maximums, not mandates. See revised policy statement re: view objectives. Parking will be provided based on existing City codes and will be analyzed for adequacy in the project-specific EIR.	
68-6	Lucas Valley	Oakview property will be addressed in LAFCO's proposed review of San Rafael's Sphere of Influence. Traffic impacts of the development have not been fully addressed.	Response: This comment does not propose any changes to policy language.	

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PH-60	Lucas Valley Vision	Reflect that the County approved about half million square feet of office space on the Grady Ranch.		Edit: Revise as shown. Vision of Lucas Valley Apart from the County's approval of office space for the Lucas properties, [This area of the County is not expecting any major development projects during the San Rafael 2020 planning period.
57-15	NH-122 (Marin Islands)	Suggest changing the wording to "Prohibit any additional development on the islands and only allow maintenance of existing buildings that does not impact the habitat. Removal of the buildings should be encouraged.		Edit: Revise as shown. NH-122 Marin Islands. Conserve the West Marin Island with any development limited to be East Marin Island. Prevent any development of East Marin Island that impacts the habitat values of the West Marin Island. Oppose development of either island, except for that necessary for monitoring or enhancement of the wildlife habitat and which does not degrade the habitat. Encourage removal of existing buildings.
PC 7/8/04	NH-126x (Improved Recreation)	Add reference to policy PR-9b.		Edit: See PR-9a (New Parks).
PH-61 PC 4/27/04	Vision of Marinwood	Vision refers to single family that is zoned RMP which would not be allowed. The Vision should reference the City's MOU with the County.	Response: The County's zoning is RMP, which allows a wide range of residential uses, not just single-family.	Edit: Revise as shown. Vision of Marinwood. The Daphne site, located west of Highway 101 next to the Lucas Valley off-ramp, is a property zoned for single-family residential development. The property is not expected to be annexed into the City, and the County of Marin will process development applications for the site. The City and County have entered into an agreement whereby the City will not seek to annex the property and proposed development will occur within the County. This agreement seeks dedication of the right-of-way for completion of the freeway off-ramp and maintenance of the City's traffic standards.
PC 4/27/04	NH-134a (Neighborhood Parking)	Suggest adding language to state "adequate parking off-street" Delete "west of Union Street"		Edit Policy: NH-134 ... Require that all new residential developments provide for attractive and adequate off-street parking. ... Edit Program: NH-134a Last Bullet. Considering time-limited parking areas west of Union Street.

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
138-4 PH-120 PC 4/27/04	NH-139 (Northgate Mall)	Allow height bonuses of two stories for affordable housing.	Response: The Planning Commission's recommendation is for a two story height bonus.	Edit: Revise as shown. NH-139. Incentives. Provide planning incentives for uses that will enhance the Town Center, including retail, office, housing and community services. Allow a height bonus of one (3 Steering Committee members) or two (4 Steering Committee members) stories for affordable housing.
PC 7/8/04	NH-144 (Pedestrian Scale)	Revise the last sentence of examples of pedestrian improvements, because there is not a public plaza there yet.		Edit: ... Examples include welcoming, pedestrian-friendly entrances ...; and a focal point at the public plaza.
PC 1/27/04 PC 4/27/04 7-2 68-8 68-7	NH-147 (San Rafael Rock Quarry and McNear Brickworks)	Revise to address concerns about impacts resulting from the San Rafael Rock Quarry. There should be planning for the possibility of the Quarry closing. This should be addressed in the City and County Plans. The County rezoned this property in 1982 to reflect the Peacock Gap Neighborhood Plan, so for the last 22 years the quarry use has been non-conforming. An alternative use must be addressed. A new Reclamation Plan would impact development on San Pedro Road and increase traffic at Third and Union Streets.	Response: As a result of a recent court decision the Quarry will have to prepare a revised reclamation plan and make application to the County. The initial submittal by the property owner states his intention to continue quarry operations for at least 15-17 years, which is beyond the timeframe for this General Plan. The Plan will continue to designate the property as a mineral resource, consistent with requirements of State law. The policy language has been modified to reflect these events, but also to note the City's participatory role in the County's processing of a new reclamation plan and the City's various interests if the property is to be annexed and redeveloped. The policy states that the City's traffic standards must be met by any redevelopment.	Edit: Revise as shown. Vision of Peacock Gap Little change is expected in the residential portion of the neighborhood. The Peacock Quarry and McNear Brickworks, located in an unincorporated section of the City, are expected to continue operations for the timeframe of this plan. Should closure of the Peacock Quarry occur, the property would may be annexed to the City as part of the land use entitlement process. A Reclamation Plan is under review by the County, with opportunities for involvement by area residents and the City. Plans for redevelopment of this site are described in the McNear Quarry Reclamation Plan ("Reclamation Plan") or subsequent agreements. The Reclamation Plan includes a public access, by frontage park linked to McNear's Beach and Pt. San Pedro Road, single family homes, condominiums and apartments, recreation which will be revised and updated by the County of Marin, with opportunities for involvement of area residents and the City.
PH-62 PH-99 PC 4/27/04 PH-98 PH-90		Is traffic from the quarry figured into the eight or nine minute trip from traffic analysis? Agree with the current policies contained in the General Plan.		Retitle NH-147 as San Rafael Rock Quarry and McNear Brickworks Reuse. Delete NH-150 (it is now part of NH-147): <u>The San Rafael Rock Quarry is currently operational, but its future is unclear at this time. The property owner has expressed an interest in continuing operations, but approval of an updated Reclamation Plan has not yet been obtained from the County. intended that the existing quarry and beyond use operations are expected to continue for at least 15 to 17 years through 2020. If operations cease before this time during the timeframe of this plan, consider annexation and allow</u>

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
				<p>redevelopment of the San Rafael Rock Quarry and McNear Brickworks, consistent with the following requirements taking into account the following factors:</p> <p>a. Consider the County's approved reclamation plan in future land use considerations. The Reclamation Plan indicates a mixture of single family and townhouse units, a marina, commercial recreation of hospitality and neighborhood serving commercial uses. Participate in preparation of a new reclamation plan and environmental impact report through the County of Marin, which should form the basis of future land uses and possible annexation. [NOTE: this has been included as a new program; see below.]</p> <p>b. Consider redevelopment of the site only if traffic capacity is available and can meet the City's level of service standards, including all intersections to and from the Downtown and freeway on- and off-ramps. Expand Pt. San Pedro Road past Riviera Drive to four lanes if needed for traffic capacity.</p> <p>c. Create a public use park band along the shoreline at least 100 feet in width, linking McNear's Beach Park with the public walkway along Pt. San Pedro Road.</p> <p>d. Reopen the saltwater marsh to tidal action. Protect the freshwater marsh.</p> <p>e. Protect freshwater ponds.</p> <p>f. Preserve the site's woodland areas and incorporate some of the historic brick works into the project design.</p> <p>g. Redevelop the site at one time to eliminate incompatibilities between the existing operation and redevelopment uses, except for the development of a possible high-speed waterway transit stop.</p> <p>Add new program NH-147X. San Rafael Rock Quarry Impacts. While recognizing the jurisdiction of Marin County over this property, persist in efforts to minimize impacts of the existing quarry operations on surrounding residents, such as noise, air quality, vibrations, street maintenance and truck traffic.</p> <p>Responsibility: Community Development, Public Works Timeframe: Ongoing Resources: Staff Time</p> <p>Add new program, NH-147Xa, Rock Quarry Impacts.</p>

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
				<p>Seek to have input into County code enforcement activities, land use entitlements or negotiations with the quarry operator that might reduce impacts on affected properties in the City of San Rafael and on City infrastructure.</p> <p>Responsibility: Community Development, Public Works Timeframe: Ongoing Resources: Staff Time</p> <p>Add new program. NH-147Xa. Rock Quarry Impacts.</p> <p>Participate in preparation of a new reclamation plan and environmental impact report through the County of Marin, which should form the basis of future land uses and possible annexation.</p> <p>Responsibility: Community Development, Public Works Timeframe: Ongoing Resources: Staff Time</p>
PC 4/27/04	NH-152 (Residential Use Near Civic Center Rail Stop)	Cross reference the Civic Center's transit-oriented design policy.		<p>Edit:</p> <p>See also NH-59 (Design Considerations for Development in the Vicinity of the Civic Center).</p>
PC 4/27/04 6/29/04	NH-152a (Zoning Change)	<p>Policy and program wording is too similar. Policy should say "promote, if feasible" and program should state "consider the amendment"</p> <p>Policy should not be contingent on rail transit as residential use may be more appropriate in this area than light industrial/office.</p>		<p>Edit the policy and program to read:</p> <p>NH-152 Residential Use Near Civic Center Rail Stop at the end of Merrydale Road.</p> <p>If a Civic Center rail stop is established for the SMART rail line, evaluate amending the General Plan and Zoning Ordinance to allow promote residential uses at the end of Merrydale Road.</p> <p>...</p> <p>Amend Consider amending the General Plan and Zoning Ordinance to allow housing at the end of Merrydale Road if the SMART rail line and Civic Center rail stop are implemented.</p>

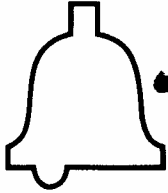
IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
40-1	NH-153 (San Rafael Airport)	The appropriate General Plan and zoning designation for the San Rafael Airport would be "Airport Commercial" or "Aviation Commercial" which allows uses in the City authored covenant.	Response: Staff agrees that the Parks/Open Space designation is not appropriate for the airport site. A new designation of Airport/Recreation is proposed to more accurately reflect the allowable uses provided by the restrictive land use covenant which exists on the property. (See LU-24, Land Use Map and Categories.)	Edit: Revise text as shown and change the Land Use Map to show an Airport/Recreation land use category, and apply the category to the San Rafael Airport site. Designate the site as Parks/Open Space Airport/Recreation consistent with the land use covenant agreed to by the City, the County, and the property owner. Recognize the unique and valuable recreational and environmental characteristics of the airport site. The following uses are allowed on the property: <ul style="list-style-type: none"> • Uses consistent with the 2002 Master Use Permit, including the airport and ancillary airport services and light industrial uses. • Private and public recreational uses. • Public utility uses as approved by the appropriate government agencies, including flood control, sanitary sewer, gas and electric, and public safety facilities. • Open space including wetlands.
57-17	NH-154 (Smith Ranch Pond)	Support a policy to enhance the habitat values of this pond by dredging for the purpose of expanding the habitat.	Response: The policy language addresses the enhancement of the pond habitat, while Program NH-154a directs the implementing action of dredging. No change to policy wording is recommended.	
PC 4/27/04	NH-158 (Annexation of Mt. Tamalpais Cemetery)	Suggest stating "consider" annexation.		Edit: Seek- Consider annexation of the Mt. Tamalpais Cemetery, which constitutes an important element in the visual backdrop of the neighborhood.
PC 4/27/04	NH-162 (Hillside Parcels, end of Los Gamos Road and Orchid Drive)	Is this policy still needed?	Response: These two parcels should be better identified. As they are under one ownership the last sentence is no longer needed. The City's hillside design guidelines provide direction on siting and access, which should be determined through project review.	Edit: Hillside Parcels, east of Los Gamos Drive end of Los Gamos Road and Orchid Drive. These are steep, highly visible parcels above the YMCA and office building have with limited access. Development shall be clustered to retain community-wide visible hillside resources. Access to the northern parcel is very difficult and should be considered through the adjacent southern parcel. If possible, the two sites should be combined with development potential clustered toward Orchid Drive.
138-5 PH-120	NH-166 (Terra Linda Shopping Center)	Allow height bonuses of two stories for affordable housing.	Response: Planning Commission has recommended a 24 foot height bonus for affordable housing in the North San Rafael Town Center. See Land Use Element, policy LU-14 (Height Bonuses), Exhibit 9 for edits.	

IV. NEIGHBORHOODS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
57-19	NH-169 (Santa Margarita Creek)	Suggest encouraging enhancement of creek and restoration to a more natural state.	Response: The policy addresses the improvement of the appearance of the creek/drainage channel while maintaining its storm drainage capabilities. It would not be feasible to remove the concrete culvert and restore the creek to a more natural, riparian state without significantly reducing its capacity to carry storm flows or without significantly widening the channel to retain its capacity, which would impact the adjacent streets widths and traffic capacity.	
PC 4/27/04	NH-171 (Miracle Mile)	Clarify what "upgrades" are desired.		<p>Edit: Revise as shown.</p> <p>NH-171. Miracle Mile.</p> <p>Existing commercial uses along the Miracle Mile (Fourth Street west of the "Y" at Second and Fourth Streets) shall be retained and appear improved in terms of visual appearance, parking, landscaping and vehicular access from side streets where possible. New development or redevelopment should be of a scale and intensity consistent with existing development. First floor uses should be retail and service along the street frontage with rear ground level or upper level office or residential uses.</p>

CITY OF



San Rafael

*Mayor
Albert J. Boro*

*Council Members
Paul M. Cohen
Barbara Heller
Cyr N. Miller
Gary O. Phillips*

OFFICE OF THE CITY ATTORNEY

Gary T. Ragghianti, City Attorney
Clark E. Guinan, Assistant City Attorney
Eric T. Davis, Deputy City Attorney

May 25, 2004

David M. Ivester, Esq.
Stoel Rives, LLP
111 Sutter Street, Suite 700
San Francisco, CA 94104

RE: Letter Dated April 26, 2004: "General Plan 2020; Canalways"

Dear Mr. Ivester:

This letter responds to your correspondence dated April 26, 2004 to the San Rafael Planning Commission complaining of its designation of your clients' property, Canalways, as "Conservation" in its draft General Plan 2020.

In your letter, you make a number of remarkable statements concerning the alleged history of your clients' property, which statements compelled me to provide a copy of your letter to both the City's former City Engineer/DPW Director, Dave Bernardi, and its outside defense counsel, Thomas Bertrand, who were personally involved in the litigation referenced in your letter.

The City and its involved personnel take exception to the many factual inaccuracies contained within your correspondence. The gravamen of your contentions focuses on the allegation that failures of the City's drainage system converted your clients' "normally dry uplands" into wetlands, with fresh water ("every time it rained") and salt water ("twice a day, each high tide") flooding the subject property continuously for many years. As you well know, the source of both the salt and fresh water present on your clients' property was one of the main contested issues in the litigation brought by your clients against the City. Expert hydro geologists hired by the City studied the water interactions between the East San Rafael Drainage Pond and Canalways to determine the source of continued standing water on the latter property. Their study included the collection and laboratory analysis of water samples, surveying a section line of Canalways, the collection of local climatic data (rainfall records, evaporation rates, daily temperature records, and evapotranspiration rates), calculations of levee overflow and water balance and a review of historical aerial photographs of the sites.

The City's experts in their written report dated November 12, 1998 concluded that Canalways met the textbook definition of a "wetland" in that it is "an area that is periodically inundated or saturated by surface or groundwater on an annual or seasonal basis, it displays hydric soils, and it supports hydrophytic vegetation." Historical aerial photographs show Canalways was a wetland since at least 1963. These experts concluded that the cause of the wetland condition was the low elevation of your clients' property, the lack of adequate drainage on it, the condition of its levee and high amounts of rainfall. Significantly, the Bay level at most times exceeds the elevation of your clients' property. These experts in their report concluded that ". . . it is clear that the property would naturally be in a wetland state regardless of any contribution from overflow of the East San Rafael Drainage Pond." This wetland condition has existed both before and after construction of the East San Rafael Drainage Pond, which Pond after its construction removes, not adds, water from your clients' property.

Your letter in effect posits the inapposite contention that the City has some kind of obligation to pump dry your clients' property thereby converting it from a wetland to an upland in order that development can occur. The subject property, reclaimed from the Bay, has always been a wetland and will always be a wetland. Your clients were well aware of this fact when they purchased the property. The City's drainage facility did not convert this property into a wetland, nor will it convert it from a wetland.

As you also well know, the subject litigation was settled with the City agreeing to make significant improvements to its drainage facility, which improvements were constructed. In return for making these repairs, your clients, in a detailed written settlement agreement, expressly and forever waived any future claims of any kind that the City's drainage facility has flooded their property, which waiver includes any type of "physical invasion" claim of the type threatened in your letter. Further, specific procedures exist in this agreement for your clients to interact with the City in the event they believe that the drainage facility is not being adequately operated or maintained.

Perhaps the most inflammatory statement made in your letter is the claim that the City "intentionally flooded" Canalways in order to destroy its development potential so that the City can "purchase the land for its own uses for pennies on the dollar." You refer to "certain honest City officials and staff who will testify" on this "closely-guarded secret." If you have any proof or witnesses in any way supporting your claim in this regard, please immediately provide them to us. In point of fact, this claim is without merit, is preposterous, and constitutes palaver.

Finally, your statement that the designation of Canalways in the City's draft General Plan 2020 makes "any development of Canalways impossible denying any economic use", is absolutely false and without factual support. No evidence, comment or statement in your letter supports this fallacious allegation. The Conservation designation by its very definition does not deny the property owner all economically viable use of the land. Other issues you raise, including the salt marsh harvest mouse, will be thoroughly addressed by the responses to comments portion of the Final Environmental Impact Report.

No one in the City begrudges an attorney's right to forcefully argue the merits of a client's position. However, the contents of your letter exceed the bounds of reasonable advocacy. Your letter contains factual distortions, intemperate threats and hysterical charges. It is our hope that any future correspondence to us from you would be less inflammatory and more constructive.

Very truly yours,

CITY OF SAN RAFAEL

CLARK E. GUINAN

Assistant City Attorney

cc: Mayor Boro & Councilmembers
Planning Commissioners
Gary T. Ragghianti, City Attorney
Rod Gould, City Manager
Bob Brown, Community Development Director
Andy Preston, Public Works Director
Dave Bernardi, Marin Builders Assoc-General Manager
(former San Rafael Director of Public Works, retired)
Tom Bertrand, Esq.
(Counsel to City in Kerner Blvd. LLC v. City of San Rafael litigation)

CITY OF SAN RAFAEL, CALIFORNIA
DEPARTMENT OF PUBLIC WORKS

INTERDEPARTMENTAL MEMORANDUM

TO: LINDA JACKSON
PRINCIPAL PLANNER

DATE: 3/30/04

FROM: ANDREW PRESTON *Andy*
PUBLIC WORKS DIRECTOR

FILE NO: 13.02.13

SUBJECT: BRET HARTE, PICNIC VALLEY AND GERSTLE PARK
DRAINAGE ISSUES

Over the past 20 years, we have made enormous strides in reducing the frequency of flooding in the low lying areas of the three subject neighborhoods. At the beginning of the previous General Plan 2000 streets in all these neighborhoods flooded on a regular basis, and many of them almost every time it rained. We have expended over \$12 million during this time and alleviated much of the frequency of flooding. Streets that were always inundated with flooding were:

- o Francisco Blvd. West
- o DuBois Street
- o Duffy Place
- o Irwin Street
- o DeLuca Place
- o Lovell Avenue
- o Woodland Avenue
- o Bret Avenue
- o Jordan Street
- o Albert Park Lane
- o Woodland Place
- o Warner Court
- o Mariposa Road
- o Lindaro Street
- o B Street
- o C Street
- o Taylor Street
- o Elford Street
- o Willow Street
- o First Street
- o Treanor Street
- o D Street
- o Second Street

RECEIVED

APR - 2 2004

CITY OF SAN RAFAEL
PLANNING

Virtually all of the regular flooding has been reduced in these areas due to storm drainage improvements that have been constructed. Even though we have made these improvements, it must be noted that all of these aforementioned streets lie within the FEMA flood zones. If you refer to the flood zone maps, you will note that these areas are subject to flooding from one to three feet deep in the 100-year event. Even though we have been successful in reducing the

frequency of flooding, the property owners should still expect that flooding will occur at certain times.

The area around C Street, Treanor, First Street and B Street is one of the low lying areas adjacent to Mahon Creek. Mahon Creek is subject to tidal action. The area is subject to flooding when the three elements comprised of high tides, wind surge, and intense rainfall occur at the same time. When all of these elements occur, flooding is inevitable in these areas. As part of our improvements, we installed a new storm drain system on C Street, north of Treanor, which has significantly reduced the flooding in this area. This previously was the lowest lying area on C Street and subject to the highest flooding problem. In fact, if you were to talk to Maureen Zeuss, who lives at 612 C Street, she will inform you that the situation has been improved at least 90% and that in the past six or so years there has only been one or two occasions where her property has been subject to high water.

On the south side of C Street at Treanor, the catch basins drain directly into the storm drain culvert that crosses under C Street at Treanor. During major storm events, the box culvert is surcharged with storm water so the catch basins in C Street cannot drain until the water level recedes. This causes minor flooding in the area of C Street, directly south of Treanor. We have spent many years trying to develop corrective measures, but have been unable to develop a solution. This is an area that will always be subject to flooding and, unfortunately, one that we cannot do anything about.

AJP:dw

This page intentionally left blank.

V. COMMUNITY DESIGN ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PH-44	CD-1c	Define "finer grain design qualities"	Response: The policy language itself describes this as "more detailed design qualities and elements". The policy title is an attempt at a brief summarization of this statement. Staff cannot find alternate wording that isn't architectural or planning jargon.	Edit: Add a new implementing program for CD-1: CDJ-x. Landscape Improvement. Recognize that landscaping is a critical design component. <u>Encourage maximum use of available landscape area to create visual interest and foster sense of the natural environment in new and existing developments.</u> <u>Encourage the use of a variety of site appropriate plant materials.</u>
PC 4/27/04 7/8/04	CD-1e (suggested new program)	Add policy addressing the need for more and better landscaping in San Rafael.	Response: The current design review process for single-family dwellings only requires review of second story additions and new two-story homes since these have the greatest impact on neighborhood scale and privacy. Considering changes to the design review process to allow evaluation of ground-floor additions and renovations would substantially increase staff workload and public noticing. Such changes would require careful consideration as a future program, which is also recommended.	See also recommendation under CD-20X below.
120-1 PC 4/27/04 PH-134	CD-3 (Neighborhoods)	Suggest amending the last line of the policy. "Develop programs to ensure that new structures including additions and renovations fit within the context and normal average scale of housing and the built environment in of existing neighborhoods."	Edit: Revise as shown. CD-3. Neighborhoods. Recognize, preserve and enhance the positive qualities that give neighborhoods their unique identities, while also allowing flexibility for innovative design. Develop programs to ensure <u>encourage and respect</u> that new structures fit within the context and scale of existing neighborhoods.	CD-3a. Design Review Process. Consider ways to perform limited design review for major ground floor additions and renovations to <u>assure compatibility with surroundings</u> structures .

V. COMMUNITY DESIGN ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PC 4/27/04	CD-3b (Development Standards)	Add "design impact".		Edit: Revise as shown. CD-3b. Development Standards. Reexamine residential development standards to address building size, setback, height, location of parking and landscaping and design impact.
PC 4/27/04 138-7	CD-5 (Views)	If a view "preservation perspective" is adopted, then any development can be contested as in conflict with the General Plan.	Response: The comment relates to discussion at the March 23 Planning Commission meeting where qualifying language of protecting reviews "where desirable" was suggested for elimination. As staff pointed out, removing such language makes view preservation mandatory and paramount over other policies and objectives. Proposed edits were suggested by the Planning Commission.	Edit: Revise as shown. CD-5. Views. Preserve and enhance where desirable to the greatest extent possible views of the Bay and its islands, Bay wetlands, St. Raphael's church bell tower, Canalfront, marinas, Mt. Tamalpais, Marin Civic Center and hills and ridgelines from public streets, and parks, and publicly accessible pathways.
120-2 <u>PH-134</u>	CD-11 (Nonresidential Design Guidelines)	Suggested edit: "Develop design guidelines to ensure that new mixed use and nonresidential development fits within the scale and character of the immediate neighborhood, and improves the neighborhood and community as a whole."	Response: Future design guidelines should address mixed use development. Requiring mixed use development to emulate the scale of surrounding residential neighborhoods may not be realistic, just as the scale of commercial buildings tends to be different than nearby homes since they tend to be more horizontal and in some cases taller than residential structures.	Edit: Revise as shown. CD-11. Nonresidential Design Guidelines. Recognize, preserve and enhance the design elements that contribute to the economic vitality of commercial areas. Develop design guidelines to ensure that new nonresidential and mixed-use development fits within and improves the immediate neighborhood and the community as a whole.
144-3	P. 136. Transportation Corridors	Point San Pedro Road is not mentioned as a Transportation corridor yet is identified in Exhibit 16.		Edit: Revise as shown. San Rafael's transportation corridors are where most people develop their impression of the City. A well-designed corridor should be inviting, attractive and appear visually organized. A corridor's character should be of native landscaping, a prosperous commercial street, or a groomed neighborhood passageway. Some of San Rafael's major corridors are the freeways, Second and Third Streets in the Downtown, Lincoln Avenue and Redwood Highway, Pt. San Pedro Road, Miracle Mile and the roadways that connect San Rafael to neighboring communities.
Comm. Kirchman	CD-16 (Participation in Project Review)	Add references to other implementing programs		Edit: See EV-20a (Pre-Submittal Process), G-7a (Review of Facilities Proposed by Other Agencies), I-5a (Design Review), and H-4a (Neighborhood Meetings).

V. COMMUNITY DESIGN ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
<p>PC 4/27/04</p>	<p>CD-16a (Notification and Information about Development Projects)</p>	<p>Recommendation to incorporate the old G-7a.</p>		<p>Edit: Revise as shown. CD-16a. Notification and Information about Development Projects. Continue to enhance San Rafael's public notification and neighborhood meeting process to encourage early participation in the review of projects. Create succinct and understandable written handouts to guide property owners, designers, residents and business owners through the City submittal, review and approval processes. Provide early notification and require neighborhood meeting early in the review process for proposed projects. Include Continue notifying neighborhood and homeowner associations about proposed projects in nearby nonresidential areas. Evaluate the adequacy of notification procedures and enhance as needed. For example, consider requiring notification of non-owner occupants and requiring large on-site visible notice of projects under review. and for projects under construction, with contact information.</p> <p>Responsibility: Community Development Timeframe: Ongoing; Short Term (project #reevaluation of notification process) Resources: Staff Time, Fees</p>
<p>PH-44</p>	<p>CD-17 (Property Maintenance)</p>	<p>Suggested adding a program to develop a heritage tree ordinance.</p>	<p>Response: The City Council considered a tree preservation ordinance in the early 1990's. The Council did not adopt an ordinance due to strong opposition from residents, particularly in the hillsides, wishing to preserve views. Staff does not recommend reconsideration of a preservation ordinance since these two interests remain diametrically opposed. Implementation of a preservation ordinance would also require a substantial increase in staffing levels to inspect trees proposed for removal, review arborist reports and perform field enforcement.</p>	<p>Edit: Add references to Programs NH-4a, 4b and 4c.</p>
<p>PC 1/27/04, 3-1, 67-1, PH-26, PH-34</p>	<p>CD-20 (Street Trees)</p>	<p>Relocate street trees policies from CD-20 to I-7x.</p>		<p>Relocate policies/programs to I-7X: Relocate policy/programs CD-20 (Street Trees), CD-20a (Street Tree Program), CD-20b (Street Trees for New Development), and CD-20c (Street Tree Maintenance) related to street trees from the Community Design Element to the Infrastructure Element.</p>

V. COMMUNITY DESIGN ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
<p>PC 2/10/04 1-1 5-1 8-1 14-1 39-1 PH-26 PH-40 PH-42 PH-44 PC 4/27/04</p>	<p>CD-20c (Street Tree Maintenance)</p>	<p>Be clear about the potential impacts to property owners of increasing the responsibility of maintaining street trees. Wants to avoid unintended consequences of property owners removing street trees</p>	<p>Response: It is premature to speculate what this ordinance will require. However, the Public Works Director has emphatically affirmed that the Public Works Department will not abdicate its responsibility for assuring continued maintenance and replacement of the City's street trees. Recommend deleting last sentence of policy.</p>	<p>Edit: Revise as shown. (See also I-7x Urban Forest.) CD-20c. Street Tree Maintenance. Seek diversified funding sources for street tree maintenance and replacement. Consider an ordinance placing greater responsibilities on property owners for maintenance and replacement of street trees. Add reference to Program I-6c.</p>
<p>7/8/04</p>	<p>New Landscape policy (to replace CD-20)</p>	<p>Add a new general Landscaping policy, comparable to Street Tree policy (which has been relocated to the Infrastructure Element).</p>	<p>Response: Staff recommends that the new overall policy about landscaping be added. The second sentence has specific information that is better included in the implementing program that is derived from the recommendation for CD-1e above.</p>	<p>Edit: Add the a new landscaping policy and program below to replace CD-20 (Street Trees) that will be relocated to the Infrastructure Element. CD-X. Landscaping. Recognize the unique contribution provided by landscaping, and make it a significant component of all site design. CD-Xa. Zoning Regulations for Landscaping. Evaluate and amend as necessary, the <u>Zoning Ordinance's</u> landscaping provisions to promote development with a strongly landscaped character. The intent is that individual neighborhood character be developed and maintained, architecture be softened by plant materials where appropriate, conflicting uses be buffered, parking areas be screened, comfortable outdoor living and walking spaces be created, air pollution be mitigated and developments be made water efficient through the use of a variety of site-appropriate plant materials. Responsibility: Community Development Timeframe: Short Term Resources: Staff Time</p>
<p>Staff</p>	<p>CD-21 (Lighting)</p>	<p>Development consistent with the <i>Draft General Plan 2020</i> could create new sources of light or glare and increase nighttime lighting in the area.</p>	<p>Response: In order to minimize light trespass and greater overall light levels in the city, new development and projects making significant parking lot improvements or proposing new lighting shall be required to prepare a lighting plan for review by City planning staff.</p>	<p>Add program as follows: CD-21b. Lighting Plan. Require new development and projects making significant parking lot improvements or proposing new lighting to prepare a lighting plan for review by City planning staff. Responsibility: Community Development Timeframe: Short Term Resources: Staff Time</p>

V. COMMUNITY DESIGN ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
138-8 PH-120	CD-22a (Sign Ordinance)	Language needs to be clarified. What are the “cumulative effects” of signage along a roadway or corridor? Could a new business be denied a sign due to the amount of existing signage in the area?	Response: The program states that the cumulative, visual effects of signage on a block or corridor should be considered in establishing or revising sign regulations. This was done in the recent update of the sign ordinance. It does not suggest that sign allowances on any given property should be based on the amount or number of signs on nearby properties.	
PC 4/27/04 7/8/04	CD-23 (Parking Lot Landscaping)	Revise policy to address shade and height of shrubs.		<p>Edit:</p> <p>CD-23 Parking Lot Landscaping. Provide parking lot landscaping to control heat build-up from pavement, reduce air pollution, provide shade cover for vehicles and soften the appearance of the parking lot. Emphasize the use of trees, and limit the height of shrub plantings so as to avoid creating security problems.</p>
7/8/04	CD-23a Parking Lot Landscaping	Revise program to list requirements.		<p>Edit:</p> <p>CD-23a Parking Lot Landscaping Requirements. Update parking lot landscape requirements to increase the screening of parking lots from the street and nearby properties. Requirements would address appropriate size and location of landscaping, necessary screening consistent with security considerations, tree protection measures, and appropriate percent of shade coverage required of parking lot trees. Include maintenance requirements in all approvals. Increase tree protection measure and consider appropriate tree planting.</p>
7/8/04	CD-23b Parking Lot Landscaping Enforcement.	Add new program to enforce landscaping requirements.		<p>Edit:</p> <p>CD-23b. Parking Lot Landscape Enforcement. Require that newly installed parking lot landscaping be maintained and replaced as needed. Assure that landscaping is thriving prior to expiration of the required 2-year maintenance bond. _____ Responsibility: Community Development _____ Timeframe: Ongoing _____ Resources: Staff Time</p>

This page intentionally left blank.

VI. ECONOMIC VITALITY ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
127-1	Economic Vitality Element	If the General Plan Elements are changed, Canalways can help San Rafael produce a healthier economy.	Response: See responses in the Neighborhood Element, NH-82.	
152-1	EV-2 (Seek, Retain, and promote Businesses that Enhance San Rafael)	Suggestion to add program: EV-2x. Business Recruitment. Coordinate the City's business recruitment program and policies with the County's efforts.	Response: Already covered in Program EV-5a (Marin County Economic Commission).	
PC 4/27/04	EV-2 (Seek, Retain, and promote Businesses that Enhance San Rafael)	Suggestion to add program EV-2x. Provide an incentive, such as a reduction in fees, for the property owner to redevelop the property if there is a higher and better use.	Response: It has been the policy of the City Council to waive fees only for City priorities of affordable housing and day care. Staff believes it would be very difficult to define redevelopment which constitutes a "higher and better use", which is often in the eyes of the beholder.	
PC 4/27/04	EV-4. (Local Economic and Community Impacts)	Suggested edit "Impacts on the community such as the provision of high-paying jobs for the local workforce...."		<p>Edit: Revise as follows:</p> <p>EV-4. Local Economic and Community Impacts. In addition to review of environmental, traffic and community design impacts, take the following into account when major projects, policies and land use decisions are under review:</p> <ul style="list-style-type: none"> • Fiscal impacts on the City's ability to provide and maintain infrastructure and services. • Impacts on the community such as the provision of high-paying jobs for which match the local workforce, commute reduction proposals, and affordable housing. • Additional or unique economic, fiscal and job-related impacts. • Fiscal and community impacts of not approving a project, plan or policy.
152-2	EV-7 (Environmentally-Friendly Business Practices)	Suggestion for additional program: Green Business Certification. Promote and participate in the County's Green Business Certification Program.		<p>Edit: Revise as follows:</p> <p>EV-7a. Green Business Practices. Coordinate with Marin County, environmental organizations and the Chamber of Commerce to promote green business practices (alternate transportation modes, energy conservation, water conservation, packaging reduction, etc.) and the County's Green Business Certification Program.</p>

VI. ECONOMIC VITALITY ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
152-3	EV-8b (Day Laborers)	Suggestion to expand the program description to make reference to the need for the City to identify and partner with a non-profit agency to actually implement a day laborer employment center.	Response: State law precludes the expenditure of City funds for a day laborer center unless all users of the center have legal immigration status.	
PC 4/27/04	EV-10a (City internships and mentoring)	Suggested edit "...including cooperation with religious and other non-profit organizations "		Edit: Revise as follows: EV-10a. City internships and mentoring. Continue to participate in mentoring and internship programs, including cooperation with religious and other agencies and non-profit organizations.
152-4	Goal 10 (Distinctive Business Areas)	It seems appropriate to include or add West End Village to the list of areas.	Response: The West End Village is included in the "Downtown area", which stretches from 101 and the Hetherton District to the "Y" at Fourth and Second Streets, as shown in the Neighborhoods Map. The Commission recommends that a map be added to the Neighborhoods Element to show the different Downtown Districts. However, the Miracle Mile area should be included, as an extension of the West End Village.	Edit: Revise as follows: It is the goal for San Rafael to have vital and attractive business areas, each with a distinctive character and emphasis. San Rafael has a broad spectrum of businesses. The business areas within Downtown, North San Rafael, East San Rafael and , West Francisco Boulevard and the Miracle Mile maintain the community's position as a full service city. In addition to these districts, there are distinct, attractive and convenient neighborhood serving retail centers. Each of these areas has a unique economic role that contributes to and helps maintain San Rafael's position as a full service city: <ul style="list-style-type: none"> • Downtown and the surrounding core area set the tone of the city. • North San Rafael offers the City's largest employers, Kaiser Hospital, and light industry and offices areas and the City's only regional mall. • East San Rafael houses the building industry, auto retail and repair businesses, and offices. • West Francisco Boulevard includes retail with convenient freeway access, auto sales and services, and the building trades. • The Miracle Mile (Fourth Street between Second Street and San Anselmo) comprises a linear commercial corridor oriented towards a major thoroughfare with retail, restaurant and personal service uses.

VI. ECONOMIC VITALITY ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
152-5	EV-15 (Business Areas)	Something is missing in the first bullet point. Should the thrust of the statement be to ensure that the supply of parking is managed as well as its operations? Some clarification is necessary.	Response: Edit made. In addition, the Commission recommended that the names of the areas be deleted, as they are described in the section above.	<p>EV-15. Business Areas. Promote San Rafael's economy and the strengths and benefits of all of its business areas (Downtown, North San Rafael, East San Rafael, West Francisco Boulevard, the Miracle Mile).</p> <p>Pursue actions that revitalize and sustain San Rafael's business areas such as:</p> <ul style="list-style-type: none"> ● Planning and managing the supply and operations and of parking. ● Beautification efforts along City public areas, such as installation and maintenance of planters, street trees, and lighting. ● Housing and economic development. Multi-modal circulation improvements for residents, workers, suppliers and customers.
152-6	EV-15a (Zoning Regulations)	Suggest to cross reference the Neighborhoods Element for the various business areas (i.e., Downtown, West End Village, Francisco Blvd. West, North San Rafael Commercial Center, and the Canal Waterfront..		<p>Edit: Revise as follows: See C-14a (Transit Network), C-30 (Downtown Parking), CD-20a (Street Tree Program), LU-2a (Development Review), and H-23b (Zoning Standards to Encourage Mixed Use), NH-10 (Neighborhood Centers), NH-10x (Needed Neighborhood Serving Uses) and Neighborhood Element policies related to the specific commercial areas.</p>

This page intentionally left blank.

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
General	Major Arterial	LSRHNA opposes any attempt to re-define Lincoln Ave. as a major traffic artery.	Response: Lincoln Avenue is a major roadway in San Rafael as San Rafael's local north/south connector between Central and North San Rafael, and an alternative to Highway 101. The roadway carries between 13,000 and 24,000 vehicles per day between the southbound 101 offramp at Hammondale, and Second Street.	
7/8/04	Page 155 Overview of Key Recommendations	Revise first bullet		Edit: <ul style="list-style-type: none"> A greater City leadership role in the pursuit of regional transportation funding, planning and improvement strategies, with strong advocacy for passage of a transportation sales-tax to help fund County-local transit, roadway and highway projects.
PH-95	Page 155 Overview of Key Recommendations	Under the Overview of Key Recommendations, move up the bullet pertaining to Bicycle and Pedestrian Plan.	Response: No change recommended.	
PC 3/9/04	Page 155 Overview of Key Recommendations	Revise the second sentence under Overview of Key Recommendations to expand on the land use policy approach.		Edit: revise as shown: San Rafael's key circulation improvement strategy is to create as safe and well managed transportation network that provides greater choice for the traveler and limits, or even reduces, congestion on our roads. Various roadway improvements, improved regional and local transit, expanded bicycle and pedestrian networks, and improved connections between the different modes will help to lessen reliance on the single occupancy vehicle and reduce emissions. Additionally, Land Use and Housing policies supporting mixed use development, higher densities around transit hubs, and retention of neighborhood retail and services will further promote transit use and help reduce new trips.
188-2	Page 156 Introduction/ Overview	The bullet point on implementation of the bike/ped plan be revised to read: "Full implementation of the <i>San Rafael Bicycle and Pedestrian Master Plan</i> to provide a <i>complete</i> bikeway, pathway and <i>sidewalk</i> network."		Edit bullet on page 156: Implementation of the <i>San Rafael Bicycle and Pedestrian master Plan</i> to provide an expanded bikeway and pathway -sidewalk networks and greater overall support for biking and walking.
PH-137	Page 156	Why are traffic mitigation equated to only a few circulation Improvements in regard to page 156?	Response: The list on page 155-56 is a partial listing of the circulation improvements proposed in the draft <i>Plan</i> . A more detailed list of physical improvements is in Exhibit 19, page 169.	

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PH-111	Page 158	Traffic calming may have been successful, but not in Gerstle Park neighborhood.	<p>Response: The Traffic Coordinating Committee reviewed several requests from Gerstle Park Neighborhood for traffic calming improvements. As the traffic conditions did not meet the necessary warrants, the improvements were not implemented. Given the success of the program in areas where improvements have been installed, staff recommends retaining the policies, programs and references to Traffic Calming Program.</p>	
188-3	Roadway Improvements, page 159	It is unclear how increasing connections between neighborhoods for automobiles will mitigate the impact of regional traffic on those neighborhoods. Rather, as a means to decrease the impact of regional traffic spill-over onto neighborhood streets, focus on and expand the language in this section that emphasizes the importance of traffic calming in areas where neighborhoods interface with regional traffic routes such as freeway interchanges.	<p>Response: The paragraph does not advocate for neighborhood connections to carry regional traffic. Connections between neighborhoods, such as the Lincoln/Los Ranchitos connector, and the Andersen Drive provide residents alternatives to highway 101. Traffic calming is described as a way to address cut-through traffic. Policy C-25 (Meeting Local Circulation Needs Around Highway Interchanges) speaks to planning for pedestrian, bicycle and drop-off access near the 580/101 interchange. No change recommended.</p> <p>For clarification about San Rafael's roadways, include a map of Major and Minor Arterials</p>	<p>Edit: Add a map showing San Rafael's Major and Minor Arterials</p>
PH-103	Page 159	Include "status of bus services" to include the current conditions of Golden Gate Transit. Also, make reference to C-14a supporting local transit tax.	<p>Response: Information about recent cuts to transit service is included in the EIR, and can be inserted at the end of the discussion under "Bus."</p> <p>Reference to the program is not recommended. This section is a brief overview of different transit services, and the reader is referred to the relevant goals that follow.</p>	<p>Edit: Insert the following information from the DEIR: The Transit Authority of Marin and Golden Gate Bridge, Highway and Transportation District provide local and regional bus service, with connection to surrounding neighborhoods, communities and counties. On November 2, 2003, the Golden Gate Transit (GGT) bus system cut back services due to a severe financial shortfall of \$13 million, resulting in a 22 percent reduction of service overall. In San Rafael, ferry connector service was eliminated as well as other local service. A month later, due to peak hour overcrowding, some services were restored for Route 35 in the Canal Neighborhood, and between San Rafael and San Anselmo. Cuts systemwide were primarily to low ridership routes. The results were that, for weekday, 1.7 percent of passenger trips had no service alternative, and 26.1 percent of passenger trips had a route segment eliminated, but had alternative and comparable service available. For 15.8 percent of weekday passenger trips, headways (amount of time between buses) increased 30 minutes to one-hour. Also systemwide, cuts were more severe on the weekends, with 2.1 percent of passenger trips having no service alternative, and 36.6 percent of passenger trips having a route segment eliminated, but with alternative and comparable service available. For 14.0 percent of weekend passenger trips, headways increased 30 minutes to one-hour.</p>

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
188-4	Bicycling and Pedestrian Facilities, page 160	Revise the language “expanded bikeway network” to read “complete bikeway network” to reaffirm the plan’s commitment to fully implementing the Bicycle and Pedestrian Plan.	Response: This section is background on various circulation topics, and not a summary of policy statements. The City’s commitment is described in the goal and policies supporting implementation of the City’s adopted bike/ped plan. No change recommended	
188-5	Parking Facilities, page 160	Discussions of parking should include provisions for alternative modes such as bicycling and recognize the importance of bicycle parking as a part of the solution to our ongoing automobile problems.		Edit text about parking on page 160: Bicycle parking should be secure, visible and convenient. There is inadequate bike parking on busy commercial roads such as Fourth Street, at the Transportation Center, at shopping and employment centers, and at public parks and recreation centers.
PC 3/9/04	Page 164	Add reference to PSP and change “more flexibility” to better reflect policy direction.		Edit: Revise as shown: ...Much of the City is approaching the LOS standards limit for many intersections, and the standards have been exceeded in some locations. More flexibility is needed in applying the standards to allow for limited development will provide desired public benefits. In order to encourage development that would meet San Rafael’s housing and economic vitality goals, even in congested areas, City policy allows for evaluation of projects that exceed LOS standards. Also Since 1988, the City has administered a program called the Priority Projects Procedure (PPP) that allocated development in portions of North and East San Rafael based on traffic capacity. Land Use policy LU-3 (Project Selection Process) plan policies and programs will expand and modify the PPP program in order to allocate growth citywide and to remove the parcel-specific trip allocations. This approach is further described in the Land Use Element (Policy LU-3). Together, (the LOS standards and Project Selection Process provide the City with two powerful tools to ensure that future growth serves San Rafael well.
PC 3/9/04	Page 164	Add Side bar regarding LOS.		Edit. Insert the following description of LOS in a text box next to policy C-5 Level of Service Standards: What is Level of Service? <ul style="list-style-type: none"> ▪ Level of service (LOS) is a tool to measure operation conditions and congestion levels ▪ The LOS criteria and thresholds are different between unsignalized and signalized intersections, and arterials ▪ For unsignalized and signalized intersections, LOS is an indication of seconds of delay ▪ For arterial segments, LOS is an indication of travel speed and delay at intersections ▪ The LOS are usually ranked from A to F ▪ Los A is the least delay and LOS F is the most delay
PC 3/9/04	Circulation Goals	In order to clarify the	Response: The Steering Committee discussed at length the various modes of transportation, including expected improvements vs. the	

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
<p>188-6 188-1 188-7 PH-96 PH-130</p>		<p>hierarchy of user safety needs, we request that San Rafael state a policy that recognizes pedestrians and cyclists (in that order) as the most vulnerable roadway users and establishes priorities for mitigation accordingly. Reorganize order of goals: Leadership, Walking, Biking, Mobility for All, Connections, Safe and Efficient, Parking</p>	<p>investments required, the impacts of the modes on the safety and efficiency of each other, and the desired outcomes of improvements in the context of the overall issue of traffic congestion. Not surprisingly, given the importance of mobility in the community, the Circulation Element has seven goals, more than any other element. As policies were drafted and organized (and reorganized) the framework of the Element took a coherent shape, and the goals were organized thusly:</p> <ul style="list-style-type: none"> • Leadership. Because San Rafael is the largest city in Marin, located at the crossroads of two highways, and because traffic is the number one issue in the community, recognize first the crucial role the City has in promoting in Marin County, the North Bay and the Bay Area improvements that will help with regional auto congestion. • Mobility for All. Accepting that most trips are taken by car, develop a circulation system that is more inclusive of other modes of transportation. This goal covers the LOS standards, improvements for all modes, encouraging alternatives to the car, and improving transit. • Safe and Efficient Street System. This goal focuses on traffic calming and roadway design. • Connections. Policies address non-auto connections between neighborhoods. • Bikeways. This goal references the recently-adopted Bicycle/Pedestrian Master Plan. • Pedestrians. This goal also references the Master Plan. • Parking. Policies addressing the Downtown Parking District and neighborhood parking issues are included here. <p>The Steering Committee did not organize the policies by individual modes (pedestrian, bike, transit and car) but instead took a more integrated approach. Reorganizing by mode would affect the original framework of the Element, and could mean additional editing, depending on the Commission's direction. For example, should all the bicycle policies be in one location? Should transit policies be placed under their own goal? One Steering Committee member has suggested that the goals could also be reorganized in this way:</p> <ol style="list-style-type: none"> 1. Leadership 2. Mobility 3. Bikeways 4. Pedestrians 5. Safe and Efficient Streets 6. Connections 7. Parking <p>This would flow from the "Mobility for All Users" goal by acknowledging that those of pre- and post- driving age still need to be able to get around safely.</p> <p>Finally, staff notes that although there was consensus to raise the</p>	

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation																
			profile of modes other than cars, there was no agreement that bike improvements were more important than pedestrian or transit improvements. The Planning Commission recommends retaining the original organization of the goals, or, if the goals are reorganized, placing the pedestrian mode before bicycles as walking is the most universal of modes. Additional editing may be needed if the goals are organized to ensure a logical flow to the Element's topics.																	
188-6	Goal 13: Mobility For All Users	The introduction to this section may condone and suggest continued accommodation of single occupancy vehicles. The plan should emphasize the environmental, health and safety dangers of an SOV-dependant transportation system and thus the acute need for a shift away from SOVs.	Response: The goal and policies address issues related to the primary mode of circulation: the car. Note that the Steering Committee intentionally addressed the topic of mobility choices in its policies under 'Expanding Alternatives to the "SOV"': No change recommended.																	
PC 3/9/04	C-2a (Local Transportation Tax)	Provide information regarding the pending Marin County sales tax measure, and explain the regional and local improvements that would be funded.	Response: Program C-2a (Local Transportation Tax) refers to ongoing efforts by the Marin County Congestion Management Agency to achieve self-help status for Marin County, and thus access to State and Federal matching funds for transportation projects. The Congestion Management Agency released the draft <i>Marin County Transportation Sales Tax Expenditure Plan</i> this spring. The Plan includes four strategies: <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th style="text-align: center;">Strategy</th> <th style="text-align: center;">%</th> <th style="text-align: center;">Est. 20-year Revenue</th> <th style="text-align: center;">Example Projects*</th> </tr> </thead> <tbody> <tr> <td>1. Develop a seamless local transit system that improves mobility and serves community needs.</td> <td style="text-align: center;">60%</td> <td style="text-align: center;">\$165.0 M</td> <td>Local transit Transit services for those with special needs</td> </tr> <tr> <td>2. Ensure timely completion of the Highway 101 Gap Closure Project</td> <td style="text-align: center;">9%</td> <td style="text-align: center;">\$24.75 M</td> <td>HOV lanes Landscaping Soundwall reflective noise reduction</td> </tr> <tr> <td>3. Improve and maintain Marin County's local transportation</td> <td style="text-align: center;">22%</td> <td style="text-align: center;">\$60.5 M</td> <td>Maintain roadways and bikeways Safe paths to</td> </tr> </tbody> </table>	Strategy	%	Est. 20-year Revenue	Example Projects*	1. Develop a seamless local transit system that improves mobility and serves community needs.	60%	\$165.0 M	Local transit Transit services for those with special needs	2. Ensure timely completion of the Highway 101 Gap Closure Project	9%	\$24.75 M	HOV lanes Landscaping Soundwall reflective noise reduction	3. Improve and maintain Marin County's local transportation	22%	\$60.5 M	Maintain roadways and bikeways Safe paths to	
Strategy	%	Est. 20-year Revenue	Example Projects*																	
1. Develop a seamless local transit system that improves mobility and serves community needs.	60%	\$165.0 M	Local transit Transit services for those with special needs																	
2. Ensure timely completion of the Highway 101 Gap Closure Project	9%	\$24.75 M	HOV lanes Landscaping Soundwall reflective noise reduction																	
3. Improve and maintain Marin County's local transportation	22%	\$60.5 M	Maintain roadways and bikeways Safe paths to																	

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response				Recommendation
			infrastructure			school	
PH-103	C-2a (Local Transportation Tax)	Amend language to reflect support to meet local service needs.	<p>4. Reduce school related congestion and provide safer access to schools.</p> <p>* A complete listing of proposed projects are included in the <i>Sales Tax Expenditure Plan</i>.</p> <p>As used in the program "local" refers to a countywide funding source, which would be used, in part, to improve circulation in San Rafael. No change recommended.</p>	9%	\$24.75 M	Safe Routes to School	Edit: Revise Program C-2a (Local Transportation Tax) as shown: To provide a dedicated funding source for needed local transportation improvements, work effectively for the passage of a local -Marin County transportation tax through public education, City endorsement and other means.
63-1 82-2 84-4 94-1 105-1 124-1 PH-102 PH-123	C-4 (Safe Roadway Design)	<p>Policy allows City Council to exempt an intersection from the applicable intersection LOS for circulation improvement and public safety.</p> <p>Any required degradation of Third and Union from LOS D to E must identify an exception for safety reasons only and categorically preclude the use of LOS E for permitting the addition of traffic trips.</p> <p>Consider safety improvements to Union and Third intersection such as a pedestrian overcrossing rather than downgrading the LOS. Safety changes at Third and Union are vital for the safety of both drivers and pedestrians and particularly, the hundreds of students that use this intersection. Full agreement with proposed changes by Traffic Engineering Dept.</p> <p>A petition signed by residents of Aldersly and the Commons</p>	<p>Response: The Steering Committee found that, when promoting pedestrian and bicycle modes and mixed use development, (policies intended to preserve the neighborhoods and reduce car traffic), certain improvements are needed to ensure public safety. For example, the Public Works Department is designing roadway improvements at Third and Union to improve pedestrian safety and traffic flow.</p> <p>Some roadway improvements to improve bicycle and pedestrian access and/or safety could cause an intersection LOS to decline below the LOS standard. Using the same example, the intersection LOS at Third and Union is projected to decline to LOS E, in part because of the high number of pedestrians crossing Third Street and the need to provide longer intersection timing for pedestrian crossings.</p> <p>Policy C-4 would apply in this situation, as the City Council would need to exempt the intersection from LOS standards and approve the intersection capital project, since the improvements are needed to improve the safety of pedestrians, as well as to improve traffic flow for cars turning onto Union or out of Montecito Shopping Center. However, the intent of the policy is not to exempt such an intersection from <i>any</i> LOS standards. The Commission recommends that an implementation program be added so that an appropriate LOS standard would be set when Council makes an exemption pursuant to this policy.</p> <p>Regarding the pedestrian overcrossing option, the cost due to ADA requirements (an elevator would be needed for handicapped access) is prohibitive compared with the planned intersection improvements. Additionally, an overcrossing would not improve the current delays out of Montecito Shopping Center and turning left onto Union Street. No changes recommended.</p>				Edit: Add a new implementing program for policy C-4: C-4a. Appropriate LOS Standards. At the time City Council approves a roadway improvement and safety exemption from the applicable LOS standard, the appropriate LOS will be established for the intersection.

