

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
FOR THE  
Revised 6<sup>th</sup> Cycle Housing Element Update  
City of Belvedere, California

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## Table of Contents

1.	Project Title .....	11
2.	Lead Agency Name and Address .....	11
3.	Contact Person and Phone Number .....	11
4.	Project Location.....	11
5.	Project Sponsor’s Name and Address .....	11
6.	General Plan Designation .....	11
7.	Zoning .....	12
8.	Surrounding Land Uses and Setting .....	12
9.	Description of Project.....	16
10.	Other Public Agencies Whose Approval is Required .....	16
11.	Native American Consultation .....	16
12.	Summary of Environmental Factors Potentially Affected .....	16
13.	Environmental Checklist.....	18
13.A	Aesthetics .....	19
13.B	Agriculture and Forestry Resources. ....	22
13.C	Air Quality .....	24
13.D	Biological Resources. ....	33
13.E	Cultural Resources.....	39
13.F	Energy .....	43
13.G	Geology and Soils. ....	45
13.H	Greenhouse Gas Emissions. ....	49
13.I	Hazards and Hazardous Materials. ....	55
13.J	Hydrology and Water Quality.....	58
13.K	Land Use and Planning. ....	63
13.L	Mineral Resources.....	64
13.M	Noise .....	65
13.N	Population and Housing. ....	68
13.O	Public Services .....	69
13.P	Recreation .....	72
13.Q	Transportation.....	73
13.R	Tribal Cultural Resources.....	78
13.S	Utilities and Service Systems.....	80
13.T	Wildfire .....	83
13.U	Mandatory Findings of Significance. ....	86
14.	Preparation. The initial study for the subject project was prepared by: .....	87
15.	Determination. (Redevelopment Department) Based on this initial evaluation: .....	87
16.	De Minimis Fee Determination (Chapter 1706, Statutes of 1990-AB 3158) .....	87
17.	Environmental Determination .....	88
18.	References .....	89

**FIGURES**

**Figure 1 Location and Planning Boundaries..... 14**

**Figure 2 Environmental Hazards and Constraints ..... 15**

**Figure 3 Sites Available for Housing ..... 20**

**Figure 4 Special Status Species..... 35**

**TABLES**

**Table 1: Sites Inventory..... 11**

**Table 2: BAAQMD 2017 Clean Air Plan Control Measure Consistency ..... 25**

**Table 3: Estimated Unmitigated Criteria Pollutant Emissions from Operation of the Proposed Project..... 29**

**Table 4: Special-Status Plant and Animal Species with the Potential to Occur in the Planning Area..... 34**

**Table 5: Estimated Proposed Project Operational GHG Emissions ..... 50**

**Table 6: Belvedere Climate Action Plan (CAP) Emission Reduction Targets ..... 51**

**Table 7: MCOE Student Generation Rates ..... 70**

**Table 8: Daily Home-Based Vehicle Miles Traveled (VMT) for Residential Uses ..... 76**

City of Belvedere 6<sup>th</sup> Cycle Revised Housing Element  
Initial Study/Mitigated Negative Declaration

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**1. INTRODUCTION AND REGULATORY GUIDANCE**

The City of Belvedere has conducted an initial study for the proposed 6<sup>th</sup> Cycle Revised Housing Element Update and related actions (“Proposed Project”), in accordance with Public Resources Code Section 21000 et seq., and the CEQA Guidelines, 14 California Code of Regulations Section 15000 et seq, (collectively, “CEQA”). The initial study includes extensive environmental documentation and concluded that a mitigated negative declaration is the appropriate CEQA document for the Proposed Project. This document constitutes the Proposed Project’s combined Initial Study/Mitigated Negative Declaration.

A lead agency conducts an initial study to determine whether a project may have a significant effect on the environment. In accordance with CEQA Guidelines Section 15063, an environmental impact report (EIR) must be prepared if the initial study indicates that the project under review may have a potentially significant impact on the environment that cannot be initially avoided or mitigated to a less than significant level. CEQA Guidelines Section 15371 provides that lead agencies may prepare a negative declaration in lieu of an EIR, if the initial study documents that, with specified mitigation measures the project would not have a significant environmental effect on the environment. This mitigated declaration will be circulated for 20 days, as the Housing Element Update is not a project of statewide, regional, or areawide significance as defined in CEQA Guidelines Section 15206.

**2. PROJECT TITLE:**

City of Belvedere 6<sup>th</sup> Cycle Revised Housing Element Update) and Related Actions (“Proposed Project”)

**3. LEAD AGENCY NAME AND ADDRESS:**

City of Belvedere, 450 San Rafael Ave, Belvedere, CA 94920

**4. CONTACT PERSON AND PHONE NUMBER:**

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Director of Planning & Building  
City of Belvedere  
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[rmarkwick@cityofbelvedere.org](mailto:rmarkwick@cityofbelvedere.org)

**5. PROJECT LOCATION:**

City of Belvedere, Marin County, California

**6. PROJECT SPONSOR’S NAME AND ADDRESS:**

N/A

**7. GENERAL PLAN DESIGNATION:**

Varies

**8. ZONING:**

Varies

**9. SURROUNDING LAND USES AND SETTING:**

Located in southeastern Marin County, Belvedere is a community embracing two island promontories at the southwestern tip of the Tiburon Peninsula and a lagoon-landfill area linking the islands to the mainland. From the islands, there are sweeping marine views of the surrounding Bay Area. Within the land-filled area, there are views of and direct access to the more intimate Belvedere Lagoon. Many residents take the bus, ferry, or a car to San Francisco or other Marin County jobs. Vistas of the Tiburon hills and of the Sausalito waterfront are important parts of Belvedere's environmental context. Additionally, the city's proximity to Richardson Bay, a protected estuary teeming with marine life, provides opportunities for water-based recreation and fosters a deep appreciation for the delicate coastal ecosystems. Several ecological preserves have been designated in areas surrounding the City of Belvedere to conserve natural resources, including Ring Mountain Open Space Preserve, Tiburon Uplands Nature Preserve, Old St. Hilary's Open Space Preserve, and Richardson Bay Audubon Center and Sanctuary.

**Planning Area Boundaries**

Approximately seven miles north of San Francisco and at the tip of the Tiburon Peninsula, Belvedere is flanked by the Richardson Bay to the west and north, Belvedere Cove and Raccoon Straits to the south, and the Town of Tiburon to the east. In addition to being surrounded by water, Belvedere also has an interior lagoon and two land "bridges" that connect the largest portion of the City to the rest of the Tiburon Peninsula. U.S Highway 101 (U.S. 101), a major north-south freeway linking Marin County with Sonoma County (north) and San Francisco (south) provides regional access to the Tiburon Peninsula. ). There are two main gateways into the City of Belvedere: San Rafael Avenue at Tiburon Boulevard and Beach Road at Tiburon Boulevard. There is an additional point of entry to Belvedere on Lagoon Road. Golden Gate Transit provides bus service to the Tiburon Peninsula. Just outside of the Planning Area, the ferry terminal in Tiburon provides many Marin residents with ferry access to San Francisco. Two nearby creeks, Arroyo Corte Madera del Presidio and Corte Madera Creek, empty into the Richardson and San Francisco bays. Planning area boundaries are shown in Figure 1.

**Existing Land Uses**

Home to approximately 2,100 residents, the City of Belvedere is one of the smallest jurisdictions in Marin County. The City encompasses just 2.2 square miles, of which 1.75 square miles is water. This leaves only 0.45 square miles (287 acres) of developable land. Belvedere consists of four distinct districts. Belvedere Island has the largest land area and is the most varied in terms of topography and landforms. Belvedere Lagoon forms a second, flatter portion of the City that surrounds the interior waterway. West Shore Road borders Richardson Bay and is a third characteristically different area, with Bayfront homes along the western edge of Belvedere Island. Corinthian Island is the fourth portion and faces Belvedere Cove, where the island's residents share borders with the Town of Tiburon.

Belvedere is predominantly a residential community, with well over 90 percent of its land area either in residential use or zoned residential. Belvedere's residents must look outside the City for

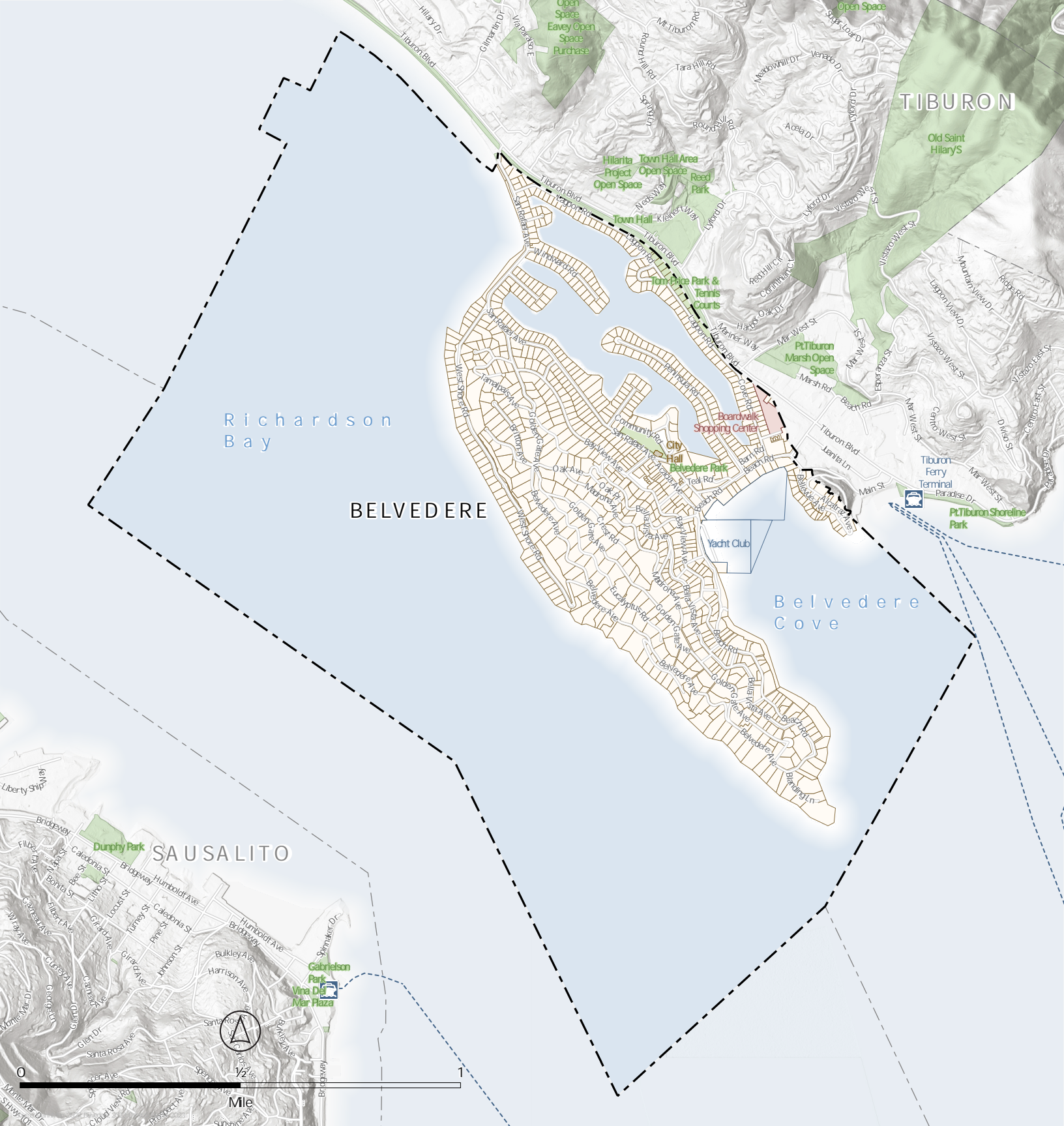
almost all employment options, and most residential service needs. Commercial uses within the City consist only of the portion of the Boardwalk Shopping Center area that lies within the City boundary and the office spaces found along Beach Road near the San Francisco Yacht Club. Overall, residential uses account for 210.4 acres, commercial uses occupy 25.2 acres, utilities and institutional uses occupy 5.7 acres, while parks and open spaces occupy 15.1 acres. Vacant land accounts for 9.8 acres. Utilities, roads, and right-of-way uses compose 59.3 acres of the City.

### **Natural and Environmental Resources**

Bordered by water on all but one side, Belvedere's unique physical setting also presents environmental constraints. Most parcels within the City are developed, and almost all the remaining vacant land is located in steeply sloped hillside areas.

Because the City's land area is almost entirely developed, biological habitats primarily consist of non-native, landscaped vegetation communities that are small, fragmented, and subject to human disturbance, and therefore are relatively low value to most terrestrial native species. However, Belvedere's aquatic marine habitat along the shoreline and surrounding waters is substantial, and shoreline development has the greatest potential to affect sensitive biological habitats. Development can also affect the wetland and riparian habitat in Belvedere, but there are fewer of those areas in the City. Additionally, attention should be paid to ensuring the continued health of the Lagoon.

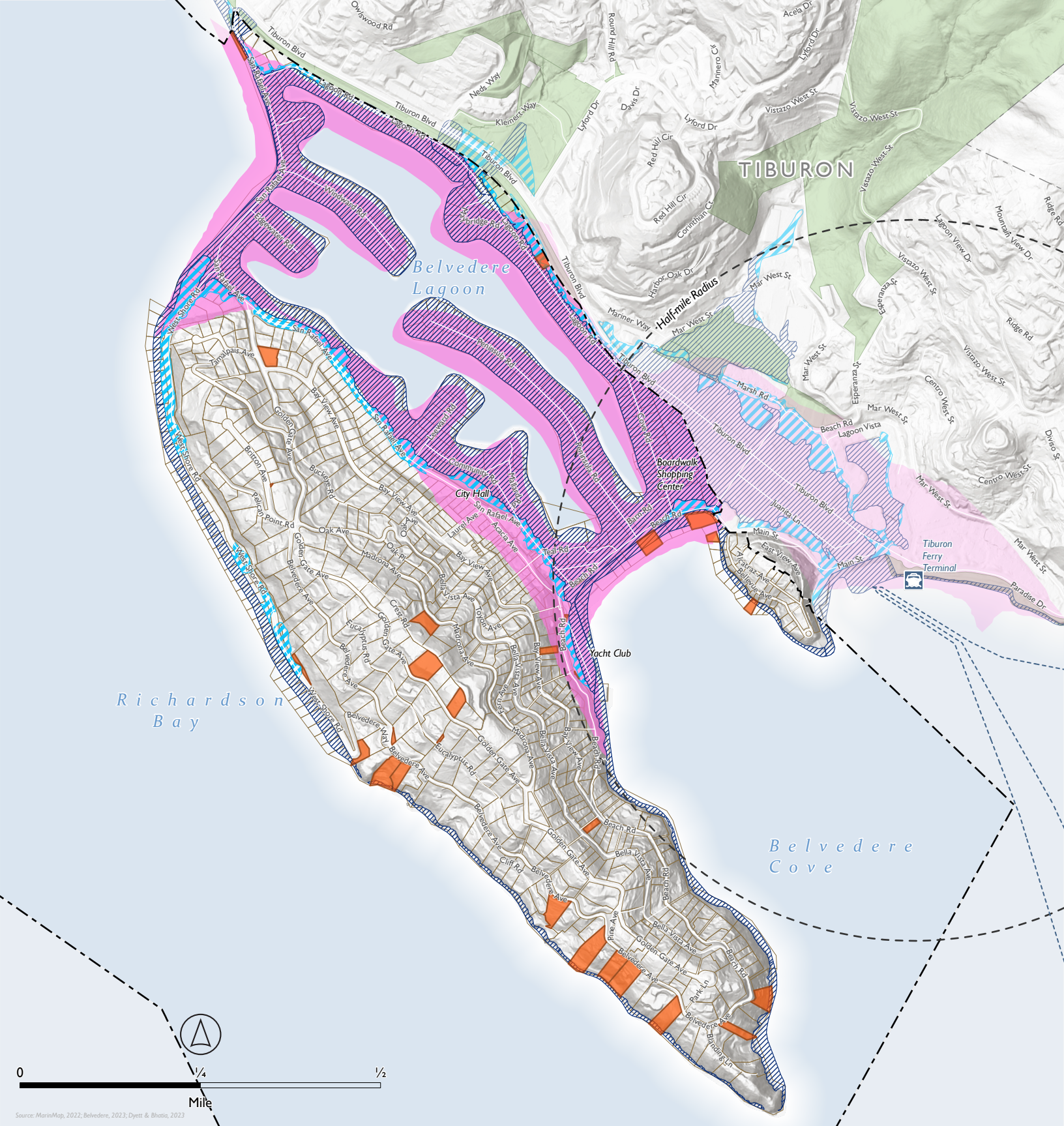
Significant portions of Belvedere are in areas of environmental hazard, as shown in Figure 2. Recent FEMA flood mapping shows that flooding across Beach Road and into Belvedere Lagoon from the direction of Belvedere Cove is anticipated in a 100-year flood event. Potentially liquefiable marine sediments and fills underlie most of the Belvedere Lagoon area, and liquefiable sediments are also likely to be present under the fills along West Shore Road. Areas of landslide risk include most of Belvedere Island, which has existing steep slopes adjacent to shoreline areas that may be subject to damage during heavy storms or strong seismic ground shaking. Although Belvedere is not adjacent to wildlands or designated Wildlands-Urban Interface (WUI) area, fire hazard is a community concern due to flammable vegetation, steep slopes, and narrow, winding streets that may limit quick response by the Fire District. These environmental hazards can be mitigated through design and construction techniques; however, this adds cost and complexity for new development in Belvedere.



- Belvedere City Limit
- Neighbor City
- City Hall
- Boardwalk Shopping Center
- Yacht Club
- Parcel
- Park
- Ferry Terminal
- Ferry Route
- Half-mile Radius

Basemap





Source: MarinMap, 2022; Belvedere, 2023; Dyett & Bhatta, 2023

- Vacant
- Liquefaction Very High
- FEMA Flood Zone
- 100 Year
- 500 Year
- Belvedere City Limit
- Neighbor City
- Parcel
- Neighboring Park / Open Space
- Ferry Terminal
- Ferry Route
- Half-mile Radius

# Belvedere Constraints

## 10. PROJECT DESCRIPTION:

The Proposed Project includes a comprehensive update to goals, policies, and programs in the Housing Element of the City's General Plan and related zoning amendments and other actions needed to accommodate Belvedere's assessed share of the regional housing need. State law requires all California cities and counties to review their Housing Elements every eight years to reflect changing demographics, market conditions, and projected housing needs. The current Housing Element Update covers the planning period from 2023 through 2031.

The City initiated the Proposed Project in October of 2021 by retaining the consulting firm of EMC Planning Group, Inc. The City and its consultant conducted a range of community engagement activities to solicit input from Belvedere residents. These activities included Citywide mailers sent to all residents to raise awareness of the process and opportunities for input, in addition to other collateral and electronic newsletters; interviews with lower and moderate-income members of the local workforce; and presentations before the Planning Commission and City Council. Additionally, the City held three community workshops/open house events and conducted an online survey to gather feedback from Belvedere residents. A page on the City's website was set up to serve as an information portal for the Proposed Project.

The City Council adopted the 2023-31 Housing Element on January 24, 2023, and submitted it to HCD for a legally mandated 90-day review ("2023 Housing Element"). On May 1, 2023, HCD sent a letter requesting a number of revisions. The City then retained a new consultant, Dyett & Bhatia. On November 3, the City published a draft revised Housing Element on its website for a period of 10 days and held an additional public workshop on November 9<sup>th</sup> to present the revised Housing Element concepts for meeting Belvedere's housing needs to the community and receive comments. One study session was held with the Planning Commission on November 21, 2023.

### Project Objectives

The City has established the following Proposed Project objectives:

1. **Maintain Quality of Life.** Maintain the high quality of life, small city charm and historic character of Belvedere, which make it distinctive and enjoyable to its residents.
2. **Assure Diversity of Population.** Assess housing needs and provide a vision for housing within the City to satisfy the needs of a diverse population.
3. **Provide a Variety of Housing Opportunities.** Provide a variety of housing opportunities proportionally by income to accommodate the needs of people who currently live in Belvedere, such as elderly residents and large families.
4. **Address Regional Housing Needs Allocation (RHNA).** Ensure capacity for the development of new housing to meet the Regional Housing Need Allocation at all income levels for the 2023-2031 planning period.
5. **Assure a Fit with the Look and Feel of the Community.** Ensure that housing developments at all income levels are sensitive to and fit with adjacent neighborhoods.
6. **Address Affordable Housing Needs.** Continue existing and develop new programs and policies to meet the projected affordable housing need of extremely low, very low, low and moderate-income households.
7. **Address the Housing Needs of Special Need Groups.** Continue existing and develop new programs and policies to meet the projected housing needs of persons living with disabilities, elderly residents, and other special needs households in the community.

8. **Remove Potential Constraints to Housing.** Evaluate potential constraints to housing development and encourage new housing in locations supported by existing or planned infrastructure, while maintaining existing neighborhood character. Develop design directions to help eliminate barriers to the development of housing for all income levels.
9. **Provide for Special Needs Groups.** Make provisions for emergency shelter, transitional and supportive housing opportunities.
10. **Provide Adequate Housing Sites.** Identify appropriate housing sites, within specified areas proximate to transportation, shopping and schools, and the accompanying zoning required to accommodate housing development.
11. **Protect Life and Property from Natural and Humanmade Hazards.** Assess the risk to life and property from natural hazards and climate change and incorporate strategies to strengthen community resilience and emergency evacuation capacity.

## Project Components

### 1. *Revised 2023-31 Housing Element*

The Housing Element is a legally mandated part of the Belvedere General Plan, published under separate cover. The Revised 2023-31 Housing Element is an update to the current Housing Element prepared to respond to the requirements for the Sixth Housing Element Cycle, which runs from 2023 through 2031, replacing the 2023 Housing Element. The organization and content is described below.

- **Chapter 1 – Introduction:** Introduces the Housing Element’s purpose and the legal requirements, with an overview of the community and the community involvement process.
- **Chapter 2 – Community Profile:** Documents population characteristics, housing characteristics, and current development trends to inform the current housing state of Belvedere and to identify community needs.
- **Chapter 3 – Housing Resources:** Summarizes various resources available for the preservation, improvement, and development of housing in Belvedere. The analysis includes an evaluation of the availability of land resources available to accommodate the City’s share of the region’s future housing needs, as well as the administrative resources available to assist in implementing the City’s housing programs and policies, and the financial resources available to support housing activities.
- **Chapter 4 – Housing Action Plan:** Articulates housing goals, policies, and programs to address the City’s identified housing needs, including those of special needs groups and the findings of an analysis of fair housing issues in the community. This Housing Element identifies a foundational framework of overarching goals to comprehensively address the housing needs of Belvedere residents and workers.
- **Appendix A – Sites Inventory:** Summarizes the City’s ability to accommodate the RHNA on available land, and the selection of sites to address Affirmatively Furthering Fair Housing (AFFH) requirements. The Inventory will include additional details to demonstrate the

viability of sites included on the inventory of housing sites and the projections for housing development during the 2023-31 period.

- **Appendix B – Housing Needs Assessment:** Presents community demographic information, including both population and household data, to identify Belvedere’s housing needs.
- **Appendix C – Constraints Analysis:** Includes an analysis of constraints to housing production and maintenance in Belvedere. Constraints include potential market, governmental, and environmental limitations to meeting Belvedere’s identified housing needs. In addition, an assessment of impediments to fair housing is included, with a fuller analysis of actions needed to affirmatively further fair housing included in a separate appendix.
- **Appendix D – Fair Housing Assessment:** Identifies fair housing issues and solutions to meet Belvedere’s AFFH mandate.
- **Appendix E – Accomplishments of the 2015-2023 Belvedere Housing Element:** Summarizes the City’s achievements in implementing goals, policies, and actions under the previous Housing Element.
- **Appendix F – Outreach Materials:** Includes outreach materials, summaries and a description of how community and stakeholder input has been reflected in the Housing Element.

## 2. Implementing Actions

To implement the Revised 2023-31 Housing Element, the City must take a series of actions, including, without limitation, amending the Zoning Ordinance and Map and taking such further steps required to fulfill the 2023-31 Housing Element’s Housing Action Plan.

## 3. Mitigation Measures

As required by CEQA and the CEQA Guidelines, the Project also includes the mitigation measures identified in this document.

