

4.3 VISUAL RESOURCES

This section assesses the effects of the proposed project on visual resources within and in the vicinity of the project site. The proposed project's consistency with the San Rafael General Plan 2040 (General Plan) policies relevant to aesthetics, as well as compliance with relevant requirements and standards set forth in the San Rafael Zoning Code, are also discussed. This analysis also considers the visual quality of the project site and its surroundings in addition to public views of the project site. Mitigation measures to reduce or avoid potentially significant impacts are identified where appropriate.

4.3.1 Setting

This section describes the existing visual character of the project site, the areas immediately surrounding the project site, and the area in the general vicinity of the project site.

4.3.1.1 Local Context

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 that are primarily one to two stories in height but also range up to six stories. Circulation in the surrounding area is provided by one- to two-lane roadways. The roadways serving the project vicinity generally do not provide on-street parking; parking is instead provided in surface lots and low-rise parking structures with some on-street parking available in the residential neighborhoods to the south. The nearest access points to and from US-101 are the on- and off-ramps located immediately north of the project site along Manuel T. Freitas Parkway. Local roadways surrounding and providing public views of 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.

4.3.1.2 Existing Visual Character of the Project Site

The Northgate Mall originally opened in 1965, with The Emporium as the original anchor tenant. Today, only fragments of the original 1964 Northgate Mall construction remain at the site. In 1987, the site underwent a major renovation that primarily enclosed the original open-air design. The facility is currently the only enclosed regional shopping center in Marin County. The mall underwent additional renovations and exterior improvements in 2008. Refer to Section 4.4, Cultural Resources, for a complete description of the site's development history.

The existing mall is generally oriented on a north-south axis on an existing generally level topography, with the main building located in the center of the project site and surrounded by large expanses of surface parking and standalone buildings and structures. The main mall building, which is a total of approximately 605,283 square feet in size, consists of five sections: (1) Mall Shops East, (2) Mall Shops West, (3) Century Theatre, (4) RH Outlet,¹ and (5) Macy's. The main building is characterized by remnant New Formalism architectural design (the former Emporium building) and

¹ The RH Outlet building was formerly known as the Sears anchor. Certain project application materials refer to the building this way.

Post-Modern style (the former Sears building, now RH Outlet). The New Formalism style is characterized by symmetry and monumental scale while using traditionally rich materials such as marble or granite, while the Post-Modernism style lacks traditional symmetry and proportions and uses columns and arches with overly defined features, which results in a contradictory and eclectic design style. 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, and a vacant retail building. 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. A Rite Aid, HomeGoods, and an additional vacant retail building are located east of the main building. As shown in Table 3.A in Chapter 3.0, Project Description, building heights on the site range from one to two stories.

Landscaping on the project site consists of ornamental landscaping 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. A total of 679 trees are located on the project site. In addition, an approximately 9,505-square-foot artificial turf lawn is located between the main building and the Kohl's building.

4.3.1.3 Visual Character of the Surrounding Area

The project area is characterized by relatively dense urban development with some open space and landscaping in the nearby vicinity. The project site sits in a valley approximately 40 feet above mean sea level (amsl) between hillsides to the east and southwest, as well as Hartzell Park and Mt. Olivet San Rafael Cemetery to the south, which are approximately 160 feet and 90 feet, respectively, in elevation. The hillsides to the southwest of the project site, which are generally located southeast of Devon Drive, extend to approximately 640 feet amsl, while hillsides across US-101 to the east extend to approximately 1,000 feet amsl. Smaller hills are also located immediately north (360 feet amsl) and northwest (300 feet amsl) of the project site as well.

There are no officially designated scenic vistas in San Rafael; however, the General Plan identifies various natural and built environment resources as visually significant. Some visually significant mountains and hillsides identified in the General Plan are visible from neighboring properties in the project vicinity but are largely obstructed, including San Pedro Ridge to the east, San Rafael Hill to the south, and Mount Tamalpais to the southwest. The site is completely surrounded by Las Gallinas Avenue and Northgate Drive. There are also no State-designated Scenic Highways or potentially eligible Scenic Highways near or visible from the project site.² The visual character of the surrounding area is further described below.

- **North of the Project Site:** The project site is bordered to the north by the east-west segment of the four-lane Las Gallinas Avenue, across which are various one- to three-story commercial uses, including banks, office buildings, and two gas stations. Farther north is Manuel T. Freitas Parkway, which includes on- and off-ramps for US-101, as well as a five-story hotel and single- and multi-family residential uses. Manuel T. Freitas Parkway serves as an overpass over US-101

² California Department of Transportation (Caltrans). 2023. California State Scenic Highways. Website: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways> (accessed March 2023).

immediately north of the site, which provides pedestrians and vehicles an elevated view of the project site and surrounding areas.

- **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 one- to two-story uses, including a commercial strip mall north of Merrydale Road and the Mt. Olivet San Rafael Cemetery located south of Merrydale Road. As noted above, the cemetery has a high point of approximately 90 feet in elevation, which is approximately 50 feet higher than the project site,³ due to the fact that it sits on top of a knoll. Merrydale Road is located east of and terminates at the project site. Merrydale Road serves as an overpass over US-101, which provides pedestrians and vehicles an elevated view of the project site and surrounding areas. Farther east is US-101, which runs north-south in the vicinity of the project site, across which are one- to five-story 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 one- to three-story single- and multi-family residential uses. Hartzell Park is also located south of the project site, and Terra Linda High School is located to the southeast. Similar to the Mt. Olivet San Rafael Cemetery, Hartzell Park also sits atop a knoll that extends approximately 160 feet in elevation, which is approximately 120 feet higher in elevation than the project site, similar to the hillside to the west of the project site.⁴
- **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 on top of which is Villa Marin, a retirement community, as well as two- to five-story multi-family residential units. Past Villa Marin are additional single- and multi-family residential units, Vallecito Elementary School, and the Kaiser Permanente San Rafael Medical Center, which ranges in height from one to five stories.

4.3.1.4 Views from the Project Site

Views from within the project site to surrounding areas are largely obstructed due to existing development (both on and off site) and off-site mature trees. Available views are generally limited to the immediate surroundings and surrounding hillsides. Typical views of surrounding land uses from the project site are shown on Figures 3-8 through 3-10 in Chapter 3.0, Project Description, of this Environmental Impact Report (EIR). Viewpoint locations are shown on Figure 4.3-4.

- **Views to the North:** Views to the north are restricted by mature trees within and on the north border of the project site and by existing commercial buildings to the north. These buildings vary in design but primarily consist of stucco and glass. Surrounding hillsides are visible to the north but are largely obstructed by the existing trees and development (see Figure 3-9, Photos 9 and 10, which depict views to the north along Las Gallinas Avenue and Northgate Drive.)

³ United States Geological Survey (USGS). 2022. TopoBuilder. Website: <https://topobuilder.nationalmap.gov/> (accessed July 2023).

⁴ Ibid.

