

## 4.13 PUBLIC SERVICES AND RECREATION

This section describes the public services (police, fire and emergency, schools, and parks and recreation) that serve the City of San Rafael (City), analyzes the potential impacts that could result from implementation of the proposed project, and recommends mitigation measures, as necessary. The information presented was gathered from a variety of sources, including direct communication with the agencies and organizations that administer or provide the various public services.

### 4.13.1 Setting

The setting section discusses the existing public services for San Rafael and focuses on the following topics: police protection services, fire and emergency medical services, schools, parks and recreation facilities, and public libraries.

#### 4.13.1.1 Police Protection Services

Information about police protection services for San Rafael, including the project area, is discussed below.

**California Highway Patrol.** Highway patrol provides traffic enforcement on local freeways. Mutual aid agreements allow for joint responses to major incidents.

**City of San Rafael Police Department.** The San Rafael Police Department (SRPD) operates out of downtown San Rafael at the San Rafael Public Safety Center at 1375 Fifth Avenue, approximately 2 miles southeast of the project site. The SRPD provides service 24 hours per day and preserves public peace, enforces laws, protects life and property, and provides traffic enforcement and police services to the community. The SRPD also has an approximately 200-square-foot substation located on the project site within the main mall building.

The SRPD is comprised of two divisions: Operations and Administrative Services. The Operations Division consists of uniformed patrol, special weapons and tactics (SWAT), traffic, and police cadets. The Administrative Services Division consists of investigations, records, dispatch, the special operation bureau, the youth services bureau, and personnel and training.<sup>1</sup> In 2022, the SRPD had 65 full-time sworn personnel. Considering that the population of San Rafael was 59,971 individuals in 2022,<sup>2</sup> the police-officer-to-resident ratio was 1.08 sworn officers per 1,000 residents, which is likely similar to existing conditions.<sup>3</sup> This value is within the industry standard target of 1 to 1.5 officers per 1,000 residents.<sup>4</sup>

<sup>1</sup> City of San Rafael Police Department. 2019. *San Rafael Police Department Policy Manual*.

<sup>2</sup> United States Census Bureau. 2022. QuickFacts. San Rafael city, California. December 22. Website: <https://www.census.gov/quickfacts/fact/table/sanrafaelcitycalifornia/PST045222> (accessed August 2023).

<sup>3</sup> Note that the City's 2023 population of 59,681 as identified in Table 4.2.A in Section 4.2, Population and Housing, represents a slight decline in the population compared to 2022. The 2022 population data are provided here because 2022 is the most recent year for which SRPD staffing data were available at the time that the EIR was prepared.

<sup>4</sup> City of San Rafael Police Department. 2019. *San Rafael Police Department Policy Manual*.

In 2021, the year for which the most current data are available, SRPD had a total of 47,829 calls for service, with the most common calls consisting of welfare checks, suspicious circumstances, unwanted subject, audible alarm, and suspicious person. The project site is located within Beat 5, which had an average response time of 28 minutes, 49 seconds in 2021, which was similar to the citywide average of 28 minutes, 34 seconds. Priority 1 calls, which are the most urgent, had a response time of 7 minutes, 46 seconds, while Priority 2 and 3 calls had response times of 22 minutes and 48 minutes, 55 seconds, respectively.

#### 4.13.1.2 Fire and Emergency Medical Services

The San Rafael Fire Department (SRFD) provides emergency first responder services within the geographical boundaries of San Rafael. The department is made up of over 90 professionals trained in emergency medical care, firefighting, hazardous materials, and emergency preparedness.<sup>5</sup>

**Emergency Response and Fire Suppression.** There are six fire stations with 23 personnel on-duty 24/7 to provide fire, paramedic, and emergency services with San Rafael. The SRFD currently employs 70 uniformed firefighters. Considering that the population of San Rafael was 59,971 individuals in 2022, the firefighter-to-resident ratio was 1.16 per 1,000 residents. The National Fire Protection Association (NFPA) standard for firefighter-to-community-member ratio is approximately 1.54 to 1.81 firefighters per 1,000 residents.<sup>6</sup> Approximately 70 percent of the calls that the SRFD receives are for medical-related needs.<sup>7</sup> The SRFD responds to fires to provide control, extinguishment, overhaul, and salvage that result in a minimum loss of life and property. The SRFD is also responsible for responding to hazardous materials incidents for scene management, confinement, and mitigation. Other services offered include assisting disabled patients, police assists, water evacuation, lock-ins, and other rescue services.

In 2022, the SRFD responded to a total of 10,072 calls for service, which was approximately 13 percent higher than the previous 5-year average of approximately 8,892 calls for service. The majority of calls for service were for emergency medical service (6,942), with the next highest being Good Intent<sup>8</sup> (1,347) and non-fire service calls (923). As of 2020, citywide, the SRFD conformed to the response time goal to be on scene within 5 to 7 minutes following a call for service 90 percent of the time, as established by NFPA Standard 1710.<sup>9</sup>

Fire Station 56 (located approximately 1 mile away at 650 Del Ganado Road) and Fire Station 57 (located approximately 0.8 mile away at 3530 Civic Center Drive) are the closest fire stations to the

<sup>5</sup> City of San Rafael. 2021. *San Rafael General Plan 2040 & Downtown Precise Plan Draft Environmental Impact Report*. January.

<sup>6</sup> This standard is for firefighting purposes only and does not take into account paramedic transport agencies such as SRFD that have far higher call volumes that are emergency medical service (EMS) related.

<sup>7</sup> City of San Rafael Fire Department. n.d. Fire Department History. Website: <https://www.cityofsanrafael.org/fire-department-history/> (accessed January 17, 2022).