## Summary of Proposed Actions

### INVENTORY OF SITES AVAILABLE FOR HOUSING

Under State law, each city and county in California must plan to accommodate its share of the regional housing need - called the Regional Housing Needs Allocation (RHNA) - for the coming 8-year planning period. The State determines the estimated need for new housing in each region of California, based on population projections and other factors including rates of vacancy, overcrowding, and cost-burden. The various regional planning agencies then allocate a target to each city or City within their jurisdiction, considering factors such as access to jobs, good schools, and healthy environmental conditions. RHNA is split into four categories representing different levels of affordability, based on median income level in the county. The affordability categories are as follows:

- Very Low Income - Households making less than 50 percent of the average median income (AMI)



- Low Income - Households making 50-80 percent of AMI
- Moderate Income - Households making 80-120 percent of AMI
- Above Moderate Income - Households making more than 120 percent of AMI

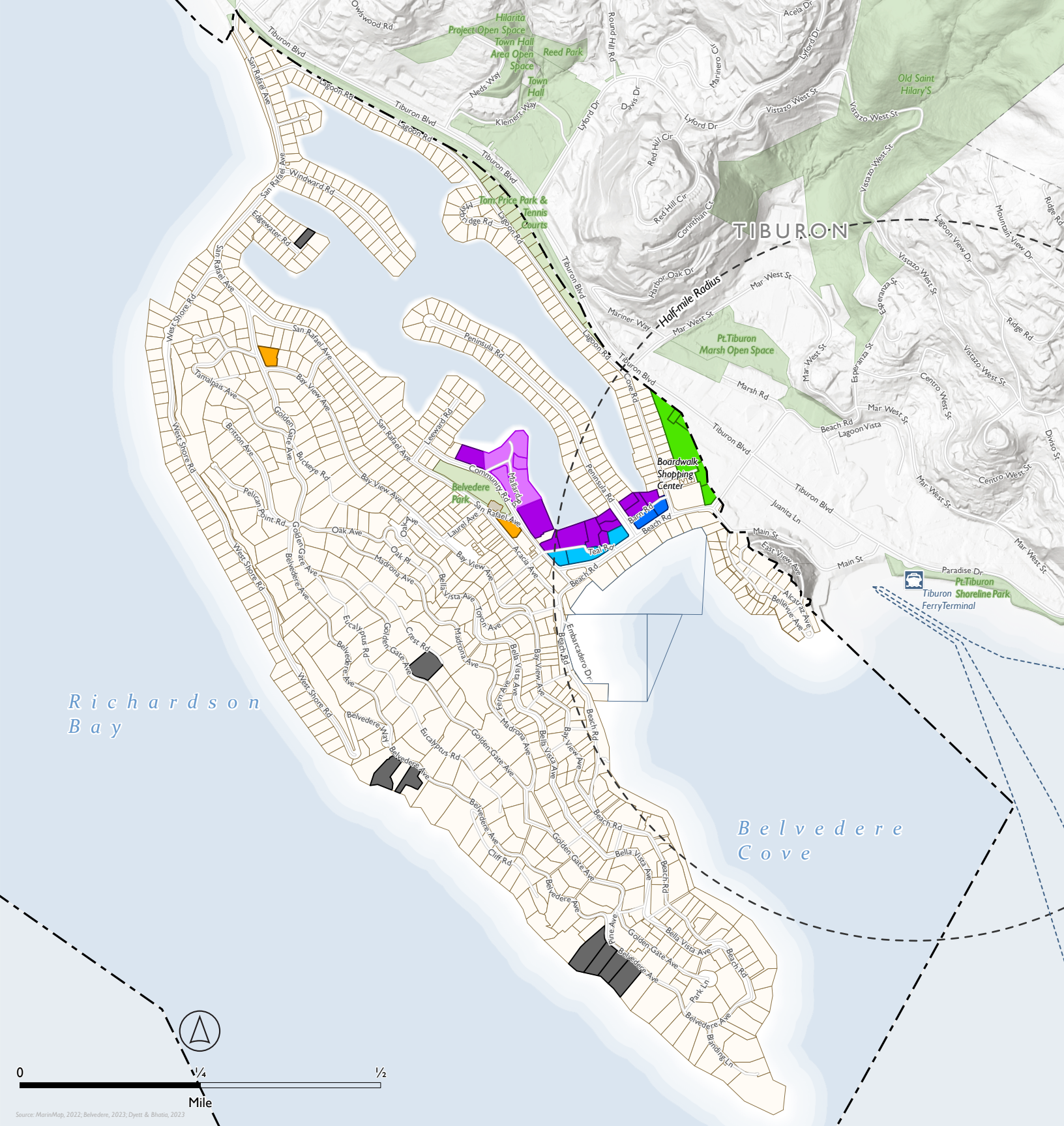
Amid the ongoing housing crisis in California, Belvedere is required to plan for at least 160 new housing units between 2023 and 2031, including 49 Very Low Income units (including 24 Extremely Low Income units), 28 Low Income units, 23 Moderate income units, and 60 Above Moderate units.

As required by State law, the Draft Housing Element includes a map of sites available for housing and an inventory of realistic capacity. The inventory demonstrates a total capacity of up to 213 new housing units, which is sufficient to meet the City's RHNA obligations at all income levels with a buffer. The buffer protects the City from the “no net loss” rule, to maintain sufficient capacity to meet RHNA obligations at all times during the planning period. If some sites in the inventory develop at lower densities than envisioned, the buffer will avoid the need to find additional sites for the shortfall. Implementation of the Draft Housing Element would primarily involve redevelopment of existing properties, including the Boardwalk Shopping Center and some underutilized multifamily residential properties.

Of the total capacity in the inventory, 18 units are projected as part of the Mallard Pointe project, which has a completed application. 44 units would be accommodated on the eight vacant sites and underutilized sites with current zoning that allows for housing, as shown on Figure 3. Additionally, the inventory projects development of 40 accessory dwelling units (ADUs) on existing single-family lots in established neighborhoods, based on past production trends in Belvedere and a suite of programs proposed to facilitate and incentivize production over the planning period. Given their small size and lower rents and sales prices, ADUs would offer affordable housing options for seniors, live-in caregivers, teachers, public employees, and others who work in Belvedere.

The remainder of Belvedere's allocation is projected on sites that require zoning changes to accommodate more housing. As part of changes to the R-3 zone, the City expects to add a total of 14 units to existing multifamily housing in two clustered areas around the lagoon. The Proposed Project includes a total of 81 units projected as part of holistic mixed use redevelopment at the Boardwalk Shopping Center and surrounding area and 20 units at two church-owned sites pursuant to Senate Bill 10, a potential strategy that could allow property owners with sites and projects meeting specific criteria to develop up to 10 units per lot.

Table 1 shows the inventory of sites available for housing and the capacity projections for the 2023-31 planning period.



Source: MarinMap, 2022; Belvedere, 2023; Dyett & Bhatta, 2023



- Sites with Existing Residential Zoning
- Sites with Existing Residential Zoning - Proposed Project
- R-3 Zone Incentives - Cluster 1
- R-3 Zone Incentives - Cluster 2
- Mixed Use Redevelopment
- SB 10 Site
- Vacant Land

- Belvedere City Limit
- Neighbor City
- City Hall
- Yacht Club
- Park
- Ferry Terminal
- Ferry Route
- Half-mile Radius

# Sites Inventory

**Table 1: Sites Inventory**

Site Group	Address	APN	Existing Use	Zoning	Density (units/acre)	Acreage (Gross)	Acreage (Net)	Existing Units	LI	MI	AMI	Total New Capacity
<b>PIPELINE (TO BE SUBTRACTED FROM RHNA)</b>								0	0	0	2	2
<b>SITES WITH EXISTING CAPACITY</b>												
<b>Vacant Land</b>												
12 Crest Rd		060-163-07	Vacant	R-15	1-3	0.72	0.72	0	0	0	1	1
401 Belvedere Avenue		060-221-45	Vacant	R-15	1-3	0.57	0.57	0	0	0	1	1
n/a		060-221-47	Vacant	R-15	1-3	0.92	0.92	0	0	0	1	1
415 Belvedere Ave		060-221-14	Vacant	R-15	1-3	0.54	0.54	0	0	0	1	1
419 Belvedere Ave		060-221-19	Vacant	R-15	1-3	0.7	0.7	0	0	0	1	1
111 Belvedere Ave		060-181-34	Vacant	R-15	1-3	0.64	0.64	0	0	0	1	1
117 Belvedere Ave		060-181-25	Vacant	R-15	1-3	0.45	0.45	0	0	0	1	1
14 Edgewater Road		060-031-07	Vacant	R-1L	1-3	0.21	0.21	0	0	0	1	1
<i>Vacant Land subtotal</i>									<b>0</b>	<b>0</b>	<b>8</b>	<b>8</b>
<b>Redevelopment Sites with Existing Zoning</b>												
500 San Rafael Ave		060-092-10	Duplex	R-2	5-20	0.99	0.81	8	1	0	6	7
6 Community Road		060-072-25	Duplex	R-2	5-20	0.52	0.48	6	0	0	2	2
9 Mallard Rd 1 Mallard Rd 17 Mallard Rd		060-072-28 060-072-27 060-072-18	Duplex	R-2	5-20	2.84	2.4	22	4	5	9	18
7 Teal		060-092-19	Duplex	R-2	5-20*	0.16	0.16	2	0	0	1	1
27 Teal Rd		060-092-13	Duplex	R-2	5-20*	0.28	0.26	2	0	0	3	3
15 Teal		060-092-14	Duplex	R-2	5-20*	0.77	0.5	6	0	1	3	4
1 Peninsula A		060-092-17	Duplex	R-2	5-20*	0.24	0.2	2	0	0	2	2
11 Teal		060-092-15	Duplex	R-2	5-20*	0.45	0.2	2	0	0	2	2

**Table 1: Sites Inventory**

Site Group	Address	APN	Existing Use	Zoning	Density (units/acre)	Acreage (Gross)	Acreage (Net)	Existing Units	LI	MI	AMI	Total New Capacity
I Peninsula B (3 Peninsula)		060-092-16	Duplex	R-2	5-20*	0.24	0.2	2	0	0	2	2
6A Peninsula Rd		060-093-04	Duplex	R-2	5-20*	0.22	0.2	2	0	0	2	2
7 Barn Rd		060-093-05	Duplex	R-2	5-20*	0.31	0.25	2	0	0	3	3
3 Barn Rd		060-093-06	Duplex	R-2	5-20*	0.24	0.21	2	0	0	2	2
<i>Redevelopment sites with Existing Zoning Subtotal</i>									5	6	35	54
<i>ADU Projections</i>									24	12	4	40
<b>Subtotal: Sites with Existing Zoning</b>									<b>29</b>	<b>18</b>	<b>51</b>	<b>98</b>
<b>RHNA Shortfall</b>									<b>-48</b>	<b>-5</b>	<b>-9</b>	<b>-62</b>
<b>SITES REQUIRING REZONING ACTION</b>												
<b>R-3 Zone Incentives</b>												
2A	95 Beach Rd	060-092-21	Multifamily	R-3	5-20*	0.28	0.28	11				
2A	61 Beach Rd	060-092-18	Multifamily	R-3	5-20*	0.33	0.33	5				
2A	83 Beach Rd (81 Beach Rd)	060-092-20	Multifamily	R-3	5-20*	0.67	0.67	8				
<i>2A subtotal*</i>						1.28	1.28	24	2	0	8	10
2B	45 Beach Rd	060-093-08	Multifamily	R-3	5-20*	0.40	0.40	6				
2B	2 Cove Rd	060-093-07	Multifamily	R-3	5-20*	0.24	0.24	4				
<i>2B subtotal*</i>						0.64	0.64	10	1	0	3	4
<i>R-3 Changes subtotal</i>						<b>1.92</b>	<b>1.92</b>	<b>34</b>	<b>3</b>	<b>0</b>	<b>12</b>	<b>14</b>
<b>Mixed Use Redevelopment</b>												
3A.1	1515 Tiburon Blvd	060-082-59	Retail/ General Commercial	C-1 (to be rezoned)	30-35*	0.11	0.11	-				
3A.1	1520 Tiburon Blvd	060-082-60	Retail/ General Commercial	C-1 (to be rezoned)	30-35*	1.96	1.96	-	25	3	27	65

**Table 1: Sites Inventory**

Site Group	Address	APN	Existing Use	Zoning	Density (units/acre)	Acreage (Gross)	Acreage (Net)	Existing Units	LI	MI	AMI	Total New Capacity
3A.2	1530 Tiburon Blvd	060-082-32	Retail/ General Commercial	C-1 (to be rezoned)	30-35*	0.13	0.13	-	2	1	1	4
3A.2	7 Beach Rd	060-082-41	Multi Family Residential	R-3 (to be rezoned)	30-35*	0.26	0.26	5	2	1	1	4
3A.2	15 Cove Rd Pl	060-082-48	School/ Educational Facility	R-3 (to be rezoned)	30-35*	0.25	0.25	-	4	2	2	8
<i>Mixed Use Redevelopment Subtotal</i>						<b>2.72</b>	<b>2.72</b>	<b>5</b>	<b>33</b>	<b>7</b>	<b>41</b>	<b>81</b>
<b>SB 10 Sites-Institutionally-Owned Land</b>												
	501 San Rafael Ave	060-091-13	Church	R-3	5-20	0.28	0.28	-	10	-	-	10
	n/a	060-113-17	Parking Lot	R-15	1-3*	0.35	0.35	-	10	-	-	102
<i>SB-10 Subtotal</i>									20	-	-	20
<b>Subtotal: Sites Needing Rezoning</b>									<b>56</b>	<b>7</b>	<b>52</b>	<b>115</b>
<b>GRAND TOTAL</b>									<b>85</b>	<b>25</b>	<b>103</b>	<b>213</b>
RHNA Allocation									77	23	60	160
Surplus/Deficit									8	2	43	53
<b>Percentage of RHNA</b>									<b>110%</b>	<b>109%</b>	<b>172%</b>	<b>133%</b>

\*Density allowed as result of rezoning action

#### ACTION PLAN

The Draft Housing Element includes an Action Plan, organized around three housing goals. Each goal is supported by policies and implementing programs that describe actions the City will take to help meet its RHNA obligations. A summary of Action Plan contents is provided below.

**Goal 1, Construct New Housing, Support Housing Diversity, Opportunity, and Assistance,** plans for the creation of new housing units incorporating a range of housing opportunities including diverse housing types, special needs populations, and affordability levels, throughout the community and use collaborative partnerships and incentives to ensure all segments of the community have access to safe and decent housing that meets their special needs. Programs implement inclusive housing regulations through an inclusionary requirement, and financial assistance and zoning incentives to promote the creation of affordable housing units, particularly through accessory dwelling units (ADUs). By establishing regulatory frameworks, offering financial aid, providing technical support, and collaborating with various agencies, the programs aim to foster a more inclusive and diverse housing landscape within the community.

**Goal 2, Reduce Constraints to Housing Development, Rehabilitation, and Preservation of Existing Housing,** reduces constraints, particularly governmental constraints under the City's control, on the maintenance, improvement and development of housing while maintaining community character. This goal is supported by programs that include targeted zoning changes to facilitate housing development, focusing on amendments to accommodate lower-income households through rezoning, streamlined approval processes, and various housing types like co-housing and mixed-use developments. They also emphasize collaborations with other agencies to ensure adequate infrastructure and compliance with housing laws.

**Goal 3, Affirmatively Further Fair and Equal Housing Access and Opportunity,** promotes equal housing opportunities for all residents, including Belvedere's special needs populations, so that safe and decent housing is available to all persons and all income levels throughout the community regardless of race, religion, sex, marital or familial status, ancestry, national origin, disability, income source, and other protected traits and ensure housing opportunities and policies address historical exclusionary practices. These programs aim to address housing disparities by providing affordable housing opportunities/housing mobility strategies to allow other lower income families to live in Belvedere. Through actions like affirmative marketing, workforce housing funds, fair housing services, and universal design considerations, the city is prioritizing housing accessibility for various income levels and demographics, ensuring fair housing practices and bolstering inclusivity.

#### *Zoning Amendments*

The Proposed Project also involves amendments to the Belvedere Zoning Code required to implement the 2023-31 Housing Element Sites Inventory. These include:

**Mixed Use Zoning** (Programs 2-D and 2-E). Mixed use redevelopment sites at 1530 Tiburon Boulevard, 1515 Tiburon Boulevard, 1520 Tiburon Boulevard, 7 Beach Road, 15 Cove Road Place offer a holistic opportunity to transform the underutilized commercial area including and surrounding the Belvedere Shopping Center into a mixed use, mixed income project to address community needs more effectively. Property owners of each of these sites have indicated interest in mixed-use housing development. Zoning changes establish new mixed-use zoning and objective development standards at the Belvedere Shopping Center, mirroring what Tiburon has proposed for the adjacent portion of the site outside Belvedere. To incentivize lot consolidation and density, projects over 2.3 acres that provide additional housing for lower and moderate incomes will be entitled to bonus density (an additional 5 du/ac) and reduced parking requirements.

**R-3 Zone changes** (Program 2-F). This program includes the redevelopment of two clusters of contiguous R-3 parcels owned by the Belvedere Land Company (BLC), which has indicated interest in redevelopment and/or adding units to these parcels if additional density and height are made available. Incentives include:

- Permit density (i.e., minimum lot area/unit) to be calculated over the total combined area of contiguous parcels under common ownership within the R-3 zone;
- Reduce required parking to 1 dedicated space per unit and 150 sq ft of common space per unit;
- Reduce required public open space to 150 feet per unit if within 1,000 linear feet of an existing park;
- Increase maximum lot coverage from 40 percent to 45 percent; and
- Increase the permitted height of buildings with frontage on Beach Road by 2 feet to a maximum of 38 feet.

**SB 10 Ordinance** (Program 2-G). This program offers a streamlined path to upzone vacant and underutilized parcels in Belvedere to improve housing mobility and affirmatively further housing opportunities in predominantly single-family neighborhoods. An SB 10 ordinance would provide the option to property owners to redevelop up to 10 units per site, provided that the sites are vacant or underutilized (where the land value is more than the value of the structure) and larger than 0.25 acres. Objective design standards for these sites will also be developed. While total capacity of these sites is not included in the sites inventory, SB-10 sites represent a potential strategy for the City to address the No Net Loss Law, which requires that jurisdictions ensure that any reduction in affordable housing units is offset by the creation of an equivalent or greater number of such units within their boundaries to meet their RHNA allocation and prevent a net decrease in affordable housing capacity. Two church owned sites, the St. Stephens parking lot and the Church of Christ, are also candidates for SB 10. Coupled with other support as part of the Congregational Overlay Program, (Program 2-H), 20 lower income units are assumed at these two sites.



## **Project Implementation**

Because the City's Housing Element was not certified before the statutory deadline grace period of May 31<sup>st</sup>, 2023, the City must complete rezoning actions to accommodate its RHNA by January 31<sup>st</sup>, 2024. The Zoning changes will be presented for adoption consideration, and the revised 6<sup>th</sup> Cycle 2023-2031 Housing Element Update presented for recommendation at Planning Commission and City Council hearings in January 2024. Upon recommendation, the draft revised Housing Element Update will be sent to the State Department of Housing and Community Development ("HCD") for a legally-mandated 60-day review period, and any additional comments from HCD incorporated prior to adoption hearings. Once adopted, the goals, policies, and strategies would become part of the General Plan and would be implemented by the City through the adoption and implementation of regulations (including zoning amendments), guidelines, and programs; and through the approval process for private development projects, including site, architectural, and environmental review.

### **11. OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED:**

No other agency is required to approve the Housing Element update, but it will be reviewed by the California Department of Housing and Community Development for the purpose of determining whether it complies with the requirements of the Housing Element Law.

### **12. NATIVE AMERICAN CONSULTATION:**

In accordance with the requirements of Public Resources Code 21080.3.1, the City notified those Native American Tribes both traditionally and culturally affiliated with the project area. These tribes were notified via certified mail and email. As of this date, response and formal request for tribal consultation has been received by the Federated Indians of Graton Rancheria and consultation is ongoing.

### **13. SUMMARY OF ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The project would have the following Potentially Significant Impacts to the resource areas listed below. A summary of the environmental factors potentially affected by this project, consisting of a Potentially Significant Impact or Potentially Significant Impact Unless Mitigated, include:



City of Belvedere Housing and Safety Element Update Project  
Initial Study/Environmental Checklist

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Agriculture and Forestry Resources  | <input checked="" type="checkbox"/> Air Quality                        |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources       | <input type="checkbox"/> Energy  |
| <input type="checkbox"/> Geology/Soils                   | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials                 |
| <input type="checkbox"/> Hydrology/Water Quality         | <input type="checkbox"/> Land Use/Planning                   | <input type="checkbox"/> Mineral Resources                             |
| <input type="checkbox"/> Noise                           | <input type="checkbox"/> Population/Housing                  | <input type="checkbox"/> Public Services                               |
| <input type="checkbox"/> Recreation                      | <input type="checkbox"/> Transportation                      | <input checked="" type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities/Service Systems       | <input type="checkbox"/> Wildfire                            | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

**14. ENVIRONMENTAL CHECKLIST:**

This section analyzes the potential environmental impacts that may result from the Proposed Project. For the evaluation of potential impacts, the questions in the Initial Study Checklist (Section 2) are stated and answers are provided according to the analysis undertaken as part of the Initial Study. The analysis considers the project's short-term impacts (construction-related), and its operational or day-to-day impacts. For each question, there are four possible responses. They include:

1. No Impact. Future development arising from the project's implementation will not have any measurable environmental impact on the environment and no additional analysis is required.
2. Less than Significant Impact. The development associated with project implementation will have the potential to impact the environment; these impacts, however, will be less than the levels or thresholds that are considered significant and no additional analysis is required.
3. Potentially Significant Unless Mitigated. The development will have the potential to generate impacts which may be considered as a significant effect on the environment, although mitigation measures or changes to the project's physical or operational characteristics can reduce these impacts to levels that are less than significant.
4. Potentially Significant Impact. Future implementation will have impacts that are considered significant, and additional analysis is required to identify mitigation measures that could reduce these impacts to less than significant levels.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
<b>13.A Aesthetics.</b> Except as provided in Public Resources Code Section 21099, would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic building along a State-designated scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting.** Located in southeastern Marin County, Belvedere is a community embracing two island promontories at the southwestern tip of the Tiburon Peninsula and a lagoon-landfill area linking the islands to the mainland. From the islands, there are sweeping marine views of the surrounding Bay Area. Within the landfill area, there are views of and direct access to the more intimate Belvedere Lagoon. These natural resources create scenic vistas that are valued by the community. The General Plan 2030 defines several vantage points in the community where residents and visitors can catch amazing views of Belvedere and the surrounding areas. Other locations provide scenic views within the community.

Views in residential land use classifications are protected by the height limits, minimum lot size requirements, and setbacks established in the Zoning Ordinance. In addition, Zoning Ordinance regulations for very large homes and new second units require protection of “primary views.” Primary views are generally views of Mt. Tamalpais, San Francisco Bay and its environs, bridges, and the surrounding hills of Tiburon or Belvedere Island as seen from inside the public or common areas of a home. Scenic views in other land use classifications are protected by limitations on new uses established by the R and O Zoning District regulations.

**a. Less than Significant Impact.** A significant impact may occur if a project were to introduce incompatible scenic elements within a field of view containing a scenic vista or substantially block views of a scenic vista. The City of Belvedere General Plan 2030 identifies several vantage points in the community where residents and visitors have views of Belvedere and the surrounding areas. Other locations provide scenic views within the community. The scenic view areas in Belvedere include:

1. Areas providing views into the Belvedere Lagoon are found along San Rafael Avenue between Windward and Edgewater Roads, on Lagoon Road at the Belvedere Lagoon Property

Owners Association (BLPOA) Sailing Society, and at the dredging access to the Lagoon near the end of Mallard Road.

2. Visual Easements along Beach Road and West Shore Road include:
  - View areas near Beach Road and Belvedere Avenue, named “Artist’s View”.
  - View easements at the turn-arounds on West Shore Road
3. The Winifred Allen bench is located in a scenic part of the Belvedere Avenue roadway.
4. Scenic community corridors:
  - San Rafael Avenue
  - Beach Road
5. Various small spaces at street junctions where City-owned rights-of-way permit the development of small rests, shortcut walks, steps, and planted areas.

In addition, the natural landscape and views of nearby hills and lagoons are key features of the City of Belvedere that the community aims to preserve. Implementing the Proposed Project would primarily involve additional multifamily housing on sites with existing residential zoning near the Belvedere Lagoon and in commercial areas that will be rezoned, as well as smaller scale housing construction in established neighborhoods on existing lots and infill sites. Program 2-D would increase the allowable height for parcels fronting Beach Road from a height of 36 feet to 38 feet.