- **Views to the East:** Views to the east are restricted by mature trees within and on the east border of the project site and existing commercial buildings to the east. These buildings vary in design but primarily consist of stucco, glass, and wood siding. Surrounding hillsides are visible to the east, including San Pedro Ridge, but are largely obstructed by the existing trees and development (see Figure 3-10, Photo 11, which depicts the view of mature eucalyptus trees bordering the Mt. Olivet San Rafael Cemetery).
- **Views to the South:** Views to the south are restricted by mature trees within and south of the project site and single- and multi-family residential buildings to the south. These buildings vary in design but primarily consist of stucco and wood siding. Long-range views are generally not available to the south due to existing mature trees and development; however, there are occasional, largely obstructed views of hillsides to the south, including San Rafael Hill and Mount Tamalpais (see Figure 3-10, Photo 12, which depicts the view towards Northgate Drive.)
- **Views to the West:** Views to the west primarily consist of an adjacent vegetated, undeveloped hillside with intermittent views of adjacent residential and commercial uses. Views are partially obstructed by mature trees within and west of the project site. Long-range views are not available to the west due to the adjacent hillside and development (see Figures 3-8 and 3-9, Photos 7 through 9, which depict the surrounding residential hillsides and views available from Northgate Drive).

4.3.1.5 Views of the Project Site

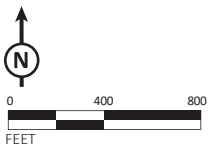
Similar to views from the project site described above, views of the project site from areas that do not immediately border the site are generally limited due to the developed nature of areas immediately surrounding the project site, existing mature trees, and the topography, including surrounding hillsides. The following subsection describes existing views of the project site from select viewpoints that were used to develop visual simulations for the proposed project, the locations for which are shown on Figure 4.3-1. Existing views from these vantage points, which are shown on Figures 4.3-2 through 4.3-4, are described below:



- **Views from the North, Intersection of Las Gallinas Avenue and Del Presidio Boulevard (Viewpoint 1, Photo 1 on Figure 4.3-2):** Views of the project site from the intersection of Las Gallinas Avenue and Del Presidio Boulevard (located at the northwestern corner of the project site) looking south towards the project site are of surface parking and the Macy's and Mall Shops West buildings. Surrounding one- to three-story commercial uses are visible as well as mature street trees, which partially obstruct views of the surrounding hillsides.
- **Views from the North, Manuel T. Freitas Parkway Overpass (Viewpoint 2, Photo 2 on Figure 4.3-2):** Views of the project site from the elevated Manuel T. Freitas Parkway Overpass of US-101, north of the site and looking southwest towards the project site, are of the Macy's building. No other portion of the project site is visible due to intervening one- to three-story commercial development and mature trees. Views beyond the site of surrounding hillsides are generally available but are partially obstructed due to existing development and mature trees.



FIGURE 4.3-1

LSA



-  Visual Simulation Viewpoints
-  Project Site Boundary

Northgate Mall Redevelopment Project EIR
Existing and Proposed Project Visual Simulation Viewpoints

This page intentionally left blank



Viewpoint 1 - Existing view of the project site looking south from the intersection of Las Gallinas Avenue and Del Presidio Boulevard



Viewpoint 2 - Existing view of the project site looking southwest from the Manuel T. Freitas Parkway Overpass

This page intentionally left blank

- **Views from the East, Civic Center Drive (Viewpoint 3, Photo 3 on Figure 4.3-3):** Views of the project site from Civic Center Drive, just east of US-101 and approximately 0.15 mile east of the project site, looking west towards the project site are of the Macy's, Mall Shops East, and Century Theatre buildings. Surrounding one- to five-story commercial uses are visible as well as mature trees, which partially obstruct views of the distant surrounding hillsides.
- **Views from the East, Merrydale Road Overpass (Viewpoint 4, Photo 4 on Figure 4.3-3):** Views of the project site from the elevated Merrydale Road Overpass of US-101 east of the site and looking west towards the project site are of the Macy's and Mall Shops East buildings. Surrounding one- to five-story commercial uses are visible as well as mature trees, which partially obstruct views of the surrounding hillsides.
- **Views from the South, Hartzell Park (Viewpoint 5, Photo 5 on Figure 4.3-4):** Views of the project site from Hartzell Park, south of the site and looking north towards the project site, are limited and largely obstructed by mature vegetation. From this vantage point, views are of the RH Outlet building and surface parking. Surrounding one- to five-story commercial uses are visible as well as mature trees, which partially obstruct views of the distant surrounding hillsides.
- **Views from the South, Nova Albion Way (Viewpoint 6, Photo 6 on Figure 4.3-4):** Views of the project site from Nova Albion Way (a residential street located south of the project site) looking north towards the project site are largely obstructed due to existing mature trees and single-family residential units, but small portions of RH Outlet are visible.

4.3.1.6 Light and Glare

Sources of light and glare on the project site are generally limited to the interior and exterior lights of existing buildings on the project site, exterior lights on signage, surface parking and parking garage lighting, lamp posts greater than 20 feet in height, headlights from automobiles, and street lighting in the immediate vicinity. Sensitive receptors (with respect to light and glare) in the vicinity of the project site include existing single- and multi-family residential uses to the south, the existing retirement community and existing multi-family residential units to the west. Existing lighting on the project site is generally consistent with nighttime lighting conditions expected of urbanized areas, particularly those located along major thoroughfares in the vicinity of the site (e.g., Las Gallinas Avenue and Northgate Drive). These light sources generally consist of interior and exterior lights on buildings, exterior lights on signage, parking lot lighting with lamp posts greater than 20 feet in height, and headlights from automobiles.

This page intentionally left blank



Viewpoint 3 - Existing view of the project site looking west from Civic Center Drive



Viewpoint 4 - Existing view of the project site looking west from the Merrydale Road Overpass

LSA

FIGURE 4.3-3

Viewpoint locations are depicted on Figure 4.3-1

Northgate Mall Redevelopment Project EIR
Existing Views of the Project Site from the East

This page intentionally left blank



Viewpoint 5 - Existing view of the project site looking north from Hartzell Park



Viewpoint 6 - Existing view of the project site looking north from Nova Albion Way

LSA

FIGURE 4.3-4

Viewpoint locations are depicted on Figure 4.3-1

Northgate Mall Redevelopment Project EIR
Existing Views of the Project Site from the South

This page intentionally left blank

4.3.1.7 Shade and Shadow

Existing buildings on and in the vicinity of the site, particularly the taller five-story commercial, multi-family residential, hotel, and healthcare uses, currently cast shadows onto adjacent structures and properties during certain seasons and times of day, particularly during the late afternoon hours during the winter months when days are shorter and shadows cast are longer (e.g., December 21, the date of the winter solstice, represents the worst case shadow day). This is generally the nature of the development pattern within existing urbanized areas. The existing mall currently does not cast shade or shadows on any historical resources sensitive to shade or quasi-public park/open space areas. Existing buildings are also separated from most nearby residential areas by existing roadways, including Northgate Drive. Existing shadows cast from the project site onto adjacent properties and structures are therefore currently minimal and typical of an urban environment.

4.3.1.8 Regulatory Framework

The following discusses applicable standards and policies related to visual resources, including those from the California State Scenic Highway Program, San Rafael General Plan 2040, San Rafael Municipal Code, San Rafael Design Guidelines (Design Guidelines), and North San Rafael Vision Promenade Conceptual Plan (Promenade Conceptual Plan).

State Regulations. State regulations applicable to the proposed project include the California State Scenic Highway Program, as described below.

California State Scenic Highway Program. The California State Scenic Highway Program was created by the Legislature in 1963 to preserve and protect scenic highway corridors from change that would diminish the aesthetic value of lands adjacent to highways. State laws governing the State Scenic Highway Program are found in the Streets and Highways Code, Section 260 et seq. A highway may be designated as “scenic” based on the expanse of the natural landscape that can be seen by travelers, the scenic quality of that landscape, and the extent to which development intrudes upon the traveler’s enjoyment of the view. A Scenic Corridor is described as the land generally adjacent to and visible from such a highway and is usually limited by topography and/or jurisdictional boundaries. In addition to State Highways, Marin County roads are also eligible for scenic designation. As noted above, no State-designated Scenic Highways are located within view of the project site.

