

## 4.1 LAND USE AND PLANNING

This section describes the existing land uses on and around the project site. It identifies potential impacts related to land use and planning that could result from development of the proposed project and recommends mitigation measures, as appropriate.

This section also evaluates the proposed project's consistency with applicable planning policies. While this section contains a discussion of the consistency of the project with relevant land use policies, policy conflicts, in and of themselves, do not constitute a significant environmental impact. Policy conflicts are considered to be environmental impacts when they would result in direct physical impacts. Therefore, this section discusses land use policies for informational purposes only. All other associated physical impacts are discussed in this Environmental Impact Report (EIR) in specific topical sections, as applicable.

### 4.1.1 Setting

The following subsections provide an overview of the project location, the project site, and adjacent existing and planned land uses.

#### 4.1.1.1 Overview

San Rafael is in Marin County in the northwestern region of the San Francisco Bay Area. San Rafael is bounded by Novato to the north, the towns of Fairfax, San Anselmo, and Ross to the west, Larkspur to the south, and the San Pablo and San Francisco Bays to the east. According to the United States Census Bureau, San Rafael encompasses approximately 16.59 square miles.<sup>1</sup>

The approximately 44.76-acre project site consists of the existing Northgate Mall, which is located within the San Rafael Town Center in northern San Rafael just west of United States Route 101 (US-101). The project site is generally surrounded by a mix of uses, including commercial, residential, open space, and institutional, as depicted on Figure 3-2 in Chapter 3.0, Project Description, and further described below. Figures 3-8 through 3-10 in Chapter 3.0, Project Description, include photos of surrounding land uses, and viewpoint locations are shown on Figure 3-4. Regional vehicular access to the project site is via US-101. The nearest access points to and from US-101 are on- and off-ramps located immediately north of the project site along Manuel T. Freitas Parkway. Local roadways providing access to the project site include Las Gallinas Avenue, Northgate Drive, Merrydale Road, Thorndale Drive, and Del Presidio Boulevard, which connects Las Gallinas Avenue to Manuel T. Freitas Parkway.

#### 4.1.1.2 Existing Land Uses

The existing mall is generally oriented on a north-south axis, with the main building in the center of the project site and surrounded by surface parking and standalone buildings and structures. The main mall building, which is a total of approximately 633,783 square feet in size, consists of five

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<sup>1</sup> United States Census Bureau. 2010. *QuickFacts San Rafael City, California*. Website: <https://www.census.gov/quickfacts/fact/table/sanrafaelcitycalifornia,US/LND110210> (accessed February 12, 2023).

sections: (1) Mall Shops East, (2) Mall Shops West, (3) Century Theatre, (4) RH Outlet,<sup>2</sup> and (5) Macy's. West of the main building is a Kohl's department store, which also includes a small attached unoccupied retail space, a two-level parking structure containing approximately 473 parking spaces, and a vacant retail building. A Rite Aid, HomeGoods, and an additional vacant retail building are located east of the main building.

The project site is largely developed and covered with buildings, other structures, and surface parking. Landscaping on the project site consists of ornamental trees and shrubs throughout the project site, including landscaping strips along the boundaries of the site that contain street trees and shrubs, planters with trees within the surface parking lot, and some mature trees located adjacent to the existing buildings.

Currently there are a total of 2,899 parking spaces on the project site, which consist of 2,380 standard spaces, 22 handicap spaces, and 15 van-size spaces within the surface parking lot, 473 spaces within the parking structure, and 9 on-street parking spaces between the main building and Kohl's building. The 473-space parking structure is located on the western portion of the project site, just south of the Kohl's building. In addition to access from the surface parking lot, the parking structure is also accessible from two driveways along Northgate Drive. The second floor of the parking structure also includes a pedestrian bridge that provides direct access to the second floor of the Kohl's building.

Automobile access to the project site is provided via driveways from Las Gallinas Avenue and Northgate Drive. Within the site, automobile access is provided to each of the buildings via internal roadways adjacent to the surface parking lot. Pedestrian access to the project site is provided by sidewalks along Northgate Drive and Las Gallinas Avenue, as well as sidewalks along the internal roadways. Bicycle facilities within the vicinity of the project site consist of bicycle lanes along Northgate Drive.

#### 4.1.1.3 Existing Land Uses in the Vicinity of the Project Site

The project site is located in the northern area of San Rafael, within the San Rafael Town Center area just west of US-101. The project site is generally surrounded by a mix of uses, including commercial, residential, open space, and institutional, as depicted on Figure 3-2 in Chapter 3.0, Project Description, and further described below. Figures 3-8 through 3-10 in Chapter 3.0, Project Description, include photos of surrounding land uses, and viewpoint locations are shown on Figure 3-4.

- **North of the Project Site:** The project site is bordered to the north by the east-west segment of Las Gallinas Avenue, across which are various commercial uses (see Photos 9 and 10 on Figure 3-9). Farther north is Manuel T. Freitas Parkway, which includes on- and off-ramps for US-101 as well as a mix of hotel and single- and multi-family residential uses.
- **East of the Project Site:** The project site is bordered to the east by the north-south segment of Las Gallinas Avenue. Across Las Gallinas Avenue to the east are a mix of uses, including

<sup>2</sup> The RH Outlet building was formerly known as the Sears anchor. Certain project application materials refer to the building by the Sears name.

commercial uses and the Mt. Olivet San Rafael Cemetery (see Photo 11 on Figure 3-10). Merrydale Road is also located east of the project site. Farther east is US-101, which runs north-south in the vicinity of the project site, across which are commercial, healthcare, and residential uses.

- **South of the Project Site:** The project site is bordered to the south by the east-west segment of Northgate Drive. Land uses south of Northgate Drive generally consist of single- and multi-family residential uses (see Photo 12 on Figure 3-10). Hartzell Park is also located south of the project site, and Terra Linda High School is located to the southeast.
- **West of the Project Site:** The project site is bordered to the west by the north-south segment of Northgate Drive. Across Northgate Drive is a sloped hillside and Villa Marin (a retirement community) as well as multi-family residential units (see Photos 7 and 8 on Figure 3-8). Past Villa Marin are additional single- and multi-family residential units, Vallecito Elementary School, and the Kaiser Permanente San Rafael Medical Center.

#### 4.1.1.4 Regulatory Framework

The following section provides a brief description of the regulations affecting land use and planning at the State, regional, and local level.

**State Regulations.** State regulations applicable to the proposed project include California State Planning and Zoning Law, the Sustainable Communities and Climate Protection Act of 2008 (Senate Bill [SB] 375), and Government Code 66300 et seq (the Housing Crisis Act).

**California State Planning and Zoning Law.** This law, which is codified in California Government Code Sections 65000–66037, delegates most of the State’s local land use and development decisions to cities and counties. The California Government Code establishes specific requirements pertaining to the regulation of land uses by local governments, including general plan requirements, specific plans, subdivisions, and zoning. California Government Code Section 65302 requires that all California cities and counties include the following seven elements in their general plan: (1) land use, (2) circulation, (3) housing, (4) conservation, (5) open space, (6) noise, and (7) safety. Cities and counties that have identified disadvantaged communities must also address environmental justice in their general plans, including air quality.<sup>3</sup>

**Sustainable Communities and Climate Protection Act of 2008 (SB 375).** This statute requires California’s regional planning agencies to include a Sustainable Communities Strategy (SCS) or Alternative Planning Strategy (APS) in their Regional Transportation Plans (RTP). SB 375 was enacted to reduce greenhouse gas (GHG) emissions from automobiles and light trucks through integrated transportation, land use, housing, and environmental planning. The SCS provides a plan for meeting the regional emissions reduction targets established by the California Air

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<sup>3</sup> Senate Bill 1000 (SB 1000), adopted in 2016, requires both cities and counties that have disadvantaged communities to incorporate environmental justice (EJ) policies into their general plans, either in a separate EJ element or by integrating related goals, policies, and objectives throughout the other elements. This update, or revision if the local government already has EJ goals, policies, and objectives, must happen “upon the adoption or next revision of two or more elements concurrently on or after January 1, 2018.”

Resources Board (CARB). If the emission reduction targets cannot be met through the SCS, an APS may be developed that shows how the targets would be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies. SB 375 also offers local governments' regulatory and other incentives to encourage more compact new development and transportation alternatives.

The requirements of SB 375 are reflected in Plan Bay Area 2050<sup>4</sup> which was adopted by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC), and serves the regional planning agencies in the nine-county region composed of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties. Plan Bay Area 2050 is further discussed below.

**Government Code 66300 et seq. (Housing Crisis Act of 2019).** Government Code 66300 et seq. has restrictions on implementing new development policies, standards, or conditions that may restrict housing developments, including any initiatives or referendums voted into law by the general populace. Cities and counties are restricted from implementing any new development policies, standards, or conditions that have any of the following effects with respect to residential land use:

- A change to the general plan land use designation, specific plan land use designation, or zoning that results in a less intensive use. Less intensive use means: (i) reductions in height, density, or floor area ratio (FAR), (ii) new or increased open space or lot size requirements, (iii) new or increased setback requirements, minimum footage requirements, or maximum lot coverage limitations, and (iv) anything that would lessen the intensity of housing.
- A reduction of the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning below what was allowed under the applicable land use designation and zoning ordinance in effect as of January 1, 2018 unless the City concurrently designates for residential use and rezones other land in the City in order to ensure there is no net loss in residential capacity in the City.
- A moratorium, or similar restriction or limitation, on housing development, including mixed-use development, unless it is necessary to specifically protect against an imminent threat to the health and safety of persons in the affected jurisdiction.
- After January 1, 2020, any new design standards that are not objective design standards.
- Enforcement of any rule that: (i) limits land use approvals or limits the issuance of permits necessary for the approval and construction of housing, (ii) imposes a cap on the number of housing units, or (iii) limits the population. This restriction, however, does not apply to any

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<sup>4</sup> Association of Bay Area Governments (ABAG) and Metropolitan Transportation Commission (MTC). 2021. Plan Bay Area 2050, A Vision for the Future. October 21. Website: [https://www.planbayarea.org/sites/default/files/documents/Plan\\_Bay\\_Area\\_2050\\_October\\_2021.pdf](https://www.planbayarea.org/sites/default/files/documents/Plan_Bay_Area_2050_October_2021.pdf) (December 2023).

laws passed prior to January 1, 2005, in cities or counties that are predominantly agricultural.

- Demolishing any existing housing units, unless the housing development project would create at least as many housing units.

**Regional and Local Agency Regulations.** Regional and local agency regulations include Plan Bay Area 2050, the San Rafael General Plan, and San Rafael Zoning Ordinance.

**Plan Bay Area 2050.** As discussed above, Plan Bay Area 2050 is a State-mandated, integrated long-range transportation and land use plan for the San Francisco Bay Area. As required by SB 375, all metropolitan regions in California must complete an SCS as part of an RTP. This strategy integrates transportation, land use, and housing to meet GHG reduction targets set by the CARB. Plan Bay Area 2050 meets those requirements. In addition, the plan sets a roadmap for future transportation investments and identifies what it would take to accommodate expected growth. The plan neither funds specific transportation projects nor changes local land use policies.

In the San Francisco Bay Area, the MTC and ABAG adopted Plan Bay Area 2050 in October 2021. To meet the GHG reduction targets, the plan identifies four growth geographies where future growth in housing and jobs should be focused: Priority Development Areas (PDAs), Priority Production Areas (PPAs), Transit-Rich Areas (TRAs), and High-Resource Areas (HRAs). The agencies estimate more than 80 percent of housing growth would occur within TRAs and nearly 30 percent would be within HRAs, and more than 60 percent of job growth would be within walking distance of high-quality transit between 2015 and 2050.<sup>5</sup>

A PDA is a funding and planning tool. If a local jurisdiction voluntarily nominates an area for PDA designation, the designation provides the local jurisdiction with access to funds and grants to develop and adopt area plans to plan for, design, and regulate future growth of the area as well as construct needed and/or planned infrastructure improvements. The project site is located within the Northgate PDA, which indicates that it is an area generally near job centers or frequent transit that has been identified by the City of San Rafael (City) for housing and job growth.