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
		was submitted requesting improved safety conditions at the 3 rd and Union Streets intersection to enhance the life of elderly residents of San Rafael.		
PH-95	C-4 (Safe Roadway Design)	Recommend training for City employees in successful methods used in other jurisdictions to integrate bicycle and pedestrian designs into projects.	<i>Response:</i> San Rafael's Traffic Engineers are licensed professionals with extensive training in safely incorporating pedestrians and bicyclists into roadway design. The City funds annual required professional training necessary to maintain the professional license. No change recommended.	
PC 3/9/04 PH-95 PH-130 188-8	C-4b (Street Design Criteria to Support Alternative Modes)	Remove the language "As feasible" from this section. As suggested above, for safety reasons every roadway project should be built according to design criteria that protect the most endangered users of the public right of way.	<i>Response:</i> Roadway design is subject to State traffic engineering standards. Alternative wording is recommended.	Edit: Establish street design criteria to the extent permitted by State law to support alternative transportation modes to better meet user needs and minimize conflicts between competing modes.
188-9 PH-130	C-5. Traffic Level of Service Standards	Level of Service is an established automobile traffic engineering tool. Until recently, similar tools did not exist for non-motorized users. However, methods such as the Bicycle Compatibility Index and the Bicycle Level of Service have been developed in order to assess a roadway's performance with regard to bicycle user safety and comfort. Include language that will lead to an adoption of a Bicycle Level of Service methodology and accompanying standards for bike LOS.	<i>Response:</i> The Traffic Engineer notes that the Highway Capacity Manual introduced a bicycle LOS in 2000, however, the standards have not been widely used by traffic engineering professional due to serious limitations. The bicycle LOS analysis, which is a measurement for how a bike facility operation, is not the same as used for intersection LOS analysis. The data required for a bike LOS is not available with the City's current traffic model system and methodology. In addition, the bike LOS methodology has significant limitations and does not give an accurate account of impacts to a bicycle facility. For example, it does not account for bicycle path or lane width reductions due to fixed objects (such as a street light) adjacent to these facilities, which is a common problem in San Rafael. In addition, the method does not account for right-turning vehicles crossing bicycles lanes at intersection or mid-block locations, and there is no consideration of grade. No change is recommended.	

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
15-1	C-5A.	Reconsider changing LOS for Irwin Street/Grand Avenue to E.	<i>Response:</i> The Steering Committee took into consideration several planning issues in drafting its recommendations for LOS standards:	
16-1	(Intersection LOS)	Future traffic congestion described in the plan is unacceptable.	Even with minimal local growth, traffic congestion will continue because this area is at the confluence of traffic from the Canal, East Francisco Blvd., Dominican, Montecito/Happy Valley, the Pt. San Pedro peninsula and Highway 101 congestion. The proposed LOS standards reflect the balance between allowing some economic development and new housing and maintaining traffic congestion limits.	
26-1		Lowering the LOS at Third/Union from D to E might suggest that this junction could accommodate the additional trips. This might encourage development east of Union.	In order to meet the community's desires to further encourage public transit, pedestrians, and bicyclists, LOS standards recognize that car traffic should move more slowly. LOS E, currently applicable in Downtown where there is a high concentration of commercial use and a mix of modes (walking, biking, transit and driving), is proposed for the area along Irwin, Grand and Third/Union in part because of the high volume of bus and pedestrian traffic. Pedestrians in this area use the Transportation Center, attend San Rafael High School, live in Rafael Commons (senior residences), visit the shops and restaurants in the area, or live in the Dominican, Montecito/Happy Valley and Canal neighborhoods. LOS E is consistent with the type of circulation activity on Irwin, Grand and Union Streets.	
28-1		There are more arterials to handle traffic West of 101 while East of 101 there are not.	The roadway pattern along Irwin, Grand and Third/Union is similar to the pattern on the west side of Highway 101: short block lengths and buildings built to the sidewalk. There are north/south roadways on both sides of 101, including Lincoln and Grand. However, Lincoln Avenue is a major arterial capable of handling more traffic than Grand, and there are two additional roadways south: Lindero and Francisco Blvd. West. Roadway network improvements to widen Second, Third, Irwin and/or Grand would be expensive and result in major changes to the character of these streets. LOS E is a standard that recognizes the desire to make limited improvements that will not substantially change the character of the area.	
56-1			An LOS D standard along Irwin, Grand and at Third/Union would eliminate opportunities for development east of Highway 101 that could provide more housing, better and/or more retail, office or recreational uses. In addition, the proposed Project Selection Process will provide the City a mechanism to evaluate and compare development proposals and their traffic impacts so that new development best meets San Rafael's needs.	
64-1			No change is recommended.	
81-1				
123-1				
PH-97				
PH-94				
PH-118				

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
43-1 PC 3/9/04	C-5B. Arterial LOS	Revise as suggested for clarity.		<p>Edit: Revise as shown. C-5 (B) Arterial LOS.</p> <p>The City Traffic Engineer in his discretion, may apply arterial level of service analysis as the primary method of analysis for any proposed development project. The City Traffic Engineer will make this determination based on intersection spacing and other characteristics of the roadway system where conditions are better predicted by arterial analysis. Where arterial LOS analysis is warranted, a proposed development must be consistent with the following arterial LOS standards. Where it is demonstrated that a project meets the arterial LOS standard as described below, the project shall be considered consistent with this policy, regardless of the intersection LOS. Where a project fails to meet the arterial LOS, the project is deemed not consistent with this policy.</p> <p>When arterial level of service is applied as the primary method of analysis for a proposed project, the project shall be deemed to be consistent with this policy if it is demonstrated that the arterial LOS standards described below are met regardless of the intersection LOS, or the project shall be deemed to be inconsistent with this policy if the arterial LOS standards are not met regardless of the intersection LOS.</p>
Staff	C-5B Arterial LOS	Revise the note re. LOS for arterials operating at LOS F. The Steering Committee's intention was to grandfather in those segments that operated below the LOS standard. While the focus was on those operating at LOS F, there is one segment at LOS E outside of Downtown that should be included as well. (see page VII.22 of the Response to General Plan 2020 Comments report).		<p>Edit: Revise as shown.</p> <p>b. Arterials operating at LOS E outside Downtown, and F (1) (1) For arterials operating at LOS E outside Downtown, and F as of the date of adoption of General Plan 2020, see Appendix C.</p>
122-1 PH-67	C-5B. Arterial LOS	Traffic at First Street between D and B Streets is a major issue. The congestion belongs at the intersections of Second and Third Streets and not in Gerstle Park. Language should be added to address that traffic situation.	<p><i>Response:</i> B, C and D Streets (and one block along First Street) are one-way streets in order to accommodate traffic on D Street/Wolfe Grade Road, and on Second and Third Streets. The Traffic Engineer recently modeled the conversion of the blocks to two-way traffic, and the results showed an increased backup on neighborhood streets. See also response to comments on C-7 Exhibit 19 below.</p> <p>No change is recommended.</p>	

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
43-1 PC 3/9/04	C-5B. Arterial LOS	Revise as suggested for clarity.		<p>Edit: Revise as shown. C-5 (B) Arterial LOS.</p> <p>The City Traffic Engineer may, in his discretion, apply arterial level of service analysis as the primary method of analysis for any proposed development project. The City Traffic Engineer will make this determination based on intersection spacing and other characteristics of the roadway system where conditions are better predicted by arterial analysis. Where arterial LOS analysis is warranted, a proposed development must be consistent with the following arterial LOS standards. Where it is demonstrated that a project meets the arterial LOS standard as described below, the project shall be considered consistent with this policy, regardless of the intersection LOS. Where a project fails to meet the arterial LOS, the project is deemed not consistent with this policy. If an intersection LOS is above or below the standard, the project shall be considered consistent with this policy if the arterial LOS is within the standard. The project will not be deemed consistent with this policy if the arterial LOS fails to meet the standard.</p> <p>Add map of roadway segments.</p>
84-3 PH-104 PH-106 PH-117	Travel times on Pt. San Pedro Road	It is impossible for a computer to reflect the experiences of the residents on Pt. San Pedro Rd. When schools are out the traffic decreases. Data can be manipulated if truck drivers are aware of the counts and travel a different route. The best-case scenarios for studies of traffic flows are being presented. The worst case scenarios including back up with accidents need to be addressed in the decision-making process.	<p>Response: San Rafael's traffic system analysis for intersections and roadway segments are for a typical weekday, and includes both "good" and "bad" days, following standard traffic engineering practices. Past comparisons of traffic model results with real-time conditions have shown that the model is reasonable. Traffic studies have shown that traffic reduces 20 – 25% when schools are on vacation. A worst case scenario would involve an accident that shuts down the highways and arterials, with every major roadway impacted. LOS standards do not apply to these extraordinary events.</p>	
Staff	C-5C Exemptions	Delete 'listed below' as there is no list included.		<p>Edit: Signalized intersections at highway 101 and Interstate 580 onramps and offramps listed below are exempt from LOS standards...</p>
PH-94 PH-112 32-1 32-2	C-5D	Discuss how policy C-5D and program C-5c will be implemented. Suggest deleting policy. Viewed as an invitation for further development without public input. For areas that cannot be fixed, control the implementing of	<p>Response: Policy C-5D (Evaluation of Project Merits) recognizes that there may be desired projects that would exceed the LOS standards. The policy identifies the requirements for study and the findings that would be needed in order to approve such a project. Program C-5c (CEQA Review) implements this policy; it specifically does not require an Environmental Impact Report (EIR) for every project that would be subject to this policy, because, as discussed below, the California Environmental Quality Act ("CEQA") (Pub. Resources Code, § 21000 et seq.) allows the</p>	

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
		improvements or downzone land uses.	<p>City to approve projects with something less than an EIR, even if the project would exceed the LOS standards.</p> <p>I. Streamlined Review For Projects that Are Consistent with The General Plan and Zoning. Public Resources Code section 21083.3 and CEQA Guidelines section 15183 provide an exemption, or partial exemption, for certain projects that are consistent with the General Plan and zoning code. It should be noted that while section 21083.3 provides an exemption or partial exemption to CEQA, the City must make certain findings, after a public hearing, in order to approve a project pursuant to this streamlined approach. Thus, the public will be provided an opportunity for input and the City retains discretion in the process. Specifically, section 21083.3 provides:</p> <p>(a) If a parcel has been zoned to accommodate a particular density of development or has been designated in a community plan to accommodate a particular density of development and an environmental impact report was certified for that zoning or planning action, the application of this division to the approval of any subdivision map or other project that is consistent with the zoning or community plan shall be limited to effects which were not addressed as significant effects in the prior environmental impact report [emphasis added], or which substantial new information shows will be more significant than described in the prior environmental impact report.</p> <p>(b) If a development project is consistent with the general plan of a local agency and an environmental impact report was certified with respect to that general plan, the application of this division to the approval of that development project shall be limited to effects on the environment which are peculiar to the parcel or to the project and which were not addressed as significant effects in the prior environmental impact report [emphasis added] or which substantial new information shows will be more significant than described in the prior environmental impact report.</p> <p>CEQA Guidelines section 15183 states that “CEQA mandates that projects which are <i>consistent</i> with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.” (CEQA Guidelines, § 15183, subd. (a) (emphasis added).)</p> <p>The Guidelines define a project as <i>consistent</i> if the density of the proposed project is the same or less than the standard expressed for the parcel in the general plan, community plan, or zoning ordinance for which an EIR has been certified. (CEQA</p>	

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
			<p>Guidelines, § 15183, subd. (a)(i)(2).) The project must comply with the density-related standards contained in the applicable plan and zoning. (<i>Ibid.</i>) Moreover, if an impact that is not peculiar to the parcel or to the project has been addressed as a significant impact in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, an additional EIR need not be prepared for the project solely on the basis of that impact. (CEQA Guidelines, § 15183, subd. (c).)</p> <p>This partial exemption provision contains two important limitations. First, site-specific analysis is required if the program EIR lacks a comprehensive assessment of cumulative effects. (Pub. Resources Code, § 21083.3, subd. (c).) Thus, if the General Plan EIR fails to analyze the potentially significant offsite impacts and cumulative impacts of the proposed project, then the effects must be addressed in a site-specific CEQA analysis.</p> <p>Second, the lead agency must commit to carry out relevant mitigation measures identified in the prior EIR. (Pub. Resources Code, § 21083.3, subd. (c).) The lead agency, therefore, must require the project to incorporate any feasible mitigation measures specified in the prior EIR in order to avoid having to address a previously identified significant effect in a site-specific EIR or negative declaration. The mere fact that a prior EIR has analyzed certain significant cumulative or off-site effects does not mean that site-specific CEQA analysis can proceed as though such effects do not exist. Rather, in order to take advantage of the streamlining provisions of section 21083.3, a lead agency must commit itself to carry out all relevant feasible mitigation measures adopted in connection with the general plan, community plan, or zoning action for which the prior EIR was prepared. This commitment must be expressed as a finding adopted at a public hearing.</p> <p>Regarding environmental effects peculiar to the parcel or project: In interpreting Public Resources Code section 21083.3, the appellate opinion in <i>Gentry v. City of Murrieta</i> (“<i>Gentry</i>”) (1995) 36 Cal.App.4th 1359 confirmed that as to those environmental effects that are not “peculiar to the parcel or to the project,” no aspect of CEQA applies. (See Pub. Resources code, § 21083.3, subds. (a), (b).) The court described the statute as creating a “partial exemption from CEQA, and added that, unlike the tiering process, the statute created a “statutory exemption,” albeit a limited one. (<i>Gentry, supra</i>, 36 Cal.App.4th at pp. 1374, 1406.)</p> <p>Both Public Resources Code section 21083.3 and CEQA Guidelines section 15183 mention “effects on the environment which are peculiar to the parcel or to the project.” Subdivision (f) of section 15183 provides some guidance regarding these terms:</p> <p>An effect of a project on the environment shall not be considered</p>	

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
			<p>peculiar to the project or the parcel for the purposes of this section if uniformly applied development policies or standards have been previously adopted by the city or county with a finding that the development policies or standards will substantially mitigate that environmental effect when applied to future projects, unless substantial new information shows that the policies or standards will not substantially mitigate the environmental effect. The finding shall be based on substantial evidence which need not include an EIR.</p> <p>Thus, any project-specific negative declaration or EIR can dispense with the analysis of environmental impacts that will be “substantially mitigated” by the uniform application of development policies or standards that are adopted as part of, or in connection with, previous plan-level or zoning-level decisions – unless substantial new information shows that the standards or policies will not be effective in substantially mitigating the effects. For example, for an individual project that will contribute to a significant cumulative effect on traffic, the City could possibly avoid both the preparation of an EIR and the issuance of a statement of overriding considerations as long as the City, as lead agency, can show (1) that the effect was adequately addressed in the prior EIR, (2) that the City intends to adopt all feasible previously-identified mitigation measures addressing the impact, and (3) (if applicable) that the impact will be at least “substantially mitigated” by previously-adopted, uniformly applied development policies and standards applicable to the project.</p> <p>The partial exemption or streamlined approach requires a Public Hearing and findings before the City can use this CEQA provision.</p> <p>The Legislature has exempted certain classes of projects from CEQA. These statutory exemptions do not include “exceptions to the exemption” as the categorical exemptions. Instead, if the City finds that a project is exempt from CEQA by statute, CEQA simply does not apply, and no further analysis is required.</p> <p>For example, CEQA contains statutory exemptions for affordable and in-fill housing. A 2002 amendment to the Public Resources Code added sections 21159.21, 21159.23, and 21159.24, among other sections, that qualify infill and affordable housing projects for an exemption from CEQA. Sections 21159.23 and 21159.24 provide exemptions for certain housing projects, provided they meet the criteria in section 21159.21. (See attached CEQA provisions for details.)</p> <p>The City could delete policy C-5D, and require a General Plan amendment to approve any project that would cause traffic levels to exceed the levels of service established. The concern is that the City could miss an opportunity to approve certain desirable projects, such as infill or affordable housing, because of a current</p>	

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
			<p>lack of traffic capacity.</p> <p>Removing policy C-5D could also have CEQA implications. As noted above, CEQA has several provisions that are designed to exempt certain projects or streamline environmental review for those projects. Most of those exemptions require that projects be consistent with the General Plan. For example, CEQA provides statutory exemptions for certain affordable housing projects, but only if there are consistent with the General Plan. Without the exception in policy C-5D, projects that would otherwise qualify for the CEQA exemption will likely be required to complete an EIR and obtain a General Plan amendment. This could have serious implications for the feasibility of such a project due to the expense and delay.</p> <p>Note that projects approved under C-5D would be required to mitigate for traffic impacts (fees), which could help to alleviate traffic in the future. Thus, although a project may cause the LOS to be exceeded, in the future improvements might relieve some delay. Staff also notes that, in addition to project review consistent with State law, the proposed Project Selection Process provides an additional layer of review, and can be used to limit approval of projects when traffic capacity is limited. No change is recommended.</p>	
PC 3/9/04	C-5D	Describe what is meant by 'substantial evidence' in policy C-5D?	<p>Response: The policy language requires the City to have 'substantial evidence' supporting findings to approve a project that is an exception to the general policy. This language does not provide an opening that would enable project applicant's to force the City to approve their projects. The City would not be required to approve a project simply because an applicant has submitted what the <i>applicant</i> believe is substantial evidence supporting the findings in C-5D.</p> <p>Instead, the question is whether there is substantial evidence to support the <i>City's</i> findings. Courts will look only to whether the <i>City's</i> findings are supported by substantial evidence, not whether the <i>applicant's</i> findings are supported by substantial evidence.</p>	
PH-130 188-10	C-5b (Monitoring Traffic)	<p>Add language to this section calling for bicycle counts along with automobile traffic monitoring.</p> <p>Add a commitment to monitor alternative traffic</p>	<p>Response: The program speaks to monitoring 'traffic' conditions. For the past eight years, the City has been collecting at every location when counts are taken bike counts along with auto, truck and pedestrian counts. "Traffic" is an inclusive word of bicycle and other counts taken.</p>	

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
7/8/04	C-5c (CEQA Review)	Revise title and delete unnecessary phrase. Add reference to LU-3 (Project Selection Process)		<p>Edit. Add program reference.</p> <p>C-5c. CEQA-Exception Review. Where it is determined that a project provides significant community benefit yet would result in a deviation from the LOS standards as determined through the environmental review process, as provided for and authorized in the California Environmental Quality Act, the City Council may approve such a project through adoption of appropriate findings, as set forth in policy C-5 (Traffic Level of Service Standards).</p> <p>Responsibility: Community Development Timeframe: Ongoing Funding: Fees</p> <p>See also LU-2a (Development Review) and LU-3a (Project Selection Process).</p>
188-11	C-6 (Proposed Improvements)	Include language reaffirming San Rafael's commitment to implement Bicycle and Pedestrian Plan improvements whenever they are found within planned roadway projects.	<p>Response: The policy speaks generally to circulation improvements for all modes, and does not highlight or detail the various improvements needed for the different modes used by residents. The <i>Bicycle/Pedestrian Plan</i> is included in the list of improvements in Exhibit 19. Details about specific improvements are in the Bike/Ped Plan; these will be implemented as feasible when roadway improvements are made. No change recommended.</p>	
PH-112	C-7a (Traffic Mitigation Fees)	Funding might not be available to undertake the required improvements. Traffic mitigation fees are only collected when development occurs, which is out of order because infrastructure and LOS improvements are desired before increasing burdens. If traffic mitigation fees are sufficient to pay development, why is it that over the past decade during a huge growth boom, only minimal improvements were done? Improvements rely on funds that the City cannot count on.	<p>Response: Traffic improvements are funded in part by Traffic Mitigation Fees, which are collected from developers and represent the developer's respective contribution to a necessary improvement related to development in the area. The courts have ruled that fees can only be collected when there is a 'nexus' or a direct link between a project's traffic impacts and the proposed traffic improvement. An anticipatory fee of underdeveloped lots would not be legal as there would not be a known direct nexus. Exhibit IV.2-14 (Draft General Plan 2020 Circulation Element Planned Circulation Improvements) in the Draft EIR describes the projected cost and timing of each improvement, and the amount of funds from three possible funding sources.</p> <p>These funding sources have been used in the past 18 years to build approximately \$35 million of transportation improvements, including \$10 million for Andersen Drive, and over \$6 million for the Merrydale Overcrossing. Other important improvements include the Lincoln/Los Ranchitos connector, and signal timing projects citywide. The City's intent is to continue to require Traffic Mitigation Fees, utilize a portion of Redevelopment Agency funds, and pursue State and Federal grants.</p> <p>No change is recommended</p>	
PC 3/9/04	C-7 Exhibit 19 (Major Planned Circulation Improvements)	Replace with Exhibit of Planned Circulation Improvements included in the <i>Draft Environmental Impact Report</i> .	<p>Response: The Draft EIR includes an updated version of Exhibit 19, with a revised #2, improvement for Lucas Valley/Los Gamos intersection.</p>	<p>Edit: Replace Exhibit 19 with Exhibit IV.2-14 (Draft General Plan 2020 Circulation Element major Planned Circulation Improvements). (See end of <i>Section IX.5 Responses to Comments on the Draft General Plan 2020</i>.)</p>

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PH-113	C-7 Exhibit 19. (Major Planned Circulation Improvements)	<p>Stoplights at First and D, and First and C Streets are not necessary. Consider changing D Street between First and Second Streets to a two-way street to allow it to be pedestrian-friendly.</p>	<p>Response: The <i>Draft General Plan 2020</i> list of planned circulation improvements (Exhibit 19) includes projects to signalize First and C Street, and First and D Street. Traffic modeling results showed in 2020 that without signalization at these intersections, the delay for cars waiting at the stop signs to enter First and C Streets will be at Level of Service F. Safety considerations are also a factor. As the traffic volume increases, pedestrians and vehicles at the minor streets (stop signs) will have shorter gaps to cross the major streets.</p> <p>The purpose of a traffic signal is to assign right of way for drivers and pedestrians. Signalization at First and C, and at First and D Streets are recommended to be installed when conditions warrant, and will address neighborhood accessibility and safety issues. The purpose of including these improvements in Exhibit 19 is to be able to identify funding for the signals.</p> <p>No change is recommended.</p>	
PH-103	C-7 Exhibit 19. (Major Planned Circulation Improvements)	<p>The City should have greater connectivity of the Downtown and Canal, with a vision to make it a more people oriented place.</p>	<p>Response: The Steering Committee heard throughout its project the community's desire to improve connectivity between the Canal and other areas, including Downtown, for public safety as well as access. The DEIR includes several circulation improvements to better connect the Canal to Downtown:</p> <ul style="list-style-type: none"> Improve Francisco Blvd. East and the Grand Avenue Bridge. Construct a pedestrian bridge between the Canal and Andersen Drive Construct a pedestrian bridge between the Canal and Montecito Shopping Center <p>In addition, the Community Design Charrette revealed that many people would like to improve the Canalfront. As a result, new Neighborhood policies advocate for a Canal Vision to make the waterfront, indeed, a more people-oriented place.</p>	
98-3 133-25	C-7 Exhibit 19. (Major Planned Circulation Improvements)	<p>Improvements to traffic flow and calming on Lincoln Avenue should include a traffic signal at Grand Avenue and Linden Lane. Removal of street parking on Lincoln Avenue is not a feasible option.</p> <p>The current ratio of parking to "red zone" should be maintained for the next 15 years.</p>	<p>Response: Public Works is currently working on signalizing Lincoln Avenue and Linden Lane.</p> <p>Lincoln Avenue is a major arterial connecting Central and North San Rafael. In order to maintain acceptable LOS for the arterial, additional lane may be required as described in the DEIR. Limiting parking during commute hours enables an additional lane and left turn pockets. The EIR identified the loss of parking on Lincoln Avenue as a significant unmitigated impact. However, these improvements are necessary to maintain LOS D on Lincoln Avenue. Not extending the no parking zone during the p.m. peak hour or establishing no parking zones during a.m. peak hours would mean not meeting the LOS standards, nor being able to provide desired roadway improvements such as left turn pockets.</p>	

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
188-12 PH-128	C-7a. Planned Roadway Improvements, Exhibit 19	Language should be added to this section requiring that all planned roadway projects implement related projects from the San Rafael Bicycle and Pedestrian Plan. Add a bullet point to address that some of these routes have bicycle and pedestrian proposed improvements.	Response: The Bike/Ped Plan lists specific bicycle improvements for certain roadways in San Rafael. Adding a requirement that the bicycle improvements must be made when roads are redesigned or upgraded would be in conflict with the Bike/Ped's Plan's statement that the actual implementation of those improvements depends on funding, environmental and safety factors that are considered during project design	
PH-139	Exhibit 19, Page 169	Remove Item 19, the signalization of First and C Streets and to restrict parking. Neighborhood is opposed to this.	Response: Please see the <i>Responses to General Plan 2020</i> comments, page VII.12.	
188-13	C-8. Eliminating and Shifting Peak Hour Trips	Emphasize the importance of bicycling and walking in achieving mode shift. Such language is currently missing from this section.		Edit: Revise as shown. Support efforts to limit traffic congestion through eliminating low occupancy auto trips or shifting peak hour trips to off-peak hours. Possible means include telecommuting, walking and bicycling, flexible work schedules, car and vanpooling and other Transportation Demand Management approaches.
PC 3/9/04	P. 174, 1 st bullet.	Add land use tools to reduce traffic.		Edit: Revise as shown. Add new first bullet with examples to list under 'Expanding Alternatives:' <ul style="list-style-type: none"> Land use changes that allow people to live closer to shops and places of work promote walking, rather than driving, for daily needs.
PH-108	C-11 (Alternative Transportation Mode Users)	Suggestion to communicate with other jurisdictions to improve the entire bicycle path system. Widen tunnel between Lincoln Avenue and North San Rafael. Sidewalks should be maintained, repaired and improved.	Response: Throughout Marin County, cities have adopted bicycle/pedestrian master plans. In preparing San Rafael's Bicycle/Pedestrian Master Plan, adjacent jurisdictions were consulted to coordinate where possible. The north/south bike route is under design at this time, with no planned widening of the tunnel but rather a routing over the hill. Policies regarding sidewalk improvements are included under C-27 (Pedestrian Path Improvements) and the Infrastructure Element.	

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
188-14	C-11d. Bike to Work Day	Include 'bike to work' day in the list of possible TDM mode shift outreach activities, as well as "Shop by Bike", bicycle safety training classes, "how-to" classes for would-be bicycle commuters, and accessing open space via transit/foot/bicycle (e.g. Transit Outdoors map and "Bike to Transit"). The bicycle promotions should be listed before obscure promotions such as those promoting "alternative" motorized vehicles.		Edit: Revise as shown, and renumber as C-11c. Bike to Work Day. Encourage City employees, other San Rafael workers and residents to participate in Bike to Work Day Days and similar programs and provide support services for the program.
188-15	Transportation Demand Management Tools" (sidebar), page 176	Bicycling (which is listed behind several less effective means of achieving mode shift) and walking (which is completely absent from the list of TDM tools) should be given higher priority.		Edit: Revise as shown. Relocate "Bicycling" to the top of the list. Add as the second bullet: " <u>Projects to improve the comfort and safety of pedestrians.</u> "
PC 3/9/04 PH-95	P. 176. TDM text box	Add in "Housing for employees on site so people can walk to work". Also add in biking.		Edit: Add as bullet: <u>On-site employee housing to encourage walking to work.</u>
PC 3/9/04	C-14a (Transit Network)	Add reference to NH policies regarding Downtown and North San Rafael transit sites and housing.		Edit: Revise as shown. See also H-22a (Higher Density Infill Housing Near Transit).
PC 3/9/04	C-17 (Regional Transit Options)	Add Contra Costa County. The City should encourage development and use of a viable commuter rail service.		Edit: Revise as shown. Regional Bus Service: Encourage expansion of regional bus service to and from Sonoma, San Francisco, Contra Costa and Alameda Counties. Commuter Rail: Encourage development and use of a viable commuter rail service through San Rafael operating on the Sonoma Marin Area Rail Transit (SMART) right-of-way.

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
188-17	C-17a. SMART Service	Language should be added endorsing the current SMART Bicycle Technical Committee recommendation for a continuous parallel Class 1 pathway as part of the overall SMART corridor. SMART will be evaluating pathway plans as part of their EIR.	Response: As these plans are still in design phase, environmental review has not been completed, and the project has not been approved by the SMART Board, staff does not recommend endorsing the Committee's recommendations at this time.	
PC 3/9/04 PH-95 PH-103 7/8/04	C-17a (SMART)	Put in SMART name for bike plans along rail line. Say "support" crossings at-grade. Edit to note that noise mitigation for the operation of SMART should be consistent with the City's noise ordinance. Change to say "in accordance with N-9 (Sonoma Marin Area Rail Transit)		<p>Edit: Revise as shown.</p> <p>C-17a. SMART. Should voters approve funding of SMART commuter service, support the following design features within San Rafael:</p> <ol style="list-style-type: none"> 1. <u>Establish stations to be located in Downtown and in the Civic Center area that will serve as multi-modal commuter transit hubs.</u> 2. <u>Design stations and rail crossings that be safe for pedestrians and minimize and with minimal impacts on roadway traffic.</u> 3. <u>Support crossings that be at-grade through Downtown.</u> 4. <u>Encourage the use of train cars that are of a length that they avoid blocking traffic at an intersection.</u> 5. <u>Ensure that new development adjacent to the rail line is set back a safe distance and adequately attenuates noise.</u> 6. <u>Encourage high-density transit-oriented development in the vicinity of the rail stations.</u> 7. <u>Include noise mitigation is included where practices as described in policy N-9 (Sonoma Marin Area Rail Transit).</u> 8. <u>Provide a north/south bike/pedestrian path on or adjacent to the railroad right-of-way.</u>
PC 3/9/04 7/8/04	C-17b (SMART Right-of-Way)	Rewrite to note the interim use first, then to actively pursue alternative uses.		<p>Edit:</p> <p>SMART Right-of-Way. Encourage identification of alternative interim uses of the SMART right-of-way pending development of rail service. Should voters not approve funding for rail service, actively pursue alternative uses including, potentially, pedestrian, bicycle and express bus use.</p>

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
<p>PC 3/9/04 PH-103</p>	<p>C-17 c and d</p>	<p>Combine the two programs C-17c and C-17d. All proposed sites for a Northern Ferry terminal are in marshland and it makes no sense for the city to support this program. Interchanges at Greenbrae, E. Sir Francis Drake, 580/101 would be impacted with any development at San Quentin. Improvements should be fully funded and completed before the City decides to support a rail measure.</p>	<p><i>Response:</i> The Steering Committee included the words "environmentally appropriate" to recognize the constraints in identifying a location for the North Ferry. Currently, there is no project to either relocate the ferry terminal to San Quentin or to redevelop the prison site. City support of a rail measure should not be dependent on these two potential projects, both of which are subject to State decisions. No change recommended, other than combining programs (c) and (d) as shown.</p>	<p>Edit: Combine as shown: C-17c. Northern Ferry Terminals. Support creation of a ferry terminal at an environmentally appropriate location north of San Rafael, near Highway 37 and Petaluma River, offering service to San Francisco, in order to reduce regional commute traffic passing through Marin on Highway 101. In addition, C-17d. San Quentin Ferry Terminal. Support efforts to re-locate the Larkspur Landing Ferry Terminal to San Quentin in order to shorten the Ferry commute distance to San Francisco.</p>
<p>188-16</p>	<p>Improving Transit and Related Services, Page 179</p>	<p>The transit section of the Circulation element should be revised to include an orientation toward mode shift and non-motorized access (bikes and pedestrians).</p>		<p>Edit: Revise as shown. Transit hubs should provide a high level of passenger amenities, such as real-time transit information, safe and convenient pedestrian and bicycle access, and secure bike parking.</p>
<p>PH-128</p>	<p>C-19 (Paratransit options)</p>	<p>By the year 2016, 35% of the population will be seniors. Staff should study section and include a higher number. Establish a plan that all utility companies comply with the ADA requirements.</p>	<p>Comment noted. Statistic is from the County's transportation information. See also response to C-27f below.</p>	
<p>PH-128 PC 3/9/04</p>	<p>C-19a (Paratransit Service)</p>	<p>Use wording "to meet and exceed ADA mandated service," rather than "where needed". Add "where needed".</p>		<p>Edit: Revise as shown: C-19a. Paratransit Service. Support continued Whistlestop Wheels service, and support expanded regional paratransit services if warranted and feasible where needed.</p>
<p>Staff</p>	<p>C-20 (Intermodal Transit Hubs)</p>	<p>Land Use element should support the development of transit hubs by locating higher density uses near those hubs. Be consistent with City Center area transit hub and the NSR transit hub. Are there any other transit hubs?</p>		<p>Edit: Add reference: See Exhibit 21 for information about transit routes and transit hubs.</p>

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
188-18	C-23a. (Better Signage)	Revise policy to read: "As opportunities arise, improve infrastructure and provide better signage for bicycle, pedestrian and transit routes to identify pathways between neighborhoods.	Response: The policy titled "Better signage" is not related to infrastructure improvements. The policy should be edited to note the bike/ped plan's information about signage improvements.	Edit: Revise as shown. As opportunities arise, provide better signage, consistent with the <i>Bicycle/Pedestrian Master Plan</i> for bicycle, pedestrian and transit routes to identify pathways between neighborhoods and other communities.
188-19	C-24a. North San Rafael Promenade.	MCBC is encouraged by the inclusion of the language that "requires" sections of the promenade to be constructed by private developers. We recommend adoption of this stronger language for all non-motorized projects adjacent to private development or public transportation projects.	Response: This program refers to a conceptual design has been prepared for the North San Rafael Promenade, outlining needed improvements. Bike and pedestrian improvements are listed in Exhibit 19 (page 169). Developer mitigations are implemented through the development review process when a nexus can be established, or through the PSP process.	
188-20	C-25. Meeting Local Circulation Needs Around Highway Interchanges	The interface of freeway interchanges and local roads are one of the most dangerous areas for pedestrians and cyclists. MCBC recommends that the language be revised to read "...address local circulation needs for all modes – emphasizing safety for non-motorized users – when freeway improvements..."	Response: Staff does not recommend prioritizing the safety of users for one mode of travel over the safety of users for another mode of traffic. No change recommended.	
PC 3/9/04	C-23 (Connections Between Neighborhoods and with Adjoining Communities)	Take out "Auto".		Edit: Revise as shown: In goal statement: The daily life of our residents is enhanced because they are more easily able to reach workplaces, schools, shopping, and recreation areas by foot, bike, or transit- or and In introduction: ...Improved connections within and between neighborhoods are needed to increase mobility on foot, by bicycle, and by transit and by auto and bike .

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PC 3/9/04	C-24 (Connections Between Neighborhoods and Activity Centers)	Add program regarding improving connection between Canal and Downtown with better pedestrian access and sidewalk improvements.		<p>Edit: Add the following: C-24c. Access between Downtown and Canal/Montecito Neighborhoods. Seek improved pedestrian and bicycle access from Downtown, under Highway 101, to the Montecito and Canal neighborhoods, particularly from the Transit Center to the Montecito Shopping Center and Grand Avenue.</p> <p>Responsibility: Public Works, Community Development Timeframe: Long Term Resources: Capital Improvement Program, Grants</p>
111-1	C-24b (Canal Crossing)	Support pedestrian crossing over the Canal to connect with the North-South bicycle route and Transit Center.	<p>Response: A pedestrian bridge over the Canal is included in C-7 Exhibit 19 (Major Planned Circulation Improvements), DEIR improvement #28, and is addressed in program C-24c (Canal Crossing).</p>	
PH-101 PH-130 188-21	(Page 187) Introduction	<p>Add a reference to the 2020 timeframe of the Bicycle/Pedestrian Master Plan, and include information about bike improvements.</p> <p>Confirm the 20-year timeline for completion of the <i>San Rafael Bicycle and Pedestrian Master Plan</i> in conjunction with the timeline for the General Plan.</p>	<p>Response: An insert next to the Bikeways Introduction should be added to highlight the timeframe and some of the plan's improvements. The introductory text notes the 2020 timeframe of the plan, and the text box elaborates with the types of projects recommended in the Bike/Ped Plan.</p>	<p>Revise as shown.</p> <p>Add a box next to the introduction of the Bikeways goal, on page 187: <u>San Rafael Bicycle and Pedestrian Master Plan</u></p> <p>The "Bike/Ped Plan" identifies short-term priority projects (1 – 5 years), medium-term projects (1 – 10 years), and long-term projects (1 – 20 years). Example projects include a north/south connector along the SMART rail line (as feasible), a north/south connector to Larkspur through the Larkspur tunnel, sidewalk gaps and the Bay Trail, an overcrossing from the Canal to the west side of Highway 101 and a bridge from the Canal to Montecito.</p>
188-21	C-26. Bicycle Plan Implementation	<p>MCBC requests that the following elements be considered, <i>in addition to</i> the policies and programs outlined in both the <i>San Rafael General Plan 2020</i> and the <i>San Rafael Bicycle and Pedestrian Master Plan</i>.</p> <p>Several of these recommendations are drawn directly from the language found in the following pedestrian improvements section.</p> <ul style="list-style-type: none"> - Study and implementation of "bicycle boulevards" and other forms of traffic-calmed bicycle priority streets. - Pursue funding for unfunded elements of the plan. - Promote improvements to 	<p>Response: The Steering Committee found the bike/ped plan more comprehensive regarding bicycle improvements than pedestrian improvements, thus certain policies regarding pedestrians were added to Goal 17 (Pedestrian Paths). Staff recommends that the suggested policies and programs regarding bicycle facilities are better considered as amendments to the bike/ped plan, and should be referred to the San Rafael Bicycle/Pedestrian Committee.</p>	

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
		<p>bicycle access to transit.</p> <ul style="list-style-type: none"> - Pursue enforcement strategies that will improve the safety of the bicycling environment. - Monitor progress in implementing the bicycle-related goals and objectives of the Bicycle and Pedestrian Master Plan on a bi-annual basis. <p>Develop a program for prioritizing the maintenance of existing bicycle facilities based on their transportation utility.</p>		
PH-141	C-26 (Bicycle Plan Implementation)	The City needs more pedestrian and bicycle lanes.	Comment noted.	
PH-105	C-26 (Bicycle Plan Implementation)	There are not enough roadways for bicyclists to travel safely from Central San Rafael to Terra Linda.	Response: The Bicycle/Pedestrian Master Plan identified a new north/south bicycle route parallel to the SMART rail line. Designs are underway now as part of the DEIR preparation.	
188-22	C-26a. (Implementation)	Clarify the requirement to implement bicycle and pedestrian projects when those plans are within the limits of a roadway project slated for construction.	Response: This would be in conflict with the bike/ped plan's statement that individual bicycle and pedestrian improvements would be considered during project design. Funding, environmental and safety constraints may exist that could affect implementation of individual projects.	
PC 3/9/04	C-27 (Pedestrian Plan Implementation)	Add a program re: ADA and State and Federal requirements.		<p>Edit: Add the following: C-27f. Disabled Access. Continue efforts to improve access for those with disabilities by complying with Federal and State requirements of the Americans with Disabilities Act (ADA). Seek to incorporate ADA improvements into street and sidewalk projects. Develop a program identifying street barriers to pedestrian access, and prioritize curb cut and ramp improvements. Responsibility: Public Works, City Manager Timeframe: Ongoing Resources: Capital Improvement Program, Grants</p>
PH-103	C-27 (Pedestrian Plan Implementation)	Hope the Pedestrian and Bike Plan will address sidewalks.	Response: Sidewalk improvements are addressed in the Bicycle/Pedestrian Master Plan, policy 27 (Pedestrian Plan Implementation) and the Infrastructure Element.	