Local Regulations. The project would be required to comply with local regulations, including the General Plan, the Municipal Code, the Design Guidelines, and the Promenade Conceptual Plan.

San Rafael General Plan 2040. The General Plan contains the following goals, policies, and actions related to visual resources:

Goal LU-1: Well-Managed Growth and Change. Grow and change in a way that serves community needs, protects the environment, improves fiscal stability, and enhances the quality of life.

Policy LU-1.18: Height Bonuses. 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.

Goal LU-3: Distinctive Neighborhoods. Create and sustain neighborhoods of integrity and distinctive character.

Policy LU-3.2: New Development in Residential Neighborhoods. 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:

- Enhance neighborhood image and design quality
- Incorporate sensitive transitions in height and setbacks from adjacent properties
- Preserve historic, unique, and architecturally significant structures
- Respect and enhance natural features and terrain
- Reduce exposure to hazards, including limited emergency vehicle access
- Include amenities such as sidewalks, pathways, trees, and other landscape improvements
- Maintain or enhance infrastructure service levels
- Meet expected parking demand
- Minimize reduction of views, privacy, and solar access for neighboring properties

Policy LU-3.6: Transitions Between Uses. Outside of mixed-use developments, maintain buffers between residential uses and adjacent commercial and institutional uses. Parking lots, loading areas, trash facilities, and similar activities associated with nonresidential uses should be appropriately screened.

Goal CDP-1: A Beautiful City. Preserve and strengthen San Rafael's natural and built features to enhance the appearance and livability of the city.

Policy CDP-1.1: City Image. Reinforce San Rafael's image by respecting the city's natural features, protecting its historic resources, and strengthening its focal points, gateways, corridors, and neighborhoods.

Policy CDP-1.2: Natural Features. 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.

Policy CDP-1.3: Hillside Protection. Protect the visual integrity and character of San Rafael's hillsides and ridgelines.

- **Program CDP-1.3A: Hillside Design Guidelines.** Continue to implement hillside design guidelines through the design review process, as well as larger lot size requirements where there are access limitations or natural hazards. Update the design guidelines as needed.

Policy CDP-1.5: Views. Respect and enhance to the greatest extent possible, views to the Bay and its islands; wetlands, marinas, and canal waterfront; hillsides and ridgelines; Mt. Tamalpais; Marin Civic Center; and St. Raphael's bell tower; as seen from streets, parks, and public pathways.

- **Program CDP-1.5A: Evaluating View Impacts.** Consider the impact of proposed development on views, especially views of Mt Tamalpais and nearby ridgelines. Where feasible, new development should frame views of ridges and mountains and minimize reduction of views, privacy, and solar access.

Policy CDP-4.1: 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.

Policy CDP-4.11: Lighting. Encourage lighting for safety and security while preventing excessive light spillover and glare. Lighting should complement building and landscape design.

San Rafael Municipal Code. Title 14 (Zoning Ordinance) of the San Rafael Municipal Code is the primary tool that shapes the form and character of physical development in San Rafael. The Zoning Ordinance contains all the Zoning Districts, and identifies land use standards, site development regulations, and other general provisions that ensure consistency between the General Plan and proposed development projects. Section 14.01.030, Purposes, states that the San Rafael Zoning Ordinance is, among other things, intended to reduce or remove negative impacts caused by inappropriate location, use, or design of buildings and improvements, promote design quality in all development, and preserve and enhance key visual features in the community, including the bay shoreline, canal, wetlands, and hillsides.

Chapter 14.07, Planned Development (PD) District. The project proposes a change in zoning to a PD District, meaning it is subject to the PD District regulations described in Chapter 14.07 of the City of San Rafael Municipal Code. Although the PD District regulations permit project-specific design and standards to be applied as part of the approval process, Chapter 14.07 also describes general development criteria for projects within the PD District.

Section 14.16.227, Light and Glare. Section 14.16.227, Light and Glare, regulates the type of colors, materials, and lighting to avoid creating undue off-site light and glare impacts. New or amended building or site colors, materials, and lighting would be required to comply with the standards, subject to review and recommendation by the police department, public works department, and community development department. Further requirements include discouraging use of reflective or glossy

materials, and the shielding of light fixtures and minimization of foot-candle intensity to minimize impacts on adjacent development.

Chapter 14.18, Parking. Section 14.18.160, Parking Lot Screening and Landscaping, regulates the type of landscaping and trees for parking lots. Section 14.18.170, Lighting, states that lights provided to illuminate any parking facility or paved area shall be designed to reflect away from residential use and motorists. It is the intent to maintain light standards in a low-profile design, as well as to be compatible to the architectural design and landscape plan. Light fixtures (e.g., pole and wall-mount) should be selected and spaced to minimize conflicts with tree placement and growth.

Chapter 14.19, Signs. Section 14.19.101, Purpose, states that this chapter is intended to regulate the location, size, type, and number of signs that are permitted in the city. These regulations are in part intended to preserve the visual appearance of the city. Section 14.19.046, Sign Programs, illustrates the City of San Rafael's (City's) establishment of a sign program intended to create design standards and provisions to regulate signs used for larger complexes, commercial centers, or buildings with multiple tenants, to achieve aesthetic compatibility between all signs proposed in a project, and with signs on adjacent properties. These standards include design continuity that requires all signs be of a common design theme and placement, use common materials, colors, and illumination. Section 14.19.055, Illumination Standards, further restricts the type of signs that may be permitted. This section minimizes the allowance of signs illuminated by an artificial source so as to influence light and glare on adjacent properties. This section outlines specific design criteria and restrictions for these signs, including an outline of which types of illuminated signs are prohibited within the city.

Chapter 14.25, Environmental and Design Review Permits. This chapter implements General Plan policies concerning the environment and design by guiding the location, functions, and appearance of development. The key environmental and design goal of the City is to respect and protect the natural environment and ensure that development is harmoniously integrated with the existing qualities of the city. The permits aim to maintain the balance between the natural and built environment, ensure that development materials are compatible with the surrounding environment and promote design excellence, contribute to the attractiveness of the city, preserve neighborhood integrity, enhance views from public property, and protect the right for citizens to conduct residential structure modifications while reducing the impacts to the neighboring residences. Section 14.25.050, Design Review Criteria, specifically identifies the standards for site design in Section 14.25.050(E). Section 14.25.050(E)(1), Views, states that major views of the San Pablo Bay, wetlands, bay frontage, the Canal, Mount Tamalpais, and the hills should be preserved and enhanced from public streets and public vantage points. In addition, views of St. Raphael's Church up "A" Street should be respected. Section 14.25.050(E)(2), Site Features, requires the City to respect site features and recognize site constraints by minimizing grading, erosion, and removal of natural vegetation. Sensitive areas such as highly visible hillsides, steep, unstable or hazardous slopes, creeks and drainageways, and wildlife habitat should be preserved and respected.

San Rafael Design Guidelines. The City adopted the interim Design Guidelines for residential and nonresidential structures to ensure that the design of new buildings and additions are compatible with their surroundings. The Design Guidelines reflect what the City considers to be desirable design and are applicable in all areas except those that are amended by subsequent plans. Design Guidelines specific to both residential and non-residential developments include, but are not limited to, building design, scale, building height, roof shapes, and lighting. The review of projects is conducted by City staff and the Design Review Board to evaluate the quality of project design.