Even with this modest allowable height increase for R-3 parcels fronting Beach Road, views in residential land use classifications are also protected by minimum lot size requirements, and setbacks established in the Zoning Ordinance. In addition, Zoning Ordinance regulations for very large homes and new second units require protection of “primary views.” Primary views are generally views of Mt. Tamalpais, San Francisco Bay and its environs, bridges, and the surrounding hills of Tiburon or Belvedere Island as seen from inside the public or common areas of a home. Scenic views in other land use classifications are protected by limitations on new uses established by the R and O Zoning District regulations. As such, implementation of the Proposed Project would not result in substantial adverse effects on scenic vistas and impacts would be less than significant with adherence to applicable policies, regulations, and guidelines.

**b. No Impact.** A significant impact would occur if scenic resources, including but not limited to trees, rock outcroppings, and historic buildings, were damaged or removed by a project within a state scenic highway. According to maps produced by the California Department of Transportation Scenic Highways Mapping Project, there are no designated State scenic highways in the City of Belvedere and the closest eligible highway segment, US-101 from Manzanita to the Golden Gate Bridge, is not located in or near the City of Belvedere (Caltrans, 2022). Therefore, the Proposed Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway and no impacts would occur.

**c. Less than Significant Impact.** A significant impact would occur if the Proposed Project would substantially degrade the existing visual character or quality of public views of the site and its surroundings.

Implementation of the Proposed Project would primarily involve facilitation of housing in existing multifamily and commercial areas, and in established neighborhoods on existing lots and infill sites. Programs 2-D, 2-E, 2-F, and 2-G make changes to development standards, such as introducing denser, mixed-use zoning near the Boardwalk Shopping Center, permitting increased density and height allowances in the R-3 zone for parcels fronting Beach, and redeveloping up to 10 units on certain eligible sites. Changes related to program 2-G, the SB 10 Ordinance, would allow up to 10 units per lot provided eligibility criteria are met. The program includes some modifications to objective zoning standards and regulations in Title 19 (including to lot coverage, floor area, maximum unit size, off-street parking, and usable open space), with the overall goal of ensuring new units are consistent with the City's character and do not create any significant impacts with regards to public infrastructure or public safety. While SB 10 projects would require ministerial review, compliance with these objective design standards would reduce any potential impacts to less than significant.

Other housing development pursuant to the Proposed Project would be required to comply with the design and development standards of the Municipal Code (Title 19) and would be subject to design review to ensure compatibility with the surrounding neighborhood (Title 20). Design review is conducted by the Planning Commission except in the case of small improvements that are only subject to administrative review by City Staff. Objectives of design review include preserving and enhancing the beauty of the City; maintaining and improving the quality of, and relationship between, individual buildings, and between structures and their sites, so that they contribute to the attractiveness of the neighborhood and the community character of the City, maintaining the quality of relationships between buildings, ensuring visually pleasing landscaping, encouraging high quality architectural design, and balancing private preferences with public interests and welfare. Therefore, the Proposed Project would not conflict with applicable zoning and other regulations governing scenic quality and impacts would be less than significant.

***d. Less than Significant Impact.*** A significant impact may occur if a project were to introduce new sources of light or glare on or from the project site which would be incompatible with the surrounding area. As a residential community of primarily large lot single-family homes, the principal sources of light and glare are limited to the existing homes in the community. Implementation of the Proposed Project would primarily involve facilitation of smaller scale housing construction in established neighborhoods on existing lots and infill sites. All new development would be required to comply with City of Belvedere regulations, including the provisions of the Municipal Code Title 22 – Objective Design and Development Standards which require that exterior lighting be shielded and directed downward, and that exterior lamps be low voltage LEDs. Further, City of Belvedere Design Guidelines requires that all exterior lighting be dark sky compliant, and design, located and lamped to prevent overlighting, energy waste, glare, and light trespass. In addition, the City's tree-lined streets would limit light spillover to adjacent properties and illumination of the night sky. Therefore, compliance with applicable regulations and guidelines would ensure the Proposed Project would not result in substantial adverse effects from light or glare. As such, associated impacts would be less than significant.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
<b>13.B Agriculture and Forestry Resources.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency or (for annexations only) as defined by the adopted policies of the Local Agency Formation Commission, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting.** The California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) was established by the State Legislature in 1982 to assess the location, quality, and quantity of agricultural lands and conversion of these lands over time. The FMMP has established five Important Farmland categories.

- Prime Farmland comprises the best combination of physical and chemical features able to sustain long-term agricultural production. Irrigated agricultural production is a necessary land use 4 years prior to the mapping date. The land must be able to store moisture and produce high yields.
- Farmland of Statewide Importance possesses similar characteristics to Prime Farmland with minor shortcomings, such as less ability to hold and store moisture and more pronounced slopes.
- Unique Farmland has a production history of propagating crops with high-economic value.

- Farmland of Local Importance is important to the local agricultural economy. Local advisory committees and county specific board of supervisors determine this status.
- Grazing Land is suitable for browsing or grazing of livestock.

**a. No Impact.** Under the FMMP, the entirety of the City of Belvedere is categorized as “Urban and Built-Up Land” (California DOC, 2023). There is no Farmland within the City limit, and the closest Farmland is about four miles north of the City limit, where there are approximately 110 acres of Farmland of Local Importance and Grazing Land located on the outskirts of the unincorporated Marin County jurisdiction of Paradise Cay. Therefore, the Proposed Project would have no impact on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

**b. No Impact.** The Williamson Act, codified in 1965 as the California Land Conservation Act, allows local governments to enter into contracts with private landowners with the intent of restricting the use of land to agricultural or related open space through tax incentives. These incentives tax farmers based on an open space designation, which is a much lower rate than the full market value tax. Through this contract, farmers agree to freeze development of their land for 10 years. The current Marin County Williamson Act Parcel Map does not list any Williamson Contract parcels located within the City of Belvedere (County of Marin, 2020). Additionally, there are no districts on the Belvedere Zoning Map zoned for agricultural uses in the City (City of Belvedere, 2014). Therefore, no impacts related to conflicts with agricultural zoning or Williamson Act contracts would occur.

**c. Less than Significant Impact.** In the Public Resources Code (PRC) section 4526, the California Board of Forestry and Fire Protection defines “Timberland” as land, not owned by the federal government, nor designated as experiential forest land, which is capable and available for growing any commercial tree species. The board defines commercial trees on a district basis following consultation with district committees and other necessary parties. There is no land within the City of Belvedere zoned for timberland production or that otherwise meets this definition. The PRC section 12220 (g) defines forest land as “. . . land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.” While wooded hillsides on Belvedere Island may support more than 10 percent native tree coverage, development pursuant to the Proposed Plan would take place on parcels currently zoned for residential uses and as such no conflicts would result from Proposed Project implementation. Impacts would be less than significant.

**d. Less than Significant Impact.** Implementation of the Proposed Project would primarily involve facilitation of housing construction in established multifamily or commercial zones in areas that do not support 10-percent native tree cover. A minor amount of smaller scale construction may occur within single-family neighborhoods on existing lots and infill sites in areas where wooded hillside areas are located on Belvedere Island. While these wooded hillside areas may meet the definition of forest land in the PRC, any development pursuant to the Proposed Project in these areas would be on parcels currently zoned for residential uses and would not result in the loss of forest land or conversion of forest land to non-forest use. Impacts would be less than significant.

**e. Less than Significant Impact.** As described above, there is no Farmland in or adjacent to the City of Belvedere and almost all development pursuant to the Proposed Plan would be on urbanized land. In areas where wooded hillside areas may occur, implementation of the Proposed Project would primarily involve any smaller-scale construction on parcels currently zoned for residential uses and would not result in the loss of forest land or conversion of forest land to non-forest use. Implementation of the Proposed Project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non- agricultural use or conversion of forest land to non-forest use. Impacts would be less than significant.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
<b>13.C Air Quality.</b> Where applicable, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under the applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting.** The City of Belvedere is located within the San Francisco Bay Area Air Basin (Air Basin). The Bay Area Air Quality Management District (BAAQMD) is the air pollution control agency for the Air Basin and is responsible for air quality management plans (AQMP) to achieve air quality standards. The Air Basin is an area designated as non-attainment because it does not currently meet National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) for certain pollutants regulated under the Clean Air Act and California Clean Air Act, respectively. Specifically, the Air Basin does not meet the NAAQS for ozone, PM10, and PM2.5.

**a. Less than Significant Impact.** The current AQMP for the Air Basin is the 2017 Clean Air Plan.<sup>1</sup> According to the BAAQMD’s CEQA Guidelines, to meet the Threshold of Significance for operational-related criteria air pollutant and precursor impacts for plans (other than regional plans), a proposed plan must satisfy the following criteria.<sup>2</sup>

- Consistency with current air quality plan (AQP) control measures (this requirement applies to project-level as well as plan-level analyses).



- A proposed plan’s projected VMT or vehicle trips (VT) (either measure may be used) increase is less than or equal to its projected population increase.

Each of these criteria is addressed below for the Proposed Project.

*Consistency with the 2017 Clean Air Plan*

The primary goals of the 2017 Clean Air Plan (CAP) are to (1) reduce emissions and decrease concentrations of harmful pollutants, (2) safeguard public health by reducing exposure to air pollutants that pose the greatest health risk, and (3) reduce GHG emissions and protect the climate. The Proposed Project includes policies and programs that will support regional attainment of the CAAQS and NAAQS. For example, the Proposed Project encourages multifamily and infill developments where appropriate, connectivity between neighborhoods, and walkable design that compliments the existing natural and built environment to reduce VMT. The Proposed Project further provides the policy framework to guide future development toward land use patterns that support walking, and biking (proposed programs 2-B, 2-D, 2-E, and 2-K). These policies would support alternative modes of travel within the Planning Area, which could help reduce per service population VMT and GHG emissions from passenger vehicles.

Other fundamental components of the Proposed Project also support the goals of the CAP. The preservation of open space through Proposed Project programs that develop ADUs and identify sites that would involve redevelopment of existing properties, including the Boardwalk Shopping Center and some underutilized multifamily residential properties, would help to reduce emissions by preserving existing green space throughout the city that can sequester carbon. The Proposed Project’s selection of sites criteria includes consideration of adequate pedestrian, neighborhood service, and neighborhood facility access which support multimodal mobility that could result in fewer vehicle trips compared to the current more auto-oriented development pattern.

The 2017 CAP also contains 85 control strategies designed to reduce ozone precursors, protect public health, and serve as a regional climate protection strategy. The BAAQMD’s implementation of the control strategies employs a wide range of tools and resources, and many of the control strategies are not intended or designed to be achieved by local government. Table 2 identifies the 2017 CAP control measures that are relevant to the Proposed Project and summarizes how the Project would be either consistent or inconsistent with these measures.

**Table 2: BAAQMD 2017 Clean Air Plan Control Measure Consistency**

Applicable 2017 Clean Air Plan Control Measures	Proposed Project Consistency
<b>Transportation Control Measures</b>	
TR10: Land Use Strategies	Consistent. As outlined under Proposed Project Program 2-D, the City will adopt new mixed use zoning to facilitate integration of multifamily housing at the Boardwalk Shopping Center site. As such, the Proposed Project

	incorporates land use changes which serve to reduce VMT.
<b>Building Control Measures</b>	
BL1: Green Buildings	Consistent. New development facilitated by the Proposed Project would be subject to green building requirements (adopted by reference in Section 16.04.010 of the Municipal Code) identified in the CalGreen Code.
BL2: Decarbonize Buildings	Consistent. New development facilitated by the Proposed Project would be subject to green building requirements (adopted by reference in Section 16.04.010 of the Municipal Code) identified in the CalGreen Code. Proposed Program 2-K will continue to implement the City's Climate Action Plan with new development, including encouraging residents to switch to 100 percent renewable energy through MCE Deep Green. Further, the Climate Action Plan prohibits the use of natural gas in new development. Project compliance with the local regulations would support the long-term decarbonization of buildings.
<b>Waste Management Control Measures</b>	
WA4: Recycling and Waste Reduction	Consistent. New development facilitated by the Proposed Project would meet the requirements of the Municipal Code. Chapter 16.30 specifies that the percentage of incoming waste from construction, demolition, and alteration activities that is diverted from landfill disposal meets a required minimum of 50 percent.
<b>Water Control Measures</b>	
WR2: Support Water Conservation	Consistent. New development facilitated by the Proposed Project would be required to comply with the requirements of the CalGreen Code, which sets forth maximum flow rates for water fixtures, including showerheads, bathroom and kitchen faucets, and toilets.

As shown in Table 2 and the analysis above, the Proposed Project would support the primary goals of the CAP and would be consistent with applicable control measures contained in the CAP. Therefore, the Proposed Project would have a less than significant impact with respect to conflicts with the 2017 Clean Air Plan.

### *Projected VMT and Population Increase*

In Section 13.Q, *Transportation*, Table 9 provides a summary of the VMT forecasts for baseline conditions and for future citywide VMT, accounting for buildout of the Proposed Project. The VMT forecasts indicate that, at buildout, the Proposed Project would result in a Home-Based VMT per capita that is 35 percent below the baseline city VMT per capita. This is less than the projected population increase. As such, operational impacts from implementation of the Proposed Project would be less than significant.

Based on the above analysis, the Proposed Project would support implementation of the 2017 Clean Air Plan. Accordingly, the Proposed Project would not fundamentally conflict with the 2017 Clean Air Plan and would have a less-than-significant air quality impact.

#### ***b. Less than Significant Impact with Mitigation.***

### *Construction*

Construction associated with new land use developments under the Proposed Project would result in the temporary generation of ozone precursors (ROG, NO<sub>x</sub>), CO, and particulate matter emissions that could result in short-term impacts on ambient air quality within the Planning Area. Emissions would originate from mobile and stationary construction equipment exhaust, employee and haul truck vehicle exhaust, fugitive dust emissions from land clearing, soil movement, and demolition, and off-gassing emissions from architectural coatings and asphalt paving. Construction-related emissions would vary substantially depending on the level of activity, length of the construction period, specific construction operations, types of equipment, number of personnel, wind and precipitation conditions, and soil moisture content.

By its nature as a housing element, the Proposed Project does not propose any specific development. Construction of land use developments allowable under the Proposed Project would occur intermittently within the Planning Area throughout the course of the eight-year buildout period. As the timing and intensity of future development projects is not known at this time, the precise effects of construction activities associated with buildout of the Proposed Project cannot be accurately quantified at this time. Project-specific details of future development within the Planning Area are currently unknown, development would be driven by market conditions, site constraints, land availability, and property owner interest. It is assumed that implementation of the Proposed Project ultimately could result in the development of up to 213 housing units. As such, it is anticipated that in any given year, multiple land use development projects would be constructed within the Planning Area.

As noted previously, the BAAQMD's project-level thresholds were developed to analyze emissions generated by a single project. Although the construction emission impacts associated with each new individual development would be short-term in nature and limited to the period of time when construction activity is taking place for that particular development, the concurrent construction of a multitude of individual development projects that could occur at any one time in the Planning Area under the Proposed Project would generate combined criteria pollutant emissions on a daily basis that would exceed the BAAQMD's project-level thresholds. In addition, depending on the size and

scale of an individual development project, along with its construction schedule and other parameters, there may also be instances where the daily construction emissions generated by a single development project within the Planning Area could also exceed the BAAQMD's criteria pollutant thresholds. These emissions could contribute to ozone formation and other air pollution in the Air Basin, which at certain concentrations, can contribute to short- and long-term human health effects.

To reduce construction-related emissions of future development projects within the Planning Area, future development would be required to comply with the City's General Plan Policy SUST-13.1. The policy requires the utilization of thresholds of significance for construction-related criteria pollutant emissions as the absence/presence of BAAQMD performance-based best management practices. As these best management practices may change over time at the discretion of BAAQMD, District staff shall be consulted on a case-by-case basis to ensure the most recent best management practices are used.

Further, due to uncertainty related to where development activities would occur within the Planning Area, it is not possible at this time to identify project-specific impacts that could occur under implementation of the Proposed Project; however, it is anticipated some of, if not all, development projects over the next eight years would require the utilization of project-specific mitigation measures. To ensure projects achieve consistency with the BAAQMD's construction screening criteria or, if consistency with the construction screening criteria cannot be demonstrated, the City is incorporating **Mitigation Measure AQ-1 and AQ-2** into future project development projects. **MM-AQ-1** requires future project development projects to implement the BAAQMD's Basic Construction Measures to control fugitive dust emissions generated during construction activities. **MM-AQ-2** requires future projects that cannot meet construction screening criteria to prepare a detailed construction air quality impact assessment to: 1) estimate potential project construction emissions; 2) compare potential project construction emissions against BAAQMD project-level construction thresholds of significance; and 3) incorporate measures to reduce construction emission impacts to levels below the BAAQMD's construction thresholds of significance for criteria air pollutants and TACs. As such, this impact would be less than significant with mitigation.

### *Operations*

Assuming full buildout of the Proposed Project, long term occupancy (i.e., operations) has the potential to result in air quality impacts from area, energy, and mobile sources. Long-term emissions of criteria air pollutants and precursors, including mobile-, energy-, and area-source emissions, were quantified for the Proposed Project. Table 3 summarizes the daily operational emissions associated with existing conditions and the Proposed Project at full buildout in 2031.

**Table 3: Estimated Unmitigated Criteria Pollutant Emissions from Operation of the Proposed Project**

Scenario/Source Category	Maximum Daily Emissions (lb/day) <sup>a</sup>				
	ROG	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
<i>Existing Conditions</i>					
Mobile Sources	7.69	5.63	60.5	16.6	4.26
Area Sources	90.0	4.75	113	0.43	0.4
Energy Sources	0.67	11.6	6.38	0.92	0.92
<b>Existing Total</b>	<b>98.36</b>	<b>21.98</b>	<b>179.88</b>	<b>17.95</b>	<b>5.58</b>
<i>Proposed Project</i>					
Mobile Sources	9.35	6.21	65.4	17.2	4.33
Area Sources	134	7.03	126	0.61	0.58
Energy Sources	0.67	11.6	6.38	0.92	0.92
<b>Proposed Project Total</b>	<b>144.02</b>	<b>24.84</b>	<b>197.78</b>	<b>18.73</b>	<b>5.83</b>
<b>Proposed Project Net Total</b>	<b>45.66</b>	<b>2.86</b>	<b>17.9</b>	<b>0.78</b>	<b>0.25</b>
BAAQMD Threshold	54	54	–	82	54
<b>Exceeds Threshold?</b>	<b><u>No</u></b>	<b><u>No</u></b>	<b>–</b>	<b><u>No</u></b>	<b><u>No</u></b>

Source: See Appendix D for modeling files.

<sup>a</sup>. Values may not add up due to rounding.

ROG = reactive organic gases; NO<sub>x</sub> = nitrogen oxide; CO = carbon monoxide; PM<sub>10</sub> = particulate matter no more than 10 microns in diameter; PM<sub>2.5</sub> = particulate matter no more than 2.5 microns in diameter; BAAQMD = Bay Area Air Quality Management District

As shown in Table 3, the Proposed Project’s net operational emissions would not exceed the BAAQMD’s significance thresholds for any of the pollutants. The increase in ROG emissions is primarily attributed to consumer product use in residential land uses, while mobile source emissions contribute a majority of NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions. Given that the operation of the Proposed Project would not exceed BAAQMD’s significance thresholds, operational air quality impacts are less than significant.

*Mitigation Measures*

**MM-AQ-1: Implement BAAQMD Basic Construction Mitigation Measures.** The City shall require new project development projects to implement the BAAQMD’s Basic Control Mitigation Measures to address fugitive dust emissions that would occur during earthmoving activities associated with project construction. These measures include:

- a) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- b) All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

- c) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d) All vehicle speeds on unpaved roads shall be limited to 15 mph.
- e) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- f) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- g) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- h) Post a publicly visible sign with the telephone number and person to contact at the City regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

**MM-AQ-2: Prepare Project-level Construction Emissions Assessment.** The City shall require new development projects to submit a quantitative project-level construction criteria air pollutant and toxic air contaminant emissions analysis prior to the start of construction activities that shows project construction activities would not exceed BAAQMD project-level thresholds of significance. The analysis may rely on BAAQMD construction screening criteria to demonstrate that a detailed assessment of criteria air pollutant and toxic air contaminant construction emissions is not required for the project. If the project does not satisfy all BAAQMD construction screening criteria, the analysis shall estimate and compare construction criteria air pollutant and toxic air contaminant emissions against the project-level thresholds of significance maintained by BAAQMD and, if emissions are shown to be above BAAQMD thresholds, then the project must implement measures to reduce emissions below BAAQMD thresholds. Mitigation measures to reduce emissions could include, but are not limited to:

- a) Watering exposed surfaces at a frequency adequate to maintain a minimum soil moisture content of 12 percent, as verified by moisture probe or lab sampling;
- b) Suspending excavation, grading, and/or demolition activities when average wind speeds exceed 20 miles per hour;

- c) Selection of specific construction equipment (e.g., specialized pieces of equipment with smaller engines or equipment that will be more efficient and reduce engine runtime);
- d) Installing wind breaks that have a maximum 50 percent air porosity;
- e) Restoring disturbed areas with vegetative ground cover as soon as possible;
- f) Limiting simultaneous ground-disturbing activities in the same area at any one time (e.g., excavation and grading);
- g) Scheduling/phasing activities to reduce the amount of disturbed surface area at any one time;
- h) Installing wheel washers to wash truck and equipment tires prior to leaving the site;
- i) Minimizing idling time of diesel-powered construction equipment to no more than two minutes or the shortest time interval permitted by manufacturer's specifications and specific working conditions;
- j) Requiring equipment to use alternative fuel sources (e.g., electric-powered and liquefied or compressed natural gas), meet cleaner emission standards (e.g., U.S. EPA Tier IV Final emissions standards for equipment greater than 50-horsepower), and/or utilizing added exhaust devices (e.g., Level 3 Diesel Particulate Filter);
- k) Requiring that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NO<sub>x</sub> and PM;
- l) Requiring all contractors use equipment that meets CARB's most recent certification standard for off-road heavy-duty diesel engines; and
- m) Applying coatings with a volatile organic compound (VOC) that exceeds the current regulatory requirements set forth in BAAQMD regulation 8, Rule 3 (Architectural Coatings).

***c. Less than Significant Impact.*** Implementation of the Proposed Project would result in the development of up to 213 housing units which would primarily involve redevelopment of existing properties, including the Boardwalk Shopping Center, some underutilized multifamily residential properties, and ADUs. Development would happen incrementally over the course of eight years, from 2023-2031, which would minimize construction-related air quality impacts. While large scale construction projects involving diesel-emitting equipment over many months could impact adjacent sensitive receptors, this is not the type of development that would happen with the Proposed Project, which primarily involves small scale infill development. Off-road diesel construction equipment and heavy-duty diesel trucks (e.g., concrete trucks, building materials delivery trucks), which are sources of diesel exhaust particulate matter, are regulated under three airborne toxic control measures (ATCMs) adopted by the California Air Resources Board (CARB). The ATCM for diesel construction equipment specifies particulate matter emission standards for equipment fleets, which become increasingly stringent over time. Furthermore, most newly-purchased construction equipment introduced into construction fleets after 2013–2015, depending on the engine horsepower

rating, are equipped with high-efficiency diesel particulate filters. One of the ATCMs for heavy-duty diesel trucks specifies that commercial trucks with a gross vehicle weight rating over 10,000 pounds are prohibited from idling for more than five minutes unless the engines are idling while queuing or involved in operational activities. In addition, starting in model year 2008, new heavy-duty trucks must be equipped with an automatic shutoff device to prevent excessive idling or meet stringent NOx requirements. Lastly, fleets of diesel trucks with a gross vehicle weight rating greater than 14,000 pounds are subject to another ATCM. This ATCM requires truck fleet operators to replace older vehicles and/or equip them with diesel particulate filters, depending on the age of the truck. As such, compliance with ATCMs would reduce construction-related impacts to a less than significant level.

Operation of the Proposed Project involves residential development which may result in areas of vehicle congestion that have the potential to create pockets of CO called hotspots. These pockets have the potential to exceed the state one-hour standard of 20 ppm or the eight-hour standard of 9.0 ppm. However, under existing and future vehicle emission rates, a plan would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour in order to generate a significant CO impact. Since the Proposed Project involves limited amounts of small-scale development over 8 years, it would not result in substantial amounts of pollution. Therefore, both construction- and operational-relation air quality impacts would be less than significant under the Proposed Project.