**San Rafael General Plan.** The San Rafael General Plan, adopted in August 2021,<sup>6</sup> is a document that establishes the basis for zoning regulations and provides guidance in the evaluation of development proposals. The General Plan consists of 13 elements that cover issues including: land use; neighborhoods; community design and preservation; conservation and climate change; parks, recreation and open space; safety and resilience; noise; mobility; community services and infrastructure; arts and culture; economic vitality; equity, diversity, and inclusion;

<sup>5</sup> Growth projections do not sum to 100 percent because PDAs, TRAs, and HRAs are not mutually exclusive.

<sup>6</sup> City of San Rafael. 2021. *San Rafael General Plan 2040*. August.

and housing. A discussion of the applicable General Plan policies is included in Table 4.1.A at the end of this section.

The project site is designated as Community Commercial Mixed Use (CCMU) on the City's General Plan Land Use Map. The intent of the CCMU designation is to provide for general retail and service uses, restaurants, automobile sales and service uses, hotels and motels, and other commercial activities. Office, mixed-use, and residential uses are also permitted within the CCMU land use designation.

The San Rafael General Plan also organizes the city into five planning areas: (1) Downtown, (2) Central San Rafael, (3) North San Rafael, (4) Southeast San Rafael/Canal, and (5) San Pedro Peninsula. The project site is located within the North San Rafael planning area, which includes neighborhoods on the west and east sides of US-101 north of Puerto Suelo Hill. This planning area includes 10 subareas, and the site is within the North San Rafael Town Center subarea. In 1997, the North San Rafael Vision<sup>7</sup> described the Town Center as a place where the values and history and community would be expressed and supported, community identity would be strengthened, and neighborhood cohesion would be fostered. While the 1997 Vision's goals remain, proposed development within the Town Center Subarea should consider the outlook for retail and office uses, the need for housing, and changing modes and patterns of transportation, among other factors.

**San Rafael Zoning Ordinance.** The Zoning Ordinance consists of a zoning map that delineates the boundaries of zoning designations within San Rafael and regulations that govern the use of land and placement of buildings and improvements within the various classes of districts. The purpose of the Zoning Ordinance is to protect the health, safety, peace, morals, comfort, convenience, and general welfare of the people of San Rafael, and to serve as an instrument for implementation of the General Plan. The project site is currently zoned General Commercial (GC),<sup>8</sup> which promotes a full range of retail and services uses in major shopping centers and certain areas of the city that have freeway or major street access and visibility. Retail and commercial uses are generally permitted within the GC district, and multi-family residential uses are allowed through an administrative use permit.<sup>9</sup> Surrounding zoning districts include GC, Office (O), and Commercial Office (C/O) to the north; O, Public/Quasi Public to the east; and Single and Multifamily Residential (R10, R7.5, HR1.5, and HR1.8), Planned Development (PD), and Parks/Open Space (P/OS) to the south and west.

#### 4.1.2 Impacts and Mitigation Measures

The following section provides a discussion of impacts related to land use that could result from development of the proposed project. The section begins with the criteria of significance, establishing the thresholds to determine whether an impact is significant. The latter part of this

<sup>7</sup> City of San Rafael. 1997. *North San Rafael Vision*. November.

<sup>8</sup> City of San Rafael. 2023. San Rafael Zoning Map. Website: <https://san-rafael.maps.arcgis.com/apps/View/index.html?appid=f9a6eba03a8d44f5919bfef783f056c2> (accessed December 2023).

<sup>9</sup> City of San Rafael. 2021. *San Rafael Municipal Code*. February 16.

section describes the land use impacts from the proposed project and recommends mitigation measures, if required.

As noted earlier, conflicts between a project and applicable policies do not constitute significant physical environmental impacts in and of themselves; as such, the proposed project's consistency with applicable policies is discussed separately from the physical land use impacts associated with the proposed project. A policy inconsistency is considered to be a significant adverse environmental impact only when it is related to a policy adopted for the purpose of avoiding or mitigating an environmental effect, and it is anticipated that the inconsistency would result in a significant adverse physical impact when evaluated against the established significance criteria. The proposed project's consistency with regional policies related to physical environmental topics (e.g., air quality, transportation, and noise) is analyzed and discussed in those topical sections of the EIR.

#### 4.1.1.5 Significance Criteria

The following thresholds of significance were adapted from Appendix G of the *State CEQA Guidelines*. Based on these thresholds, implementation of the proposed project would have a significant impact on the environment related to land use and planning if it would:

**Threshold 4.1.1:** Eliminate or reduce existing levels of connectivity within San Rafael or other communities to the extent that:

- An existing community would become physically separated from one or more other communities;
- Existing residents would have their access to transit, commercial centers, employment areas, schools, parks, or governmental services or facilities substantially diminished; or
- Employees within existing employment centers would have their access to transit commercial centers, or governmental services or facilities substantially diminished.

**Threshold 4.1.2:** Result in a conflict between the proposed project and the provisions of the following planning and policy documents, due to any of the significant impacts identified in this EIR:

- San Rafael General Plan
- San Rafael Zoning Ordinance
- Plan Bay Area 2050

#### 4.1.1.6 Project Impacts

The following describes the potential impacts related to land use that could result from implementation of the proposed project. Impacts that would occur with implementation of Phase 1 (2025 Master Plan) and Phase 2 (2040 Vision Plan) would not differ by phase and therefore are not differentiated in this section.

**Threshold 4.1.1: Physically Divide an Established Community.** The division of an established community would typically involve the construction of a barrier to neighborhood access (e.g., a new freeway segment) or the removal of a means of access (e.g., a bridge or roadway) that would impair mobility within an existing community or between a community and outlying areas. For example, the construction of an interstate highway through an existing community could constrain travel from one side of the community to another. Similarly, such construction could also impair travel to areas outside of the community.

The project site is in northern San Rafael just west of US-101. The approximately 44.76-acre project site is developed with an existing mall complex that consists of a main building in the center that is surrounded by surface parking and standalone buildings and structures. Existing roadways and urban development surround the project site on all four sides, including Las Gallinas Avenue and commercial uses to the north; Las Gallinas Avenue and Merrydale Road and a mix of uses, including commercial uses and the Mt. Olivet San Rafael Cemetery to the east; Northgate Drive, single- and multi-family residential uses, and Hartzell Park to the south; and Northgate Drive, a retirement community, and multi-family residential units to the west. The site is accessed by these surrounding roadways via multiple driveways, but none of these roadways extend into the site.

The proposed project would result in the redevelopment of the existing mall through demolition, renovation, and new construction with a mix of commercial and residential land uses. The proposed project would be developed in two phases and at full buildout would include a total of up to approximately 217,520 square feet of commercial space and up to 1,422 residential units. The proposed project would also include various associated site improvements, including a Town Square, modifications to the internal circulation and parking, and improvements to infrastructure and landscaping. The proposed project would not alter the through travel lanes on Las Gallinas Avenue or Northgate Drive (which surround the site), or on Merrydale Road, Thorndale Drive, or Del Presidio Boulevard (which provide through access to the drive aisles into the site) and would not impede access to adjacent uses. In addition, the proposed project would include connections to existing and planned pedestrian facilities, including the planned multi-modal path along Merrydale Road to the Marin Civic Center Sonoma-Marin Area Rail Transit (SMART) Station. Internal roadways providing access to the surface parking lots and between the buildings would be reconfigured. New pedestrian and bicycle paths would be provided throughout the project site, and a multi-modal path would be provided along the Las Gallinas Avenue frontage. Construction of the proposed project would not limit pedestrian, bicycle, or vehicular connections to the site, but would instead improve connections and throughways to and through the site.

As noted above, the proposed project would include the construction of a Town Square, which would serve as a community hub and gathering space near the center of the project site. Additional open spaces and landscaped areas would be provided on the project site and would be accessible by the public via existing and proposed pedestrian and bicycle pathways. Aside from existing sidewalks around the perimeter and pedestrian spaces near the existing retail uses, the project site is largely made up of surface parking lots, which inhibit walking and bicycling. New dedicated pathways and open spaces on the project site would enhance connection to and through the project site for surrounding residents and employees in the area by encouraging walking and bicycling on the project site and reducing the need for an automobile, thereby increasing connectivity to the residential and commercial uses on the project site.



As previously described, the proposed project would result in the reduction of commercial uses on the project site. However, the proposed project would also retain some commercial space and include new commercial spaces that would provide similar shopping and dining opportunities for surrounding residents and employees. The proposed project would not result in the modification of any nearby transit centers or restrict access to employment areas, schools, parks, or governmental services or facilities. Instead, the proposed project would increase access to these areas and facilities (e.g., the proposed Town Square and library space). Therefore, implementation of the project would not result in the physical division of the adjacent surrounding areas or any other established community; this impact would be **less than significant**.

**Threshold 4.1.2: Policy Conflicts.** The following sections address the proposed project's compliance and compatibility with the applicable land use regulations of the General Plan, the Zoning Ordinance, and Plan Bay Area 2050.

**San Rafael General Plan.** Potential conflicts with specific General Plan policies are discussed below and evaluated in detail in Table 4.1.A (provided at the end of this section). Only policies adopted for the purpose of avoiding or mitigating an environmental effect and that relate directly to development of the project site are discussed. As indicated in the discussion below, the proposed project would generally be consistent with the overall vision and intent of the General Plan. In total, the General Plan assumed buildout would result in approximately 4,460 new residential units, 8,910 new residents, and 4,155 new employees by 2040, with approximately 2,260 residential units, 5,340 residents, and 2,135 employees occurring outside of the Downtown area. The project site has a land use designation of CCMU, which allows for 21.8 to 43.6 units per net acre and a maximum commercial FAR of 0.3. At full buildout, the proposed project would include 1,422 units across 44.76 acres, for a density of 31.8 units per net acre. With a total of approximately 217,520 square feet of commercial space, the FAR would be approximately 0.11. While the General Plan does not identify specific development projects, the proposed project does fit within the overall development assumed under the General Plan, as well as the specific density requirements for the project site. In addition, Phase 1 of the proposed project is specifically identified in the 2023-2031 Housing Element, which was adopted in May 2023 and did not change any of the overall build-out numbers from the 2040 General Plan.

As previously discussed, the project site is also located within the North San Rafael PDA, which includes the Northgate Mall, Northgate One shopping center, Northgate Three shopping center, and Las Gallinas office and gas station areas. This PDA also overlaps with the Civic Center SMART Station Transit Priority Area (TPA), which encompasses the 0.5-mile radius surrounding the Marin Civic Center SMART Station. PDAs and TPAs are identified areas where concentrated development can have beneficial environmental effects and reduce adverse environmental impacts. A PDA is a place that has convenient public transit service, often referred to as "transit-oriented," that is prioritized by local governments (e.g., the City) for housing, jobs, and services within existing communities. The proposed project's mix of residential and commercial uses is consistent with the type of development anticipated by the City for the North San Rafael PDA.

City decision-makers will evaluate the proposed project in the context of the General Plan and, as part of the development review process for the proposed project, will consider potential

policy conflicts. Consideration of the consistency with General Plan policies would take place independently of the environmental review process.

As shown on Table 4.1.A (provided at the end of this section), the proposed project would be generally consistent with the land use and planning-related policies outlined in the City's General Plan. Although the proposed project would only be partially consistent with General Plan Policies C-4.2B, C-4.5, and C-5.2 (climate change policies) because the project would incorporate natural gas appliances for use in commercial kitchens (Impacts GHG-1 and GHG-2) and Policies N-1.2 and N-1.5 (noise standards) because the project would result in noise levels that would exceed the City's land use compatibility standards (Impact NOI-2), the City may determine that, overall, compliance with the vision and intent of the General Plan has been achieved, and these impacts have been mitigated to the extent feasible, given applicable economic, legal, social, technological and other considerations. Further, these impacts have been identified as significant and unavoidable in the respective topical sections of this EIR, under the applicable thresholds adopted by the City and other regulatory agencies (i.e., the BAAQMD). Therefore, the project would result in a **less than significant** impact related to consistency with General Plan policies adopted to mitigate adverse environmental impacts.

