

Residential General Plan and Zoning Amendments

Addendum

prepared by

City of Novato

Community Development Department
922 Machin Avenue
Novato, California 94945
Contact: Vicki Parker, Director

Novato General Plan EIR State Clearing House Number: 2016122043

prepared with the assistance of

Rincon Consultants, Inc.
449 15th Street, Suite 303
Oakland, California 94612

November 2023



RINCON CONSULTANTS, INC.

Environmental Scientists | Planners | Engineers

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Project Description

1 Project Title

Residential General Plan and Zoning Amendments

2 Lead Agency Name and Address

City of Novato
922 Machin Avenue
Novato, California 94945

3 Contact Person and Phone Number

Vicki Parker, Community Development and Economic Development Director
415 899-8989

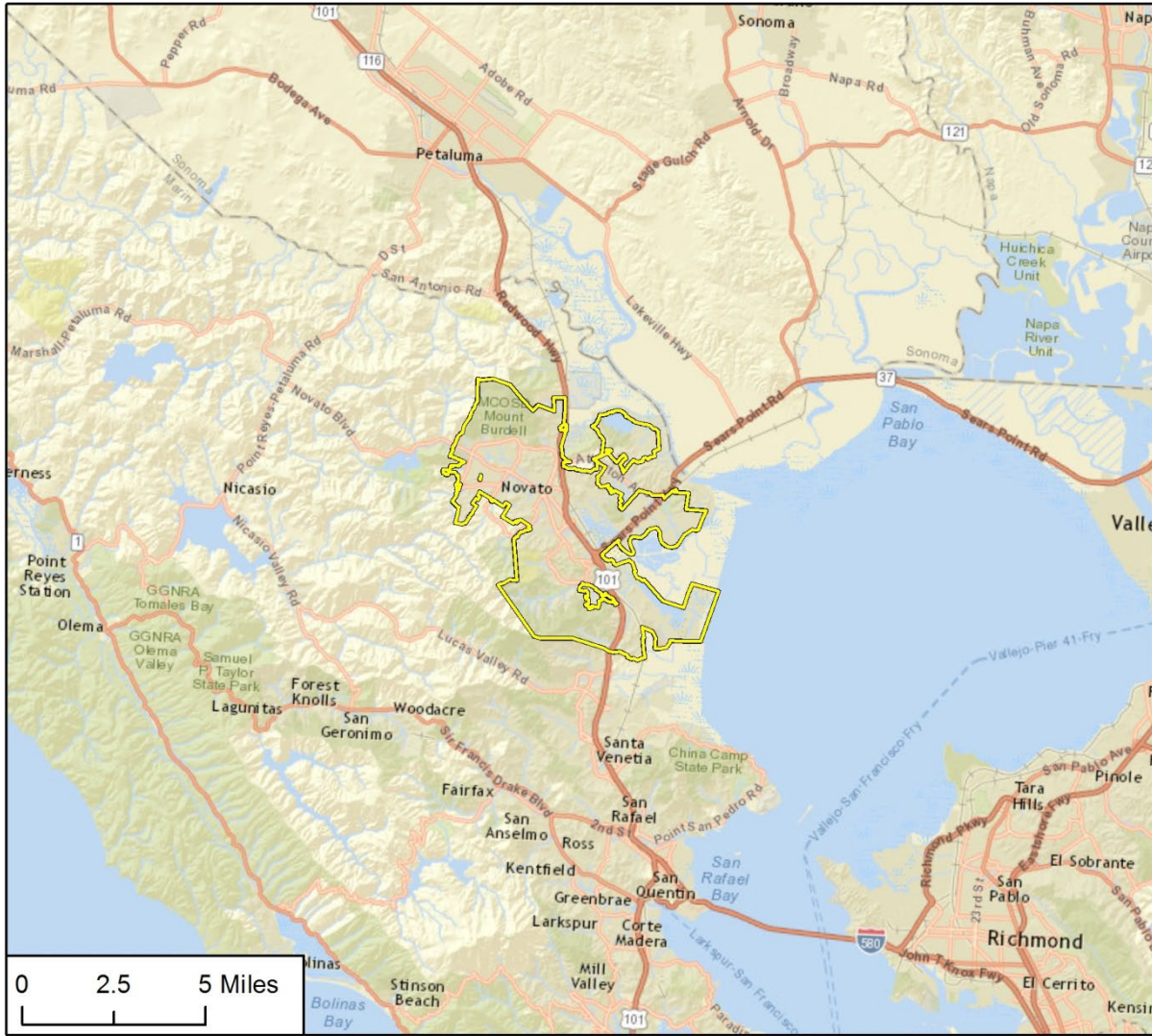
4 Project Location

Novato is located in the greater North Bay region of the San Francisco Bay Area and is the northernmost city in Marin County. The City is located northwest of San Pablo Bay approximately 29 miles north of San Francisco, 37 miles northwest of Oakland, and approximately 35 miles north of the San Francisco International Airport. The City is bordered by unincorporated areas of Marin County. The closest cities are the City of Petaluma in Sonoma County to the north and the City of San Rafael to the south. San Pablo Bay lies to the east of the City. Figure 1 shows a regional map of the City's relationship to nearby cities, communities, and the regional transportation system.