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation																				
188-23	C-27a (Implementation)	Monitor progress in implementing the pedestrian-related goals and objectives of the Bicycle and Pedestrian Master Plan on an annual basis.	Response: San Rafael's Bicycle/ Pedestrian Committee meets twice a year to monitor progress and discuss funding opportunities. No change recommended.																					
188-24	C-28a (Urban Trail Network Project)	MCBC requests that bicyclists be included in the scope of these proposed projects wherever conflicts between cyclists and pedestrians will not be increased.	Response: When this project is undertaken, a work program will be developed, identifying stakeholders. No change recommended.																					
Staff	C-29d (Parking Assessment District)	Delete "Assessment" in title.		Edit. Revise as shown: C-29d Parking Assessment -Districts.																				
188-25	C-32 (Parking for Alternative Modes of Transportation)	MCBC requests that bicycles be given priority in the consideration of alternative mode parking efforts, ahead of more obscure and currently unutilized. Specifically, language is needed calling for City ordinances requiring bicycle parking at businesses, employers and residences. Such an ordinance can be modeled after successful programs from the City of Portland, Oregon among others. The Metropolitan Transportation Commission's Regional Bicycle Plan includes language for many sample ordinances.	Response: Please see the response above under "Parking Facilities, page 160."																					
80-1 PH-104 PC 3/9/04	Traffic Survey	What analysis was conducted of traffic east of Union Street?	<p>Response: Traffic analysis showed the following impacts of General Plan 2020 on the Pt. San Pedro and Lochinvar intersection, the only signalized intersection east of Union Street:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th style="text-align: center;">Existing</th> <th style="text-align: center;">Baseline</th> <th style="text-align: center;">General Plan 2020 w/o Improvements</th> <th style="text-align: center;">General Plan 2020 with Improvements</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Peak Hour</td> <td style="text-align: center;">A</td> <td style="text-align: center;">A</td> <td style="text-align: center;">A</td> <td style="text-align: center;">A</td> </tr> <tr> <td style="text-align: center;">AM</td> <td style="text-align: center;">A</td> <td style="text-align: center;">A</td> <td style="text-align: center;">A</td> <td style="text-align: center;">A</td> </tr> <tr> <td style="text-align: center;">PM</td> <td style="text-align: center;">A</td> <td style="text-align: center;">A</td> <td style="text-align: center;">A</td> <td style="text-align: center;">A</td> </tr> </tbody> </table> <p>Level of Service at Pt. San Pedro and Lochinvar Intersection</p>		Existing	Baseline	General Plan 2020 w/o Improvements	General Plan 2020 with Improvements	Peak Hour	A	A	A	A	AM	A	A	A	A	PM	A	A	A	A	
	Existing	Baseline	General Plan 2020 w/o Improvements	General Plan 2020 with Improvements																				
Peak Hour	A	A	A	A																				
AM	A	A	A	A																				
PM	A	A	A	A																				

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation																					
			<p>*Level of service is measured on an A to F scale, with A indicating the least amount of delay, and F indicating the greatest amount of delay.</p> <p>Unsignalized intersections east of Union Street include the neighborhood collector streets along Pt. San Pedro Road, such as Marina Blvd., Margarita Drive, Manderly Road, Knight Drive, and Riviera Drive. All unsignalized intersections east of Union Street operate at LOS C or better; these are not projected to warrant signalization in General Plan 2020.</p> <p>In addition, Special Route travel time studies were conducted between the Pt. San Pedro/Lochinvar and the intersections of U.S. 101 north and south. A sample of these studies is listed below. The travel times for this 2.6 mile segment ranged from five to eleven minutes. Additional studies are being conducted and will be discussed at the March 23rd meeting.</p> <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Special Route</th> <th style="text-align: center;">Peak Hour</th> <th style="text-align: center;">Shortest/Longest Time</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">11 (Lochinvar to 101 SB)</td> <td style="text-align: center;">AM</td> <td style="text-align: center;">~ 5 – 8 minutes</td> </tr> <tr> <td style="text-align: center;">11 (Lochinvar to 101 SB)</td> <td style="text-align: center;">PM</td> <td style="text-align: center;">~ 5 – 7 minutes</td> </tr> <tr> <td style="text-align: center;">13 (Lochinvar to 101 NB)</td> <td style="text-align: center;">AM</td> <td style="text-align: center;">~ 5 - 10 minutes</td> </tr> <tr> <td style="text-align: center;">13 (Lochinvar to 101 NB)</td> <td style="text-align: center;">PM</td> <td style="text-align: center;">~ 6 - 11 minutes (Farmer's Market night)</td> </tr> <tr> <td style="text-align: center;">14 (101 SB to Lochinvar)</td> <td style="text-align: center;">AM</td> <td style="text-align: center;">~ 5 – 7 minutes</td> </tr> <tr> <td style="text-align: center;">14 (101 SB to Lochinvar)</td> <td style="text-align: center;">PM</td> <td style="text-align: center;">~ 5 - 6 minutes (Farmers' Market night)</td> </tr> </tbody> </table>	Special Route	Peak Hour	Shortest/Longest Time	11 (Lochinvar to 101 SB)	AM	~ 5 – 8 minutes	11 (Lochinvar to 101 SB)	PM	~ 5 – 7 minutes	13 (Lochinvar to 101 NB)	AM	~ 5 - 10 minutes	13 (Lochinvar to 101 NB)	PM	~ 6 - 11 minutes (Farmer's Market night)	14 (101 SB to Lochinvar)	AM	~ 5 – 7 minutes	14 (101 SB to Lochinvar)	PM	~ 5 - 6 minutes (Farmers' Market night)	
Special Route	Peak Hour	Shortest/Longest Time																							
11 (Lochinvar to 101 SB)	AM	~ 5 – 8 minutes																							
11 (Lochinvar to 101 SB)	PM	~ 5 – 7 minutes																							
13 (Lochinvar to 101 NB)	AM	~ 5 - 10 minutes																							
13 (Lochinvar to 101 NB)	PM	~ 6 - 11 minutes (Farmer's Market night)																							
14 (101 SB to Lochinvar)	AM	~ 5 – 7 minutes																							
14 (101 SB to Lochinvar)	PM	~ 5 - 6 minutes (Farmers' Market night)																							
PH-111 PH-113 PH-139 122-1	Traffic Coordinating Committee	<p>There should be a formalized specific process in order to negotiate issues with and involve the neighborhoods.</p> <p>Address the question of how the public participates in the review of local traffic issues.</p>	<p>Response: Traffic- and on-street parking complaints and suggestions are reviewed by the Traffic Coordinating Committee (TCC), which is a City of San Rafael interdepartmental committee consisting of representatives from various departments such as Police, Fire, Planning, Risk Management, and Parking Services. The TCC, which is chaired by the City Traffic Engineer, meets monthly for the purpose of reviewing suggestions and complaints and determining whether to recommend a change to a roadway or parking situation. The Traffic Engineer reviews each request in the field and meets with residents or business owners to discuss their comments, if necessary. The TCC members also review each item in the field, and discuss at their meeting related traffic data, safety issues, parking impacts, Federal, State and local rules regulations, and other factors. Where TCC recommends a change be implemented, a work order is issued and Public Works will implement the change. A letter is sent to the resident or business owner explaining the decision. An appeal can be made to the TCC for reconsideration where additional information is provided. The Traffic Engineer has on several occasions worked closely</p>																						

VII. CIRCULATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
			<p>with residents to investigate options to address an appeal. Final TCC recommendations can be appealed to the City Council for further consideration.</p> <p>In the situation before the Commission, the TCC recommended against changing D and/or C Street to two-way streets. The volume of north/south traffic is better accommodated on one-way street system, and changing the streets to two-way would result in left turn backups, longer queues of traffic on D Street, a potential impact on the level of service on Second and Third Streets (roads that are governed by the Marin County Congestion Management Agency) and other related traffic and congestion problems, one of which is diversion of traffic into the neighborhood.</p>	
PC 3/9/04	Appendix C	Include LOS E segments.		Revise Appendix C as shown below..
PH-146	PSP Resolution	In the PSP categories of benefit, the categories should not carry equal weight. If the City is serious about affordable housing and about solving circulation, maybe those categories should get six points rather than four points.	<p>Response: The Planning commission recommends a revised resolution that does not include weighting of the criteria.</p>	

Exhibit IV.2-1419

Draft General Plan 2020 Circulation Element Major Planned Circulation Improvements ^a

	Proposed Roadway Improvements	Projected Cost (2003 dollars)	Funding Source			Projected Project Timing
			Mitigation Fee	Redevelop- ment	State & Federal	
1	Smith Ranch Road/Lucas Valley Road					
	Widen roadway to provide two westbound and two eastbound lanes between Redwood Highway and Los Gamos Road.					
	Widen northbound 101 off ramp and southbound 101 off ramp for additional right and left turn lanes.	\$4,000,000	\$4,000,000			Depends On Development Timing ^b
2	Lucas Valley/Los Gamos ^e	\$2,000,000	\$2,000,000			
	Widen Lucas Valley Road to provide two through lanes for eastbound and westbound, and provide two westbound left turn lanes.					
	Widen southbound Los Gamos to provide 2 lanes for 300 feet and merge back to one lane.					
	Signalize intersection and coordinate with adjacent intersections.					Depends On Development Timing
3	Las Gallinas Avenue (Merrydale to Del Presidio)					
	Remove parking and widen street to provide four lanes.					
	Remove parking and widen street to provide four lanes (One southbound, two northbound and one two-way left turn).	\$300,000	\$300,000			Depends On Development Timing
4	Freitas/Las Gallinas					
	Upgrade the traffic signal system and operation. Improve intersection geometry, cover portions of drainage ditch	\$650,000	\$650,000			5-7 years
5	Freitas/ Del Presidio					
	Explore feasibility of double northbound right turn and southbound 101 on ramp widening	\$900,000	\$900,000			Depends On Development Timing
6	Freitas/ Northbound 101 Ramps- Redwood/-Civic Center widening and signalization. Right of Way Required.	\$7,500,000	\$7,500,000			Depends On Development Timing
7	Grand Avenue (south of Grand Avenue bridge to Fourth Street)					
	Widen north/south, add one lane as required, and upgrade traffic signal system.					
	Widen north/south, add one lane as required, and upgrade traffic signal system. Requires right of way and major bridge widening.	\$6,500,000	\$3,250,000	\$3,250,000		Depends On Development Timing
	Signalize Grand/ Fifth, and restrict parking to provide turn lanes	\$200,000	\$200,000			5-7 years
	Signalize Grand/ Mission, and restrict parking to provide turn lanes	\$200,000	\$200,000			5-7 years
8	Francisco Blvd. East (Bellam to Grand Avenue Bridge)					
	Four lanes will be required. One southbound, one two-way left turn and two northbound lanes. Major right of way required.	\$10,000,000	\$5,000,000	\$5,000,000		Depends On Development Timing
	Signalize Francisco Blvd. East/Harbor	\$200,000	\$200,000			5-7 years
9	Lincoln Avenue (Second Street to southbound 101 ramps- Hammondale or as required)					
	Extend the existing PM peak northbound	\$400,000	\$400,000			3 years

	Proposed Roadway Improvements	Projected Cost (2003 dollars)	Funding Source			Projected Project Timing
			Mitigation Fee	Redevelop- ment	State & Federal	
	Tow-Away zone for AM peak as well (four lanes may be required). <u>This parking restriction is likely to be extended north toward the southbound 101 ramps.</u>					
	This parking restriction is likely to be extended north toward the southbound 101 ramps					
	Signalize Lincoln/ Grand, and restrict parking to provide turn lanes	\$200,000	\$200,000			3-5 years
10	Mission/Lincoln					
	Provide additional lanes for northbound, and westbound; upgrade traffic signal system, requires right of way.	\$4,000,000	\$2,000,000	\$2,000,000		Depends On Development Timing
11	Fourth Street (Miracle Mile)					
	Re-align Ross Valley and Santa Margarita and re-design intersection operation.					
	<u>Re-align Ross Valley and Santa Margarita and re-design intersection operation.</u> LOS may deteriorate but community access will be provided.	\$450,000	\$450,000			5 years
	<i>Additional Signalization</i>					
12	Signalize Fifth & H Street , and restrict parking to provide turn lanes.	\$100,000	\$100,000			3 years
13	Signalize First/C Street , and restrict parking to provide turn lanes.	\$150,000	\$150,000			3 years
14	Signalize First/ D Street , and restrict parking to provide turn lanes.	\$150,000	\$150,000			3 years
15	Signalize Fourth/Union Street , and restrict parking to provide turn lanes.	\$200,000	\$200,000			Depends On Development Timing
16	Signalize or Roundabout Mission/Court Street .	\$200,000	\$100,000	\$100,000		Depends On Development Timing
17	Signalize Merrydale/Southbound 101 Ramps , and provide turn lanes.	\$250,000	\$250,000			5-7years
18	Signalize Lincoln/DuBois/Irwin and re-align intersection. Right of way required.	\$2,500,000		\$2,500,000		Depends On Development Timing
19	Third/Union Street					
	Widen Union Street to provide 4 lanes between Third and Fourth. Fire Station 4 modification required.					
	Reconfigure Third/Union eastbound left turn pocket.					
	Provide westbound right turn pocket.					
	<u>Widen Union Street to provide four lanes between Third and Fourth.</u> <u>Fire Station 4 modification required.</u> <u>Reconfigure Third/Union eastbound left turn pocket.</u> Provide westbound right turn pocket. Upgrade the traffic signal system and operation.	\$900,000	\$900,000			2 years
20	Kerner Blvd or Francisco Blvd. East. To Andersen Drive Undercrossing					
	Provide a minimum 3 lane connector near Shoreline Parkway.					
	<u>Provide a minimum three lane connector near Shoreline Parkway.</u> Signalize at both ends.	\$8,000,000	\$4,000,000	\$4,000,000		Depends On Development Timing
21	Andersen /East Sir Francis Drake-eastbound 580 Ramps					
22	Major widening and Signalization.	\$2,000,000	\$500,000	\$500,000	\$1,000,000	5-7 years
	Subtotal	\$51,950,000	\$33,600,000	\$17,350,000	\$1,000,000	

	Proposed Roadway Improvements	Projected Cost (2003 dollars)	Funding Source			Projected Project Timing
			Mitigation Fee	Redevelop- ment	State & Federal	
	<i>Other Projects</i>					
22 3	Upgrade traffic signal system .	\$3,000,000	\$1,500,000		\$1,500,000	7 years
23 4	Install traffic monitoring sensors and camera system.	\$1,000,000	\$500,000		\$500,000	7 years
24 5	Install Fiber Optic network throughout the traffic system.	\$2,000,000	\$1,000,000		\$1,000,000	7 years
25 6	Pedestrian bridge at Third/Hetherton-GGFTransportation Center.	\$2,000,000	\$500,000	\$500,000	\$1,000,000	Depends On SMART, 10-20 years
26 7	Pedestrian bridge to connect Canal to Andersen Drive/Downtown.	\$4,500,000	\$1,125,000	\$1,125,000	\$2,250,000	10-20 years
27 8	Pedestrian bridge to connect Canal to Montecito Shopping Center.	\$4,000,000	\$1,000,000	\$1,000,000	\$2,000,000	10-20 years
28	Freitas/ Northbound 101 Ramps- Redwood- Civic Center or a new fly over from Civic Center Dr. to Freitas.	\$12,000,000	\$6,000,000		\$6,000,000	Depends On Development Timing
29	Second Street (East of A Street to E Street).					
	The projected volume requires right turn lanes or through/right lanes be added in the long term. Right of way required.	\$6,000,000	1,500,000.0	\$3,000,000	1,500,000.0	10-20 years
	Subtotal Other Projects	\$34,500,000	\$13,125,000	\$5,625,000	\$15,750,000	
	Grand Total Project Cost	\$86,450,000				

a Priorities for circulation improvements are set in the Capital Improvements Program. This list may be amended as part of the five-year General Plan update.

b The timing for the improvements depends on the size, type and phasing of additional development. Policies LU-2 Development Timing requires findings when project-related traffic will not cause the LOS to be exceeded, and LU-3 Project Selection Process continues the ~~current~~ process of prioritizing development projects where traffic capacity is limited.

c ~~———— This replaces the Lucas Valley Interchange \$17,000,000 project described in Draft General Plan 2020.~~

Source: San Rafael Public Works Department

Appendix C: Roadway Segments at Level of Service E⁽¹⁾ and F, 2003

Street	From	To	Direction	AMPeak		PMPeak	
				Speed	LOS	Speed	LOS
A	2nd	5th	NB	9.5	D	5	F
A	5th	2nd	SB	7.2	E	5.6	F
C	2nd	5th	NB	8.5	E	5.1	F
<u>Bellam</u>	<u>Andersen</u>	<u>Kerner</u>	<u>EB</u>	<u>9.4</u>	<u>D</u>	<u>7.1</u>	<u>E</u>
<u>Bellam</u>	<u>Kerner</u>	<u>Andersen</u>	<u>WB</u>	<u>8.6</u>	<u>E</u>	<u>8.4</u>	<u>E</u>
Del Presidio	Las Gallinas	Freitas	NB	6.9	F	8.1	E
Del Presidio	Freitas	Las Gallinas	SB	8.3	E	5.4	F
E	5th	2nd	NB	7.8	E	5.9	F
E	2nd	5th	SB	4.1	F	3.5	F
Grand	<u>5th4th</u>	2nd	SB	4.7	F	6.9	F
Hetherton	Mission	2nd	SB	7.4	E	5.8	F
Irwin	2nd	Mission	NB	3.9	F	4	F
Lindaro	Andersen	3rd	NB	7.6	E	5	F
Lindaro	3rd	Andersen	SB	3.3	F	7.4	E
Mission	Irwin	Lincoln	WB	5.6	F	4.5	F

(1) Intersections not in Downtown operating at LOS E
 Source: San Rafael Department of Public Works, 2003

VIII. INFRASTRUCTURE ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PC 1/27/04	I-1b (Public Input)	Recommend updating City's website policy program and encourage use of website as a manner of achieving citizen input.		Edit: Add the following. Consider ways to utilize the City's website to list funded or proposed capital improvements.
PC 1/27/04	I-3 (Availability of Utilities)	Include residential. Add wording "promote availability of reliable and reasonable priced utilities necessary for businesses and residences."		Edit: Revise as shown. Promote the availability and adequate delivery of reliable modern and competitively priced and reasonably-priced utilities necessary for businesses and residences to prosper with power water and telecommunications .
Staff	I-3a (Capacity Management)	Development consistent with the <i>Draft General Plan 2020</i> could generate wastewater flows that exceed treatment capacity of the Central Marin Sanitation Agency. This would be a significant project specific impact. This would also be a significant cumulative impact.	Response: The CMSA shall conduct and complete a Capacity Management Alternative Study to determine the scope of needed improvements, costs, and expected benefits. The study shall include an analysis of storage alternatives at the CMSA treatment plant and the collection system to contain the peak flows. The study shall also identify feasible plant improvements, including increasing the number of treatment tanks, expanding the effluent pond, or building additional tanks to hold inflow, that shall be studied as part of the Capacity Management Study. In conjunction with the Capacity Management Study, the CMSA member agencies, including the San Rafael Sanitation District, shall conduct a condition assessment of their respective collection systems and develop planning documents for controlling stormwater infiltration inflow into sewer lines, which impacts peak flow conditions. Upon completion of the study, the CMSA Commission shall determine which improvements to pursue and the sources of funding.	Edit: Add program as follows: I-3a. (Capacity Management) , Work with the Central Marin Sanitation Agency and San Rafael Sanitation District to ensure completion of a Capacity Management Alternative Study to determine the scope of needed improvements, costs, and expected benefits to avoid excess of water treatment capacity.
Staff	I-3b (Water Supply Impacts)	Development consistent with the <i>Draft General Plan 2020</i> could increase the demand for water in the Planning Area. This would be a significant project specific impact. This would also be a significant cumulative impact.	Response: In order to meet the projected water demand and reduce existing and projected water supply impacts the Marin Municipal Water District shall: <ul style="list-style-type: none"> • Continue to research water conservation opportunities; • Research new water supply sources; and • Construct the necessary facilities or infrastructure improvements. The MMWD has begun the planning process for a desalination plant and has researched funding opportunities. Potential startup would be in 2007. MMWD also has aggressive water conservation programs in place. These programs shall be continued.	Edit: Add program as follows: I-3b (Water Supply Impacts) . Work with Marin Municipal Water District to meet the projected water demand and to ensure reduction of existing and projected water supply impacts.
PH-36 PC 2/10/04	I-4a (Funding Undergrounding Utilities)	Explain what "20A/B" means. (2/10/04)	Response: Rule 20A/20B funding are monies collected by PG&E for dedicated use of undergrounding utility lines. Each jurisdiction gets an allotment. 20A is the portion that PG&E pays and 20B is the portion that the applicant/property owner pays.	Edit: Revise as shown: I-4a (Funding Undergrounding Utilities) . Seek funding opportunities to underground utilities. Sources include PG&E's dedicated underground funding ("Rule 20A/20B"), private funding, and assessment districts.
PC 1/27/04	I-4ax (Prioritizing Undergrounding Utilities)	No resources indicated.		Edit: Revise Resources: <u>Utility Funds, Redevelopment</u>

VIII. INFRASTRUCTURE ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PC 1/27/04	Text above I-6 (Street Maintenance)	Use a different example in relation to medians along San Pedro Road.		<p>Edit: Street Maintenance and Landscaping The City is responsible for maintaining 331 lane miles of street surfaces, and 42 miles of landscaped street medians, and 50,000 street trees. These responsibilities include repairs, right-of-way, and streetlights. In order to prioritize and schedule street maintenance, the City uses a Pavement Management System for a more cost-efficient way of maximizing resources. In addition to the 'hardscape', San Rafael maintains landscaping, including, for example, the medians along Pt. San Pedro Road Andersen Drive and Freitas Parkway, and the entryways in Downtown and in North San Rafael-and street trees. The City's street trees are a valuable resource that add character to neighborhoods and commercial areas, control temperatures and reduce air pollution.</p>
75-8	I-6 (Street Maintenance)	Contract manual street sweeping on a regular basis, or parking restriction signage on days of sweeping. Drain cleaning should be implemented during the winter.	<p><i>Response:</i> These are more maintenance issues than General Plan policy considerations. Street sweeping with parking restrictions was attempted in Gerstle Park in 2003 on a trail basis. Due to interim budget reductions, street sweeping will be reduced city-wide.</p>	
176-1 90-1 PC 1/27/04 PC 2/10/04 PC 3/23/04 7/8/04	New policy I-7X (Urban Forest) [former CD-20]	Relocate street trees to I-6 from CD-20. Marin Releaf made suggestions for new policy and programs, including rewording of CD-20 programs (see letter for details). Add new policy to read: Endeavor to maintain a healthy urban forest based on systemic, collective management of urban ecosystems for their present and potential contribution to the physiological, sociological and economic well-being of our community, to minimize the impact on environment and maximize the value received for dollars expended over time. Add statement related to private	<p>Edit: Relocate Policy CD-20 (Street Trees) and associated programs from Community Design to become I-7X. Revise the policy and programs as shown. I-7X CD-20. Street Trees. Create appropriate street tree planting and maintenance programs and encourage encourage the use of large large canopy trees where appropriate in order to control temperature, improve air quality, control wind, define neighborhoods, and improve street appearance.</p> <p>I-7X CD-20 Street Tree Program. Develop a comprehensive citywide street tree planting, maintenance, replacement, diversification, wood utilization and tree waste recycling program. The citywide street tree program should consider the use of large canopy trees where the planting areas and locations make such trees feasible and appropriate. Include coordination and communication with PG&E regarding tree maintenance in relation to high</p>	

VIII. INFRASTRUCTURE ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
		property owners to maintain landscaping along public ROW.		<p>engagepower lines. Utilize volunteers to the extent feasible in creating a street tree inventory.</p> <p>Responsibility: Public Works Timeframe: Short Long Term Resources: Staff Time, Partnerships, Grants, Volunteers</p> <p>I-7b, CD-20b. Street Trees for New Development. Require street trees at frequent spacing in all new developments and property upgrades, and consider mitigation for tree removal by planting street trees in locations other than the project site. Responsibility: Public Works Timeframe: Short Term Resources: Contributions</p> <p>I-7x, CD-20e. Street Tree Maintenance. Seek diversified funding sources for street tree maintenance and replacement. Consider an ordinance placing greater responsibilities on property owners for maintenance and replacement of street trees. Responsibility: Public Works, City Attorney Timeframe: Short Term Resources: Staff Time</p>
PC 3/23/04	I-7b			<p>Edit: Add program as shown.</p> <p>I-7x. Landscape Maintenance Next to Sidewalks. Revise City ordinances to require maintenance of private landscaping which encroaches onto the City right-of-way and sidewalks.</p>
PC 1/27/04	I-14b (State-of-the-Art Telecommunications)	Is the program realistic? It is difficult for City staff to work with communication providers. It could be a conflict and could encourage false hope. However, lobbying can make a difference.	<p>Response: The City has no franchise authority over DSL services. The City also has no ability to direct cell phone providers to extend services into lower density, predominately residential areas. Such service would necessitate additional antennae that would be very controversial.</p>	<p>Edit: Delete program.</p>
PC 1/27/04		How does the water supply affect the City's ability to approve housing in the future?	<p>Response: The requirements of the Water Code and the Government Code affect the City's ability to approve <i>General Plan 2020</i> and housing projects in the future. Although the Water Code does not prohibit project approval based on an insufficiency determination, the City must make certain findings and include certain information in its findings. These requirements are outlined below.</p> <p>I. A Project May Proceed Despite a Determination of "Insufficient Supply;" Water Code section 10911 states that if a water supply assessment makes an insufficiency determination, the water supplier must provide the City with a plan</p>	

VIII. INFRASTRUCTURE ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
			<p>to acquire additional water supplies. The plans <i>may</i> include the following information:</p> <ol style="list-style-type: none"> (1) The estimated total costs, and the proposed method of financing the costs, associated with acquiring the additional water supplies. (2) All federal, state, and local permits, approvals, or entitlements that are anticipated to be required in order to acquire and develop the additional water supplies. (3) Based on the considerations set forth in paragraphs (1) and (2), the estimated timeframes within which the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), expects to be able to acquire additional water supplies. <p>These particular pieces of information are suggested, but not necessarily required. San Rafael's <i>Draft Environmental Impact Report (DEIR)</i> notes that in addition to aggressive water conservation programs and exploration of additional water recycling opportunities, MMWD is researching the option of constructing a desalination plant to treat water from the San Francisco Bay. Some of the information described above is supplied in MMWD's August 2003 Notice of Preparation.</p> <p>II. The City Must Include the Insufficiency Determination in its Findings . The City must include the insufficiency determination in its findings for the project. (Wat. Code, § 10911, subd. (c). Because the determination must be in the findings, the City must either mitigate the environmental effects of the shortfall, or consider environmentally superior alternatives. San Rafael's <i>DEIR</i> considers the shortfall a significant unavoidable impact. (DEIR, IV.5-26.) It will be necessary to address this impact in the Statement of Overriding Considerations.</p> <p>III. Ability to Approve Future Development. Once the requirements discussed above have been met, the City should be able to approve small residential projects. A condition of approval requiring the present availability of a sufficient water supply is required only of residential housing projects of more than 500 dwelling units (Gov. Code, § 66473.7, subd. (b)(1)). Similarly, a new water supply assessment would only be required for projects involving the water demand equivalent to 500 dwelling units (Wat. Code, § 10912, subd. (a). Therefore, so long as the insufficiency is adequately analyzed in the EIR and is included in the General Plan's findings, the insufficiency determination should not prevent future development of residential projects that are below the 500 unit threshold.¹</p>	

¹ Water supply insufficiencies will of course need to be analyzed in the environmental review of the small residential projects.

IX. GOVERNANCE ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PC 1/27/04	G-2 (Variety of Housing)	Edit was provided to staff for revision.		Edit: Revise as shown. G-4 (Diversity at City Hall). Make efforts to reflect on Boards and Commissions, and among City employees the characteristics of San Rafael's population.
PC 1/27/04	G-5 (Leadership)	Request for regional leadership beyond San Rafael in order to have advocacy at State level. For example sending representatives to boards, regional advocacy at State level.		Edit: Add the following: G-5e. Advocacy at Regional and State Level. <u>Seek appointment to regional and State committees and boards and continue to advocate for State legislation which can affect City services and further City objectives.</u> Responsibility: City Manager, City Council Timeframe: Ongoing Resources: Staff and Council members time
PC 1/27/04	G-5b (Board and Commission Training)	Edit was provided to staff for revision.		Edit: Develop an annual orientation to City government for members of San Rafael City Council, boards, commissions, and advisory groups. Provide information about the roles and responsibilities of effective civic leadership.
10-1 PH-38 PH-39 Staff	G-7 (Community Participation)	Restore program G-7a that was in the 8/4/03 draft to be the first program for G-7 Revise the reference for accuracy.		Edit: Add wording in G-7a to CD-16a including "early notification." Revise reference: See CD-16a (Participation in Project Review Notification and Information about Development Projects), I-51 (Design Review) and CD-16a (Public Notification) H-4 (Neighborhood Meetings).
PC 1/27/04	G-9b (City Boards and Commissions)	Return to original language from 8/4/03 draft about "consider term limits"		Edit: Revise as shown. In addition, assess appointment procedures and member representation to ensure public involvement, new ideas and adequate advice and recommendation to Council. Consider the benefits and disadvantages of establishing term limits for members of City Boards and Commissions to encourage more public involvement and new ideas.
PC 1/27/04 PC 7/8/04	G-12a (Voter Information).	A Planning Commissioner endorsed keeping "community centers" and "Community Services" in program.	No change needed.	

IX. GOVERNANCE ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PC 1/27/04	G-17c (City Programs and Classes)	Add in ESL and other government type examples.	Response: Community Services offers hundreds of classes each year. To list a few specific classes, such as ESL, would not represent the breadth of offerings and would likely date the Plan.	Edit: Revise as shown. Continue to offer a variety of leisure, recreation, educational and personal enhancement courses and programs for all age groups at the Community Centers, Falkirk Cultural Center, Library and other public and private facilities.
PC 1/27/04	G-24b (Land Use Changes)	Suggested wording: “significantly adversely impact”. Reference LU and EV elements. Is there a conflict with H-18b (rezoning sites)?	Response: Program G-24b could conflict with other policies, particularly those intended to increase housing supply, such as H-18b. The language is also problematic in that it could be argued that a rezoning should be denied because it could negatively affect the City’s economic base. The City would be required to provide substantial evidence that a rezoning would not significantly adversely impact the City’s economic base. Staff recommends that the policy be deleted. References should be added to Land Use and Economic Vitality programs.	Edit: Delete program G-24b. Evaluate the fiscal effects of different land uses on City revenues and services. Ensure that rezoning industrial and commercial areas of site will not significantly impact the City’s economic base. See also G-10 (Volunteerism in Government), and I-2b (Diversified Funding), LU-18a (Retail and Service Uses in Industrial and Office Areas), and EV-8a (Industrial Zoning).

X. CULTURE AND THE ARTS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
<p>PC 2/10/04 PH-41</p>	<p>CA programs</p>	<p>Add in more sources for implementing programs: community groups, partnerships, and grants.</p>		<p>Edit: Revise as shown.</p> <p>CA-1a. (Community Vision of Culture and Arts in San Rafael) Resources: <u>Staff Time</u>, <u>Contributions</u> and <u>donations</u>, <u>Partnerships</u></p> <p>CA-1b. (Promotion of Cultural Offerings) Resources: <u>Staff Time</u>, <u>Contributions</u> and <u>donations</u>, <u>Partnerships</u></p> <p>CA-1c (Partnerships) Resources: <u>Staff Time</u>, <u>Fees</u>, <u>Contributions</u> and <u>donations</u>, <u>Partnerships</u></p> <p>CA-2b (Arts Plan) Resources: <u>Grants</u>, <u>Community Partnerships</u>, <u>Staff Time</u></p> <p>CA-4c (Educational Programs) Resources: <u>Staff Time</u>, <u>Fees</u>, <u>Grants</u>, <u>Partnerships</u></p> <p>CA-4e (Funding Source). Resources: <u>Staff Time</u>, <u>Grants</u>, <u>Volunteers</u>, <u>Partnerships</u></p> <p>CA-6a. (Art in Public Places) Resources: <u>Staff Time</u>, <u>Grants</u>, <u>Volunteers</u>, <u>Partnerships</u></p> <p>CA-7a. (Neighborhood Arts Program) Resources: <u>Grants</u>, <u>Volunteers</u>, <u>Partnerships</u></p> <p>CA-7c (Community Art Contributions) Resources: <u>Staff Time</u>, <u>Grants</u>, <u>Volunteers</u>, <u>Partnerships</u></p> <p>CA-8a. (Sponsorship of Events) Resources: <u>Staff Time</u>, <u>Event Admission Fees</u>, <u>Grants</u>, <u>Volunteers</u>, <u>Partnerships</u></p> <p>CA-9a (Marin Center) Resources: <u>Staff Time</u>, <u>Grants</u>, <u>Volunteers</u>, <u>Partnerships</u></p>
<p>PC 1/27/04</p>	<p>CA-5 (Ethnic and Cultural Activities)</p>	<p>The City should reflect a diverse cultural heritage.</p>		<p>Edit: Revise as shown.</p> <p>Encourage and develop activities, entertainment and events that reflect a diverse ethnic and cultural heritage.</p>
<p>PC 1/27/04</p>	<p>CA-5a (Ethnic Activities, Cultural Performers and Diversity Programs)</p>	<p>Suggestions for edits: Add "reflect diverse and cultural heritage". Delete the entire first paragraph. Delete the first sentence and leave second sentence.</p>		<p>Edit: Revise as shown.</p> <p>CA-5a. Ethnic Activities, Cultural Performers and Diversity Programs. Provide venues and support for programs that enable members of the community to participate in <u>diverse cultural activities that take into account and reflect the diversity of their heritage and customs</u>. <u>Continue to support ethnic and cultural activities. In event programming for City venues, seek performers and entertainers reflecting the ethnic and cultural heritage of residents in San Rafael.</u></p>

X. CULTURE AND THE ARTS ELEMENT			
Comment #	Policy/Program	Comment	Response
PC 1/27/04	CA-7b (Mural Review)	Change timeframe to "Long term"	Edit: Revise. Timeframe: Short Term Long Term
PC 1/27/04	CA-7c (Community Art Contributions)	Change timeframe to "Short term"	Edit: Revise. Timeframe: Long Term Short Term
PC 1/27/04	CA-9 (Facility Development)	Edit to read "Maintain, develop and encourage public and private cultural facilities..."	Edit: Revise to clarify intent. Develop and maintain and develop public and encourage public and private cultural facilities to meet the growing and changing needs of the community.
PC 1/27/04	CA-10a (Falkirk Master Plan)	Retain original wording "Establish a Task Force to review and update..." Program should reference role of Parks and Recreation Commission and a process for public input. Change timeframe to short term	Edit: Add the following sentence at the beginning of the program. "Consider ways to maximize public involvement in the planning efforts, including possible appointment of a task force or citizen's advisory board, or oversight by the Parks and Recreation Commission." Timeframe: <u>Short Term</u>
PC 1/27/04 PH-29	CA-12 (San Rafael Public Library)	Delete "renovate".	Edit: Revise as follows. "Because the present library is too small to adequately provide the collection and services needed for a community of San Rafael's size, renovate, and expand, or replace the San Rafael Public Library in the Downtown."
PC 1/27/04	CA-13a (Opportunities for Community-Based Libraries)	Include high school libraries to partner with community-based libraries.	Edit: Revise as follows. Look for opportunities, such as the expansion of Pickleweed Park Community Center and the Mall at Northgate, for community-based libraries. Consider partnerships with the school districts to make <u>high school libraries</u> available to the public.
PH-28	Goal 26: Protected Cultural Heritage	The first sentence should be rewritten. It is very awkward and must be addressed.	
122-1	CA-14 (Historic Buildings and Areas)	Historic preservation designations and design protection is needed for Gerstle Park Neighborhood.	
Staff	C-14 (Historic Buildings and Areas)	Add references	Edit: Add the following reference. See also LU-2a (Development Review), NH-28a (Implement Downtown Design Guidelines) and NH-31 (Historic Character).

X. CULTURE AND THE ARTS ELEMENT			
Comment #	Policy/Program	Comment	Response
PC 2/10/04 PC 1/27/04 PH-28	CA-14a (Inventory Update)	It was noted that the identification of historic districts will be part of the Inventory Update. Encourage the formation of historic districts in order to help preserve areas of older homes.	Edit: Revise as shown. Update the City's Historical/Architecture Survey which is an inventory of buildings of architectural value, and historic buildings and/or districts and historic elements such as signs, monuments and gates.
PH-28	CA-14b (Preservation Ordinance)	A list of historical and architecturally significant buildings needs to be updated. The Commission should understand the implications.	Response: As a follow-up to the General Plan adoption, Program CA-14b calls for an update of the City's Historic Preservation Ordinance which will evaluate the updated inventory of historic structures and will consider policy options in terms of revisions to the Preservation Ordinance.
PC 1/27/04	CA-14c (Historic Preservation Advisory Committee)	Change timeframe to "short-term". Suggested wording "...advice on policies related to historic preservation."	Edit: Revise as shown. ...to provide the Design Review Board and Planning Commission with advice in design matters and policies related to historic the preservation and/or modification of historic structures. Timeframe: Long-Term Short Term
PH-31 PH-36	CA-14c (Historic Preservation Advisory Committee)	Encourage the establishment of a Historic Preservation Advisory Committee. Investigate or consider the possibility of having a historical or architectural commission.	Response: Program CA-14c seeks to establish a technical advisory committee to provide input to the DRB or Planning Commission on matters involving historic structures. If this does not prove feasible, then assistance from a qualified consultant will be sought. Staff does not recommend the creation of a new board or commission due to the amount of staff support necessary and due to the infrequency of proposals which seek to modify designated historic structures.
PC 1/27/04 PH-28	CA-14c (Historic Preservation Advisory Committee)	The term "historic preservation" should be simplified in order for individuals to understand and comment.	Response: Note edits shown above.
PC 1/27/04 PH-28	CA-14d (Public Education)	Encourage the formation of citizen groups that are centered toward historic and architectural preservation.	Edit: Revise as shown. CA-14d. Public Education. Encourage historic preservation activities and the formation of historic preservation groups Help create historic preservation committees in neighborhoods to heighten awareness of historic landmarks and how architecture and landscape define the character of an area. Encourage schools to incorporate units about local history into their school programs. Continue to support efforts to install plaques recognizing historic locations in San Rafael.
PC 1/27/04	CA-15 (Reuse of Historic Buildings)	Reference S-8 in policy.	Edit: Revise as shown. See also S-8 (Seismic Safety of Existing Buildings.)

X. CULTURE AND THE ARTS ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PC 1/27/04	CA-16 (Compatibility of New Development in Downtown)	Consider restoring 8/4 wording for CA-16.		Edit: Add 8/4 wording for CA-16 to end of NH-31. Add reference to LU-2a. Encourage new development on sites in the Downtown area to be compatible with nearby historic buildings, the historic Downtown street pattern, and the area's historic, pedestrian oriented character.

XI. PARKS AND RECREATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PC 1/27/04	Page 225, Standards	Delete last paragraph. It's inaccurate and unnecessary.		Edit: Revise as shown. Each three criteria are listed in Policy PR-2, although user needs have been emphasized.
Staff	Pg. 227 Parks and Recreation Facilities Map	Add "#51" to show where the Nova Albion school site is.		Edit: Correct map numbers on Exhibit 24 (Park and Recreation Facilities) to correspond with list of Park and Recreation Facilities, Exhibit 25.
PC 2/10/04 PH-35	Page 228, Exhibit 24 (Parks and Recreation Facilities in San Rafael)	Map corrections		Edit: Delete #13 Ranchitos Park from Exhibit 25. Show the location of Fred Jensen Park.
10-2	Page 228, Exhibit 25 (Parks and Recreation Facilities in San Rafael)	Include the actual size of the Neighborhood and Community parks.		Edit: Exhibit 25 has been updated to include the sizes of parks and schools.
PC 2/10/04 PH-35	Page 228, Exhibit 25 (Parks and Recreation Facilities in San Rafael)	Add 'softball fields' to Nova Albion Offices.	Response: The descriptions of the schools will be deleted for consistency, and just listed by name. The facilities and their details are listed in Appendix D.	
PC 1/27/04 11-2 PH-33 PC 7/8/04	PR-2a (Park Criteria)	Add provisions to allow consideration of smaller, pocket parks.		Edit: Revise as shown. Use the park development criteria when evaluating proposals for new parks and park improvements. Consider the creation of neighborhood parks of less than three acres when it can be demonstrated that such a facility would satisfy an unmet neighborhood need, provide recreational value and be a sufficient size to support desired infrastructure..
PC 1/27/04	PR-4 (City Recreational Needs)	Too specific. Delete the example of soccer.		Edit: Revise as shown. Provide opportunities for recreational activities for boys and girls, teen, and adults through the creation of additional facilities such as fields for active sports, specifically for youth and adult soccer , a public pool south of Puerto Suello, and a community Senior Center.
PC 2/10/04	PR-6 (Community Center Improvements).	Consider making the Terra Linda Community Center master plan a short-term priority.	Response: Staff does not recommend the change. Preparing a site master plan in the next five years is infeasible given current priorities, staffing levels, and available funding.	
PC 1/27/04 PR-33	PR-7 (c) (Community Park Improvements – Gerstle Park)	Consider development of upper Gerstle Park. Suggest adding "address renovation needs and consideration of additional development" to program.		Edit: Revise as shown. Gerstle Park. Prepare a master plan that addresses renovation and development needs.

XI. PARKS AND RECREATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PC 2/10/04 PH-37	PR-7 (f) Shoreline Park.	A request was made to include a policy having a shoreline park band of no less than 100 feet.	Response: Supreme Court cases have limited the City's ability to require land dedication and improvements for public open space and trails unless there is a defined nexus between the impacts of the project and the imposed requirements. Staff does not recommend that a specific width for dedication/improvements be included in the policy wording, but that implementation of the adopted Shoreline Park Master Plan occur during individual project review.	Edit: PR-7f. Shoreline Park. Complete implementation of the Jean and John Starkweather Shoreline Park Master Plan, continuing to oversee the development of the privately- and publicly-owned sections of the park consistent with the <u>San Rafael Shoreline Park Master Plan</u> and the <u>Shoreline Enhancement Plan</u> .
PC 1/27/04	PR-9 (New Parks)	The Promenade is a key concept. Add a reference to PR-9 regarding the NSR promenade. Add new program or reference to Circulation policies. (C-24?)	Response: The Promenade is not intended to be a dedicated park (although it does include two pocket parks along its route), and so would be inappropriately mentioned in a policy or programs related to new park development. It is extensively covered in NH 143a, NH 164 and C-24.	
PH-34	PR-9 (New Parks)	It is critical for high-density areas to have a park.	Response: Staff agrees, which is why PR-9 addresses areas of town that are underserved by existing parks.	
Staff	PR-9 (New Parks)	What does "attain park sites" mean?		Edit to say "provide" rather than "attain".
Staff	Exhibit 24 (Parks and Recreation Facilities)	Recreation Plan map doesn't distinguish between existing and potential sites.		Revise title of map to state it shows sites as of 2004.
Staff	PR-9 (New Parks)	Add reference to Dominican and Montecito/Happy Valley policies regarding new parks.		Edit: See NH-70 (Park or Recreation Facilities) and NH-126x (Improved Recreation).
PC 1/27/04 78-3 PH-32	PR-9 (New Parks) (a. Bellam/Windward Way site)	A public comment was made to request that a portion of the policy wording which states, "Consider development on a portion of the site for private or public non-recreation use," not be included because such development would affect the ability to provide much-needed recreational facilities on the site. Delete last sentence entirely.	Response: The underlined wording was added by staff to the Steering Committee's original wording to clarify that some level of development could be allowed in order to hasten creation of a park facility. Types of potential development that have been suggested include senior and/or affordable housing, or a new public safety facility. Without the provision of additional financial resources, it is unlikely the development of the park facility will occur in the near term. Even the addition of state bond revenues over the past few years has not resulted in development of this site due to higher priority needs to improve and renovate existing City park and recreation facilities. However, given the need for scarcity of land in the Canal and the need for recreational fields, the Commission recommends that the last sentence be deleted.	Edit: Bellam/Windward Way site. Prepare a park master plan that responds to the traffic and environmental constraints of the property. Explore passive and active recreational opportunities. Consider development on a portion of the site for private or public non-recreation use if it would benefit the neighborhood and provide funding for park improvements.
PC 3/23/04 78-2	PR-9a (New Parks)	Move Bellam/Windward Way site from PR-9a (New Parks) to PR-8 (Neighborhood Park Improvements). Change Windward Way to a short-term priority. There is a conflict with Beach Park in PR-8. (3/23/04)	Response: Staff recommends that references to the Bellam/Windward Way park site remain in PR-9. Since there are no developed park components on the site at present, it is not an existing neighborhood park, as the other sites listed in PR-8. Community Services staff also recommend leaving the creation of a master plan for Bellam/Windward Way as a long term priority due to other Council-assigned priorities and the lack of identified funding for master planning or park improvements. Improvements have been made to Beach Park, so it should remain on the list of park sites which are presently considered complete.	

XI. PARKS AND RECREATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PH-54	PR-9 (New Parks) (a. Bellam/Windward Way site)	Change to wording so that it continues to be a housing opportunity site.	<i>Response:</i> Staff does not recommend that the proposed Park land use designation be changed to a housing designation. Policy PR-9a contains language which would allow consideration of developing a portion of the site to facilitate creation of the park. This site has been designated for development of a park due to the insufficient amount of park acreage compared to population within the surrounding neighborhood. It should be noted that the site has limited development potential due to existing wetlands, limited traffic capacity and the cost of building on former landfill.	
PC 1/27/04	PR-9 (c) (Dominican)	Include reference in NH to PR-9c		Edit: Revise as shown. PR-9 (c) Dominican. Pursue opportunities to provide a neighborhood park and/or recreation facilities in Dominican/Black Canyon. Encourage Dominican University to provide a neighborhood park and/or access to recreational facilities. Work with Dominican University in conjunction with the future Master Plan to identify potential park and/or recreational facilities.
66-3 PH-30	PR-9c (New Parks-Dominican)	Text should not imply that the University is the only potential site to be considered.		Edit: Revise as follows: b. Montecito/Happy Valley. Pursue opportunities to provide a neighborhood park. Encourage San Rafael High School or School District corporation yard to provide a neighborhood park with play facilities for toddlers and young children. Work with San Rafael City Schools to identify a potential park site. c. Dominican. Pursue opportunities to provide a neighborhood park. For example, e- Encourage Dominican University to provide a neighborhood park and/or access to recreational facilities. Work with Dominican University in conjunction with the future Master Plan to identify potential park and/or recreational facilities.
PC 1/27/04	PR-12b (Traffic Analysis for Recreation Facilities)	Reexamine this program.	<i>Response:</i> Recreational facilities are destinations for traffic trips and do not typically attract pass-by trips. Program should be deleted.	Edit: Delete Program 12b (Traffic Analysis for Recreation Facilities).
PC 1/27/04	PR-14 (Downtown Recreation)	Add examples of unexpected places.		Edit: Revise as shown. Encourage the creation of recreational facilities and gathering places open to the public, such as plazas, green spaces, and unexpected places, such as the alley improvements behind Art Works Downtown.

XI. PARKS AND RECREATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
2-1	PR-15 (Community Gardens)	Every effort should be made to develop and encourage the dedication of space for and the construction of community gardens, including tax incentives to obtain gardens and use of open space or park land.	<i>Response:</i> The policy supports retention of existing gardens and encourages community groups to establish new facilities. The conversion of existing park facilities to gardens is not supported due to our significant existing deficit in recreational facilities. There are use restrictions in dedicated open space areas, as well as practical problems with utility extensions and security of garden plots.	
Appendix D: Recreation Facilities and Acres to Retain through Naylor Legislation				
PC-1/27/04 PC-2/10/04	P. 370 Appendix D	Update Appendix in particular Nova Albion School information. Check the number of acres at the Nova Albion School.		Edit: Revise table as shown. Nova Albion (<u>currently school district offices</u>) Recreational facilities: Community garden, <u>Playfield</u>
PC-1/27/04 PC-2/10/04 PH-35	Pg. 370 Appendix D: Recreation Facilities and acres to Retail through Naylor Legislation	Add 'softball fields' to Nova Albion Offices.	<i>Response:</i> The table uses the term 'playfields' for the various football, open fields, baseball and softball fields at different school sites. For consistency, the same term is recommended.	Edit: For the Nova Albion school site, add "Playfields" to the list of Recreation Facilities. In addition change the "Recreational Acres" from "1" to "3" at the site.

XII. SAFETY ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PC 1/13/04	S-1a (Entitlement Process)	Add the Fire Department as implementing department.		Edit: Revise. Responsibility: Community Development, Fire
PC 1/13/04	Pg. 240	Delete last sentence of third paragraph of the introduction, as it's an unnecessary reference.		Edit: The San Rafael Fire Department has evaluated fire safety issues in hillside areas; these are discussed below under Public Safety and Emergency Response.
PC 1/13/04	S-5 (Soils and Geologic Review)	Should 'geologic' be 'geotechnical'?	Response: "Geotechnical" refers to soils and geologic review.	Edit: Revise the title to S-4a Geotechnical Review of Proposed Development. Soils and Geologic Review.
Staff	S-7X (Landslide policy)	DEIR mitigation re landslides	Response: The EIR identified a new policy for the General Plan policy about landslide hazards.	Edit: S-X Minimize Potential Effects of Landslides. Development proposed in areas with existing landslides or with the potential for landslides (as identified by a registered engineering geologist or geotechnical engineer) shall not be endangered by, nor contribute to, the hazardous conditions on the site or on adjoining properties. Development in areas subject to landslide hazards shall incorporate adequate mitigation measures that have a design factor of safety of at least 1.5 for static conditions and 1.0 for pseudo-static (earthquake) conditions. The landslide mitigation should consider multiple options in order to reduce the secondary impacts (loss of vegetation, site grading, traffic, visual) associated with landslide mitigation. The City will only approve new development in areas of identified landslide hazard if such hazard can be appropriately mitigated. Responsibility: Community Development Timeframe: Short term Resources: Staff time
Staff	S-8 (Seismic Safety of Existing Buildings)	Post-Earthquake policy and program	Response: The EIR identified a new policy for the General Plan policy to require post-earthquake building inspections of critical facilities, and restrict entry into compromised structures. Additionally, as part of this General Plan policy the city shall require inspections as necessary in conjunction with other non-city public agencies and private parties for structural integrity of important utilities and essential facilities. As part of this policy, the City shall adopt an implementing program to identify a list of facilities that would be inspected.	See also S-4a Soils and Geotechnical Review. Edit: Add Policy and Program as follows: S-8X. Post Earthquake Inspections. Require post-earthquake building inspections of critical facilities, and restrict entry into compromised structures. Require inspections as necessary in conjunction with other non-city public agencies and private parties for structural integrity of utilities and infrastructure. S-8Xa. Inspection List Identify a list of facilities that would be inspected after a major earthquake. Responsibility: Community Development Timeframe: Short term Resources: Staff time

XII. SAFETY ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
<p>PC 1/13/04</p>	<p>S-8a (Seismic Safety Building Reinforcement)</p>	<p>Add reference to CA-15d (Incentives), to note City's encouragement to rehabilitate older buildings.</p>	<p></p>	<p>Edit: Add the following after program S-8a: See CA-15d (Incentives).</p>
<p>Staff</p>	<p>S-9a. (Survey of Facilities). S-9X (Restriction of Businesses).</p>	<p>New Safety policy</p>	<p>Response: A new implementing program (S-9a) shall be incorporated into Policy S-9 of the <i>Draft General Plan 2020</i> that would require the City to survey existing industrial facilities within 1/4 mile of the schools. The survey would be used to determine the presence of hazardous materials and evaluate the risk of an accidental release that could adversely affect the health and safety of students and school staff. In addition, the City shall adopt a policy in the <i>Draft General Plan 2020</i> that would restrict siting of businesses or expansion of businesses (including hazardous waste repositories, incinerators or other hazardous waste disposal facilities) that have the potential for a significant hazardous materials release within one quarter mile of schools. The time frame for this policy and program shall require short-term implementation.</p>	<p>Edit: Add program and policy as follows: S-9a. (Survey of Facilities). Survey existing industrial facilities within one-quarter mile of the schools. The survey would be used to determine the presence of hazardous materials and evaluate the risk of an accidental release that could adversely affect the health and safety of students and school staff. S-9X (Restriction of Businesses). Restrict siting of businesses or expansion of businesses that have the potential for a significant hazardous materials release within one- quarter mile of schools. <u>Responsibility: Community Development</u> <u>Timeframe: Short term</u> <u>Resources: Staff time</u></p>
<p>Staff</p>	<p>S-11b (Hazardous Soils Cleanup)</p>	<p>Include DEIR mitigation, and a new program (requested by Fire Dept. staff).</p>	<p></p>	<p>Edit: Add programs as follows: S-11b (Hazardous Soils Cleanup). Require remediation and cleanup in accordance with regional and local standards in order to develop on sites where hazardous materials have impacted soil or groundwater. At a minimum, remediation and clean up of contaminated sites shall be in accordance with regional and local standards. The required level of remediation and clean-up shall be determined by the Fire Department based on the intended use of the site and health risk to the public. <u>Responsibility: Fire</u> <u>Timeframe: Short Term</u> <u>Resources: Staff Time</u> S-11b. Local Implementing Agency. As the Local Implementing Agency (LIA) for the San Francisco Regional Water Quality Control Board, the Hazardous Materials Division shall oversee the investigation and closure of contaminated underground storage tank sites. <u>Responsibility: Fire Department</u> <u>Timeframe: Ongoing</u> <u>Resources: Staff Time</u></p>

XII. SAFETY ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
<p>PC 1/13/04</p> <p>PC 1/27/04</p>	<p>S-15 (Flood Protection of New Development)</p>	<p>Regarding the 30-year settlement standard: if the issue is flooding, wouldn't it be better to require new development to pay for infrastructure repair instead? For example, instead for requiring fill and a raised elevation, shouldn't the developer pay to improve the levee along the Bay?</p>	<p>Response: Bay mud settlement can take 10-200 years, depending upon thickness of mud and site loading. 80% of the settlement occurs in the first 25% of this period. The revision states the City's objective, provides direction for site engineering, but allows for some flexibility in unique situations. A 50-year settlement design is a more typical "best engineering practice" than 30 years.</p>	<p>Edit: Revise as shown below. Delete NH-97 (Fill Heights) for consistency; replace with a reference to S-15.</p> <p>Design new development within the bay mud areas to minimum floor elevation that provides protection from potential impacts of flooding during the "100-year" flood. The final floor elevation (elevation of the first floor at completion of construction) shall account for 30-year settlements <u>the ultimate settlement of the site due to consolidation of the bay mud from existing and new loads, taking into account soils conditions and the type of structure proposed. Design for settlement over a 50-year period is typically considered sufficient.</u></p>
<p>PC 1/13/04</p> <p>PC 1/27/04</p>	<p>S-15 (Flood Protection of New Development)</p>	<p>This policy requires that new development be built to account for a 100-year flood. However, City storm drainage infrastructure is built to accommodate a 25-year flood. Should the two practices be consistent?</p>	<p>Response: It has been the City's engineering practice to design storm drainage facilities to accommodate a 25-year storm. The assumption has been that the streets would act as storage facilities for the excess water that would result from a more intense storm event. This practice has created confusion among the public, which expects that the policy of protecting new development from a 100-year flood also applies to downstream storm drainage improvements. The new Public Works Director supports improvements to storm drainage facilities by new development to accommodate a 100-year storm from the subject site, and notes that the incremental difference in rainfall intensity between a 25 and 100-year event is relatively small.</p>	<p>Edit: A new policy and program are recommended as follows.</p> <p>S-X Storm Drainage Improvements.</p> <p>Require new development to improve local storm drainage facilities to accommodate site runoff anticipated from a "100-year" storm.</p> <p>S-Xa. Storm Drainage Improvements. <u>Require that new development proposals which are likely to affect the limited capacity of downstream storm drainage facilities provide a hydrological analysis of the storm drain basin of the proposed development and evaluate the capacity of existing downstream storm drainage facilities and fund improvements to accommodate increased drainage from the project site resulting from a 100-year storm, where practical.</u></p>
<p>PC 1/13/04</p> <p>PC 1/27/04</p> <p>20-1</p>	<p>S-16 (Creekside Management Plan): Implementation of Creekside Management Plan.</p>	<p>Flooding is a concern in Gerstle Park Neighborhood.</p>	<p>Response: A memo from the Public Works Director (see the Neighborhoods Element) addresses this issue. In summary, the Mahon Creek Plan extended only from the Canal to B Street, in areas of City ownership. Public Works crews conduct annual maintenance in these segments. Over the past 20 years the City has invested over \$12 million in storm drainage improvements in Bret Harte, Picnic Valley and Gerstle Park, including a new storm drain system on C Street, north of Treanor. All these areas remain in FEMA flood zones, but regular flooding has been greatly reduced. The C, Treanor, First, B, Willow Street area is low lying, adjacent to Mahon Creek. This area will flood due to a combination of high tides, wind surge and intense rainfall, when the Creek cannot accept additional runoff. No additional improvements are considered feasible or practical at this time.</p>	

XII. SAFETY ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
Staff	S-18 (Rise in Sea Level) S-17b (Ground Elevation Surveys)	Include DEIR mitigations.		<p>Edit as follows:</p> <p>S-18. (Rise in Sea Level) Coordinate a response to potential rise in sea level with local, regional, state, and federal agencies. <u>Prior to levee heightening for flood control purposes, contact the Intergovernmental Panel on Climate Change regarding the most current estimates of sea level rise.</u></p> <p>Add new program under S-17:</p> <p>S-17b (Ground Elevation Surveys) Perform periodic ground elevation surveys within the Canal Neighborhood to determine ground elevations throughout the area, including the levee system. The result of the survey shall be used to determine the need for levee heightening for flood protection purposes. When a need for levee heightening is determined, the City shall heighten the levees as necessary on public property and require that levees on private property be heightened.</p> <p>Responsibility: Public Works Timeframe: Ongoing Resources: Staff time</p>
Staff	S-19X (Septic Systems)	Include DEIR mitigation re. septic tanks.	<i>Response:</i> The EIR identified a General Plan policy that would discourage the use of septic systems within the Planning Area.	<p>Add new policy as follows:</p> <p>S-19X. (Septic Systems) Discourage the use of septic systems within San Rafael's Planning Area. If no other alternatives exist, then soil tests shall be required to determine if the on-site soils are suitable for development of a septic system for disposal of wastewater. In hillside areas, an evaluation of the additional water from a septic system on hillside stability shall also be required. New or improved septic systems shall be designed by a registered civil engineer that specializes in septic design.</p> <p>Edit: Revise as shown. Resources: Staff Time Capital Improvements, Grants</p>
PC 1/27/04	S-22c (Vehicle and Equipment Maintenance)	Suggest adding resources such as grants and capital improvements.		