The Historic and Architecturally Significant Buildings section of the Design Guidelines applies to development in the immediate vicinity of buildings designated by the City of San Rafael as being historically or architecturally significant resources. The list of historical resources is based on a September 1986 survey. Design Guidelines prescribed for historically or architecturally significant resources include, but are not limited to, pattern and scale, transition, horizontal lines, proportions, materials, differentiation between ground floor and upper floors, roof shapes, and views of the St. Raphael Church spire. The Design Guidelines specifically require a view evaluation for locations in the viewshed of the spire if a future development is over one story.

North San Rafael Vision Promenade Conceptual Plan. The North San Rafael Vision, completed in 1997, summarizes the community-wide effort for the vision of north San Rafael. The Promenade Conceptual Plan, adopted in November 2002, expands on the North San Rafael Vision and includes recommendations for pedestrian and bicycle ways, promenade amenities, and unified promenade themes. The Promenade Conceptual Plan includes criteria and recommendations for architectural elements, signage, lighting, landscaping, and the protection of views applicable to future development in north San Rafael.

4.3.2 Impacts and Mitigation Measures

This section provides an assessment of the potential impacts related to aesthetics that could result from implementation of the proposed project. The section begins with the criteria of significance, which establish the thresholds for determining whether an impact is significant. The latter part of this section presents potential impacts associated with implementation of the proposed project and identifies applicable mitigation measures, as appropriate.

4.3.2.1 Significance Criteria

The project site is located in an urbanized setting; therefore, an analysis of visual character or quality of public views of the site and its surroundings is not required. Implementation of the proposed project would have a significant effect on visual resources if it would:

- Threshold 4.3.1:** Substantially or completely block public views of identified scenic resources;
- Threshold 4.3.2:** Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway;

- Threshold 4.3.3:** Conflict with applicable zoning and other regulations governing scenic quality;
- Threshold 4.3.4:** Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area; or
- Threshold 4.3.4:** Create new shadow that substantially and adversely affects the use and enjoyment of publicly accessible open spaces.

As previously noted, the project site consists of the existing Northgate Mall complex and is generally surrounded by a developed urban environment, with views of distant hillsides available from some surrounding locations. The project site does not contain any unique visual features or scenic resources; therefore, the following analysis focuses on the views of scenic resources available from the project site and the surrounding areas.

For the purposes of the following analysis, high-quality views have topographic relief, a variety of vegetation, rich colors, impressive scenery, and unique natural and/or built features. Moderate quality views have interesting but minor landforms, some variety in vegetation and color, and/or moderate scenery. Low quality views have uninteresting features, little variety in vegetation and color, uninteresting scenery, and/or common elements.⁵ In addition, viewer types in the project area are broad, including motorists, pedestrians, and neighboring uses. Public viewer groups are limited to motorists, bicyclists, and pedestrians along public roadways in the project vicinity, as well as users of nearby parks and public open spaces. Private views are not considered protected scenic views pursuant to the California Environmental Quality Act (CEQA) and are not discussed in this analysis.⁶

Viewer exposure conditions were determined based on a review of a variety of data, including project maps and drawings, aerial and ground-level photographs of the project area, conceptual simulations of the proposed project, and field observations. Variables include the viewing distance, angle of view, the extent to which views are screened or open, and duration of view. Viewing distances are described according to whether the proposed project would be viewed within a foreground zone (within 0.5 mile), middleground zone (0.5 to 2 miles), or background zone (beyond 2 miles). Viewing angle and extent of visibility consider the relative location of the proposed project to the viewer and whether visibility conditions are open and panoramic, or limited by intervening vegetation, structures, or terrain.

⁵ Federal Highway Administration (FHWA). 2015. *Guidelines for the Visual Impact Assessment of Highway Projects*. January. View definitions are adapted from these guidelines to aid in the analysis of the proposed development project given that the City of San Rafael does not have established view definitions.

⁶ The California Court of Appeals concluded in its *Mira Mar Mobile Community v. Oceanside* decision that potential impacts related to views from private lands are not considered impacts under CEQA unless the lead agency has specifically adopted a standard or policy relevant to the project site specifically protecting a private landowner's views. The City of San Rafael, as the CEQA lead agency for the proposed project, has not adopted any such policy or standard.

The duration of the view pertains to the amount of time the viewing area would typically be seen from a sensitive viewpoint. In general, the duration of the view would be less for motorists on major travel routes and other locations where the project would be seen for short or intermittent periods. Duration becomes greater when the project may be seen regularly and repeatedly, with the viewer facing the project for an extended period of time.

4.3.2.2 Project Impacts

The following describes the potential impacts related to aesthetics 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) are differentiated where appropriate.⁷

Threshold 4.3.1: Substantially or Completely Block Public Views of Identified Scenic Resources.

Scenic resources may consist of unique topographic, geologic, landscape, or built-environment features and include limited or expansive views of such resources. A scenic vista is generally defined as a publicly accessible vantage point that provides expansive or panoramic views. Cities may also recognize scenic corridors as being locally significant. Scenic corridors are considered a defined area of landscape, viewed as a single entity that includes the total field of vision visible from a specific point, or a series of points along a linear transportation route. Public view corridors are areas in which short-range, medium-range, and long-range views are available from publicly accessible viewpoints (e.g., from city streets).

There are no officially designated scenic vistas in San Rafael; however, the General Plan identifies the following natural and built environment (i.e., architectural or historic) resources as visually significant, to the extent they are visible from public streets, parks, and public pathways:

- **Mountains and Hillside:** Scenic views to short- and long-range ridgelines and hillside open space include those of Mount Tamalpais, San Rafael Hill, San Pedro Ridge, and Big Rock Ridge.
- **San Pablo Bay and San Rafael Bay and Bay Wetlands:** San Pablo Bay and San Rafael Bay are prominent natural features on the eastern edge of San Rafael, providing wetlands, extensive wildlife habitat, and open space.
- **Offshore Islands:** Several offshore islands serving as wildlife habitat are visible from higher elevations and limited shoreline areas in San Rafael.
- **Mission San Rafael Arcangel:** The bell tower of the Mission San Rafael Arcangel is located in Downtown San Rafael and visible from some downtown locations, adjacent hillsides, and limited portions of Interstate 580 (I-580) and US-101.
- **Marin Civic Center:** The Marin Civic Center, designed by renowned architect Frank Lloyd Wright, is a prominent historic structure.

⁷ Although this analysis discusses the potential impacts of Phase 1 and Phase 2 development as projected to occur in the years 2025 and 2040, respectively, it is acknowledged that potential development could be accelerated or slowed, depending on market conditions. Therefore, to be conservative, this analysis considers the impact of project operations at full buildout as a singular phase.

- **San Rafael Canal:** The San Rafael Canal is a defining water feature to the east of Downtown San Rafael. Several marinas, walking paths, parks, homes, and businesses are adjacent to the canal.