Novato is accessible from US Highway (Highway) 101, which transverses the City from north to south. State Route (SR) 37 also provides regional access to the City connecting Novato to the City of Vallejo and points east.

The project involves potential changes in the land use and zoning designations of eight sites within the City to support housing or higher-density housing and thereby assist in meeting the City's Regional Housing Needs Allocation (RHNA). Figure 2 shows the location of each site within the City.

Figure 1 Regional Location



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 Project Location



Fig 2-1 Regional Location

Figure 2 Sites



Imagery provided by Microsoft Bing and its licensors © 2023.

City of Novato
Rezoning Sites

5 Project Sponsor’s Name and Address

City of Novato
 922 Machin Avenue
 Novato, California 94945

6 Description of Project

The project would potentially result in land use designation changes and rezones at eight sites, some of which would require General Plan amendments, within the city to accommodate residential or higher-density residential use, which would assist in helping to meet Novato’s Regional Housing Needs Allocation (RHNA) and contribute to implementation of the City’s Housing Element, adopted in January 2023. Some of the properties are listed in the Sites Inventory of the Sixth Cycle Housing Element (Element) as sites which either; have projects proposed which had not yet initiated project specific environmental impact analyses (“pipeline sites”), or, are identified in Element Program 1.A. to be rezoned pursuant to Government Code section 65583 (c)(1), “rezone sites.” A third set of properties are potential future sites which could be rezoned, if necessary, in order to meet requirements of Government Code section 65863 (“no net loss sites”). Table 1 shows a summary of each site. Table 2 describes the City’s applicable general plan land use designations, while Table 3 describes the City’s applicable zoning designations. Table 4 shows each site’s current and proposed zoning and general plan designations.

Table 1 Summary of Sites

Site Number	APN	Address	Site Size(acres)
Rezone and Pipeline Project Sites			
1	125-202-12	End of Meadow Crest Road	8.36
2	125-202-03, -04,- 05	773, 775, and 777 San Marin Drive	65.0
4	141-291-32	1682 Novato Boulevard	1.41
7	153-170-56	200 Landing Court	3.44
Potential No Net Loss Sites			
3	141-303-06 & -07	935 Front Street	0.93
5	132-183-14, -15, -16	2001, 2045 & 2055 Novato Blvd	6.48
6	141-305-04	915 Diablo Avenue	0.32
8	153-340-06	End of Rowland Way	18.73