XII. SAFETY ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PC 1/13/04 PH-2	S-23a (Restorative Justice Program)	Consider a clearer definition of the program for better understanding. Add wording to coordinate with County.		Edit: Add. <u>Cooperate with County authorities to review, identify and evaluate alternative sentencing methods to enhance the community.</u> Add a text box with a definition of 'restorative justice': What Is Restorative Justice? Restorative justice is a response to crime that recognizes that criminal behavior injures victims and the entire community. It is a process that seeks to repair the harm caused by crime by involving victims and communities in the justice system through processes such as direct restitution, victim-offender mediation and policies that promote victims' rights.
PC 1/13/04	S-28 (New Development in Fire Hazard Areas)	Add 'on or' in the policy statement.		Edit: Revise. Design new development located <u>on or adjacent</u> to natural hillsides to minimize fire hazards to life and property.
PC 1/13/04	S-29a (Safe Buildings)	Add the Police Department as an implementing department.		Edit: Revise. Responsibility: Fire, Community Development, <u>Police</u>
PC 1/13/04	S-32c (Housing Incentives)	Add "City initiatives" because the City should be active, beyond lobbying in Sacramento, in finding ways for public safety employees to live in San Rafael.		Edit: Revise. Support State legislation and City initiatives that would provide incentives for public safety employees to live in San Rafael, so that they may be readily available if a disaster should occur.
PC 1/13/04 PH-8	Page 241.	Should the City have a policy or program addressing the use of buildings and seismic safety, for example, to protect people from falling shelf items?	Response: The Building Code addresses anchoring of storage units, but not the display of contents within a store. To develop local standards would be impractical and the resulting display regulations burdensome to local merchants. In addition, it is uncertain if the necessary findings to modify local building codes could be justified in the case of adding standards for interior display.	
PC 1/13/04 Staff	S-38a (Public Safety Facilities)	This implementing program should be a stronger statement about building the facilities the City needs. Development consistent with the <i>Draft General Plan 2020</i> would generate demand for police services beyond the existing capacity of the San Rafael Police Department. This would be a significant impact.	Response: In order to meet the existing and projected future needs of the San Rafael Police Department, the City shall amend program S-38a Public Safety Facilities to assure that the San Rafael Police Department takes the following actions: <ul style="list-style-type: none">• Determine the department's existing and projected facility needs;• Obtain the necessary funding for the needed improvements; and• Purchase, construct, and/or renovate the necessary additional facilities.	Edit: Revise. Evaluate needed upgrades to public safety facilities, particularly seismic safety improvements, and seek funding mechanisms. Continue to explore the possibility of constructing improved public safety facilities. Add the following reference after the program: <u>See I-2a (Long Term Needs).</u>

This page intentionally left blank.

XIII. NOISE ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
<p>PC 1/13/04</p>	<p>N-1 (Noise Impacts on New Development)</p>	<p>Fourth sentence appears to be incomplete.</p>		<p>Edit: Revise sentence. If a project exceeds the standards in Exhibit 30, an acoustical analysis shall be required to identify noise impacts and potential noise mitigations. If the noise environment exceeds the standards in Exhibit 30, also identify which projects shall require an acoustical analysis to define noise impacts.</p>
<p>PC 1/13/04</p>	<p>N-2 (Exterior Noise Standards for Residential Use Areas).</p>	<p>Both of these policies refer to outdoor use areas. Clarify what the difference is in the intent of the policies.</p>	<p>Response: The two policies differ in that N-2 (Exterior Noise Standards...) applies to new residential development, and establishes a noise design standard for an outdoor area such as a backyard. Outdoor areas must be designed through site design and/or walls to meet the noise standard, and N-5 (Traffic Noise from New Development) applies to existing outdoor areas, and establishes a limit to the increase in noise as a result of traffic from new development. If the traffic from a new project results in a specific increase in noise, than reasonable mitigations are required.</p>	
<p>PC 1/13/04</p>	<p>N-4 (Noise from New Commercial and Industrial Development)</p>	<p>Residential "area" is unclear as to what is included. In addition, it's unclear what the difference is between 'commercial,' 'industrial,' and 'retail' uses.</p>		<p>Edit: Revise the policy and program as follows. N-4. Noise from New Commercial and Industrial <u>Nonresidential</u> Development. Design commercial and industrial <u>nonresidential</u> development to minimize noise impacts on neighboring uses. a-Performance Standards for Uses Affecting Adjacent to Residential Areas <u>Districts</u>. New nonresidential development adjacent to residential areas shall not increase noise levels in a residential area district by more than L_{dn} 3 dB, or create noise impacts that would increase noise levels to more than L_{dn} 60 dB at the property line of the noise receiving use, whichever is the more restrictive standard. b-Performance Standards for Uses Affecting Nonresidential and Mixed Use Districts <u>adjacent to Office, Industrial and Retail including Mixed-Use areas</u>. New commercial <u>nonresidential</u> projects shall not increase noise levels in a commercial <u>nonresidential</u> or mixed use district area by more than L_{dn} 5 dB, or create noise impacts that would increase noise levels to more than L_{dn} 65 dB (Office, Retail) or L_{dn} 70 dB (Industrial), at the property line of the noise receiving use, whichever is the more restrictive standard. e-Waiver. These standards may be waived if, as determined by an acoustical study, there are mitigating circumstances (such as higher existing noise levels), and no uses would be adversely affected.</p>

XIII. NOISE ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
				<p>N-4a. Require Acoustical Study. An acoustical study should identify through an acoustical study and suggest types of noise mitigation measures to be designed and built into new commercial-nonresidential and mixed use developments, and encourage absorptive types of mitigation measures between noise sources and adjacent residential neighborhoods.</p>
<p>PC 1/27/04</p>	<p>N-5 (Traffic Noise from New Development)</p>	<p>Clarify that policy addresses impacts of proposed development either on or off site with noise condition of 65 decibels or greater. I.e., development in one location affecting another.</p>		<p>Edit: Revise as shown. Minimize noise impacts of increased off-site traffic as a result of caused by new development.</p>
<p>PC 1/13/04</p>	<p>N-6 (Traffic Noise)</p>	<p>Program N-5b (Coordination with State and Local Agencies), which was not included in the January 9th draft, should be restored to encourage continued coordination between the City and other agencies.</p>		<p>Edit: Include under N-6 (Traffic Noise) the following program: N-6c Coordination with Local and State Agencies. <u>Coordinate with Cal Trans, Marin Countywide Planning Agency, Congestion Management Agency and other agencies to achieve noise reduction along Pt. San Pedro Road, Highways 101 and 580, and the Sonoma Marin Area Rail Transit corridor.</u></p>
<p>PC 1/13/04</p>	<p>N-6f (Widening of US 101 and 580)</p>	<p>Delete "the" in the second sentence of the program.</p>		<p>Edit: Revise as shown. Review and comment, as necessary, on any proposed sounds walls in the San Rafael.</p>
<p>PC 1/27/04</p>	<p>N-7. (Airport/Heliport)</p>	<p>What is the status of the heliport?</p>	<p>Response: The heliport is in use with minimal and sporadic landings, as reported by the property owner to the City Manager on a regular basis.</p>	
<p>PC 1/13/04</p>	<p>N-9 (Sonoma Marin Area Rail Transit)</p>	<p>Reorganize the first sentence to recognize that rail service has not yet been approved by voters.</p>		<p>Edit: Revise as shown. If a commuter rail service or other use is developed along the Sonoma Marin Area Rail Transit right-of-way, in minimize noise impacts on existing development if a commuter rail service or other use is developed along the Sonoma Marin Area Rail Transit right-of-way.</p>
<p>PC 1/13/04</p>	<p>N-9a (Future Transitway Mitigation Measures)</p>	<p>Recognize that the sales tax has not yet been approved by voters.</p>		<p>Edit: Revise as shown. Resources: <u>Potential Taxes (Sales)</u></p>

XIII. NOISE ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
<p>PC 1/13/04 PC 1/27/04</p>	<p>N-10 (Nuisance Noise)</p>	<p>A statement needs to be included about City involvement in resolving community disputes re: impacts from rock quarry operations. Would like a policy like N-7 for the quarry or include it as part of N-10.</p>		<p>Edit: After program N-10c, add a reference to the neighborhood policy NH-147. See also NH-147 (San Rafael Rock Quarry and McNear Brickworks). Also, add program as shown: N-10d. San Rafael Rock Quarry. Seek to minimize noise impacts of the quarry and brickyard operations through cooperative efforts with the County of Marin through its code enforcement and land use entitlement processes. Responsibility: Community Development Timeframe: Ongoing Resources: Staff Time See NH-147Xa (Rock Quarry Impacts)</p>
<p>PH-7</p>	<p>N-10 (Nuisance Noise)</p>	<p>Desire for the City to limit, reduce or eliminate such use as leaf blowers.</p>	<p>Response: The City Council recently considered nuisance noises such as leaf blowers and other household power tools, including requests to ban such noise sources. The Council adopted a new noise ordinance that limits the time for use of such equipment, but does not impose a ban on their use.</p>	
<p>PC 1/13/04</p>	<p>Exhibits 31 (San Rafael Airport Noise Contours) and 32 (Helicopter Noise Contours)</p>	<p>Are these current noise contours? Clarify what these exhibits are.</p>		<p>Edit: Revise exhibits: Add a note that the maps show noise contour conditions as of 2003. Highlight the heliport site.</p>
<p>119-1</p>	<p>Sources (Noise)</p>	<p>Add report to sources for information about noise in San Rafael.</p>		<p>Edit: Add the following reference: <i>Traffic Noise Investigation U.S. 101, Marin County Final Long-Term Measurement Report.</i> Prepared for Caltrans District 4 by Harris Miller Miller & Hanson, November 2001.</p>

This page intentionally left blank.

XIV. OPEN SPACE ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
Staff	OS-1 (Open Space Preservation)	Correct title of appendix.		Edit: Preserve through a variety of methods, the open space areas identified in the Open Space Inventory Inventory of Potential Open Space Sites (See Appendix G).
PC 1/27/04 Staff	OS-1a (b), (Open Space Inventory)	Correct titles. Add "wildlife movement corridors and endangered species" to b.		Edit: Revise titles and policy as shown. Open Space Inventory —should be <u>Inventory of Potential Open Space Sites</u> . b. Resource Areas and Aesthetics (visual backdrop or edge, unique site features, shorelines/ridgelines, wetlands, wildlife habitat <u>including wildlife movement corridors and habitat for endangered species</u>).
PC 1/27/04	OS-1b (Preservation Opportunities)	Add the option of acquisition of fee title or acquiring easements for preserving open space. Consider Marin Audubon Society as an option for bayland and open space protection (either as interim or permanent owner) instead of relying on homeowners.		Edit: Revise policy as shown: "...Encourage the dedication of open space areas that are adjacent to public open space. Possibilities also include <u>acquisition of fee title or acquiring easements for preserving open space...</u> "
157-1	OS-1b (Preservation Opportunities)	Strongly support the purchase of open space in Marin County for the purposes of conservation. NO MORE DEVELOPMENT!	Response: Comment noted.	
PC 1/27/04 37-4	OS-2 (Open Space Management)	"Wildlife habitat protection" should be added to list in sentence three.		Edit: Revise last sentence of policy as shown. ...Address illegal camping and campfires, disease control, erosion control, urban/wildlife interface, recreational and other activities harmful to open space environment, as well as <u>vegetation management and wildlife habitat protection issues</u> .
PC 1/27/04 37-4	OS-2a (Open Space Management Plan)	A specific representative for habitat protection should be included on the committee.	Response: The program suggests establishing a committee with neighborhood groups, user groups, stakeholders and environmental groups. A representative from a habitat protection group would be considered an environmental group.	
PC 1/27/04 37-3	Appendix G (Potential Open Space Sites)	Marin Audubon Society requests an opportunity to view the Open Space Inventory.		Edit: Revise title as shown. Potential <u>Inventory of Potential Open Space Sites</u> The open space inventory is on Page 381.

This page intentionally left blank.

XV. CONSERVATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PH-141	Conservation Element	Take a careful look at and assessment of wetlands. More than 90% of wetlands in California have been destroyed.	Comment Noted	
PC 1/13/04	CON-1b	Add 'contributions' as a Resource. In addition, staff recommends correcting the name of the Mahon Creek plan.		Edit: Revise the name of the Mahon Creek plan. Complete the implementation of the Mahon Creek <u>Final Conceptual Plan</u> and the <u>Shoreline Park Master Plan</u> . Resources: Grants, Contributions
PC 1/27/04	CON-2. (Wetlands Preservation)	Allow for acquisition of fee title and/or easements, in case the City itself does not wish to purchase property or accept easements.		Edit: Revise as shown. Support and promote acquisition of fee title and/or easements from willing property owners.
PC 1/27/04	CON-3 (Unavoidable Filling of Wetlands)	Define 'unavoidable' as used in "if fill in <i>unavoidable</i> , there shall be a compensatory minimum of 2:1 ratio of wetlands created or restored on-site or off-site." Fill should be allowed only if the use is in the interest of the public at large, not just benefiting a limited group of people.	Response: An impact would be deemed unavoidable only after thorough review through the CEQA process, by the U.S. Army Corps of Engineers (via an alternatives analysis per Section 404(b)(1) of the Clean Water Act), the California Department of Fish and Game, the Regional Water Quality Control Board, and potentially the California Coastal Commission. According to CEQA, unavoidable is defined as "impacts that cannot be avoided because there are no feasible mitigation measures or because feasible measures cannot mitigate the impacts to a less than significant level." If a project was proposing to "fill" a wetland, the proposed actions would be evaluated at length as to why impacts to wetlands could not be avoided and if there was feasible mitigation to reduce the impact to a less than significant level. Only after this thorough review of the proposed actions and approval by the Corps of the alternative analysis, would the impact be deemed unavoidable.	
PC 1/27/04	CON-3 (Unavoidable Filling of Wetlands)	The waiver language should be deleted. Providing an avenue for approving the loss of wetlands, no matter what the size or location, is contrary to CON-3 that wetland fill be avoided because of the value of these resources. Isolated wetlands are of great value because they are rare and provide a water source where such resources are limited.	Response: See discussion about waivers under CON-4 below.	

XV. CONSERVATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PC 1/27/04	CON-3. (Unavoidable Filling of Wetlands).	Consider a policy stating that the use of wetland mitigation banks is not acceptable for projects in San Rafael. Mitigation banks, unless located in the same local watershed, rob the community all of the benefits of wetlands and remove important habitat from the area.	Response: CON-3a specifically states that any created wetlands must be of at least equal functional quality. The function of the wetland would be dependant upon local species having the opportunity to utilize the newly created habitat. This policy also states that the created wetlands should occur within the same drainage basin as the impacted wetland and should occur on or adjacent to the specific site. It is not necessary to add additional language stating that mitigation banks would not be acceptable. Mitigation banks that may currently exist within or in the vicinity of the Planning Area, along with any future mitigation banks that could be created in the vicinity of the Planning Area would be acceptable mitigation to compensate for the loss of wetland habitat.	
PC 1/13/04	CON-3a (Unavoidable Filling of Wetlands)	Has creation of wetlands been successful?	Response: San Rafael's General Plan biology consultant Rick Hopkins reports that wetland creation has been successfully executed as a compensatory mitigation measure for several decades. However, there has been a noticeable increase in wetland creation over the last two to three decades due to regulatory requirements imposed by both the U.S. Army Corps of Engineers and Regional Water Quality Control Board (e.g., No Net Loss policy established by the Corps). Wetland creation/enhancement efforts can and often are quite successful and the ultimate success of this type of mitigation tends to hinge on the amount of wetland habitat being created and the adherence to the monitoring program. Failure of mitigation sites can usually be attributed to the lack of monitoring and the implementation of remedial measures to correct any initial problems with design or out-right failures. Due to the location and topography of San Rafael and the types of wetlands that occur within the City, it is expected that wetland creation could easily be designed in a way that if monitored correctly would result in habitat equal or greater in value to that of the impacted wetland. To ensure effective wetland mitigation, a plan is typically developed for wetland projects; the plan typically includes specific performance criteria, a monitoring program of five years, and contingency measures to implement if the performance criteria are not met. San Rafael and any other responsible agencies require these mitigations as part of the conditions of project approval.	
PC 1/27/04	CON-3b (Creation of Wetlands).	Created wetlands should be of the same habitat type as those they would be replacing, not "similar." "Similar" is unclear and would allow for a broad variety of types.	Response: The word "similar" is used to allow for some flexibility. CON-3b specifically addresses the fact that compensatory mitigation would be necessary for the loss of wetland habitat, but it is not always possible or desired to create habitat identical to that which is being disturbed. For instance, if an isolated wetland occurs on a project site that is dominated by non-native plant species, a similar wetland would be required to compensate for the loss of this habitat; it would be recommended that the mitigated wetland be created in a way that would support native species. Another example is if mitigation could be executed on the specific site of the original impact, but the wetland was going to take a slightly different form, this would be preferred over going off site. Typically in situations such as these, a higher compensatory ratio is required (which would be decided upon during the CEQA process and consultation with various state and federal agencies).	

XV. CONSERVATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
<p>PC 1/27/04</p>	<p>CON-3b (Creation of Wetlands).</p>	<p>What is a technical constraint as used in "If on-site creation is infeasible due to <i>technical constraints</i>, compensatory habitat may be created off-site, preferably in the same drainage basin?" The only reason a wetland could not be created is if it is placed in a completely unsuitable location. The only reason a wetland could not be created is if it is placed in a completely unsuitable location – the problem is that one can find a consultant to say just about anything is suitable, so this assurance is really no assurance at all.</p>	<p>Response: Technical constraint refers to a constraint from proposed development. In other words, the remaining open space on a specific property not providing the correct topography to support a wetland habitat, not located in an area that would be able to establish as a natural, self-sustaining habitat, etc. If a specific property owner is being forced to mitigate for the loss of wetland habitat, they are going to prefer that the mitigation be done on their property. On-site mitigation is the least expensive and quickest route for a property owner to take; although, it is not always possible depending on the property and project objectives.</p>	
<p>PC 1/13/04 PC 1/27/04</p>	<p>CON-4 (Wetland Setbacks) CON-6 (Creek and Drainageway Setbacks)</p>	<p>Is the waiver from wetland and creek setback policies to allow an "economically feasible use" too broad? Why is it included? Can it be deleted? The waiver language should be deleted. Providing an avenue for approving the loss of wetlands, no matter what the size or location, is contrary to policy CON-3 that wetland fill be avoided because of the value of these resources. Further, isolated wetlands are of value because they are rare and provide a water source where such resources are limited. The city should not set a process to waive protections for the wetlands. Suggest adding "to the maximum extent feasible" to the waiver policy.</p>	<p>Response: The City Attorney recommends keeping the language in both policies. The City must allow an exception to the policies in the event that the required setbacks deny a property owner all economically viable use of the property. (<i>Lucas v. South Carolina Coastal Council</i> (1992) 505 U.S. 1003; <i>Homebuilders Association of Northern California v. City of Napa</i> (90 Cal.App.4th 188).) If the policies deny a property owner all economically viable use because of the regulation, the United States and California Constitutions would require the City to pay the property owner "just compensation". A property owner could claim that the General Plan policies are facially invalid if the policies do not provide a method for the City to avoid an unconstitutional application of the policies to the subject property. (<i>San Mateo County Coastal Landowner's Assn. v. County of San Mateo</i> (1995) 38 Cal.App.4th 523, 547.) Thus, if the policies do not provide an exception, a property owner could challenge them as an unconstitutional "taking" of property without just compensation. The remedy of a successful challenge is invalidation of the policies plus a potential award of attorneys' fees. Regardless of whether the exception language is in the policy, the City must allow an exception if the policies would deny all economically viable use of property in order to avoid buying the property. It should be noted that it is very rare for a court to find that a general plan policy or zoning regulation has denied a property owner all economically viable use of property. The exception, therefore, is very limited. Nevertheless, because an exception must be allowed, it is recommended that it be expressly included to avoid a legal challenge to the General Plan. The Commission recommends that a separate more general policy be included in the General Plan, shielding the City from a takings challenge. See the Land Use Element, policy LU-2 for the recommended wording. The City Attorney suggests that the word "any" be added to the policy to recognize the court's broad interpretation of an 'economically viable' use.</p>	<p>Edit: Revise the policies as follows. CON-4 (Wetland Setbacks) . . . The City may waive this requirement for minor encroachments if it can be demonstrated that the proposed setback adequately protects the functions of the wetland to the maximum extent feasible and resulting values to the satisfaction of the City after review by the appropriate regulatory agencies; or if the property owner can demonstrate that implementation of this policy would preclude any economically viable use of the property. CON-6 (Creek and Drainageway Setbacks) . . . The City may waive this requirement for minor encroachments if it can be demonstrated that the proposed setback adequately protects the functions of the wetland to the maximum extent feasible and resulting values to the satisfaction of the City after review by the appropriate regulatory agencies; or if the property owner can demonstrate that implementation of this policy would preclude any economically viable use of the property.</p>

XV. CONSERVATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
<p>PC 1/27/04 PH-7</p>	<p>CON-4 (Wetland Setbacks).</p>	<p>Would 'development-free setback' include unpaved trails, back yards, golf courses, playing fields and picnic areas? Suggest saying "developed areas", and the setbacks should only include native plants with high habitat value for the species that are anticipated to use the wetlands.</p> <p><i>The Baylands Ecosystem Habitat Goals Report</i> calls for buffer zones defined as a zone of transitional or upland vegetation that abuts a bayland or stream with the purpose of minimizing the native effects of adjacent land uses on the bayland or stream. The report calls for a minimum width of 300 feet, and where existing land uses or other factors preclude this, buffers should be a minimum of 100 feet wide.</p>	<p>Response: The purpose of a setback or buffer is to reduce anthropogenic effects on wetland systems. The Plan requires that there be a minimum of a 50 foot development-free setback (free from all human disturbance including unpaved trails, backyards, etc.) from wetland habitats. Individual projects will be evaluated according to the quality of the wetland habitat on their individual parcel. If the quality of the wetland is determined to be high, a setback greater than 50 feet may be required. However, if the wetland is degraded and/or has development surrounded it on all sides but the parcel in question, a 50 foot buffer would be sufficient to protect the habitat. The exact size of the buffer would be determined on an individual basis during the CEQA process and through consultation with the various governing agencies..</p>	<p style="text-align: center;">Recommendation</p>
<p>PC 1/27/04</p>	<p>CON-6 (Creek and Drainageway Setbacks).</p>	<p>Fifty to 100 foot setback should be required if it's possible.</p> <p>A riparian buffer should at least protect existing native vegetation. Removing of vegetation and trashing stream banks should not be an excuse to allow development to the edge of creeks.</p>	<p>Response: It is generally desirable to minimize human activities adjacent to riparian corridors. The goal of minimizing human use has led to the requirement of a setback or buffer along riparian corridors as an attempt to reduce impacts to these areas. The Plan protects the creeks and drainageways within the Planning Area by requiring a development-free buffer along these waterways. The exact size of the buffer cannot be determined in this Plan because the buffer will be set depending on the quality of the riparian habitat in question. The exact size of the buffer will be determined during an individual project's CEQA process and consultation with the various governing agencies.</p> <p>The Plan does set some basic guidelines as to how the size of the buffers will be determined. CON-6 states that a minimum of a 25 foot buffer will be required depending on the individual project that is proposed. The unnamed tributaries, San Rafael Creek, and Gallinas Creek are overall not high quality riparian habitat; therefore, a minimum of a 25 foot buffer would generally be sufficient to protect these riparian areas. Although, in the stretches of these waterways that are of high quality habitat (undisturbed, development absent from surrounding lands, riparian vegetation stretching beyond the minimum buffer of 50 feet, etc.), a greater buffer may be required and determined on an individual basis. Miller Creek is the most pristine riparian habitat that occurs in the Planning Area. The Plan states that a minimum of a 50 foot setback would be required along this creek. Although, as stated above, in areas that are of high quality a greater buffer may be required.</p> <p>The width of existing native riparian vegetation will be one of the main guidelines when determining the size of the riparian setback. Through the CEQA process and consultation with the agencies, individual projects will be required to protect this riparian</p>	<p>Edit: Make edit to first sentence and edit section (a). Require development-free setbacks, <u>except for specific access points as approved per policy CON-7 (Public Access to Creeks)</u>, from existing creeks and drainageways that will maintain the functions and resulting values of these habitats. . . .</p> <p>a) Setbacks up to 100 feet may be required on private <u>lots or development projects</u> two or more acres in size</p>

XV. CONSERVATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
<p>PC 1/27/04</p>	<p>CON-6 (b) (Drainage Setbacks)</p>	<p>Suggest at least 25 foot setback from drainageways. Drainageways are the beginning of the riparian ecosystems. If they do not have adequate width and native vegetation, water quality for the entire remainder of the creek ecosystem will be degraded. Include a policy to keep all drainages above ground to better assure that water quality and habitat will be maintained. (See also waiver discussion under CON-4 above.)</p>	<p>vegetation. CON-8c also requires that trees within riparian zones be retained where possible. So there is no conflict between CON-6 (Creek and Drainage Setbacks) and CON-7, change the wording in CON-6 to allow for access points. Response: Small drainageways occur throughout the Planning Area. Many of the drainageways are simply eroded features that do not provide high quality habitat for any biological resources; thereby not necessitating a 25-foot setback.</p>	<p>Edit: Revise the definition of creeks and Drainageways to better identify which waterways are subject to the creeks and Drainage policies. Revise Exhibit 36 to show the creeks and streams shown on the latest USGS map. C r e e k s a n d D r a i n a g e w a y Creeks and drainageways are perennial or intermittent watercourses that have an identifiable defined bed and bank, i.e., the channel bed is incised into the substrate. Creeks are defined as permanent and intermittent watercourses identified on Exhibit 36, based on the latest United States Geologic Survey (USGS) topographic and Fish and Wildlife Service maps. Creeks, with a defined bed and bank and with an unbroken riparian corridor of 50 feet or more not shown on the map are presumed to exist, and shall be identified through project review and protected under the policies of this plan. Drainageways are defined as open hillside drainage swales, or localized depressions that lack defined banks where intermittent or ephemeral runoff may concentrate, and open improved interior drainage channels with stabilized or improved banks. Map Drainageways do not support significant riparian habitat. are identified on the latest USGS and Fish and Wildlife Service maps. Drainageways exist throughout San Rafael. During the development review process, drainage capacity and habitat value of any drainageways on a site shall be assessed, and appropriate setbacks determined. Riparian areas are habitats associated with creeks and drainageways and can be identified by characteristic vegetation types typically dominated by willow or alder shrubs or trees.</p>
<p>PC 1/27/04</p>	<p>CON-7 (Public Access to Creeks).</p>	<p>All public access should be outside of setback areas and should be designed to avoid impacts.</p>	<p>Response: Some public access (defined as appropriate access <i>points</i>) to creeks can be desirable. Policy CON-7 states that in designing public access to a creek, the access 'will not adversely affect habitat values.' This would be determined during development review of proposed improvements in the vicinity of a creek.</p>	

XV. CONSERVATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PC 1/27/04	Native Plants, Animals and Wildlife Habitat (P. 285)	Section should contain policies to protect native oaks, other native trees and native woodlands as well as native grasslands as these are important and diminishing habitats.	Response: Tree preservation and protection of woodlands and native grasslands would be covered under "CON-10. Impacts to Sensitive Habitats." There is not a need to state explicitly the habitats that will be protected under CON-10, as that will be done when individual projects implement these policies. Also, "CON-8c. Tree Retention" specifically protects trees along riparian corridors.	
PC 1/27/04	CON-9 (Native and/or Sensitive Habitats)	Better indicate location of 'sensitive, rare, declining, unique or valuable biological resource' habitats.	Response: Exhibit 37 identifies areas within the Planning Area where listed species could potentially occur. This map indicates that where these species could potentially occur, suitable habitat exists. When a specific project is proposed in the Planning Area, this policy would be implemented through the CEQA process. The individual project applicants would be required to conduct appropriate surveys to ascertain whether or not specific species and their suitable habitat are present or absent on their particular parcel.	
PC 1/27/04	CON-9a (Steelhead Habitat).	Consider adding indicator species, such as California Shrimp, to the program.	Response: The California freshwater shrimp occurs in 17 streams in Marin, Sonoma, and Napa Counties, none of which run through the Planning Area. The nearest sighting of this species was in Lagunitas Creek in Marin County. The <i>Draft General Plan 2020</i> discusses the sensitive species that occur within or in the direct vicinity of the Planning Area. Staff does not recommend that additional species be discussed, as they are not pertinent to the Planning Area.	
PC 1/27/04 37-15	CON-9b (Feral Cats).	Policy should pertain to all cats, because all loose cats impact the bird population, not just feral cats. Also, verify that the Humane Society has a program to reduce feral cat populations.	Response: This program is intended to protect valuable habitat areas. Under the Marin Humane Society's feral cat program, its staff will spay or neuter, vaccinate, microchip and test for diseases when feral cats are brought in. The cat is then released back to the person who brought the cat to the Society. Staff does not recommend a City program controlling cats because of the difficulties and cost in designing and implementing such a program.	
Staff	CON-10a (Oak Savanna/Woodland Habitat Protection)	Include DEIR mitigation.	Response: In order to reduce impacts to oak savanna/woodland habitat, include a new implementing program for Oak Savanna/Woodland Habitat Protection.	Edit: Add Program as follows: CON-10a (Oak Savanna/Woodland Habitat Protection) Require that proposed developments with potential impacts to oak savanna/woodland habitat to either avoid, minimize, or compensate for the loss of oak savanna/woodland habitat. Avoidance would be the preferred measure where feasible. If it is deemed that an impact is unavoidable, minimization of direct and indirect impacts or compensation through habitat restoration, creation, or enhancement would be required.
PC 1/27/04	CON-13 (Threatened and Endangered Species)	Should also call for preserving and protecting the habitats of endangered species.	Response: The protection of threatened and endangered species habitat is implied under CON-13. In order to preserve and protect these species, protection of their habitat would also be required. However, the additional wording may help clarify the intent.	Edit. Revise as follows: Preserve and protect threatened and endangered species of plants and animals formally listed consistent with the state and federal endangered species acts <u>including protection of their habitat.</u>
PC 1/27/04	CON-13a (List of Species)	Consider adding a "species of interest" to the program.	Response: As stated above in the response to CON-9a, we do not feel that additional species should be discussed, as they are not pertinent to the Plan.	

XV. CONSERVATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
Staff	CON-14b (Survey) CON-14c (Minimization)	Include DEIR mitigation.		<p>Edit: Add two new programs as follows: CON-14b (Surveys) Require that vacant sites be surveyed for the presence or absence of relevant special status species prior to development approval. CON-14c (Minimization) Require that where impacts to special status species are deemed unavoidable, potential impacts to the identified species are minimized through design, construction, and operation of the project. Compensation measures could include on-site set asides or off-site acquisitions (e.g. conservation easements, deed restrictions, etc.) that would be required if project impacts result in direct loss or indirect impacts that cannot be mitigated in other ways. This might also involve species-specific enhancement restoration efforts for the mitigation lands.</p>
PC 1/13/04 PC 7/8/04	Mineral Resources (Pg. 290)	Say "assumed" rather than "expected" when discussing the continuation of quarry operation. Include a reference to the Marin Countywide Plan. Staff recommends adding the program names to the references. Delete discussion about quarry operations and annexation.		<p>Edit: Revise policy by deleting the second and third sentences. The San Rafael Rock Quarry is located in unincorporated Marin County adjacent to the City of San Rafael at 1000 Pt. San Pedro Road. It is expected that the quarry will continue its operations for the timeframe of this plan. Should closure of the Rock Quarry occur, the property would be annexed to the City as part of the land use entitlement process. See NH-147 (San Rafael Rock Quarry and McNear Brickworks), NH-147x (San Rafael Rock Quarry Impacts) and NH-147xa (Rock Quarry Impacts) and NH-150 (San Rafael Rock Quarry Shoreline Use) and the Marin Countywide Plan for policies regarding the San Rafael Rock Quarry.</p>
PC 1/13/04	CON-18b (Resource-efficient organizations and Businesses)	Add a new program related to the County's green business program.		<p>Edit: Revise to add a new program. CON 18b. Green Business Program. Encourage San Rafael businesses to participate in the County's Green Business program. <u>Responsibility: Community Development</u> <u>Timeframe: Ongoing</u> <u>Resources: Staff Time</u></p>
PC 1/13/04	CON-19c (Use of Alternative Building Materials)	Add "resource-efficient" to the program.		<p>Edit: Revise. Evaluate the benefits and impacts of amending the City's building codes and zoning ordinances to allow the use of acceptable resource-efficient alternative building materials and methods.</p>

XV. CONSERVATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
PC 1/13/04	CON-19 (Resource-Efficient Building Design)	Add reference to program CON-21a.		Edit: Revise. See also CON-21a (Water Conserving Landscaping).
PC 1/13/04	CON-27 (Energy-Water- and Resource-Efficiency in Government)	Add a new program related to the County's green building program.		Edit: Revise program. CON-27a. Green Business Certification. Participate in Marin County's Green Business program to become certified as a Marin Green Business. Participate in the Green Business program to become certified as a Marin Green Business. Participate in the Green Business program to become certified as a Marin Green Business. As part of the programs, review ways for the City to improve recycling and resource-efficient purchases and designate a staff person in each department to establish and maintain recycling in City facilities.
68-1 68-2 68-3 68-4 68-5	CON-27 (Energy-Water- and Resource-Efficiency in Government)	Include policies specific to: 1) Conversion of City Vehicles to clean and low emission fuels. 2) Participation in the General Services JPA and Energy Management Team. Include assistance with alternative energy sources. 3) Clean up Brown Field sites for housing opportunities. 4) Assess and intervene with greenhouse gasses and emissions. 5) Safer disposal of pharmaceuticals.	<p>Response: The draft Plan contains numerous policies related to resource efficiency (CON-18 to 28), stormwater pollution (AW-7 to 11), alternative transportation modes (C-10 to 28), and infill housing development near transit and jobs (H-22 and 23). As to specific suggestions made:</p> <ul style="list-style-type: none"> Staff recommends the addition of programs addressing conversion of the City's vehicle fleet and facilities to more fuel efficient or less polluting technology (see below). At present the General Services JPA is not addressing alternative energy issues, except as they relate to traffic signals and street lighting. CON-18a addresses the City's participation in the County's Regional Energy Office and CON-19d encourages incentives for solar and clean energy systems. An additional program is proposed to encourage regional efforts to achieve energy efficiency (see below). The City has no remaining "brownfield" sites for development or redevelopment. The remaining PG&E property between Second and Third, Brooks and Lindaro has soil contamination that all resource agencies agree should remain on-site with land use restrictions compared with the potential for airborne contamination involved in remediation. The City Council and City Manager considered involvement in the ICLEI program, but concluded that the City did not have sufficient staff resources to entertain this new initiative. The disposal of pharmaceuticals has not arisen as an issue of concern in the City's General Plan update process. 	<p>Edit: Add the following programs.</p> <p>CON-20b. Regional Collaboration. Participate in regional collaborations between public agencies to enact and support new programs or shared improvements which promote or utilize renewable energy sources or reduce energy demand. <u>Responsibility:</u> City Manager <u>Timeframe:</u> Ongoing <u>Resources:</u> Staff Time</p> <p>CON-27b. City Vehicle Fleet. Consider new reduced-emission technologies in the replacement of City vehicles. <u>Responsibility:</u> Public Works <u>Timeframe:</u> Ongoing <u>Resources:</u> Staff Time, Vehicle Replacement Fund</p> <p>CON-27c. Renewable Energy Sources in City Facilities. Consider the use of renewable energy technology such as solar, cogeneration and fuel cells in the construction or retrofitting of City facilities. <u>Responsibility:</u> Public Works <u>Timeframe:</u> Ongoing <u>Resources:</u> Staff Time</p>

XV. CONSERVATION ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
<p>PH-24 44-1 45-1</p>	<p>Exhibits 33, 34, 35, 36, 37</p>	<p>Technical corrections to Exhibits.</p>	<p>Response: The Baylands map is not recommended for revision. The San Francisco Estuary Institute prepared the map, which is included as background information for the City's baylands policies.</p> <p>Re. Exhibit 37 (Threatened and Endangered Species) and extending the habitat area for the California Clapper Rail and Salt Marsh Harvest Mouse to the length of Gallinas Creek: both of these species would be more likely to occur in wetland habitat with emergent vegetation, not along an inundated creek. The harvest mouse requires habitat dominated by Pickleweed, which does not occur along the creek in a population dense enough to support this species. The clapper rail occurs primarily in tidal marshes dominated by cord grass; therefore, the habitat in Gallinas Creek would not be the preferred habitat of this species, and it would be inappropriate to designate the entirety of Gallinas Creek as suitable habitat. No change is recommended.</p> <p>Re. Exhibit 37 and extending the habitat area for the Salt Marsh Harvest Mouse to Spinnaker Lagoon, the existing conditions do not provide enough suitable habitat for the harvest mouse. No change is recommended.</p>	<p>Edits: Map 33: Open Space. Add two access points to Starkweather Shoreline Park. Map 34: Major Biotic Habitats. 1) The site directly north of the Civic Center should be altered to only include wetlands along the boundaries of the site, not the entire area. 2) Add Spinnaker Lagoon to the map. Map 35: Baylands. Add a statement that 'This Exhibit shows information about baylands available from the San Francisco Estuary Institute. For detailed site environmental information, see Exhibit 34 'Major Biotic Habitats.' Map 36: Watersheds and Creeks. 1) Correct creek lines to match currently-existing blue-line waterways shown on the latest USGS map. 2) Add names to the 'unnamed' watersheds. 3) Correct locations for drainage pump stations. 4) Add Smith Ranch Pond. 4) Delete Santa Margarita Island as a waterway. 5) Delete water quality monitoring stations as they were temporary measuring locations.</p>

Page intentionally left blank.

XVI. AIR AND WATER QUALITY ELEMENT

Comment #	Policy/Program	Comment	Response	Recommendation
Staff 1/13/04	AW-2a	The <i>Draft General Plan 2020</i> policies and land use maps would provide adequate buffer zones around existing and proposed land uses that could emit odor and toxic contaminants, but do not establish buffer zones from major mobile sources of toxic contaminants. This impact would be potentially significant.	Response: The DEIR recommended the following wording be added to Program AW-2a Sensitive Receptors: Project review for sensitive receptors (facilities or land uses that include members of the population sensitive to the effects of air pollutants, such as children, the elderly and people with illnesses) proposed within 500 feet from the edge of the closest traffic lane of U.S. Highway 101 or I-580 should include an analysis of mobile source toxic air contaminant health risks, based on appropriate air dispersion modeling. Project review should include an evaluation of the adequacy of the setback from the highway and, if necessary, identify design mitigation measures to reduce health risks to acceptable levels.	Edit as shown: AW-2a (Sensitive Receptors) Through development review, ensure that siting of any new sensitive receptors provides for adequate buffers from existing sources of toxic air contaminants or odors. If development of a sensitive receptor (a facility or land use that includes members of the population sensitive to the effects of air pollutants, such as children, the elderly and people with illnesses) is proposed within 500 feet of Highway 101 or I-580, an analysis of mobile source toxic air contaminant health risks should be performed. Development review should include an evaluation of the adequacy of the setback from the highway and, if necessary, identify design mitigation measures to reduce health risks to acceptable levels.
PC 1/13/04	AW-3c (Air Pollutant Reduction Measures)	Clarify what is meant by an Air Pollutant Reduction Measure, and refine if needed.		Edit: Delete Program AW-3c (Air Pollutant Reduction Measures) which is duplicative of Program AW-3a (Better Air Quality). Revise Program AW-3a as follows: AW-3a. Better Air Quality-Air Pollutant Reduction Measures. Through development review, Consider revisions to zoning regulations to require developers to implement strategies for air quality improvements described in the BAAQMD/ABAG's guide "Design Strategies for Encouraging Alternatives to Auto Use Through Local Development Review" or subsequent standards. Timeframe: Ongoing Short Term
PC 1/13/04	AW-8e (Public Water Management).	Should lagoons be referenced as part of the storm drainage system?	Response: The Peacock Lagoon is owned by the golf course, however it does act as part of the city system for storing water for the Peacock Pump Station. Both the lagoon and golf course act as retention basins for the 100-year storm event. The water quality is monitored by the golf course on a regular basis. The City assists the golf course in their management of the water quality of the lagoon by flushing it during summer months. In this case, you could assume that the lagoon is part of the system and therefore covered under AW-8e. However, staff does not feel it is necessary to specifically list lagoons under this item.	
PC 1/13/04	AW-11b (Outreach)	Add an example to explain impacts of indirect effects.		Edit: Revise. Continue to work with MCSTOPPP in education outreach and public participation in water pollution reduction methods that, for example, address the impacts of indirect pollution sources such as fertilization, pesticides and pet waste.

This page intentionally left blank.

Exhibit 1

**San Rafael
Planning Area
and
Urban Service Area**



**Sphere of Influence
Requested Revision
to Sphere of Influence**

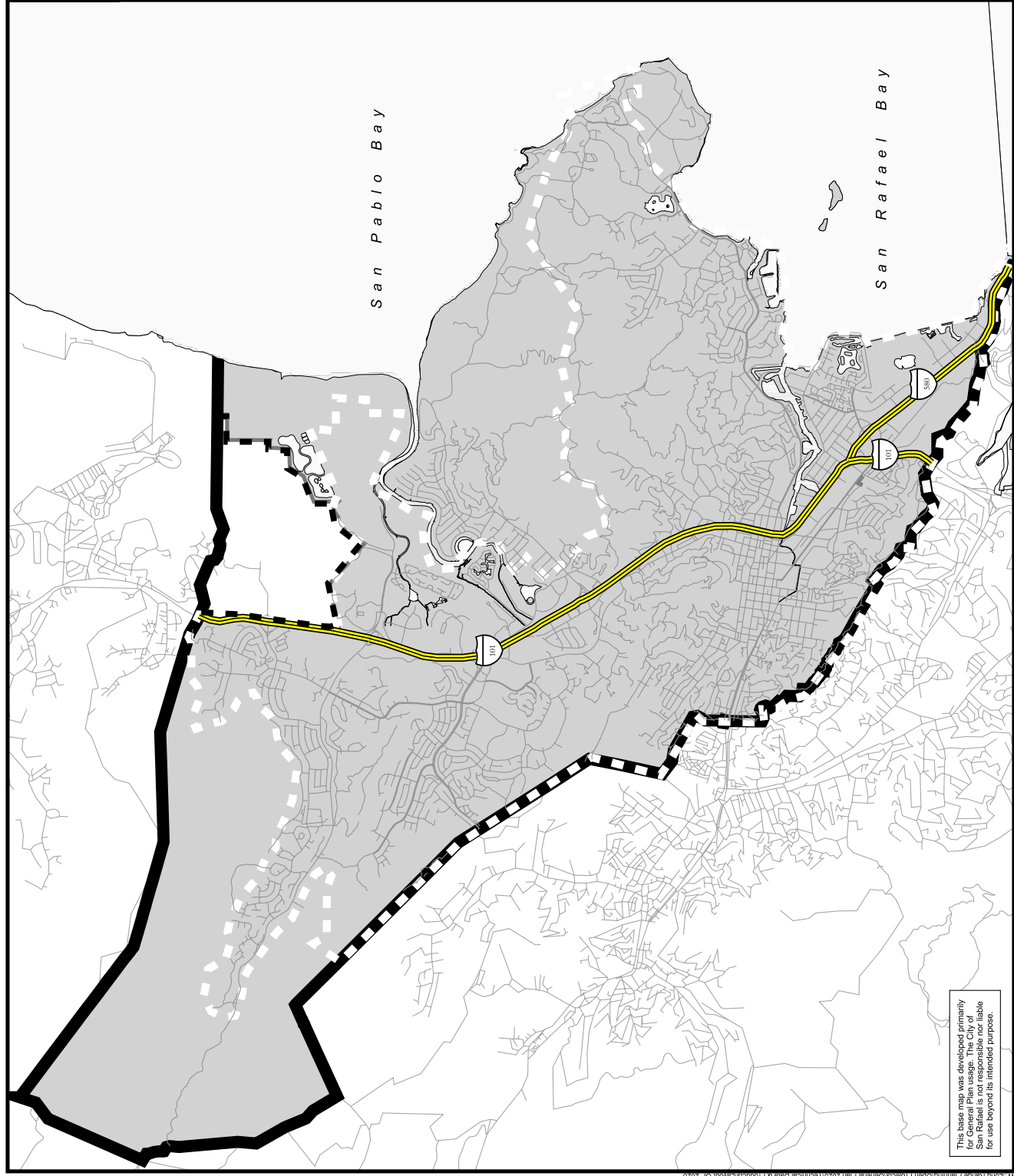
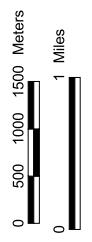
Note: With LAFCO approval of San Rafael's request for an amendment to the Sphere of Influence, the Sphere of Influence will be the same as the Planning Area.



Planning Area



Urban Service Area



This base map was developed primarily for General Plan usage. The City of San Rafael is not responsible nor liable for use beyond its intended purpose.

Exhibit 5A

Floor Area Ratios in Central San Rafael



1

FAR

General Commercial and Neighborhood Commercial:

a. Commercial Sales of Bulk Items and Specialty Retail: .32

b. General Retail and Service: .21

Office: .26

For Light Industrial/Office Uses:

% Light Industrial	% Office
75 - 100	0 - 25
50 - 75	25 - 50
25 - 50	50 - 75
0 - 25	75 - 100

2

General Commercial and Neighborhood Commercial:

a. Commercial Sales of Bulk Items and Specialty Retail: .26

b. General Retail and Service: .18

Office: .22

Light Industrial/Office and Industrial: .33

Hillside Areas:

- Undeveloped commercial or industrial properties shall be limited to the following development intensities based on slope:
- Portions with less than 5% slope: 100% of applicable FAR;
 - Portions with 5-15% slope: 50-75% of applicable FAR;
 - Portions with slope greater than 15% slope: 0.01 FAR
- Clustering of development is encouraged and may be required to avoid sensitive areas.

NOTES: FAR for PQP and parks is 1.0, and for open space is generally 0.0. Ministorage in industrial and light industrial/office districts has an FAR of 1.0.