<sup>8</sup> A 'Good Intent' incident is when the fire department is dispatched to a scene but upon arrival and investigation, the scene is not the incident-type report and is no threat/problem.

<sup>9</sup> City of San Rafael. 2021. *San Rafael General Plan 2040 & Downtown Precise Plan Draft Environmental Impact Report*. January.

project site. Fire Stations 56 and 57 both have one Type 1 fire engine and one ambulance.<sup>10</sup> Fire Station 56 also houses a reserve ambulance, and Fire Station 57 houses a reserve ladder truck and water recirculation unit. As of 2022, the average response time in the service area for Fire Station 56 (which includes the project site) was 6 minutes. For Fire Station 57, the response time was 6 minutes, 20 seconds. Fire Station 56 typically has 3 personnel on duty, while Fire Station 57 typically has 5 personnel on duty.

The San Rafael General Plan 2040 & Downtown Precise Plan Environmental Impact Report (General Plan EIR) evaluated potential citywide impacts to fire service resulting from buildout of the General Plan. The General Plan EIR determined that the addition of the City's Public Safety Center, the reconstruction of Fire Station 52, the construction of Fire Station 57, and the rehabilitation of Fire Stations 54 and 55 would ensure that SRFD facilities are adequate to serve the anticipated buildout. Additionally, the SRFD determined that existing equipment and staffing levels would be adequate to accommodate growth anticipated under General Plan 2040 aside from the need for additional ambulance vehicles to meet an increase in emergency medical services demand.

**Fire Prevention Bureau/Vegetation Management Division.** The Fire Prevention Bureau ensures public safety through the issuance of Fire Permits for the following activities: construction permits, operational permits, and State-mandated inspections. The Vegetation Management Divisions provide public education and complete inspections for defensible space, home hardening, and offers free curbside chipper services.<sup>11</sup>

**Marin Household Hazardous Waste Facility.** The SRFD jointly operates the Marin Household Hazardous Waste Facility with Marin County Hazardous & Solid Waste Management Joint Powers Authority and the Marin Recycling & Resource Recovery Association. The SRFD holds the County of Marin (County) permit for the facility and is responsible for managing waste generated at the facility. This facility provides residents and businesses in Marin County with a safe and convenient option for hazardous waste collection, recycling, and disposal. The facility also provides education to the public on the importance of responsible disposal of toxic materials and the resulting benefits to health, environment, and finances.<sup>12</sup>

#### 4.13.1.3 Schools

The City of San Rafael is served by two school districts, including San Rafael City Schools (SRCS) and the Miller Creek School District (MCSD). There are also a number of private schools located within San Rafael.<sup>13</sup>

<sup>10</sup> San Rafael Firefighter's Association, IAFF Local 1775. n.d. Find Your Fire Stations. Website: <https://www.sanrafaelfirefighters.net/about-us/find-your-fire-stations/> (accessed January 17, 2022).

<sup>11</sup> City of San Rafael Fire Department. n.d. Fire Prevention & Inspection. Website: <https://www.cityofsanrafael.org/fire-prevention-inspection/> (accessed January 17, 2022).

<sup>12</sup> City of San Rafael Fire Department. n.d. Household Hazardous Waste. Website: <https://www.cityofsanrafael.org/hazardous-waste-disposal/> (accessed January 17, 2022).

<sup>13</sup> City of San Rafael. 2021. *San Rafael General Plan 2040 & Downtown Precise Plan Draft Environmental Impact Report*. January.

**Public Schools.** The SRCS operates six active K-5 elementary schools, one K-8 school, one middle school, and three high schools. The MCSD operates three active K-5 elementary schools and one middle school. Students in the MCSD school district typically matriculate to Terra Linda High School, which is operated by SRCS; however, the SRCS is an open-enrollment district and students may choose to attend San Rafael High School. The project site falls within the current boundaries of the MCSD and, although intra-district transfers are permitted, most of the student population within the project area would attend the nearest MCSD schools, specifically Vallecito Elementary School and Miller Creek Middle School, as well as the SRCS-operated Terra Linda High School. Enrollment for all schools in SRCS and MCSD is shown in Tables 4.13.A and 4.13.B, respectively. Total enrollment for both districts in Academic Year (AY) 2020-2021, the school year for which the most recent data are available, was 8,729 students.

**Table 4.13.A: San Rafael City Schools Enrollment, Academic Year 2019-2020**

School	Grade Range	Enrollment <sup>1</sup>	Capacity <sup>2</sup>
<b>Elementary Schools</b>			
Bahia Vista	K – 5	580	578
San Pedro	K – 5	507	552
Coleman	K – 5	370	426
Sun Valley	K – 5	461	552
Glenwood	K – 5	304	476
Laurel Dell	K – 5	280	226
<b>Elementary School Enrollment Total</b>		<b>2,502</b>	<b>2,810</b>
<b>K-8 Schools</b>			
Venetia Valley K-8	K – 8	683	857
<b>K-8 School Enrollment Total</b>		<b>683</b>	<b>857</b>
<b>Middle Schools</b>			
Davidson Middle	6 – 8	1,079	1,400
<b>Middle School Enrollment Total</b>		<b>1,079</b>	<b>1,400</b>
<b>High Schools</b>			
Madrone High	9 – 12	121	60
San Rafael High	9 – 12	1,287	1,152
Terra Linda High	9 – 12	1,200	1,032
<b>High School Enrollment Total</b>		<b>2,608</b>	<b>2,244</b>

Source: Compiled by LSA (2023).

<sup>1</sup> National Center for Education Statistics: <https://nces.ed.gov/>

<sup>2</sup> City of San Rafael. 2020. *General Plan 2040 Community Services Report*. February.