Table 2 Novato General Plan Designations

General Plan Designation ¹	Description ²	Building Density and Intensity
BPO (Business and Professional Office)	The Business and Professional Office land use designation is applied to areas appropriate for a variety of office, research and education activities. Additionally, certain limited retail, service, residential (live-work) and utility uses may be allowed.	Maximum FAR 0.4 and up to 0.7 for hotel uses. 10.1 to 20.0 dwelling units per gross acre for live-work development.
MU (Mixed Use)	The Mixed Use land use designation is appropriate for sites where the surrounding area is currently developed with a mix of commercial and residential land uses. Certain retail, office, research and development, service, live-work, recreation, assembly, education, and utility facilities may be allowed. Housing development may be permitted only in conjunction with either commercial and/or office uses.	10.1 to 20.0 dwelling units per gross acre in mixed use and live-work development. Maximum FAR is 0.4 and up to 0.7 for hotel uses, with the potential for an increase to 0.8 when housing is incorporated into a project. ⁵
CN (Neighborhood Commercial)	The Neighborhood Commercial land use designation is applied to neighborhood shopping areas including a mix of retail, service, office, and utility uses. Additionally, certain recreation, assembly, education and residential uses may be allowed.	10.1 to 20.0 dwelling units per gross acre in mixed use development. Maximum FAR is 0.4, with an additional 0.2 only for housing. The maximum FAR for residential care facilities for the elderly is 0.6 and up to 0.7 for hotel uses
CG (General Commercial)	The General Commercial land use designation is applied to areas appropriate for a broad range of retail, service, research and development, office, recreation, assembly, education, and live work uses. Additionally, certain manufacturing and utility uses may be allowed.	Maximum FAR 0.4 and up to 0.7 for hotel uses. 10.1 to 20 dwelling units per gross acre for live-work developments.
R5 (Medium Density Residential)	The Medium Density Residential land use designation applies to areas appropriate for a mix of housing types on smaller lots. Typical residential land uses include single and two-family homes, either detached or attached, and related accessory residential uses. Additionally, certain agriculture, recreation, education, assembly, lodging, day care and utility uses may be allowed.	5.1 to 10.0 dwelling units per gross acre. Maximum FAR for non-residential uses is 0.4.
R10 (Medium Density Multi-Family Residential)	The Medium Density Multiple-Family Residential land use designation applies to areas appropriate for single family, two-family and multi-family homes and related accessory residential uses. Additionally, certain education, assembly, lodging, day care and utility uses may be allowed.	10.1 to 20.0 dwelling units per gross acre. Maximum FAR for non-residential uses is 0.4, and up to 0.6 for residential care facilities for the elderly.
R20 (High Density Multi-Family Residential District)	The High Density Multiple-Family Residential land use designation applies to areas appropriate for multifamily housing and related accessory residential uses. Additionally, certain education, assembly, lodging, day care and utility uses may be allowed.	20.1 to 30.0 dwelling units per gross acre. Maximum FAR for non-residential uses is 0.4, and up to 0.6 for residential care facilities for the elderly.

¹ Not full range of General Plan Designations; list includes only designations relevant to CEQA analysis.

² City of Novato General Plan, 2020

Table 3 Novato Zoning Designations

Zone¹	Allowed Uses²
Special Purpose Districts	
PD (Planned District)	The PD zoning district is applied to large parcels capable of being developed as an integrated community neighborhood, with appropriate public services, infrastructure, and neighborhood convenience retail and services; and to smaller sites with sensitive environmental resources or other unique constraints. The PD zoning district allows flexibility in site planning and development standards to encourage developments that are sensitive to natural resources and surrounding community context. The PD zoning district may be applied to any land use designation of the General Plan.
MU (Mixed Use)	The MU zoning district is applied to areas surrounded by land currently developed with both commercial and residential land uses. Commercial and/or office land uses are permitted. Housing development may be permitted only in conjunction with either commercial and/or office uses. The MU zoning district is consistent with the Mixed Use land use designation of the General Plan.
Commercial and Industrial Districts	
BPO (Business and Professional Office)	The BPO zoning district is applied to areas appropriate for a variety of office activities including medical and professional offices, and office campuses. The BPO zoning district is consistent with the Business and Professional Office land use designation of the General Plan.
CN (Neighborhood Commercial)	The CN zoning district is applied to neighborhood shopping areas to meet the retail and service needs of nearby residents. The CN zoning district is consistent with the Neighborhood Commercial land use designation of the General Plan.
CG (General Commercial)	The CG zoning district is applied to areas appropriate for a range of community serving commercial, regional retail, and service land uses. The CG zoning district is consistent with the General Commercial land use designation of the General Plan.
Residential Districts	
R5 (Medium Density Residential)	The R5 zoning district is intended for areas appropriate for a mix of housing types on smaller lots. Typical residential land uses include single- and two-family dwelling units, either attached or detached. The maximum allowable residential density ranges from 5.1 to 10 dwelling units per acre. The R5 zoning district is consistent with the Medium Density Residential land use designation of the General Plan.
R10 (Medium Density Multi-Family Residential)	The R10 zoning district is intended for areas appropriate for a variety of medium density dwelling units, including multi-family, two-family and single-family residences, either attached or detached. The maximum allowable residential density ranges from 10.1 to 20 dwelling units per acre. The R10 zoning district is consistent with the Medium Density Multiple Family Residential land use designation of the General Plan.
R20 (High Density Multi-Family Residential District)	The R20 zoning district is intended for areas appropriate for high density multi-family dwelling units. The maximum allowable residential density ranges from 20.1 to 30 units per acre. The R20 zoning district is consistent with the High Density Multiple-Family Residential land use designation of the General Plan.
Overlay Districts	
AHO (Affordable Housing Opportunity)	Any land use normally allowed in the primary zoning district may be allowed on properties to which the AHO overlay district applies, subject to the land use permit required by the primary zoning district. In addition, multi-family residential uses shall be permitted on all or a portion of the site subject to the requirements of Section 19.16.070D-H of the Novato Municipal Code.
D (Downtown Overlay District)	Any land use normally allowed in the primary zoning district may be allowed within the D overlay district, subject to the land use permit required by the primary zoning district, except that multi-family dwellings shall not be allowed on First Street.
¹ Not full range of zoning designations in Zoning Ordinance; list includes only designations relevant to CEQA analysis.	
² City of Novato Municipal Code 2023	