***d. Less than Significant Impact.*** According to the BAAQMD, land uses associated with odor complaints typically include wastewater treatment plants, landfills, confined animal facilities, composting stations, food manufacturing plants, refineries, and chemical plants. Residential development does not create substantial odors. Potential odor emitters during construction include diesel exhaust and evaporative emissions generated by asphalt paving and the application of architectural coatings. Construction-related activities near existing receptors would be temporary in nature, and construction activities would not result in nuisance odors. Potential odor emitters during operations would include exhaust from vehicles and fumes from the reapplication of architectural coatings as part of ongoing building maintenance. However, odor impacts would be limited to circulation routes, parking areas, and areas immediately adjacent to recently painted structures. Although such brief exhaust- and paint-related odors may be considered adverse, they would not be atypical of developed suburban areas and would not affect a substantial number of people or rise to the level of a significant impact under CEQA. Because the Proposed Project would not result in a new, substantial, or long-term source of odors, this impact would be less than significant.



	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
<b>13.D Biological Resources.</b> Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting.** Because Belvedere is largely developed and surrounded by water, it does not contain large expanses of open space that could be utilized by special status plant and wildlife species. Some special status species are known to occur near the City of Belvedere, though most of them are not likely to be present due to urbanized conditions. The primary biological resources of concern in Belvedere are the fully aquatic communities that are known to occur along the shoreline and in the waters of San Francisco Bay, or bird and bat species that may use mature trees for breeding habitat and shelter. There is no critical habitat defined by the federal Endangered Species Act, nor is Belvedere within any known regional wildlife movement corridors, as indicated by the California Fish and Wildlife (CDFW)'s Biogeographic Information and Observations System Habitat Connectivity Viewer.

A “special-status species” refers to species that are considered sufficiently rare that they require special consideration and/or protection and should be, or have been, listed as rare, threatened, or endangered by Federal and/or State governments. Information regarding the occurrences of special-status species in the vicinity of the Planning Area was obtained from a query of the CDFW's California Natural Diversity Database (CNDDDB). The CNDDDB is regularly updated to track occurrences of previously documented special-status species; however, it contains only those records

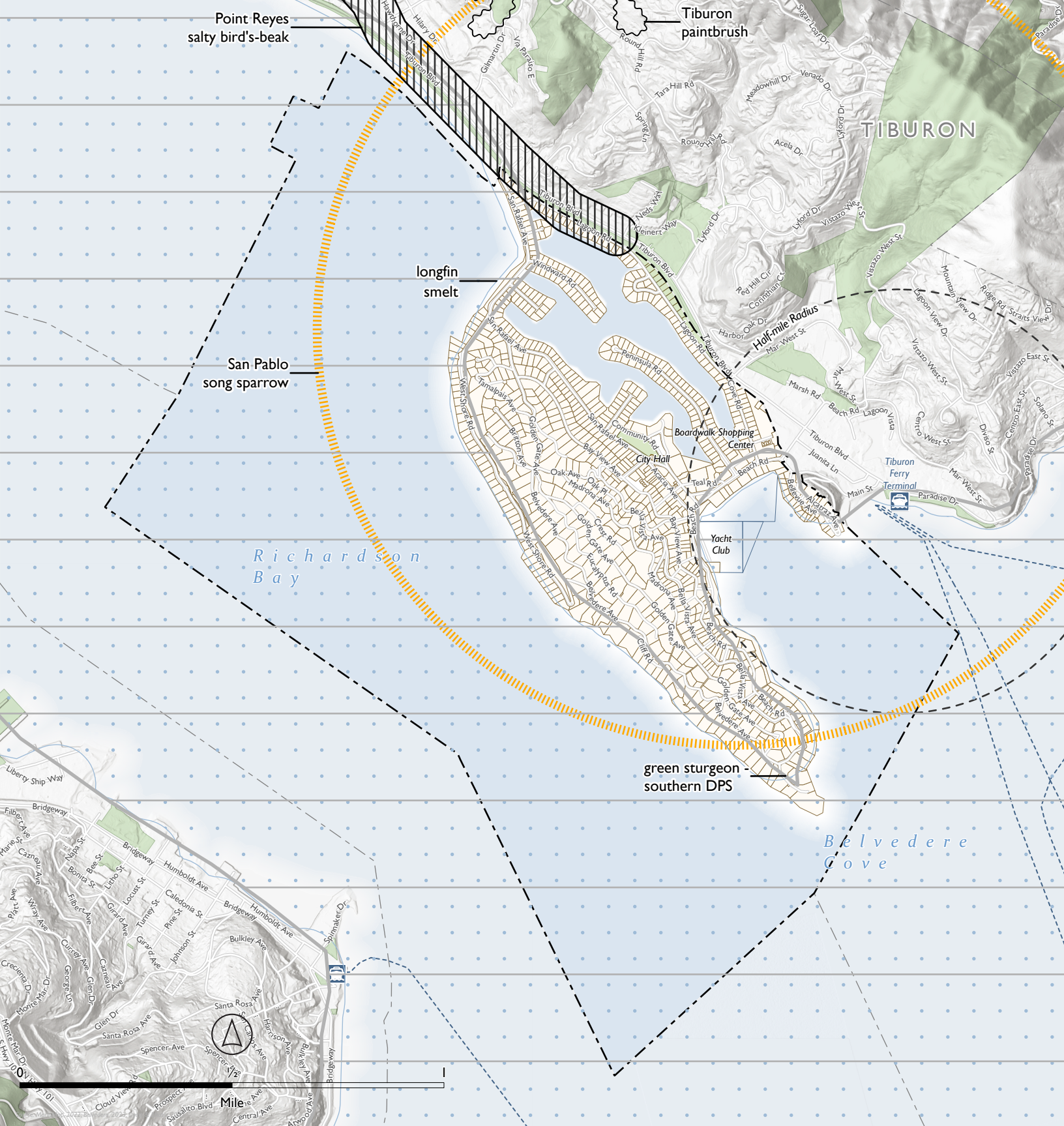
that have been submitted to CDFW. Therefore, there may be additional occurrences of special-status species within the area that have not yet been surveyed and/or mapped. A lack of information in the CNDDDB about a species or an area does not imply that the species does not occur or that there is a lack of diversity in that area. Based on the records search, the table in Appendix A shows 74 special-status plant species and 45 special-status wildlife species that were identified as having the potential to occur in all quads within a 5-mile radius of the Planning Area. As shown in Figure 3 and Table 4, only a select number of special-status species have been documented within or near the City limits (two special-status plant species and three special-status wildlife species), as opposed to species that occur in quads within a five-mile radius of the Planning Area in Appendix A. Impacts associated with future development as a result of the Proposed Project implementation are analyzed qualitatively at a program level.

**Table 4: Special-Status Plant and Animal Species with the Potential to Occur in the Planning Area**

<i>Scientific Name</i>	<i>Common Name</i>	<i>Special Status<sup>1</sup></i>
<b>Plant</b>		
Chloropyron maritimum ssp. palustre	Point Reyes salty bird's- beak	CRPR
Castilleja affinis ssp. neglecta	Tiburon Paintbrush	FE, ST, CRPR
<b>Animal</b>		
Acipenser medirostris pop. 1	green sturgeon - southern DPS	FE
Spirinchus thaleichthys	longfin smelt	FC, ST
Melospiza melodia samuelis	San Pablo song sparrow	SSC

I. FE= federally listed as endangered under the Endangered Species Act (ESA); FC = a candidate for listing under ESA; ST state listed as threatened under CESA; SSC state Species of Special Concern; CRPR = California Rare Plant

Source: CNDDDB GIS Data, California Department of Fish and Wildlife, 2023



- |                               |                        |                               |                  |
|-------------------------------|------------------------|-------------------------------|------------------|
| <b>Plant</b>                  | San Pablo song sparrow | Belvedere City Limit          | Ferry Terminal   |
| Point Reyes salty bird's-beak |                        | Neighbor City                 | Ferry Route      |
| Tiburon paintbrush            |                        | Yacht Club                    | Half-mile Radius |
| <b>Animal</b>                 |                        | Neighboring Park / Open Space |                  |
| green sturgeon - southern DPS |                        |                               |                  |
| longfin smelt                 |                        |                               |                  |

# CNDDDB Special Status Species

As indicated in the National Wetlands Inventory, the City of Belvedere abuts 50 acres of Estuarine and Marine Wetland habitat at its northern border near Richardson Bay, and less than an acre to the east in Belvedere Cove. Special status fish species such as Chinook Salmon, Steelhead Trout, Green Sturgeon, and Pacific Herring are known to occur in waters surrounding Belvedere. While Raccoon Strait serves as a primary route for Chinook Salmon and Steelhead Trout, no salmon-bearing streams exist within the city. Additionally, the area lacks documented spawning grounds for these species but provides vital habitat for sub-adult species.

Within the City, Belvedere Lagoon is considered a low-quality habitat for endangered, rare or threatened species. The Belvedere Lagoon water level is controlled, on a seasonal basis, by opening tide gates to permit the flow of water between Richardson Bay and the Lagoon. In the spring, at appropriate high tide, the tide gates are opened to increase to summer level; in the fall, at appropriate low tide, tide gates are opened to release the water to winter level to accommodate rain and water runoff from the surrounding hills. The pumps are only used for flood prevention purposes, if necessary, to keep homes from flooding. Existing development within the City of Belvedere limits the value of terrestrial areas as habitat for special status plant and wildlife species. However, a number of special status bird and bat species as well as other wildlife species tolerant of human-modified environments, do have the potential to be present. Mature trees in the area may provide breeding habitat and shelter for bird and bat species. Additionally, bats may roost in manmade structures such as buildings.

***a. Potentially Significant Unless Mitigated.*** The Proposed Project would have a significant impact if it had a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species. Implementation of the Proposed Project would primarily involve facilitation of additional multifamily housing on sites with existing residential zoning near the Belvedere Lagoon and in commercial areas that will be rezoned, as well as smaller scale housing construction in established neighborhoods on existing lots and infill sites. Some vacant sites anticipated for housing development are located along the City's western shoreline. Thus, the project has the potential to directly or indirectly affect sensitive species through construction activities, such as grading, evacuation, and removal of vegetation.

As noted above, 2 special-status plant species and 3 special-status wildlife species were identified as having the potential to occur in the vicinity of the Planning Area. While the locations of anticipated housing sites are generally located in primarily urbanized areas with few areas of suitable/viable habitat for these species, including the Point Reyes salty bird's-beak and Tiburon Paintbrush, the San Pablo song bird is presumed extant for most of the Planning Area, and development near the shoreline could potentially impact special status fish species or their habitat. If ferry service were to increase to accommodate increases in population, associated water turbidity could also impact aquatic species and habitat, although this is unlikely, given the small amount of population that could result from 213 potential units.

General Plan policies aim to regulate and mitigate impacts of residential construction on properties adjacent to wetland and riparian habitat (SUST-10.5), ensure protection of sensitive habitat when stabilizing shoreline (SUST-10.6), including eelgrass (SUST-10.5), and manage the Lagoon using environmentally friendly methods (SUST-11.1). The Proposed Project would be required to comply with federal, State, and local regulations related to biological resources, including the Federal Endangered Species Act, Clean Water Act, California Endangered Species Act, California Fish and

Game Code, and the California Native Plant Protection Act. Proposed Project compliance with federal, State, regional, and General Plan policies reduce potential impacts. These requirements would reduce potential impacts to aquatic sensitive species to less than significant.

Other policies require survey trees for nesting birds prior to permit issuance (SUST-12.4); and evaluation of development applications for possible adverse impacts to special status birds and bats. Because of the extant nature of the San Pablo song bird, however, impacts could remain; however, compliance with **Mitigation Measure BIO-1** would reduce impacts to less than significant.

#### *Mitigation Measures*

**MM-BIO-1: Special-Status and Nesting Birds.** The Project Applicant City shall implement the following seasonal restrictions to protect nesting birds and species of concern, San Pablo Song Sparrow. If work occurs outside of the Song Sparrows' nesting period of March 1 to July 31, surveys and avoidance measures will not be necessary for special status and nesting birds. Surveys shall be conducted within 7 days of the start of active ground-disturbing activities. If the work area is left unattended for more than 7 days following the initial surveys, additional surveys shall be completed. Ongoing construction monitoring of active nests shall occur to ensure no nesting activity is disturbed. If the biologist finds no active nesting or breeding activity, work can proceed without restrictions. If state and/or federally listed birds are found breeding within the construction area, activities shall be halted until the chicks have fledged. If construction activities must continue and would incur take of the listed species, the applicant would consult with the CDFW and USFWS prior to the initiation of work that would result in take. If construction activities must continue and would not incur take of the listed species, an established buffer area would be 75 feet.

***b-c. Less Than Significant.*** The Proposed Project would have a significant impact if it had a substantial adverse effect on any riparian habitat or other sensitive natural community, or through adverse effects on state or federally protected wetlands. As indicated above, the locations of anticipated housing sites are generally located in primarily urbanized areas with few areas of suitable/viable habitat for these species. Implementation of the Proposed Project could affect riparian habitat through construction activities near the shoreline, such as grading, evacuation, and removal of vegetation. Riparian habitat or sensitive natural communities may be found in the Estuarine and Marine Wetland Habitat in waters around Belvedere.

General Plan policies aim to regulate and mitigate impacts of structures built over water, adjacent to wetland and riparian habitat, and sensitive habitat as described above. The Proposed project would be required to comply with federal, State and local regulations related to biological resources as described above. Compliance with the City's urban runoff pollution prevention ordinance also protects and enhances the water quality of Belvedere's surrounding waters, reducing impacts to its Estuarine and Marine Wetland habitat and special-status fish species. As such, the impact is less than significant.

**d. Potentially Significant Unless Mitigated.** The Proposed Project would have a significant impact if it interfered substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. As indicated above, there are also no known regional migratory wildlife corridors, but birds may still use trees for nesting, which could result in a significant impact.

Compliance with federal, State, and local regulations related to biological resources, including the Federal Endangered Species Act, Clean Water Act, California Endangered Species Act, and California Fish and Game Code would reduce impacts, and implementation of **Mitigation Measure BIO-1** further reduces impacts to nesting birds and the San Pablo song bird to less than significant.

### *Mitigation Measures*

#### **Mitigation Measure BIO-1**

**e. Less than Significant Impact.** A significant impact would occur if the Proposed Project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. The Proposed Project will be subject to goals and policies in the Belvedere General Plan's Sustainability and Resource Conservation Element, which include but are not limited to regulation and mitigation of piling, construction, and dredging impacts; disruption of sensitive habitats or populations; promoting healthy waterways and reducing toxics and protecting and enhancing the urban forest. Specifically, development activities must avoid impacts to oyster colonies, eelgrass habitat, streams and riparian habitat, impacts to healthy waterways from dredging activities on sensitive habitat, and protection of the local tree canopy as habitat for nesting birds.

The City Municipal Code also supports the preservation of natural resources. Chapter 18, Section 20.160 requires that tentative maps must demonstrate that design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish and wildlife or their habitat. The City's Design Review requirements (Chapter 20, Section 20.04.114) require that removal of trees, vegetation, rock, and soil should be kept to a minimum, and disturbed areas planted or seeded to prevent erosion.

Development anticipated by the Proposed Project would also be required to adhere to the existing regulations related to trees Chapter 8.28). These chapter provisions aim to provide reasonable regulations for the maintenance and removal of trees in the City. As a result, the Proposed Project would not conflict with any local policies or ordinances protecting biological resources, and a less than significant impact would occur.

**f. No Impact.** A significant impact would occur if a project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. There are no Habitat Conservation Plans in Marin County (CDFW, 2022). Therefore, development of the Proposed Project would not conflict with any Habitat Conservation Plan. No impacts would occur.

City of Belvedere Housing and Safety Element Update Project  
Initial Study/Environmental Checklist

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
<b>13.E Cultural Resources.</b> Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** To determine the presence or absence of cultural and historical resources within the Proposed Project site and the surrounding area, a records search and literature review was requested for the Planning Area on October 5, 2023, at the NWIC, located at Sonoma State University. The purpose of this review was to access existing cultural resource survey reports, archaeological site records and historic maps, and evaluate whether any previously documented prehistoric or historic archaeological sites, architectural resources, cultural landscapes, or other resources exist within or near the City. According to the NWIC results, the State Office of Historic Preservation Built Environment Resources Directory (OHPBERD) lists forty-eight recorded buildings or structures within the City of Belvedere. In addition to these inventories, the NWIC base maps show three recorded buildings or structures within the City limits. Given these resources, NWIC also determines that there is a high potential for unrecorded historic-period archaeological resources to be within the City limits.

For the purpose of assessing impacts to possible historic resources, a Historic Resource Sensitivity Map has been created to categorize each parcel in Belvedere according to its likelihood to contain a historic resource. The Historic Resource Sensitivity Map, which is a staff resource available for review at Belvedere City Hall, displays three levels of historic sensitivity: low, medium and high. Parcels are classified based on sensitivity levels: high sensitivity includes parcels with structures over 100 years old or previously listed structures; medium sensitivity involves parcels with shipwreck sites, structures aged 45-100 years, or those with unknown construction dates; low sensitivity encompasses parcels previously evaluated as "negative" or containing structures less than 44 years old.

Further, the City of Belvedere contains seven recorded Native American archaeological resources. Based on an evaluation of the environmental setting and features associated with known sites, Native American resources in this part of Marin County have been found in areas marginal to the San Francisco Bayshore, and inland on ridges, midslope benches, in valleys, near intermittent and perennial watercourses and near areas populated by oak, buckeye, manzanita, and pine, as well as near a variety of plant and animal resources. The City of Belvedere Housing Element Update project area is located in Marin County between the cities of Tiburon and Sausalito, along the southern side of Tiburon Peninsula, surrounded by Richardson Bay and Raccoon Strait, and includes Belvedere, Corinthian Island, Cone Rock, Peninsula Point, Belvedere Cove and Lagoon. Aerial maps show many roads and buildings and structures, piers, and trees and vegetation. Given the similarity



of these environmental factors and the ethnographic and archaeological sensitivity of the Planning Area, NWIC has determined that there is a high potential for unrecorded Native American resources to be within the City limits. Details of the recorded archaeological and historic resources are included in Appendix B – Supporting Materials for Cultural and Tribal Cultural Resources.

The City of Belvedere maintains a Prehistoric Resource Sensitivity Map, and parcels with high sensitivity require conduct test borings or test excavations, and consultation with the Federated Indians of Graton Rancheria. These parcels also may include a potential need for a complete resource survey, data recovery, archaeological monitor and Native American monitor on-site, and a monitoring plan. Parcels with medium sensitivity are required to inform property owners of the potential need for test borings or test excavations if site inspections or ground disturbance yields potential evidence of archaeological or cultural resources. Presence of midden soil may be evidence of archaeological or cultural resources.

***a-b. Less Than Significant Impact with Mitigation.*** The Proposed Project identifies an inventory of 34 sites available for housing development, in addition to a projection of 40 ADUs over the eight-year planning period. One site (7 Beach Road) has been identified in Reconnaissance Level Survey or in an Area of Potential Effect (APE) but has not been evaluated, meaning it may be eligible for listing on local, State, or national registers. Another site (83 Beach Blvd) has been received by the State Office of Historic Preservation Built Environment Resources Directory for evaluation or action but has not yet been evaluated. However, 83 Beach Rd has been identified in the City's Designated Historic Properties list, which could be materially impaired as defined by CEQA Guidelines Section 15064.5. These two parcels in the inventory are identified as having high historic sensitivity, and several others with medium historic sensitivity. Thus, impacts to historic resources are potentially significant.

Projects on high or medium sensitivity parcels must complete a formal historic resource assessment to determine if the resource is eligible for listing. (DPR form 523A and B to be completed by an Architectural Historian); or an informal assessment to determine if the resource appears to be eligible for listing, respectively. Informal assessment could include information gathered from property owner, City or County records, Landmarks Society, State Office of Historic Preservation, etc. Additionally, the City Code (Chapter 21.24) includes regulations that require development to preserve buildings and areas with historic or aesthetic value and maintain the historic character and scale of heritage resources and reduce impacts on potential resources.

While there are no sites in the inventory with high sensitivity, all but one site has been identified as having medium sensitivity in the City's Prehistoric Resource Sensitivity Map and would include potential need for test borings and test excavations, as described above.

Further, **Mitigation Measure CUL-1** requires that project sponsors proposing development on a property with structures more than 45 years old be evaluated for historic significance. Proposed development projects shall then be evaluated for potential direct and/or indirect effects on the identified historic resource(s) per CEQA Guidelines Section 15364, and **Mitigation Measure CUL-2**, requiring avoidance or minimization of impacts to historic structures, shall be implemented for any potential redevelopment occurring at 83 Beach Road.



Therefore, with compliance of existing regulations and proposed mitigation measures, the impact of implementation of the Proposed Project on historical and archaeological resources would be less than significant.

*Mitigation Measures*

**MM-CUL-1: Evaluate Age-Eligible Properties That Have Not Previously Been Evaluated Prior to Development Projects to Identify Historic Resources.** If a development project is proposed on a parcel within the Planning Area that includes a building, structure, or landscape more than 45 years old (typical age threshold applied by the California Office of Historic Preservation) and has not previously been evaluated for potential historic significance, the project sponsor shall retain a professional who meets the Secretary of the Interior's Professional Qualifications Standards for architectural history or history (as appropriate), to conduct an evaluation of historic significance and eligibility for listing on local, state, or national registers.

Evaluation shall include a field survey, archival research, and preparation of a historic resource evaluation report. The report shall include documentation of methodology and the findings of the historic evaluation. Proposed development projects shall then be evaluated for potential direct and/or indirect effects on the identified historic resource(s) per CEQA Guidelines Section 15364, and **Mitigation Measure CUL-2** shall be implemented as appropriate.

**MM-CUL-2: Avoidance or Minimization of Effects on Identified Historic Resources.** The project sponsor shall consult with City staff to determine whether a project can be feasibly redesigned or revised to avoid significant adverse impacts on listed and identified eligible historic resource(s). If a local landmark or preservation district is part of a proposed project, the standard review procedure involving City staff and the Design Review will be followed. If avoidance of historic resource(s) is not feasible, where feasibility is defined as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors," the project sponsor shall seek to reduce the effect on historic resource(s) to a less-than-significant level pursuant to CEQA Guidelines Section 15364. Projects that conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties are considered to have a less-than-significant effect on historic architectural resources.

**c. Less Than Significant Impact With Mitigation.** Implementation of the Proposed Project would primarily involve facilitation of additional multifamily housing on sites with existing residential zoning near the Belvedere Lagoon and in commercial areas that will be rezoned, as well as smaller scale housing construction in established neighborhoods on existing lots and infill sites that are not in areas known to contain human remains.

While human remains or cemeteries are not known to exist within or near the sites identified under the Proposed Project or the surrounding areas, there is always the possibility that subsurface

construction activities associated with the Proposed Project, such as trenching and grading, could potentially damage or destroy previously undiscovered human remains. In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Section 5097.94 and Section 5097.98 must be followed. Thus, with compliance of existing regulations, implementation of the Proposed Project would result in a less than significant impact to disturbance of human remains.

In addition to the City's requirements for high- and medium-sensitivity sites, implementation of **Mitigation Measure CUL-3, CUL-4, and CUL-5**, would also reduce any potential impact on archaeological resources, including human remains, through cultural awareness training for construction personnel on unanticipated discover protocol. At the program level, the impact of implementation of the Proposed Project on human remains would therefore be less than significant with implementation of existing regulations and policies.

**MM-CUL-3: Conduct Cultural Resources Awareness Training.** Prior to the start of any ground disturbance or construction activities, developers of projects within 50 feet of a creek or within 50 feet of recorded archaeological resources in the Planning Area shall retain a qualified professional archaeologist to conduct cultural resource awareness training for construction personnel. This training shall include an overview of what cultural resource are and why they are important, archaeological terms (such as site, feature, deposit), project site history, types of cultural resources likely to be uncovered during excavation, laws that protect cultural resources, and the required protocol in the event of unanticipated discoveries.

**MM- CUL-4: Unanticipated Discovery.** If subsurface deposits believed to be cultural or human in origin are discovered during construction, then all work must halt within a 50-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. A Native American monitor, following the Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial Sites established by the Native American Heritage Commission, may be required if the nature of the unanticipated discovery is prehistoric.

Work cannot continue within the no-work radius until the archaeologist conducts sufficient research and data collection to determine if the resource is either: 1) not cultural in origin; or 2) not potentially significant or eligible for listing on the NRHP or CRHR.

If a potentially-eligible resource is encountered, then the archaeologist, lead agency, and project proponent shall arrange for either: 1) total avoidance of the resource, if possible; or 2) test excavations to evaluate eligibility and, if eligible, total data recovery as mitigation, with the final decision being the responsibility of the

lead agency. The determination shall be formally documented in writing and submitted to the lead agency as verification that the provisions in CEQA/NEPA for managing unanticipated discoveries have been met.