**Table 4.13.B: Miller Creek School District Enrollment, Academic Year 2020-21**

School	Grade Range	Enrollment <sup>1</sup>	Capacity <sup>2</sup>
<b>Elementary Schools</b>			
Lucas Valley	K – 5	336	426
Vallecito	K – 5	408	512
Mary E. Silveira	K – 5	418	500
<b>Elementary School Enrollment Total</b>		<b>1,162</b>	<b>1,438</b>
<b>Middle Schools</b>			
Miller Creek	6 – 8	692	809
<b>Middle School Enrollment Total</b>		<b>692</b>	<b>809</b>

Source: Compiled by LSA (2023).

<sup>1</sup> Miller Creek Scholl District (2021).

<sup>2</sup> City of San Rafael. 2020. *General Plan 2040 Community Services Report*. February.

**Private Schools.** In addition to the 11 schools operated by SRCS and 4 schools operated by MCSD, there are also many private schools within San Rafael, including: The Marin School, Brandeis Marin, Caulbridge School, Marin Waldorf School, Mark Day School, GATE Academy, Marin Academy, Montessori De Terra Linda, Saint Isabella School, and Saint Raphael School. The total enrollment of K-12 private schools was 1,800 students in 2019.<sup>14</sup>

**Higher Education.** Dominican University of California is located in San Rafael and has a student enrollment of 1,800 undergraduate and graduate students.<sup>15</sup> The University is an independent institution that offers more than 60 majors, minors, and concentrations.

#### 4.13.1.4 Parks and Recreation

Public open space is the single largest land use in San Rafael and constitutes approximately 40 percent of the city’s land area. Park service providers that operate facilities within and near San Rafael include the City of San Rafael Library and Recreation Department, County of Marin Open Space District, the California Department of Parks and Recreation, the Marinwood Community Services District, SRCS, and MCSD. Public park services are supplemented by private facilities such as swim and racquet clubs, the Young Men’s Christian Association (YMCA), the Osher Marin Jewish Community Center (Osher JCC), a private golf course, and community-run pools and play areas.

Public recreation opportunities include both parks with active and passive recreation facilities and managed open space. Open space refers to spaces managed for resource conservation, hazard reduction, and scenic value, while parks refer to land that has been improved in such a way to support active recreation. Typical park improvements include sports fields, playgrounds, picnic areas, tennis courts, running tracks, recreation centers, and basketball courts. Larger parks support

<sup>14</sup> City of San Rafael. 2021. *San Rafael General Plan 2040 & Downtown Precise Plan Draft Environmental Impact Report*. January.

<sup>15</sup> Dominican University of California. n.d. About. Website: <https://www.dominican.edu/about> (accessed January 17, 2022).

programmed services such as classes, swim and tennis lessons, activities for children and seniors, and league sports.

The City offers a number of recreation facilities, including Albert Park, Pickleweed Park, and Terra Linda Recreation Area. These facilities include public swimming pools, athletic fields and courts, community centers, playgrounds, and picnic areas. There are 42 improved parks and facility sites of various sizes and uses within San Rafael that are owned and operated by the City and County, totaling approximately 270 acres. A detailed list and map of all parks in San Rafael is provided in the Parks and Recreation Existing Conditions Report<sup>16</sup> prepared for the San Rafael General Plan 2040. In addition, there are approximately 95 acres of improved open space on public school properties within the City Planning Area. There are approximately 2,570 acres of unimproved open space within the incorporated City of San Rafael and an additional 3,801.5 acres within unincorporated areas in the San Rafael Planning Area.<sup>17</sup>

A standard ratio of adequate parkland acreage to population has been established within California and consists of 3 to 5 acres of improved open space per 1,000 residents. School open space is typically included in this calculation at a smaller percentage than the total acreage because access to schools is limited and not available for public use when school is in session. When counting school open space at 50 percent, the total improved parkland acreage in the San Rafael Planning Area totals 314 acres. Considering there are 73,300 residents within the City's Sphere of Influence,<sup>18</sup> there are currently 4.28 acres of improved parkland per 1,000 residents. The types of parks and open spaces serving the city are defined in the General Plan and are further described below.

- **Region-Serving Parks:** Region-serving parks draw visitors from throughout Marin County and the San Francisco Bay Area (Bay Area) and offer unique amenities. There are three region-serving parks in San Rafael: McInnis Park and Golf Center (County of Marin), McNears Beach (County of Marin), and China Camp State Park (State of California). Most of the acreage in these parks is counted as "open space" but each park also includes active recreational areas that serve a regional market.
- **Community Parks:** Community parks primarily serve residents from San Rafael and attract users from multiple neighborhoods. They are typically 10 acres or larger and include a variety of facilities such as recreation centers, swimming pools, tennis courts, restrooms, and multi-use athletic fields. There are three community parks in the city limits (Albert Park, Pickleweed Park,

<sup>16</sup> City of San Rafael. 2019. San Rafael General Plan 2040 Background Report, *Parks and Recreation Existing Conditions*. December. Website: <https://www.cityofsanrafael.org/gp-2040-document-library/> (accessed August 2023).

<sup>17</sup> City of San Rafael. 2021. *San Rafael General Plan 2040 & Downtown Precise Plan Draft Environmental Impact Report*. January.