The project site is not located near San Pablo Bay, San Rafael Bay, the bay wetlands, the offshore islands, Mission San Rafael Arcangel, or the San Rafael Canal, and none of these visually significant resources are visible from the project site or surrounding areas. The Marin Civic Center is approximately 0.5 mile east of the project site but is not visible from the project site or surrounding areas due to intervening development, topography, and mature trees. As discussed above in Section 4.3.1, Setting, surrounding hillsides and mountains (including Mount Tamalpais, San Rafael Hill, and San Pedro Ridge) are visible in the background from the project area; however, views are intermittently or largely obstructed by existing development and mature trees and therefore are not considered to be expansive from any given public vantage point or of such high quality as to constitute a scenic vista. Potential impacts to existing visually significant resources are discussed below for both Phase 1 and Phase 2. Figures 4.3-5 through 4.3-10, which are provided at the end of this subsection, depict the changes in the visual conditions from each of the viewpoints discussed in Section 4.3.1.5, Views of the Project Site, and each figure includes the existing condition, Phase 1 conditions, and Phase 2 (buildout) conditions.

Phase 1 Impacts: As detailed in Chapter 3.0, Project Description, Phase 1 would generally include the demolition of the RH Outlet building, the HomeGoods building, and Mall Shops East, which is approximately 144,432 square feet of the main building, and construction of approximately 44,380 square feet of new commercial space and up to 922 residential units. “Residential 1” would be located at the southwest corner of the project site and would contain approximately 96 residential units in a five-story building that would contain four levels of residential use over ground-level parking for an overall height of 60 feet. Elevator penthouses and other projections would reach 75 feet in height. “Residential 2” would contain a total of approximately 100 residential units in 15 three-story townhome buildings, with a height of 35 feet. “Residential 3” would contain a total of approximately 280 residential units in a six-story building. A seven-level parking structure with one level of underground parking would also be located at the center of Residential 3, for an overall height of 68 feet. Elevator penthouses and other projections would reach 80 feet in height. “Residential 4” would contain a total of approximately 446 residential units within a seven-story building with an overall height of 78 feet. Elevator penthouses and other projections would reach 90 feet in height. Changes to the viewshed resulting from implementation of Phase 1, which are shown on Figures 4.3-5 through 4.3-10, are discussed below:

- **Views from the North, Intersection of Las Gallinas Avenue and Del Presidio Boulevard (Viewpoint 1, Figure 4.3-5):** Views of the project site from the intersection of Las Gallinas Avenue and Del Presidio Boulevard (located at the northwestern corner of the project site) and looking south towards the project site are of surface parking and the Macy’s and Mall Shops West buildings. Surrounding one- to three-story commercial uses are visible in the foreground as well as mature street trees that partially obstruct middleground views of the surrounding hillsides. As described above, the hillside to the east of the project site is the main scenic resource visible from Viewpoint 1. Retail uses located along the northern boundary of the project site would be the most visible existing improvements in the

foreground of the project site, as opposed to the Macy's building and surface parking under the existing condition. The proposed retail buildings would slightly obscure the hillsides east of the project site that are visible in the middleground; however, the resulting viewshed would be similar to existing conditions, and the hillside would continue to be visible with implementation of Phase 1, as shown on Figure 4.3-5. The proposed residential buildings included in Phase 1 (Residential 1, 2, 3, and 4), which would range from 35 to 90 feet in height, would not be visible from this viewpoint. Therefore, implementation of Phase 1 of the proposed project would not have a substantial effect on scenic resources as viewed from the intersection of Las Gallinas Avenue and Del Presidio Boulevard, a public roadway.

- **Views from the North, Manuel T. Freitas Parkway Overpass (Viewpoint 2, Figure 4.3-6):** Views of the project site from the elevated Manuel T. Freitas Parkway Overpass of US-101 north of the site and looking southwest towards the project site are of the Macy's building. No other portion of the project site is visible due to intervening one- to three-story commercial development and mature trees. Views beyond the site of surrounding hillsides are generally available in the middleground, and views of Mount Tamalpais are available in the distant background but are partially obstructed due to existing development, intervening topography, and mature trees. As described above, the hillsides to the south and west of the project site are the main scenic resources visible from Viewpoint 2. With implementation of Phase 1, the Macy's building would still be visible, in addition to new multi-family residential buildings located southeast of Macy's. Two of the proposed multi-family residential buildings—Residential 1 and 4—would extend up to a maximum of 60 feet and 90 feet in height, respectively, would be taller than existing uses, and would slightly obscure the already only partially visible hillsides south of the project site. The resulting viewshed, however, would be similar to existing conditions, and the hillside and Mount Tamalpais would continue to be visible in the middleground and background with implementation of Phase 1 as shown on Figure 4.3-6. Therefore, implementation of Phase 1 of the proposed project would not have a substantial effect on scenic resources as viewed from the north at the Manuel T. Freitas Parkway Overpass, a public roadway and sidewalk.
- **Views from the East, Civic Center Drive (Viewpoint 3, Figure 4.3-7):** Views of the project site from Civic Center Drive, just east of US-101 and approximately 0.15 mile east of the project site and looking west towards the project site, are of the Macy's, Mall Shops East, and Century Theatre buildings. Surrounding one- to five-story commercial uses are visible as well as mature trees that partially obstruct views of the distant surrounding hillsides in the background. As described above, the hillsides to the west and south of the project site are the main scenic resources visible from Viewpoint 3. With implementation of Phase 1, Macy's would still be visible, in addition to Residential 4, which would be a maximum of approximately 90 feet in height, located southeast and southwest of Macy's that would replace the existing Mall Shops East and Century Theatre. The proposed residential buildings would be taller than existing uses and would slightly obscure the already only partially visible hillsides south of the project site in the middleground and background; however, the resulting viewshed would be similar to existing conditions, and the hillside would continue to be visible with implementation of Phase 1 as shown on Figure 4.3-7. Therefore,

implementation of Phase 1 of the proposed project would not have a substantial effect on scenic resources as viewed from the east at Civic Center Drive, a public roadway.

- **Views from the East, Merrydale Road Overpass (Viewpoint 4, Figure 4.3-8):** Views of the project site from the elevated Merrydale Road Overpass of US-101, east of the site and looking west towards the project site are of the Macy's and Mall Shops East buildings. Surrounding one- to five-story commercial uses are visible as well as mature trees that partially obstruct views of the surrounding hillsides in the middleground and background. As described above, the hillsides to the west of the project site would be the main resource visible from Viewpoint 4. Macy's would still be visible, and the proposed Residential 4 building would replace the existing Mall Shops East. The proposed Residential 4 building would be a maximum of approximately 90 feet in height, would be taller than existing uses, and would slightly obscure the hillsides west of the project site in the middleground; however, the resulting viewshed would be similar to existing conditions, and the hillside would continue to be visible with implementation of Phase 1, as shown on Figure 4.3-8. Therefore, implementation of Phase 1 of the proposed project would not have a substantial effect on scenic resources as viewed from the east at the Merrydale Road Overpass, a public roadway.
- **Views from the South, Hartzell Park (Viewpoint 5, Figure 4.3-9):** Views of the project site from Hartzell Park, south of the site and looking north towards the project site are limited and largely obstructed by mature vegetation. From this vantage point, views are of the existing RH Outlet building and surface parking. Surrounding one- to five-story commercial uses are visible as well as mature trees, which partially obstruct views of the distant surrounding hillsides in the background. As described above, the hillsides in the background to the north and west of the project site are the main scenic resource visible from Viewpoint 5. The RH Outlet building would be replaced with new commercial and multi-family residential development. Viewpoint 5 is at a higher elevation than the project site and looks down at the project site. While the proposed residential buildings would be taller than the existing buildings on the project site, the new buildings would be similar in scale and height to existing uses when viewed from this vantage point and would not significantly further obscure views of the hillsides northwest of the project site. Due to distance, elevation differences, intervening vegetation, and the similarity of the proposed development with surrounding existing uses, the proposed project would blend with the existing surrounding development when viewed from Viewpoint 5. In particular, the visible portions of the proposed project, which includes the rooftops and rooftop equipment, would be similar to the visible portions of the existing buildings on the project site and surrounding buildings. The resulting viewshed would be similar to existing conditions, and the hillside would continue to be visible in the background with implementation of Phase 1 as shown on Figure 4.3-9. Therefore, implementation of Phase 1 of the proposed project would not have a substantial effect on scenic resources as viewed from the south at Hartzell Park, a public park.
- **Views from the South, Nova Albion Way (Viewpoint 6, Figure 4.3-10):** Views of the project site from Nova Albion Way, a residential street located south of the project site, looking