**MM-CUL-5: Unanticipated Discovery of Human Remains.** If evidence of human remains is discovered, or remains that are potentially human, construction activities within 50 feet of the discovery will be halted or diverted and the requirements of **Mitigation Measure CR-3** will be implemented. In addition, the provisions of Section 7050.5 of the California Health and Safety Code, Section 5097.98 of the California Public Resources Code, and Assembly Bill 2641 will be implemented. When human remains are discovered, state law requires that the discovery be reported to the County Coroner (Section 7050.5 of the Health and Safety Code) and that reasonable protection measures be taken during construction to protect the discovery from disturbance (AB 2641).

If the Coroner determines the remains are Native American, the Coroner notifies the Native American Heritage Commission (“NAHC”), which then designates a Native American Most Likely Descendant (“MLD”) for the project (Section 5097.98 of the Public Resources Code). The designated MLD then has 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains (AB 2641). If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (Section 5097.94 of the Public Resources Code). If no agreement is reached, the landowner must re-bury the remains where they will not be further disturbed (Section 5097.98 of the Public Resources Code). This will also include either recording the site with the NAHC or the appropriate Information Center; using an or open space or conservation zoning designation or easement; or recording a re-interment document with the county in which the property is located (AB 2641).

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
<b>13.F Energy.</b> Would the project:				
a. Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

City of Belvedere Housing and Safety Element Update Project  
Initial Study/Environmental Checklist

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting.** Energy resources in the State of California include natural gas, electricity, water, wind, oil, coal, solar, geothermal, and nuclear resources. Energy production and energy use both result in the depletion of nonrenewable resources, such as oil, natural gas, and coal, and result in the emissions of pollutants. PG&E provides natural gas and electricity to the Planning Area. All buildings within the Planning Area have existing connections to infrastructure, although the vacant parcels do not.

**a-b. Less than Significant Impact.** Implementation of the Proposed Project would result in the development of up to 213 housing units, primarily comprised of small-scale infill housing within urbanized areas and on existing single family residential lots. Energy resources would be consumed during construction and long-term operation of future residential development. However, future development would be required to comply with the California Green Building Standards Code and California’s Title 24 Building Energy Efficiency Standards. This includes the update to Title 24, effective January 1, 2020, which requires that all new homes under three stories install solar panels. Title 24 also applies to ADUs and requires them to include a solar energy system that can generate enough to offset the dwelling’s annual electrical usage. The City also verifies compliance with the California Building Code (CBC) as part of the building permit issuance and construction inspection process. The City’s General Plan also adopted a number of sustainability building and energy efficiency goals and policies, such as requiring water and energy use audits, permitting-related incentives; requirement of highest level water saving devices; and increasing the use of renewable energy sources. The City’s 2022 Climate Action Plan also includes several programs related to energy efficiency. Given the minimal level of buildout and compliance with existing regulations, the Proposed Project would result in a less than significant impact to energy resources.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
<b>13.G Geology and Soils.</b> Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable because of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting.** The City of Belvedere is situated in the seismically active San Francisco Bay Area. The regional seismic setting is dominated by stress associated with the oblique collision of the Pacific tectonic plate with the North American tectonic plate. The boundary between the two tectonic plates is the San Andreas fault system, which extends nearly 700 miles along a northwest trend from Mexico to offshore northern California. The San Andreas fault system includes the San Andreas, Hayward, Calaveras, Seal Cove-San Gregorio, and other related faults in the San Francisco Bay area. According to the U.S. Geological Survey (Working Group on California Earthquake Probabilities 2015), there is a 72 percent chance of at least a magnitude 6.7 (or greater) earthquake in the San Francisco Bay region within the next 30 years.

While there are no active faults within Belvedere designated under the Alquist-Priolo Earthquake Fault Zoning Act, the City is subject to moderate to high levels of ground shaking because of its proximity to the San Andreas fault. Ground shaking levels in areas of Bay fill or on very steep slopes could be significantly higher. The impacts from seismic ground shaking area are likely to include

damage to older structures lacking shear walls and secure attachment to foundations, damage to many older unreinforced masonry walls, and widespread shallow slope failures in the upper soil layers on steep slopes resulting in landslides. Seismic ground shaking will also trigger ground failure in filled land in the lagoon neighborhoods and along West Shore Road.

Liquefaction typically occurs when seismic cyclic shear stresses collapse loose granular soil structures, increasing soil pore water pressure, reducing the effective stress (the frictional interlocking of soil particles) and decreasing soil strength. Belvedere's Lagoon area and parts of West Shore Road likely have liquefiable sediments, presenting earthquake liquefaction susceptibility across approximately 89 acres of residential properties. Liquefaction and ground lurching risks in this area could lead to various ground failures, potentially affecting lifeline utilities like Beach Road and San Rafael Avenue, suggesting the need for mitigation strategies such as installing shutoff valves, flexible materials, and designing for easy access and repair.

Landslides have historically caused significant property damage in Marin County and can potentially be a risk to life and safety. The most likely types of landslides in the Tiburon-Belvedere area appear to be relatively small, shallow debris slides and flows. In the General Plan, landslide risks in Belvedere and Corinthian Islands are categorized on a scale of one to five (five being greatest hazard) based on slope inclination and proximity to the shoreline, impacting hillside neighborhoods with development density and modified slopes. The steep, unstable slopes, influenced by factors like rainfall, seismic activity, and wave erosion, pose ongoing hazards to properties and roads, potentially leading to periodic damage due to landslide activity. While most parcels in the inventory are found in areas with lower geologic hazard categories, vacant parcels near the City's western edge have categories of 3 and 5.

In general, the surficial soils in the upland areas of Belvedere are relatively non-expansive or moderately expansive. Where expansive soils are present, building damage due to volume changes associated with expansive soils can be reduced through proper foundation design. Where new construction is proposed, the soil conditions should be evaluated by a qualified geotechnical engineer.

***a (i and ii). Less than Significant Impact.*** As noted above, there are no designated Alquist-Priolo zones in Belvedere, however, the area is subject to ground shaking in the event of an earthquake due to its proximity to the San Andreas Fault System. All future development under the Proposed Project would be required to comply General Plan policies (HAZ-1.2; HAZ-3.2) requiring thorough field investigation as a prerequisite to Design Review and construction approval, as well as with the provisions of the Belvedere Municipal Code – Chapter 16.04, the current California Building Codes, and the specifications outlined in project-specific geotechnical investigations which are required for development in areas with slopes over 40 percent of indicated in the General Plan as being subject to soil or slope instability, per Chapter 16.15 of the City Code. Compliance with existing regulations would ensure that risks are minimized to the extent practicable, and impacts related to fault rupture and ground shaking would be less than significant.

***a (iii). Less than Significant Impact.*** As shown on Figure 2, the northeast portion of the Planning Area, including areas adjacent to the Belvedere Lagoon, have very high liquefaction risk and may be subject to subsidence. Housing development within these areas pursuant to the Proposed Project would be required to comply with related General Plan policies (HAZ-3.3, HAZ-3.5 and actions

HAZ-3.3.1, 3.3.2, 3.5.1, 3.5.2, and 3.5.3; related to required geotechnical engineering, conditioned project approval, soil investigations, consideration of effects of settlement, and guidance of a qualified engineer). Projects also must comply with provisions of the California Building Code and the City's grading and erosion control requirements related to soils and foundations, as well as with the following mitigation strategies contained in the 2018 Marin County Multi Jurisdictional Hazard Mitigation Plan:

- EQ-2 Requires adoption of applicable standards and identification/assessment protocols for voluntary or mandatory retrofits of seismically vulnerable buildings (such as soft story buildings).
- EQ-4 requires engineered plan sets for seismic retrofits of homes on steep hillsides, soft-story homes, and other split-level or vulnerable homes not covered by standard plan set A
- LS-1 increases efforts to reduce landslides and erosion in existing and future development by improving appropriate code enforcement and use of applicable standards for private property, such as those appearing in the California Building Code, California Geological Survey Special Report 117 – Guidelines for Evaluating and Mitigating Seismic Hazards in California, American Society of Civil Engineers (ASCE) report Recommended Procedures for Implementation of DMG Special Publication 117: Guidelines for Analyzing and Mitigating Landslide Hazards in California, and the California Board for Geologists and Geophysicists Guidelines for Engineering Geologic Reports. Such standards should cover excavation, fill placement, cut-fill transitions, slope stability, drainage and erosion control, slope setbacks, expansive soils, collapsible soils, environmental issues, geological and geotechnical investigations, grading plans and specifications, protection of adjacent properties, and review and permit issuance.

While the precise location and specific site conditions for development under the Proposed Project cannot be known at this time, compliance with existing regulations and mitigation strategies would reduce potential impacts related to liquefaction to the maximum extent practicable. Therefore, impacts are considered less than significant.

***a (iv) and c. Less Than Significant Impact.*** Most development in the Proposed Project is anticipated to develop in the relatively flat area around the Lagoon. However, vacant parcels anticipated to develop on steep slopes of Belvedere Island may face potential landslides, particularly in wet weather months. Development in areas with slope stability and liquefaction hazards would be subject to General Plan policies described above, in addition to policy HAZ-3.4, HAZ 3.6, and actions HAZ-3.4.1 and 3.4.2, related to erosion-minimizing preventative measures and geologic investigations on steep slopes). Projects resulting from implementation of the Proposed Project also must comply with provisions of Chapter 16.15 of the City Code, which contains grading regulations and standards for lots with a slope of 40 percent or greater, including soil stability analyses. While the precise location and specific site conditions for development under the Proposed Project cannot be known at this time, compliance with existing regulations and mitigation strategies would reduce potential impacts

related to liquefaction to the maximum extent practicable. Therefore, impacts are considered less than significant.

**b. Less than Significant Impact.** Stormwater can cause erosion of soils on hillsides and creek banks in Belvedere. Future development under the Proposed Plan would be required to comply with above General Plan policies and the provisions of the City Code pertaining to grading and to storm-water controls. Specifically, Chapter 16.15 of the City Code requires that any new construction or significant addition or any project in an area identified as having soil instability or with a slope greater than 40 percent prepare a site map and grading plan that addresses runoff, erosion, and sediment control. As such, compliance with existing regulations would reduce impacts to the extent practicable and impacts related to erosion would be less than significant.

**d. Less than Significant Impact.** In general, the surficial soils in the upland areas of Belvedere are relatively non-expansive or moderately expansive. Compliance with the provisions of the California Building Code, adopted by the City as Chapter 16.04 of the City Code require soil investigations by a civil engineer to identify corrective action needed to prevent structural damage to each dwelling proposed to be constructed on the expansive soil. Additionally, Chapter 16.15 of the City Code requires a soils and engineering geology report prepared by a licensed geotechnical engineer for any new construction or significant addition or any project in an area identified as having soil instability or with a slope greater than 40 percent. The report must include an analysis of the existing soil conditions and recommendations and design guidelines for addressing soil stability. Therefore, compliance with existing regulations would reduce expansive soil-related impacts to a less than significant level.

**e. Less than Significant Impact.** The City Code (Chapter 18.12) requires that every building be connected to the public sewer system maintained by the sanitary district. Given that implementation of the Proposed Project would primarily involve facilitation of smaller scale housing construction in established neighborhoods on existing lots and infill sites, future development under the Proposed Project would generally connect to existing sewer trunk lines or future expansion of sewer trunk lines. As a result, the impact would be less than significant.

**f. Less than Significant Impact.** Paleontological resources are mineralized or fossilized remains of prehistoric plants and animals, as well as mineralized impressions or trace fossils that provide indirect evidence of the form and activity of ancient organisms. A search of the fossil database maintained by the University of California Museum of Paleontology at the University of California, Berkeley did not identify any fossils within Belvedere. Although not anticipated, sub-surface construction activities associated with the Project implementation, such as grading or trenching, could result in a significant impact to paleontological resources, if encountered. Public Resources Code Section 5097.5 specifies the procedures to be followed in the event of the unexpected discovery of human remains. Additionally, the Belvedere General Plan Action PRES-3.1.6 requires that “In the event unanticipated paleontological resources are uncovered during construction, all work must be halted, and an evaluation must be undertaken by a qualified paleontologist to identify the appropriate mitigation for the feature.” Compliance with existing regulations would result in less than significant impacts related to paleontological resources.



	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
<b>13.H Greenhouse Gas Emissions.</b> Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** At the State level, targets have been set for reduction of greenhouse gas (GHG) emissions to combat climate change. Senate Bill (SB) 32 calls for a reduction in statewide GHG emissions to 40 percent below 1990 levels by 2030, while Executive Order B-55-18 establishes a statewide target of carbon neutrality by 2045. Belvedere adopted a Climate Action Plan (“CAP”) in 2022, which incorporates GHG reduction measures. The City publishes annual community greenhouse gas (GHG) emissions estimates through the Marin Climate & Energy Partnership (MCEP), which help the City monitor its progress in meeting its local goal to reduce community emissions by 15 percent below baseline (2005) emissions by 2020, and to meet the statewide goal to reduce emissions 40 percent below 1990 levels by 2030. According to MCEP, the City of Belvedere has reduced emissions by 26 percent since 2005 and met its 2020 goal five years early, in 2015. Emissions dropped from about 14,855 metric tons carbon dioxide equivalents (MTCO<sub>2e</sub>) in 2005 to 10,935 MTCO<sub>2e</sub> in 2019. Belvedere needs to reduce emissions another 3,360 MTCO<sub>2e</sub> to meet the State target for 2030.

**a. Less than Significant Impact with Mitigation.**

*Construction*

Construction associated with new land use developments under the Proposed Project would result in the temporary generation of GHG emissions within the Planning Area. Emissions would originate from mobile and stationary construction equipment, worker and haul truck trips traveling to and from project sites, and electricity consumption. Construction-related GHG emissions would vary substantially depending on the level of activity, length of the construction period, specific construction operations, types of equipment, and number of personnel.

As a programmatic plan, the Proposed Project does not propose any specific development except those projects currently under environmental review or approved, but not yet constructed. Construction of land use developments allowable under the Proposed Project would occur intermittently within the Planning Area throughout the course of the eight-year buildout period. Project-specific details of future development within the Planning Area are currently unknown because development would be driven by market conditions, site constraints, land availability, and property owner interest. As the timing and intensity of future development projects is not known, the precise effects of construction activities associated with buildout of the Proposed Project cannot be quantified at this time. It is assumed that implementation of the Proposed Project ultimately could result in the development of up to 213 housing units which would primarily involve redevelopment of

existing properties, including the Boardwalk Shopping Center and some underutilized multifamily residential properties. As such, it is anticipated that in any given year, multiple land use development projects could be constructed within the Planning Area.

As noted previously, BAAQMD has not established a quantitative threshold for assessing construction related GHG emissions. Rather, the air district recommends evaluating whether construction activities would conflict with statewide emission reduction goals and implement feasible BMPs. Therefore, construction-related GHG emissions from the Proposed Project would be required to comply with **Mitigation Measure GHG-1** which would reduce construction emissions consistent with BAAQMD guidance and statewide emission reduction goals. In accordance with California’s Green Building Standards Code (CALGreen), the City of Belvedere currently requires construction and demolition projects to recycle at least 50 percent of the local construction and demolition debris generated by a project. Project applicants must submit a Waste Management Plan to the City and update the City with all recycling and disposal receipts at least every 30 days. **Mitigation Measure GHG-1** would build on this policy to require compliance with other BAAQMD best management practices for building with local material and using alternative-fueled construction vehicles. Accordingly, this impact would be less than significant with the incorporation of mitigation.

*Operation*

The Project plans for new land uses that would generate direct and indirect GHG emissions. Sources of direct emissions include mobile vehicle trips, natural gas combustion, and landscaping activities. Indirect emissions would be generated by electricity generation and consumption, waste and wastewater generation, solid waste, and water use. Operational emissions for existing baseline and 2040 future conditions are summarized in Table 5. The modeled emissions for the Proposed Project include emission reduction measures required by the City’s CAP. Such measures serve to mitigate emissions from new developments pursuant to the Proposed Project. See Appendix C for GHG modelling outputs and emission reduction measures incorporated into the analysis.

As shown in Table 5, operational emissions generated by the Project would still result in a net increase in annual emissions of 177 MTCO<sub>2</sub>e compared to existing conditions. As seen in Table 4, there is an increase in emissions from transportation sources due to additional vehicle trips from an increased population and a slight increase in emissions from area, waste, and water sources. These increases reflect the increase from existing conditions in population and number of housing units enabled by the Proposed Project.

**Table 5: Estimated Proposed Project Operational GHG Emissions**

<i>Condition<sup>c</sup></i>	<i>Source</i>	<i>Annual GHG Emissions (MTCO<sub>2</sub>e/year)</i>
<b>Existing (2015)</b>	Area	50.8
	Energy	4,323
	Mobile <sup>b</sup>	2,532
	Waste	949
	Water	356
	Refrig.	3.25

City of Belvedere Housing and Safety Element Update Project  
Initial Study/Environmental Checklist

	<b>Total</b>	<b>8,213</b>
<b>Proposed Project (2040)</b>	Area	53.5
	Energy	4,323
	Mobile <sup>b</sup>	2,614
	Waste	990
	Water	406
	Refrig.	3.25
	<b>Total</b>	<b>8,390</b>
	<b>Net Change from Existing</b>	<b>+177</b>

Notes:

MTCO<sub>2e</sub> = metric tons of carbon dioxide equivalents

<sup>a</sup> Values may not add up to the totals shown due to rounding.

<sup>b</sup> Mobile source emissions only account for Home-Based VMT for residential uses, not total VMT, and thus may be an underestimate of total mobile emissions. Home-based VMT is the metric that OPR recommends for VMT CEQA assessments for residential land uses.

<sup>c</sup> Existing (2015) and Proposed Project (2040) conditions coincide with the annual conditions used for the transportation VMT analysis.

Source: See Appendix C for modeling files.

Table 6 outlines whether emissions under the Proposed Project would exceed Belvedere’s CAP goal of reducing emissions 40 percent below 1990 levels by 2030, consistent with State targets. As shown in Table 6, by incorporating GHG emissions projected under the Proposed Project, emissions will be reduced by 39.6 percent by 2030. Table 6 indicates that the Project may cause Belvedere to fall slightly short of its 2030 CAP emission reduction target, which would be a potentially significant impact.

**Table 6: Belvedere Climate Action Plan (CAP) Emission Reduction Targets**

<i>Condition</i>	<i>Projected Emissions (MTCO<sub>2e</sub>)</i>	<i>Percent Below 1990 Levels</i>	<i>Less than Target/Threshold?<sup>c</sup></i>
2030	7,444 <sup>a</sup>	41	<b>Yes</b>
2030 + Proposed Project	7,621 <sup>b</sup>	39.6	<b>No</b>

Notes:

MTCO<sub>2e</sub> = metric tons of carbon dioxide equivalents

<sup>a</sup> Projected 2030 emissions from the City of Belvedere Climate Action Plan

<sup>b</sup> Projected 2030 emissions from the City of Belvedere Climate Action Plan plus additional emissions projected from the Proposed Project (177 MTCO<sub>2e</sub>)

<sup>c</sup> The target/threshold used is the Belvedere Climate Action Plan target that meets the State’s goal to reduce emissions to 40 percent below 1990 levels by 2030.

Source: City of Belvedere, 2022; Dyett & Bhatia, 2023.

Further, the growth facilitated by adoption of the Proposed Project is greater than the amount of growth assumed in the 2030 CAP. **Mitigation Measure GHG-2** would require the City to update its CAP to reach carbon neutrality by 2045, consistent with Executive Order B-55-18. The updated CAP shall include community emission forecasts that incorporate the changes in population and number of households anticipated under the Proposed Project.

The Belvedere CAP establishes a target of reducing emissions 40 percent below 1990 levels by 2030 and Executive Order B-55-18 establishes a statewide target of carbon neutrality by 2045. Emissions resulting from buildout would exceed the targets established in the Belvedere CAP and Executive Order B-55-18. Thus, under **Mitigation Measure GHG-2** the City will update the CAP to identify measures necessary for compliance with the State target that shall achieve at least an additional 0.4 percent reduction in emissions to reach emissions targets. As such, the associated impact would be less than significant with implementation of the following mitigation measure.

*Mitigation Measures*

**MM-GHG-1: Require Implementation of BAAQMD-recommended BMPs.** All applicants within the Planning Area shall require their contractors, as a condition of contract, to reduce construction-related GHG emissions by implementing BAAQMD’s recommended best management practices, including (but not limited to) the following measures (based on BAAQMD’s CEQA Guidelines):

- Ensure alternative fueled (e.g., biodiesel, electric) construction vehicles/equipment make up at least 15 percent of the fleet.
- Use local building materials of at least 10 percent (sourced from within 100 miles of the Planning Area).

**MM-GHG-2: Update the Belvedere Climate Action Plan 2030.** Within 18 months of adoption of the Proposed Project, the City will update its CAP to reach carbon neutrality by 2045, consistent with Executive Order B-55-18. The updated CAP shall include community emission forecasts that incorporate the changes in population and number of households anticipated under the Proposed Project and include measures to achieve at least an additional 0.4 percent reduction in emissions to reach the 2030 target. The additional measures will draw from the from the California Air Pollution Control Officers Association (CAPCOA) Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity, and will include, without limitation, regulations to reduce energy- and transportation-related emissions, such as programs that increase Zero Emission Vehicle Plan target goals; an ordinance requiring replacement of natural gas appliances with high-efficiency electric ones; increase electric carshare access; requiring new buildings to exceed the energy efficiency requirements of the building energy standards of the 2019 version of Title 24.

***b. Less than Significant Impact.***

*AB 32, SB 32, EO-S-3-05, and EO B-55-18*

Construction

Construction activities for future development within the Planning Area would cause temporary generation of GHG emissions. Emissions would originate from the exhaust of both mobile and stationary construction equipment as well as exhaust from employees’ vehicles and haul trucks, and electricity. Construction-related GHG emissions from each specific source would vary

substantially, depending on the level of activity, length of the construction period for each development, specific construction operations, types of equipment, and number of personnel. GHG emissions generated by the construction activities would be short term and would cease once construction is complete.

As described above, BAAQMD has not established a quantitative threshold for assessing construction-related GHG emissions. Rather, BAAQMD recommends evaluating whether construction activities would conflict with statewide emission reduction goals, based on whether feasible BMPs for reducing GHG emissions would be implemented. If a project fails to implement feasible BMPs identified by BAAQMD, its GHG emissions could conflict with statewide emission goals and represent a cumulatively considerable contribution to climate change, which would be a potentially significant impact. Construction-related GHG emissions from the Proposed Project would be required to comply with **Mitigation Measure GHG-1**, which would reduce construction emissions consistent with BAAQMD guidance and statewide emission reduction goals. Implementation of **Mitigation Measure GHG-1** would require future development projects to implement BAAQMD-recommended BMPs which would reduce the level of GHGs associated with construction of the future projects and avoid any conflict with statewide GHG reduction goals, thereby reducing this impact to less than significant with mitigation.

#### Operations

As discussed above, emissions from operational sources would conflict with the City's adopted CAP and with the Executive Order B-55-18 targets. However, with implementation of the Proposed Project, the City would be required to implement **Mitigation Measure GHG-2** to update its CAP to reach carbon neutrality by 2045. As such, compliance with **MM-GHG-2** order would maintain consistency with the City's CAP and Executive Order B-55-18. In addition, as discussed in Section 13.Q, the Proposed Project would achieve the 15 percent VMT per capita reduction target under buildout conditions and the City will achieve the overall VMT threshold reduction level. Therefore, the Proposed Project's mobile-source GHG emissions would not conflict with SB 743. Overall, the Proposed Project would be consistent with policies and plans that encourage energy conservation, energy efficiency, and sustainability. Therefore, operational GHG emissions would not conflict with application State plans and regulations, and this impact would be less than significant with mitigation.

#### *SB 375 and Plan Bay Area*

Environment and transportation are two of four elements that are the focus of MTC's Plan Bay Area 2050. Plan Bay Area 2050 is the MTC's regional transportation plan and provides a long-range framework to minimize transportation impacts on the environment, improve regional air quality, protect natural resources, and reduce GHG emissions. The plan promotes infill development, and proactively links land use, air quality, and transportation needs in the region. Plan Bay Area is consistent with SB 375, which requires MTC to adopt a Sustainable Communities Strategy ("SCS") that outlines policies to reduce per service population GHG emissions from automobiles and light trucks. As noted in the Regulatory Setting, for the San Francisco Bay Area, the per capita GHG emissions reduction target for automobiles and light trucks is 19 percent by 2035, relative to 2005 emissions. The SCS policies include a mix of strategies that encourage compact growth patterns,

mixed-use design, alternative transportation, transit, mobility and access, network expansion, and transportation investment.