**San Rafael Zoning Ordinance.** The project site is currently zoned General Commercial, which promotes a full range of retail and service uses in major shopping centers and certain areas of San Rafael that have freeway or major street access and visibility. Retail and commercial uses are generally permitted within the General Commercial District, and multifamily residential uses are allowed through the administrative use permit process. The proposed project will include a rezone to the Planned Development (PD) District, which establishes a procedure for the development of large lots of land in order to reduce or eliminate the rigidity, delays, and conflicts that otherwise would result from application of zoning standards and procedures designed primarily for small lots. The PD District encourages innovative design on large sites by allowing flexibility in property development standards and accommodates various types of large-scale, complex, mixed-use, and phased developments. The proposed project will also require an Environmental and Design Review Permit, a Tentative Subdivision Map, and a Master Signage Program. Environmental and Design Review implements General Plan policies concerning the environment and design by guiding the location, functions, and appearance of development. For an Environmental and Design Review Permit to be approved, the following findings must be made:

- a. The project design is in accord with the General Plan, the objectives of the zoning ordinance, and the purposes of Chapter 14.25 of the San Rafael Municipal Code.
- b. The project design is consistent with all applicable site, architecture, and landscaping design criteria and guidelines for the district in which the site is located.
- c. The project design minimizes adverse environmental impacts.
- d. The project design will not be detrimental to the public health, safety, or welfare nor materially injurious to properties or improvements in the vicinity.

A Tentative Subdivision Map is required for all requests to divide real property into five or more lots for development. In addition to other findings, for a Tentative Subdivision Map to be approved, findings must be made that the proposed map is consistent with the San Rafael General Plan and that the design of the subdivision is not likely to cause substantial environmental damage. A Master Signage Program regulates all signage on the project site intended for public view.

Additionally, because the proposed project would provide affordable housing, the project sponsor is requesting to use the density bonus benefit available under the State Density Bonus Law to modify the development standards for maximum height on the project site. The proposed project includes a request to increase the height limit across the project site from 36 feet to 78 feet, with projections up to 12 feet above the 78-foot limit. As discussed in Section 4.3, Visual Resources, although the proposed project would result in an increase in intensity of development at the project site, the proposed development would not substantially or completely block public views because intermittent views of surrounding hillsides and mountains would still be available from publicly accessible places within and surrounding the project site.

As a result of regulations built into the PD District and the project sponsor's compliance with those regulations, the proposed rezone and development standard changes do not represent significant land use policy impacts, and this impact would be **less than significant**.

**Plan Bay Area 2050.** Plan Bay Area 2050 is an integrated long-range transportation and land use plan. The Plan's core strategy is "focused growth" in existing communities along the existing transportation network to achieve key regional equity, economic, and environmental goals, including reducing vehicle miles traveled (VMT) and contributing to climate goals. The strategy builds upon existing community characteristics and leverages existing infrastructure to mitigate impacts on less developed areas. The key to implementing the focused growth strategy are four Growth Geographies where future growth in housing and jobs should be focused: PDAs, PPAs, TRAs, and HRAs. These existing neighborhoods are served by public transit and have been identified as appropriate for additional, compact development. The project site is located within a Growth Geography, specifically within a PDA. As noted above, the project site is located within the Northgate PDA, would include both residential and commercial uses, and therefore would be consistent with the core strategy of Plan Bay Area 2050. In addition, the proposed project would not exceed VMT thresholds (see Section 4.9, Transportation), is anticipated to have a net-negative impact on operational GHG emissions (see Section 4.11, Greenhouse Gas Emissions), and would not result in a significant impact on air quality (see Section 4.10, Air Quality). Therefore, the proposed project would be consistent with Plan Bay Area 2050, and this impact would be **less than significant**.

#### 4.1.1.7 Cumulative Impacts

The cumulative geographic context for land use, planning, and policy considerations for development consists of the project site in addition to the surrounding areas and uses abutting the project site. Cumulatively considerable impacts would occur if a project conflicted with an established land use policy or program adopted to avoid or mitigate an environmental effect or result in a physical division of an established community. As described above, the proposed project

would have a less than significant impact related to land use and planning, and no mitigation measures are required.

Future development within San Rafael would result in changes to the existing land use environment through the conversion of vacant land to developed uses, or through conversions of existing land uses (e.g., from residential to commercial). Cumulative development would be reviewed for consistency with adopted land use plans and policies by the City, in accordance with the requirements of the California Environmental Quality Act (CEQA) and planning requirements. Development of future projects proposing changes in land use would require project-specific consistency analysis to ensure that such a change would not conflict with the General Plan or Municipal Code.

Cumulative development projects would also be required to comply with the goals and policies outlined in the applicable City plans and regional plans detailed in this EIR. Construction and operation of the proposed project combined with cumulative development in accordance with the City's General Plan would not result in significant land use and planning impacts. The proposed project would be consistent with applicable plans, goals, policies, and regulations of the City's General Plan and Municipal Code, as well as Plan Bay Area 2050. Therefore, the cumulative impact of the proposed project with respect to future development would not be cumulatively considerable, would not result in significant land use impacts, and is, therefore, **less than significant**.

**Table 4.1.A: Relationship of Proposed Project to Relevant Plans and Policies**

Goal/Policy/ Program No.	Policy Summary	Project's Relationship to Policy
<b>San Rafael General Plan 2040 – Land Use Element</b>		
<p><b>Policy LU-1.2:</b> Development Timing</p>	<p>For health, safety, and general welfare reasons, new development should only occur when adequate infrastructure is available, consistent with the following findings:</p> <ul style="list-style-type: none"> <li>a. The project is consistent with adopted Vehicle Miles Traveled (VMT) standards, as well as the requirements for Level of Service (LOS) specified in the Mobility Element.</li> <li>b. Planned circulation improvements necessary to meet City standards for the project have funding commitments and completed environmental review.</li> <li>c. Water, sanitary sewer, storm sewer, and other infrastructure improvements needed to serve the proposed development have been evaluated and confirmed to be in place or to be available to serve the development by the time it is constructed.</li> <li>d. The project has incorporated design and construction measures to adequately mitigate exposure to hazards, including flooding, sea level rise, and wildfire.</li> </ul>	<p><b>Consistent.</b> As described in Section 4.9, Transportation, the proposed project would not exceed the VMT or LOS requirements adopted by the City. As shown in Tables 4.9.I through 4.9.K of Section 4.9, Transportation, the existing circulation network would be adequate to serve the proposed project, and no off site improvements would be necessary to address safety concerns. All of the circulation network improvements necessary to serve the proposed project have been identified in this EIR and would be constructed as part of the project. Similarly, as described in Section 4.14, Utilities and Infrastructure, all of the infrastructure improvements necessary to serve the proposed project have been identified in this EIR and would be constructed as part of the project, including sewer system expansion as identified in Mitigation Measure UTL-1. As described in Sections 4.7, Hydrology and Water Quality, and 4.8, Hazards and Hazardous Materials, the proposed project would not be exposed to risks related to sea level rise or wildfire, and mitigation measures have been identified to reduce potential impacts related to off-site flooding.</p>
<p><b>Policy LU-1.3:</b> Land Use and Climate Change</p>	<p>Focus future housing and commercial development in areas where alternatives to driving are most viable and shorter trip lengths are possible, especially around transit stations, near services, and on sites with frequent bus service. This can reduce the greenhouse gas emissions associated with motor vehicle trips and support the City's climate action goals.</p>	<p><b>Consistent.</b> The proposed project includes redevelopment of the site with up to 217,520 square feet of renovated and new commercial uses, and the construction of up to 1,422 new residential units on a site that is surrounded by existing services and transportation options. The project site is located in a central area near transit stations with frequent bus service. The closest bus stops to the project site include Marin Transit Lines 35, 49, 257, and 645, all of which are located adjacent to the project site, and Line 71, which is located less than 0.5 mile from the project site. These bus lines provide service within San Rafael and surrounding Marin County cities and communities, including Downtown San Rafael, Novato, and Marin. Two Golden Gate Transit stops for Lines 54 and 70, which provide service to San Francisco, Novato, Larkspur, and Corte Madera, are also located less than 0.5 mile from the project site. Finally, the Marin Civic Center Sonoma-Marin Area Rail Transit (SMART) station is located approximately 0.4 mile from the project site. SMART provides service from Larkspur to the Sonoma County Airport.</p>

**Table 4.1.A: Relationship of Proposed Project to Relevant Plans and Policies**

Goal/Policy/ Program No.	Policy Summary	Project's Relationship to Policy
<p><b>Policy LU-1.8:</b> Density of Residential Development</p>	<p>Use the density ranges in the Land Use Element to determine the number of housing units allowed on properties within the Planning Area. The following provisions apply:</p> <ul style="list-style-type: none"> <li>a. The density "range" includes a maximum and minimum. A given General Plan designation may have multiple corresponding zoning districts, including at least one district in which the maximum density may be achieved. Other zoning districts may have maximum densities that are less than the maximum indicated by the General Plan</li> <li>b. Calculation of allowable units shall be rounded to the nearest whole number. Where the number is less than 0.5, it shall be rounded down. Where the number is 0.5 or greater, it may be rounded up.</li> <li>c. The number of units permitted on a given parcel may be affected by site resources and constraints, potentially hazardous conditions, climate-related factors (sea level rise, fire hazards, etc.), traffic and access (including wildfire evacuation constraints), the adequacy of infrastructure, City design policies, and prevailing densities in adjacent areas.</li> <li>d. The maximum net density shown on the General Plan excludes density bonuses that may be provided for affordable housing or other community benefits, in accordance with State law and local policies.</li> <li>e. As required by State law, an accessory dwelling unit (ADU) or junior ADU shall not be counted as a dwelling unit for the purposes of calculating net density</li> <li>f. Areas in the "Downtown Mixed Use" General Plan category shall be exempt from the requirements of this policy and are instead subject to standards defined by the Downtown Precise Plan.</li> </ul>	<p><b>Consistent.</b> The proposed 1,422 residential units are within the allowable number of housing units for the project site as determined using the density ranges in the Land Use Element. The project site has a land use designation of Community Commercial Mixed Use, which allows for 21.8 to 43.6 units per net acre and a maximum commercial FAR of 0.3. At full buildout, the proposed project would include 1,422 units across 44.76 acres, for a density of 31.8 units per net acre. With a total of approximately 217,520 square feet of commercial space, the FAR would be approximately 0.11.</p>
<p><b>Program LU-1.8B:</b> Minimum Densities</p>	<p>The net density of new development shall be no less than the lower end of the density range specified by the General Plan for that property.</p>	<p><b>Consistent.</b> The proposed 1,422 residential units are within the allowable number of housing units for the project site as determined using the density ranges in the Land Use Element. The project site has a land use designation of Community Commercial Mixed Use, which allows for 21.8 to 43.6 units per net acre and a maximum commercial FAR of 0.3. At full buildout, the proposed project would include 1,422 units across 44.76 acres, for a density of 31.8 units per net acre. With a total of approximately 217,520 square feet of commercial space, the FAR would be approximately 0.11.</p>