<sup>18</sup> City of San Rafael. 2021. *San Rafael General Plan 2040 & Downtown Precise Plan Draft Environmental Impact Report*. January. As described on page 4.15-37 of the San Rafael General Plan 2040 Draft EIR, calculations of parkland and residents typically count parkland within a city's Planning Area (as opposed to the city limits), provided they are publicly accessible for community and neighborhood recreation. Therefore, the population used for parkland ratios also considers the City's Planning Area (in this case the Sphere of Influence). As such, the population for parkland ratios is higher than the citywide population identified in other sections of this EIR.

and Terra Linda Recreation Area) and one in the unincorporated area (Marinwood Park). The service area radius for a community park is approximately 1 mile, and the service area population is 10,000 to 20,000 residents.<sup>19</sup>

- **Neighborhood Parks:** Neighborhood parks serve a more limited geographic area than community parks. They are within walking distance of many users, with a service area radius of 0.5 mile and a service area population of 2,000 to 5,000 residents. Neighborhood parks are typically between 1 and 10 acres in size and include a range of facilities (e.g., softball fields, playgrounds and tot lots, lawn areas, picnic areas, and basketball courts). Examples include Santa Margarita Park and Sun Valley Park.
- **Pocket Parks:** Pocket parks are less than 1 acre in size and draw from a smaller service area than neighborhood parks (e.g., a 0.25-mile radius). Facilities in these parks are usually limited to children's play structures, lawn areas, and places to sit or enjoy nature. Examples include Riviera Park in Peacock Gap and Oliver Hartzel Park on Golden Hinde Boulevard. A few pocket parks have no facilities and were designed as ornamental open spaces along major roads.
- **Special Use Parks:** Special-use parks include parks that serve a unique purpose or activity. These include shoreline trails (such as Starkweather Park along the Bay), the "Field of Dogs" County Dog Park, and the historic homes at Boyd Park and the Falkirk Mansion. These parks play an important role in meeting community-wide cultural and recreational needs or showcasing special community features.
- **Public School Facilities:** Public school facilities include open spaces that are owned and operated by SRCS and MCSD. Although there may be limitations on access, school campuses complement City-operated facilities by providing additional sports fields, hard court areas, and playgrounds.

The parks closest to the project area include Oliver Hartzell Park (approximately 0.35 mile south of the project site), Freitas Park (approximately 0.42 mile west), Terra Linda Garden (approximately 0.45 mile south), Los Ranchitos Park (approximately 0.75 mile southeast), and Lagoon Park (0.77 mile east). Oliver Hartzell Park is an approximate 0.54-acre pocket park with a playground and grassy areas. Freitas Park is an approximately 2.69-acre community park with sports fields, picnic areas, tennis courts, playgrounds, and the San Rafael Community Center. Los Ranchitos Park is an approximate 3-acre neighborhood park with a playground, walking path, grassy areas, a basketball court, and a handball court. Terra Linda Garden is a 1-acre community garden with garden plots available for rent for an annual fee. Lagoon Park is a 10-acre, County-maintained park that is located at the Civic Center campus and includes a dog-friendly walking path, a lagoon, fishing, grassy areas, a playground, and picnic tables.

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<sup>19</sup> Terra Linda Recreation Area is counted as a Community Park because it includes a recreation center, swimming pool, and other community-serving facilities, and because of its long-standing role as a community gathering place for North San Rafael. However, at 2.9 acres, the park falls short of the acreage requirement for a Community Park.

#### 4.13.1.5 Libraries

San Rafael's public library system is operated by the City's Library and Recreation Department. The main library branch is located adjacent to City Hall in the Downtown area. There are two satellite branches: the Pickleweed Branch located at the Albert Boro Community Center in eastern San Rafael, and the Northgate Mall Branch located within the main mall building on the project site. The libraries are managed by the City's Library and Recreation Department, which is also responsible for recreation programming, childcare, and arts services.

Existing library facilities in San Rafael total approximately 20,000 square feet. The original Downtown Library opened in 1909 as a 5,160-square-foot facility, and later expanded to the current 14,800 square feet by 1976. The Pickleweed Branch occupies 2,185 square feet, which primarily serves residents of the Canal neighborhood in eastern San Rafael. The Northgate Mall Branch was established in 2018 as a "pop-up" facility that occupies 3,000 square feet. A 2017 assessment of library conditions concluded that that Northgate Mall branch currently meets the needs of the northern San Rafael communities, but that both the main branch and Pickleweed Branch are deficient in meeting the needs of San Rafael and adjacent neighborhoods.<sup>20</sup>

The City's Municipal General Fund supports library services within San Rafael. Additionally, a library special parcel Tax Measure was instituted in 2010 and extended in 2017 to supplement library services. The parcel tax, which is currently set at \$59 per year, is intended to be used to maintain library hours, equipment, materials, and services for children, teens, and adults.

#### 4.13.1.6 Regulatory Setting

**State Regulations.** Development associated with the project would be required to comply with the California Building Code, California Fire Code, Senate Bill (SB) 50, the Mitigation Fee Act, and the Quimby Act, all of which are described below.

**California Building Code.** The State of California provides a minimum standard for building design through the California Building Code (CBC), which is located in Part 2 of Title 24 of the California Code of Regulations (CCR). The CBC is based on the 1997 Uniform Building Code, but has been modified for California conditions. It is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions. Commercial and residential buildings are plan-checked by local, City, and County building officials for compliance with the CBC. Typical fire safety requirements of the CBC include: the installation of sprinklers in all high-rise buildings; the establishment of fire-resistant standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildfire hazard areas.

**California Fire Code.** The California Fire Code incorporates, by adoption, the International Fire Code of the International Code Council, with California amendments. This is the official Fire Code for the State and all political subdivisions. It is located in CCR Title 24, Part 9. The California

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<sup>20</sup> City of San Rafael. 2020. *Community Services Background Report*. February. Website: <https://www.cityofsanrafael.org/gp-2040-document-library/> (accessed August 2023).