Implementation of the SCS is intended to improve the efficiency of the transportation system and achieve a variety of land use types throughout the Bay Area that meet market demands in a balanced and sustainable manner. The Proposed Project's guiding principles focus on creating a community that promotes sustainability and self-sufficiency for residents, workers, and visitors. Implementation of the Proposed Project would result in the development of 213 housing units that primarily involve redevelopment of existing properties, including the Boardwalk Shopping Center, some underutilized multifamily residential properties, and ADUs. Thus, mixed-use and infill development would be promoted through the location of the proposed housing sites.

The Proposed Project would allow development that helps accommodate forecasted growth within the Planning Area. Consistent with MTC goals, the Proposed Project encourages multifamily and infill developments where appropriate, connectivity between neighborhoods, and walkable design that compliments the existing natural and built environment to reduce VMT. The Proposed Project further provides the policy framework to guide future development toward land use patterns that support walking, and biking (proposed programs 2-B, 2-D, 2-E, and 2-K).

These policies would support alternative modes of travel within the Planning Area, which could help reduce per service population GHG emissions from passenger vehicles consistent with Plan Bay Area. Thus, the Proposed Project would be consistent with the goals of SB 375 and Plan Bay Area, and this impact would be less than significant.

#### *Consistency with Other State Regulations*

As discussed above, systemic changes will be required at the state level to achieve California's future GHG reduction goals. Regulations, such as future amendments to the Low Carbon Fuel Standard (LCFS) and future updates to the State's Title 24 standards and implementation of the State's SLCP Reduction Strategy, including forthcoming regulations for composting and organics diversion, will be necessary to attain the magnitude of reductions required for the State's goals. The Proposed Project would be required to comply with these regulations in new construction (in the case of updated Title 24 standards) or would be directly affected by the outcomes (vehicle trips and energy consumption would be less carbon intensive due to statewide compliance with future low carbon fuel standard amendments and increasingly stringent RPS). Thus, for the foreseeable future, the Proposed Project would not conflict with any other State-level regulations pertaining to GHGs in the post-2020 era and this impact would be less than significant.

#### *Mitigation Measures*

- MM-GHG-1: Require Implementation of BAAQMD-recommended BMPs.**
- MM-GHG-2: Update the Belvedere Climate Action Plan 2030.**

City of Belvedere Housing and Safety Element Update Project  
Initial Study/Environmental Checklist

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
<b>13.I Hazards and Hazardous Materials.</b> Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting.** Belvedere is a residential community of 895 homes. According to State databases, there are two recorded hazardous materials sites in or adjacent to the City limit. Both are LUST Cleanup Sites with “Case Closed” statuses. A status of “Case Closed” indicates that the contamination at each site has been adequately remediated to the satisfaction of the Regional Water Quality Control Board (RWQCB), which has oversight for the protection of surface and groundwater quality. Given that the City was established in 1896 making it one of the older cities in Marin County and 20.2 percent of its homes were built before 1939, asbestos and lead-based paints may be present in some existing structures. A variety of federal, State and local regulations governs the handling, transport and disposal of hazardous materials in Belvedere. Otherwise, the principal hazardous substances in the community are from cleaning supplies and landscaping chemicals.

The 2014 County’s Emergency Operations Plan is a guidebook for the Marin County Operational Area (OA) to utilize during phases of an all-hazards emergency management process which include preparedness, response, recovery, and mitigation. The EOP is intended to facilitate coordination between agencies and jurisdictions within Marin County while ensuring the protection of life, property, and the environment during disasters. In accordance with California’s Standardized Emergency Management System (SEMS), this Plan provides the framework for a coordinated effort between partners and provides stability and coordination during a disaster. The 2018 Marin County

Multi-Jurisdiction Local Hazard Mitigation Plan defines measures to reduce risks from natural disasters in the Marin County Operational Area, which consists of the entire county, including unincorporated areas, incorporated cities, and special purpose districts. The plan complies with federal and state hazard mitigation planning requirements to establish eligibility for funding under Federal Emergency Management Agency (FEMA) grant programs for all planning partners.

The City of Belvedere and associated agencies have a robust protocol and enforce several actions to protect against the threat of hazards and prepare for emergencies, including the Fire District's Vegetation Management Standards to maintain defensible space (10-100 feet) around structures, regulation of tree and hedge placement, and a restricted parking program to allow for 10-foot clearance for emergency vehicle access.

In the event of an emergency, Belvedere City Hall uses multiple channels like sirens, radio (840 BEARS), TENS, MEANS, and commercial radio/TV for alerts. These convey the emergency nature, response updates, and safety directions (like evacuation or sheltering). The General Plan also directs the City of Belvedere to continue disaster readiness training and to develop and maintain an Evacuation Protocol coordinated with the Town of Tiburon and the Tiburon Fire Protection District.

***a thru c. Less than Significant Impact.*** Implementation of the Proposed Project would primarily involve facilitation of smaller scale housing construction in established neighborhoods on existing lots and infill sites and would not involve the transport, use, or disposal of significant quantities of hazardous materials. Demolition or development under the Proposed Project may involve the need to handle and transport asbestos or lead based paints; however, such activities are subject to various federal, State, and local regulations, including BAAQMD regulations pertaining to asbestos abatement; Construction Safety Orders 1529 (pertaining to asbestos) and 1532.1 (pertaining to lead) from Title 8 of the California Code of Regulations; Part 61, Subpart M of the Code of Federal Regulations (pertaining to asbestos); and lead exposure guidelines provided by the United States Department of Housing and Urban Development. Asbestos and lead abatement must be performed and monitored by contractors with appropriate certifications from the state Department of Health Services. Construction activities may involve the use of diesel-powered equipment or the application of architectural coatings, but not at levels that could create a significant hazard to the public or environment. Similarly, once constructed, the residents of new homes constructed pursuant to the Proposed Project may use cleaning solvents or landscaping chemicals, but not at levels that could create a significant hazard to the public or environment. Overall, any transport, use, storage, and disposal of hazardous materials would be required to comply with existing regulations established by several agencies, including the Department of Toxic Substances Control, the US Environmental Protection Agency (EPA), the US Department of Transportation, and the Occupational Safety and Health Administration. The construction and operation of housing generally does not involve the release -- accidental or otherwise -- of hazardous materials that would create a significant hazard to the public, nor would it involve emitting or handling acutely hazardous materials or wastes in the vicinity of schools. Overall, compliance with existing regulations would result in a less than significant impact.

***d. Less than Significant Impact.*** A significant impact would occur if development under the Proposed Project is located on a site which is included on a list of hazardous materials sites compiled



pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment. The California Department of Toxic Substances Control's EnviroStor database which, pursuant to Government Code Section 65962.5, lists Federal Superfund, State Response, Voluntary Cleanup, School Cleanup, Hazardous Waste Permit, and Hazardous Waste Corrective Action site, and the State Water Resources Control Board's GeoTracker database, which tracks authorized or unauthorized discharges of waste to land, or unauthorized releases of hazardous substances from underground storage tanks. According to State databases, there are two recorded hazardous materials sites in or adjacent to the City limit. Both are LUST Cleanup Sites with "Case Closed" statuses. A LUST site is one of the types of sites listed pursuant to California Government Code Section 65962.5. One of the sites (1515 Tiburon Highway) is located adjacent to the Boardwalk Shopping Center, a site identified under the Proposed Plan for development. The other LUST Cleanup Site within Belvedere is not on or adjacent to any sites identified for development under the Proposed Plan (140 Bella Vista Avenue). LUST sites with "Case Closed" statuses do not require further remediation. Therefore, this is a less than significant impact.

*e. No Impact.* There are no public airports within two miles of the City limits. The nearest airport is the San Rafael Airport located approximately 14 miles northwest of the City. The Proposed Project generally involves small-scale residential development on previously developed parcels within the City limit. Therefore, implementation of the Proposed Project would result in no impact related to airport hazards.

*f. Less Than Significant Impact.* Emergency response is provided through coordinated efforts by the City of Belvedere and the Town of Tiburon. Emergency planning and evacuation pose many challenges for Belvedere due to the precarious topography and narrow City roads. The General Plan Safety Element provides an in-depth analysis of emergency and evacuation planning and protocols, as well as scenario mapping and evacuation route mapping, indicating that during a fire or other disaster, most roadways can accommodate up to approximately 2,500 autos per hour, or approximately 10,000 people per hour per lane.

Implementation of the Proposed Project could result in construction of up to 213 new housing units in Belvedere. New housing sites would be located throughout the Planning Area, with some sites on San Rafael Avenue, Beach Road, Tiburon Boulevard, and Belvedere Lagoon located within a FEMA special flood hazard area where the evacuation routes could be obstructed in the event of a natural disaster. In total, development associated with the Proposed Project would house additional residents in the Planning Area which would make it necessary to evacuate more people in the event of a wildfire. The Belvedere Safety Element indicates capacity for evacuation of over 10,000 people per hour per lane. Added to Belvedere's population of ~2,000 people, the impacts of additional population on evacuation routes resulting from implementation of the Proposed Project is less than significant.

Development facilitated by the Proposed Project would be required to comply with policies in the General Plan that maintain evacuation route and plan for safe evacuation, including HAZ-1.3 and actions HAZ-1.3.1 and 1.3.2. Policy HAZ-1.4 ensures the City is equipped for disaster, evacuation, and survival thereafter. Development would also be constructed in accordance with federal, state,

regional, and local requirements, which are intended to ensure the safety of residents and structures to the extent feasible. Compliance with these standard regulations would be consistent with the County LHMP. Thus, implementation of the Proposed Project would not impair an emergency response or emergency evacuation plan and impacts would be less than significant.

**g. Less Than Significant Impact.** Please see Section 13. T for additional analysis. The California Department of Forestry and Fire Protection (CAL FIRE) has mapped areas in Marin County with significant fire hazards based on fuels, terrain, weather, and other relevant factors. These zones, referred to as Very High Fire Hazard Severity Zones (VHFHSZ), are classified by the CAL FIRE Director in accordance with Government Code Sections 51175-51189 to assist responsible local agencies identify measures to reduce the potential for losses of life, property, and resources from wildland fire. According to the November 2021 VHFHSZ map, Belvedere is not within a very high fire hazard severity zone, but is within the wildland urban interface, the zone of transition between unoccupied land and human development. The hazard is partly due to numerous flammable eucalyptus trees and their dry debris. Some lots with steep slopes are hard to access, allowing flammable growth and debris. Wooden roofs and closely built decks increase fire risk. Additionally, the narrow, winding streets on Belvedere and Corinthian Islands hinder quick Fire District responses.

Implementation of the Proposed Project may result in housing units in locations prone to wildland fire threat. However, projects would be required to comply with policies in the General Plan and Municipal Code. These include Policy HAZ-4.5, which involves continued application of California Fire Code requirements and action HAZ-4.2.1, which requires development plans be referred to Fire Marshall for review and recommendations. The General Plan and Municipal Code include policies and regulations to address fire concerns including partnership with the Federal Emergency Management Agency, Belvedere Community Foundation, Tiburon Peninsula Foundation, and the Town of Tiburon to receive fire protection services from the Tiburon Fire Protection District; Public education in schools, CPR, First Aid, and Community Disaster Preparedness classes; participation in the Marin County and California Mutual Aid Systems, and implementation of the Fire District Vegetation Management Standards including that defensible space be maintained around all structures and the use of plants that are more fire resistant.

Compliance with existing State and local codes and regulations as well as General Plan policies would reduce impacts to a less-than-significant level related to exacerbating wildfire risks during construction, operation, and implementation of the Proposed Project.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
<b>13.J Hydrology and Water Quality.</b> Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

City of Belvedere Housing and Safety Element Update Project  
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	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting.** Belvedere was an island until it was connected to Tiburon with fill on bay mud, creating two hill side and top neighborhoods and a lagoon neighborhood. Much of the land is protected from the Bay by a levee wall to the north and a wall with tides gates to the south. The tide gates allow water into the lagoon. The Planning Area is in the Angel Island-San Francisco Bay Estuaries, Arroyo Corte Madera Del Presidio-Frontal San Francisco Bay Estuaries, Larkspur Creek-Frontal San Francisco Bay Estuaries, Redwood Creek-Frontal Pacific Ocean, and Richardson Bay-San Francisco Bay watersheds. Two nearby creeks, Arroyo Corte Madera del Presidio and Corte Madera Creek, empty into the Richardson and San Francisco bays. The Richardson Bay watershed links together the communities of Mill Valley, Tiburon, Sausalito, Marin City, Tamalpais Valley and Belvedere.

About 87 acres of the residential properties within the City are in the 100 year flood zone (AE and VE) because of their proximity to the Belvedere Lagoon or the Richardson Bay. Recent FEMA flood mapping shows that flooding across Beach Road and into Belvedere Lagoon from the direction of

Belvedere Cove is anticipated in a 100-year flood event.<sup>1</sup> Each Zone has an advisory board appointed by the District Board that reviews projects and how funds are spent.

Much of Belvedere's roadway network including the main thoroughfares of Tiburon Boulevard, San Rafael Avenue, Lagoon Road, Cove Road, and Beach Road could be subject to flooding. Given Belvedere's location within the San Francisco Bay, surrounded on almost all sides by water, the community will be impacted more than most cities by rising sea levels and therefore flooding. Most of the shoreline in the City of Belvedere currently supports residential development. The shoreline of Belvedere is characterized by natural bedrock with limited areas of rip rap. Just below Mean High Water (MHW), the shoreline is comprised of mixed sand and mud containing some manmade material originating from shoreline armoring. Some small areas of shoreline, such as along San Rafael Avenue, are comprised of rip rap.

The Marin County Tsunami Hazard Area map identifies portions of the Planning Area within a tsunami inundation zone.<sup>2</sup> As shown in Table H-1 of the Marin County Multi-Jurisdiction Local Hazard Mitigation Plan, a tsunami has the potential to destroy/damage the San Francisco Yacht Club of Belvedere, the landmark China Cabin, a total of 390 structures within Belvedere, including 339 single-family structures, 42 multi-family structures, and 9 commercial structures.<sup>3</sup> The area of Belvedere between San Rafael Avenue, Lagoon Road, and Beach Road where most homes front the lagoon is within the tsunami inundation area while the portion of Belvedere south of the lagoon is not. The City has developed adaptation plans to reinforce and elevate the two levees that house critical infrastructure, provide ingress and egress for the entire City, and protect the houses in the flood plain.

**a. Less than Significant Impact.** A significant impact would occur if the Proposed Project would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Implementation of the Proposed Project would primarily involve facilitation of housing construction in established neighborhoods on existing lots and infill sites. Development would be required to adhere to all applicable federal, State, and local regulations. Construction activities must comply with the NPDES Construction General Permit which requires standard erosion control measures and BMPs identified in a Stormwater Pollution Prevention Plan (SWPPP) and implemented during construction to reduce sedimentation in waterways and any loss of topsoil. Development associated with the Proposed Plan would also be required to comply

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1 FEMA National Flood Hazard Layer Viewer. Accessed: December 6, 2023. Available: <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>

2 Marin County Tsunami Hazard Map. [https://maps.conservation.ca.gov/cgs/informationwarehouse/ts\\_evacuation/?extent=-13694023.236%2C4549659.9458%2C-13630580.5025%2C4619676.2637%2C102100&utm\\_source=cgs+active&utm\\_content=marin](https://maps.conservation.ca.gov/cgs/informationwarehouse/ts_evacuation/?extent=-13694023.236%2C4549659.9458%2C-13630580.5025%2C4619676.2637%2C102100&utm_source=cgs+active&utm_content=marin)

3 <https://storage.googleapis.com/proudcity/marinwatershedprogramca/uploads/2022/07/Marin-County-Multi-Jurisdictional-Local-Hazard-Mitigation-Plan-2018-min.pdf>

with the City's regulations. The demolition and construction of development would be subject to review by the City Engineer and Public Works Department and subject to the requirements of the Marin County Stormwater Pollution Prevention Program (MCSTOPPP). As stated in Chapter 16.15 of the City's Municipal Code, the City's building permit standard requirements include the submission of an erosion control plan, which includes the measures that would be taken to prevent loose dirt and soil from washing into Richardson Bay. Implementation of standard requirements from the City of Belvedere, MCSTOPPP, and RWQCB would ensure that future projects would not result in increased rates or amounts of surface runoff, exceed the capacity of existing or planned stormwater drainage systems, or impede or redirect flood flows. Therefore, any potential impacts on water quality and water quality requirements for surface or ground water quality would be less than significant.

***b and c. Less than Significant Impact.*** A significant impact would occur if the Proposed Project would substantially decrease groundwater supplies, interfere with groundwater recharge, or alter the existing drainage pattern of the site. Implementation of the Proposed Project would primarily involve facilitation of smaller scale housing construction in established neighborhoods on existing lots and infill sites.

Proposed development in the Planning Area would result in new impervious surfaces and could reduce rainwater infiltration and recharge of groundwater in those areas. Infiltration rates vary depending on the overlying soil types. All development pursuant to the Proposed Project would be subject to the applicable provisions of the Stormwater Quality Manual for Development Project in Marin County. As stated above, Chapter 16.10 of the City's Municipal Code states the City's building permit standard requirements include the submission of an erosion control plan, which includes the measures that would be taken to prevent loose dirt and soil from washing into Richardson Bay. Implementation of standard requirements from the City of Belvedere, MCSTOPPP, and RWQCB would ensure that future projects would not result in increased rates or amounts of surface runoff, exceed the capacity of existing or planned stormwater drainage systems, or impede or redirect flood flows. Compliance with these regulations would ensure that future development under the Proposed Project would not result in substantial increases of impervious surfaces such that groundwater recharge would be hindered, or the existing drainage pattern of the City would be altered. Therefore, implementation of the Proposed Project would result in less than significant impacts related to groundwater and drainage patterns.

***d. Less Than Significant Impact.*** The majority of the Belvedere Lagoon area is within the 100-year floodplain. As shown in Figure 2, the remainder of the Planning Area is located on hilly terrain that rises fairly steeply, creating an area of minimal flood hazard (flooding not anticipated in the 100-year or 500-year time frames). Implementation of the Proposed Project would primarily involve facilitation of housing construction in established neighborhoods and already developed areas, some of which are located within or adjacent to Special Flood Hazard areas, including the 100-year floodplain.

As noted in the Environmental Setting, there are no dams located in or around the Planning Area that would result in flooding portions of the town in the event of a dam failure. Further, there are

no levees within or near the Planning Area that could threaten buildout associated with the Proposed Project with flooding. The Planning Area is close to the San Francisco Bay and Richardson Bay (semi-confined water bodies), which could pose a significant risk from a seiche similar to that of a tsunami threat. Should structures proposed under the Proposed Project become inundated during a future tsunami or seiche event, there is a risk of pollutants being released inadvertently into the environment. As previously mentioned, numerous residences, businesses, and yacht clubs in Belvedere are waterfront properties and are located within tsunami inundation areas. The area of Belvedere between San Rafael Avenue, Lagoon Road, and Beach Road where most homes front the lagoon is within the tsunami inundation area while the portion of Belvedere south of the lagoon (Belvedere Island) is not. Future development under the proposed project will take place in areas where there is flood, tsunami, and seiche threat.

As noted above, buildout of the Proposed Project will largely consist of infill development in already developed areas. All new development must adhere to General Plan policy HAZ-2.2, requiring evaluation and mitigation for all new development within tsunami hazard zones. In addition, Development in Special Flood Hazard areas is regulated by the standards in Chapter 16.20 of the City Code, which requires that a development permit shall be obtained before any construction or other development begins within any area of special flood hazard. Application for a development permit shall be made on forms furnished by the Floodplain Administrator and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevation of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Compliance with these regulations would limit the risk of loss and damage due to flooding to the maximum extent practicable and associated impacts would be less than significant with compliance.

*e. No Impact.* As discussed above, future development under the Proposed Project would be required to adhere to all applicable federal, State, and local regulations with respect to stormwater pollution control, which would reduce the potential for stormwater pollution to the maximum extent practicable. There are three primary groundwater basins in Marin County that include the Novato Valley Subbasin, Sand Point Area Subbasin, and the San Rafael Valley Subbasin. The California Sustainable Groundwater Management Act (SGMA) requires governments and water agencies of high and medium priority basins to prepare Groundwater Sustainability Plans to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. Since the groundwater basins within Marin County have been ranked by the Department of Water Resources (DWR) as low priority, there are no requirements for the County to prepare a Groundwater Sustainability Plan at this time. For these reasons, future development under the proposed project would not substantially degrade water quality or conflict with a sustainable groundwater management plan, and no impact would occur.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
<b>13.K Land Use and Planning.</b> Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting.** Home to approximately 2,100 residents, the City of Belvedere is one of the smallest jurisdictions in Marin County. The City encompasses just 2.2 square miles, of which 1.75 square miles is water. This leaves only 0.45 square miles (287 acres) of developable land. Belvedere consists of four distinct districts. Belvedere Island has the largest land area and is the most varied in terms of topography and landforms. Belvedere Lagoon forms a second, flatter portion of the City that surrounds the interior waterway. West Shore Road borders Richardson Bay and is a third characteristically different area, with Bayfront homes along the western edge of Belvedere Island. The final area is on Corinthian Island facing Belvedere Cove, where the island’s residents share borders with the Town of Tiburon.

Belvedere is predominantly a residential community, with well over 90 percent of its land area either in residential use or zoned residential. Nearly all employment opportunities, and most residential service services are outside Belvedere. Commercial uses within the City consist only of the portion of the Boardwalk Shopping Center area that lies within the City boundary and the office spaces found along Beach Road near the San Francisco Yacht Club. Overall, residential uses account for 210.4 acres, commercial uses occupy 25.2 acres, utilities and institutional uses occupy 5.7 acres, while parks and open spaces occupy 15.1 acres. Vacant land accounts for 9.8 acres. Utilities, roads, and right-of-way uses compose 59.3 acres of the City.

**a. Less than Significant Impact.** The physical division of an established community typically refers to the construction of a linear feature, such as an interstate highway or railroad tracks, or removal of a means of access, such as a local bridge that would impact mobility within an existing community of between a community and outlying area. The Proposed Project does not involve any such features and would not remove any means of access or impact mobility. Implementation of the Proposed Project would facilitate residential development required to meet the City’s RHNA allocation, consisting primarily of small scale, infill housing on previously developed lots within the City limit. As such, the Proposed Project would not physically divide an established community and impacts would be less than significant.

**b. Less than Significant Impact.** The Proposed Project includes amendments to the City of Belvedere Zoning Ordinance and Map to reflect the Proposed Housing Element’s new housing action plan. The City would adopt these amendments before or concurrently with the Revised Housing Element, resulting in consistency. To accommodate the RHNA allocation, the Proposed Housing Element identifies strategies and programs requiring rezoning effort to support below moderate

housing, promote workforce housing, and promote ADUs/JADU production. Such programs will require amendments to the City Code that increase density at 1530 Tiburon, 7 Beach Rd, and 15 Cove Road, permit cohousing on larger lots, and permit mixed use (MU) zoning and objective development standards mirroring what Tiburon has proposed for the adjacent portion of the Boardwalk Shopping Center in Belvedere. Future residential projects consistent with the Proposed Project will be required to comply with the policies in the General Plan regarding land use and City Code requirements associated with zoning districts, allowable uses, and development standards. All future residential development occurring within the City would be required to be evaluated in accordance with local regulations, including the General Plan and City Code. Therefore, implementation of the Proposed Project would have a less than significant impact in regard to conflicts with a land use plan, policy, or regulation adopted to avoid an environmental effect. As such, the impact is less than significant.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
<b>13.L Mineral Resources.</b> Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land-use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting.** The State requires local jurisdictions to adopt policies that restrict designated mineral resource sites from premature development and protect surrounding communities from impacts associated with mineral extraction. The purposes of such State policies include encouraging extraction of necessary mineral and construction commodities in locations reasonably close to their markets and ensuring that mined lands are reclaimed to minimize adverse effects on the environment and public health. Furthermore, local governments have a responsibility to protect the public health and safety of their residents by requiring that only legal mining and material transport and handling activities are conducted, and that the impacts of such operations are adequately mitigated using the best available management practices.