**Table 4.1.A: Relationship of Proposed Project to Relevant Plans and Policies**

Goal/Policy/ Program No.	Policy Summary	Project's Relationship to Policy
<p><b>Policy LU-1.10:</b> Intensity of Non-Residential Development</p>	<p>Use the Floor Area Ratio limits on Figure 3-2 to determine the square footage of building space allowed on properties with non-residential General Plan designations. The following provisions apply:</p> <ul style="list-style-type: none"> <li>a. As with density, FAR is calculated on a “net” basis, and is based on the area of each parcel excluding streets and easements.</li> <li>b. The maximum FAR stated by the General Plan is not guaranteed. The square footage permitted on a given parcel may be affected by site resources and constraints, potentially hazardous conditions, climate-related factors (sea level rise, fire hazards, etc.), traffic and access (including wildfire evacuation constraints), the adequacy of infrastructure, and City design policies.</li> <li>c. The maximum FARs shown in Figure 3-2 exclude any residential development on the property. In the event that residential uses or mixed use projects are proposed on these sites, the maximum area is the sum of the FAR allowance plus the residential density allowance for the property. This Clause does not apply to Downtown San Rafael, which is regulated by the Downtown Precise Plan.</li> </ul>	<p><b>Consistent.</b> The project site has a land use designation of Community Commercial Mixed Use, which allows a maximum commercial FAR of 0.3. With a total of approximately 217,520 square feet of commercial space on a 44.76-acre project site, the FAR would be approximately 0.11.</p>
<p><b>Policy LU-1.15:</b> Planned Development Zoning</p>	<p>Encourage the use of Planned Development (PD) zoning for development on parcels greater than five acres when the application of traditional zoning standards would make it more difficult to achieve General Plan goals. The PD zoning designation allows flexible design standards that are more responsive to site conditions as well as the transfer of allowable General Plan and zoning density between contiguous sites under common ownership.</p>	<p><b>Consistent.</b> The project site is approximately 44.76 acres in size, and the proposed project would include a rezone to the PD District. The project site is currently zoned General Commercial. Policy NH-4.2 of the City's General Plan encourages revitalizing the Northgate Mall with a distinctive and vibrant mix of uses and allowing the addition of housing. Under the existing zoning, retail and restaurant uses are broadly allowed without discretionary approvals, while multi-family residential is allowed but requires an Administrative Use Permit. Under the proposed PD District zoning, shopping center, restaurant, and multi-family residential uses would be broadly allowed without discretionary approvals, which would make it easier to achieve the goals stated in Policy NH-4.2 of the General Plan.</p>
<p><b>Policy LU-1.17:</b> Building Heights</p>	<p>Use General Plan Figures 3-3 and 3-4 as the basis for determining “baseline” maximum building heights in San Rafael. Maximum heights should continue to be codified through zoning and any applicable Specific Plans or Precise Plans. In addition, the following specific provisions related to building heights shall apply:</p> <ul style="list-style-type: none"> <li>a. Height of buildings existing or approved as of January 1, 1987 shall be considered as conforming to zoning standards</li> </ul>	<p><b>Consistent.</b> The proposed project includes a request under the State Density Bonus Law to increase the height limit across the project site from 36 feet to 78 feet (with an allowance for an additional 12 feet of projections). The State Density Bonus Law, which applies to projects that include affordable housing, allows certain development standards, such as the maximum height, to be bypassed.</p>

**Table 4.1.A: Relationship of Proposed Project to Relevant Plans and Policies**

Goal/Policy/ Program No.	Policy Summary	Project’s Relationship to Policy
	<p>b. Hotels outside of the Downtown Precise Plan boundary have a 54-foot height limit. Within Downtown, the height provisions of the Downtown Precise Plan apply (see Figure 3-4).</p> <p>c. As provided for by Policy LU-1.18, “baseline” building heights are subject to height bonuses where specific community benefits are provided, where a Variance or zoning exception is granted, or where a Transfer of Development Rights (TDR) is being implemented.</p> <p>d. Heights may be increased by up to six (6) feet above the baseline building heights as necessary to mitigate the exposure of properties to sea level rise and other flooding hazards (e.g., raising the first floor of habitable floor space above anticipated tidal flood elevations).</p>	
<p><b>Policy LU-1.18:</b> Height Bonuses</p>	<p>Allow the granting of height bonuses for development that provides one or more of the amenities listed in Table 3-2, provided that the building’s design is consistent with applicable design guidelines and standards. No more than one height bonus may be granted on each site. Use permit requirements for height bonuses are shown in Table 3-2. The bonuses may be used in lieu of those provided by State density bonus programs for affordable housing. Bonuses are not additive. In other words, an applicant using State density bonuses is not eligible for additional bonuses offered through local programs.</p>	<p><b>Consistent.</b> As described above, the project sponsor is requesting to use the density bonus to modify the development standards for height on the project site. The proposed building designs would be consistent with applicable design guideline standards, and no more than one height bonus will be granted. As described in Table 3-2 of the General Plan, projects utilizing the State Density Bonus Law for housing development are not eligible to add the bonuses listed in Table 3-2.</p>
<p><b>Policy LU-3.2:</b> New Development in Residential Neighborhoods</p>	<p>Preserve, enhance, and maintain the residential character of neighborhoods to keep them safe, desirable places to live. New development, redevelopment of existing buildings, and land use changes within and adjacent to residential areas should:</p> <ul style="list-style-type: none"> <li>• Enhance neighborhood image and design quality</li> <li>• Incorporate sensitive transitions in height and setbacks from adjacent properties</li> <li>• Preserve historic, unique, and architecturally significant structures</li> <li>• Respect and enhance natural features and terrain</li> <li>• Reduce exposure to hazards, including limited emergency vehicle access</li> <li>• Include amenities such as sidewalks, pathways, trees, and other landscape improvements</li> <li>• Maintain or enhance infrastructure service levels</li> <li>• Meet expected parking demand</li> <li>• Minimize reduction of views, privacy, and solar access for neighboring properties</li> </ul>	<p><b>Consistent.</b> The proposed project would enhance the neighborhood image and design quality by upgrading the appearance of buildings, improving landscaping and outdoor spaces, providing community services, and providing multi-use pathways. The proposed project would incorporate sensitive transitions to the nearby residential uses by including the lower height residential buildings along the western edge and the higher height buildings near the center and eastern edges where the adjacent uses are commercial.</p> <p>As discussed in Section 4.4, Cultural Resources, the proposed project would not result in direct or indirect impacts to the Terra Linda Valley neighborhood, which is considered a historic resource.</p> <p>As discussed in Section 4.14, Utilities and Service Systems, the proposed project would maintain existing infrastructure service levels and include improvements needed to serve the project where necessary, including through implementation of Mitigation Measure UTL-1. The proposed project would include multi-use pathways throughout the project site and would substantially increase the amount of landscaping included on the project site.</p>



**Table 4.1.A: Relationship of Proposed Project to Relevant Plans and Policies**

Goal/Policy/ Program No.	Policy Summary	Project's Relationship to Policy
		<p>As discussed in Section 4.3, Visual Resources, the proposed project would largely maintain existing views of scenic resources within the vicinity of the site and would not cast any new shadows that would impair solar access for neighboring properties.</p> <p>Finally, although parking and privacy are not environmental concerns, the proposed project is expected to exceed the parking requirements for the proposed development. Due to the topography of the site and surrounding development and vegetation, privacy for surrounding neighborhoods would not be reduced.</p>
<b>San Rafael General Plan 2040 – Neighborhoods Element</b>		
<p><b>Policy NH-4.1:</b> North San Rafael</p>	<p>Maintain North San Rafael's character as an attractive, suburban community with a strong sense of community identity and easy access to well-managed open space and parks, convenient shopping and services, and excellent schools. The City is committed to protecting and restoring North San Rafael's natural environment, investing in multi-modal transportation improvements that make it easier to get around, creating new gathering places and activity centers, sustaining business vitality, and creating new housing options that respond to diverse community needs. Plans for North San Rafael need to recognize that this is a distinct and unique part of San Rafael. Standards for density, design, traffic, and parking shall be tailored to reflect local context. North San Rafael residents will be invited to have a voice at the citywide level and be directly involved in shaping decisions about the future of their community.</p>	<p><b>Consistent.</b> The proposed project would include commercial, residential, open spaces, and amenity uses that would be located in a central and easy to access location. The proposed project would include a variety of residential units ranging in size and would include units that would be restricted to low-income households. The proposed project would include multi-use paths throughout the project site as well as a town square that would facilitate increased access to and through the project site for surrounding residential and commercial uses. The proposed project would include a diverse mix of uses that would help to sustain the commercial uses on the site, as well as the existing commercial uses in the areas surrounding the site.</p>
<p><b>Policy NH-4.2:</b> North San Rafael Town Center</p>	<p>Strengthen the role of the North San Rafael Town Center as an attractive, thriving heart for the North San Rafael community: an economically viable centerpiece of commerce and activity with diverse activities for persons of all ages. This should include revitalizing Northgate Mall and surrounding business areas by encouraging:</p> <ol style="list-style-type: none"> <li>A distinctive and vibrant mix of uses, consistent with the area's characteristics</li> <li>A variety of high-quality stores, entertainment uses, and services to foster local patronage and adapt to the ongoing evolution of retail and commercial activities</li> <li>Upgrading of anchor and specialty stores, including an additional high-quality retail anchor if needed for economic vitality, consistent with traffic circulation standards</li> </ol>	<p><b>Consistent.</b> The proposed project consists of the redevelopment of the Northgate Mall with a mix of residential and commercial uses. Anchor and specialty stores would be updated, and the proposed project would include a town center and amenity spaces with outdoor dining, lounge seating, and public gathering spaces. The proposed project would include a variety of residential units that range in size and include units that would be restricted to low-income households. Green infrastructure techniques would be used to treat and infiltrate stormwater runoff from the project site and LID methods would be used. The proposed project would upgrade the appearance of the buildings on the project site by replacing dated mall buildings with modern and updated commercial and residential buildings. The proposed project would also substantially increase the amount of landscaping on the project site. Additionally, the project would complete the North San Rafael Promenade by introducing multi-use pathways through the site.</p>

**Table 4.1.A: Relationship of Proposed Project to Relevant Plans and Policies**

Goal/Policy/ Program No.	Policy Summary	Project's Relationship to Policy
	<p>d. Nightlife activities, such as a late-night restaurant or coffee shops that harmonize with existing activities</p> <p>e. Upgrading the appearance of the buildings and landscaping</p> <p>f. Additional outdoor public places that support public gatherings and public art</p> <p>g. Continued community services, which may include an expanded public library</p> <p>h. Completion of the North San Rafael Promenade through the site</p> <p>i. Allowing the addition of housing, including maximizing the potential for affordable housing</p> <p>The scale of any improvements should be compatible with the surrounding community and should not exceed infrastructure capacity. New or expanded structures should demonstrate how views, sightlines, visual integrity, and character will be impacted and addressed. Promenade improvements described in the North San Rafael Promenade Conceptual Plan (2002) should be included in any substantial rehabilitation or expansion of the Mall. Opportunities to include green infrastructure and low impact development (LID) methods also should be pursued.</p>	
<p><b>Program NH-4.2B:</b> Outdoor Gathering Places</p>	<p>Include outdoor public places that support community activities and entertainment such as a public plaza for periodic arts and cultural events, outdoor cafes with music, restaurants with sidewalk or patio dining, children's play areas, teen centered spaces, and other uses that provide outdoor seating. Design of retail spaces should be flexible enough to support these types of activities in the future.</p>	<p><b>Consistent.</b> The proposed project would include useable open space for each of the residential buildings, roof decks, public outdoor amenity spaces, and a public Town Square that would contain a large flexible lawn space, dog park, children's nature play features, a water feature, a flexible stage, fire features, lounge seating, and game tables.</p>
<p><b>Policy NH-4.4:</b> Transportation Safety and Accessibility</p>	<p>Improve access and bicycle/pedestrian connections between Northgate One, the Mall at Northgate, Northgate Three, the Civic Center SMART station, the Civic Center, and surrounding neighborhoods.</p>	<p><b>Consistent.</b> The proposed project would include pedestrian and bicycle paths throughout the project site, and a multi-modal path would be provided along the Las Gallinas Avenue frontage.</p>
<p><b>San Rafael General Plan 2040 – Community Design and Preservation Element</b></p>		
<p><b>Policy CDP-1.2:</b> Natural Features</p>	<p>Recognize and protect the key natural features that shape San Rafael's identity, including the Bay, local hills and ridgelines, creeks and wetlands, tree cover, and views of Mt. Tamalpais and other natural landmarks. Height limits and other building standards should respect San Rafael's natural topography and reinforce its sense of place, including the character and boundaries of individual neighborhoods.</p>	<p><b>Consistent.</b> Refer to Chapter 4.3, Visual Resources, of this EIR. The proposed project would have a less than significant impact related to visual resources, including scenic vistas. The proposed project would include an increase in building height on the project site beyond what is allowed by the Zoning Ordinance. However, this increase is requested pursuant to the State Density Bonus Law, which allows exceedances of development standards (among other allowances) in exchange for affordable housing.</p>