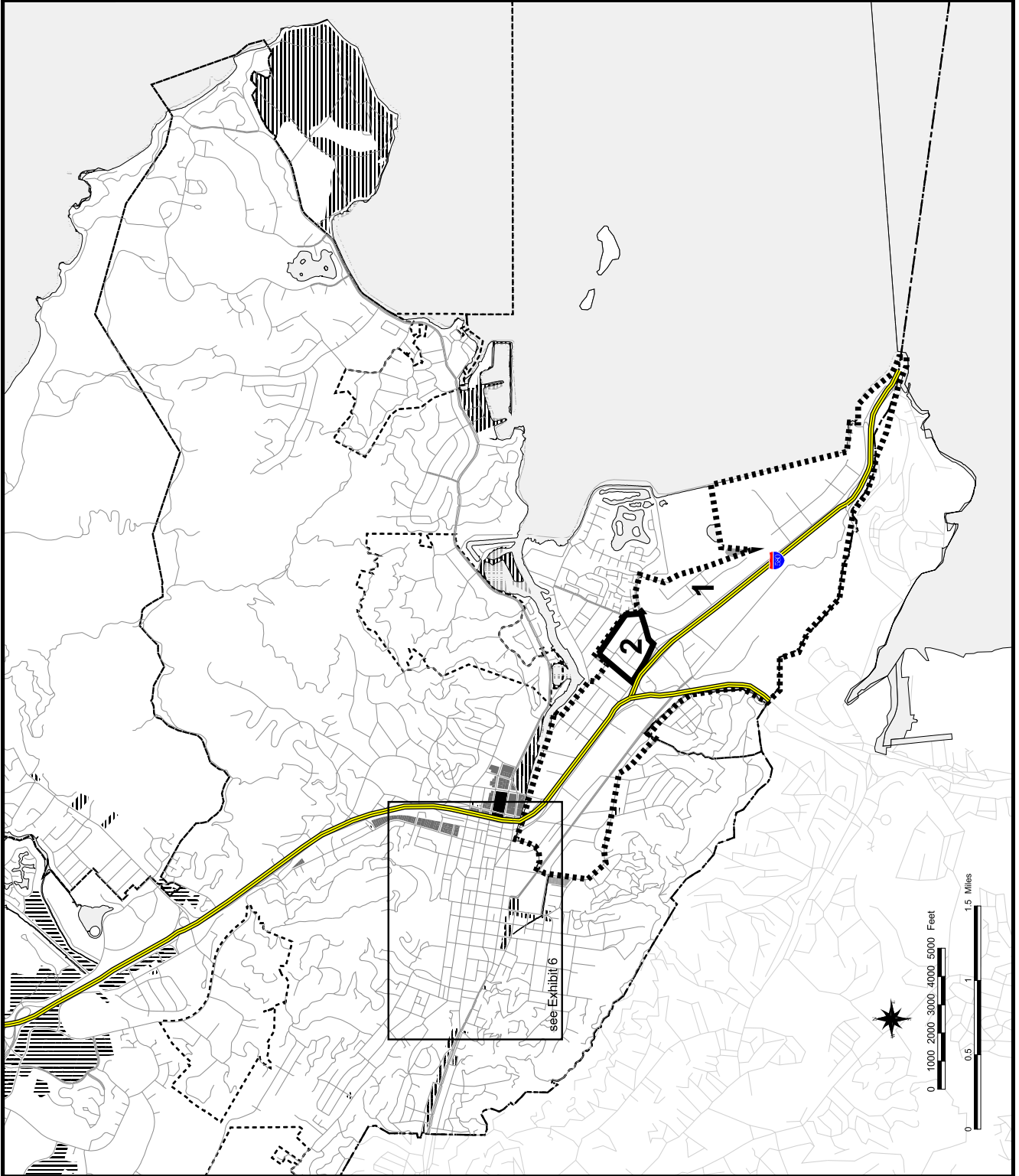
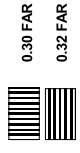




Exhibit 5B

Floor Area Ratios in North San Rafael



Hillside Areas:
 Undeveloped commercial or industrial properties shall be limited to the following development intensities based on slope:

- Portions with less than 5% slope: 100% of applicable FAR.
- Portions with 5-15% slope: 50-75% of applicable FAR.
- Portions with slope greater than 15% slope: 0.01 FAR

Clustering of development is encouraged and may be required to avoid sensitive areas.

NOTES: FAR for POP and parks is 1.0, and for open space is generally 0.0.
 Ministorage in industrial and light industrial/office districts has an FAR of 1.0.

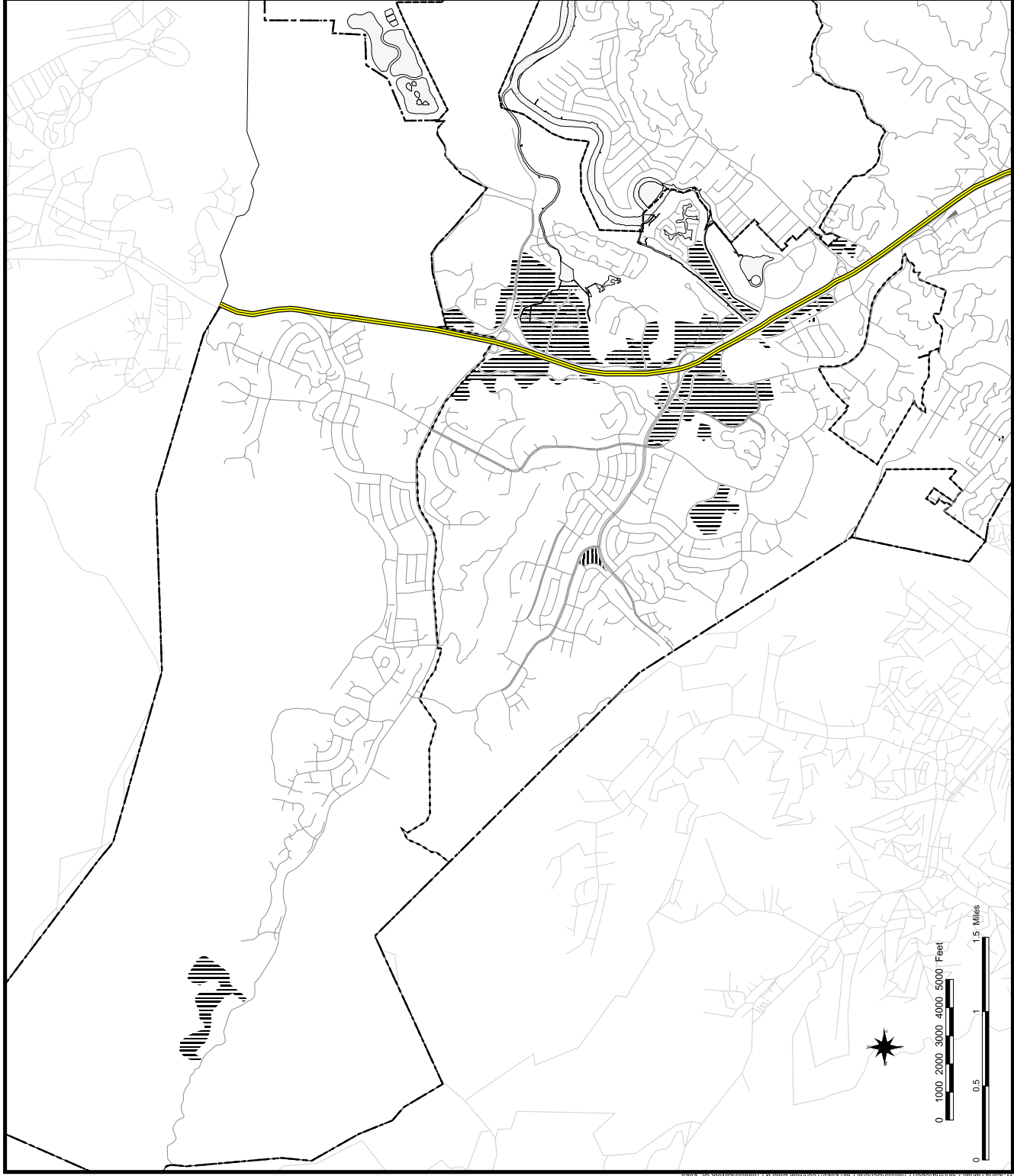
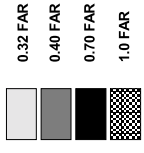
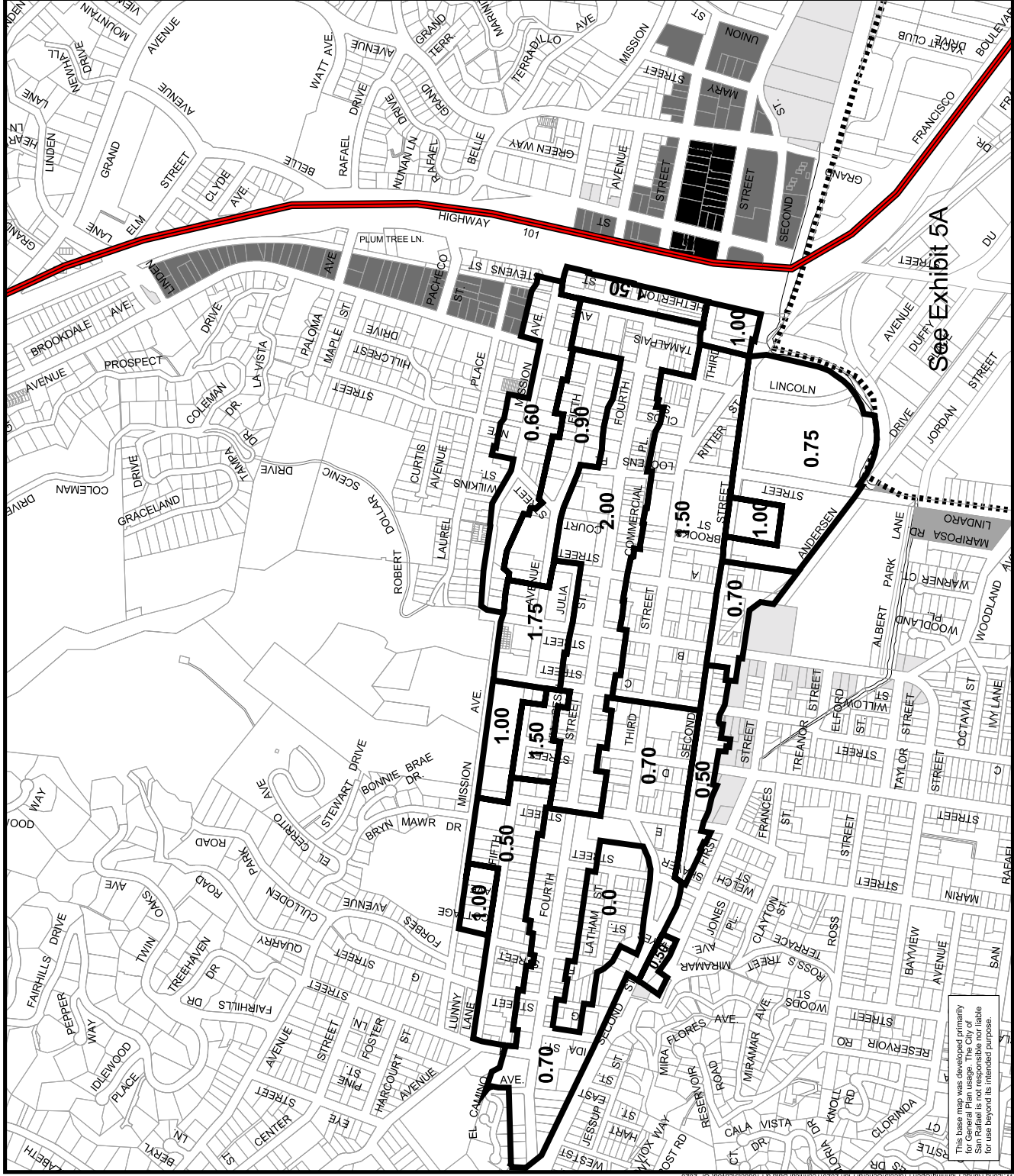
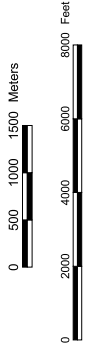


Exhibit 6

Downtown and Environs Floor Area Ratios



NOTES: FAR for PQP and parks is 1.0, and for open space is generally 0.0. Ministorage in industrial and light industrial/office districts has an FAR of 1.0.



See Exhibit 5A

This base map was developed primarily from publicly available data. San Rafael is not responsible for liability for use beyond its intended purpose.

Exhibit 7A

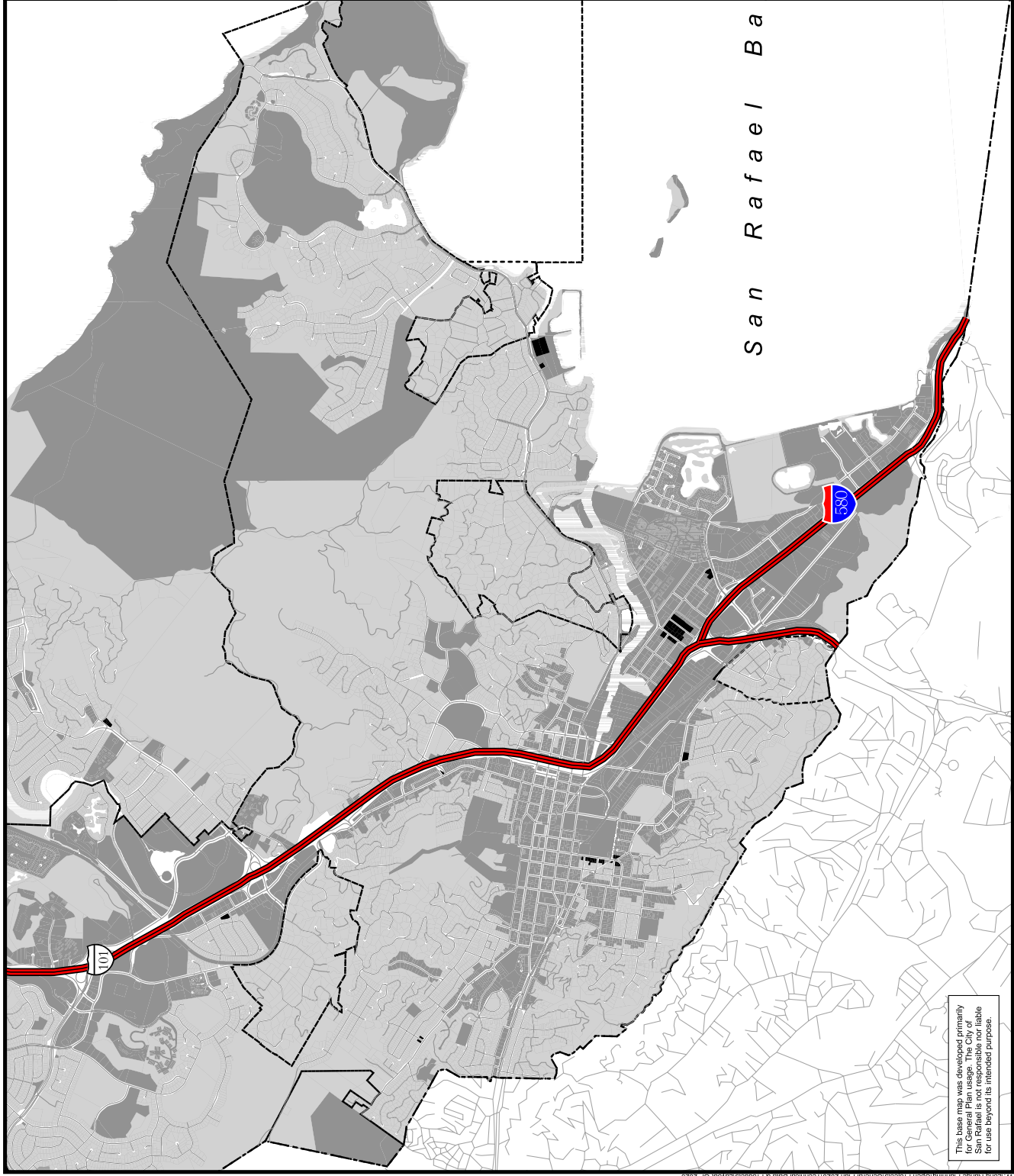
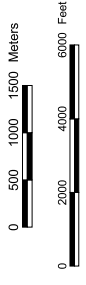
Building Height
Limits in
Central San Rafael

San Rafael City Limit
Planning Area and Sphere of
Influence Boundary

30 Feet

36 Feet

Neighborhood Commercial:
30 feet for a single use building,
36 feet for a mixed use building.



This base map was developed primarily for informational purposes. The City of San Rafael is not responsible nor liable for use beyond its intended purpose.

Exhibit 7B

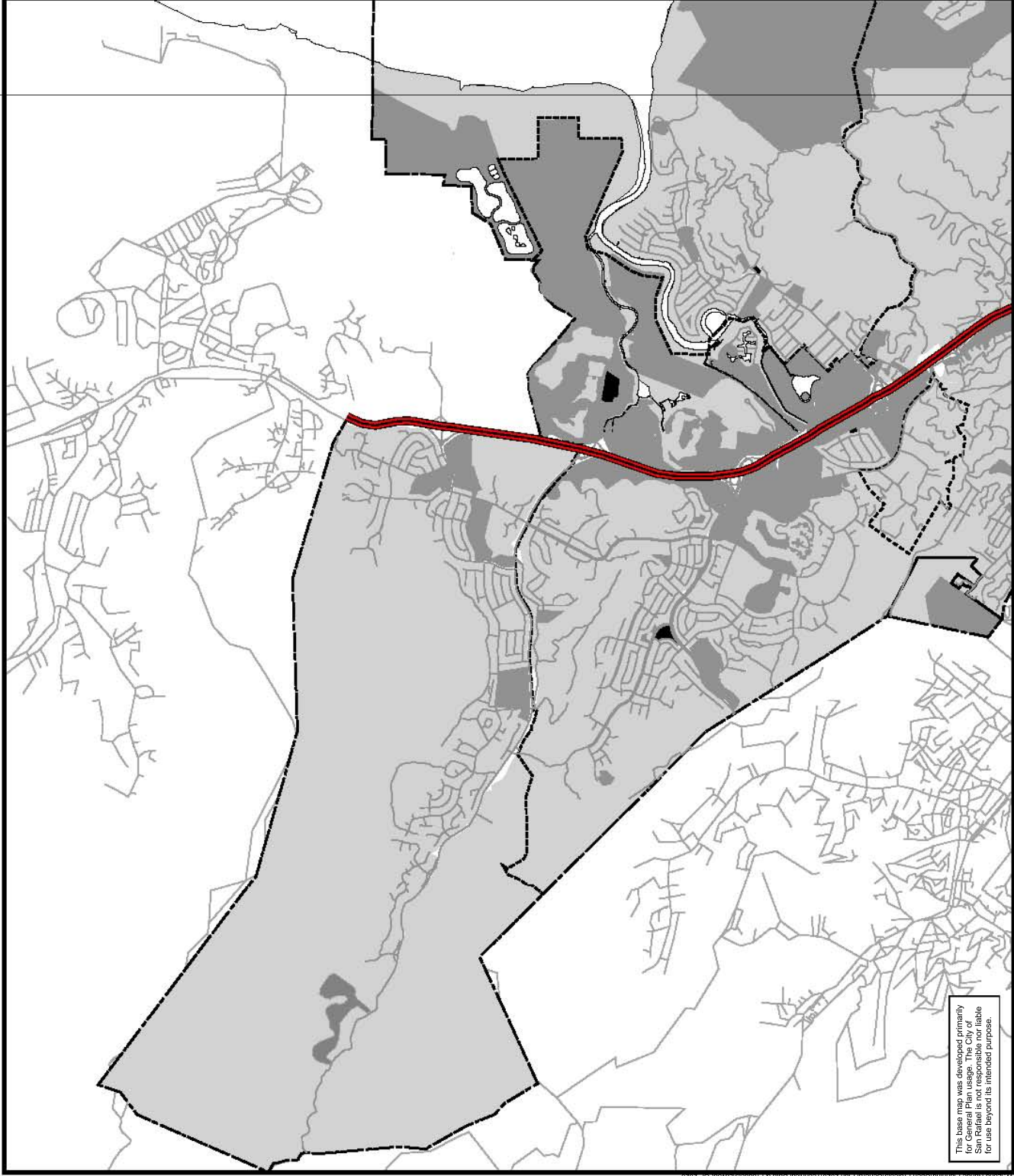
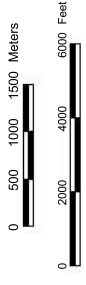
Building Height
Limits in
North San Rafael

San Rafael City Limit
Planning Area

30 Feet

36 Feet

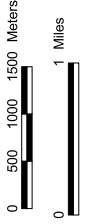
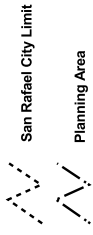
Neighborhood Commercial:
30 feet for a single use building,
36 feet for a mixed use building.



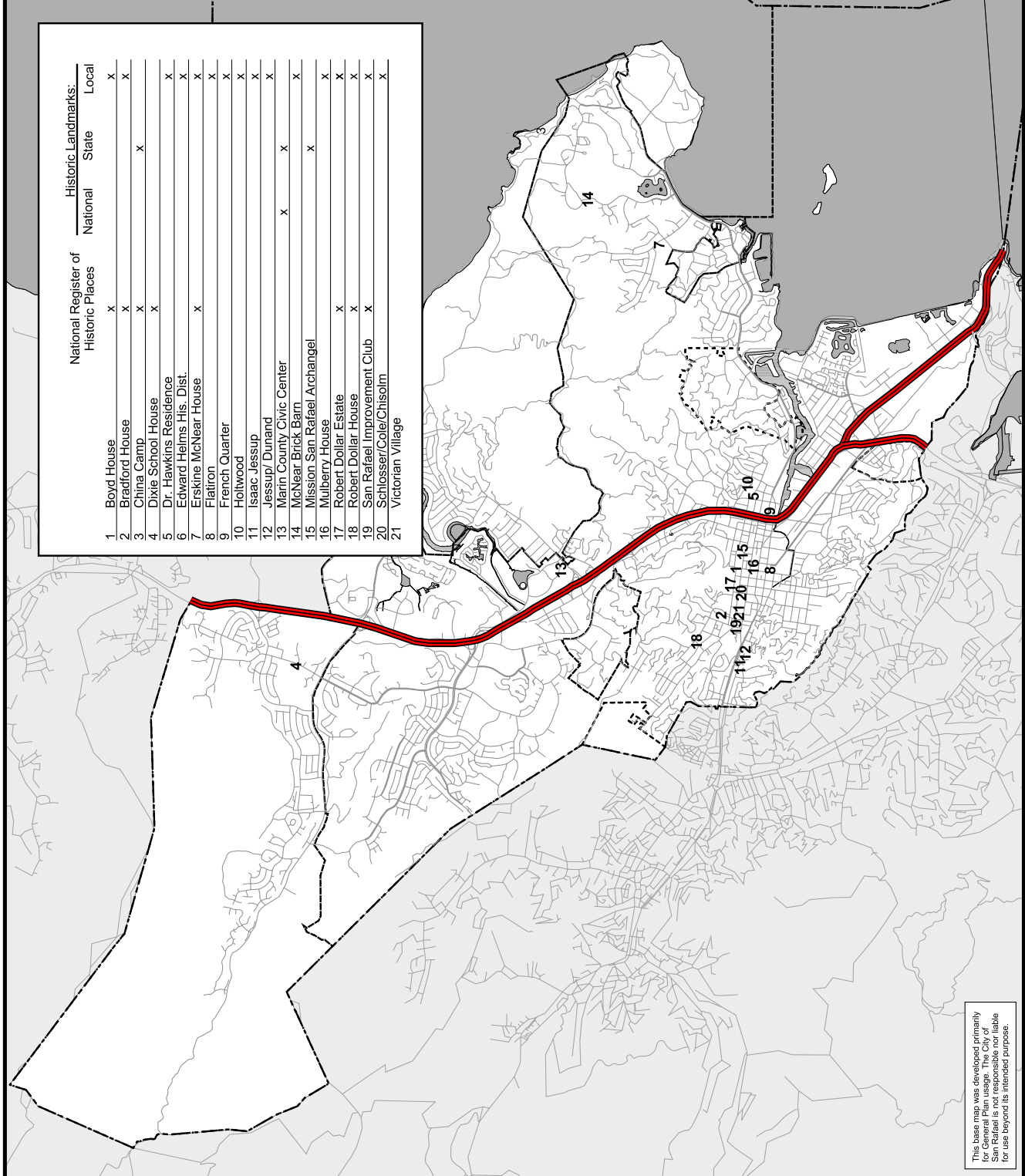
This base map was developed primarily from publicly available data. The City of San Rafael is not responsible nor liable for use beyond its intended purpose.

Exhibit 23

National, State, and Local Historical Landmarks



National Register of Historic Places	Historic Landmarks:		
	National	State	Local
1 Boyd House	x		x
2 Bradford House	x		x
3 China Camp		x	
4 Dixie School House	x		
5 Dr. Hawkins Residence			x
6 Edward Helms His. Dist.	x		x
7 Erskine McNear House	x		x
8 Flatiron			x
9 French Quarter			x
10 Holtwood			x
11 Isaac Jessup			x
12 Jessup/Dunand			x
13 Marin County Civic Center	x	x	
14 McNear Brick Barn			x
15 Mission San Rafael Archangel		x	
16 Mulberry House			x
17 Robert Dollar Estate	x		x
18 Robert Dollar House	x		x
19 San Rafael Improvement Club	x		x
20 Schlosser/Coile/Chisolm			x
21 Victorian Village			x

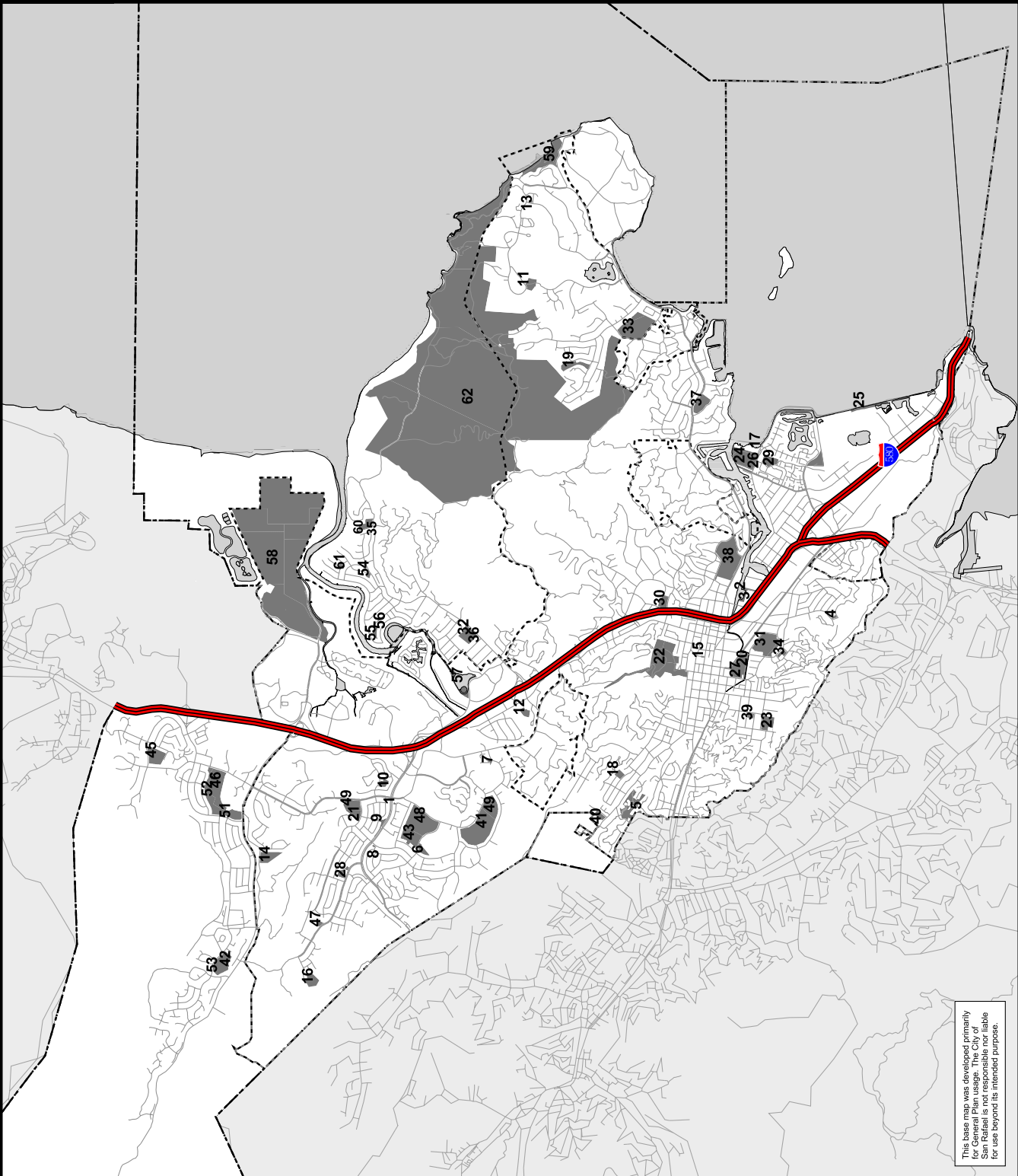
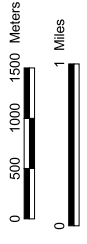


This base map was developed primarily for General Plan usage. The City of San Rafael is not responsible nor liable for use beyond its intended purpose.

Exhibit 24

Parks and Recreation Facilities, 2004



Existing Parks and Recreation Facilities



This base map was developed primarily for General Plan usage. The City of San Rafael is not responsible nor liable for use beyond its intended purpose.

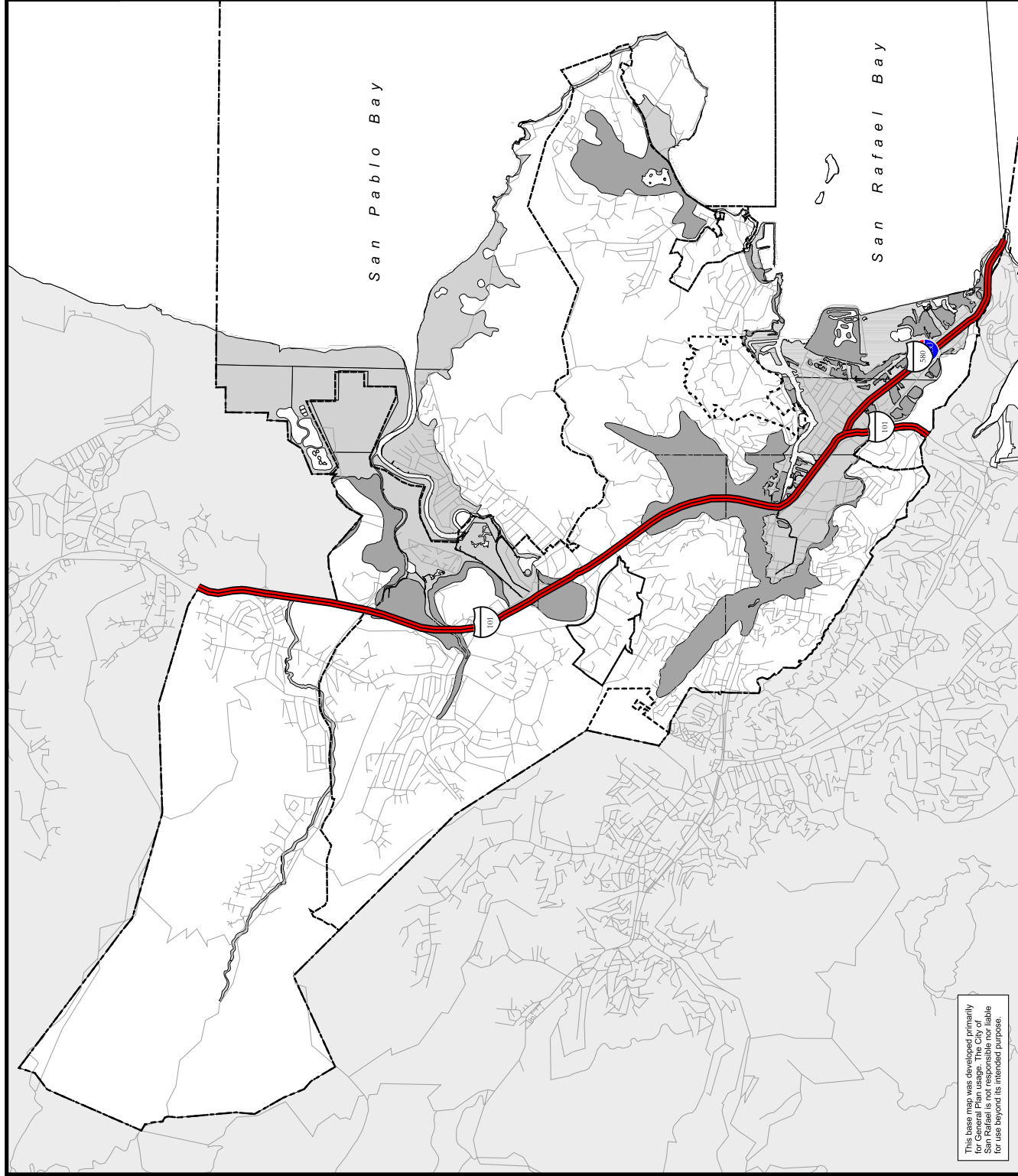
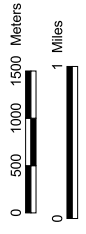
Exhibit 28

Flood Hazard Areas

-  Area of the 100 Year Flood
-  Areas Between Limits of the 100 Year Flood and the 500 Year Flood

This map is based upon the 1995 release of FEMA's digital Q3 Flood Data product and is a digital representation of certain features of FEMA's FIRW product.

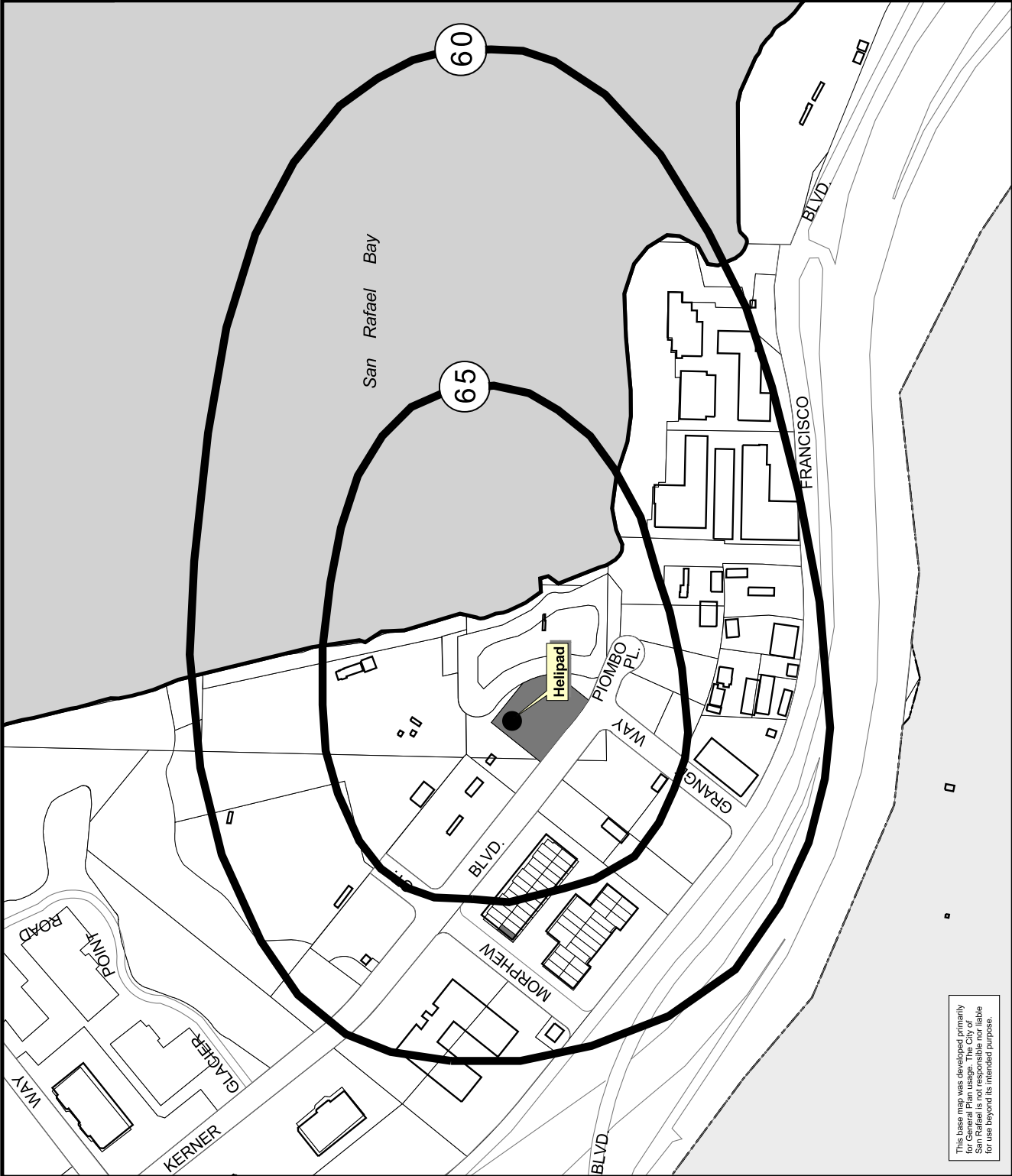
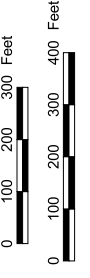
Other areas of localized flooding not identified by the Federal Emergency Management Agency may also occur within the Planning Area. This map does not indicate changes effected by Letters of Map Revision (LOMR).



This base map was developed primarily for General Plan usage. The City of San Rafael is not responsible nor liable for use beyond its intended purpose.

Heliport Noise Contours



Note: Noise contours reflect conditions as of 2003

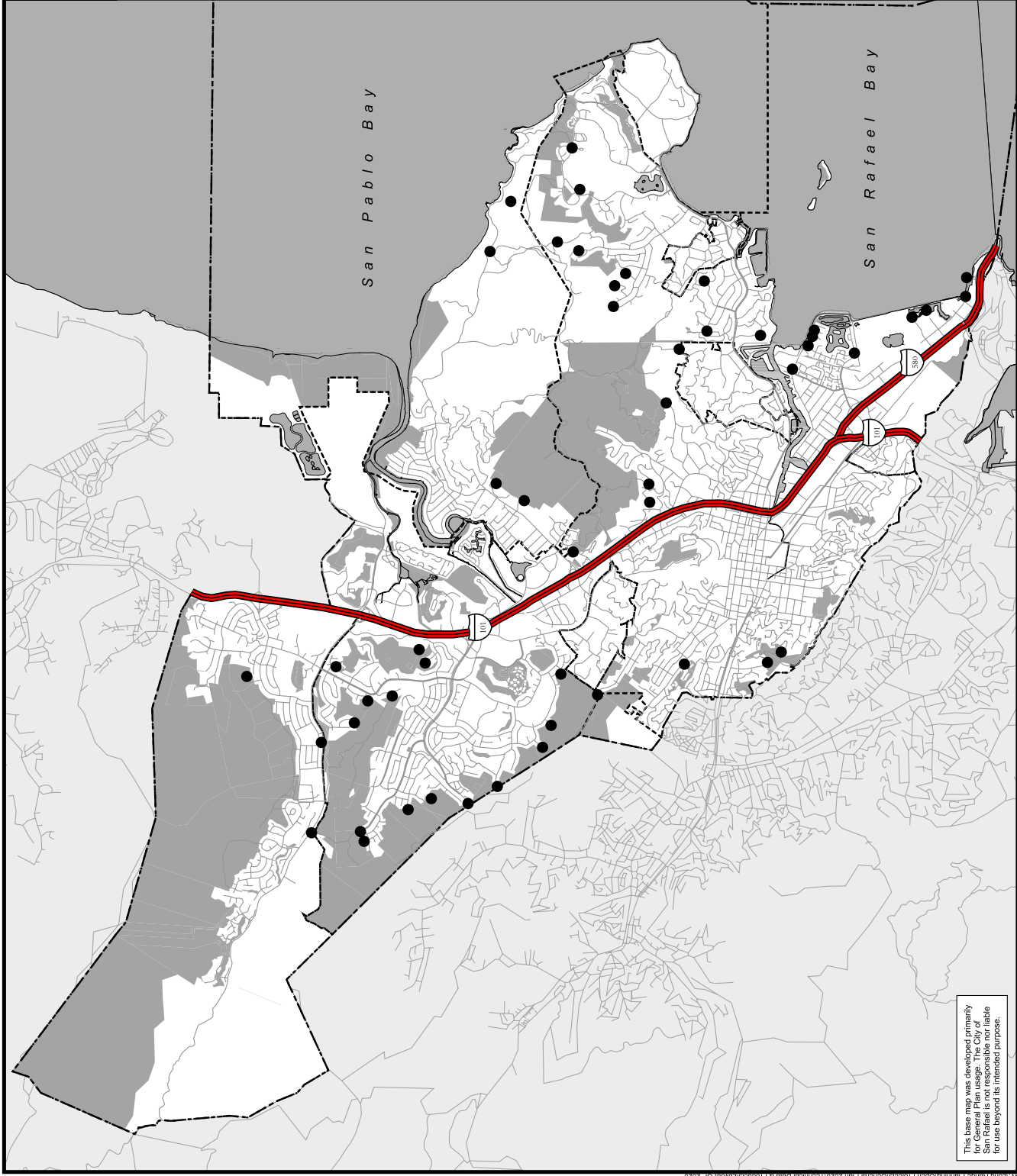
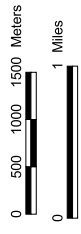


This base map was developed primarily for General Plan usage. The City of San Rafael is not responsible nor liable for use beyond its intended purpose.

Exhibit 33

Open Space

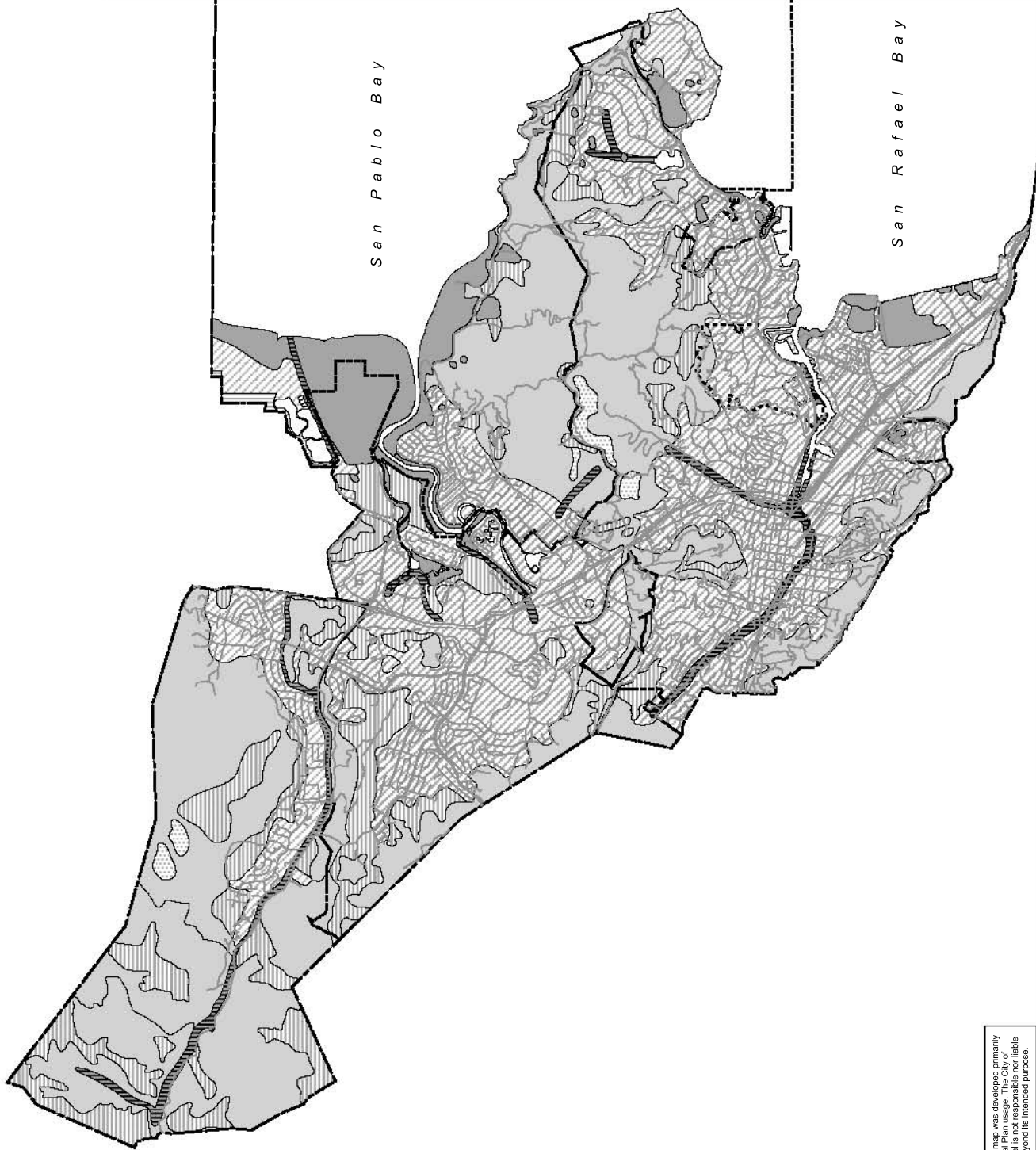
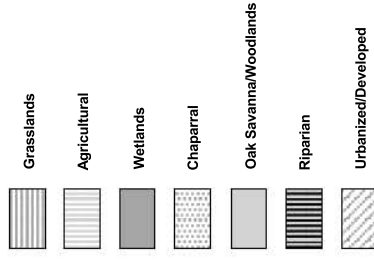
-  Dedicated Open Space
-  Public Access to Parks and Open Space (existing and potential)



This base map was developed primarily for informational purposes. The City of San Rafael is not responsible nor liable for use beyond its intended purpose.

Exhibit 34












Major Biotic Habitats



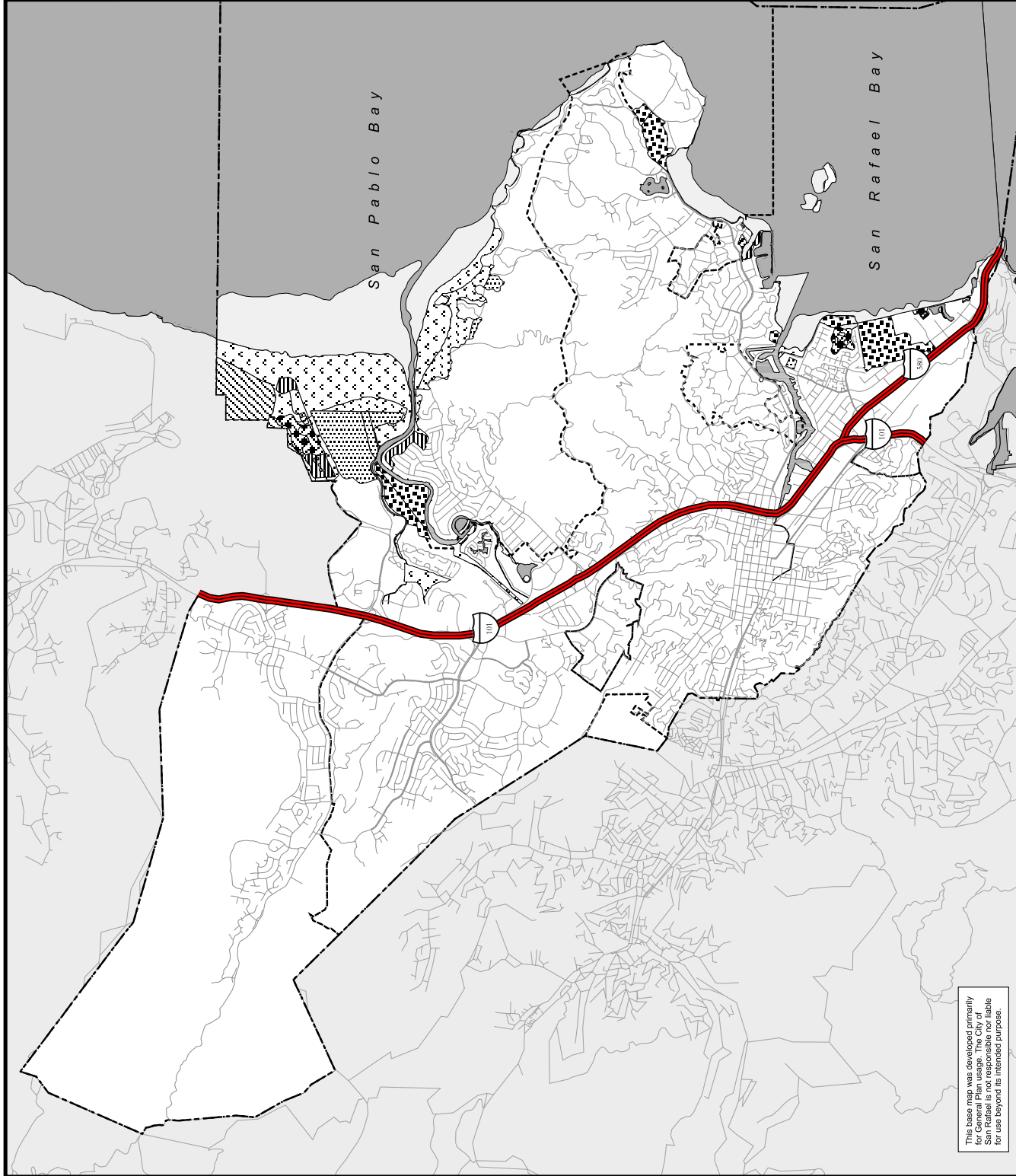
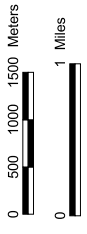
This base map was developed primarily for General Plan usage. The City of San Rafael is not responsible nor liable for use beyond its intended purpose.