Fire Code is revised and published every 3 years by the California Building Standards Commission.

**Senate Bill 50.** SB 50 limits the power of cities and counties to require mitigation of school facility impacts as a condition of approving new development and provides instead for a standardized developer fee. SB 50 generally provides for a 50/50 State and local school facilities funding match. SB 50 also provides for three levels of statutory impact fees. The application level depends on whether State funding is available, whether the school district is eligible for State funding, and whether the school district meets certain additional criteria involving bonding capacity, year-round school schedule, and the percentage of moveable classrooms in use.

**Mitigation Fee Act.** The Mitigation Fee Act requires any local agency establishing, increasing, or imposing an impact fee as a condition of development to identify the purpose of the fee and the use to which the fee is to be put. The agency must also demonstrate a reasonable relationship between the fee and the purpose for which it is charged, and between the fee and the type of development project on which it is to be levied.

**Quimby Act.** The Quimby Act of 1975 authorizes cities and counties to pass ordinances requiring developers to set aside land, donate conservation easements, or pay fees for park improvements. The Quimby Act sets a standard park-space-to-population ratio of up to 3 acres of park space per 1,000 persons. Cities with a ratio higher than 3 acres per 1,000 persons can set a standard of up to 5 acres per 1,000 persons for new development. The calculation of a city's park-space-to-population ratio is based on a comparison of the population count of the last federal census to the amount of city-owned parkland.

**Local Regulations.** Development associated with the proposed project would be required to comply with the General Plan and the San Rafael Municipal Code, described below.

**San Rafael General Plan 2040.** The following General Plan goals, policies, and actions relevant to public services would apply to the proposed project:

**Goal PROS-1: Quality Parks for All to Enjoy.** Sustain high quality parks that meet the recreational needs of all those who live and work in San Rafael

**Policy PROS-1.2: Per Capita Acreage Standard.** Maintain a citywide standard of 4.0 acres of improved park and recreation land per 1,000 residents.

**Program PROS-1.2C: Exemptions.** to reduce further increases in housing costs, exempt accessory dwelling units and affordable housing units from park in-lieu and dedication requirements. Consider eliminating the existing exemption for market-rate rental housing or adopting a modified fee schedule which considers factors such as unit size and total project size.

**Policy PROS-1.11: 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

**Program PROS-1.11A: Design for All Users.** Engage park users, businesses, residents, and social service providers in the design and management of urban parks to safely accommodate all users, provide universal access, and minimize conflicts

**Program PROS-1.11B: Activating Public Space.** Work with cafes, restaurants, and other businesses to activate and maintain urban parks and plazas. This can provide ‘eyes on the space,’ create a sense of ownership, and facilitate economic vitality by providing space for outdoor dining and vending.

**Policy PROS-1.13: 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.

**Policy PROS-1.14: Commercial Recreation.** Encourage private sector development of complementary recreational facilities to serve community needs, such as commercial recreation and athletic field facilities, swim clubs, tennis clubs, marinas, and gyms and health clubs.

**Goal CSI-3: Exceptional Public Safety Services.** Provide and maintain exceptional fire, public safety, and paramedic services.

**Policy CSI-3.2: Mitigating Developmental 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.

**Program CSI-3.2A: Crime Prevention through Environmental Design.** Design new public and private development to achieve “eyes on the street” including site planning, lighting, landscaping, and architectural design features that reduce the potential for crime.

**Program CSI-3.2B: 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.

#### 4.13.2 Impacts and Mitigation Measures

The following section provides a discussion of impacts related to public services and recreation that could result from implementation 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 section describes the impacts associated with implementation of the project and recommends mitigation measures, if required.

In the context of this section, it is important to note that consistent with *City of Hayward v. Trustees of California State University (2015) 242 Cal.App.4th 833*, significant impacts under the California Environmental Quality Act (CEQA) consist of adverse changes in any of the physical conditions within the area of a project, and potential impacts on public safety services that are not an environmental

impact that CEQA requires a project sponsor to mitigate. Specifically, the obligation to provide adequate fire and emergency medical services is the responsibility of the City.<sup>21</sup> Thus, the need for additional staff to provide fire or police protection services, absent physical effects associated with the construction of new facilities required for the provision of such services, would not be considered an environmental impact that CEQA requires an individual project proponent to mitigate.

#### 4.13.2.1 Significance Criteria

Implementation of the project would result in a significant impact related to public services and recreation if it would:

- Threshold 4.13.1:** Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services: fire protection; police protection; schools; parks; or, other public facilities;
- Threshold 4.13.2:** Result in an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- Threshold 4.13.3:** Include recreational facilities or require the construction or expansion of recreational facilities that would have an adverse physical effect on the environment.

#### 4.13.2.2 Project Impacts

The following section discusses potential impacts related to public services and recreation associated with development of the proposed project, including construction and implementation of Phase 1 (which would result in the creation of 922 residential units and a reduction of 756 jobs [2025 Master Plan]) and Phase 2 (which would result in an additional 500 residential units and a reduction of 813 jobs).<sup>22</sup> Overall, the proposed project would result in the introduction of 1,422 residential units and approximately 3,541 new residents to the project site. The proposed project would reduce the number of jobs on the site by 1,569 compared to full occupancy of the mall.

<sup>21</sup> “The protection of the public safety is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services.” (Cal. Const., art. XIII, § 35, subd. (a)(2))

<sup>22</sup> 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.

**Threshold 4.13.1: Provision of Public Services.** The following section includes a discussion of impacts related to fire protection, police protection, schools, parks, and other public facilities.