north towards the project site are largely obstructed due to existing mature trees and single-family residential units, but small portions of RH Outlet are visible in the middleground. Viewpoint 6 is representative of a public street within a residential development, and therefore reasonably represents the view for residents that have visibility of the project site. As described above, the hillsides to the north of the project site visible in the background are the main scenic resource visible from Viewpoint 6. The RH Outlet would be replaced with new multi-family residential development. The new buildings, Residential 3 and 4 in particular would be a maximum of approximately 68 feet and 90 feet, respectively, in height and would be partially visible within the middleground zone above existing vegetation and residential development, but views of the site would be largely obstructed by existing vegetation and residences. The resulting viewshed would be similar to existing conditions, and the hillside would continue to be visible with implementation of Phase 1 as shown on Figure 4.3-10. The new buildings included in the proposed project would not significantly further obscure views of the hillsides north of the project site in the background. Therefore, implementation of Phase 1 of the proposed project would not have a substantial effect on scenic resources as viewed from the south at Nova Albion Way, a public roadway within a residential area.

Phase 2 Impacts: As detailed in Chapter 3.0, Project Description, Phase 2 would generally include the demolition of the 254,015-square-foot Macy's building and 79,051-square-foot Kohl's building, and the construction of up to 55,440 square feet of new commercial space and up to 500 additional residential units. Phase 2 of the proposed project would include two new residential buildings that would contain a total of 500 residential units within two apartment-style buildings, each on their own parcel. "Residential 5" would contain a total of approximately 251 residential units in a five-story building. A six-level parking structure would also be located at the center of Residential 5 for an overall height of 60 feet. Elevator penthouses and other projections would reach 75 feet in height. "Residential 6" would contain a total of approximately 249 residential units in a seven-story building, 15 of which would be affordable. A five-level parking structure would also be located at the southwest corner of Residential 6 for an overall height of 78 feet. Elevator penthouses and other projections would reach 90 feet in height. Proposed views resulting from implementation of Phase 2, which are shown on Figures 4.3-5 through 4.3-10, are discussed below:

- **Views from the North, Intersection of Las Gallinas Avenue and Del Presidio Boulevard (Viewpoint 1, Figure 4.3-5):** Views of the project site from the intersection of Las Gallinas Avenue and Del Presidio Boulevard, located at the northwestern corner of the project site and looking south towards the project site, are of surface parking and the Macy's and Mall Shops West buildings. Surrounding one- to three-story commercial uses are visible in the foreground as well as mature street trees that partially obstruct middleground views of the surrounding hillsides. As described above, the hillside in the middleground to the east of the project site would be the main resource visible from Viewpoint 1. Views at buildout of Phase 2 would be similar to Phase 1 but would include additional commercial development in foreground views and Residential 5, which extends up to a maximum of 60 feet in height, that would be visible behind the new commercial development. Residential 5 would be taller than existing uses and would further obstruct middleground views of the hillside east of the project site. However, the hillside would continue to be visible with implementation

of Phase 2, and the resulting viewshed would be similar to existing conditions as shown on Figure 4.3-5. Therefore, implementation of Phase 2 of the proposed project would not have a substantial effect on scenic resources as viewed from the intersection of Las Gallinas Avenue and Del Presidio Boulevard, a public roadway.

- **Views from the North, Manuel T. Freitas Parkway Overpass (Viewpoint 2, Figure 4.3-6):** Views of the project site from the elevated Manuel T. Freitas Parkway Overpass of US-101, north of the site and looking southwest towards the project site, are of the Macy's building. No other portion of the project site is visible due to intervening one- to three-story commercial development and mature trees. Views beyond the site of surrounding hillsides are generally available in the middleground, and views of Mount Tamalpais are available in the distant background but are partially obstructed due to existing development, intervening topography, and mature trees. As described above, the hillsides to the south and west of the project site would be the main resource visible from Viewpoint 2. At buildout of Phase 2, views of Macy's would be replaced with new commercial buildings and Residential 5. Residential 6 would also be developed north of the residential buildings visible from Viewpoint 2 in Phase 1. Both Residential 5 and 6, which would be a maximum of approximately 60 and 90 feet in height, would be taller than existing uses and would further obscure views of the hillsides visible in the middleground south of the project site. The resulting viewshed, however, would be similar to existing conditions. The hillsides in the middleground would continue to be visible with implementation of Phase 2, and no obstruction of Mount Tamalpais in the distant background would occur, as shown on Figure 4.3-6. Therefore, implementation of Phase 2 of the proposed project would not have a substantial effect on scenic resources as viewed from the north at Manuel T. Freitas Parkway Overpass, a public roadway and sidewalk.
- **Views from the East, Civic Center Drive (Viewpoint 3, Figure 4.3-7):** Views of the project site from Civic Center Drive, just east of US-101 and approximately 0.15 mile east of the project site looking west toward the project site are of the Macy's, Mall Shops East, and Century Theatre buildings. Surrounding one- to five-story commercial uses are visible as well as mature trees that partially obstruct views of the distant surrounding hillsides in the background. As described above, the hillsides to the west and south of the project site would be the main resource visible from Viewpoint 3. At buildout of Phase 2, views of Macy's would be replaced with new commercial buildings and residential. Residential 6 would also be developed north and east of the residential buildings visible from Viewpoint 3 in Phase 1. Both Residential 5 and Residential 6, which would be a maximum of approximately 60 and 90 feet, respectively, in height, would be taller than existing uses and would further obscure views of the hillsides in the middleground west and south of the project site. However, the resulting viewshed would be similar to existing conditions, and the hillsides would continue to be visible with implementation of Phase 2 as shown on Figure 4.3-7. Therefore, implementation of Phase 2 of the proposed project would not have a substantial effect on scenic resources as viewed from the east at Civic Center Drive, a public roadway.