Exhibit 35

Baylands

-  Bay Flat
-  Channel Marsh
-  Diked Marsh
-  Farmed Bayland
-  Managed Marsh
-  Muted Tidal Marsh
-  Old High Tidal Marsh
-  Ruderal Bayland
-  Storage or Treatment Basin
-  Young High Tidal Marsh
-  Bay Waters

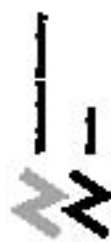
NOTE: This Exhibit shows information about baylands available from the San Francisco Estuary Institute. For detailed site environmental information, see Exhibit 34 'Major Biotic Habitats'.
Source: San Francisco Estuary Institute, 1999



This base map was developed primarily for General Plan usage. The City of San Rafael is not responsible nor liable for use beyond its intended purpose.

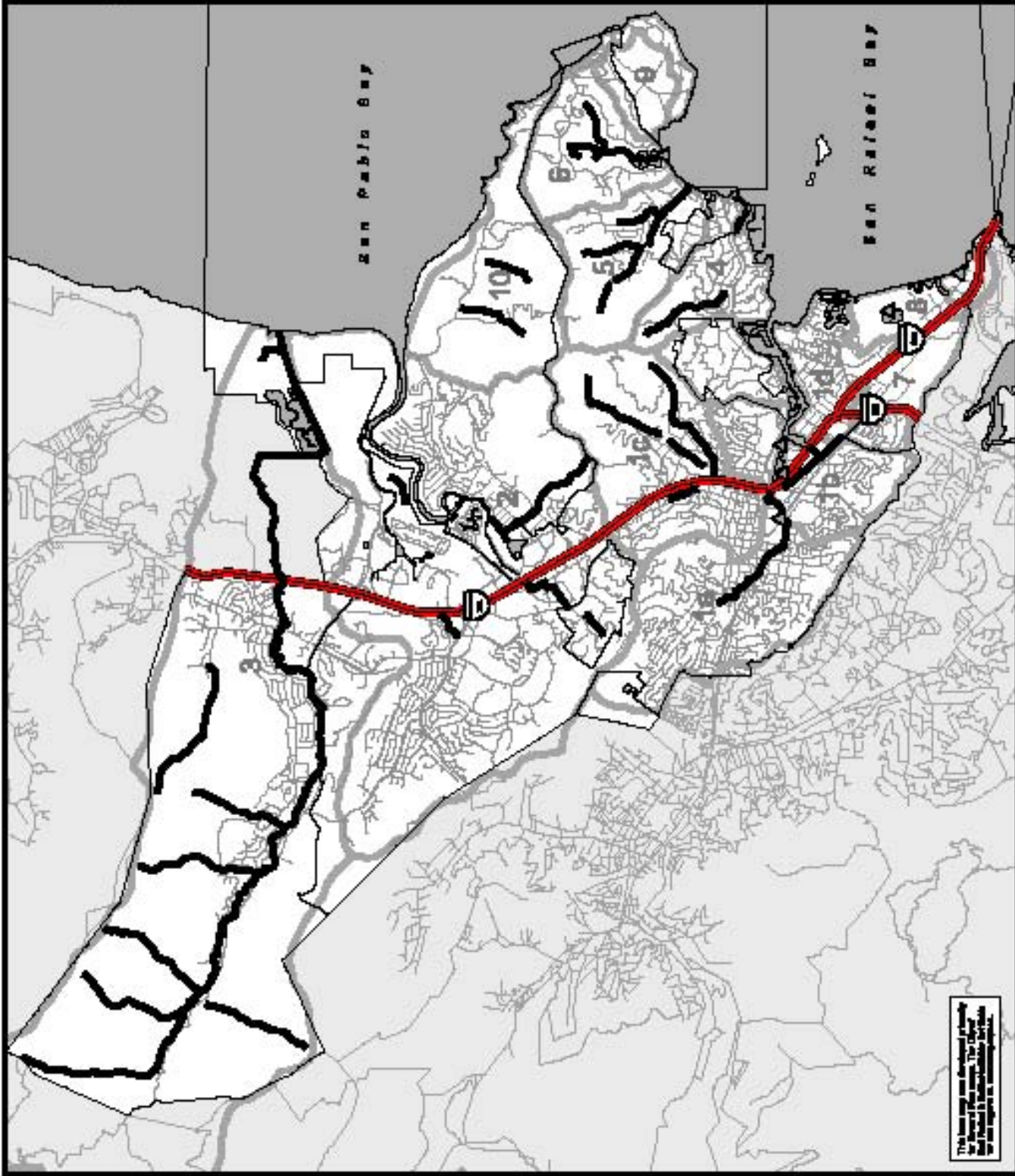
Exhibit 36

**Watersheds
 and
 Creeks**



Watersheds:

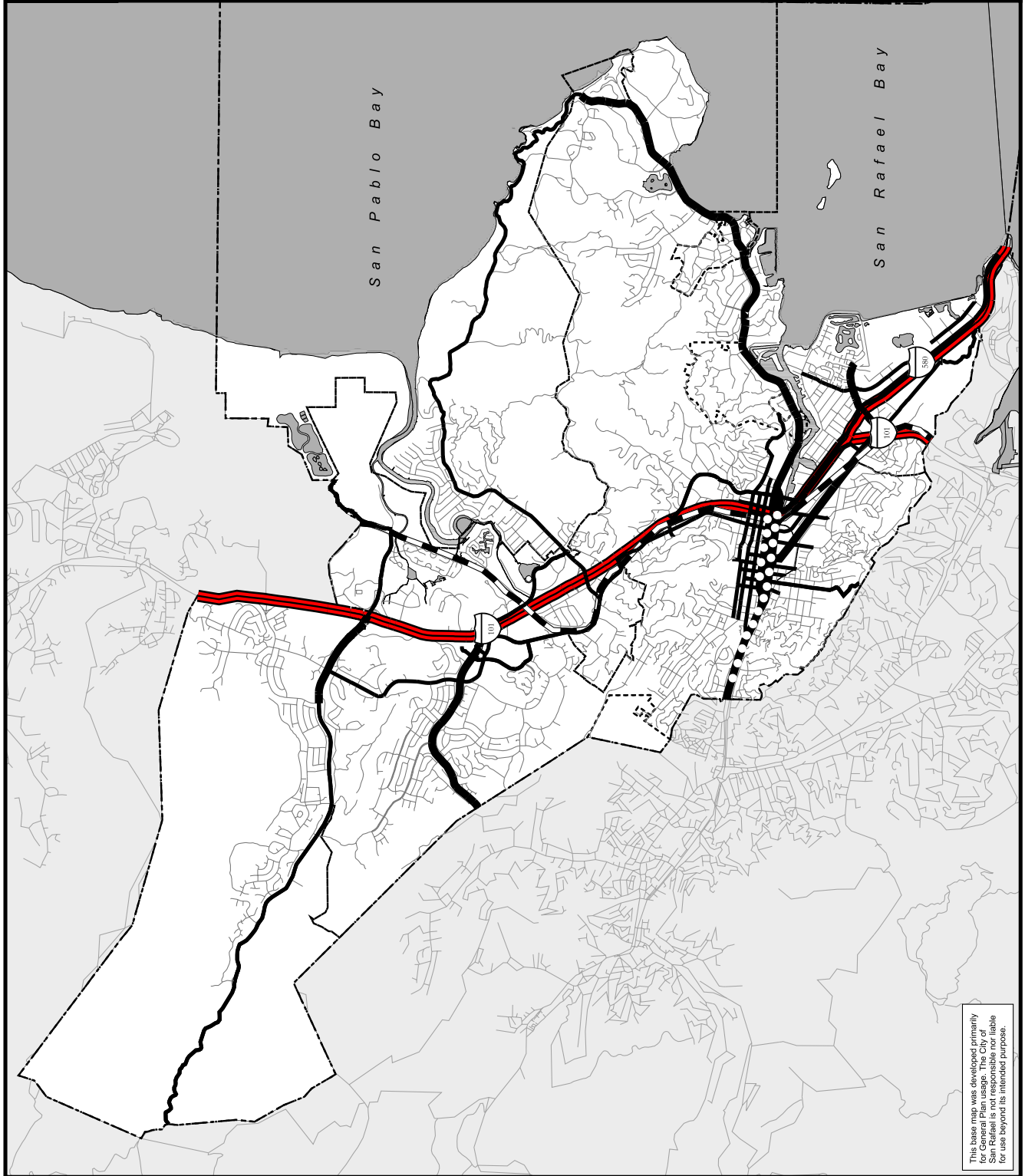
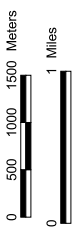
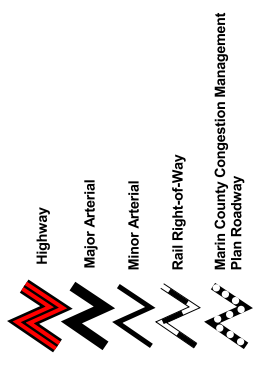
- (1) San Rafael Creek:
 - 1a. Mokona Creek
 - 1b. Irish Creek
 - 1c. Black Canyon/Lascelle Creeks
 - 1d. E. San Rafael Drainage Assessment District
- 2. Oakleaf Creek
- 3. Miller Creek
- 4. Lewis Lomard Creek
- 5. Glenwood Creek
- 6. Pleasant Gap
- 7. E. San Rafael Urban District P.A.
- 8. South Piedra/Parola P.A.
- 9. Madras Watershed
- 10. Dallas Camp Watershed



This map was prepared for the purpose of the Water Plan. It is not intended to be used for any other purpose. The map is not a warranty of any kind.

Exhibit IV.2-1

San Rafael
Roadways &
Arterials



This base map was developed primarily for General Plan usage. The City of San Rafael is not responsible nor liable for use beyond its intended purpose.

This page intentionally left blank.

SECTION IX.6 REVISIONS TO THE DRAFT EIR

In response to issues raised during the public review period a number of corrections and changes are made to the Draft EIR and are incorporated as part of the Final EIR.

The following section includes all revisions that have been made to the Draft EIR in response to public comments. The revisions are illustrated by ~~strikeout~~ formatting for text that has been deleted and underline formatting for the text that has been added.

Exhibit III.1-2 in **Section III.1 Project Location** shown on page III - 3 of the San Rafael General Plan 2020 Draft EIR is revised to add the following note:

Pending LAFCO amendment of the San Rafael Sphere of Influence

Exhibit III.3-2 and Exhibit III.3-4 in *Section III.3 Description of Draft General Plan 2020* (plus Exhibit IV.1-3 in *Section IV.1 Land Use, Population, Employment, and Housing* which is the same as Exhibit III.3-4) of the San Rafael General Plan 2020 Draft EIR are revised as follows:

Exhibit III.3-2
Proposed Land Use Changes

Map #	Location	GP 2000 Designation	GP 2020 Designation	Proposed Change
“S”	All school sites with “P/QP land use	P/QP	LDR & MDR	Would allow potential for staff housing on school properties, as consistent with surrounding densities.
1	“LI/O” properties surrounding Davidson Middle School	LI/O	LMU	New land use category would promote live/work housing while retaining Light Industrial/Office uses.
2	Medway-Vivian Area	LI/O	NC	Would allow for more neighborhood-serving commercial uses.
3	Loch Lomond Marina	M, NC	NC, C, M	Would expand NC land use designation for increased neighborhood-serving commercial uses and housing. A portion of Marine-related designation would be changed to C to protect sensitive habitat.
4	St. Vincent’s/Silveira	AGR, POS/C, PQP	none	Would be removed from the Planning Area.
5	Brookdale Avenue Area	MDR	HDR	Would allow for increases in density.
6	Golden Gate Transit Bus Yard	P/QP	LI/O	Would provide for potential Light Industrial/Office uses.
7	Canalways	MDR	C	Would provide protection of sensitive habitat areas.
8	Vista Marin (Hillside Area)	LDR	OS	Would provide protection of sensitive hillside habitat (owned by Vista Marin Homeowners Association).
9	San Rafael Airport	NC, LDR, MDR	<u>A/R, C</u>	Would provide a general Land Use designation <u>of Airport/Recreation, and Conservation for the wetland areas</u> . Other allowable uses are found in the Declaration of Restriction for the San Rafael Airport (see Draft General Plan 2020 Policy N-129).
10	208-268 Woodland Avenue	HDR	MDR/LDR	Existing units would be changed to MDR to reflect current density; parcels at southern corner of Davidson School would be changed to LDR.
11	APN 155101104	LDR	HR	Would be changed to HR to be consistent with Hillside Residential Guidelines. (steep slope)
12	APN 15525175	O	P/QP	Designation would be changed in anticipation of Fire Station per Resolution No. 8482.
13	APN 16428054 & 16428055	POS	HRR	Designation changed to reflect existing units.

Map #	Location	GP 2000 Designation	GP 2020 Designation	Proposed Change
14	APN 01119503	5MRO	P/QP	Designation changed to reflect proposed conversion to school use (existing medical office purchased by Marin Academy).
15	Bernard Hoffman Field	LDR	P	Designation changed to Parks. why?
16	APN 17927008	POS	LDR	Property owned by County of Marin. this doesn't make any sense?
17	6-18 Ninestone Court	POS	HRR	Designation changed to reflect existing Single Family dwelling units on parcels.
18	APN 16429064	HRR	OS	Designation changed to OS. Property owned by the Marinwood Community Services District.
19	APN 17932114	HRR	OS	Designation changed to OS. Property owned by the Marin County Open Space District.
20	Gold Hill Grade	HRR	OS	Per recently adopted zoning change.
21	LucasFilm Properties	HRR	OS, <u>LI/OC</u>	OS on Lucas Valley Open Space Preserve across northern portion of parcel, <u>LI/OC</u> on southern portion would provide protection of sensitive habitat where development has been approved by the County.
22	Marin Islands	HRR	OS	Islands designated State and Federal Wildlife refuge
23	APN 16421104	POS	HRR	Owned by Marinwood Community Service District; changed to conform with county land use designation
24	APN 16464002	PQP	MDR, OS, PQP	Changed to conform with County land use designation.
25	APN 01808716; APN 01811202,-04,-05,-06	LDR	MDR	Changed to conform with County land use designation.
26	Harry A. Barbier Memorial Park, APN 01525053 and 18647077	POS	OS	Changed to reflect use as open space.
-	<u>Marin Ballet, 100 Elm St. APN 01510102</u>	<u>LDR</u>	<u>P/QP</u>	<u>Changed to reflect current use.</u>
-	<u>Laurel Glen Homeowners</u>	<u>C</u>	<u>OS</u>	<u>Changed to reflect that the site is protected as part of the Laurel Glen subdivision.</u>

Source: City of San Rafael Community Development Department, 20043.

**Exhibit III.3-4
General Plan Land Use Designations, Existing and Proposed**

General Plan Land Use Designation	General Plan 2000 (acres)	General Plan 2020 (acres)	Net Change (Acres)	Net Change (Percent)
Single-Family Residential				
Hillside Resource Residential	2633	1535	-1098	-41.7
Hillside Residential	1652	1591	-61	-3.7
Large Lot Residential	83	83	0	0.0
Low Density Residential	3129	3201 3200	7271	2.3
<i>Single-Family Residential Subtotal</i>	7497	6419 6409	-1087 -1088	-14.5
Multifamily Residential				
Medium Density Residential	578	563	-15	-2.6
High Density Residential	311	279	-32	-10.3
<i>Multifamily Residential Subtotal</i>	889	842	-47	-5.3
Residential Subtotal	8386	72527251	-1134-1135	-13.5
Commercial-Mixed Use				
Fifth/Mission Residential/Office	28	28	0	0.0
Fourth Street Retail Core	14	14	0	0.0
General Commercial	206	206	0	0.0
Hetherton Office	6	6	0	0.0
Lindaro Mixed Use	0	13	13	n/a
Lindaro Office	14	14	0	0.0
Marine Related	119	93	-26	-21.8
Neighborhood Commercial	34	38	4	11.8
Office	196	196	0	0.0
Residential/Office	16	16	0	0.0
Retail/Office	30	30	0	0.0
St. Vincents/Silveira	581	0	-581	-100.0
Second/Third Street Mixed-Use	37	37	0	0.0
West End Village	12	12	0	0.0
<i>Commercial-Mixed use Subtotal</i>	1293	703	-590	-45.6
Commercial-Nonresidential				
<u>Airport/Recreation</u>	<u>0</u>	<u>77</u>	<u>77</u>	<u>n.a.</u>
Industrial	135	125	-10	-7.4
Light Industrial/Office	301	312 352	111	3-7 16.9
Mineral Resource	230	230	0	0.0
Public-Quasi Public	1064	940 941	-124 -123	-11.76
<i>Commercial-Nonresidential Subtotal</i>	1730	1607 1725	-123 -5	-7.1
Commercial Total	3023	23102428	-713-595	-23.6-19.7
Parks and Open Space				
Parks/Open Space	6624	0	-6624	-100.0
Parks/Open Space/Conservation	303	0	-303	-100.0
Parks	0	1974	1974	n/a
Open Space	0	5551 5560	5551 5560	n/a
Conservation	0	669 543	669 543	n/a
Agriculture/Recreation/Land Reserve	363	0	-363	-100.0
<i>Parks/Open Space Subtotal</i>	7290	8194 8077	904 787	12-4 10.8
TOTAL	18699	17756	-943^a	-5.0

^a This number includes 581 acres of Commercial-Mixed Use land (designated St. Vincent's/Silveira) and 363 acres of Parks and Open Space land (designated Agriculture/Recreation/Land Reserve) on the St. Vincent's/Silveira properties that have been removed from the Planning Area.

Source: San Rafael Community Development Department, 20034.

Exhibit III.4-2 in *Section III.4 Population, Employment, and Housing Projections* beginning on page III - 18 of the San Rafael General Plan 2020 Draft EIR is revised to read as follows:

Exhibit III.4-2
Projected Development, San Rafael General Plan 2020

Land Use	Existing Conditions ^a	Draft General Plan 2020 (Buildout)	General Plan 2000 (Buildout)
Commercial (sq. ft.)	9,030,000	9,183,000	9,710,000
Industrial/Office (sq. ft.)	9,031,000	9,279,000 <u>9,278,000</u>	11,812,000
Lodging (rooms) ^b	464	821	464
Recreation (seat) ^c	3,010	5,010	3,010
Residential (units) ^d	28,929	32,423	33,984

^a Includes existing development and approved projects.

^b Includes hotels and bed-and-breakfast inns.

^c Includes entertainment venues such as theaters.

^d Marin County projections for *households* differs from the City's projections for *residential units* due to a difference in land use coding systems used by the two agencies. This EIR analysis relies upon the County projection of *households* rather than the City's projections of *residential units*.

Source: San Rafael Community Development Department, Economic Development Department and Department of Public Works, 2003.

The first paragraph on page IV.1 - 8 of *Section IV.1 Land Use, Population, Employment, and Housing* of the San Rafael General Plan 2020 Draft EIR is revised to read as follows:

Under the proposed project, potential future development in the Northgate Town Center/Civic Center area, Medway Commercial area, Loch Lomond Marina, Lindero Mixed Use Area, and the Marin Square area would result in the most significant changes. In many of these areas the *Draft General Plan 2020* would allow additional housing and retail in the community over existing conditions ~~in order to encourage reinvestment and improvements in the areas~~. Changes to these areas may include the introduction of new land uses, greater density, increased scale of existing and new development, and overall changes to neighborhood character which could potentially result in conflicting adjacent land uses or exceeding local transportation infrastructure capacities. However, numerous policies and programs in the *Draft General Plan 2020* would reduce such potential conflicts through the use of design guidelines, and development review. With successful implementation of these programs this would be a less-than-significant impact, as described below.

The last paragraph on page IV.1 - 9 of *Section IV.1 Land Use, Population, Employment, and Housing* of the San Rafael General Plan 2020 Draft EIR is revised to read as follows:

The site specific policies in the Land Use and Neighborhoods Element for the North San Rafael Town Center and Civic Center areas would retain the general character of the area while increasing design oversight, encouraging more neighborhood-serving uses, and allowing housing as part of mixed-use projects. If development were to occur consistent with policies in *Draft General Plan 2020*, it would have a positive impact within the area by creating improved public amenities, greater opportunities for pedestrians and bicyclists, and ~~high quality housing opportunities in an area where housing demand is high~~. However, as stated above, the increase in mixed-use development could also result in land use conflicts. Many of the policies and strategies for the Northgate Town Center in *General Plan 2020* were generated by the *Vision North San Rafael*¹ community-planning document.

¹ *Vision North San Rafael*, San Rafael Community Development Department, 1997.

The fourth and fifth paragraphs on page IV.1 - 13 of **Section IV.1 Land Use, Population, Employment, and Housing** of the San Rafael General Plan 2020 Draft EIR is revised to read as follows:

Thus, while development consistent with the *Draft General Plan 2020* would potentially induce some population growth in the Planning Area, such growth would not be considered substantial, particularly when placed in the regional context. Nor would such development represent a further concentration of population. Furthermore, the presence of additional population does not in itself represent a direct significant impact. Therefore, this would be a less-than-significant impact.

However, population growth consistent with that projected for the *Draft General Plan 2020* would result in secondary impacts related to public services and utilities. These impacts are described in **Section IV.2 Transportation and Circulation, IV.3 Air Quality, and Section IV.5 Public Services and Utilities** of this EIR.

The third paragraph on page IV.2 - 4 of *Section IV.2 Transportation and Circulation* of the San Rafael General Plan 2020 Draft EIR is revised to read as follows:

In San Rafael, the LOS is measured for the “peak hour.” The AM peak ~~hour~~ period is between 7 and 9 a.m., and the PM peak period is between 4 and 6 p.m. The hour during the peak period with the highest traffic volume is used to determine LOS.

Section IV.2 Transportation and Circulation beginning on page IV.2 - 18 of the San Rafael General Plan 2020 Draft EIR is revised to read as follows:

Rail Facilities

The Counties of Marin and Sonoma established the SMART (Sonoma-Marín Area Rail Transit) Commission in 1995 to advance the development of a regional rail transit system through joint planning efforts, grant applications, and community outreach efforts. In early 2003, the SMART Commission, Northwestern Pacific Railroad Authority, and the GGBHTD were consolidated into a single rail district, the SMART District, governed by 12 appointed directors. SMART is evaluating multimodal service along the 101 corridor, including commuter rail service. ~~trains are proposed to serve~~ to 14 stations, five of which would be in Marin County and two in San Rafael. The service would use the rail right-of-way formerly owned by the Northwestern Pacific Railroad Authority (NWPRRA) and the North Coast Railroad Authority (NCRA). Currently, the project is not fully funded.

A draft Environmental Impact Report (EIR), Environmental Impact Statement (EIS) and Alternatives Analysis (AA) is being prepared to evaluate potential impacts of ~~seventeen~~ seven alternatives. The SMART EIR/EIS/AA is ~~evaluating looking at four~~ evaluating a 7.5-mile corridor alternatives (the other three alternatives include no build, bus and express bus ~~are for increased bus service~~), ~~from Cloverdale to a ferry terminal~~ The commuter rail alternatives include:

- Larkspur to Cloverdale
- San Quentin to Cloverdale
- San Rafael to Cloverdale + Port Sonoma link
- San Rafael to Windsor

The ~~draft DEIR/EIS/AA~~ is evaluating the preferred commuter rail vehicle ~~impacts based on several vehicle options: traditional locomotive, and the diesel multiple unit mixed use vehicles.~~ Initial operations would consist of 30- minute headways (i.e., one train every half hour) during peak hours, timed to meet bus service in San Rafael. There would be 12 to 16 trains per day, with a projected total daily ridership of 5,100 people. The train would run along the existing rail alignment, except for the section between Downtown and the ferry terminus, where three alternatives are under development for the Draft EIR: one on the existing tracks to the Larkspur ferry and two alternatives to a waterfront site at San Quentin prison. The SMART project includes a continuous parallel (to the extent possible) bicycle/pedestrian path. The Class I path (12 foot width) would parallel the rail corridor and provide direct access to all 14 rail stations ~~be a minimum of 15 feet.~~

The rail alignment will include replacement of an Anderson Drive crossing to access the proposed ferry terminal sites. ~~train facilities will result in a new rail bridge crossing at Andersen Drive (for the segment between Downtown and the ferry) to separate rail cars from the road. This may include a minor~~ There are three alternatives, including one with a realigned realignment of Andersen Drive, currently under review. Additionally, the CalPark Tunnel at the southern edge of the City limits will be upgraded/rebuilt. (The Puerto Suello Tunnel adjacent to Highway 101 is structurally sound.) Conceptual designs are being prepared for all proposed rail stations including the Civic Center and Downtown San Rafael stations. All grade crossings would include crossing protection equipment. ~~The first phase of SMART operations includes service from San Rafael to Windsor (estimated cost is \$154 million construction; \$11 million/year for operations and maintenance). Incremental expansion would occur as funding~~

~~becomes available to complete the project. The project is currently estimated to cost The full project is estimated to cost \$22019 – 2680 for construction , with annual operating costs estimated at \$9 - \$11 million for constructions, and \$13 million/year for operations and maintenance.~~

The ~~draft~~ DEIR/EIS/AA is scheduled for release in the fall of ~~mid-~~2004, and certified in the winter of 2005. The vote on the sales tax for SMART is now anticipated to occur in 2006. If funding is approved, operations could begin in 2007 as soon as 2008.²

The city's traffic analysis for city streets does not anticipate a mode shift, nor does it analyze at-grade crossing affecting city streets. The Marin county's traffic model for highways 101 and 580 includes rail ridership.

² Frequently Asked Questions, Sonoma Marin Area Rail Transit, web page, <http://www.sonomamarintrain.org/faqpage.asp>, January 2004. City of San Rafael communication with Matt Stephens, consultant to SMART, June 28, 2004.

Exhibit IV.2-18 in **Section IV.2 Transportation and Circulation** on page IV.2 - 39 of the San Rafael General Plan 2020 Draft EIR is revised to read as follows:

**Exhibit IV.2-18
 Freeway Mainline Operations under Existing Conditions and Draft General Plan 2020 Conditions**

Highway Section	Existing Conditions				Draft General Plan 2020 Conditions									
	AM Peak		PM Peak		AM Peak		PM Peak							
	Volumes per hour	V/C	Volumes per hour	V/C	Volumes per hour	V/C	Volumes per hour	V/C						
US 101 north of Miller Creek														
a. Southbound	7,415	0.87	D	5,281	0.59	C	8,532	1.00	E	0.4%	6,432	0.71	C	1.4%
b. Northbound	3,356	0.37	B	8,232	1.00	E	4,587	0.51	B	1.9%	9,262	1.11	F	1.0%
Pacheco Hill														
US 101 north of Sir Francis Drake														
c. Southbound	7,026	1.17	F	5,428	0.90	D	7,719	0.87	D	1.9%	6,884	0.76	C	0.8%
d. Northbound	4,100	0.59	C	6,520	0.93	E	5,197	0.58	C	0.0%	8,504	1.00	E	1.1%
Cal Park Hill														
US 101 & I-580 Interchange														
e. Southbound US 101 to Eastbd I-580	2,075	1.65	F	2,000	1.59	F	2,529	0.84	D	3.6%	2,213	0.74	C	2.3%
f. Westbd I-580 to Northbd Hwy 101	2,263	1.80	F	1,751	1.39	F	2,609	2.07	F	1.0%	2,047	1.62	F	3.4%
I-580 at Richmond Bridge														
g. Eastbound	2,728	0.68	C	3,530	0.88	D	3,577	0.89	D	3.0%	4,075	1.02	F	1.4%
h. Westbound	3,468	0.87	D	2,451	0.61	C	4,193	1.05	F	0.2%	3,059	0.76	C	2.8%

^a Boldface text indicates unacceptable LOS

^b The percent of traffic attributable to new development as a result of Draft General Plan 2020.

Sources: Marin Transportation Model (MTM), November 2003; and San Rafael Department of Public Works, December 2003

The discussion of *Future Transitway* in **Section IV.4 Noise** beginning on page IV.4 - 9 of the San Rafael General Plan 2020 Draft EIR is revised to read as follows:

The following general information about noise from transit trains is provided until noise contours for the SMART project can be included in the General Plan.

The most likely vehicle that will be used for the SMART project is the “diesel multiple unit” manufactured by Colorado Railcar Manufacturing Company.³ According to the manufacturer, this vehicle traveling at a speed of 50 miles per hour generates a maximum instantaneous noise level (L_{max}) of 80 to 85 dBA at a distance of 50 feet.⁴ Another source of noise is the whistle that trains must sound as they approach at-grade roadway crossings. According to a report by the Federal Transit Administration (FTA), railroad train whistles generate an L_{max} of approximately 105 dBA at a distance of 50 feet.⁵ The L_{max} from the vehicle and the whistle would decrease with distance at a rate of 6 dBA per doubling of distance.

The L_{dn} from the trains would depend not only on the L_{max} but also on how often and the trains pass by. The Commuter Rail Implementation Plan sponsored by SMART⁶ states that DMU-type equipment would generate an L_{dn} of 52 dBA to 59 dBA at a distance of 100 feet. This assumes a start-up service level of 24 trains per day and two of these occurring between the hours of 10 pm and 7 am. This estimate, however, does not include the effects of train whistles. Based on methodology in the FTA report, the L_{dn} near at-grade roadway crossings would be approximately 74 dBA at a distance of 50 feet.

These noise level estimates indicate that land uses near at-grade roadway crossings will have a much higher potential to be impacted by noise. The City of San Rafael has requested during SMART’s scoping period for the EIR that the noise impacts be identified and evaluated.

The whistle noise levels discussed above meet the requirements of the Federal Railroad Administration (FRA). Recent rules proposed by the FRA allow for the establishment of “Quiet Zones” where whistles are replaced with other safety measures such as improved crossing gates and signs.⁷ The establishment of a Quiet Zone for SMART in San Rafael would likely require a full process of safety studies and approvals by the local and federal authorities.

³ Telcon Lawrence Spurgeon, Parsons, 15 March 2004

⁴ TD-02.003 – Revision A CRM DMU Noise Data, Colorado Railcar Manufacturing, LLC, 24 July 2003

⁵ Transit Noise and Vibration Impact Assessment, prepared for Federal Transit Administration, US Department of Transportation, April 1995.

⁶ Commuter Rail Implementation Plan For Sonoma and Marin Counties, Final Report, Prepared for Sonoma Marin Area Rail Transit Commission, Wilbur Smith Associates, September 2000.

⁷ Use of Locomotive Horns at Highway-Rail Grade Crossings; Interim Final Rule (49 CFR Parts 222 and 229), Department of Transportation, Federal Railroad Administration, December 2003.

The text of Mitigation Measure IV.5-12(a) in *Section IV.5 Public Services and Utilities* beginning on page IV.5 - 26 of the San Rafael General Plan 2020 Draft EIR is revised to read as follows:

Mitigation Measure IV.5-12(a) In order to meet the projected water demand and reduce existing and projected water supply impacts the MMWD shall:

- Continue to research water conservation opportunities;
- Research new water supply sources; and
- Construct the necessary facilities or infrastructure improvements.

As explained above, the MMWD has begun the planning process for a desalination plant and has researched funding opportunities. Potential startup would be in 2007. MMWD is also in the process of exploring additional opportunities to partner on water recycling with the Las Gallinas Valley Sanitary District, and has aggressive water conservation programs in place. These programs shall be continued.

The text on page IV.7-3 of the Draft EIR is revised to include the following paragraph after the first discussion paragraph of *Impact IV.7-1 Scenic Resources*:

It is also possible that development pursuant to *Draft General Plan 2020* could adversely impact views from some private residences. Private view protection is a prohibitive task because of the difficulty of defining which views to preserve given San Rafael's varied topography, the interest in tree preservation, the cost of administration, and the conflict between private interests and the public good. The City has determined that identifying and preserving, where possible, views from the public vantage points and views enjoyed by the larger community (and not a few property owners), are important for the image of the City and should be recognized by City policy. The City, therefore, does not consider impacts to private views to be significant within the context of CEQA.

Section IV.10 Hydrology, Water Quality, and Flood Hazards beginning on page IV.10-1 of the San Rafael General Plan 2020 Draft EIR is revised to read as follows:

~~Las Gallinas Creek~~ should be replaced with Gallinas Creek.

Section IV.11 Agriculture beginning on page IV.11 - 1 of the San Rafael General Plan 2020 Draft EIR is revised to read as follows:

Within the San Rafael Planning Area there are roughly 3,000 acres of lands identified as *Grazing Land* and an estimated ~~1,000~~ 48 acres of land identified as *Farmland of Local Importance* as defined by the California Department of Conservation.⁸ All of these farmlands are located in the northern part of the Planning Area and none of these lands are located within the San Rafael City Limits.

~~The majority of the *Farmland of Local Importance* is on the St. Vincent's / Silveira properties, located between San Rafael and Novato, east of Highway 101. These properties, however, are no longer in the San Rafael Planning Area. Twenty acres of land on property formerly known as the Grady Ranch and 28 acres of land on the Lucasfilm property have also been identified as *Farmland of Local Importance*.~~

All of the land identified as *Grazing Land* is located along Lucas Valley Road, north of San Rafael and west of Highway 101. The majority of this land is protected through the Lucas Valley Open Space Preserve and the Lucas Valley Homeowners Association, both on the northern side of Lucas Valley Road.

⁸ *Grazing Land* is defined as "Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres."

Farmland of Local Importance is defined as "Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee." For Marin County this includes "Land which is not irrigated, but is cultivated; or has the potential for cultivation."

Section V.5 Cumulative Impacts beginning on page V - 7 of the San Rafael General Plan 2020 Draft EIR is revised to read as follows:

V.5 CUMULATIVE IMPACTS

Cumulative impacts refer to two or more individual effects that, when considered together, are considerable or which compound or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects. The cumulative impacts from several projects is the change in the environment that results from the incremental impacts of the project (in this situation the *Draft General Plan 2020*) when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time (CEQA Guidelines, Section 15355).

~~CEQA requires the analysis of impacts due to cumulative development that would occur independent of, but during the same timeframe as, the project under consideration, or in the foreseeable future. In this context, cumulative impacts are those that, if added to the impacts of the *Draft General Plan 2020*, would increase the severity or the significance of impacts of the *Draft General Plan 2020*. By requiring an evaluation of cumulative impacts, CEQA attempts to minimize the potential that large-scale environmental impacts would be ignored due to the project-by-project nature of the project-level analyses contained in EIRs.~~

Each of the topical impact assessments in this EIR takes into consideration, where applicable, the cumulative impacts of the *Draft General Plan 2020*. For most of the cumulative analyses the geographic area of concern is the Planning Area (Exhibit 1 in the *Draft General Plan 2020* shows the boundaries of the San Rafael Planning Area). In those situations, the analysis of cumulative impacts is, for the most part, limited to development pursuant to *Draft General Plan 2020*. For example, the impacts of development pursuant to *Draft General Plan 2020* on visual quality would be limited to the Planning Area. Development beyond *Draft General Plan 2020*, such as that pursuant to the current or pending Marin Countywide Plan, would not cumulatively affect the same visual quality resources as *Draft General Plan 2020* development. In other words, development beyond that proposed by *Draft General Plan 2020* would not compound or increase the impacts from development pursuant to *Draft General Plan 2020*. Planning Area development projected under *Draft General Plan 2020* (which includes proposed projects as well as other reasonably foreseeable projects in the Planning Area), as described in **Chapter III Project Description**, was used. Exhibit IV.1-2 summarizes nonresidential development potential for the Planning Area under the *Draft General Plan 2020*. Exhibit IV.1-4 shows population, households and employment projections for the Planning Area under the *Draft General Plan 2020*. Since cumulative development in the Planning Area is incorporated into the project description itself, the analyses contained in the body of this report takes cumulative issues into consideration.

In other impact areas, development pursuant to *General Plan 2020* would have a cumulative effect with development beyond that pursuant to *General Plan 2020*. For example, development in Marin County and the San Francisco Bay Area, along with development pursuant to *Draft General Plan 2020*, would cumulatively impact traffic and air quality. For each impact area, the discussion below indicates whether development beyond *Draft General Plan 2020* would have cumulative impacts.

The cumulative considerations and impacts for each section are summarized below.

LAND USE, POPULATION, EMPLOYMENT, AND HOUSING

The cumulative development scenario for land use includes the development allowed under the *Draft General Plan 2020*. Development within the Planning Area would occur with the implementation of the *Draft General Plan 2020*. As the Planning Area and the surrounding cities and unincorporated areas develop, a greater intensification could result in cumulative land use compatibility impacts. However, implementation of the *Draft General Plan 2020* would result in less-than-significant cumulative land use impacts.

The population, employment, and housing analyses use data for the City as provided in the project description and analyzes these data in a regional context using data available from Association of Bay Area Governments (ABAG). Thus this analysis considers development implications on a regional level and encompasses cumulative impact considerations for the Planning Area. Development consistent with the *Draft General Plan 2020* would result in 12,708 additional residents over the population in 1998 (8,517 since Census 2000), 5,104 additional households, and 1,812 additional jobs. As described in ***Section IV.1 Land Use, Population, Employment, and Housing*** development consistent with the *Draft General Plan 2020* would have less than significant land use, population, employment and housing impacts. The proposed project's incremental effects on land use, population, employment and housing would not be cumulatively considerable. ~~these increases are consistent with or below the projections for surrounding areas and therefore represent less than significant cumulative impacts.~~

TRANSPORTATION AND CIRCULATION

Traffic projections within the City of San Rafael and those made on regional systems (such as US 101) take cumulative development in the San Francisco Bay Area into consideration.

In preparing the traffic projections for this EIR two traffic modeling efforts were undertaken. The first effort modeled traffic at intersections and segments of local streets. The second effort modeled traffic on regional systems (i.e. US 101). Both of these modeling efforts included projected growth within the Planning Area, as projected under *Draft General Plan 2020*. These efforts also included the Marin County Community Development Association (CDA) land use assumptions for Marin County and Association of Bay Area Governments (ABAG) land use assumptions for the Bay Area, as processed by the Metropolitan Transportation Commission (MTC). The information used was as follows:⁹

- *Planning Area* – for the Planning Area development projected under *Draft General Plan 2020* (which includes proposed projects as well as other reasonably foreseeable projects in the Planning Area), as described in ***Chapter III Project Description***, was used. CDA information was used for the unincorporated County areas in San Rafael's Planning Area; General Plan Steering Committee 2020 projections were used for areas within the City of San Rafael.
- *Marin County Cities/Towns and Unincorporated Areas* – for all of Marin County outside of the Planning Area, but including all other cities and towns within the county, CDA information projecting buildout year 2020 of all of the cities, towns, and unincorporated areas was used. The information most recently made available to the CDA by each city and town was used.

⁹ Nichols • Berman communication with Fred Vogler, Principal GIS Analyst, Marin County Community Development Association Agency, January 23, 2004.

- *Bay Area* – for the eight other Bay Area counties (Sonoma, Napa, Solano, Contra Costa, Alameda, Santa Clara, San Mateo, and San Francisco Counties) ABAG projections for year 2020, as processed by MTC, were used.

The modeling included a total of 293 traffic assignment zones for the entire Bay Area, 36 of which were at least partially within the Planning Area.

Therefore, the traffic analysis provided in *Section IV.2 Transportation and Circulation* included cumulative development considerations.

Intersections In some cases, implementation of the *Draft General Plan 2020* would result in improved conditions at intersections in the Planning Area. Where this is the case, this would be a less-than-significant cumulative impact and the project would not make a cumulatively considerable contribution to a cumulative impact at those intersections. As identified in Impacts IV.2-3 through IV.2-5 (see *Section IV.2 Transportation and Circulation*), however, implementation of the *Draft General Plan 2020* would result in degraded Levels of Service (LOS) at three intersections. As discussed in *Section IV.2* there are no additional feasible mitigation measure to further reduce these impacts and thus these are significant and unavoidable cumulative impacts. In those situations, this would be a significant cumulative impact and implementation of the *Draft General Plan 2020* would make a cumulatively considerable contribution to these impacts.

City and CMA Roadway Segments In most cases, LOS on City roadway segments after implementation of the *Draft General Plan 2020* would not decrease to a level below City standards. In these cases, this would be a less-than-significant cumulative impact. On some other City roadway segments, as identified in Impact IV.2-6 (see *Section IV.2 Transportation and Circulation*), implementation of the *Draft General Plan 2020* would result in degraded LOS to an unacceptable level. Because feasible mitigation would not be available for those segments, this would be a significant cumulative impact. Implementation of the *Draft General Plan 2020* would make a cumulatively considerable contribution to this impact. CMA roadway segments would all operate at an acceptable LOS with implementation of the *Draft General Plan 2020*. This would be a less-than-significant cumulative impact.

Freeway Facilities Implementation of the *Draft General Plan 2020* would cause some off ramp queues to deteriorate to an unacceptable LOS. However, because the queues would remain within the off ramp boundaries this would be a less-than-significant cumulative impact. Implementation of the *Draft General Plan 2020* would also cause some freeway segments to deteriorate below an acceptable LOS. Under *Draft General Plan 2020*, San Rafael's contribution to freeway traffic would be a small percentage of the total traffic expected. However, as shown in **Exhibit IV.2-4618** in *Section IV.2 Transportation and Circulation*, when considered with traffic due to development throughout the Bay Area, the traffic due to development in the Planning Area would cause several highway sections to operate at an unacceptable LOS. As discussed in *Section IV.2* there are no additional feasible mitigation measures to further reduce these impacts and therefore ~~T~~this would be a significant cumulative impact. Implementation of the *Draft General Plan 2020* would make a cumulatively considerable contribution to this impact.

Parking Facilities In most cases, removal of parking spaces due to implementation of the *Draft General Plan 2020* would not result in significant cumulative impacts. Along Lincoln Avenue, however, implementation of the *Draft General Plan 2020* would result in increased traffic volumes which in turn would require the removal of parking spaces on the west (northbound) side of Lincoln

Avenue during the AM peak hour, and both sides of Lincoln Avenue during the PM peak hour. A recent 2003 parking survey (see **Exhibit VII.3-7** in *Appendix VIII.3 Transportation Data*¹⁰) showed that there are currently 72 spaces available on the northbound side of Lincoln Avenue during the PM peak hour (with a 59 percent occupancy rate); 113 spaces available on the southbound side of Lincoln Avenue during the AM peak hour (with a 64 percent occupancy rate); and 73 spaces available on the southbound side of Lincoln Avenue during the PM peak hour (with a 97 percent occupancy rate). Loss of these parking spaces, when considered in the context of the surrounding area, would be a less than cumulatively considerable and therefore the cumulative impact would be less than significant.

Bicycle and Pedestrian Facilities and Transit Facilities Implementation of the *Draft General Plan 2020*, when considered along with development throughout the Bay Area would increase the demand for bicycle and pedestrian facilities as well as transit services. It would also result in improvements to bicycle and pedestrian facilities and transit services in the City. This would be a less-than-significant cumulative impact and the *Draft General Plan 2020* would not make a cumulatively considerable contribution to the demand for bicycle and pedestrian facilities.

AIR QUALITY

The San Francisco Bay Area is the geographic area considered for air quality cumulative impacts. The cumulative impacts analysis includes development pursuant to *Draft General Plan 2020* as well as development forecast by the Association of Bay Area Governments. The BAAQMD CEQA Guidelines provide that an individual project be assessed for cumulative impacts based on an evaluation of consistency of the project with the local general plan and the consistency of the local general plan with the regional air plan. No specific cumulative threshold of significance is given for general plans beyond that of consistency with the regional air plan.

If a general plan was found to have a significant air quality impact related to inconsistency with the regional air quality it would also have a significant cumulative impact. As discussed in *Section IV.3 Air Quality* the *Draft General Plan 2020* was found to be consistent with regional air quality planning efforts and therefore would not have a cumulatively significant impact on air quality cumulative air quality impact.

NOISE

The analysis of noise impacts in this EIR is in large part based upon the traffic analysis, which considers cumulative development in the Planning Area, Marin County Cities/Towns and Unincorporated Areas, and the Bay Area as described above under Transportation and Circulation. Future development within the Planning Area consistent with the *Draft General Plan 2020* would result in potential cumulative noise level increases along major roadways and near industrial and commercial developments. Each of these noise impacts would be dealt with separately when new noise sensitive or noise generating developments are proposed. As discussed in *Section IV.4 Noise* implementation of *Draft General Plan 2020* would not result in significant noise impacts. Implementation of noise-related policies and programs within the *Draft General Plan 2020* would reduce the project's contribution to cumulative noise impacts to less than cumulatively

¹⁰ As noted on Exhibit VIII.3-7c the Lincoln Avenue parking survey was conducted by the San Rafael Department of Public Works in September/October 2003. Information regarding both the number of parking spaces available and occupied in both the AM and PM for northbound and southbound segments of Lincoln is provided in the Exhibit.

~~considerable. Implementation of the Draft General Plan 2020 would not result in significant cumulative noise impacts that could not be mitigated with the implementation of noise related policies and programs within the Draft General Plan 2020. As discussed in Impact IV.4-2 existing noise sensitive land uses in San Rafael could be exposed to substantially increased noise levels from the Sonoma Marin Area Rail Transit (SMART). The Draft General Plan 2020 contribution to this impact would not be cumulatively considerable.~~

PUBLIC SERVICES AND UTILITIES

The projections for the provision of public services and utilities all consider both ~~citywide~~ Planning Area growth pursuant to *Draft General Plan 2020*, as well as all projected growth within each service area. Because several service areas extend beyond the boundaries of the Planning Area, cumulative impacts are considered within the larger service areas, when applicable.

Future growth consistent with the *Draft General Plan 2020* would increase population and introduce new structures to the Planning Area. This would contribute to cumulative impacts on fire protection services, police protection services, and library services until these services expand their facilities to meet service requirements for the additional population. ~~This growth would not result in significant cumulative impacts to schools as much of the development allowed under the Draft General Plan 2020 would be multifamily developments which would not generate a student population that would exceed the schools current capacity. Development pursuant to Draft General Plan 2020 would not have a cumulatively considerable impact to schools, as much of the development allowed under Draft General Plan 2020 would be multifamily developments which would not generate a student population that would exceed the schools' current capacity.~~ This development would, however, contribute to existing park facilities and water supply deficits, which would result in significant cumulative impacts. Implementation of the Draft General Plan 2020 would make cumulatively considerable contributions to these cumulative impacts. The mitigation for the park cumulative impact would be the same as Mitigation Measure IV.5-8 and the mitigation for the water supply cumulative development would be the same as Mitigation Measure IV.5-12(a). This development would also contribute to cumulative wastewater treatment impacts at the Central Marin Sanitation Agency treatment plant. The mitigation for this cumulative impact would be Mitigation Measure IV.5-11(a). ~~Implementation of the Draft General Plan 2020 would make cumulatively considerable contributions to these cumulative impacts.~~

Development in accordance with the *Draft General Plan 2020*, when considered alongside other development projected within Marin County, would increase the intensity of development in Marin County. Compliance with Federal, State, and local regulations concerning the storage and handling of hazardous materials and/or waste would reduce the potential for significant cumulative public health and safety impacts from hazardous materials to occur. Additionally, implementation of Mitigation Measures IV.5-3 and IV.5-4 would further reduce potential hazardous materials impacts. Therefore, the impact of the *Draft General Plan 2020* in addition to future development in surrounding areas would not be expected to affect significantly the number of people exposed to public health and safety risks from exposure to hazardous materials; this would be a less-than-significant cumulative impact.

CULTURAL RESOURCES

The cultural resources analysis considers all growth within the Planning Area and the cumulative impacts of such growth on cultural resources. Impacts to cultural resources are typically limited to the proximity of development, thus growth outside of the Planning Area boundaries would not compound

or increase the severity of impacts to cultural resources from development pursuant to Draft General Plan 2020. Due to the limited number of undeveloped sites within the Planning Area that could be developed under the Draft General Plan 2020, Consistent with the Draft General Plan 2020 project sponsors would be required to take appropriate measures to protect or preserve cultural resources affected by individual projects, thus this would be a less-than-significant cumulative impact.

VISUAL QUALITY

The visual quality analysis (see *Section IV.7 Visual Quality*) considers all development within the Planning Area and therefore considers also the cumulative impacts for such development. Visual quality impacts are typically limited to the proximity of development, thus growth outside of the Planning Area boundaries would not compound or increase the severity of impacts to visual quality from development pursuant to Draft General Plan 2020. Future development within the Planning Area consistent with the *Draft General Plan 2020* would result in the intensification of existing urban uses, but very little conversion of vacant lands or open spaces. Such development would be subject to the City's development review process and would not contribute to cumulative visual quality impacts, particularly as, in many cases, new development would be expected to improve the visual quality of some neighborhoods. ~~Additional~~ Cumulative development within the Planning Area could, however, contribute to cumulative nighttime lighting and glare impacts, although implementation of Mitigation Measure IV.7-4 would reduce this potential impact. This would be a less-than-significant cumulative impact.