**Table 4.1.A: Relationship of Proposed Project to Relevant Plans and Policies**

Goal/Policy/ Program No.	Policy Summary	Project's Relationship to Policy
<b>Policy CDP-3.5:</b> Street Trees	Encourage the planting and maintenance of street trees to reduce urban heat island effects, sequester carbon, improve air quality, absorb runoff and wind, define neighborhoods, and improve the appearance and character of city streets	<b>Consistent.</b> A total of approximately 348 of the existing trees on the project site would be removed, and a minimum of 558 new trees would be planted throughout the project site during Phase 1. A total of approximately 124 of the existing trees on the project site would be removed, and a minimum of 169 new trees would be planted throughout the project site during Phase 2. In addition, landscaping would be provided throughout the project site in the open space areas, along internal roadways and pedestrian paths, within the surface parking lots, and along the site boundaries.
<b>Policy CDP-4.1:</b> Design Guidelines and Standards	Use design guidelines and standards to strengthen the visual and functional qualities of San Rafael's neighborhoods, districts, and centers. Guidelines and standards should ensure that new construction, additions, and alterations are compatible with the surrounding neighborhoods while still allowing for innovative, affordable design.	<b>Consistent.</b> As discussed in Section 4.3, Visual Resources, the proposed project would be constructed in accordance with applicable residential and nonresidential design guidelines outlined in the San Rafael Design Guidelines, dated June 19, 2019. Compliance with these guidelines would be verified through the design review process.
<b>Policy CDP-4.6:</b> Open Space in Multi-Family Housing	Require private outdoor areas such as decks and patios, as well as common open space areas, in new multi-family development and mixed use housing. Common open space may include recreation facilities, gathering places, and site amenities such as picnic and play areas.	<b>Consistent.</b> The proposed project would include useable open space at each residential building, including courtyards and roof decks. The proposed project would also include the Town Square, which would contain a large flexible lawn space, a dog park, children's nature play features, a water feature, a flexible stage, fire features, lounge seating, and game tables.
<b>Policy CDP-4.9:</b> Parking and Driveways	Encourage parking and circulation design that supports pedestrian movement and ensures the safety of all travelers, including locating parking to the side or rear of buildings, limiting driveway cuts and widths, and minimizing large expanses of pavement. Parking should be screened from the street by landscaping and should provide easy access to building entrances.	<b>Consistent.</b> Phase 1 of the proposed project would include nine surface parking lots throughout the project site for the proposed commercial uses and Phase 2 of the proposed project would include eight surface parking lots throughout the project site for the proposed commercial uses. Parking areas would be broken up throughout the site to minimize large expanses of pavement and provide easy access to building entrances, and would be screened from the street by landscaping. The proposed project would also include multi-use pathways for use by pedestrians and bicyclists throughout the project site that would ensure the safety of travelers within the project site by being physically separated from roadways.
<b>Policy CDP-4.10:</b> Landscape Design	Encourage—and where appropriate require—privately owned and maintained landscaping that conserves water, contributes to neighborhood quality, complements building forms and materials, improves stormwater management and drainage, and enhances the streetscape. Natural elements such as plants should be an integral part of site development and should enhance the built environment while supporting water conservation goals.	<b>Consistent.</b> A combination of artificial turf and drought-tolerant landscaping would be installed across the project site. The project includes use of municipal recycled water for all landscape irrigation, as well as low water use practices (e.g., drip irrigation and smart controllers that track weather patterns and adjust irrigation run times accordingly). Additionally, green infrastructure techniques would be used to treat and infiltrate stormwater runoff from the project site.
<b>Policy CDP-4.11:</b> Lighting	Encourage lighting for safety and security while preventing excessive light spillover and glare. Lighting should complement building and landscape design.	<b>Consistent.</b> Refer to Chapter 4.3, Visual Resources, of this EIR. The proposed project would have a less than significant impact related to visual resources, including light and glare.

**Table 4.1.A: Relationship of Proposed Project to Relevant Plans and Policies**

Goal/Policy/ Program No.	Policy Summary	Project's Relationship to Policy
<b>San Rafael General Plan 2040 – Conservation and Climate Change Element</b>		
<b>Policy C-1.15:</b> Landscaping with Appropriate Naturalized Plant Species	Encourage landscaping with native and compatible non-native plant species that are appropriate for the dry summer climate of the Bay Area, with an emphasis on species determined to be drought-resistant. Diversity of plant species is a priority for habitat resilience.	<b>Consistent.</b> A combination of artificial turf and drought-tolerant landscaping would be installed across the project site. Native plants and a diversity of species would be planted.
<b>Policy C-1.16:</b> Urban Forestry	Protect, maintain, and expand San Rafael's tree canopy. Trees create shade, reduce energy costs, absorb runoff, support wildlife, create natural beauty, and absorb carbon, making them an essential and valued part of the city's landscape and strategy to address global climate change. Tree planting and preservation should be coordinated with programs to reduce fire hazards, reduce greenhouse gas emissions, expand solar opportunities, and ensure public safety, resulting in a community that is both green and fire-safe.	<b>Consistent.</b> A total of approximately 348 of the existing trees on the project site would be removed, and a minimum of 558 new trees would be planted throughout the project site during Phase 1. During Phase 2, a total of approximately 124 of the existing trees on the project site would be removed and a minimum of 169 new trees would be planted throughout the project site. The number of trees to be planted would exceed the number of trees removed, which would contribute to an expansion of the city's tree canopy.
<b>Policy C-1.17:</b> Tree Management	The removal of healthy trees shall be discouraged, and their replacement may be required when trees are removed due to health, safety, or maintenance reasons. Site plans should indicate the location of existing trees and include measures to protect them wherever feasible.	<b>Consistent.</b> A total of approximately 348 of the existing 679 trees on the project site would be removed (i.e., 331 trees would be retained) and a minimum of 558 new trees would be planted throughout the project site during Phase 1. During Phase 2, a total of approximately 124 of the existing trees on the project site would be removed and a minimum of 169 new trees would be planted throughout the project site. The number of trees to be planted would exceed the number of trees removed and trees to be retained would be protected during the construction phases through implementation of a tree management plan.
<b>Program C-1.17B:</b> Tree Management Plan	Require a tree management plan prior to approval of development with the potential to remove or substantially impact trees. The Plan should be prepared by a licensed arborist using published standards and practices for protecting and monitoring tree health during and after construction.	<b>Consistent.</b> A tree management plan would be prepared by a licensed arborist prior to approval of the proposed development.
<b>Program C-1.17C:</b> Mitigation for Tree Removal	Continue to implement mitigation requirements for tree removal in new development. When necessary, this could include planting of trees in locations other than the project site, planting native trees in lieu of non-natives, or reducing the footprint of proposed development. Tree replacement should be based on a value that is equal to or greater than the carbon footprint and ecological benefits of the trees being removed. Ecological benefits include water conservation, absorption of runoff, reduction of air pollution, energy reduction from shade and cooling effects, soil retention, slope stabilization, and wildlife support.	<b>Consistent.</b> A total of approximately 348 of the existing 679 trees on the project site would be removed (i.e., 331 trees would be retained) and a minimum of 558 new trees would be planted throughout the project site during Phase 1. During Phase 2, a total of approximately 124 of the existing trees on the project site would be removed and a minimum of 169 new trees would be planted throughout the project site. Although the proposed project would remove mature landscape trees on the site which currently provide shade and other ecological benefits, new trees would be planted on site and would exceed the number of trees removed by approximately 210 or more. Once these trees reach maturity in 5-10 years, the ecological benefits would exceed the current benefits as more trees would be located on the site compared to current conditions.

**Table 4.1.A: Relationship of Proposed Project to Relevant Plans and Policies**

Goal/Policy/ Program No.	Policy Summary	Project's Relationship to Policy
<b>Policy C-1.19:</b> Light Pollution	Reduce light pollution and other adverse effects associated with night lighting from streets and urban uses.	<b>Consistent.</b> Refer to Chapter 4.3, Visual Resources, of this EIR. The proposed project would have a less than significant impact related to visual resources, including light and glare. Specifically, the proposed project would comply with the standards outlined in various sections of the Municipal Code. In accordance with General Plan Program CDP-4.11A: Lighting Plans, the project sponsor has prepared and submitted a Lighting Plan that will be reviewed as part of the design review process to ensure consistency with dark sky objectives and reduce negative impacts on nearby properties.
<b>Policy C-2.2:</b> Land Use Compatibility and Building Standards	Consider air quality conditions and the potential for adverse health impacts when making land use and development decisions. Buffering, landscaping, setback standards, filters, insulation and sealing, home HVAC measures, and similar measures should be used to minimize future health hazards.	<b>Consistent.</b> The proposed project would include home HVAC measures for each residential unit, which would allow for windows to be closed at all times, if desired. The project would also comply with the currently-applicable California Building Code, which requires the installation of particulate matter air filters with a minimum MERV-13 rating. In addition, the proposed project would substantially increase the amount of landscaping on the project site and would include landscaped buffers between residential buildings and surrounding roadways.
<b>Policy C-2.3:</b> Improving Air Quality Through Land Use and Transportation Choices	Recognize the air quality benefits of reducing dependency on gasoline-powered vehicles. Implement land use and transportation policies, supportable by objective data, to reduce the number and length of car trips, improve alternatives to driving, reduce vehicle idling, and support the shift to electric and cleaner-fuel vehicles.	<b>Consistent.</b> As described in Section 4.9, Transportation, the proposed project would result in a reduction in both residential and retail VMT. Therefore, the proposed project would result in a reduction in the number and length of car trips compared to permitted site conditions. The proposed project would also include multi-use paths throughout the project site, which would increase access to nearby transit stops by making them easier to access for pedestrians and bicyclists.  The proposed project would also support the shift to electric and cleaner-fuel vehicles, as it would meet or exceed the required number of EV-ready and EV-capable parking spaces as required by the BAAQMD for compliance with CALGreen Tier 2 Voluntary Standards (refer to Section 4.11, Greenhouse Gas Emissions).
<b>Program C-2.3A:</b> Air Pollution Reduction Measures	Implement air pollution reduction measures as recommended by BAAQMD's Clean Air Plan and supporting documents to address local sources of air pollution in community planning. This should include Transportation Control Measures (TCM) and Transportation Demand Management (TDM) programs to reduce emissions associated with diesel and gasoline-powered vehicles.	<b>Consistent.</b> As described in Section 4.10, Air Quality, the proposed project would not conflict with the control measures included in the Clean Air Plan. In particular, the proposed project would include multiple improvements and site related features that would result in a reduction in vehicle trips and associated emissions, including new multimodal pathways that would be integrated throughout the interior of the site; bike lanes and enhanced gateway features that would invite community members into the site; a locally inspired Cycle Center that is programmed for Marin County bicycle enthusiasts as well as the broader community; and contributions to access to and from the nearby Civic Center Sonoma-Marin Area Rail Transit (SMART) station from the new Northgate Town Square, which would serve as an amenity for the public. Additionally, the proposed project would achieve