- **Views from the East, Merrydale Road Overpass (Viewpoint 4, Figure 4.3-8):** Views of the project site from the elevated Merrydale Road Overpass of US-101, east of the site and looking west towards the project site are of the Macy's and Mall Shops East buildings. Surrounding one- to five-story commercial uses are visible as well as mature trees that partially obstruct views of the surrounding hillsides in the middleground and background. As described above, the hillsides to the west of the project site would be the main resource visible from Viewpoint 4. At buildout of Phase 2, views of Macy's would be replaced with new commercial buildings and Residential 5. The Residential 5 building would be a maximum of approximately 60 feet in height, would be taller than existing uses, and would further obscure middleground views of the hillsides west of the project site. However, the resulting viewshed would be similar to existing conditions, and the hillsides would continue to be visible with implementation of Phase 2 as shown on Figure 4.3-8. Therefore, implementation of Phase 2 of the proposed project would not have a substantial effect on scenic resources as viewed from the east at the Merrydale Road Overpass, a public roadway.
- **Views from the South, Hartzell Park (Viewpoint 5, Figure 4.3-9):** Views of the project site from Hartzell Park, south of the site and looking north towards the project site are limited and largely obstructed by mature vegetation. From this vantage point, views are of the RH Outlet building and surface parking. Surrounding one- to five-story commercial uses are visible as well as mature trees that partially obstruct views of the distant surrounding hillsides in the background. As described above, the hillsides to the north and west of the project site would be the main resource visible from Viewpoint 5. At buildout of Phase 2, commercial development visible from Viewpoint 5 at the northern end of the project site would be replaced with Residential 6. New buildings in Phase 2 would be similar in height and mass to Phase 1 and would not significantly alter existing views or obscure background views of the hillsides north and west of the project site. The resulting viewshed would be similar to existing conditions, and the hillside would continue to be visible with implementation of Phase 2 as shown on Figure 4.3-9. Therefore, implementation of Phase 2 of the proposed project would not have a substantial effect on scenic resources as viewed from the south at Hartzell Park, a public park.
- **Views from the South, Nova Albion Way (Viewpoint 6, Figure 4.3-10):** Views of the project site from Nova Albion Way, a residential street located south of the project site, looking north towards the project site are largely obstructed due to existing mature trees and single-family residential units, but small portions of the RH Outlet building are visible in the middleground. Viewpoint 6 is representative of a public street within a residential development and therefore reasonably represents the view for residents that have visibility of the project site. As described above, the hillsides to the north of the project site would be the main resource visible from Viewpoint 6. The buildout of Phase 2 would not result in any significant visual changes from Viewpoint 6 compared to the buildout of Phase 1. The resulting viewshed would be similar to existing conditions, and the hillside would continue to be visible in the background with implementation of Phase 2 as shown on Figure 4.3-10. Therefore, implementation of Phase 2 of the proposed project would not have a substantial effect on scenic resources as viewed from the south at Nova Albion Way, a public roadway within a residential area.

This page intentionally left blank



Viewpoint 1 - Existing



Viewpoint 1 - Proposed Project Simulation, Phase 1



Viewpoint 1 - Proposed Project Simulation, Phase 2

This page intentionally left blank



Viewpoint 2 - Existing



Viewpoint 2 - Proposed Project Simulation, Phase 1



Viewpoint 2 - Proposed Project Simulation, Phase 2

This page intentionally left blank



Viewpoint 3 - Existing



Viewpoint 3 - Proposed Project Simulation, Phase 1



Viewpoint 3 - Proposed Project Simulation, Phase 2

This page intentionally left blank



Viewpoint 4 - Existing



Viewpoint 4 - Proposed Project Simulation, Phase 1



Viewpoint 4 - Proposed Project Simulation, Phase 2

This page intentionally left blank



Viewpoint 5 - Existing



Viewpoint 5 - Proposed Project Simulation, Phase 1



Viewpoint 5 - Proposed Project Simulation, Phase 2

This page intentionally left blank



Viewpoint 6 - Existing



Viewpoint 6 - Proposed Project Simulation, Phase 1



Viewpoint 6 - Proposed Project Simulation, Phase 2

This page intentionally left blank

Conclusion. Phase 1 and Phase 2 (buildout) would result in an increase in density and intensity of uses at the project site that would partially further obstruct already limited views of surrounding hillsides and mountains, including San Pedro Ridge to the east and San Rafael Hill to the south. However, as shown on the visual simulations completed for the proposed project (Figures 4.3-5 through 4.3-10), intermittent views of surrounding hillsides and mountains would still be available from all six representative viewpoints that depict publicly accessible views of the project site. Furthermore, because hillside views are already obstructed under existing conditions, existing views from the project site and surrounding areas are not considered to be of such high quality as to constitute a scenic vista. The General Plan encourages greater development intensity in a limited number of locations that support the goal of a more sustainable, less auto-oriented city, which includes portions of North San Rafael and the Northgate Mall. Because the proposed project would occur in an existing urban, developed area that is currently underutilized, the intensification of development on the project site would have a lesser impact on scenic vistas compared to new development in a previously undeveloped or sparsely developed area.

Additionally, the proposed project is undergoing design review prior to project approval pursuant to San Rafael Municipal Code Chapter 14.25, Major Environmental and Design Review Permits, as necessary. The design review process serves to preserve and enhance views from other buildings and public property (see San Rafael Municipal Code Section 14.25.010, Specific Purposes), thereby reducing the potential for new development to block public views of significant visual resources. The design review criteria include consistency with the various planning documents that govern scenic quality in San Rafael, including the Design Guidelines and the Promenade Conceptual Plan.

Overall, although the proposed project would result in an increase in intensity of development at the project site and an increase of building heights, the proposed development would not substantially or completely block public views of identified scenic resources. Therefore, the proposed project would not have a substantial adverse effect on views of scenic resources and vistas, and impacts would be **less than significant**.

Threshold 4.3.2: Substantially Damage Scenic Resources, Including Those Within a State Scenic Highway. As described in Section 4.3.1.3, Visual Character of the Surrounding Area, there are no State-designated Scenic Highways within, or in the vicinity of, the project site. The nearest eligible State Scenic Highways include State Route 37 (SR-37) and US-101 in Novato, both of which are located approximately 5 miles north of the project site. The nearest officially designated State Scenic Highway is I-580 in Oakland, which is located approximately 19.4 miles southeast of the project site. Due to distance, the project site is not visible from any of these highways. Therefore, implementation of the proposed project would not damage existing scenic resources within a State Scenic Highway, and **no impact** would occur.

Threshold 4.3.3: Conflict with Applicable Zoning and Other Regulations Governing Scenic Quality. The project site is located within an urbanized area. Development of the proposed project would alter the visual character of the project site through the demolition of existing structures, construction of new buildings and associated improvements, and intensification of existing 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.

As discussed previously, the proposed project would result in the construction of new structures that would be a maximum of seven stories in height, which would be taller than the existing structures on site and surrounding the project site that are generally one to five stories in height. The project sponsor is requesting to use the density bonus to modify the development standards for height on the project site to increase the height limit from 36 feet to 90 feet. The City allows a density bonus in exchange for providing a certain percentage of affordable units, and the project sponsor proposes the development of up to 147 affordable units. Therefore, the proposed increase in building height would not conflict with applicable zoning or other regulations governing scenic quality. Although the proposed project would increase the intensity and density of development at the project site, the proposed land uses would remain consistent with existing surrounding land uses, which would ensure the proposed project would maintain a complimentary visual relationship with development surrounding the project site.

In addition, as discussed above under Threshold 4.3.1, although development of Phase 1 and Phase 2 would result in an increase in density and intensity of uses at the project site that would partially further obstruct already limited views of surrounding hillsides and ridgelines, intermittent views of surrounding short- and long-range hillsides and ridgelines would still be available from all six representative viewpoints that depict publicly accessible views of the project site. Additionally, because the proposed project would occur in an existing urban, developed area that is currently underutilized, the intensification of development on the project site would have a lesser impact on short- and long-range ridgelines compared to new development in a previously undeveloped or sparsely developed area.

As discussed in Chapter 3.0, Project Description, the project site would be rezoned to the Planned Development (PD) District as part of the proposed project. The PD District 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 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.