**Fire Protection.** Impacts on fire protection services are considered significant if an increase in population or building area would result in inadequate response times or other performance objectives for fire protection and/or increased demand for services that would require construction of new fire protection facilities. The following analyzes project-related impacts to fire protection services that could occur with implementation of the proposed project during both construction and operation.

Construction associated with the proposed project could increase the potential for accidental on-site fires from the operation of construction equipment, the use of flammable construction materials, and sparking during the removal of existing on-site vegetation. As required by the California Occupational Safety and Health Administration (Cal/OSHA) and Fire and Building Code requirements, the construction contractor would be required to carefully store flammable materials in appropriate containers during project construction, use construction equipment with spark arrestors, and immediately and completely clean up spills of flammable materials when they occur. In addition, the construction contractor and construction personnel would be trained in emergency response, and fire suppression equipment specific to the construction site would be available and maintained on site for the duration of the construction period. Adherence to existing laws would ensure that the proposed project would not have a significant construction impact related to fire protection service from the SRFD. As such, construction-related impacts to fire protection would be minimized and the provision of and/or need for new or physically altered governmental facilities (the construction of which could cause significant environmental impacts) would not be required.

As discussed in Section 4.2, Population and Housing, the proposed project would be consistent with the development assumed for the project site in the General Plan, the General Plan EIR, and Housing Element. The General Plan EIR determined that the addition of the City's Public Safety Center, the recent reconstruction of Fire Station 52, the construction of Fire Station 57, and the planned rehabilitation of Fire Stations 54 and 55 would ensure that SRFD facilities are adequate to serve the anticipated buildout of the General Plan. Buildout of the General Plan is projected to occur over a 20-year horizon through 2040. Because potential future development under the General Plan would occur in existing urban areas serviced by the SRFD, and because buildout of the General Plan would occur over time and not all at once, the SRFD would be expected to be able to maintain service ratios and response times despite the growth. As noted previously, the SRFD also determined that existing equipment and staffing levels would be adequate to accommodate growth under buildout of General Plan 2040. The proposed project would be consistent with the amount of residential development assumed for the project site in the General Plan, and therefore would not result in any new or more substantial population growth than was previously planned for by the SRFD. In addition, as described above, the proposed project would result in an overall reduction in the number of jobs on the project site compared to full occupancy of the mall.

Although the SRFD did not identify the need for new staffing as part of the General Plan buildout, the SRFD did identify a need for additional ambulances. In addition, as stated above,

the SRFD is currently staffed at 1.16 firefighters per 1,000 residents, which is below the NFPA standard of approximately 1.54 to 1.81 firefighters per 1,000 persons.<sup>23</sup> Staffing levels are one of many factors considered in the SFRD's ability to meet its response time goals and utilizing its existing facilities. To be consistent with the minimum NFPA standard, the proposed project would result in the need for three additional firefighters for Phase 1 (2,258 new residents) and two new firefighters for Phase 2 (1,283 residents). Fire department staffing and equipment are reviewed through an annual budgeting process during which citywide priorities are established and service levels monitored, allowing adjustments where needed. Any added personnel would be funded through the City's General Fund. Revenue and taxes generated by the project would contribute to the City's General Fund for purposes such as funding added personnel and new equipment. The addition of new staff and equipment (i.e., ambulances) would not result in the need for new facilities, and the addition of new staff would ensure that the SFRD continues to meet established response time goals. Therefore, because the proposed project would not result in any development beyond that which was already considered in the General Plan and General Plan EIR, and because the proposed project would not require the provision of or need for new or physically altered facilities, the construction of which could result in adverse environmental effects, to continue to serve the project site, this impact would be **less than significant**.

**Police Protection.** Impacts on police protection services are considered significant if an increase in population would result in inadequate response times or other performance objectives for police protection and/or increased demand for services that would require construction of new police protection facilities. The following analyzes project-related impacts to police protection services that could occur with implementation of the proposed project.

As previously discussed, in 2021, the SRPD responded to 47,829 calls for service. While reducing the amount of commercial space on the site would reduce the number of retailers, employees, and visitors to the site and therefore likely decrease the number of calls for service associated with this type of use, the proposed project would also result in the introduction of 1,422 residential units and 3,541 new residents to the project site. Overall, the project would increase the population on the site compared to current conditions, including the nighttime population, and would therefore result in an increase in demand for police services in the project area and a corresponding increase in the number of calls for service. However, as discussed in Section 4.2, Population and Housing, the proposed project would be consistent with the development assumed for the project site in the General Plan, General Plan EIR, and Housing Element.

Additionally, as stated above, the SRPD is currently staffed at 1.08 officers per 1,000 residents, which is within the industry standard target of 1 to 1.5 officers per 1,000 residents. To maintain this level of staffing after completion of Phase 1 of the proposed project, which would result in approximately 2,258 new residents, SRPD would need to hire two new officers by 2025. Phase 2 would result in an additional approximately 1,283 residents, which would require SRPD to hire one new officer by 2040 to maintain the service ratio. Police services and staffing ratios are reviewed through an annual budgeting process during which citywide priorities are established

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<sup>23</sup> This standard is for firefighting purposes only and does not take into account paramedic transport agencies such as SRFD that have far higher call volumes that are emergency medical service (EMS) related.

and service levels monitored, allowing adjustments where needed. Any added personnel would be funded through the City's General Fund. Revenue and taxes generated by the project would contribute to the City's General Fund for such purposes as funding added personnel. Additional officers needed to meet SRPD's desired staffing level would be accommodated by existing facilities and established response time goals would continue to be met.