**Table 4.1.A: Relationship of Proposed Project to Relevant Plans and Policies**

Goal/Policy/ Program No.	Policy Summary	Project's Relationship to Policy
		compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2 Voluntary Standards. Through the implementation of these project design features, the proposed project would be consistent with the BAAQMD Transportation Control Measures.
<b>Policy C-2.4:</b> Particulate Matter Pollution Reduction	Promote the reduction of particulate matter from roads, parking lots, construction sites, agricultural lands, wildfires, and other sources.	<b>Consistent.</b> As described in Section 4.10, Air Quality, implementation of Mitigation Measure AIR-1, which would require implementation of BAAQMD's Basic Construction Mitigation Measures, would reduce construction-related air quality impacts of particulate matter and fugitive dust. In addition, the operation of the proposed project would result in a reduction in particulate matter compared to existing conditions, as shown in Table 4.10.G.
<b>Policy C-3.2:</b> Reduce Pollution from Urban Runoff	Require Best Management Practices (BMPs) to reduce pollutants discharged to storm drains and waterways. Typical BMPs include reducing impervious surface coverage, requiring site plans that minimize grading and disturbance of creeks and natural drainage patterns, and using vegetation and bioswales to absorb and filter runoff.	<b>Consistent.</b> Refer to Section 4.7, Hydrology and Water Quality, of this EIR. The proposed project would reduce impervious surface on the project site through the introduction of increased landscaping and reduced surface parking, and would include bioretention basins that would reduce and filter runoff.
<b>Policy C-3.3:</b> Low Impact Development	Encourage construction and design methods that retain stormwater on-site and reduce runoff to storm drains and creeks.	<b>Consistent.</b> See above. The proposed project would reduce impervious surfaces on the project site and utilize bioretention basins to reduce runoff.
<b>Policy C-3.8:</b> Water Conservation	Encourage water conservation and increased use of recycled water in businesses, homes, and institutions. Local development and building standards shall require the efficient use of water.	<b>Consistent.</b> Refer to Section 4.14, Utilities and Service Systems, of this EIR. The proposed project would be required to comply with the CALGreen Code, which requires the implementation of water efficiency measures. The proposed project would also utilize recycled water for all landscape irrigation.
<b>Policy C-3.9:</b> Water-Efficient Landscaping	Encourage—and where appropriate require—the use of vegetation and water-efficient landscaping that is naturalized to the San Francisco Bay region and compatible with water conservation, fire prevention and climate resilience goals.	<b>Consistent.</b> A combination of artificial turf and drought-tolerant landscaping would be installed across the project site. The project includes use of municipal recycled water for all landscape irrigation as well as low water use practices (e.g., drip irrigation and smart controllers that track weather patterns and adjust irrigation run times accordingly).
<b>Policy C-4.2:</b> Energy Conservation	Support construction methods, building materials, and home improvements that improve energy efficiency in existing and new construction.	<b>Consistent.</b> Energy-efficient LED lighting would be installed throughout the project, and high-efficiency mechanical and hot-water systems would be installed in residential buildings. Additionally, residential buildings would be entirely electric and would not use natural gas.
<b>Policy C-4.2B:</b> Green Building Standards	Implement State green building and energy efficiency standards for remodeling projects and new construction. Consider additional measures to incentivize green building practices, low carbon concrete, and sustainable design.	<b>Partially Consistent.</b> As described in Section 4.11, Greenhouse Gas Emissions, the proposed project is expected to have a net-negative impact on operational GHG emissions by replacing existing land uses with less emissions-intensive buildings and proposed uses. The proposed project would incorporate numerous sustainability features, including water-efficient interior plumbing fixtures and appliances; dual plumbing to allow for use of recycled water; drought tolerant landscaping and low water use practices; green infrastructure techniques for stormwater runoff; energy-efficient lighting; solar panels and battery storage for residential buildings; and high-efficiency mechanical and hot-water systems. However, the proposed project

**Table 4.1.A: Relationship of Proposed Project to Relevant Plans and Policies**

Goal/Policy/ Program No.	Policy Summary	Project's Relationship to Policy
		would not be consistent with the BAAQMD's thresholds adopted for the purpose of reducing greenhouse gas emissions because the project would include natural gas use for commercial restaurant kitchens. These thresholds were adopted to further the State's climate action targets. Therefore, the proposed project would only partially achieve the goal of implementing the State's green building standards.
<b>Policy C-4.5:</b> Resource Efficiency in Site Development	Encourage site planning and development practices that reduce energy demand and incorporate resource- and energy-efficient infrastructure.	<b>Partially Consistent.</b> See Policy C-4.2B.
<b>Policy C-5.2:</b> Consider Climate Change Impacts	Ensure that decisions regarding future development, capital projects, and resource management are consistent with San Rafael's CCAP and other climate goals, including greenhouse gas reduction and adaptation.	<b>Partially Consistent.</b> As described in Section 4.11, Greenhouse Gas Emissions, the proposed project would be consistent with the San Rafael CCAP, the 2022 Scoping Plan, and Plan Bay Area 2050. However, the proposed project would not be consistent with all of the BAAQMD's GHG project design thresholds.
<b>San Rafael General Plan 2040 – Parks, Recreation, and Open Space Element</b>		
<b>Policy PROS-1.2:</b> per Capita Acreage Standard	Maintain a citywide standard of 4.0 acres of improved park and recreation land per 1,000 residents.	<b>Consistent.</b> Refer to Section 4.13, Public Services and Recreation, of this EIR. The proposed project would be consistent with the development assumed for the project site within the General Plan and Housing Element. In addition, the proposed project would include new public recreational space on the project site (e.g., the Town Square), and therefore would increase the amount of publicly-accessible recreational space within San Rafael. With implementation of the proposed project, a ratio of 4.09 acres of parkland per 1,000 residents would be maintained within the City's Sphere of Influence.
<b>Policy PROS-1.11:</b> Urban Parks and Plazas	Encourage the creation of small gathering places open to the public in Downtown San Rafael and other business districts, including plazas, green spaces, activated alleys, and similar features.	<b>Consistent.</b> The proposed project would include public outdoor amenity spaces with outdoor dining and lounge seating and a Town Square that would contain a large flexible lawn space, a dog park, children's nature play features, a water feature, a flexible stage, fire features, lounge seating, and game tables.
<b>Policy PROS-1.13:</b> Recreational Facilities in Development Projects	Encourage, and where appropriate require, the construction of on-site recreational facilities in multi-family, mixed use, and office projects to supplement the facilities available in City parks.	<b>Consistent.</b> The proposed project would include public outdoor amenity spaces with outdoor dining and lounge seating and a Town Square that would contain a large flexible lawn space, a dog park, children's nature play features, a water feature, a flexible stage, fire features, lounge seating, and game tables. Additionally, each residential building would include useable open space consisting of courtyards and roof decks.
<b>San Rafael General Plan 2040 – Safety and Resilience Element</b>		
<b>Goal S-2:</b> Resilience to Geologic Hazards	Minimize potential risks associated with geologic hazards, including earthquake-induced ground shaking and liquefaction, landslides, mudslides, erosion, sedimentation, and settlement.	<b>Consistent.</b> Refer to Section 4.6, Geology and Soils, of this EIR. With implementation of Mitigation Measures GEO-1 and GEO-2, potential geologic hazards would be reduced to a less than significant level.

**Table 4.1.A: Relationship of Proposed Project to Relevant Plans and Policies**

Goal/Policy/ Program No.	Policy Summary	Project's Relationship to Policy
<b>Policy S-2.1:</b> Seismic Safety of New Buildings	Design and construct all new buildings to resist stresses produced by earthquakes. The minimum level of seismic design shall be in accordance with the most recently adopted building code as required by State law.	<b>Consistent.</b> Refer to Section 4.6, Geology and Soils, of this EIR. The proposed project would be required to be designed and constructed in accordance with the recommendations of the Geotechnical Investigation and the requirements of the California Building Code, San Rafael General Plan 2040, and San Rafael Municipal Code.
<b>Program S-2.1B:</b> Geotechnical Review	Continue to require soil and geologic hazard studies and peer review for proposed development as set forth in the City's Geotechnical Review Matrix. These studies should determine the extent of geotechnical hazards, optimum design for structures and the suitability and feasibility of proposed development for its location, the need for special structural requirements, and measures to mitigate any identified hazards. Periodically review and update the Geotechnical Review Matrix to ensure that it supports and implements the Local Hazard Mitigation Plan by identifying potentially hazardous areas. Consider removing the procedures from the General Plan and instead adopting them as part of the Zoning Ordinance or through a separate resolution.	<b>Consistent.</b> Refer to Section 4.6, Geology and Soils. A Geotechnical Investigation was prepared for the proposed project. In addition, Mitigation Measure GEO-2 requires the preparation of a Design-Level Geotechnical Report prior to the issuance of grading or building permits.
<b>Policy S-2.5:</b> Erosion Control	Require appropriate control measures in areas susceptible to erosion, in conjunction with proposed development. Erosion control measures should incorporate best management practices (BMPs) and should be coordinated with requirements for on-site water retention, water quality improvements, and runoff control.	<b>Consistent.</b> Refer to Sections 4.6, Geology and Soils, and 4.7, Hydrology and Water Quality, of this EIR. Preparation of an SWPPP would ensure that potential erosion impacts during the construction period would be reduced. During operation of the project, the project site would be covered with buildings, pavement surfaces, and landscaping, which would minimize the potential for post-development erosion.
<b>Program S-2.5A:</b> Erosion and Sediment Control Plans	Require Erosion and Sediment Control Plans (ESCPs) for projects meeting the criteria defined by the Marin County Stormwater Pollution Prevention Program, including those requiring grading permits and those with the potential for significant erosion and sediment discharges. Projects that disturb more than one acre of soil must prepare a Stormwater Pollution Prevention Plan, pursuant to State law.	<b>Consistent.</b> See above. An SWPPP would be required for the proposed project, which would include erosion and sediment control measures.
<b>Program S-2.5B:</b> Grading During the Wet Season	Avoid grading during the wet season due to soil instability and sedimentation risks, unless the City Engineer determines such risks will not be present. Require that development projects implement erosion and/or sediment control measures and runoff discharge measures based on their potential to impact storm drains, drainageways, and creeks.	<b>Consistent.</b> See above. An SWPPP would be required for the proposed project, which would include erosion and sediment control measures.
<b>Policy S-3.8:</b> Storm Drainage Improvements	Require new development to mitigate potential increases in runoff through a combination of measures, including improvement of local storm drainage facilities. Other measures, such as the use of porous pavement, bioswales, and "green infrastructure" should be encouraged.	<b>Consistent.</b> Refer to Section 4.7, Hydrology and Water Quality, of this EIR. The proposed project would be required to implement a Stormwater Control Plan that describes how runoff would be routed to LID stormwater treatment facilities.



**Table 4.1.A: Relationship of Proposed Project to Relevant Plans and Policies**

Goal/Policy/ Program No.	Policy Summary	Project's Relationship to Policy
<b>Program S-3.8A:</b> Storm Drainage Improvements	Consistent with Countywide and regional stormwater management programs, require new development with the potential to impact storm drainage facilities to complete hydrologic studies that evaluate storm drainage capacity, identify improvements needed to handle a 100-year storm, and determine the funding needed to complete those improvements.	<b>Consistent.</b> Refer to Section 4.7, Hydrology and Water Quality. Implementation of a Stormwater Control Plan would ensure that the project complies with stormwater control and treatment regulations.
<b>Policy S-5.2:</b> Hazardous Materials Storage, Use and Disposal	Enforce regulations regarding proper storage, labeling, use and disposal of hazardous materials to prevent leakage, potential explosions, fires, or the escape of harmful gases, and to prevent individually innocuous materials from combining to form hazardous substances, especially at the time of disposal.	<b>Consistent.</b> Refer to Section 4.8, Hazards and Hazardous Materials, of this EIR. Compliance with the regulations described in Section 4.8.1.6, including OSHA and Cal/OSHA regulations, the California Fire Code, the California Health and Safety Code Division 20, Chapter 6.5, CCR, DOT, RCRA, and other federal, State, regional, and local regulations, are mandatory and they would ensure that the proposed project would not create a significant hazard to the public or the environment associated with the routine transport, use, or disposal of hazardous materials by ensuring that these materials are properly handled during construction and operation of the proposed project.
<b>Policy S-5.6:</b> Hazardous Building Materials	Reduce the presence of hazardous building materials by implementing programs to mitigate lead, friable asbestos, and other hazardous materials where they exist today and by limiting the use of hazardous building materials in new construction. If such materials are disturbed during building renovation or demolition, they must be handled and disposed in a manner that protects human health and the environment.	<b>Consistent.</b> Refer to Section 4.8, Hazards and Hazardous Materials. Mitigation Measure HAZ-1 requires the preparation of an HBMS prior to demolition. The HBMS would include abatement specifications for the stabilization and/or removal of the identified hazardous building materials in accordance with all applicable laws and regulations.
<b>San Rafael General Plan 2040 – Noise Element</b>		
<b>Policy N-1.2:</b> Maintaining Acceptable Noise Levels	Use the following performance standards to maintain an acceptable noise environment in San Rafael: a. New development shall not increase noise levels by more than 3 dB L <sub>dn</sub> in a residential area, or by more than 5 dB L <sub>dn</sub> in a non-residential area. b. New development shall not cause noise levels to increase above the “normally acceptable” levels shown in Table 9-2. c. For larger projects, the noise levels in (a) and (b) should include any noise that would be generated by additional traffic associated with the new development. d. Projects that exceed the thresholds above may be permitted if an acoustical study determines that there are mitigating circumstances (such as higher existing noise levels) and nearby uses will not be adversely affected.	<b>Partially Consistent.</b> As discussed in Section 4.12, Noise, the proposed project would not increase noise levels by more than 3 dB L <sub>dn</sub> in a residential area or by more than 5 dB L <sub>dn</sub> in a nonresidential area, including from mobile noise sources. However, the proposed project would generate noise levels that would exceed the City's land use compatibility thresholds for future on-site sensitive receptors. Mitigation Measure NOI-2 is identified to reduce on-site noise levels to the extent feasible; however, because the effectiveness of this measure cannot be verified, this impact would be significant and unavoidable.
<b>Program N-1.2A:</b> Acoustical Study Requirements	Require acoustical studies for new single family residential projects within the projected 60 dB L <sub>dn</sub> noise contour and for multi-family or mixed use projects within the projected 65 dB L <sub>dn</sub> contour (see Figure 9-2). The studies should include projected noise from additional traffic, noise associated	<b>Partially Consistent.</b> See Policy N-1.2.