BIOLOGICAL RESOURCES

The biological resources analysis considers all development within the Planning Area and therefore considers also the cumulative impacts for such development. As discussed in Section IV.8 Biological Resources ~~the project would not result in the loss of extensive areas of natural habitats and associated biological resources. Due to the concentration of future development within already developed areas, development in the Planning Area would not result in cumulatively significant impacts associated with development consistent with the Draft General Plan 2020 would not be expected to have cumulatively considerable impacts on wildlife movement, habitat fragmentation, or federally protected wetlands. While such development could have project-specific impacts to sensitive natural communities and special-status species, with implementation of the associated mitigation measures (see Mitigation Measures IV.8-1 and IV.8-2) this would be a less-than-significant cumulative impact.~~

GEOLOGY, SOILS, AND SEISMICITY

The geologic analysis considers all development and growth within the Planning Area and therefore considers also the cumulative impacts for such development. As the population within the Planning Area grows, the opportunity for geologic, soils, and seismic related hazards grows. Some hazards, such as expansive soils, would be reduced through the City's geotechnical review requirements and the Draft General Plan 2020 contribution to this impact would be less than cumulatively considerable... However, the landsliding impact would remain a significant impact and would contribute to cumulative landsliding impacts. Implementation of the *Draft General Plan 2020* would result in significant cumulative landsliding impacts and would make a cumulatively considerable contribution to such an impact. Mitigation measure IV.9-3 would reduce the hazard from repaired landslides to a less-than-significant level.

HYDROLOGY, WATER QUALITY, AND FLOOD HAZARDS

The hydrologic analysis (see *Section IV.10 Hydrology, Water Quality, and Flood Hazards*) considers all development and growth within the Planning Area and therefore considers also the cumulative impacts for such development, including impacts to regional water bodies such as San Rafael Bay and San Francisco Bay. For ~~the Miller Creek watershed~~, which is not fully contained within the Planning Area, the cumulative analysis considers the Miller Creek watershed which includes those areas that are outside of the Planning Area, including the St. Vincent's/Silveira properties.

Cumulative hydrology and water quality impacts would occur through additional loading of water contaminants in the San Rafael and San Francisco bays, decreases in impervious surfaces for groundwater recharge, and construction. Development consistent with the *Draft General Plan 2020* would not have negative groundwater impacts and therefore would not have cumulative groundwater impacts. Due to the low levels of actual new construction projected with the proposed project, as well as the NPDES Phase II requirements, it would not have cumulative erosion, siltation, or water quality impacts. Because incremental increases in development would be concentrated in the existing urbanized portions of the San Rafael watersheds, cumulative flooding and stormwater drainage impacts would be less-than-significant. Additionally, because the *Draft General Plan 2020* does not propose significant new development within the low lying areas, it would not result in cumulative tidal flooding, seiche, tsunami, or mudflow impacts. In summary, cumulative development in the Planning Area would not result in a significant cumulative impact.

AGRICULTURE

The agriculture analysis considers all development and growth within the Planning Area and therefore considers the cumulative impacts of such development. Cumulative development within the Planning Area consistent with the *Draft General Plan 2020* would not convert agricultural land and therefore would result in a less-than-significant cumulative impact.

Chapter VI Project Alternatives beginning on page VI-1 of the San Rafael General Plan 2020 Draft EIR is revised to read as follows:

VI. PROJECT ALTERNATIVES

This EIR examines three alternatives to the project as presently proposed:

Alternative 1. No Project / No Development – existing conditions, no further development beyond what has been approved but not yet built.¹¹

Alternative 2. No project / No Action / General Plan 2000 – continued development under *General Plan 2000*

Alternative 3. Reduced Development – a lower intensity development alternative

The alternatives were formulated to provide a realistic and representative range of potential use and development concepts for the City. The principal criterion for selecting the alternatives studied in the EIR was to ensure that the range of concepts evaluated would be sufficient to provide information to the public and public officials to make decisions about the proposed plan.

An EIR conceivably can analyze an infinite number of alternatives or variations on alternatives. However, CEQA directs EIRs to analyze a reasonable range of alternatives to the project or project location which could feasibly attain basic project objectives and would avoid or substantially lessen any of the significant effects of the proposed project. The analysis of a range of alternatives is governed by a “rule of reason”. In order for the analyses to be meaningful for readers, the alternatives also must be distinctly different and readily discernible in order to distinguish between their effects and determine the environmentally preferred alternative.

VI.1 ALTERNATIVE 1 NO PROJECT / NO DEVELOPMENT

This alternative would reflect the existing conditions with no additional development within the City of San Rafael Planning Area beyond what has been approved but not yet built. No additional development is included beyond what has already been approved. The current conditions in the City of San Rafael Planning Area would remain. The environmental impacts are described by the existing conditions as reflected by the *San Rafael General Plan 2020 Background Report*, dated April, 2001. This alternative reflects the least amount of development of the alternatives analyzed.

Exhibit VI.1-1, below, shows the nonresidential development for Alternative 1 (*No Project / No Development*) plus for each of the other alternatives considered and the proposed project. As shown in this exhibit, Alternative 2 (*General Plan 2000*) would have the most commercial and industrial/office development, as well as the most residential units; and Alternative 3 (*Reduced Development*) would have the highest number of lodging rooms. Both the proposed project (*Draft General Plan 2020*) and Alternative 3 (*Reduced Development*) would have the highest amount of recreation development.

¹¹ This alternative represents a baseline conditions that as discussed in Section IV.2 Transportation and Circulation represents existing conditions plus approved, but not yet built projects, as well as vacancies that could be occupied.

Exhibit VI.1-1
Nonresidential Development, San Rafael General Plan 2020 EIR Alternatives

Land Use	Draft General Plan 2020 (Proposed Project)	Alternative 1^a (No Project / No Development)	Alternative 2 (General Plan 2000)	Alternative 3 (Reduced Development)
Commercial (sq. ft.)	9,183,000	9,030,000	9,710,000	9,018,000
Industrial/Office (sq. ft.)	9,279,000	9,031,000	11,812,000	9,279,000
Lodging (rooms) ^b	821	464	464	1,121
Recreation (seat) ^c	5,010	3,010	3,010	5,010
Residential (units) ^d	32,423	28,929	33,984	31,540

^a Includes existing development and approved projects.

^b Includes hotels and bed-and-breakfast inns.

^c Includes entertainment venues such as theaters.

^d Marin County projections for *households* differs from the City's projections for *residential units* due to a difference in land use coding systems used by the two agencies.

Source: San Rafael Department of Public Works, 2003.

Exhibit VI.1-2 compares population, households, total employment, and employed residents for each alternative, including the proposed project. As shown in the exhibit Alternative 2 (*General Plan 2000*) would have the highest population and, correspondingly, the highest number of households; Alternative 2 (*General Plan 2000*) would also have the highest total employment and the highest number of employed residents.

Exhibit VI.1-2
Population and Households, San Rafael General Plan 2020 EIR Alternatives, San Rafael Planning Area

Category	Draft General Plan 2020 (Proposed Project)	Alternative 1^a (No Project / No Development)	Alternative 2 (General Plan 2000)	Alternative 3 (Reduced Development)
Population	79,104	66,396	81,935	76,899
Households ^b	31,234	26,130	32,494	30,328
Total Employment	47,394	45,582	50,078	47,582
Employed Residents	46,618	36,187	48,001	45,243

^a These figures are the most current information available from the County's traffic modeling, and are based on 1998 conditions.

^b Marin County projections for *households* differs from the City's projections for *residential units* due to a difference in land use coding systems used by the two agencies.

Source: Marin County Department of Public Works, 2003.

Analysis of No Project / No Development Alternative

LAND USE, POPULATION, EMPLOYMENT AND HOUSING

Exhibit VI.1-1 compares land use development in the City under this alternative with development under the proposed plan. **Exhibit VI.1-2** compares population and households in the City under this alternative with development under the proposed plan.

This ~~scenario~~ alternative would result in no new development beyond what has already been approved, and all of the existing land uses would remain. Therefore potential new conflicts would not be created, however any existing land use conflicts would also remain. These would be less-than-significant impacts.

Because there would be ~~no~~ only minimal change in the population, jobs, or housing, there would be ~~no~~ only minimal impacts related to the growth and concentration of population, the employment growth rate, or the jobs-to-housing ratio.

TRANSPORTATION AND CIRCULATION

The discussion in this section corresponds directly to the impacts as numbered in **Section IV.2 Transportation and Circulation**. The impact numbers listed correspond to the impacts in that section.

For the Transportation and Circulation Alternative 1 (*No Project/No Development*) the Baseline conditions developed for the project analysis were used, except for freeway analysis. Baseline conditions includes development which has been approved but not yet built. No additional development is included beyond what has been already approved. The same as for the Draft General Plan 2020, ~~The~~ freeway analysis for this alternative uses the latest available information (1998), referred to as Existing conditions.

Intersections

Impact IV.2-1 As discussed in Section IV.2 implementation of the Draft General Plan 2020 without improvements would result in unacceptable LOS at intersections. However, Draft General Plan 2020 improvements would result in acceptable LOS at these intersections. In contrast to the proposed project, under Alternative 1~~Under Baseline conditions~~, the following intersections (see Exhibit VIII.3-4 in Appendix VIII.3), not including those addressed in Impacts IV.2-2 through 5, below, would operate at unacceptable levels:

- 2nd and Grand (LOS E during the PM peak hour)
- 5th and A (LOS E during the AM peak hour)
- 5th and H (LOS E during the AM peak hour)
- Mission and Grand (LOS E during the AM peak hour)
- Mission and Grand (LOS E during the PM peak hour)
- Smith Ranch and US 101 NB Ramps (LOS E during the AM peak hour)

Because these intersections would not benefit from traffic improvement projects associated with either the *Draft General Plan 2020* or the *General Plan 2000*, impacts at these intersections would therefore remain significant and unavoidable.

Impact IV.2-2 Under Baseline conditions, the Second Street and A Street intersection would operate at an LOS that is unacceptable for Downtown area intersections (LOS F AM & PM peak). This would be a significant unavoidable impact. It should be noted the *Draft General Plan 2020* improvements would result in LOS C in the AM and LOS E in the PM for this intersection.

Impact IV.2-3 Under Baseline conditions, the Third Street and Union Street intersection would operate at an LOS that is acceptable for City intersections (LOS C AM peak / LOS D PM peak). This would be a less-than-significant impact. It should be noted that with implementation of the *Draft General Plan 2020* this intersection would operate at an unacceptable LOS.

Impact IV.2-4 Under Baseline conditions, during the AM peak hour the Lincoln Avenue intersection with US 101 Southbound ramps would operate at an LOS that is acceptable for City intersections (LOS D). However, in the PM peak hour, this intersection would operate at an LOS that is unacceptable for City intersections (LOS E). This would be a significant unavoidable impact. It should be noted that with implementation of the *Draft General Plan 2020* in the PM peak hour this intersection would also operate at an unacceptable LOS.

Impact IV.2-5 Under Baseline conditions, during the AM peak hour the Mission Avenue and Irwin Street intersection would operate at an LOS that is acceptable for that intersection (LOS C). However, in the PM peak hour, this intersection would operate at an LOS that is unacceptable for this intersection (LOS F). The increase in delay (for Baseline conditions over Existing conditions) for the PM peak hour would not be greater than five seconds, which would be a less-than-significant impact. With implementation of the *Draft General Plan 2020* there would be a significant impact at this intersection in the PM.

City and CMA Roadway Segments

Impact IV.2-6 As discussed in Section IV.2 implementation of the *Draft General Plan 2020* would result in unacceptable roadway operations on A Street from 2nd to 5th and on two segments of Freitas. In contrast to the proposed project, under Alternative 1 ~~Under Baseline conditions~~, the following City roadway segments would operate at unacceptable (LOS E or F) levels:¹²

- 2nd Street – eastbound from G to Grand (LOS E in the AM peak hour)
- 2nd Street – eastbound from G to Grand (LOS E in the PM peak hour)
- 5th Street – westbound from Irwin to E (LOS E in the AM peak hour)
- A Street – northbound from 2nd to 5th (LOS F in the PM peak hour)
- A Street – southbound from 4th to 2nd (LOS E in the AM peak hour)
- A Street – southbound from 4th to 2nd (LOS F in the PM peak hour)
- B Street – southbound from 5th to 2nd (LOS E in the AM peak hour)
- B Street – southbound from 5th to 2nd (LOS E in the PM peak hour)
- Bellam Boulevard – eastbound from Andersen to Kerner (LOS E in the PM peak hour)
- Bellam Boulevard – westbound from Kerner to Andersen (LOS E in the AM peak hour)
- Bellam Boulevard – westbound from Kerner to Andersen (LOS E in the PM peak hour)
- C Street – northbound from 2nd to 5th (LOS E in the AM peak hour)

¹² As described in the *Significance Criteria* section of ~~Section IV.2 Transportation and Circulation~~, a segment would exceed significance thresholds if it is operating at an acceptable LOS under Baseline conditions and would operate at an unacceptable LOS under project conditions. However, for segments that are operating at unacceptable LOS under Baseline conditions, it would exceed significance thresholds if the calculated average travel speed would decrease by five miles per hour or more.

- C Street – northbound from 2nd to 5th (LOS F in the PM peak hour)
- Del Presidio Boulevard – northbound from Las Gallinas to Frietas (LOS F in the AM peak hour)
- Del Presidio Boulevard – northbound from Las Gallinas to Frietas (LOS E in the PM peak hour)
- Del Presidio Boulevard – southbound from Freitas to Las Gallinas (LOS E in the AM peak hour)
- Del Presidio Boulevard – southbound from Freitas to Las Gallinas (LOS F in the PM peak hour)
- E Street – northbound from 2nd to 5th (LOS E in the AM peak hour)
- E Street – northbound from 2nd to 5th (LOS F in the PM peak hour)
- E Street – southbound from 5th to 2nd (LOS F in the AM peak hour)
- E Street – southbound from 5th to 2nd (LOS F in the PM peak hour)
- Grand Avenue – southbound from 4th to 2nd (LOS F in the AM peak hour)
- Grand Avenue – southbound from 4th to 2nd (LOS F in the PM peak hour)
- Hetherton Street – southbound from Mission to 2nd (LOS E in the AM peak hour)
- Hetherton Street – southbound from Mission to 2nd (LOS F in the PM peak hour)
- Irwin Street – northbound from 2nd to Mission (LOS F in the AM peak hour)
- Irwin Street – northbound from 2nd to Mission (LOS F in the PM peak hour)
- Lincoln Avenue – northbound from 2nd to US 101 SB/Hammondale (LOS E in the PM peak hour)
- Lincoln Avenue – southbound from US 101 SB/Hammondale to 2nd (LOS E in the AM peak hour)
- Lindaro Street – northbound from Andersen to 3rd (LOS E in the AM peak hour)
- Lindaro Street – northbound from Andersen to 3rd (LOS F in the PM peak hour)
- Lindaro Street – southbound from 3rd to Andersen (LOS F in the AM peak hour)
- Lindaro Street – southbound from 3rd to Andersen (LOS E in the PM peak hour)
- Mission Avenue – westbound from Irwin to Lincoln (LOS F in the AM peak hour)
- Mission Avenue – westbound from Irwin to Lincoln (LOS F in the PM peak hour)

Because these City roadway segments would not benefit from traffic improvement projects associated with either the *Draft General Plan 2020* or the *General Plan 2000*, this would be a significant unavoidable impact.

Impact IV.2-7 Because this alternative reflects the Baseline conditions, the roadway segments included in Impact IV.2-6 above represent the roadway segments that would continue to operate at LOS E or F. Therefore, this impact is not applicable to Alternative 1 (*No Project/No Development*).

Impact IV.2-8 The same as for the *Draft General Plan 2020* Under Baseline conditions, all of the Congestion Management Agency (CMA) roadway segments would operate at acceptable LOS (LOS D or better). This would be a less-than-significant impact.

Freeway Facilities

Impact IV.2-9 As discussed in Section IV.2 implementation of the *Draft General Plan 2020* would result in unacceptable roadway operations the following freeway sections:

- Northbound US 101 north of Miller creek during the PM peak hour
- Eastbound I-580 at the Richmond Bridge during the PM peak hour
- Westbound I-580 at the Richmond Bridge during the AM peak hour
- Westbound I-580 to northbound US 101 at the interchange in the AM and PM peak hour

In contrast to the proposed project, under Alternative 1 Under Existing (1998) conditions the following freeway sections would operate at an unacceptable (LOS F) level:¹³

- US 101 – southbound from Cal Park Hill to Sir Francis Drake (LOS F in the AM peak hour)
- US 101 & I-580 interchange – southbound US 101 to eastbound I-580 (LOS F in the AM peak hour)
- US 101 & I-580 interchange – southbound US 101 to eastbound I-580 (LOS F in the PM peak hour)
- US 101 & I-580 interchange – westbound I-580 to northbound US 101 (LOS F in the AM peak hour)
- US 101 & I-580 interchange – westbound I-580 to northbound US 101 (LOS F in the PM peak hour)

Because these freeway sections would not benefit from traffic improvement projects associated with either the *Draft General Plan 2020* or the *General Plan 2000*, this would be a significant unavoidable impact. However, these would have the benefit of the GAP closure project, as described in **Section IV.2 Transportation and Circulation**, and it is likely that operations would improve somewhat for US 101 southbound from Cal Park Hill to Sir Francis Drake Boulevard.

Impact IV.2-10 Under Existing (1998) conditions, the same freeway off-ramps would exceed lane storage as under *Draft General Plan 2020*. The vehicle queue would exceed lane storage at two off-ramps:

- US 101 northbound at Second and Irwin
- I-580 eastbound/US 101 northbound at Bellam

The off-ramp approach analysis indicates that the approach vehicle queue would remain within the off-ramp boundaries and would not encroach into the deceleration lane on the freeway. Thus, both of these queues operate at acceptable levels. This would be a less-than-significant impact.

Parking Facilities

Impacts IV.2-11 through 14 Under the current conditions no parking spaces would be removed and there would be no impacts related to the provision of parking facilities.

¹³ ~~As described in the Significance Criteria section of Section IV.2 Transportation and Circulation, a freeway section would exceed significance thresholds if it is operating at an acceptable LOS under Baseline conditions and would operate at an unacceptable LOS under project conditions. However, for segments that are operating at unacceptable LOS under Baseline conditions, it would exceed significance thresholds if there is an increase in the V/C of 0.01 or more.~~

Bicycle and Pedestrian Facilities and Transit Services

Impacts IV.2-15 through 16 Under this alternative there would be no increase in demand for bicycle and pedestrian facilities or transit services and therefore no impacts related to the provision of bicycle and pedestrian facilities or transit services.

AIR QUALITY

The Clean Air Plan is based on existing and projected population and employment numbers. Because this alternative would result in no new development beyond what has already been approved and only minimal population growth, would maintain the existing conditions, and because there is not currently any conflict with the Clean Air Plan, this alternative would not result in a conflict with the Clean Air Plan with respect to population. It would also be expected to result in a rate of increase in Vehicle Miles Traveled (VMT) no greater than the rate of increase in population.

However, while the *General Plan 2000* includes some policies and programs that would support the Clean Air Plan Transportation Control Measures (TCMs), this alternative would not support all of the regional TCMs that are to be implemented by cities. This alternative would therefore result in a significant unavoidable impact due to inconsistency with the TCMs. This alternative would not result in new sources of odors or toxic air contaminants, but would be lacking policies and programs protecting existing and establishing new buffer zones around sources of toxic air contaminants and odors, and would therefore have a significant impact with respect to these pollutants. This impact could be reduced to a less-than-significant level with adoption and implementation of the mitigation measures identified in this EIR.

NOISE

Because there would not be an increase in traffic beyond the baseline conditions, there would be no increase in traffic noise. Without any new commercial or industrial projects beyond what has already been approved, there would be no impacts related to stationary noise sources. Because there would be no additional new development, there would be no impacts related to future noise sensitive development near existing noisy environments. While the San Rafael Airport would still be in use, similar to the proposed project, there would be no increase in air traffic at the airport and there would be no increase in noise-sensitive development surrounding the airport. Because development of SMART is independent of the *Draft General Plan 2020*, there could be potential noise impacts related to SMART activity, which would be a significant unavoidable impact. The San Rafael Quarry and McNear Brickworks would continue operation for at least 15 to 17 years through 2020, however, no new development would occur within the vicinity of these operations. Thus, similar to the proposed project, this alternative would result in no new impacts related to noise generated by the San Rafael Quarry. In addition, while the areas surrounding San Rafael would continue to develop and would generate additional traffic, the noise generated by this traffic would not result in a significant impact.

PUBLIC SERVICES AND UTILITIES

In this alternative, as there would be no new development beyond what has already been approved, existing development would continue to be served at the existing levels by the existing service providers. Therefore, impacts related to fire protection, wildland fires, police services, schools, library, wastewater treatment north of Puerto Suello Hill, electricity and gas, and landfill capacity would be less-than-significant. Due to existing deficiencies, impacts related to police services, parks,

library services, wastewater treatment south of Puerto Suello Hill, and water supply would be significant and unavoidable. Impacts related to the release of hazardous materials and the exposure of underground hazardous wastes would be less-than-significant because no new development would disturb the existing hazardous materials sites or create new hazardous materials sites. Finally, because there are existing schools within one quarter mile of facilities that transport, store, use, and dispose of hazardous materials, this would remain a significant and unavoidable impact.

CULTURAL RESOURCES

Because there would be no new development beyond what has already been approved there would be no potential impacts to cultural resources. However, the *Draft General Plan 2020* does include policies and programs that could potentially *benefit* historic structures by encouraging the re-use and/or restoration of the projects. Presumably, with no additional new development these structures would not benefit from re-use or restoration. This alternative would not result in significant cultural resources impacts.

VISUAL QUALITY

Because there would be no new development (besides what has already been approved) there would be no new impacts to the visual quality of the City. Scenic resources would be maintained in their current setting, there would be no new conflicts between adjoining development, and the potential for aesthetically unpleasing new development would be eliminated. There could, however, be impacts to nighttime lighting, as existing developments could upgrade or otherwise alter their outdoor lighting. This could represent a significant impact as lighting plan review is currently required only for new construction. However, this impact could be reduced to a less-than-significant level with adoption and implementation of the mitigation measures identified in this EIR.

BIOLOGICAL RESOURCES

As no new development beyond what has already been approved would occur, impacts to special status plant and animal species, and sensitive natural communities, including wetlands, would not occur with this alternative. Existing wetlands, woodlands, and riparian habitats in particular would benefit under this alternative. There would still be potential significant unavoidable impacts due to the introduction of exotic species as existing landscapes mature and/or are replaced, because the policies and programs associated with the *Draft General Plan 2020* would not be implemented.

GEOLOGY, SOILS, AND SEISMICITY

Because there would be no new development beyond what has already been approved, this alternative would represent no new impacts due to additional development on unstable soils. Groundshaking, landsliding, subsidence, expansive soils, and earthquake related ground failure hazards would all represent a less-than-significant impact because there would be no new development on unstable soils. In addition, because this alternative would not increase population or employment within the City, there would not be an increased number of people potentially affected by such hazards. Because there would be no additional new development, the potential loss of soil resources and damage due to erosion would be a less-than-significant impact. Again, because there would be no additional new development, no new septic systems would be expected and therefore there would be no potential impact related to the septic suitability of soils.

HYDROLOGY, WATER QUALITY, AND FLOOD HAZARDS

Because there would be no new development beyond what has already been approved there would be no increased potential for impacts to water quality, groundwater, or the stormwater drainage system. Erosion and creek siltation, which is typically due to increased development, would not occur, however creek improvements that may also be associated with developments would not occur either. This alternative would not result in any additional development, and therefore no additional people, within areas that could be inundated by tidal flooding, storm event flooding, seiche, tsunami, or mudflow, therefore representing a less-than-significant impact for those hazards. In addition, because there would be no additional development, there would be no impacts associated with flooding or stormwater drainage system capacity.

AGRICULTURE

Because there would be no additional development with this alternative there would be no impacts to agricultural lands.

IMPACT OVERVIEW

Growth Inducing Impacts

Similar to the proposed project Alternative 1 (No Project/No Development) would have a less-than-significant growth inducing impact. This alternative would result in no new development beyond what has already been approved. Alternative 1 would not remove infrastructure limitations that otherwise would limit growth, nor would this alternative remove regulatory constraints that could result in future unforeseen growth.

Cumulative Impacts

Since Alternative 1 (No Project/No Development) would have less development than the proposed project cumulative impacts for Alternative 1 would be similar but reduced from cumulative impacts identified for the proposed project.

VI.2 ALTERNATIVE 2 NO PROJECT / NO ACTION / GENERAL PLAN 2000

Alternative 2 (*No Project/No Action/General Plan 2000*) assumes that no General Plan is adopted for the City, and future development would continue to be guided by the existing General Plan, *General Plan 2000*, and zoning. This alternative reflects growth under existing *General Plan 2000* policies, assuming feasible infrastructure improvements and community services. One significant policy from *General Plan 2000* that would not be included in this alternative is the extension of McInnis Parkway from its current terminus at Marin Lagoon to Highway 37, described as the ‘east side arterial’ in Policy C-8e. The McInnis extension is currently not funded, *Vision North San Rafael* recommends

against the extension, and the Novato General Plan does not include the roadway in its circulation network.¹⁴

As shown in **Exhibit VI.1-1** and **VI.1-2**, this alternative would result in a higher level of growth than the *Draft General Plan 2020*. Buildout under the existing General Plan would include the potential for about 5,055 new residential units and 3,461,000 square feet of new nonresidential development within the City limits. This maximum buildout includes 1,561 more residential units than projected under the *Draft General Plan 2020*, and an increase of 3,060,000 square feet of nonresidential development beyond the projections of the *Draft General Plan 2020*. With this buildout, there would also be an increase in population and employment within the Planning Area: development consistent with the existing General Plan would result in 15,539 additional residents over the population in 1998 (11,348 since Census 2000) and 4,496 additional jobs. This is in comparison to the 12,708 additional residents (8,517 since Census 2000) and 1,812 additional jobs that would be expected with the *Draft General Plan 2020* within the Planning Area.

In this alternative, the existing regulations would continue existing patterns of land use, including single-use General Commercial, Office, and Marine districts. In addition, very limited development would occur Downtown as this area is essentially considered built-out under the EIR for *General Plan 2000*. At the Canalways, San Rafael Airport, and St. Vincent's/Silveira properties more development would occur in this alternative than with the proposed project.

Analysis of Alternative 2 (No Project / No Action / General Plan 2000)

LAND USE, POPULATION, EMPLOYMENT AND HOUSING

Exhibit VI.1-1 compares land use development in the City under this alternative with development under the proposed plan. **Exhibit VI.1-2** compares population and households in the City under this alternative with development under the proposed plan.

As shown in these exhibits, and described above, development under this alternative would be higher than that under the *Draft General Plan 2020*, and higher than development under the other alternatives. This increased development would also result in a slightly larger population in the Planning Area as well as considerably more jobs. The existing General Plan's traffic allocation program (the Priority Projects Procedure) only applies to projects at two highway 101 interchange areas (Bellam and Freitas) while the *Draft General Plan 2020* contains a policy and program to expand the program to a 'project selection process' to allow for a broader evaluation of development benefits, and to require that all appropriate projects citywide participate in the program (rather than just those in the two interchange areas listed above).

Another major difference with this alternative is the inclusion of the St. Vincent's/Silveira properties. The inclusion of these properties in the Planning Area for this alternative significantly increases the potential development opportunities. The existing General Plan would also allow considerably more

¹⁴ Note that the McInnis extension is also mentioned in Policies C-3a, NG-4, NG-19, SVS-2, SVS-5, and SVS-19 of the *General Plan 2000*. The McInnis extension is listed in the Circulation Background section of the *General Plan 2000* as a street system improvement "needed to serve the St Vincents/Silveira/Northgate area". It is described on page CircB-18.

development in areas outside of Downtown, such as in the San Rafael Airport area and on the Canalways properties. In contrast, the *Draft General Plan 2020* focuses future growth in the city's commercial areas, and does not include residential or commercial development on the sites listed above.

Because of the increased level of development, there are increased opportunities for land use conflicts, particularly in the areas outside of Downtown. This would result in significant land use impacts. With the increased development there would also be an increase in population, employment, and housing. These increases would not result in significant growth, but similar to the project, they would result in significant secondary impacts related to public services and utilities (see below).

TRANSPORTATION AND CIRCULATION

The discussion in this section corresponds directly to the impacts as numbered in *Section IV.2 Transportation and Circulation*. The impact numbers listed correspond to the impacts in that section.

Intersections

Impact IV.2-1 Development under Alternative 2 (*General Plan 2000*) conditions would result in unacceptable LOS at 34 combinations of intersections and peak hours, not including those intersections addressed in Impacts IV.2-2 through 5, below. With *General Plan 2000* improvements the following 9 of those intersections would be changed to an acceptable LOS:

- 2nd and A (LOS F in the AM peak hour – changed to LOS B)
- 2nd and A (LOS F in the AM peak hour – changed to LOS D)
- 3rd and A (LOS E in the PM peak hour – improved to less delay in LOS E)
- 5th and A (LOS E in the AM peak hour – changed to LOS C)
- 5th and H (LOS E in the AM peak hour – changed to LOS B)
- Mission and Grand (LOS E in the AM peak hour – changed to LOS D)
- Mission and Grand (LOS E in the PM peak hour – changed to LOS D)
- Smith Ranch and 101 northbound ramps (LOS E in the AM peak hour - changed to LOS C)

The remaining 25 intersections, not including those addressed in Impacts IV.2-2 through 5, would operate at an unacceptable LOS, even with *General Plan 2000* improvements:

Unsignalized Intersections

- 101 SB On & Francisco West (LOS F during the AM peak hour)
- 101 SB On & Francisco West (LOS F during the PM peak hour)
- Castro and Francisco East (LOS F during AM peak hour)
- Castro and Francisco East (LOS F during PM peak hour)
- Redwood and Paul (LOS F during the AM peak hour)
- Redwood Highway and US 101 NB on-ramp (LOS F during PM peak hour)
- Woodland and DuBois (LOS F during the AM peak hour)
- Woodland and Irwin (LOS E during the AM peak hour)
- Woodland and Irwin (LOS F during the PM peak hour)

Signalized Intersections

- 2nd and Grand (LOS E during the AM peak hour)
- 2nd and Grand (LOS F during the PM peak hour)
- 3rd and Hetherton (LOS E during the AM peak hour)
- 3rd and Hetherton (LOS E during the PM peak hour)
- 4th and Ross Valley (LOS E during the AM peak hour)
- Andersen and Lindaro (LOS E during the PM peak hour)
- Freitas and Redwood (LOS E during the AM peak hour)
- Irwin and Andersen (LOS E during the PM peak hour)
- Merrydale Over-Crossing and Civic Center (LOS F during the AM peak hour)
- Merrydale Over-Crossing and Civic Center (LOS F during the PM peak hour)
- Merrydale Over-Crossing and Las Gallinas (LOS E during the AM peak hour)
- Merrydale Over-Crossing and Las Gallinas (LOS F during the AM peak hour)
- Mission and Lincoln (LOS E during the AM peak hour)
- Mission and Lincoln (LOS E during the PM peak hour)
- Smith Ranch and Redwood Highway (LOS F during the AM peak hour)
- Smith Ranch and Redwood Highway (LOS E during the PM peak hour)

Development consistent with the *General Plan 2000* would result in unacceptable LOS at a number of intersections throughout the City, as listed above. Even with improvements proposed in the *General Plan 2000*, this would be a significant unavoidable impact.

Impact IV.2-2 The Second Street and A Street intersection would operate at an LOS that is acceptable for Downtown intersections (LOS B AM peak / LOS D PM peak). This would be a less-than-significant impact.

Impact IV.2-3 The Third Street and Union Street intersection would operate at an LOS that is unacceptable for City intersections (LOS D AM peak / LOS E PM peak). This would be a significant unavoidable impact.

Impact IV.2-4 The Lincoln Avenue and US 101 intersection would operate at an LOS (LOS F AM & PM peak) that is unacceptable for City intersections. This would be a significant unavoidable impact.

Impact IV.2-5 The Mission Avenue and Irwin Street intersection would operate at an LOS (LOS E AM / LOS F PM) that is acceptable for that intersection. The increase in delay for the PM peak hour would not be greater than five seconds (from 98.9 seconds under Baseline conditions to 102.3 seconds under *General Plan 2000* conditions). This would be a less-than-significant impact.

City and CMA Roadway Segments

Impact IV.2-6 Under Alternative 2 (*General Plan 2000*) conditions the following City roadway segments would exceed significance criteria thresholds:¹⁵

¹⁵ As described in the *Significance Criteria* section of *Section IV.2 Transportation and Circulation*, a segment would exceed significance thresholds if it is operating at an acceptable LOS under Baseline conditions and would operate at an unacceptable LOS (LOS E or F) under project conditions. However, for segments that are operating at unacceptable LOS under Baseline conditions, it would exceed significance thresholds if the calculated average travel speed would decrease by five miles per hour or more.

- A Street – northbound from 2nd to 5th (LOS E in the AM peak hour)
- A Street – northbound from 2nd to 5th (LOS F in the PM peak hour)
- Bellam Boulevard – eastbound from Andersen to Kerner (LOS E in the AM peak hour)
- Civic Center Drive – southbound from Merrydale Over Crossing to North San Pedro (LOS E in the AM peak hour)
- D Street – southbound from 4th to Bayview (LOS E in the AM peak hour)
- Freitas Parkway – eastbound from Las Gallinas to 101 NB on/Civic Center (LOS F in the AM peak hour)
- Freitas Parkway – eastbound from Las Gallinas to 101 NB on/Civic Center (LOS F in the PM peak hour)
- Grand Avenue – northbound from 2nd to Mission (LOS F in the PM peak hour)

Unacceptable LOS at these City roadway segments would represent a significant and unavoidable impact.

Impact IV.2-7 Under Alternative 2 (*General Plan 2000*) conditions, several City roadway segments that operate at LOS E or F under Baseline conditions would continue to operate at LOS E or F. In some cases, the peak hour operations would slightly improve (i.e., vehicle speed would increase).

In the following cases, segments that operate at LOS E or F under Baseline conditions would improve to LOS D or better under Alternative 2 conditions:

- 2nd Street – eastbound from G to Grand (AM peak hour)
- 2nd Street – eastbound from G to Grand (PM peak hour)
- 5th Street – westbound from Irwin to E (AM peak hour)
- Bellam – westbound from Kerner to Andersen (AM peak hour)
- Del Presidio – northbound from Las Gallinas to Freitas (PM peak hour)
- Del Presidio – southbound from Freitas to Las Gallinas (AM peak hour)
- Lincoln – southbound from US 101 SB/Hammondale to 2nd (AM peak hour)

In addition, the following segments would remain at LOS E or F, but vehicle speeds would improve or stay the same:

- Bellam – eastbound from Andersen to Kerner (PM peak hour)
- C Street – northbound from 1st to 5th (PM peak hour)
- Del Presidio – southbound from Freitas to Las Gallinas (PM peak hour)
- E Street – northbound from 2nd to 5th (AM peak hour)
- E Street – southbound from 5th to 2nd (AM peak hour)
- E Street – southbound from 5th to 2nd (PM peak hour)
- Hetherton – southbound from Mission to 2nd (PM peak hour)
- Irwin – northbound from 2nd to Mission (AM peak hour)
- Irwin – northbound from 2nd to Mission (PM peak hour)
- Lindaro – southbound from 3rd to Andersen (AM peak hour)
- Mission – westbound from Grand to Lincoln (AM peak hour)
- Mission – westbound from Grand to Lincoln (PM peak hour)

In other cases, however, the peak hour operations would not improve (i.e., vehicle speed would decrease). The segments listed below operate at LOS E or F under Baseline conditions and would continue to operate at LOS E or F, and calculated traffic speeds would decrease. However, because the calculated traffic speeds would decrease less than five miles per hour, this decrease would be below the threshold of significance. These segments are:

- A Street – northbound from 2nd to 5th (PM peak hour)
- A Street – southbound from 4th to 2nd (AM peak hour)
- A Street – southbound from 4th to 2nd (PM peak hour)
- B Street – southbound from 5th to 2nd (AM peak hour)
- B Street – southbound from 5th to 2nd (PM peak hour)
- Bellam – westbound from Kerner to Andersen (PM peak hour)
- C Street – northbound from 1st to 5th (AM peak hour)
- Del Presidio – northbound from Las Gallinas to Freitas (AM peak hour)
- E Street – northbound from 2nd to 5th (PM peak hour)
- Grand – southbound from Mission to 2nd (AM peak hour)
- Grand – southbound from Mission to 2nd (PM peak hour)
- Hetherton – southbound from Mission to 2nd (AM peak hour)
- Lincoln – northbound from 2nd to 101 SB/Hammondale (PM peak hour)
- Lindaro – northbound from Andersen to 3rd (AM peak hour)
- Lindaro – northbound from Andersen to 3rd (PM peak hour)
- Lindaro – southbound from 3rd to Andersen (PM peak hour)

Although the vehicle speed would decrease slightly in these roadway segments, the decrease does not exceed the significance threshold of five miles per hour. Therefore, this would be a less-than-significant impact.

Impact IV.2-8 Under Alternative 2 (*General Plan 2000*) conditions, all of the CMA roadway segments operate at acceptable LOS (LOS D or better). This would be a less-than-significant impact.

Freeway Facilities

Impact IV.2-9 Under Alternative 2 (*General Plan 2000*) conditions the following freeway sections would operate at an unacceptable (LOS F) level: ¹⁶

- US 101 – southbound from Pacheco Hill to Miller Creek (AM peak hour)
- US 101 – northbound from Miller Creek to Pacheco Hill (PM peak hour)
- US 101 – northbound from Sir Francis Drake to Cal Park Hill (PM peak hour)
- US 101 & I-580 interchange – westbound I-580 to northbound US 101 (AM peak hour)
- US 101 & I-580 interchange – westbound I-580 to northbound US 101 (PM peak hour)
- I-580 – eastbound at Richmond Bridge (PM peak hour)
- I-580 – westbound at Richmond Bridge (AM peak hour)

Unacceptable LOS at these freeway sections would be a significant unavoidable impact.

Impact IV.2-10 Under Alternative 2 (*General Plan 2000*) conditions, the same freeway off-ramps would exceed lane storage as under *Draft General Plan 2020*. The vehicle queue would exceed lane storage at two off-ramps:

¹⁶ As described in the *Significance Criteria* section of *Section IV.2 Transportation and Circulation*, a freeway section would exceed significance thresholds if it is operating at an acceptable LOS under Baseline conditions and would operate at an unacceptable LOS under project conditions. However, for segments that are operating at unacceptable LOS under Baseline conditions, it would exceed significance thresholds if there is an increase in the V/C of 0.01 or more.

- US 101 northbound at Second and Irwin
- I-580 eastbound/US 101 northbound at Bellam

The off-ramp approach analysis indicates that the approach vehicle queue would remain within the off-ramp boundaries and would not encroach into the deceleration lane on the freeway. Thus, both of these queues operate at acceptable levels. This would be a less-than-significant impact.

Parking Facilities

Impacts IV.2-11 through 14 Similar to *Draft General Plan 2020*, the removal of parking spaces along Las Gallinas Avenue and Grand Avenue would be a less-than-significant impact and the removal of parking spaces along Lincoln Avenue would be a significant unavoidable impact. Also similar to the proposed project, the additional parking demand generated by development consistent with *General Plan 2000* would be a less-than-significant impact because new development would be required to supply adequate parking for its new use.

Bicycle and Pedestrian Facilities and Transit Services

Impacts IV.2-15 through 16 This alternative would increase demand for bicycle and pedestrian facilities and transit services. The *Bicycle and Pedestrian Master Plan*¹⁷ would continue to be implemented, although this alternative would not benefit from the policies and programs related to bicycle and pedestrian facilities and transit services in the *Draft General Plan 2020*. In addition, while *General Plan 2000* includes a policy for elevated rail through Downtown, which would reduce pedestrian at-grade conflicts with traffic on Third Street, this policy would be in conflict with SMART's conceptual designs for at-grade service in Downtown. Furthermore, this would not reduce impacts related to bicycle and pedestrian demands in other parts of the City or increased demand for transit services. Therefore this would be a significant unavoidable impact.

AIR QUALITY

The Clean Air Plan is based on existing and projected population and employment numbers. Because development under this alternative would be consistent with the projections currently in use, this alternative would not result in a conflict with the Clean Air Plan with respect to population growth. It would also be expected to result in a rate of increase in Vehicle Miles Traveled (VMT) no greater than the rate of increase in population. However, while the *General Plan 2000* includes some policies and programs that would support the Clean Air Plan Transportation Control Measures (TCMs), this alternative would not benefit from the new policies and programs proposed in the *Draft General Plan 2020*. This alternative would therefore result in a significant unavoidable impact due to inconsistency with the TCMs.

This alternative would be lacking policies and programs protecting existing and establishing new buffer zones around sources of toxic air contaminants and odors, and would therefore have a significant unavoidable impact with respect to these pollutants.

¹⁷ *Bicycle and Pedestrian Master Plan*, City of San Rafael, 2002.

NOISE

This alternative would result in an increase in traffic, which would increase traffic noise and impacts to noise sensitive uses near roadways. This alternative would also result in new commercial and/or industrial projects that could result in new stationary noise sources which could impact noise sensitive uses. Additionally, this alternative would result in new development that could be impacted by existing noisy environments. Because development of SMART would be independent of any policies set forth in San Rafael's planning documents, there could be potential noise impacts related to SMART activity. Similar to the proposed project, there would be no impacts related to the San Rafael Airport as there would be no increase in air traffic. The San Rafael Quarry and McNear Brickworks would continue operation through 2020, however, new development in the vicinity of these operations would be limited. Thus, similar to the proposed project, this alternative would result in no new impacts related to noise generated by the San Rafael Quarry.

PUBLIC SERVICES AND UTILITIES

In this alternative, significant amounts of new development would be expected and would require significant amounts of new or additional services. Similar to the proposed project, this alternative would result in significant unavoidable impacts related to police services, parks, library services, wastewater treatment south of Puerto Suello Hill, and water supply. Also similar to the proposed project, this alternative would result in less-than-significant impacts related to fire services, wildland fires, schools, wastewater treatment north of Puerto Suello Hill, landfill capacity, electricity and gas, and the exposure of underground hazardous wastes. Again, similar to the proposed project, potential releases of hazardous materials would be a significant unavoidable impact; the location of hazardous materials near schools would be significant impacts, which could be reduced to a less-than-significant level with adoption and implementation of the mitigation measures identified in this EIR.

CULTURAL RESOURCES

Development consistent with the *General Plan 2000* could result in the disturbance of archaeological or prehistoric resources. However, similar to the proposed project, the existing general plan does not alter the requirements of the City's existing Archaeological Resource Protection Ordinance. This would be a less-than-significant impact to archaeological resources.

Development consistent with the *General Plan 2000* could also result in impacts on historic or cultural resources. Similar to the proposed project, however, this would be a less-than-significant impact. In addition, the *Draft General Plan 2020* does include policies and programs that could potentially *benefit* historic structures by encouraging the re-use and/or restoration of the projects. Presumably, without the proposed general plan, these structures would not benefit from re-use or restoration and could instead be demolished or otherwise damaged. This alternative would not result in significant cultural resources impacts.

VISUAL QUALITY

Although this alternative would leave in place the existing height limits, because this alternative would allow new development there would be potential unavoidable impacts to the scenic resources of the City. In addition to the increased development within the existing developed areas, this alternative would include development on the St. Vincent's/Silveira properties as well as in the San Rafael Airport area which would result in significant and unavoidable impacts to views in those areas. There

would also be potential conflicts with adjacent development; although the design review policies in place would minimize these potential impacts. Nighttime lighting impacts would also be significant and unavoidable as lighting plan review is not currently required for new construction.

BIOLOGICAL RESOURCES

As this alternative would develop more land it would also reduce more habitat areas. The introduction of development into the hillside, riparian, grassland, and oak savanna/woodland areas would increase pressure on wildlife species by reducing habitat and movement opportunities and introducing non-native predators, such as dogs and cats. This alternative would result in impacts to sensitive natural communities, including wetlands. In addition, this alternative would include development on the St. Vincent's/Silveira properties (includes grasslands, agricultural, riparian, and oak savanna/woodland habitats), at the Canalways site (includes wetlands habitat), and at the San Rafael Airport (bounded by wetlands habitats). Any impact to natural communities would also result in potential impacts to special-status species that rely on such habitats. This alternative would also result in significant impacts due to the release of invasive exotics used in residential and commercial landscaping. These impacts could be reduced to a less-than-significant level with adoption and implementation of the mitigation measures identified in this EIR (Mitigation Measure IV.8-1 and Mitigation Measure IV.8-2).

The St. Vincent's/Silveira properties consist primarily of non-native grassland habitat and agricultural fields, both of which provide open habitat utilized by numerous species for foraging, nesting, etc. There are a few patches of oak woodlands dispersed within the grassland habitat which provide roosting habitat, nesting habitat, and cover for various terrestrial species. Miller Creek, with its associated riparian habitat, traverses the property from west to east. This watercourse is an established wildlife corridor, providing habitat for a number of aquatic and riparian species. A very small portion of this site is currently developed in the form of a school (with associated facilities) and a railroad track. The Canalways property consists primarily of wetland habitat dominated by pickleweed with associated upland habitat along the boundaries. This property provides habitat for a number of terrestrial and wetland species. The San Rafael Airport consists of non-native grassland similar to that found on the St. Vincent's/Silveira property, along with development associated with the Airport and wetland/open water habitat. The Airport property is bound to the north by Gallinas Creek and to the south by a tributary of Gallinas Creek, both of which are considered to be wildlife corridors for aquatic species.

GEOLOGY, SOILS, AND SEISMICITY

This alternative would result in new development that could be developed on unstable soils which would result in potential groundshaking, landsliding, subsidence, erosion, expansive soil, and earthquake related ground failure hazards impacts. Similar to the proposed project, these impacts would be considered significant impacts, and the landsliding impact would be considered significant and unavoidable. These impacts would be greater than the impacts identified with the proposed project due to the increased amount of development and the increased population. Again, similar to the proposed project, because there is a slight possibility that septic systems could be used within the planning area, there would be a potentially significant impact related to the septic suitability of soils.

HYDROLOGY, WATER QUALITY, AND FLOOD HAZARDS

This alternative would result in new development that would potentially increase impacts to water quality and groundwater. Erosion and creek siltation, which is typically due to construction activities, would occur, however creek improvements may also be associated with new development. Development on the St. Vincent's/Silveira properties could result in increased impacts on erosion and water quality along the tidal reach of Miller Creek. This alternative would also result in additional development which could place a larger number of people within areas that could be inundated by tidal flooding, storm event flooding, seiche, tsunami, or mudflow, representing a significant impact for those hazards. These would all be significant unavoidable impacts. This alternative would not, however, result in flooding or stormwater drainage system capacity impacts.

AGRICULTURE

This alternative would include development on the St. Vincent's/Silveira properties, which would represent a significant unavoidable impact to agricultural lands.

IMPACT OVERVIEW

Growth Inducing Impacts

As shown in Exhibits VI.1-1 and VI.1-2 Alternative 2 (No Project/No Action/General Plan 2000) would result in development higher than that under the Draft General Plan 2020 and the other alternatives. This increased development would also result in a slightly larger population in the Planning Area as well as considerably more jobs. In contrast to the proposed project, Alternative 2 includes development on the St. Vincent's/Silveira properties plus increased development in areas outside of Downtown, such as in the San Rafael Airport area and on the Canalways properties. This additional growth would result in greater significant secondary impacts related to public services and utilities than for the proposed project.

The additional development accommodated by Alternative 2 could result in the stimulation of economic activity outside of the Planning Area. Furthermore, the additional development accommodated by Alternative 2 would require significant amounts of new or additional public services and utilities including wastewater treatment south of Puerto Suello Hill and water supply. In comparison with the proposed project, the potential for additional growth outside of the Planning Area and the availability of additional infrastructure capacity with the Alternative, Alternative 2 would result in a significant growth inducing impact.

Cumulative Impacts

Although Alternative 2 (No Project/No Action/General Plan 2000) would result in development higher than that under the Draft General Plan 2020 cumulative impacts would be similar for this alternative as for the proposed project. Alternative 2's contribution to the cumulative impacts identified for the proposed project, although greater than the proposed project, would not result in cumulative impacts not already identify for the proposed project.

VI.3 ALTERNATIVE 3 REDUCED DEVELOPMENT

Alternative 3 (*Reduced Development*) assumes that housing and nonresidential development would be less than the *Draft General Plan 2020* projections. The goal of this alternative is to reduce traffic impacts while still meeting the City's housing objectives. As shown in **Exhibits VI.1-1** and **VI.1-2**, this alternative has a lower level of growth than *Draft General Plan 2020*. In addition, uses that generate less traffic than retail and housing, such as hotels and senior units, replace *Draft General Plan 2020* assumptions for housing and commercial development.

Buildout under Alternative 3 (*Reduced Development*) would include the potential for about 2,611 new residential units and 236,000 square feet of new nonresidential development within the City limits. This maximum buildout includes 883 less residential units than projected under the *Draft General Plan 2020*, and a decrease of 165,000 square feet of nonresidential development below the projections of the *Draft General Plan 2020*. With this buildout, there would also be less of an increase in population and employment within the Planning Area: development consistent with this alternative would result in 10,503 additional residents over the population in 1998 (6,312 since Census 2000) and 2,000 additional jobs. This is in comparison to the 12,708 additional residents (8,517 since Census 2000) and 1,812 additional jobs that would be expected with the *Draft General Plan 2020* within the Planning Area.