As set forth in Section 2761 (b) of SMARA, "... the State Geologist shall classify, on the basis solely of geologic factors, and without regard to existing land use..." Areas subject to mineral land classification are divided by the State Geologist into various Mineral Resource Zone (MRZ) categories that reflect varying degrees of mineral resource potential. Based on the 2013 Department of Conservation's 2013 Update of Mineral Land Classification: Aggregate Materials in the North San Francisco Bay Production-Consumption Region, Sonoma, Napa, Marin, and Southwestern Solano Counties, California, all lands in Belvedere are classified as MRZ-1, where little likelihood exists for the presence of significant mineral resources.



**a and b. No Impact.** As indicated above, little likelihood exists for presence of significant mineral resources in Belvedere. Thus, the Proposed Project would not result in the loss or availability of a known mineral resource that would be of value to the region and the residents or the state. In addition, no locally important mineral resource recovery sites are delineated in the General Plan or other land use plans. Therefore, adoption of the Proposed Plan would result in no impact to mineral resources.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
<b>13.M Noise.</b> Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting.** Belvedere is a quiet residential community. The primary source of noise is motor vehicles on major roadways in the city, including Tiburon Boulevard, San Rafael Avenue, and Beach Road. The City of Belvedere aims to minimize noise pollution through General Plan policies and regulations in the Municipal Code. General Plan policies establish standards for noise/land use compatibility, exterior noise, and construction noise. These policies identify normally acceptable, conditionally acceptable, and clearly unacceptable ranges of noise exposure. Projects that may exceed these standards require mitigation. The City’s Noise Ordinance (Chapter 8.10) prohibits any loud, unnecessary, or unusual noises between the hours of 9 p.m. and 7 a.m. Sunday through Thursday and 11 p.m. to 7 a.m. Friday and Saturday.

**a-b. Less than Significant Impact.**

*Construction*

Noise and groundborne vibrations from individual construction projects carried out under the Proposed Project would likely result in temporary increases. As the precise details and timeframes for individual development projects that would be carried out under the Proposed Project cannot be known at this time, it is not possible to determine exact noise or vibration levels, locations, or time periods for construction of such projects, or construction noise at adjacent properties. Even so, construction could potentially expose existing sensitive noise receptors to sustained construction

noise or groundborne vibrations, including from construction-related traffic, demolition, and reconstruction activities.

Such construction activity would exceed the exterior noise limits established in the City's General Plan. The City's exterior noise standards are 60 dBA for single-family residential areas and 65 dBA for multi-family residential areas. Construction noise would exceed ambient noise levels and may temporarily disturb people at neighboring properties. However, exemptions for construction activity based on time of day are outlined in the General Plan.

Per General Plan Policy N-1.3, approval from the Building Permit and Planning Departments is required to be issued for all construction requirements in the City. The hours for construction shall continue to be limited from 8:00 a.m. to 5:00 p.m. Monday through Friday. The City Manager may, upon discretion, grant written exceptions to this condition whenever such work can be demonstrated to be necessary to protect the public's health and safety. Construction that complies with the time-of-day restrictions for construction activities would result in less than significant noise impacts with regard to the generation of noise or groundborne vibrations in excess of thresholds.

Implementation of policies contained in the General Plan would further reduce construction noise and associated impacts. Policies N-1.1 and N-1.2 require utilization of established noise/land use compatibility standards as well as exterior and interior noise standards. Further, Policy N-1.3 requires minimization of noise due to construction impacts. Further, a noise control plan shall be reviewed as part of Design Review for all development applications involving pile driving or jack hammering. Therefore, compliance with existing time-of-day restrictions for construction activities as well as the applicable Municipal Code and General Plan policies would ensure that impacts related to construction noise and vibrations would be less than significant.

#### *On-Site Operational Noise*

Residential development associated with the Proposed Project is not likely to generate noise levels that would exceed the City's standards. The noise generated by on-site activities for new development would be subject to the City's maximum allowable exterior noise limits, contained in the General Plan and Chapter 8.10 of the Municipal Code. The exterior noise standard for single-family residential is 60 dBA and 65 dBA for multi-family residential. Stationary noise sources at new residential and mixed-use development would include ventilation and heating (HVAC) systems. Residential developments that comply with these noise standards would result in less than significant noise impacts with regard to the generation of noise in excess of thresholds. Therefore, compliance with the requirements of the General Plan and Municipal Code would reduce potential on-site noise impacts to a less than significant level. Further, due to the nature of small-scale residential development not typically involving large scale vibration generating equipment, stationary source vibration impacts associated with implementation of the Proposed Project would be also less than significant.

#### *Traffic Noise*

Future development associated with the Proposed Project would result in an increase in traffic in and adjacent to the Planning Area and placement of new sensitive receptors within the Planning

Area. Future noise conditions were projected using a reference distance of 50 feet from the Tiburon Boulevard roadway segment centerline between Ned’s Way and Lyford Drive. Then, based on the average daily traffic volumes provided by the traffic consultant, traffic noise levels were quantified for the 2040 Plus Project condition. Existing (2023) traffic noise levels were obtained from traffic modelling data performed by Fehr & Peers. The difference in noise between these two scenarios represents the Proposed Project’s incremental contribution to noise levels in the area. Table 7 shows the results of the noise modeling analysis within the Planning Area with the Proposed Project. More information on methodology is available in Appendix D.

**Table 7: Traffic Noise Analysis Summary**

<i>Tiburon Boulevard Roadway Segment</i>	<i>Existing in dB)<sup>1</sup></i>	<i>(DNL2040 + Project (DNL in dB)</i>	<i>Projected Increase (dB)</i>	<i>Significant Impact?<sup>2</sup></i>
West of San Rafael Ave	70	70	<1	No
San Rafael Ave to Mar West Ave	69	69	<1	No
Mar West Ave to Beach Road <sup>3</sup>	65	65	<1	No
East of Beach Road <sup>3</sup>	62	62	<1	No

Notes:

<sup>1</sup> DNL is estimated to be equal to the peak hour Leq.

<sup>2</sup> A 3 dB or less change in noise levels traffic would not constitute a significant impact, because such a change in noise is considered just noticeable.

*Source: Salter & Associates, 2023.*

With regard to increases in dB, a 3 dB change in ambient noise levels is considered to be a barely perceivable difference (Caltrans, 2013a). Thus, a 3 dB or less change in noise levels traffic would not constitute a significant impact, because such a change in ambient noise levels is considered just noticeable. As shown in Table 6, none of the roadway segments studied are projected to exceed a 3 dB increase in noise levels under the Proposed Project compared to existing conditions. As such, the increase in traffic under the Proposed Project is considered to be a less-than-significant noise impact and no mitigation is required.

Further, groundborne vibration generated by traffic traveling on roadways is generally below the threshold of perception at adjacent land uses, unless there are severe discontinuities in the roadway surface. Therefore, vehicle traffic resulting from construction and operation of residential projects under the Proposed Project would not be anticipated to result in substantial or excessive groundborne vibration and impacts would be less than significant.

**c. No Impact.** The City of Belvedere is not located within the vicinity of a private airstrip or airport land use plan, or where such a plan has not been adopted, is not located within two miles of a public airport or public use airport. Therefore, future development consistent with the Proposed Project would not expose people residing or working in the project area to excessive noise levels, and no impact would occur.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
<b>13.N Population and Housing.</b> Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting.** The Regional Housing Needs Assessment (RHNA) is a State-mandated process intended to ensure every city, County, and county plans for enough housing production to accommodate future growth. The State of California Housing and Community Development Department (HCD) assigns each region of the state an overall RHNA allocation. For the nine-county Bay Area region, Association of Bay Area Governments (ABAG) then distributes a “fair share” portion of that allocation to each local jurisdiction. Each jurisdiction must then identify adequate sites with a realistic capacity for development sufficient to meet this RHNA.

For the 2023-2031 period, Belvedere must identify sites sufficient to accommodate at least 160 new housing units between 2023 and 2031, with a specific number of units designated as affordable to each income category, as shown in Table 1. This determination is based on population projections produced by the California Department of Finance and the application of specific adjustments to determine the total amount of housing needs for the region.

The timing for jurisdictions to update their housing elements is based on the update schedule of the regional transportation plans (RTPs) by the federally designated metropolitan planning organizations (MPOs). The City of Belvedere is a member of ABAG, which is the designated MPO for the region. ABAG is required to update its Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) every four years, which puts all member jurisdictions on a schedule to update their housing elements every eight years. Plan Bay Area combines these three initiatives into a single, integrated regional plan. For example, RTPs traditionally include land use projections. Plan Bay Area’s distribution of growth is the SCS. Senate Bill 375 also stipulates that the SCS will identify areas to accommodate the RHNA. State law requires that the RHNA follow the development pattern specified in the SCS.

**a. Less than Significant Impact.** The implementation of the Proposed Project would facilitate construction of new housing to meet Belvedere’s RHNA obligations. As such, the resulting increase in population and housing units would not be considered substantial unplanned growth as it would be consistent with regional planning projections, and it would occur incrementally over a period of 8 years. Further, the Proposed Project generally involves infill development within the City limit and does not propose the extension of roads or infrastructure into undeveloped areas. In fact, redevelopment and zoning programs in some locations, such as the Boardwalk Shopping Center and adjacent area, serve to unify potential redevelopment at the Boardwalk Shopping Center, which is

bifurcated with the City of Tiburon City limit. Similar development standards and consistent rezoning will help to create holistic and compatible redevelopment of this area.

Given that the Proposed Project’s direct and indirect projected population growth is commensurate with regional growth projections, the Proposed Project would not induce substantial unplanned population growth in the Planning Area and the impact would be less than significant.

**b. Less Than Significant Impact.** The Proposed Project would facilitate the provision of housing to meet the projected need at all income levels in Belvedere and increase housing mobility in the community, including through programs that support zoning incentives for deed-restricted ADUs, programs to increase ‘missing-middle’ housing throughout the community through an SB 10 Ordinance, a new Citywide inclusionary requirement, and targeted affordability incentives for certain areas. The Proposed Project also includes measures to preserve the existing housing stock, especially affordable units, such as by ensuring the continued affordability of income-restricted housing for lower and moderate income households and supporting partnerships of nonprofit organizations, affordable housing developers, major employers, and for-profit developers to conserve affordable housing.

While redevelopment to add additional units is envisioned in some existing multifamily developments, zoning changes aim to allow for additional residential capacity in exchange for affordability, decreasing the need for demolition. Other programs require replacement units to be constructed for all units affordable to the same or lower income level as a condition of any development on all Housing Element sites, with replacement. Replacement requirements shall be consistent with those set forth in paragraph (3) of subdivision (c) of Section 65915.

Development under the proposed project would increase housing supply in the community at all income levels and help prevent displacement. Therefore, it would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere, and the impact would be less than significant.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
<b>13.O Public Services.</b> Would the project:				
a. 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 public services:				
i) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

City of Belvedere Housing and Safety Element Update Project  
Initial Study/Environmental Checklist

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting.** The Tiburon Fire Protection District (TFPD) is a combination department that services the Town of Tiburon and the City of Belvedere, California and the surrounding area. TFPD currently has 22 career safety employees, one executive assistant and one finance officer, 6 volunteers, and 6 trainee-firefighters (TFPD, 2023). The Administrative headquarters of TFPD is located at 1679 Tiburon Boulevard, Tiburon, and the closest fire station to Belvedere, Fire Station 11 is located at 1679 Tiburon Blvd, Tiburon. TFPD operates one additional fire station, Station 10 located at 4301 Paradise Drive, Tiburon. TFPD has 5 fire engines, 2 ambulance/patient transport vehicles, 1 fire boat, 1 Medium duty rescue unit, 1 Battalion Chief command vehicle, 1 truck, and 6 cars.

The Belvedere Police Department, located at in City Hall at 450 San Rafael Ave, Belvedere, provides 24-hour law enforcement services to the City of Belvedere.

Belvedere students are served by the Reed Union School District (RUSD), which also serves students in Tiburon, and a portion of east Corte Madera. District enrollment is around 1,150 students, with class size averaging approximately 20 students. High School students are served by the Tamalpais Union High School District (TUHSD) which serves a range of Marin County communities. TUHSD serves 4,846 students in three comprehensive high schools and two alternative programs. In addition, the Adult and Community Education courses attract hundreds of community members each year. The only school facility within Belvedere is a nursery school on Cove Road Place. Elementary students now attend Reed School, Bel Aire School, or Del Mar School in Tiburon; and high school students attend Redwood High School in Larkspur, Tamalpais High School in Mill Valley, or attend private schools.

The Marin County Office of Education (MCOE) collaborates with the county’s 17 school districts by providing financial oversight and centralized services in the areas of business, technology, professional development, emergency services, maintenance, and operations. As shown in Table 7, the MCOE also uses a student generation rate of 0.2 used to determine school facility needs throughout its service area.

**Table 7: MCOE Student Generation Rates**

<i>Dwelling Type</i>	<i>Student Generation Rates</i>
Multi-Family Dwellings – Apartments, Condominiums	0.2
Single Family Detached Homes, Townhouses	0.2
Below Market Rate – Apartments, Condominiums, Townhouses	0.2

*Source: MCOE, 2022*

According to the City of Belvedere General Plan, public parks and open space account for 6.1 acres or 0.5 percent of the land uses. This translates into about 2.7 acres of parkland per 1,000 residents.

In comparison to other cities in Marin County, Belvedere has a relatively small amount of public open space such as parks. This is largely due to the development history of Belvedere, which has emphasized privacy by specifying predominantly single-family homes on relatively large lots. The city is effectively built out, so there is a limited amount of land available for additional public open space.

Current and future residents of Belvedere also have access to community facilities located at the three RUSD schools that serve the City. The outdoor recreation facilities at these schools, including playgrounds and playing fields, are available for public use when school is not in session, subject to a use permit from the District. In addition to the public park and public school facilities, Belvedere is home to three other recreation facilities: the San Francisco Yacht Club, the Belvedere Lagoon, and the Corinthian Yacht Club. These are private facilities and require membership for access and use.

The nearest public library to Belvedere is the Belvedere Tiburon Library, located at 1501 Tiburon Boulevard in Tiburon. The Belvedere Tiburon Library is a Joint Powers Agency of the City of Belvedere and the Town of Tiburon. The Belvedere Tiburon Library Agency (BTLA) is the legal governing body of the library.

***a (I and ii). Less than Significant Impact.*** Implementation of the Proposed Project would involve construction of up to 213 housing units throughout the City, consisting primarily of infill housing on previously developed lots within the City limit. The increased local population generated by the Proposed Project would likely result in an increase in calls for fire, police, and emergency medical service compared to existing conditions. Consultation with the Belvedere Police Department indicates that there are no immediate plans to increase staffing/equipment levels between 2023 – 2031 based on the projected housing capacity. TFPD has previously identified an existing need to replace Fire Station 10 and indicates that significant consideration will be given to either renewal or replacement of Fire Station 11 at the end of 2031. Should the TFPD and the City determine that new or expanded facilities are needed to provide fire protection services, it is not known where such facilities would be located. No location has been identified for a new fire station as part of the Proposed Project. Nonetheless, a potential future facility, expansion, or renewal would likely be developed as infill development, or at the existing locations of the stations. As infill development, it is not anticipated that the construction of a new or expanded fire station would cause additional significant environmental impacts beyond those identified in this Initial Study.

Development would take place incrementally over the 8-year planning period and be concentrated primarily in central infill areas with fire and police access. As such, the Proposed Plan would not require the construction of new police and fire facilities over and above those already anticipated. Impacts would be less than significant.

***a (iii). Less than Significant Impact.*** Implementation of housing programs in the Proposed Project would involve construction of up to 213 housing units throughout the City. While some of these new housing units would be ADUs and smaller apartments for singles and seniors, it is reasonably foreseeable that some units would support families with children that may attend the Belvedere School District. To calculate student potential for new development under the Proposed Project, the applicable student generation rate of 0.2 per dwelling unit (as provided in Table 7) is applied to project buildout of 213 units. Thus, implementation of the Proposed Project could result in an

additional 42 students attending the RUSD and TUFSD schools over the planning period. New students of various ages would be enrolled incrementally over the 8-year planning period. Therefore, in view of the school’s recent enrollment trend, the incremental increase in enrollment resulting from the Proposed Project would not necessitate the construction or expansion of new school facilities and this impact would be less than significant. Further, development under the Proposed Project would be also required to comply with SB 50, which mandates statutory school facilities fees for residential developments. Compliance with SB 50 would financially offset impacts on RUSD and TUFSD capacity and would provide funding for potential future school facility development needs associated with the Proposed Project-related population increase.

**a (iv). Less than Significant Impact.** Implementation of housing programs in the Proposed Project would involve construction of up to 213 housing units throughout the City, consisting primarily of infill housing on previously developed lots within the City limit. The City of Belvedere does not have an established parkland service ratio. As described above, City parks and open spaces in Belvedere are already limited with very little area available for expansion, and policies in the General Plan call for coordination with the Town of Tiburon on long-range planning for public spaces and the development of new facilities. As there are no parkland service ratios, implementation of the Proposed Project would not trigger the need to construct new parks in order to maintain established services ratios. Impacts would be less than significant.

**a (v). Less than Significant Impact.** Other public facilities typically include libraries, hospitals, and administrative buildings. As described above there are no libraries and no hospitals in Belvedere and the construction of up to 213 new homes over the 8-year planning period would not be of a magnitude that would trigger the need for new or expanded facilities elsewhere in the county. As such, the impact would be less than significant.

	Potentially Significant Impact	Potentially Significant Unless Mitigated.	Less than Significant Impact	No Impact
<b>13.P Recreation.</b> Would the project:				
a. Increase 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting.** Belvedere’s recreation areas include properties that contain public or private recreational use, including a beach, park, playground, boardwalk, esplanade, open walk, path, pier, wharf or other facility for boats. Recreation areas in Belvedere include Belvedere Lagoon, Beaches and tide lots including parts of Belvedere Cove, the China Cabin, and Belvedere’s three public parks: Community Park, a 1.57-acre park next to Belvedere City Hall and Community Center, Tom Price Park, a 1-acre park between Lagoon Road and Tiburon Boulevard, and Land Company Park, an 8,600-



square-foot park in the traffic island at the intersection of Beach Road and San Rafael Avenue. In addition to the public park facilities and the public schools, Belvedere is home to three other recreation facilities: the San Francisco Yacht Club, the Belvedere Lagoon, and the Corinthian Yacht Club. These are private facilities and require membership for access and use. Neither the City of Belvedere nor the Recreation Department has any role in influencing the recreational amenities or programs offered by these private facilities, however, the City regulates the BLPOA and Yacht Clubs' activities through Use Permits.

**a and b. Less than Significant Impact.** Proposed Project implementation would result in increased use of parks and recreational facilities in the City and the surrounding area; however, given the extent of existing facilities in Belvedere and the surrounding area, and that development under the proposed project would result in up to 213 new housing units incrementally over the planning period, population growth with implementation of the Proposed Project would not be expected to result in the substantial physical deterioration of existing facilities or to require construction or expansion of recreational facilities to meet the needs of new residents. Therefore, a less than significant impact associated with the provision of new or expanded recreational facilities would occur.

	Potentially Significant Impact	Potentially Significant Unless Mitigated.	Less than Significant Impact	No Impact
<b>13.Q Transportation.</b> Would the project:				
a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting.** The City of Belvedere primarily accommodates vehicular travel given that there are very limited bus services in the city. For automobile circulation, regional access to the Tiburon Peninsula is provided by U.S Highway 101 (U.S. 101), a major north-south freeway linking Marin County with Sonoma County (north) and San Francisco (south). There are two main gateways into the City of Belvedere: San Rafael Avenue at Tiburon Boulevard and Beach Road at Tiburon Boulevard. There is an additional point of entry to Belvedere at Lagoon Road.

Bus service to the Tiburon Peninsula is provided by Golden Gate Transit, which is operated by the Golden Gate Bridge, Highway, and Transportation District. Under this service, there is one stop in front of the Belvedere Land Company Park on Beach Road. The two bus routes that serve the

Tiburon and Belvedere communities via Tiburon Boulevard are Route 8 (to and from San Francisco during commute hours, every 30 minutes) and Route 19 (hourly service throughout the day between Marin City and Tiburon). For ferry service, the privately-funded Blue and Gold Fleet provides four morning commute trips from Tiburon to the San Francisco Ferry Building, and four return trips serving the afternoon commute. In addition, several trips each day serve the reverse commute direction and an additional five daily trips connect with Sausalito and San Francisco's Pier 41.

According to the City's General Plan, existing bikeways that provide access to the City of Belvedere are actually within the jurisdiction of the Town of Tiburon and include a Class I bicycle path (Richardson Bay Linear Park Multi-Use Path) from Blackie's Pasture to Mar West Street and Class II bicycle lanes on Tiburon Boulevard (east of Mar West Street) and Paradise Drive (west of Mar West Street). There are several planned bikeways that will provide access to the City of Belvedere that will be within the jurisdiction of the Town of Tiburon. While sidewalks and pedestrian paths are provided on many streets in the Belvedere Lagoon neighborhood, including the San Rafael Avenue multi-use path, many streets in Belvedere do not have sidewalks. General Plan measures are in place to keep the city's streets and walkways safe for adults, children, pedestrians, bikers, and the disabled. The City is a part of the Safe Routes to Schools Program (SR2S) and is implementing pedestrian and biking improvements along San Rafael Ave and Tiburon Boulevard.

With the passage of SB 743 (September 27, 2013) and the subsequent adoption of revised California Environmental Quality Act (CEQA) Guidelines in 2019, level of service (LOS) can no longer be used as a criterion for identifying significant transportation impacts for most projects under CEQA. LOS measures the average amount of delay experienced by vehicle drivers at an intersection during the most congested time of day.

The new CEQA metric (vehicle miles traveled, or VMT) measures the total number of daily miles traveled by vehicles on the roadway network and the impacts on the environment from those miles traveled. In other words, SB 743 changes the focus of transportation impact analysis in CEQA from measuring impacts on drivers, to measuring the impact of driving. Land use projects with one or more of the following characteristics would have lesser VMT impacts: higher land use densities, mix of project uses, support of a citywide jobs-housing balance (i.e., provide housing in a job rich area, or vice versa), proximity to the core of a region, proximity to high quality transit service, or located in highly walkable or bikeable areas. This shift in transportation impact criteria is expected to better align transportation impact analysis and mitigation outcomes with the state's goals to reduce GHG emissions, encourage infill development, and improve public health through more active transportation.

For residential projects, The Governor's Office of Planning and Research (OPR) indicates that VMT per capita should be used as the metric to determine whether a proposed project may cause a significant transportation impact. For the purposes of this assessment, based on CEQA and OPR guidance, VMT impacts would be significant if new residential development that does not meet one of the above screening thresholds would exceed the following threshold:

- Residential Uses: Home VMT per resident exceeds 15% below baseline City VMT per resident

The VMT forecasts generated for this CEQA assessment were produced using the Transportation Authority of Marin Travel Demand Model (TAMDM). The TAMDM model has a 2015 base year and a 2040 horizon year. As the TAMDM model does not have any interim horizon years, the 2584 new housing units are added to the 2040 horizon year. As recommended by OPR for residential land uses, the model was used to forecast future VMT per capita for home-based trip purposes from residential units within Belvedere. This future VMT per capita provides a cumulative assessment of the impact of new housing units on travel to and from all housing in Belvedere on a per capita basis. This future VMT per capita is then compared to existing VMT per capita estimates derived from the TAMDM model 2015 base year to determine whether the future VMT per capita is 15 percent or more less than existing VMT per capita for housing uses in the City of Belvedere.

**a. Less than Significant Impact.** New residential development under the Proposed Project would typically be expected to result in additional vehicular trips and the increased use of streets (for all modes of transportation). Applicable local regulations and plans related to transportation include the City's General Plan and Municipal Code. Implementation of the Proposed Project would result in the development of up to 213 housing units that primarily involve redevelopment of existing properties, including the Boardwalk Shopping Center, some underutilized multifamily residential properties, and ADUs. Thus, the Proposed Project's infill development pattern is relatively transit oriented.

The City's General Plan policies encourage the provision of safe streets, adequate parking, and transportation alternatives to the private automobile, such as ferry service, carpooling, and pedestrian and bicycle improvements. Chapter 20.04, Design Review, of the Municipal Code states that walkways, driveways, curb cuts, and off-street parking should be planned and designed to minimize interference with smooth traffic flow, to encourage separation of pedestrian from vehicular traffic, and to be as safe and convenient as is practical. Title 22 of the Municipal Code also adopts Objective Design and Development standards that require development patterns that support safe, effective, and multi-modal transportation options, including auto, pedestrian, bicycle, and transit. In addition, development should reduce vehicle traffic and support transit by providing for a mixture of land uses, highly interconnected block and street network, and compact community form as well as generate pedestrian-oriented and scaled neighborhoods where the automobile is accommodated but does not dominate the streetscape.