**Table 4.1.A: Relationship of Proposed Project to Relevant Plans and Policies**

Goal/Policy/ Program No.	Policy Summary	Project’s Relationship to Policy
	with the project itself, and cumulative noise resulting from other approved projects. Mitigation measures should be identified to ensure that noise levels remain at acceptable levels.	
<b>Policy N-1.3:</b> Reducing Noise through Planning and Design	Use a range of design, construction, site planning, and operational measures to reduce potential noise impacts.	<b>Partially Consistent.</b> Mitigation Measure NOI-1 is required to ensure that temporary construction-period noise impacts are reduced to the extent feasible. Mitigation Measure NOI-2 is identified to reduce on-site noise levels to the extent feasible; however, because the effectiveness of this measure cannot be verified, this impact would be significant and unavoidable.
<b>Policy N-1.5:</b> Mixed Use	Mitigate the potential for noise-related conflicts in mixed use development combining residential and nonresidential uses.	<b>Partially Consistent.</b> See Policy N-1.2.
<b>Policy N-1.9:</b> Maintaining Peace and Quiet	Minimize noise conflicts resulting from everyday activities such as construction, sirens, yard equipment, business operations, night-time sporting events, and domestic activities.	<b>Partially Consistent.</b> See Policy N-1.2 and Policy N-1.3.
<b>Policy N-1.11:</b> Vibration	Ensure that the potential for vibration is addressed when transportation, construction, and nonresidential projects are proposed, and that measures are taken to mitigate potential impacts.	<b>Consistent.</b> As discussed in Section 4.12, Noise construction period vibration levels would be below established thresholds and this impact would be less than significant. Specifically, all predicted vibration levels for both project phases would be lower than the occupant annoyance threshold of 72 VdB, and lower than the building damage risk threshold of 0.2 in/sec PPV. In addition, operation-period vibration impacts would not occur.
<b>San Rafael General Plan 2040 – Mobility Element</b>		
<b>Policy M-2.5:</b> Traffic Level of Service	<p>Maintain traffic level of service (LOS) standards that ensure an efficient roadway network and provide a consistent basis for evaluating the transportation effects of proposed development projects on local roadways. These standards shall generally be based on the performance of signalized intersections during the AM and PM peak hours. Arterial LOS standards may be used in lieu of (or in addition to) intersection LOS standards in cases where intersection spacing and road design characteristics make arterial LOS a more reliable and effective tool for predicting future impacts.</p> <p>a. <b>Intersection Standards:</b> LOS “D” shall be the citywide standard for intersections, except as noted below:</p> <ol style="list-style-type: none"> <li>1. Intersections within the Downtown Precise Plan boundary are subject to the provisions of Section (c) below.</li> <li>2. Signalized intersections at Highway 101 and I-580 on-ramps and off-ramps are exempt because these locations are affected by regional traffic and are not significantly impacted by local measures.</li> <li>3. LOS “E” shall be acceptable at the following intersections:</li> </ol>	<b>Consistent.</b> As described in Section 4.9, Transportation, with the addition of project traffic, all of the study intersections surrounding the project site would continue to operate at an acceptable LOS under Baseline plus Phase 1, Future plus Phase 1, and Future plus Phase 2 conditions.

**Table 4.1.A: Relationship of Proposed Project to Relevant Plans and Policies**

Goal/Policy/ Program No.	Policy Summary	Project's Relationship to Policy
	<ul style="list-style-type: none"> <li>• Andersen and Bellam</li> <li>• Bellam and Francisco Blvd East (AM peak only)</li> <li>• Freitas at Civic Center/Redwood Highway</li> <li>• Merrydale at Las Gallinas Avenue (PM peak only)</li> <li>• Freitas Parkway and Northgate Drive (PM peak only)</li> </ul> <p>4. LOS "F" shall be acceptable at the following intersections:</p> <ul style="list-style-type: none"> <li>• Andersen and Francisco Blvd West (AM peak only)</li> <li>• Bellam and Francisco Blvd East (PM peak only)</li> <li>• Merrydale at Civic Center Drive (AM peak only)</li> </ul> <p>b. <b>Arterial Standards:</b> LOS "D" shall be the citywide standard for arterials, except as noted below:</p> <ol style="list-style-type: none"> <li>1. Arterials within the Downtown Precise Plan boundary are subject to the provisions of Section (c) below.</li> <li>2. LOS "E" shall be acceptable on the following arterial segments: <ul style="list-style-type: none"> <li>• Freitas Parkway from Las Gallinas to Del Presidio</li> <li>• Lucas Valley from Las Gallinas to 101 S/B ramps (PM peak only)</li> <li>• Los Ranchitos from North San Pedro to Lincoln</li> <li>• Francisco Blvd East from Bellam to Main (Richmond Bridge) (PM peak only)</li> </ul> </li> <li>3. LOS "F" shall be acceptable on the following segments: <ul style="list-style-type: none"> <li>• Francisco Blvd East from Grand Avenue to Bellam</li> <li>• Lincoln from 101 SB/Hammondale to Mission</li> <li>• Del Presidio from Las Gallinas to Freitas</li> </ul> </li> </ol> <p>c. <b>Downtown Standards.</b> Intersections and arterials within the boundaries of the Downtown San Rafael Precise Plan are not subject to LOS standards, recognizing their unique context, operation, and physical constraints, as well as their multi-modal character. Proactive measures shall be taken to address and manage downtown congestion, evaluate and reduce the impacts of new development on the transportation network, and ensure the long-term functionality of streets and intersections. Traffic shall be monitored and evaluated to identify the need for improvements to ensure that downtown streets adequately serve both local and regional traffic.</p>	

**Table 4.1.A: Relationship of Proposed Project to Relevant Plans and Policies**

Goal/Policy/ Program No.	Policy Summary	Project's Relationship to Policy
	<p>d. <b>Additional Provisions for Roads Operating at LOS "E" or "F:"</b> Where the adopted standard is LOS "E" or "F," measures should be taken to avoid further degradation of traffic conditions. Projects impacting roads operating at LOS "F" may still be subject to requirements to offset those impacts as a condition of approval.</p> <p>1. LOS "E" shall be acceptable on the following arterial segments:</p> <ul style="list-style-type: none"> <li>• Freitas Parkway from Las Gallinas to Del Presidio</li> <li>• Lucas Valley from Las Gallinas to 101 S/B ramps (PM peak only)</li> <li>• Los Ranchitos from North San Pedro to Lincoln</li> <li>• Francisco Blvd East from Bellam to Main (Richmond Bridge) (PM peak only)</li> </ul> <p>2. LOS "F" shall be acceptable on the following segments:</p> <ul style="list-style-type: none"> <li>• Francisco Blvd East from Grand Avenue to Bellam</li> <li>• Lincoln from 101 SB/Hammondale to Mission</li> <li>• Del Presidio from Las Gallinas to Freitas</li> </ul> <p>e. <b>Downtown Standards.</b> Intersections and arterials within the boundaries of the Downtown San Rafael Precise Plan are not subject to LOS standards, recognizing their unique context, operation, and physical constraints, as well as their multi-modal character. Proactive measures shall be taken to address and manage downtown congestion, evaluate and reduce the impacts of new development on the transportation network, and ensure the long-term functionality of streets and intersections. Traffic shall be monitored and evaluated to identify the need for improvements to ensure that downtown streets adequately serve both local and regional traffic.</p> <p>f. <b>Additional Provisions for Roads Operating at LOS "E" or "F:"</b> Where the adopted standard is LOS "E" or "F," measures should be taken to avoid further degradation of traffic conditions. Projects impacting roads operating at LOS "F" may still be subject to requirements to offset those impacts as a condition of approval.</p>	
<p><b>Program M-2.5A:</b> Traffic Circulation Studies</p>	<p>Traffic impact studies will be required for projects with the potential to increase congestion, create safety hazards, or otherwise impact local circulation conditions. Unless covered by the exceptions in Policy M-2.5, such studies should include projections of future LOS, an assessment of the contribution of the proposed project to increases in congestion, an</p>	<p><b>Consistent.</b> As described in Section 4.9, Transportation, a Transportation Impact Study, Signal Warrant Analysis, and Traffic Operations Study were prepared for the proposed project (see Appendices F, G, and H, respectively). The Traffic Operations Study includes projections of future LOS, and determined that the proposed project would not cause any of the study</p>

**Table 4.1.A: Relationship of Proposed Project to Relevant Plans and Policies**

Goal/Policy/ Program No.	Policy Summary	Project's Relationship to Policy
	<p>assessment of projected increases in congestion on greenhouse gas emissions, and an assessment of traffic impact fees related to the project. Measures to maintain adopted service levels may be required as a condition of approval.</p> <p>Projects that are exempt from LOS and/or VMT standards may still be required to perform limited scope traffic and circulation studies to evaluate impacts on traffic conditions or traffic control devices in the immediate area of the proposed project. For projects in Downtown San Rafael, local traffic assessments (LTAs) should evaluate the potential for additional delay or safety hazards at nearby intersections. LTAs should identify necessary road or operational improvements, ingress and egress requirements, and potential site plan changes that reduce delays, conflicts between travel modes, and potential safety hazards.</p> <p>Guidelines for traffic impact studies and Local Traffic Assessments have been developed concurrently with General Plan 2040. The guidelines should be periodically updated to ensure they are achieving their intended purpose and to reflect new data, forecasts, and methodologies.</p>	<p>intersections to operate at an unacceptable LOS. The proposed project would also result in a reduction in both residential and retail VMT.</p>
<b>Goal M-3:</b> Cleaner Transportation	<p>Coordinate transportation, land use, community design, and economic development decisions in a way that reduces greenhouse gas emissions, air and water pollution, noise, and other environmental impacts related to transportation.</p>	<p><b>Consistent.</b> As described in Section 4.9, Transportation, the proposed project would result in a reduction in automobile trips to and from the project site relative to the existing permitted uses. In addition, the proposed project would result in a reduction in residential and retail VMT, therefore reducing both trips and overall trip length. These reductions would reduce GHG emissions, traffic noise, air quality and water pollution (by reducing the amount of pollutants emitted compared to permitted site conditions).</p>
<b>Policy M-3.1:</b> VMT Reduction	<p>Achieve State-mandated reductions in Vehicle Miles Traveled by requiring development and transportation projects to meet specific VMT metrics and implement VMT reduction measures.</p>	<p><b>Consistent.</b> As described in Section 4.9, Transportation, the proposed project would result in a reduction in both residential and retail VMT on the project site.</p>
<b>Policy M-3.2:</b> Using VMT in Environmental Review	<p>Require an analysis of projected Vehicle Miles Traveled (VMT) as part of the environmental review process for projects with the potential to significantly increase VMT. As appropriate, this shall include transportation projects and land use/policy plans as well as proposed development projects.</p>	<p><b>Consistent.</b> As described in Section 4.9, Transportation, the proposed project would result in a reduction in both residential and retail VMT on the project site.</p>
<b>Policy M-3.3:</b> Transportation Demand Management	<p>Encourage, and where appropriate require, transportation demand measures that reduce VMT and peak period travel demand. These measures include, but are not limited to, transit passes and flextime, flexible work schedules, pedestrian and bicycle improvements, ridesharing, and changes to project design to reduce trip lengths and encourage cleaner modes of travel.</p>	<p><b>Consistent.</b> As described in Section 4.9, Transportation, the proposed project would result in a reduction in both residential and retail VMT on the project site. In addition, the proposed project would include pedestrian and bicycle improvements on the site that would increase access to alternative transit for users of the project site.</p>