Furthermore, as described in Chapter 3.0, Project Description, the proposed project would include a police substation on the project site for use by the SRPD. The substation would not be regularly staffed, but would be used as a satellite office for officers to use for paperwork and other office duties while they are in the field instead of having to return to police headquarters. Therefore, inclusion of the substation would lower responses times for the project site and the surrounding area.<sup>24</sup> Lastly, the proposed project would replace vacant commercial spaces with new residential uses and new and renovated commercial uses, which would increase the daytime and nighttime population on the project site, therefore increasing activity on the project site. An increase in activity on the project site would result in more "eyes on the street" providing informal surveillance and thus reducing the opportunity for crime. Therefore, because the proposed project would not result in any development beyond that which was already considered in the General Plan and General Plan EIR and because the proposed project would not require the provision of or need for new or physically altered facilities, the construction of which could result in adverse environmental effects, to continue to serve the project site, this impact would be **less than significant**.

**Schools.** The proposed project would introduce up to 1,422 new residential units, which would include 147 affordable units (all of which would be constructed in Phase 1). According to the MCSD, the proposed project would be estimated to generate one student for every 8.5 residential units, and one student for every 3.5 affordable units.<sup>25,26</sup> Therefore, according to the MCSD, the proposed project would be estimated to generate approximately 91 students from market rate units and 42 students from affordable units in Phase 1, for a total of 133 new students. In Phase 2, the proposed project would be estimated to generate 58 students from market rate units and 142 students from affordable units, for a total of 200 students. At buildout, the MCSD estimates a total of 333 elementary and middle school students would be generated.<sup>27</sup>

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<sup>24</sup> San Rafael Police Department. 2022. *Crime Prevention Through Environmental Design Site Review, Northgate Town Square Project Redevelopment Plan*. September 23.

<sup>25</sup> Miller Creek Elementary School District. 2022. *Re: Development Impacts in Our Community*. Written communication with Merlone Geier Partners and the City of San Rafael. March 21.

<sup>26</sup> MCSD's student generation rate is specific to the proposed project and is based on a "survey of other recently constructed multi-family housing." Given that these survey data were not available for review, SRCS student generation rates are used in the EIR analysis, but the MCSD rates are provided for informational purposes.

<sup>27</sup> The student generation estimate provided by MCSD does not differentiate between elementary and middle school students.

The SRCS high school student generation rate for multi-family housing is 0.1108 student per unit. Therefore, the proposed project would generate 102 high school students in Phase 1 and 55 high school students in Phase 2, for a total of 157 high school students at buildout.

Students living on the project site would attend Vallecito Elementary School, Miller Creek Middle School,<sup>28</sup> and typically Terra Linda High School.<sup>29</sup> Based on the capacity status of the schools serving the project identified in Table 4.13.C, enrollment within both the MCSD and SRCS would exceed capacity with development of the proposed project; therefore, the MCSD and SRCS would need to either expand their existing facilities or construct new schools. Students may also be re-directed to other “non-home” schools within the districts as enrollment at the nearest schools to the site exceeds capacity.

While implementation of the proposed project would generate new students, possibly requiring the expansion of school facilities, such development would be subject to the Mitigation Fee Act. The payment of such fees is deemed to fully mitigate the impacts of new development on school facilities, per California Government Code Section 65995. Furthermore, as discussed in Section 4.2, Population and Housing, the proposed project would be consistent with the development assumed for the project site in the General Plan, General Plan EIR, and Housing Element. Additionally, if new school construction or expanded school facilities become necessary, such projects would be subject to separate permitting and CEQA review in order to identify and mitigate potential environmental impacts. Therefore, impacts related to schools would be **less than significant**.

**Parks.** As discussed above in Section 4.13.1.4, the total improved parkland acreage in the San Rafael Planning Area totals 314 acres when counting school open space at 50 percent. Considering there are 73,300 residents within the City’s Sphere of Influence, there are currently 4.28 acres of improved parkland per 1,000 residents.<sup>30</sup> The proposed project would increase the City’s population by up to 3,541 persons,<sup>31</sup> which would decrease the parkland-to-resident ratio to 4.09 acres of improved parkland per 1,000 residents.<sup>32</sup> This ratio would remain within the citywide standard of 4.0 acres of improved park and recreation land per 1,000 residents as established by Policy PROS-1.2: Per Capita Acreage Standard of the San Rafael General Plan 2040. Therefore, additional parkland would not be required to accommodate the new development to maintain the City’s desired parkland-to-resident ratio, and the provision of new or physically altered governmental facilities (the construction of which could cause significant

<sup>28</sup> Miller Creek Elementary School District. 2023. Enrollment. Website:

<https://www.millercreeksd.org/departments/enrollment/index> (accessed August 2023).

<sup>29</sup> The San Rafael High School District is an open enrollment district, which means that any student who lives within San Rafael may choose to attend either San Rafael High School or Terra Linda High School.

<sup>30</sup> City of San Rafael. 2021. *San Rafael General Plan 2040 & Downtown Precise Plan Draft Environmental Impact Report*. January.

<sup>31</sup>  $1,422 \text{ residential units} \times 2.49 \text{ persons per household (average household size as detailed in Section 4.2, Population and Housing)} = 3,541 \text{ persons}$

<sup>32</sup>  $73,300 \text{ residents} + 3,541 = 76,841$ .

$314 \text{ acres of parkland} \div 76,841 = 0.00408 * 1,000 = 4.08 \text{ acres per 1,000 residents in the Sphere of Influence.}$

environmental impacts) in order to maintain acceptable performance objectives would not be required. Impacts would be **less than significant**.

**Other Public Facilities.** This analysis focuses on libraries as well as other public facilities (i.e., City Town Hall and City Departments) that have been developed to accommodate the buildout population of San Rafael as well as the employment force in the city. As described previously, the City provides library services to San Rafael residents and employees through three branches: the Downtown Library at 1100 E Street (approximately 1.9 miles southeast of the project site), the Pickleweed Library at 50 Canal Street (approximately 3.3 miles southeast of the project site), and the Northgate Library at 5800 Northgate Drive (located within the existing mall on the project site).