Development under the Proposed Project would be consistent with such policies and regulations by increasing housing opportunities in already developed areas which is an integral part of VMT reduction and encouraging transportation alternatives, such as walking and biking (proposed Program 2-B, 2-D, 2-E, and 2-K). The Proposed Project's selection of sites criteria includes consideration of adequate pedestrian, neighborhood service, and neighborhood facility access which support multimodal mobility that could result in fewer vehicle trips compared to the current more auto-oriented development pattern. Further, parking requirements will be either reduced or incentivized to be reduced under the Proposed Project to support development patterns that are not dominated by automobiles (proposed programs 2-C, 2-E, and 2-F). As a result, future development consistent with the Proposed Project would not conflict with a program plan, ordinance or policy addressing

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<sup>4</sup> VMT projections represent a negligible difference in estimate given that buildout numbers have changed from 258 units to 213 units since the analysis has been completed.

the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Therefore, adoption of the Proposed Project would result in a less than significant impact related to conflicts with transportation plans.

**b. Less than Significant Impact.** CEQA Guidelines Section 15064.3, subdivision (b) establishes that vehicle miles traveled (VMT), which measures the total number of daily miles traveled by vehicles on the roadway network, shall be used as the metric for evaluating transportation impacts on the environment. The City of Belvedere has not adopted thresholds for VMT impacts under CEQA; therefore, this analysis relies upon the recommendations contained in the 2018 Governor’s Office of Planning and Research (OPR), Technical Advisory on Evaluating Transportation Impacts in CEQA. For residential projects, OPR indicates that VMT per capita should be used as the metric to determine whether a proposed project may cause a significant transportation impact. For the purposes of this assessment, based on CEQA and OPR guidance, VMT impacts would be significant if new residential development under the Proposed Project would exceed the following threshold: Home VMT per resident exceeds 15 percent below baseline City VMT per resident.

Table 8 provides a summary of the VMT forecasts for all of the added residential elements included in the Housing Element Update (See Appendix E for more information). The baseline 2015 City Home-Based VMT per capita as estimated by the Transportation Authority of Marin Demand Model (TAMDM) is 24.9. The City Home-Based VMT per capita for 2040, with the added Housing units, is 16.2. This indicates that 2040 conditions with the added housing units would generate about 35 percent lower VMT per capita than the existing mix of housing units. This is because the multi-family housing (about 80 percent of the new units) and accessory dwelling units (about 15 percent of the new units) generate fewer trips per unit and lower Home-Based VMT per capita than single family homes that make up the majority of the existing housing inventory.

**Table 8: Daily Home-Based Vehicle Miles Traveled (VMT) for Residential Uses**

<i>Scenario</i>	<i>Home-Based VMT Per Resident</i>
Baseline City VMT Metric (2015)	24.9
City 2040 Plus New Housing Element Units	16.2
<b>Percent Change – 2040 Plus Project Home VMT per Resident Rate Compared to Baseline Rate for Belvedere 2015</b>	
2040 Plus New Housing Element Units	-35%

Notes:

1. The VMT per capita rate shown in the table above is home-based VMT per resident for all residential uses in the project including single family residential, multi-family residential, and accessory dwelling units.
2. VMT projections represent a negligible difference in estimate given that buildout numbers have changed from 258 units to 213 units since the analysis has been completed.

Source: Fehr & Peers, 2023

The threshold recommended by OPR for residential uses involves comparing the project VMT per capita to the baseline City VMT per capita. A significant impact would occur if a proposed project VMT per capita exceeds a level of 15% below existing baseline City VMT per capita. The VMT forecasts indicate that the proposed residential uses would result in a 2040 Home-Based VMT per capita that is 35 percent below the baseline 2015 City VMT per capita.

The cumulative effect of adding 258 housing units on Daily Home-Based VMT per resident for residential uses in the City of Belvedere is considered a less-than-significant impact. This is because the Aggregate 2040 Home VMT per Resident with the added housing units is more than 15 percent below the Baseline Aggregate 2015 Home VMT per Resident for the City of Belvedere as measured using the Transportation Authority of Marin Demand Model (TAMDM).

***c and d. Less than Significant Impact.*** Implementation of the Proposed Project would involve construction of up to 213 housing units throughout the city, consisting primarily of redevelopment of existing properties, including the Boardwalk Shopping Center, some underutilized multifamily residential properties, and ADUs. In addition, Program 2-G specifies that SB 10 would provide the option to property owners in areas of the hills on Belvedere Island to redevelop up to 10 units per site, provided that the sites are vacant or underutilized and larger than 10,000 square feet. While the Project does not specifically propose the construction or realignment of any roadways, access improvements may be needed to accommodate new housing on some proposed housing sites. However, all such access improvements would be required to comply with applicable provisions of the City Code, including Chapter 20.04 which requires walkways, driveways, curb cuts and off-street parking be planned and designed so as to minimize interference with smooth traffic flow, to encourage separation of pedestrian from vehicular traffic, and to be as safe and convenient as is practical. Program 2-G will also adopt an SB 10 Overlay Ordinance with objective standards incorporated which would further reduce incompatible or hazardous design features. The 2022 California Fire Code, adopted in Chapter 16.12 of the Municipal Code, also requires fire apparatus access roads to be provided for every building constructed. Compliance with these regulations and standards would ensure that impacts related to roadway design features and emergency access would be less than significant.

	Potentially Significant Impact	Potentially Significant Unless Mitigated.	Less than Significant Impact	No Impact
<b>13.R Tribal Cultural Resources.</b> Would the project:				
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision I of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The 2023 NWIC records search indicates that the City of Belvedere contains seven recorded Native American archaeological resources. Based on an evaluation of the environmental setting and features associated with known sites, Native American resources in this part of Marin County have been found in areas marginal to the San Francisco Bayshore, and inland on ridges, midslope benches, in valleys, near intermittent and perennial watercourses and near areas populated by oak, buckeye, manzanita, and pine, as well as near a variety of plant and animal resources. Given the similarity of Belvedere’s environmental factors and the ethnographic and archaeological sensitivity of the Planning Area, NWIC has determined that there is a high potential for unrecorded Native American resources to be within the City limits.

In accordance with the requirements of Public Resources Code 21080.3.1, the City contacted the Native American Heritage Commission (NAHC) on October 5, 2023 with a request to facilitate involvement of interested Native American tribes in the planning process and a search of the Sacred Lands File for sites within the Planning Area. A response from NAHC was received on November 13, 2023 stating that a search of the Sacred Lands File to identify sacred lands in the Planning Area was positive and recommending the City contact tribal representatives traditionally and culturally affiliated with the project area. Tribes were notified via certified mail and email on November 20, 2023 and formal request for tribal consultation has been received by the Federated Indians of Graton Rancheria. Consultation is ongoing.

**a (i and ii). Less than Significant Impact with Mitigation.** Implementation of the Proposed Project would primarily involve development of infill housing on previously developed lots within the City limit and generally not on previously undisturbed sites. The Proposed Project does not propose any

specific development and therefore would not directly result in physical construction that could impact recorded tribal cultural resources.

Nevertheless, the response from the NAHC stated that a search of the Sacred Lands File to identify sacred lands in the Planning Area was positive, and the NWIC records search, the City of Belvedere contains seven recorded Native American archaeological resources. As identified in Section 13.E, several parcels in the inventory are located on lands with medium prehistoric resource sensitivity, which require the property owner of the potential need for test borings/test excavations if site inspections or ground disturbance yields potential evidence of archaeological or cultural resources (including presence of midden soil). Thus, future development or redevelopment projects allowed under the Proposed Project could result in indirect impacts through grading, overland construction vehicle travel, or other ground-disturbing activities, or through facilitation of public access to culturally significant sites. The impact of such activities would be considered significant if they were to cause a substantial adverse change to the resources as defined by PRC Section 21074. While the exact location of archaeological resources is not public information, consultation with the tribes per SB 18 and AB 52 provides the opportunity for Native American tribes to identify if known resources could be compromised by implementation of the Proposed Project. Such consultation is also intended to arrive at consensus regarding mitigation measures or ways to avoid a significant effect on tribal cultural resources.

All development under the Proposed Plan would be required to comply with existing regulations, including CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Section 5097.94 and Section 5097.98, and provisions of the City Code which stipulate protocols that must be followed in the event of discovery of archaeological resources, tribal cultural resources, and human remains. In addition to the City's requirements for high- and medium-sensitivity sites, implementation of **Mitigation Measure CUL-3, CLU-4, and CUL-5** as described above would also reduce any potential impact on tribal archaeological resources, including human remains, through cultural awareness training for construction personnel on unanticipated discover protocol. At the program level, the impact of implementation of the Proposed Project on tribal cultural resources would therefore be less than significant with implementation of existing State regulations as well as mitigation actions within the Proposed Project.

#### Mitigation Measures

**MM-CUL-3: Conduct Cultural Resources Awareness Training.**

**MM-CUL-4: Unanticipated Discovery**

**MM-CUL-5: Unanticipated Discovery of Human Remains**

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
<b>13.S Utilities and Service Systems.</b> Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a determination by the wastewater treatment provider which serves, or may serve, the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting.** The facilities that are provided to the residents of the City include a storm drain system, sanitary sewer system, water system, solid waste removal, electricity and utilities such as cable and phone services.

Sewer, maintenance and waste disposal is provided by Tiburon Sanitary District No.5. Sanitary District No. 5 of Marin County provides collection and treatment of wastewater to parts of the Tiburon Peninsula and the City of Belvedere. The District serves over 3,500 households and has been servicing the area since the early 1940's. The District collects, processes and treats wastewater in accordance with State and Federal Regulations under an NPDES (National Pollution Discharge Elimination System) Permit which regulates sanitary agencies.

The Marin Municipal Water District (MMWD) supplies water to the City of Belvedere. Most of the District's water supply comes from a network of seven local, rain-fed reservoirs. This supply is supplemented with water from Sonoma County Water Agency (SCWA or Sonoma Water), which provides surface water from the Russian River and to a lesser extent groundwater from the Santa Rosa Plain Subbasin of the Santa Rosa Valley Basin (California Department of Water Resources [DWR] Basin No. 1-55.01). Some recycled water is also used for non-potable uses such as landscape irrigation, cooling towers, car washes, and toilet flushing (MMWD, 2020).

Mill Valley Refuse Service (MVRS) serves Mill Valley and other southern Marin communities. This privately owned firm collects residential and commercial garbage, recycling and yard waste from



several communities in unincorporated Marin County as well as the cities of Belvedere, Tiburon, and Mill Valley.

Pacific Gas and Electric (PG&E) provides natural gas and electric infrastructure in the City. Cable and telecommunications services are provided by AT&T and Comcast. As of 2010, two thirds of utilities were underground in Belvedere.

***a - c. Less Than Significant Impact.*** While new residential development under the Proposed Project would increase demand for utilities and service systems involving water, wastewater treatment storm water drainage, and solid waste disposal, implementation of the Proposed Project would primarily consist of infill development and ADUs. Since the City is built-out, all infrastructure, including curbs, gutters, sidewalks, streets and utilities are in place. Development of residential units involves hooking up to the existing utilities, which already exist in the right-of-way. As such, infrastructure, including water, sewer, and utilities (electricity, natural gas, telephone, cable, internet, and cellular service) is available at or adjacent to housing sites.

As stated above, the Marin Municipal Water District (MMWD) supplies water to the City of Belvedere. In 2020, MMWD prepared an Urban Water Management Plan to ensure that sufficient water supplies are available to meet existing and future water needs, and that steps are in place should a critical water shortage occur. The UWMP accounts for ABAG projections through 2040 (MMWD, 2020). Buildout of the Proposed Project would involve construction of small-scale residential projects and new high-density projects at 530 Tiburon Boulevard, 1515 Tiburon Boulevard, 1520 Tiburon Boulevard, 7 Beach Road, and 15 Cove Road Place. While MMWD is anticipated to have adequate supply to serve new growth, based on its 2020 Urban Water Management Plan, some developments resulting from the Proposed Project may be required to install new water mains within the street network to serve fire and domestic water needs. Final sizing of any particular line will be subject to modeling of the system that must rely on water use parameters of any particular project or group of projects once those details are known. It is important to note that there are no specific projects proposed on these sites and accordingly the specific location and design details of any future development cannot be known at this time. At such time specific developments are proposed, if any project-specific impacts not identified and mitigated in this Initial Study would result, subsequent project-level CEQA may be required.

Presently, Tiburon Sanitary District No.5. services 3,500 households. While the Proposed Project could involve development of up to 231 new housing units by 2031, this represents a relatively small increase with respect to the total available capacity. Although Sanitary District #5 has adequate capacity to treat the wastewater anticipated with growth accommodated by the RHNA, site-specific improvements may be necessary to ensure the collection pipes serving the site have adequate capacity to collect and convey wastewater from each site.

Implementation of the Proposed Project development would occur primarily in existing residential neighborhoods and on infill sites already served by local stormwater drainage, energy, and telecommunications systems. While the proposed increases in density at 530 Tiburon Boulevard, 1515 Tiburon Boulevard, 1520 Tiburon Boulevard, 7 Beach Road, and 15 Cove Road Place indicate there may be a need to expand existing systems or construct new systems, the specific location and design details of any future development cannot be known at this time. At such time specific developments are proposed, if any project-specific impacts not identified and mitigated in this Initial Study would

result, subsequent project-level CEQA may be required. As such, compliance with existing regulations and implementation of Proposed Project policies would reduce impacts to stormwater drainage, energy and telecommunications systems to the maximum extent practicable. Overall, buildout of the Proposed Project would result in less than significant impacts related to the provision of water, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities.

***d. Less than Significant Impact.*** According to the California Department of Resources Recycling and Recovery (CalRecycle), the typical solid waste generation rate for single-family homes is between 8 and 12 pounds per day, while the typical rate for multi-family homes is between 4 and 8 pounds per day. Conservatively assuming an average rate of 10 pounds per unit per day and development of up to 213 new housing units by 2031, the Proposed Project would generate 2,100 pounds or 1.05 tons per day. This represents less than 0.05 percent of the average daily permitted capacity of the Redwood Landfill. Further, between 2005 and 2019, solid waste generation in Belvedere decreased by 33 percent (City of Belvedere, 2022 GHG Inventory) with the implementation of various programs and requirements, and residential development under the Proposed Plan would be required to comply with Senate Bill 1883, which requires a 75 percent reduction in organic waste disposal from 2014 levels by 2025. As such, implementation of the Proposed Project would not generate solid waste in excess of established standards or in excess of the capacity of local infrastructure. Impacts would be less than significant.

***e. Less than Significant Impact.*** As described above, between 2005 and 2019, solid waste generation in Belvedere decreased by 33 percent with the implementation of various programs and requirements. The City Code incorporates provisions to insure compliance with State laws governing solid waste reduction and recycling, including the California Integrated Waste Management Act of 1989 (commencing with Section 40000 of the Public Resources Code), the Jobs and Recycling Act of 2011 (AB 341), SB 1016 (Chapter 343, Statutes of 2008 [Wiggins, SB 1016]), the Mandatory Commercial Organics Recycling Act of 2014 (AB 1826), and the Short- Lived Climate Pollutants Bill of 2016 (SB 1383), and as implemented by the regulations of CalRecycle. Development pursuant to the Proposed Plan would be required to comply with all applicable State regulations. Therefore, impacts would be less than significant.

City of Belvedere Housing and Safety Element Update Project  
Initial Study/Environmental Checklist

	Potentially Significant Impact	Potentially Significant Unless Mitigated.	Less than Significant Impact	No Impact
<b>13.T Wildfire.</b> If located in or near state responsibility areas or land classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting.** As stated above, CAL FIRE has mapped areas in Marin County with significant fire hazards based on fuels, terrain, weather, and other relevant factors. These zones, referred to as Very High Fire Hazard Severity Zones (VHFHSZ), are classified by the CAL FIRE Director in accordance with Government Code Sections 51175-51189 to assist responsible local agencies identify measures to reduce the potential for losses of life, property, and resources from wildland fire. According to the November 2021 VHFHSZ map, Belvedere is not within a very high fire hazard severity zone, but is within the wildland urban interface, the zone of transition between unoccupied land and human development. The County LHMP identifies 64 percent of single-family homes and 59 percent of multi-family homes being at risk in the event of an uncontrolled wildfire. The Marin Wildfire Prevention Authority (MWPA) is currently in the process of conducting a multi-jurisdictional study that will include an evaluation of residential access (ingress/egress) as well as a risk assessment to inform development of a shared fuel break along the boundary of the wildland-urban interface area, where risk from wildfire is potentially greatest.

Fire Safe Marin, a non-profit organization dedicated to reducing fire hazards, and Marin County, both promote fire safety and wildfire preparedness through education and emergency notification systems. Fire Safe Marin’s Safe Evacuation Routes aims to create safe evacuation routes for residents and emergency responders by investing in fuel reduction throughout Marin County. In addition, Marin County has developed AlertMarin which is the county's system used for notification when there is some sort of imminent threat (wildfire, flooding, criminal activity) and residents need to take some sort of protective action (evacuate, shelter in place). Residents can register to receive emergency alerts sent by call, text, email, or smartphone application from the County of Marin. The associated Marin County Public Information Map displays information useful during emergency situations, such as evacuation zones and zone status and major incidents such as wildfires, controlled burns, and road closures. The Marin Sheriff’s Office of Emergency Services (OES) and other public safety agencies aim to always keep this information current.

The Marin County Multi-Jurisdictional LHMP also details emergency response and evacuation preparations to minimize risks of fire danger. Such mitigation strategies include planning for appropriate access and evacuation in hillside WUI areas, addressing structural ignitability, and promoting fuel reduction strategies through vegetation management programs.

***a thru d. Less Than Significant Impact.*** As described above, Belvedere is not within or near a VHFHSZ. However, it is located near the wildland urban interface, the zone of transition between unoccupied land and human development.

As described in impact 13.I (f), the General Plan Safety Element provides an in-depth analysis of emergency and evacuation planning and protocols, as well as scenario mapping and evacuation route mapping, indicating that during a fire or other disaster, most roadways can accommodate up to approximately 2,500 autos per hour, or approximately 10,000 people per hour per lane. Buildout of the Proposed Plan may necessitate evacuation of more people in the event of a wildfire. The Belvedere Safety Element indicates capacity for evacuation of over 10,000 people per hour per lane. Added to Belvedere's population of ~2,000 people, the impacts of additional population on evacuation routes resulting from implementation of the Proposed Project is less than significant.

Additionally, development facilitated by the Proposed Project would be required to comply with policies in the General Plan that maintain evacuation route and plan for safe evacuation, including HAZ-1.3 and actions HAZ-1.3.1 and 1.3.2. Policy HAZ-1.4 ensures the City is equipped for disaster, evacuation, and survival thereafter. Development would also be constructed in accordance with federal, state, regional, and local requirements, which are intended to ensure the safety of residents and structures to the extent feasible. Compliance with these standard regulations would be consistent with the County LHMP. Thus, implementation of the Proposed Project would not impair an emergency response or emergency evacuation plan and impacts would be less than significant.

As noted above, the Proposed Project would facilitate infill development on underutilized multi-family residential, commercial sites and ADUs, with the remainder of sites comprised of single-family housing. Given that development under the Proposed Project would occur largely on infill sites that are already served by existing infrastructure, most sites would not need an expansion of existing systems or the construction of new systems. While implementation of the Proposed Project may result in housing units in locations prone to wildland fire threat, projects would be required to comply with policies in the General Plan, including Policy HAZ-4.5, which involves continued application of California Fire Code requirements; and action HAZ-4.2.1, which requires development plans be referred to Fire Marshall for review and recommendations.

All new construction under the Proposed Project would be subject to the California Fire Code, which include safety measures to minimize the threat of fire, including ignition-resistant construction with exterior walls of noncombustible or ignition resistant material from the surface of the ground to the roof system and sealing any gaps around doors, windows, eaves, and vents to prevent intrusion by flame or embers. Additionally, the City has a Fire Sprinkler Ordinance that requires installation of fire sprinkler systems in new homes and during major additions or remodeling projects. In 1992, an ordinance was adopted requiring Class A roof materials or Class A roof assemblies. The Fire District Vegetation Management Standards require that "defensible space" be maintained around all structures. "Defensible space" means the area 10 to 100 feet around a structure -

or to the property line - that the owner maintains to reduce the potential for transfer of fire between the structure and the adjacent vegetation, the adjacent vegetation and the structure, or from structure to structure. As such, compliance with existing State and local codes, plans, and regulations would reduce impacts to the maximum extent practicable and, therefore, impacts related to exacerbated wildfire risks, increased exposure to pollutant concentrations from a wildfire, and uncontrolled spread of wildfire resulting from implementation of the Proposed Project would be less-than-significant.

While only a few projects are anticipated on Belvedere Island, the risk of landslides in this hilly terrain could be exacerbated if existing vegetation is substantially removed during a wildfire event. Development that occurs on sloped areas with high landslide susceptibility could be vulnerable to a wildfire-related increased risk of landslides. However, as described in section 13.G, all future development under the Proposed Project would be required to comply with General Plan policies (HAZ-1.2; HAZ-3.2) requiring thorough field investigation as a prerequisite to Design Review and construction approval, as well as with the provisions of the Belvedere Municipal Code – Chapter 16.04, the current California Building Codes, and the specifications outlined in project-specific geotechnical investigations which are required for development in areas with slopes over 40 percent of indicated in the General Plan as being subject to soil or slope instability, per Chapter 16.15 of the City Code. Development must also comply with NPDES requirements for erosion control, and the provisions of Chapter 8.36 of the Code which require implementation of stormwater controls. These measures would mitigate any increased risk that the Proposed Project raises.

As discussed above, compliance with existing State and local codes and regulations as well as General Plan policies would reduce impacts b through d to a less-than-significant level related to exacerbating wildfire risks during construction, operation, and implementation of the Proposed Project. Therefore, adoption of the Proposed Project would result in a less than significant impact related to wildfire.

	Potentially Significant Impact	Potentially Significant Unless Mitigated.	Less than Significant Impact	No Impact
<b>13.U Mandatory Findings of Significance.</b> Does the project:				
a. Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number, or restrict the range, of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**a. Less than Significant Impact with Mitigation.** As noted above, the Proposed Project would have potentially significant impacts related to air quality, biological, cultural, greenhouse gas, and tribal cultural resources. However, given that the Proposed Project involves construction of up to 213 new housing units of smaller scale housing primarily in established neighborhoods on existing lots and infill sites, the Project does not have the potential to substantially degrade the quality of the environment, reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, adversely affect rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

**b. Less than Significant Impact with Mitigation.** As noted above, implementation of the Proposed Project would have potentially significant impacts related to air quality, biological, cultural, greenhouse gas, and tribal cultural resources that can be reduced to less than significant with mitigation. For the reasons discussed above in this document, and incorporated in this discussion section, the proposed project, as mitigated, would not generate any significant direct, indirect, or cumulatively considerable impacts on human beings or the environment.

**c. Less than Significant Impact with Mitigation.** As described throughout this IS/MND, the project would not result in substantial environmental effects on human beings, either during construction or during long-term occupancy of the residences. Mitigation measures are identified in this IS/MND to reduce the severity of potentially significant impacts related to air quality, biological, cultural, greenhouse gas, and tribal cultural resources. Implementation of these mitigation measures would ensure that the project would not result in impacts that would cause substantial adverse effects on human beings, either directly or indirectly.

**14. PREPARATION. THE INITIAL STUDY FOR THE SUBJECT PROJECT WAS PREPARED BY:**

Dyett & Bhatia, Urban and Regional Planners, on behalf of the City of Belvedere.

**15. DETERMINATION. (REDEVELOPMENT DEPARTMENT) BASED ON THIS INITIAL EVALUATION:**

- I find that the Proposed Project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the Proposed Project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the Proposed Project **MAY** have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the Proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **NEGATIVE DECLARATION** pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the Proposed Project, and nothing further is required.

**16. DE MINIMIS FEE DETERMINATION (CHAPTER 1706, STATUTES OF 1990-AB 3158)**

- It is hereby found that this project involves no potential for any adverse effect, either individually or cumulatively, on wildlife resources and that a "Certificate of Fee Exemption" shall be prepared for this project.
- It is hereby found that this project could potentially impact wildlife, individually or cumulatively, and therefore fees shall be paid to the County Clerk in accordance with Section 711.4(d) of the Fish and Game Code.

**17. ENVIRONMENTAL DETERMINATION:**

The initial study for this project has been reviewed and the environmental determination, contained in Section V. preceding, is hereby approved:

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Director of Planning and Building  
City of Belvedere



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