**Table 4.1.A: Relationship of Proposed Project to Relevant Plans and Policies**

Goal/Policy/ Program No.	Policy Summary	Project's Relationship to Policy
<b>Policy M-3.6:</b> Low-Carbon Transportation	Encourage electric and other low-carbon emission vehicles, as well as the infrastructure needed to support these vehicles.	<b>Consistent.</b> The most recently adopted version of CALGreen Tier 2 Voluntary Standards require that a project with 201 or more parking spaces provide 45 percent of total parking spaces as EV-capable spaces, and 33 percent of the EV-capable spaces (meaning 15 percent of total parking spaces) as EV charging stations. As described in Section 4.11, Greenhouse Gas Emissions, for the residential development, the proposed project would provide 763 EV-ready residential parking spaces, which exceeds the CALGreen Tier 2 requirement of 359 spaces, and 134 chargers, which achieves the Tier 2 requirement. Regarding the non-residential (commercial) requirement, in Phase 1, the proposed project would include a total of 465 spaces, and would provide 210 spaces as EV capable, with 70 of those spaces as active charging stations, meeting the Tier 2 Voluntary Standards requirements. For Phase 2, the proposed project would include a total of 171 commercial parking spaces, and would provide an additional 77 spaces as EV capable, with 26 of those EV charging stations in line with the CalGreen Tier 2 Voluntary Standards.
<b>Policy M-5.1:</b> Traffic Calming	Protect residential areas from the effects of speeding traffic or traffic from outside the neighborhood through appropriate traffic calming solutions such as speed humps, bulb-outs, speed limits, stop signs, and chicanes. Traffic calming measures shall not conflict with emergency response capabilities.	<b>Consistent.</b> The proposed project would include a network of internal roadways that would serve the residential and commercial uses on the project site. These roadways would be appropriately designed to reduce the effects of speeding or traffic from outside the neighborhood because they would include speed humps, bulb-outs, and stop signs. In addition, the proposed project would include a network of multi-use pathways throughout the site that would be physically separated from roadways.
<b>Policy M-6.1:</b> Encourage Walking and Cycling	Wherever feasible, encourage walking and cycling as the travel mode of choice for short trips, such as trips to school, parks, transit stops, and neighborhood services. Safe, walkable neighborhoods with pleasant, attractive streets, bike lanes, public stairways, paths, and sidewalks should be part of San Rafael's identity.	<b>Consistent.</b> The proposed project would include a network of multi-use pathways throughout the project site that would provide safe access for pedestrians and bicyclists because they would be physically separated from roadways.
<b>Policy M-6.3:</b> Connectivity	Develop pedestrian and bicycle networks that connect residents and visitors to major activity and shopping centers, existing and planned transit, schools, and other neighborhoods. Work to close gaps between existing facilities. Funding and prioritization for projects should consider relative costs and benefits, including such factors as safety, number of potential users, and impacts on parking.	<b>Consistent.</b> The proposed project would include a network of multi-use pathways throughout the project site. These pathways would connect residents from the project site and surrounding residential areas to commercial uses on the project site as well as to commercial uses adjacent to the project site.
<b>Policy M-6.7:</b> Universal Design	Design and construct bicycle and pedestrian facilities to serve people of all ages and abilities, including children, seniors, families, and people with limited mobility.	<b>Consistent.</b> The proposed project would include a network of multi-use pathways throughout the project site that would provide safe access for pedestrians and bicyclists because they would be physically separated from roadways.
<b>Policy M-7.8:</b> Parking for Alternative Modes of Transportation	Designate parking spaces to incentivize and encourage carpooling, electric vehicles, and other more sustainable modes of travel.	<b>Consistent.</b> See Policy M-3.6.

**Table 4.1.A: Relationship of Proposed Project to Relevant Plans and Policies**

Goal/Policy/ Program No.	Policy Summary	Project's Relationship to Policy
<b>Program M-7.8A:</b> Charging Stations	Install additional chargers in public parking lots and garages for electric vehicles and e-bikes. Consider expanding electric charging requirements for private parking lots and structures.	<b>Consistent.</b> See Policy M-3.6.
<b>San Rafael General Plan 2040 – Community Services and Infrastructure Element</b>		
<b>Policy CSI-3.2:</b> Mitigating Development Impacts	Engage the Police and Fire Departments in the review of proposed development and building applications to ensure that public health and safety, fire prevention, and emergency access and response times meet current industry standards.	<b>Consistent.</b> Refer to Section 4.13, Public Services and Recreation. The proposed project would not result in any significant impacts related to police or fire service.
<b>Program CSI-3.2B:</b> Emergency Response Time	Use the development review process to identify appropriate measures to reduce fire hazards and ensure emergency response capacity that is consistent with National Fire Protection Association standards.	<b>Consistent.</b> Refer to Section 4.13, Public Services and Recreation. The proposed project would not result in any significant impacts related to fire service.
<b>Policy CSI-4.2:</b> Adequacy of City Infrastructure and Services	As part of the development review process, require applicants to demonstrate that their projects can be adequately served by the City's infrastructure. All new infrastructure shall be planned and designed to meet the engineering and safety standards of the City as well as various local service and utility providers	<b>Consistent.</b> Refer to Section 4.14, Utilities and Service Systems. The proposed project would be adequately served by the City's utilities, and new connections on the project site would be required to be reviewed and approved by the City and the appropriate service provider.
<b>Policy CSI-4.8:</b> Potable Water Supply and Delivery	Work with Marin Municipal Water District (MMWD) to meet projected water demand, encourage water conservation, and ensure the reliability and safety of the water supply and distribution system.	<b>Consistent.</b> Refer to Section 4.14, Utilities and Service Systems. MMWD would have adequate water supplies to serve the proposed project.
<b>Policy CSI-4.9:</b> Wastewater Facilities	Ensure that wastewater collection, treatment and disposal infrastructure is regularly maintained and meets projected needs. Improvements should be programmed to meet state and federal standards, respond to sea level rise and seismic hazards, repair and replace aging or leaking pipes, and protect environmental quality.	<b>Consistent.</b> Refer to Section 4.14, Utilities and Service Systems. The proposed project would not result in an exceedance of the capacity of wastewater infrastructure.
<b>Policy CSI-4.17:</b> Reducing Landfilled Waste Disposal	Reduce landfilled waste disposal and related greenhouse gas emissions by reducing material consumption; requiring curbside collection and composting of organic materials; increasing recycling, reuse, and resource recovery; and encouraging the use of recyclable goods and materials.	<b>Consistent.</b> Refer to Section 4.14, Utilities and Service Systems. The proposed project would be required to reduce landfill waste by recycling construction debris and by providing the appropriate facilities for users on the project site to recycle or compost organic materials.
<b>San Rafael 2023-2031 Housing Element</b>		
<b>Policy H-3.5:</b> Housing and Greenhouse Gas Emissions.	Design and locate new housing in a way that supports the city's greenhouse gas reduction goals. This includes building new housing near transit and in locations where it is easier to walk to shopping, restaurants, services, work, school, and other destinations. It also includes reducing the use of non-renewable fossil fuels through electrification, decreased natural gas use, energy efficiency, and tree planting.	<b>Consistent.</b> The proposed project is a mixed use development that includes a variety of housing types and commercial uses that would provide dining and shopping opportunities. The site is located within walking distance to the existing Marin Civic Center SMART station. All residential construction would be all-electric in compliance with the City and State's goals for the reduction of GHG emissions and, overall, the proposed project would reduce natural gas use compared to existing conditions. The project would also comply with and in some cases exceed the requirements of the CalGreen Code. Specifically, EV-capable parking spaces and EV charging spaces that meet the CALGreen Tier 2 Voluntary Standards would be provided for all residential uses. New trees would be planted on site that exceed a ratio of 1:1 for trees removed.

**Table 4.1.A: Relationship of Proposed Project to Relevant Plans and Policies**

Goal/Policy/ Program No.	Policy Summary	Project's Relationship to Policy
<p><b>Policy H-3.6:</b> Sustainable Design.</p>	<p>Encourage the use of building materials, construction methods, and designs that reduce environmental impacts and the consumption of non-renewable resources.</p>	<p><b>Consistent.</b> As discussed in Section 4.15, Energy, the proposed project would result in an increased demand for electricity during operation and a temporary demand for petroleum during construction; however, compared to existing conditions, the proposed project would result in decreased demand for natural gas and petroleum during operation under both the Phase 1 and full project buildout under Phase 2. In addition, the proposed project would support the City's goals, including the City's CCAP 2030, because the residential development would be 100 percent electric. The proposed project would also be consistent with the strategies of the City's CCAP 2030 by including solar power that is generated on site, EV charging stations, bicycle amenities, site connectivity, and a connection to the SMART Marin Civic Center station. Additionally, the proposed project would meet or exceed CalGreen Code Tier 2 Voluntary Standards for EV charging. As such, the proposed project would meet and exceed the applicable requirements for energy efficiency.</p>
<p><b>Policy H-4.15:</b> Housing and Infrastructure.</p>	<p>Coordinate with water, sanitary sewer, and dry utility service providers to ensure that infrastructure is available to support anticipated housing development. The cost of infrastructure maintenance and improvement should be equitably shared among property owners rather than assigned entirely to new development.</p>	<p><b>Consistent.</b> As discussed in Section 4.14 Utilities and Service Systems, adequate infrastructure is or would be in place to support the proposed project, including the residential uses prior to occupancy. The existing sewer line does not have sufficient capacity to support Phase 1 development; therefore, Mitigation Measure UTL-1 is required to ensure that adequate infrastructure is installed.</p>

Source: San Rafael General Plan 2040, July 2021 and Housing Element, May 2023. Compiled by LSA (2023).

ADU = accessory dwelling unit

BAAQMD = Bay Area Air Quality Management District

BMP = Best Management Practice

Cal/OSHA = California Occupational Safety and Health Administration

CALGreen = California Green Building Standards Code

CARB = California Resources Board

CCAP = Community Climate Action Plan

CCR = California Code of Regulations

City = City of San Rafael

dB = decibels

DOT = Department of Transportation

EIR = Environmental Impact Report

ESCP = Erosion and Sediment Control Plan

EV = electric vehicle

FAR = floor area ratio

HBMS = Hazardous Building Materials Survey

HVAC = heating, ventilation, and air conditioning

L<sub>dn</sub> = day-night average sound level

LED = light-emitting diode

LID = low impact development

LOS = level of service

LTA = local traffic assessments

MMWD = Marin Municipal Water District

OSHA = Occupational Safety and Health Administration

PD District = Planned Development District

RCRA = Resource Conservation and Recovery Act

SMART = Sonoma-Marín Area Rail Transit

SWPPP = Stormwater Pollution Prevention Plan

TCM = Transportation Control Measures

TDM = Transportation Demand Management

TDR = Transfer of Development Rights

VMT = vehicle miles traveled