Additionally, the proposed project requires an Environmental and Design Review Permit and Master Signage Program. These processes are underway and would ensure that the proposed project meets all guidelines, standards, and objectives related to building design and aesthetics. Also evaluated in this process is a proposed project design's compatibility with or appropriateness for its surroundings. The development review process relies on the goals, policies, and programs in the General Plan, ordinances in the San Rafael Municipal Code, and additional regulations governing scenic quality included in the Design Guidelines and the Promenade Conceptual Plan. As a result of regulations built into the PD District and conformance with the design review process, the proposed

project would not conflict with the visual quality-related policies and programs set forth in the San Rafael General Plan or impede attainment of a complimentary visual relationship between the proposed project and existing and planned development surrounding the site, the project area's overall topography, or short-range and long-range ridgelines. Therefore, impacts would be **less than significant**.

Threshold 4.3.4: Create a New Source of Light or Glare. The project site is located in an urban area with a variety of existing light sources, including street and parking area lights, interior and exterior building lighting, and light associated with traffic on nearby roadways (including US-101, Las Gallinas Avenue, Manuel T. Freitas Parkway, Merrydale Road, and Northgate Drive). The proposed project would result in an increase in building intensity and density at the project site, which would introduce new sources of light and glare to the area in the form of new windows, new interior lighting, new exterior safety and security lighting, and shifts in the timing of automobile presence (although overall vehicle trips would be reduced compared to the baseline shopping mall use). The proposed project would also result in an increase in building height at the project site to 90 feet. The majority of the parking supply for the proposed project would be provided in parking structures, resulting in a decrease in surface parking spaces at the project site compared to existing baseline conditions which assume full occupancy of the existing mall; therefore, windshield and window glare would be reduced due to the reduction in large expanses of surface parking lots.

The City's Municipal Code Section 14.16.227, Light and Glare, regulates the type of colors, materials, and lighting to avoid creating undue off-site light and glare impacts. New or amended building or site colors, materials, and lighting would be required to comply with the standards, subject to review and recommendation by the police department, public works department, and community development department. These processes are underway independent of the environmental review process and would ensure that the proposed project meets all guidelines, standards, and objectives related to lighting. Further requirements include discouraging use of reflective or glossy materials, the shielding of light fixtures and minimization of foot-candle intensity to minimize impacts on adjacent development, and compatibility with on-site and off-site light sources.

Additionally, Section 14.18.170, Lighting, of the San Rafael Municipal Code states that lights provided to illuminate any parking facility or paved area shall be designed to reflect away from residential use and motorists. It is the intent to maintain light standards in a low-profile design, as well as to be compatible with the architectural design and landscape plan. Light fixtures (e.g., pole and wall-mount) should be selected and spaced to minimize conflicts with tree placement and growth. Section 14.19.055, Illumination Standards, of the Municipal Code restricts the type of signs that may be permitted and minimizes the allowance of signs illuminated by an artificial source so as to influence light and glare on adjacent properties. Section 14.19.055 outlines specific design criteria and restrictions for these signs, including an outline of which types of illuminated signs are prohibited within the city limits.

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. The General Plan goals, policies, and programs also require reducing light and glare spillover from future development to surrounding land uses by buffering or shading new development.

Overall, although the proposed project would result in an increase in intensity of lighting and glare at the project site, the project site and surrounding areas are already developed and contribute to nighttime illumination and glare under existing conditions, and the proposed project would generally be consistent with existing surrounding uses. While the height and mass of the new buildings would make light from the project site noticeable from off-site locations, it would be absorbed into the overall lighting patterns that already exist in the area. In particular, existing nighttime lighting would blend in with existing lighting from the buildings west of the project site along Thorndale Drive, which would be higher in elevation than any of the proposed residential buildings. Additionally, the proposed project would be subject to various Municipal Code and General Plan requirements that would minimize potential impacts related to light and glare that may result from the increase in intensity at the project site. As such, implementation of the proposed project would not create a source of light and glare that would substantially or adversely affect day or nighttime views in the area, and this impact would be **less than significant**.

Threshold 4.3.5: Create New Shadows Affecting Open Spaces. Existing buildings on and in the vicinity of the site, particularly the taller five-story commercial, multi-family residential, hotel, and healthcare uses, currently cast shadows onto adjacent structures and properties during certain seasons and times of day. The most prominent shadows are cast around the winter solstice (December 21), typically earlier and later in the day. During these time periods, the days are shorter, the sun is lower on the horizon, and the shadows cast are longer and for a greater duration than during other times of the year. This is generally the nature of the development pattern within existing urbanized areas. The existing mall currently does not cast shade or shadows on any historical resources sensitive to shade or quasi-public park/open space areas. As previously discussed, the nearest open space areas to the project site are the Mt. Olivet San Rafael Cemetery east across Merrydale Road and Hartzell Park located to the south. As noted above, the cemetery has a high point of approximately 90 feet in elevation, which is approximately 50 feet higher than the project site⁸ due to the fact that it sits on top of a knoll. Similar to the cemetery, Hartzell Park also sits atop a knoll that extends approximately 160 feet in elevation, which is approximately 120 feet higher in elevation than the project site. Additionally, existing buildings are also separated from most nearby residential areas by existing roadways, including Northgate Drive. Existing shadows cast from the project site onto adjacent properties and structures are therefore currently minimal and typical of an urban environment.

A Shadow Study was prepared to evaluate the potential shadows cast by new buildings on the project site.⁹ The results of the Shadow Study indicate that the proposed buildings included in both Phase 1 and Phase 2 of the proposed project would not cast any new shadows on surrounding uses, including the open space areas to the east and south. In particular, during the winter solstice, when shadows are generally the most prominent, new shadows would either be cast on existing or proposed buildings on the project site or the hillside immediately west of the project site. Therefore, impacts would be **less than significant**. Furthermore, the proposed project would not result in any

⁸ United States Geological Survey (USGS). 2022. TopoBuilder. Website: <https://topobuilder.nationalmap.gov/> (accessed July 2023).

⁹ Merlone Geier Partners. 2023. *Northgate Town Square Shadow Studies*. July 13.

new shadows on the adjacent Terra Linda Valley Neighborhood under any scenario evaluated in the Shadow Study (spring equinox, autumn equinox, summer solstice, or winter solstice).

4.3.2.3 Cumulative Impacts

The geographic area considered for the aesthetic cumulative analysis includes the neighborhoods adjacent to the project site and landscape within the immediate viewshed. The proposed project would have a significant effect on the environment if it would contribute to a significant cumulative impact on visual resources. There are no projects under review by the City in the vicinity of the project site that may impact similar visual resources. Accordingly, the proposed project would not make a cumulatively considerable contribution to any significant cumulative impact to visual resources, and this impact would be **less than significant**. Furthermore, development of proposed on-site uses would be subject to applicable standards, regulations, and design guidelines to create a visually consistent and cohesive pattern of development. It is anticipated that other development in San Rafael as assumed under the General Plan would equally be subject to these regulations. Because the proposed project and other cumulative development projects would be subject to the City's design review process, it is reasonable to conclude that each project will be conditioned to fully comply with the specific siting, design, and improvement requirements established in its respective zoning district or Specific Plan. As with the proposed project, as each cumulative project incorporates the appropriate City-required conditions, it is reasonable to conclude its project-specific impacts would be similarly reduced to ensure that significant impacts would not occur.

This page intentionally left blank