Development of the proposed project would increase demand for other public services, including libraries, community centers, and public healthcare facilities. However, upon consultation with the City's Library and Recreation Director, no concerns were expressed regarding the potential increase in use of existing library facilities.<sup>33</sup> Additionally, the project sponsor would be required to pay a Development Impact Fee of \$0.12 per square foot of commercial space and \$127.50 per bedroom for residential uses to cover the cost of the new development's impact upon public facilities and services in San Rafael. This program would ensure that any impact to public facilities that could occur from the proposed project would be offset by impact fees. Any future construction of new or expansion of existing public facilities would be subject to project-level environmental review and site-specific mitigation as appropriate in order to ensure that significant environmental impacts are avoided or mitigated at the time such development actions are proposed to or by the City.

The proposed project would also include approximately 5,000 square feet of library space to replace the existing 3,000-square-foot library within Northgate Mall. Construction and operation of the proposed open space and recreational facilities have been evaluated throughout this EIR under the appropriate resource sections (e.g., air quality and biological resources) and is included in the analysis of environmental impacts of the proposed project in this Environmental Impact Report (EIR). Pursuant to buildout of the proposed project, potentially adverse impacts to the environment that may result in impacts to libraries and other public facilities would be less than significant upon the implementation of the General Plan's goals, policies, and actions and the existing federal, State, and local regulations. Therefore, development of the proposed project would result in a **less than significant** impact relating to new or expanded libraries and other public facilities.

**Threshold 4.13.2: Parks and Recreational Facility Use.** Development of the proposed project could increase the use of parks within the vicinity of the project site, including Oliver Hartzell Park, Los Ranchitos Park, Terra Linda Garden, and Lagoon Park. The proposed project is anticipated to increase San Rafael's population by up to 3,541 persons,<sup>34</sup> which is a 5.7 percent increase from the

<sup>33</sup> City of San Rafael. September 23, 2022. Catherine Quffa, Library and Recreation Director. Personal communication with Tricia Stevens, City of San Rafael Contract Planner.

<sup>34</sup> 1,422 residential units x 2.49 persons per household (as detailed in Section 4.2, Population and Housing) = 3,541 persons



existing population of the city of 61,271 persons and an increase of 4.8 percent in the population within the City's Sphere of Influence. The project-generated 3,541 new residents may use nearby recreational facilities; however, as discussed above, 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.

In addition, as detailed in Chapter 3.0, Project Description, on-site open space would include: (a) courtyards and roof decks for each of the residential buildings; (b) outdoor amenity spaces that would be open to the public and would include a bike hub/fix it station, a shipping container café with associated outdoor dining tables, fire features, lounge seating, and a flexible turf area; and (c) a Town Square that would be open to the public and would include 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. The approximately 48,075-square-foot Town Square would be constructed in Phase 1 of the proposed project, which would include a total of 295,659 square feet of useable open space. Phase 2 of the proposed project would include 81,750 additional square feet of useable open space, for a total of approximately 377,409 square feet.

The proposed on-site recreation and open space facilities are intended to serve the majority of new residents and the availability of recreational and open space uses on site would likely lessen the usage of existing parks in the vicinity of the project site because these amenities would be conveniently accessed by existing residents in the project vicinity. In addition, pursuant to Chapter 15.09 of the City's Subdivision Ordinance, the project sponsor would be required to pay a parkland dedication fee of \$1,967.98 per dwelling unit available for purchase.<sup>35</sup> This fee is used for acquisition and improvement of parkland for the additional population generated by new development. This program would ensure that any impact to parkland that could occur from the proposed project would be offset by impact fees. Therefore, the proposed project would not result in an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, and impacts would be **less than significant**.

**Threshold 4.13.3: Construction or Expansion of Recreational Facilities.** As discussed above, the proposed project would not require additional parkland to serve the new development to maintain the City's desired parkland-to-resident ratio and would not result in an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Therefore, the proposed project would not require the construction or expansion of existing recreational facilities.

As discussed above, the proposed project would include construction of on-site open space and recreational facilities. Construction and operation of the proposed open space and recreational facilities have been evaluated throughout this EIR under the appropriate resource sections (e.g., air quality and biological resources). Potentially adverse impacts to the environment that may result from the creation of open space and recreational facilities pursuant to buildout of the proposed project would be less than significant upon implementation of the General Plan's goals, policies, and

<sup>35</sup> City of San Rafael. 2016. *Development Impact Fees*. November 19. Website: <https://www.cityofsanrafael.org/documents/development-fees/> (accessed March 9, 2023).

actions and existing federal, State, and local regulations. Therefore, development of the proposed project would result in a **less than significant** impact relating to new or expanded park and recreational facilities.

#### 4.13.2.3 Cumulative Impacts

The cumulative development of residential and commercial uses in San Rafael will proportionally increase the demand for public services. According to the General Plan EIR, cumulative development within San Rafael is anticipated to result in 4,460 new residential units, 8,910 new residents, and 4,115 new employees between 2020 and 2040. As noted previously, the proposed project would be consistent with this cumulative development because it would be consistent with the type and intensity of development assumed for the project site in the General Plan and General Plan EIR.

A significant cumulative impact would occur if cumulative development required the provision of new or expanded public facilities to maintain acceptable service ratios, the construction of which would cause a significant environmental impact. Because the proposed project is consistent with the cumulative citywide development analyzed in the General Plan EIR, cumulative impacts would be **less than significant**.