Analysis of Alternative 3 (Reduced Development)

LAND USE, POPULATION, EMPLOYMENT AND HOUSING

Exhibit VI.1-1 compares land use development in the City under this alternative with development under the proposed plan. **Exhibit VI.1-2** compares population and households in the City under this alternative with development under the *Draft General Plan 2020*.

As shown in these exhibits, and described above, development under this alternative would be the lower than that under the *Draft General Plan 2020*. This decreased development would also result in a slightly smaller population in the Planning Area as well as less jobs.

Land use impacts for this alternative would be slightly less than those identified for the *Draft General Plan 2020*, due to the decreased level of development. Similar to *Draft General Plan 2020* land use impacts would be less-than-significant. Population, employment, and the jobs-to-housing ratio impacts would also be less-than-significant.

TRANSPORTATION AND CIRCULATION

The discussion in this section corresponds directly to the impacts as numbered in **Section IV.2 Transportation and Circulation**. The impact numbers listed correspond to the impacts in that section.

Intersections

Impact IV.2-1 Development under Alternative 3 (*Reduced Development*) without improvements would result in unacceptable LOS at 21 combinations of intersections and peak hours, not including those intersections addressed in Impacts IV.2-2 through 5, below.

All 21 of these intersections would be changed to an acceptable LOS with *Draft General Plan 2020* improvements:

- US 101 southbound and Merrydale (LOS E during the AM peak hour – changed to LOS B)
- US 101 southbound and Merrydale (LOS E during the PM peak hour – changed to LOS B)
- US 101 southbound on-ramp and Francisco Blvd West (LOS E during the AM peak hour – changed to LOS C)
- US 101 southbound on-ramp and Francisco Blvd West (LOS E during the PM peak hour – changed to LOS B)
- 1st and D (LOS E during the PM peak hour – changed to LOS B)
- 2nd and B (LOS E during the AM peak hour – changed to LOS A)
- 2nd and Grand (LOS E during the PM peak hour – changed to LOS B)
- 3rd and A (LOS during the PM peak hour – changed to LOS E)
- 4th and E (LOS E during the PM peak hour – changed to LOS D)
- 5th and A (LOS E during the AM peak hour – changed to LOS B)
- 5th and H (LOS F during the AM peak hour – changed to LOS B)
- 5th and H (LOS E during the PM peak hour – changed to LOS A)
- Andersen and DuBois (LOS E during the AM peak hour – changed to LOS C)
- Andersen and Lindaro (LOS E during the PM peak hour – changed to LOS D)
- Bellam and I-580 eastbound (LOS E during the PM peak hour – changed to LOS C)
- Freitas and US 101 northbound (LOS F during the AM peak hour – changed to LOS B)
- Freitas and Redwood (LOS F during the AM peak hour – changed to LOS C)
- Harbor and Francisco East (LOS F during the AM peak hour – changed to LOS B)
- Mission and Grand (LOS F during the AM peak hour – changed to LOS B)
- Mission and Grand (LOS F during the PM peak hour – changed to LOS B)
- Smith Ranch and US 101 northbound ramps (LOS E during the AM peak hour – changed to LOS B)

With improvements as proposed in *Draft General Plan 2020*, which would be implemented as part of this alternative, this would result in acceptable LOS at all of these intersections, which would be a less-than-significant impact.

Impact IV.2-2 The Second Street and A Street intersection would operate at an LOS that is acceptable for Downtown intersections (LOS B AM peak / LOS E PM peak). This would be a less-than-significant impact.

Impact IV.2-3 The Third Street and Union Street intersection would operate in the AM peak hour at an LOS that is acceptable for City intersections (LOS C). However, this intersection would operate at an LOS that is unacceptable for City intersections (LOS E). The unacceptable traffic operations is expected to result only under build out conditions and with the addition of the proposed improvements designed to improve pedestrian safety. This would be a significant unavoidable impact.

Impact IV.2-4 The Lincoln Avenue and US 101 intersection would operate at an LOS that is unacceptable for City intersections (LOS E AM peak / LOS F PM peak). This would be a significant unavoidable impact.

Impact IV.2-5 The Mission Avenue and Irwin Street intersection would operate at an LOS that is acceptable for this intersection (LOS E AM peak / LOS F PM peak). However, the increase in delay for the PM peak hour would be greater than five seconds (from 98.9 seconds under Baseline conditions to 113.3 seconds under the Reduced Development Alternative conditions). This would be a significant unavoidable impact.

City and CMA Roadway Segments

Impact IV.2-6 Under Alternative 3 (*Reduced Development*) conditions the following City roadway segments would exceed significance criteria thresholds: ¹⁸

- A Street – northbound from 2nd to 5th (LOS E in the AM peak hour)
- D Street – southbound from 4th to Bayview (LOS E in the AM peak hour)
- Freitas Parkway – eastbound from Las Gallinas to 101 NB on-ramp/Civic Center (LOS E in the PM peak hour)

Unacceptable LOS at these City roadway segments would represent a significant and unavoidable impact.

Impact IV.2-7 Under Alternative 3 (*Reduced Development*) conditions, several City roadway segments that operate at LOS E or F under Baseline conditions would continue to operate at LOS E or F. In some cases, the peak hour operations would slightly improve (i.e., vehicle speed would increase).

In the following cases, segments that operate at LOS E or F under Baseline conditions would improve to LOS D or better under Alternative 3 (*Reduced Development*) conditions:

- 2nd Street – eastbound from G to Grand (AM peak hour)
- 2nd Street – eastbound from G to Grand (PM peak hour)
- 5th Street – westbound from Irwin to E (AM peak hour)
- Bellam – eastbound from Andersen to Kerner (PM peak hour)
- Bellam – westbound from Kerner to Andersen (AM peak hour)
- Del Presidio – northbound from Las Gallinas to Freitas (PM peak hour)
- Del Presidio – southbound from Freitas to Las Gallinas (AM peak hour)
- Lincoln – northbound from 2nd to US 101 SB/Hammondale (PM peak hour)
- Lincoln – southbound from US 101 SB/Hammondale to 2nd (AM peak hour)

In addition, the following segments would remain at LOS E or F, but vehicle speeds would improve or stay the same:

- Bellam – westbound from Kerner to Andersen (PM peak hour)
- C Street – northbound from 1st to 5th (PM peak hour)
- Del Presidio – southbound from Freitas to Las Gallinas (PM peak hour)
- E Street – northbound from 2nd to 5th (AM peak hour)
- E Street – southbound from 5th to 2nd (AM peak hour)

¹⁸ As described in the *Significance Criteria* section of *Section IV.2 Transportation and Circulation*, a segment would exceed significance thresholds if it is operating at an acceptable LOS under Baseline conditions and would operate at an unacceptable LOS E or LOS F under project conditions. However, for segments that are operating at unacceptable LOS under Baseline conditions, it would exceed significance thresholds if the calculated average travel speed would decrease by five miles per hour or more.

- E Street – southbound from 5th to 2nd (PM peak hour)
- Grand – southbound from Mission to 2nd (AM peak hour)
- Grand – southbound from Mission to 2nd (PM peak hour)
- Hetherton – southbound from Mission to 2nd (PM peak hour)
- Irwin – northbound from 2nd to Mission (AM peak hour)
- Irwin – northbound from 2nd to Mission (PM peak hour)
- Lindaro – northbound from Andersen to 3rd (PM peak hour)
- Lindaro – southbound from 3rd to Andersen (AM peak hour)
- Lindaro – southbound from 3rd to Andersen (PM peak hour)
- Mission – westbound from Grand to Lincoln (AM peak hour)
- Mission – westbound from Grand to Lincoln (PM peak hour)

In other cases, however, the peak hour operations would not improve (i.e., vehicle speed would decrease). The segments listed below operate at LOS E or F under Baseline conditions and would continue to operate at LOS E or F, and calculated traffic speeds would decrease. However, because the calculated traffic speeds would decrease less than five miles per hour, this decrease would be below the threshold of significance. These segments are:

- A Street – northbound from 2nd to 5th (PM peak hour)
- A Street – southbound from 4th to 2nd (AM peak hour)
- A Street – southbound from 4th to 2nd (PM peak hour)
- B Street – southbound from 5th to 2nd (AM peak hour)
- B Street – southbound from 5th to 2nd (PM peak hour)
- C Street – northbound from 1st to 5th (AM peak hour)
- Del Presidio – northbound from Las Gallinas to Freitas (AM peak hour)
- E Street – northbound from 2nd to 5th (PM peak hour)
- Hetherton – southbound from Mission to 2nd (AM peak hour)
- Lindaro – northbound from Andersen to 3rd (AM peak hour)

Although the vehicle speed would decrease slightly in these roadway segments, the decrease does not exceed the significance threshold of five miles per hour. Therefore, this would be a less-than-significant impact.

Impact IV.2-8 Under Alternative 3 (*Reduced Development*) conditions, all of the CMA roadway segments operate at acceptable LOS (LOS D or better). This would be a less-than-significant impact.

Freeway Facilities

Impact IV.2-9 Under Alternative 3 (*Reduced Development*) conditions the following freeway sections would operate at an unacceptable (LOS F) level:¹⁹

- US 101 & I-580 interchange – westbound I-580 to northbound US 101 (AM peak hour)
- US 101 & I-580 interchange – westbound I-580 to northbound US 101 (PM peak hour)
- I-580 – eastbound at Richmond Bridge (PM peak hour)
- I-580 – westbound at Richmond Bridge (AM peak hour)
- US 101 – north of Miller Creek (PM peak hour)

¹⁹ As described in the *Significance Criteria* section of *Section IV.2 Transportation and Circulation*, a freeway section would exceed significance thresholds if it is operating at an acceptable LOS under Baseline conditions and would operate at an unacceptable LOS under project conditions. However, for segments that are operating at unacceptable LOS under Baseline conditions, it would exceed significance thresholds if there is an increase in the V/C of 0.01 or more.

Unacceptable LOS at these freeway sections would be a significant unavoidable impact.

Impact IV.2-10 Under Alternative 3 (*Reduced Development*) conditions, the same freeway off-ramps would exceed lane storage as under *Draft General Plan 2020*. The vehicle queue would exceed lane storage at two off-ramps:

- US 101 northbound at Second and Irwin
- I-580 eastbound/US 101 northbound at Bellam

The off-ramp approach analysis indicates that the approach vehicle queue would remain within the off-ramp boundaries and would not encroach into the deceleration lane on the freeway. Thus, both of these queues operate at acceptable levels. This would be a less-than-significant impact.

Parking Facilities

Impacts IV.2-11 through 14 Similar to *Draft General Plan 2020*, the removal of parking spaces along Las Gallinas Avenue and Grand Avenue would be a less-than-significant impact and the removal of parking spaces along Lincoln Avenue would be a significant unavoidable impact. Also similar to the proposed project, the additional parking demand generated by development consistent with *General Plan 2000* would be a less-than-significant impact because new development would be required to supply adequate parking for its new use.

Bicycle and Pedestrian Facilities and Transit Services

Impacts IV.2-15 through 16 Development consistent with Alternative 3 (*Reduced Development*) would result in increased demand for bicycle and pedestrian facilities and transit services. However, implementation of policies and programs included in the *Draft General Plan 2020* would result in improvements in bicycle and pedestrian facilities and transit services. This would be a less-than-significant impact.

AIR QUALITY

The Clean Air Plan is based on existing and projected population and employment numbers. This alternative would not result in a conflict with the Clean Air Plan with respect to population. It would also be expected to result in a rate of increase in Vehicle Miles Traveled (VMT) no greater than the rate of increase in population.

Additionally, this alternative would include the *Draft General Plan 2020* policies and programs that support the Clean Air Plan Transportation Control Measures (TCMs) as listed in the discussion of Impact IV.3-1 in *Chapter IV.3 Air Quality*. Therefore, this alternative would be consistent with the TCMs and would not result in a significant impact.

Finally, this alternative would still include the *Draft General Plan 2020* programs and policies discussed in Impact IV.3-3 Odor/Toxics Buffer Zones. Therefore development consistent with this alternative would still buffer sensitive uses from potential odors and/or toxic air contaminants. After mitigation this would be a less-than-significant impact.

NOISE

This alternative would result in an increase in traffic noise over existing conditions. However, similar to the proposed project, impacts related to noise sensitive uses near roadways would be less-than-significant. Because this alternative would result in less of an increase in development than with the proposed project, noise impacts would be accordingly lower than those identified with the proposed project. Therefore, impacts related to stationary noise, airport noise, and noise sensitive uses would all be less-than-significant. Impacts related to SMART would be significant and unavoidable.

PUBLIC SERVICES AND UTILITIES

This alternative would result in similar impacts to those expected with the *Draft General Plan 2020*. It would result in significant unavoidable impacts related to police services, parks, library services, wastewater treatment south of Puerto Suello Hill, and water supply. It would result in less-than-significant impacts related to fire services, wildland fires, schools, wastewater treatment north of Puerto Suello Hill, landfill capacity, electricity and gas, and the exposure of underground hazardous wastes. And finally, potential releases of hazardous materials, and the location of hazardous materials near schools would be significant impacts. Because this alternative would result in slightly less development and lower population, impacts would be accordingly somewhat less severe due to the lower potential for exposure to hazardous materials and the lower demand for services such as police protection and wastewater treatment. However, this difference is minor.

CULTURAL RESOURCES

Development consistent with this alternative could result in the disturbance of archaeological or prehistoric resources. However, similar to the proposed project, this alternative would not alter the requirements of the City's existing Archaeological Resource Protection Ordinance. This would be a less-than-significant impact to archaeological resources. Development consistent with this alternative could also result in impacts on historic or cultural resources. Similar to the proposed project, this would be a less-than-significant impact due to the policies and programs provided in the *Draft General Plan 2020*. In addition, this alternative would include the beneficial impacts of the *Draft General Plan 2020* programs and policies that would encourage re-use and/or restoration of historic resources. While impacts to cultural resources would be considered less-than-significant, because this alternative would result in slightly less development, this alternative would accordingly result in slightly fewer possibilities for impacts to archaeological, prehistoric, historic, or cultural resources than the proposed project.

VISUAL QUALITY

Similar to the *Draft General Plan 2020*, this alternative would result in less-than-significant impacts on the scenic resources and visual quality of the City. Similarly, this alternative would result in less-than-significant impacts related to conflicts with adjacent development. Nighttime lighting impacts would also be significant, similar to the proposed project. While these impacts would be considered less-than-significant, because this alternative would result in less development, the potential for impacts would be slightly less than those identified with the proposed project.

BIOLOGICAL RESOURCES

Impacts due to development consistent with this alternative would be similar to those identified for the proposed project, although potentially at a reduced scale due to the somewhat reduced amount of development. Similar to the *Draft General Plan 2020*, this alternative would potentially impact special status species and sensitive natural communities. This alternative would not likely result in invasive exotic species impacts due to residential and commercial landscaping, and this alternative would have a less-than-significant impact on the movement of native wildlife due to the protected areas proposed with this alternative.

GEOLOGY, SOILS, AND SEISMICITY

This alternative would result in new development that could be developed on unstable soils which would result in potential groundshaking, landsliding, subsidence, erosion, expansive soil, and earthquake related ground failure hazards impacts. Similar to the proposed project, these impacts would be considered significant, and the landsliding impact would be considered significant and unavoidable. These impacts would be slightly less than the impacts identified with the proposed project due to the somewhat decreased amount of development and the decreased population. Again, similar to the proposed project, because there is a slight possibility that septic systems could be used within the planning area, there would be a potentially significant impact related to the septic suitability of soils.

HYDROLOGY, WATER QUALITY, AND FLOOD HAZARDS

Similar to the proposed project, the new development associated with this alternative would not result in impacts to water quality, groundwater, and the stormwater drainage systems. There would not be significant impacts related to erosion and creek siltation, which is typically due to construction activities, would occur. In addition, creek improvements may also be associated with new development. This alternative would result in additional development which could place people within areas that could be inundated by tidal flooding, storm event flooding, seiche, tsunami, or mudflow, however this would not represent a significant impact for those hazards. This alternative would not result in flooding or stormwater drainage system capacity impacts.

AGRICULTURE

Similar to the proposed project, this alternative would not result in significant impacts to agriculture lands

Growth Inducing Impacts

Similar to the proposed project Alternative 3 (*Reduced Development*) would have a less-than-significant growth inducing impact. This alternative assumes that housing and nonresidential development would be less than the *Draft General Plan 2020* projections. Alternative 2 would not remove infrastructure limitations that otherwise would limit growth, nor would this alternative remove regulatory constraints that could result in future unforeseen growth.

Cumulative Impacts

Since Alternative 3 (Reduced Development) would have less development than the proposed project cumulative impacts for Alternative 3 would be similar but reduced from cumulative impacts identified for the proposed project.

VI.4 ALTERNATIVES CONSIDERED BUT NOT INCLUDED

An EIR can conceivably analyze an infinite number of alternatives or variations on alternatives. However, CEQA directs EIRs to analyze a reasonable range of alternatives to the project which would feasibly attain most of the basic project objectives but would avoid or substantially lessen any of the significant effects of the project. The analysis of a range of alternatives is governed by a “rule of reason” for alternatives which could feasibly attain the basic objectives of the project. The following alternatives were determined to be infeasible and are not included in this analysis.

General Plan 2020 with St. Vincent’s and Silveira Properties Per *General Plan 2000* policy, the St. Vincent’s and Silveira properties have a development potential of 2,100 housing units and 361,000 square feet of nonresidential use. The *Draft General Plan 2020* includes a program stating that the properties are not to be annexed into the City and requesting that LAFCO remove them from the City’s Sphere of Influence which would leave planning approvals for any proposed development to Marin County. Impacts of development at St. Vincent’s/Silveira are therefore discussed in Alternative 2, the No Project / No Action / *General Plan 2000* Alternative since *General Plan 2000* included development policies for the properties. Development of the properties is not assumed elsewhere in the EIR due to the intention to remove them from the City’s Sphere of Influence. As of the time of preparation of this EIR, the draft Marin Countywide Plan has not been released, and the appropriate level of development at St. Vincent’s Silveira remains subject to debate. Any assumptions regarding the development potential of these properties pursuant to the Marin Countywide Plan update would therefore be speculative. ~~which would likely propose some limited amount of development on these sites.~~ Development of these properties with more urban land uses consistent with annexation to a city is therefore considered infeasible.

VI.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The *State CEQA Guidelines* require that an EIR’s analysis of alternatives identify the “environmentally superior alternative” among all of those considered. Based on the analysis of the project and the alternatives considered, the EIR finds that Alternative 1 (*No Project / No Development*) would be the environmentally superior alternative because it would avoid most of the environmental impacts associated with increased development.

The *Guidelines* also state that, if the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. A comparison of the environmental impacts of each alternative is in the provided below and in **Exhibit VI.5-1**. Based on a comparison of the of the significant environmental impacts of all the development alternatives in this exhibit, Alternative 3 (*Reduced Development*) and the *Draft General Plan 2020* would result in the same number of significant unavoidable impacts and the same number of less-than-significant impacts. Alternative 3 (*Reduced Development*) would result in slightly reduced significant impacts than the proposed project and therefore would be the environmentally superior alternative. The primary advantage of this alternative is that less development would reduce the opportunities for potential impacts, particularly as they relate to construction and traffic.

LAND USE, POPULATION, EMPLOYMENT AND HOUSING

While none of the alternatives, or the *Draft General Plan 2020*, would result in significant land use, population, employment, or housing impacts, Alternative 1 (*No Project / No Development*), would be the environmentally superior alternative with respect to land use, population, employment, and housing. This alternative would result in the least possibility of impacts related to these issues.

Land use impacts would be greatest with Alternative 2 (*General Plan 2000*). Alternative 3 (*Reduced Development*), would have the least land use, population, employment, and housing impacts of the development alternatives. Because this alternative would result in less development than Alternative 2 (*General Plan 2000*) or the *Draft General Plan 2020*, it would result in slightly fewer opportunities for potential impacts related to land use changes or population, employment, or housing increases.

TRANSPORTATION AND CIRCULATION

Both the *Draft General Plan 2020* and Alternative 3 (*Reduced Development*) would be the environmentally superior alternatives with respect to transportation and circulation. These scenarios both would have similar levels of impacts, and would result in less impacts than Alternative 1 (*No Project / No Development*) and Alternative 2 (*General Plan 2000*).

In comparison of *Draft General Plan 2020* and Alternative 3 (*Reduced Development*), Alternative 3 (*Reduced Development*) would have a lower level of development. As a result, there would be slight differences in the LOS at some intersections and roadway segments.²⁰ In most cases, the intersections would operate at the same LOS with a less than five second difference in delay. For example, in the PM peak hour, Second Street and A Street intersection would operate at LOS F under both the *Draft General Plan 2020* and the Alternative 3 (*Reduced Development*) conditions. Under Alternative 3 (*Reduced Development*) conditions, this intersection would experience a delay of 1.9 seconds less than under the *Draft General Plan 2020*.

At one of the intersections that would operate at an unacceptable level, the delay experienced under Alternative 3 (*Reduced Development*) conditions would be slightly more than the delay experienced under *Draft General Plan 2020*. This intersection, Fourth Street and Ross Valley Road, in the AM peak, would result in a 0.6 second greater delay under Alternative 3 (*Reduced Development*).

At one intersection, the difference in delay would be greater than five seconds. This intersection, Shoreline and Francisco East, in the PM peak hour, would operate at LOS D under both *Draft General Plan 2020* and Alternative 3 (*Reduced Development*) conditions, with a 6.8 second greater delay under *Draft General Plan 2020* conditions. This LOS, however, is considered acceptable and would not result in an impact under either the *Draft General Plan 2020* or the Alternative 3 (*Reduced Development*) conditions.

For roadway segments, under Alternative 3 (*Reduced Development*), all segments have a 0.1 to 0.2 second improvement except for two segments: Bellam between Andersen and Kerner, in the PM peak hour, and Lindaro between Andersen and Third, also in the PM peak hour. Bellam would improve from LOS, and a calculated speed of 9.7 miles per hour (mph), under *Draft General Plan 2020*, to LOS E, and a calculated speed of 9.4 mph. This difference would result in an improved LOS, but a

²⁰ The information presented below is based upon level of service calculations that are available for at the City of San Rafael, Community Development Department, Planning Division, 1400 Fifth Street, San Rafael, California.

difference in calculated speed of less than five miles per hour. Lindaro, on the other hand, would stay at the same LOS, but calculated speeds would be 0.1 mph slower under Alternative 3 (*Reduced Development*) than under *Draft General Plan 2020*.

Thus, the differences between *Draft General Plan 2020* and Alternative 3 (*Reduced Development*) are minimal, and both would be considered the environmentally superior alternative with respect to transportation and circulation.

AIR QUALITY

Alternative 3 (*Reduced Development*) would be the environmentally superior alternative with respect to air quality impacts. Similar to the *Draft General Plan 2020*, Alternative 3 (*Reduced Development*) would not result in any significant air quality impacts based on BAAQMD significance thresholds for general plans. It would, however, result in less development than the *Draft General Plan 2020* and therefore less regional emissions from mobile, stationary and area sources of pollution. Both Alternatives 1 (*No Project / No Development*) and 2 (*General Plan 2000*) would result in significant and unavoidable air quality impacts.

NOISE

Alternative 1 (*No Project / No Development*) would be the environmentally superior alternative with respect to noise impacts. This alternative would result in no impacts due to traffic or airport noise. This alternative would not result in new stationary noise sources, nor would this alternative result in the development of future noise sensitive development in existing noisy environments. As with all of the alternatives, and the *Draft General Plan 2020*, this alternative would result in significant unavoidable impacts related to SMART generated noise.

Similar to the *Draft General Plan 2020*, Alternative 3 (*Reduced Development*) would not result in any significant noise impacts, except those associated with SMART. Because Alternative 3 (*Reduced Development*) would result in less development than the *Draft General Plan 2020*, it would result in slightly less noise impacts related to traffic increases and fewer potential impacts related to stationary noise sources. Alternative 2 (*General Plan 2000*) would result in greater noise impacts than the *Draft General Plan 2020*, Alternative 1 (*No Project / No Development*), and Alternative 3 (*Reduced Development*).

PUBLIC SERVICES AND UTILITIES

All of the alternatives would result in similar impacts to public services and utilities. Alternative 1 (*No Project / No Development*) and Alternative 2 (*General Plan 2000*) would result in one more significant unavoidable impact than *Draft General Plan 2020* and Alternative 3 (*Reduced Development*) because these alternatives would address hazardous materials near schools.

Alternative 3 (*Reduced Development*) however, would have reduced public services and utilities impacts, because this alternative would result in the least amount of development and the lowest population. Impacts for Alternative 3 (*Reduced Development*) would be slightly less severe due to the lower potential for exposure to hazardous materials and the lower demand for services such as police protection and wastewater treatment. However, the difference between Alternative 3 (*Reduced Development*) and *Draft General Plan 2020* would be minor in this regard.

CULTURAL RESOURCES

Alternative 1 (*No Project/No Development*), Alternative 2 (*General Plan 2000*), Alternative 3 (*Reduced Development*), and the *Draft General Plan 2020* would all have no significant impacts to archaeological, prehistoric, historic, or cultural resources. Cultural resources impacts would be similar for the *Draft General Plan 2020* and all of the alternatives.

VISUAL QUALITY

Alternative 1 (*No Project/No Development*) would be the environmentally superior alternative with respect to visual quality as scenic resources as the visual quality of the city would be maintained in the existing conditions.

Alternative 3 (*Reduced Development*) and the *Draft General Plan 2020* would have similar visual quality impacts. Alternative 3 (*Reduced Development*) would, however, result in less development and therefore fewer opportunities for visual quality impacts compared to *Draft General Plan 2020*. In addition, this alternative would include the *Draft General Plan 2020* programs and policies that address nighttime lighting impacts and other visual quality impacts. Alternative 2 (*General Plan 2000*) would result in the most visual quality impacts.

BIOLOGICAL RESOURCES

Alternative 1 (*No Project/No Development*) would be the environmentally superior alternative with respect to biological resources as it would result in no biological resources impacts beyond the potential invasive species impact.

Alternative 3 (*Reduced Development*) and the *Draft General Plan 2020* would have similar biological resources impacts. Alternative 3 (*Reduced Development*) would, however, have slightly less biological resources impacts than the *Draft General Plan 2020*. Alternative 2 (*General Plan 2000*) would result in the most biological resources impacts. Because Alternative 3 (*Reduced Development*) would result in the least amount of development, the special status species and sensitive natural communities impacts, while still significant, would be slightly less than the impacts identified with the *Draft General Plan 2020*.

GEOLOGY, SOILS, AND SEISMICITY

Alternative 1 (*No Project/No Development*), would be the environmentally superior alternative with respect to geology, soils, and seismicity. This alternative would result in no significant impacts related to geologic resources or seismic activity.

Alternative 3 (*Reduced Development*) and the *Draft General Plan 2020* would have similar geology, soils and seismicity impacts. Alternative 2 (*General Plan 2020*) would have the most significant geology, soils, and seismicity impacts of all of the development alternatives. Alternative 3 (*Reduced Development*) would have the slightly less geologic impacts than the *Draft General Plan 2020* because it would result in less development and therefore fewer opportunities for impacts related to ground failure.

HYDROLOGY, WATER QUALITY, AND FLOOD HAZARDS

While the *Draft General Plan 2020* would not result in any significant hydrology impacts, Alternative 1 (*No Project / No Development*), would be the environmentally superior alternative with respect to hydrology, water quality, and flood hazards. Because this alternative would result in no additional development, this alternative would result in the least opportunity for potential significant hydrology-related impacts.

Alternative 3 (*Reduced Development*) would be the environmentally superior alternative of the development alternatives. Similar to the *Draft General Plan 2020* and Alternative 1 (*No Project / No Development*), Alternative 3 (*Reduced Development*) would have no significant hydrology impacts. However, because this alternative would result in less development and less of an increase in population and employment than the *Draft General Plan 2020* it would also result in slightly fewer opportunities for potential impacts related to hydrology. Alternative 2 (*General Plan 2000*) would result in the most significant hydrology-related impacts.

AGRICULTURE

Agricultural impacts would be similar for the *Draft General Plan*, Alternative 1 (*No Project / No Development*) and Alternative 3 (*Reduced Development*). Alternative 2 (*General Plan 2000*) would result in a significant impact to agricultural lands.

Exhibit VI.5-1 compares the proposed project and the three alternatives.

Impact	Draft General Plan 2020 (Proposed Project)	Alternative 1 (No Project)	Alternative 2 (General Plan 2000)	Alternative 3 (Reduced Development)
Land Use				
IV.1-1 Conflict with Land Use or Other Plans	LTS	LTS	S	LTS
IV.1-2 Incompatible Land Uses & Changes to Neighborhood Character	LTS	LTS	S	LTS
IV.1-3 Growth and Concentration of Population	LTS	LTS	LTS	LTS
IV.1-4 Employment Growth Rate	LTS	LTS	LTS	LTS
IV.1-5 Jobs-to-Housing Ratio	LTS	LTS	LTS	LTS
Transportation and Circulation				
IV.2-1 LOS at Intersections Improved to Acceptable Levels with <i>Draft General Plan 2020</i>	LTS	SU	SU	LTS
IV.2-2 LOS at Second Street and A Street with <i>Draft General Plan 2020</i>	LTS	SU	LTS	LTS
IV.2-3 LOS at Third Street and Union Street with <i>Draft General Plan 2020</i>	SU	LTS	SU	SU
IV.2-4 LOS at Lincoln Avenue and US 101 SB Ramps with <i>Draft General Plan 2020</i>	SU	SU	SU	SU
IV.2-5 LOS at Mission Avenue and Irwin Street with <i>Draft General Plan 2020</i>	SU	LTS	LTS	SU
IV.2-6 Unacceptable City Roadway Segment LOS Resulting from <i>Draft General Plan 2020</i>	SU	SU	SU	SU
IV.2-7 City Roadway Segment LOS Resulting from <i>Draft General Plan 2020</i>	LTS	n/a	LTS	LTS
IV.2-8 Congestion Management Agency Arterial LOS	LTS	LTS	LTS	LTS
IV.2-9 LOS Along US 101 and I-580 Mainlines Resulting from <i>Draft General Plan 2020</i>	SU	SU	SU	SU
IV.2-10 LOS on Freeway Off-ramps Resulting from <i>Draft General Plan 2020</i>	LTS	LTS	LTS	LTS
IV.2-11 Removal of On-Street Parking Spaces Along Las Gallinas Avenue	LTS	LTS	LTS	LTS
IV.2-12 Removal of On-Street Parking Spaces Along Grand Avenue	LTS	LTS	LTS	LTS
IV.2-13 Removal of On-Street Parking Spaces Along Lincoln Avenue	SU	LTS	SU	SU
IV.2-14 Parking in Newly-Developed Areas Citywide	LTS	LTS	LTS	LTS
IV.2-15 Increased Demand for Bicycle and Pedestrian Facilities under <i>Draft General Plan 2020</i>	LTS	LTS	SU	LTS
IV.2-16 Increased Demand for Transit Services under <i>Draft General Plan 2020</i>	LTS	LTS	SU	LTS
Air Quality				
IV.3-1 Consistency with Clean Air Plan	LTS	LTS	LTS	LTS
IV.3-2 Consistency with Clean Air Plan Transportation Control Measures	LTS	SU	SU	LTS

Impact	Draft General Plan 2020 (Proposed Project)	Alternative 1 (No Project)	Alternative 2 (General Plan 2000)	Alternative 3 (Reduced Development)
IV.3-3 Odor/Toxics Buffer Zones	S	S	S	S
Noise				
IV.4-1 Increased Traffic Noise	LTS	LTS	SU	LTS
IV.4-2 Increased Rail Noise	SU	SU	SU	SU
IV.4-3 Stationary Noise Sources	LTS	LTS	SU	LTS
IV.4-4 Increased Airport Noise	LTS	LTS	LTS	LTS
IV.4-5 Future Noise Sensitive Development	LTS	LTS	SU	LTS
Public Services				
IV.5-1 Fire Protection and Emergency Services	LTS	LTS	LTS	LTS
IV.5-2 Wildland Fires	LTS	LTS	LTS	LTS
IV.5-3 Release of Hazardous Materials	SU	LTS	SU	SU
IV.5-4 Hazardous Materials, Substances, or Waste near Schools	S	SU	SU	S
IV.5-5 Exposure to Underground Hazardous Wastes	LTS	LTS	LTS	LTS
IV.5-6 Police Services	SU	SU	SU	SU
IV.5-7 Schools	LTS	LTS	LTS	LTS
IV.5-8 Parks	SU	SU	SU	SU
IV.5-9 Library Services	SU	SU	SU	SU
IV.5-10 Wastewater Treatment Capacity – North of Puerto Suello Hill	LTS	LTS	LTS	LTS
IV.5-11 Wastewater Treatment Capacity – South of Puerto Suello Hill	SU	SU	SU	SU
IV.5-12 Water Supply	SU	SU	SU	SU
IV.5-13 Landfill Capacity	LTS	LTS	LTS	LTS
IV.5-14 Electricity and Gas Demand	LTS	LTS	LTS	LTS
Cultural Resources				
IV.6-1 Impacts on Archaeological and Prehistoric Resources	LTS	LTS	LTS	LTS
IV.6-2 Impacts on Historic or Cultural Resources	LTS	LTS	LTS	LTS
Visual Quality				
IV.7-1 Scenic Resources	LTS	LTS	SU	LTS
IV.7-2 Conflicts with Adjoining Development	LTS	LTS	SU	LTS
IV.7-3 Visual Setting and Character of the City	LTS	LTS	SU	LTS
IV.7-4 Nighttime Lighting and Glare	S	S	S	S
Biological Resources				
IV.8-1 Special-Status Plant and Animal Species	S	LTS	S	S
IV.8-2 Sensitive Natural Communities	S	LTS	S	S
IV.8-3 Federally Protected Wetlands	LTS	LTS	SU	LTS
IV.8-4 Movement of Native Wildlife	LTS	LTS	SU	LTS
IV.8-5 Habitat for Native Wildlife	LTS	LTS	SU	LTS
IV.8-6 Invasive Exotics	LTS	SU	SU	LTS

Impact	Draft General Plan 2020 (Proposed Project)	Alternative 1 (No Project)	Alternative 2 (General Plan 2000)	Alternative 3 (Reduced Development)
<i>Geology, Soils, and Seismicity</i>				
IV.9-1 Seismic Ground Shaking	S	LTS	S	S
IV.9-2 Seismic Related Ground Failure	S	LTS	S	S
IV.9-3 Landsliding	SU	LTS	SU	SU
IV.9-4 Subsidence	S	LTS	S	S
IV.9-5 Erosion	S	LTS	S	S
IV.9-6 Expansive Soils	LTS	LTS	S	LTS
IV.9-7 Septic Suitability of Soils	S	LTS	S	S
<i>Hydrology, Water Quality, and Flood Hazards</i>				
IV.10-1 Water Quality Standards	LTS	LTS	SU	LTS
IV.10-2 Groundwater	LTS	LTS	SU	LTS
IV.10-3 Erosion and Siltation	LTS	LTS	SU	LTS
IV.10-4 Flooding and/or Stormwater Drainage System Capacities	LTS	LTS	LTS	LTS
IV.10-5 Tidal Flooding	LTS	LTS	S	LTS
IV.10-6 Stormwater Drainage System Expansions	LTS	LTS	LTS	LTS
IV.10-7 Exposure to Flooding Hazards	LTS	LTS	S	LTS
IV.10-8 Inundation by Seiche, Tsunami or Mudflow	LTS	LTS	SU	LTS
<i>Agriculture</i>				
IV.11-1 Farmland Conversion	LTS	LTS	SU	LTS

Source: Nichols • Berman

In response to comments from the Marin County Congestion Management Agency (see letter 142) Exhibit IV.2-18 is revised to read as follows:

**Exhibit IV.2-18
 Freeway Mainline Operations under Existing Conditions and Draft General Plan 2020 Conditions**

Highway Section	Existing Conditions						Draft General Plan 2020 Conditions							
	AM Peak			PM Peak			AM Peak			PM Peak				
	Volumes per hour	V/C	LOS ^a	Volumes per hour	V/C	LOS ^a	Volumes per hour	V/C	LOS ^a	Volumes per hour	V/C	LOS ^a	% of Traffic ^b	
US 101 north of Miller Creek														
a. Southbound	7,415	0.87	D	5,281	0.59	C	8,532	1.00	DE	0.4%	6,432	0.71	C	1.4%
b. Northbound	3,356	0.37	B	8,232	1.00	DE	4,587	0.51	B	1.9%	9,262	1.11	F	1.0%
Pacheco Hill														
US 101 north of Sir Francis Drake														
c. Southbound	7,026	1.17	F	5,428	0.90	D	7,719	0.87	D	1.9%	6,884	0.76	C	0.8%
d. Northbound	4,100	0.59	C	6,520	0.93	E	5,197	0.58	C	0.0%	8,504	1.00	DE	1.1%
Cal Park Hill														
US 101 & I-580 Interchange														
e. Southbound US 101 to Eastbd I-580	2,075	1.65	F	2,000	1.59	F	2,529	0.84	D	3.6%	2,213	0.74	C	2.3%
f. Westbd I-580 to Northbd Hwy 101	2,263	1.80	F	1,751	1.39	F	2,609	2.07	F	1.0%	2,047	1.62	F	3.4%
I-580 at Richmond Bridge														
g. Eastbound	2,728	0.68	C	3,530	0.88	D	3,577	0.89	D	3.0%	4,075	1.02	F	1.4%
h. Westbound	3,468	0.87	D	2,451	0.61	C	4,193	1.05	F	0.2%	3,059	0.76	C	2.8%

^a Boldface text indicates unacceptable LOS

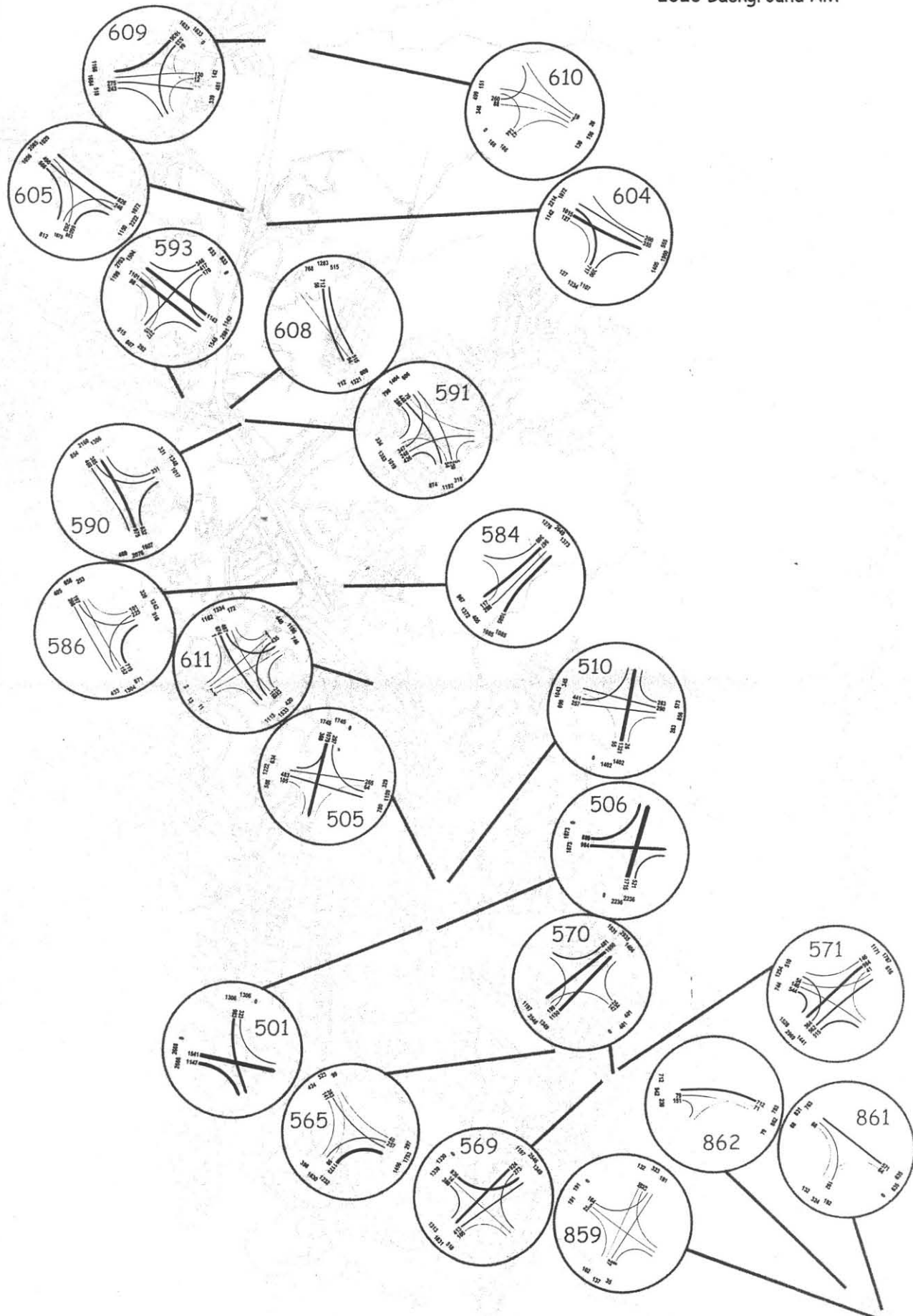
^b The percent of traffic attributable to new development as a result of Draft General Plan 2020.

Sources: Marin Transportation Model (MTM), November 2003; and San Rafael Department of Public Works, December 2003

***APPENDIX 1
FREEWAY RAMP INTERSECTION
TURNING MOVEMENT VOLUMES***

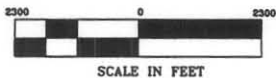
Freeway Ramp Intersection Turning Movement Volumes

2020 Background AM



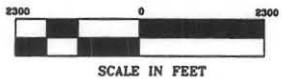
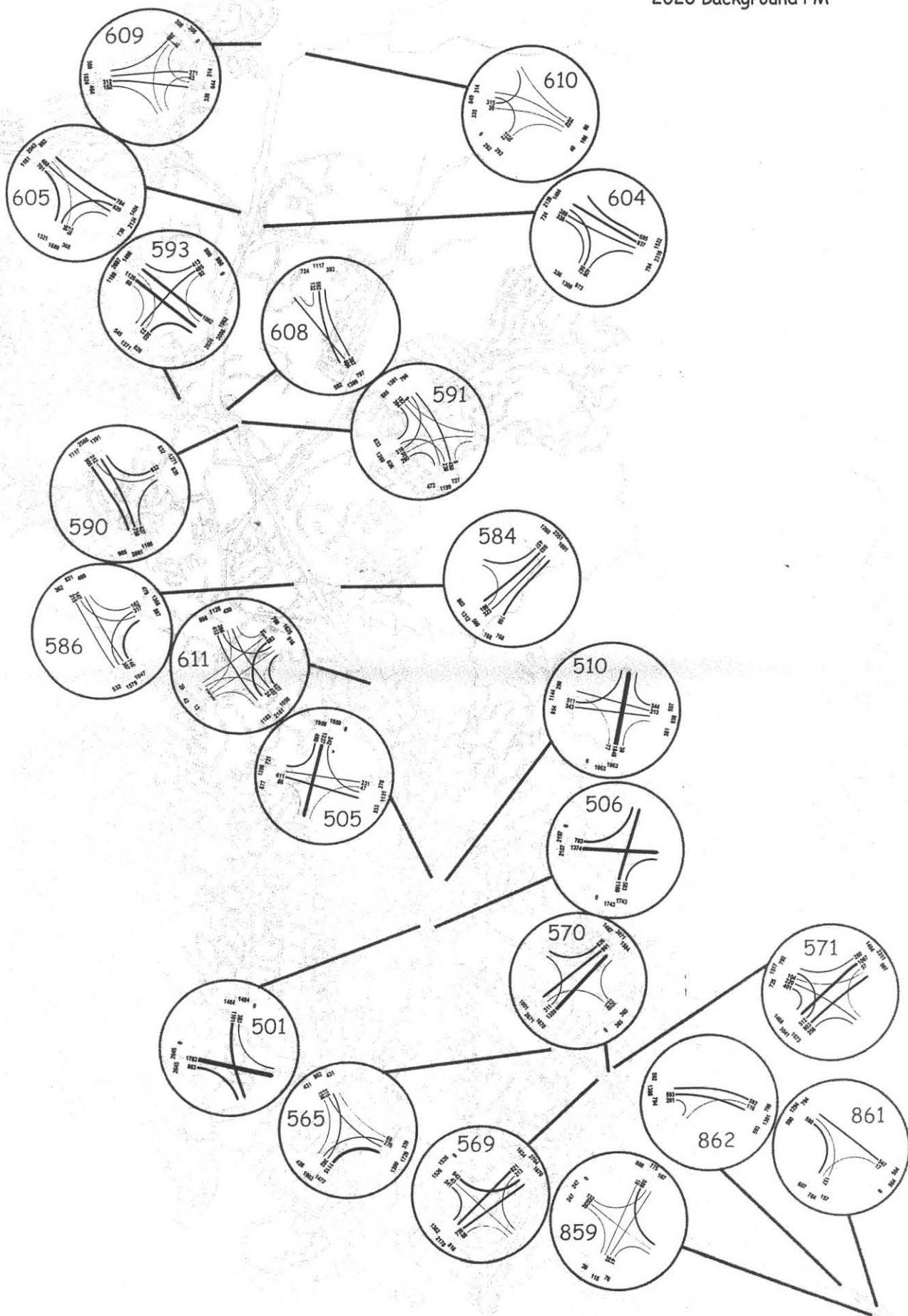
City of San Rafael

Department of Public Works
Traffic Engineering



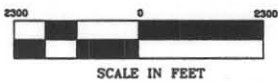
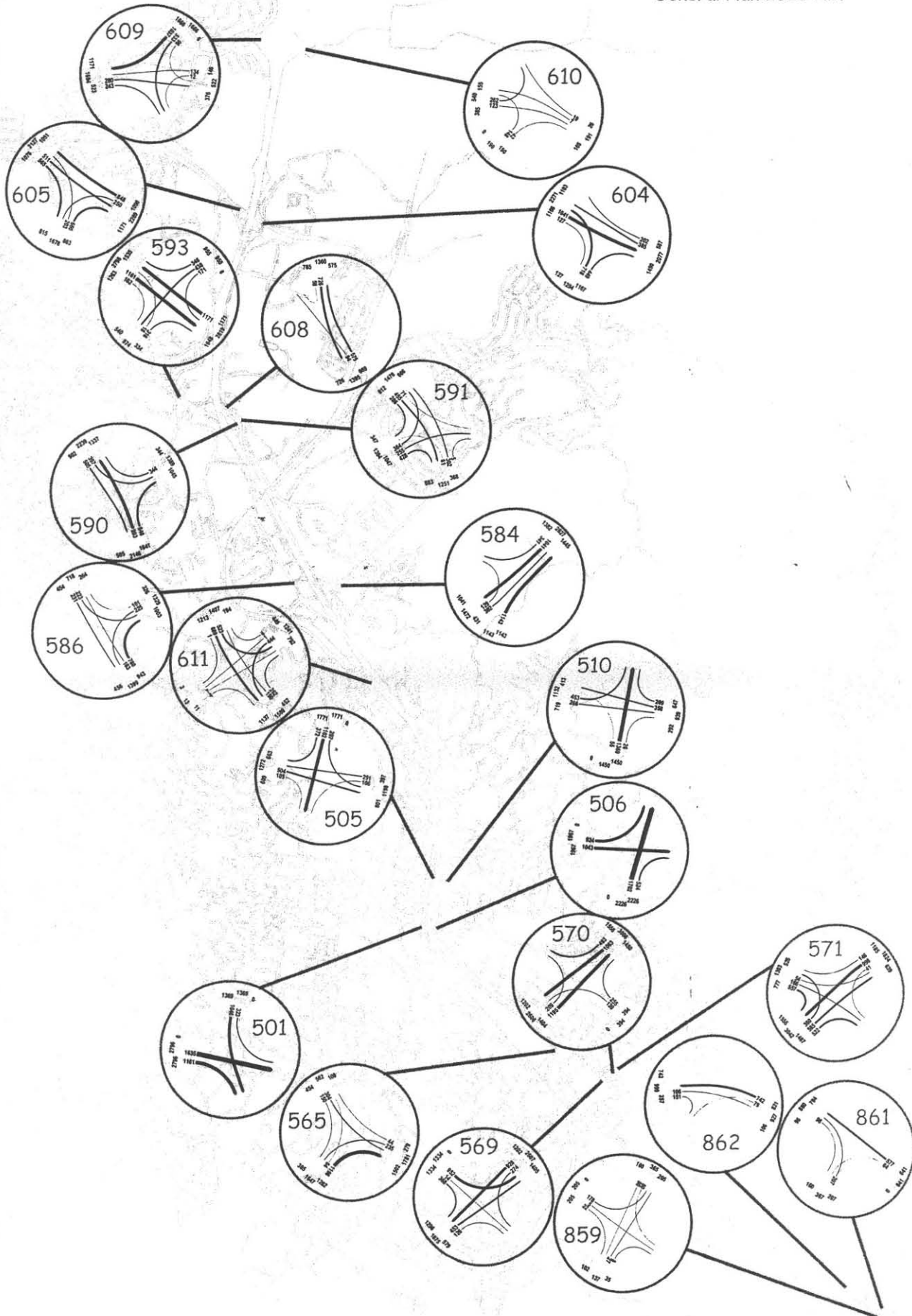
Freeway Ramp Intersection Turning Movement Volumes

2020 Background PM



Freeway Ramp Intersection Turning Movement Volumes

General Plan 2020 AM



Freeway Ramp Intersection Turning Movement Volumes

General Plan 2020 PM