Table 4 Existing and Proposed Zoning and Land Use Designations for Sites

Site Number	Existing Zoning	Proposed Zoning	Existing General Plan Designation	Proposed General Plan Designation	Potential Net Increase (# of Units)
1	PD	R20 and OS	BPO	R20 and OS	20
2	PD	PD	BPO	R20 and OS	1,300
3	CG:D	MU	CG	MU	19
4	BPO	R20	BPO	R20	22
5	CN	MU	CN	MU	40
6	CG:D	R10	CG	R10	6
7	PD	R20 and OS	BPO	R20 and OS	41
8	PD	AHO and OS	GC	AHO and OS	243

7 Setting and Surrounding Land Uses

The eight sites are located primarily west of Highway 101 in Novato. Site 8 is the only proposed site east of Highway 101. Existing conditions and surrounding land uses are described below in Table 5.

Table 5 Project Sites Existing Conditions and Surrounding Land Uses

Site Number	Existing Conditions	Surrounding Land Uses
1	Vacant	Residential condominiums, and a Days Inn by Wyndham Hotel to the north office use to the south and to the west (office space to the south included as part of site 2), Highway 101 to the east. The Wood Hollow Hotel has been approved east of the site.
2	Office Complex (3 four-story buildings)	Office space to the north, San Marin Drive and residential neighborhoods to the south, Mount Burdell Preserve and residential neighborhoods to the west, and Redwood Boulevard and Highway 101 to the east.
3	Vacant	Commercial uses to the north, retail and commercial space to the south across Diablo Avenue, residential uses to the west, office and commercial space across Redwood Boulevard to the east.
4	Office Building (1 three story building)	Retail, commercial uses and Novato Creek to the north, commercial and residential uses to the south across Novato Boulevard, commercial uses to the west, residential uses to the east.
5	Retail Strip Mall	Residential uses across Novato Boulevard to the north and across Wilson Avenue to the south/southeast and to the east. Residential uses to the west.
6	Office Building (two story)	Commercial use immediately adjoining on the north, residential use and Court Road to the north, retail and commercial space to the south and southwest across George Street and Diablo Avenue, residential use to the west, and Diablo Avenue to the immediate east, commercial and office use to the east across Diablo Avenue.
7	Vacant	Residential use to the north, Residential, commercial and public storage use to the south, Residential use to the west, and Highway 101 to the east.
8	Vacant	Publicly owned open space to the northeast and east, retail use to the northwest, commercial industrial use to the southeast, residential use to the southwest across Highway 101, Residential use to the west across Highway 101.

¹ Proposed rezoning would apply only to areas within the boundaries shown in Figure 2.

8 Relationship of Proposed Project to Previous EIR Analysis

In 2020, an EIR was certified for the 2035 Novato General Plan which included residential, commercial, industrial, and office development projections in Novato for the next 17 years. Table 6 compares the buildout of the proposed project to the project analyzed in the 2020 EIR. The 2020 EIR is available on the City of Novato’s webpage:

<https://www.novato.org/home/showpublisheddocument/30465/637183288347070000>

Table 6 Project Comparison to the 2020 EIR

Site Number	Proposed Residential Units	Other Proposed Changes	Residential Units Proposed in 2020 EIR	Other Proposed Uses in 2020 EIR	Difference Between 2020 EIR Project and Existing Plus Proposed Project
1	20	None	0	24,000 sf office space	+20 residential units -24,000 sf office space
2	1,300	-25,000 sf retail	0	+30,000 sf retail space	+1,300 residential units -25,000 sf retail space -711,000 sf office space
3	19	-8,000 sf retail space	0	+16,200 sf retail space	+19 residential units -8,200 sf retail space
4	22	None	0	None	+22 residential units -32,500 sf office space
5	93	-62,160 sf retail	53	-24,800 sf retail space	+40 residential units -37,300 sf retail space
6	6	None	0	6,700 sf office space	+6 residential units -6,700 sf office space
7	41	2.05 acres zoned as residential, 1.39 acres to be zoned open space	0	26,600 sf office space	+41 residential units -26,600 sf office space
8	243	10.57 acres zoned as residential, 8.16 acres zoned as open space	48	26,000 sf retail space, 124 hotel rooms, 24 gas pumps	+195 residential units -26,000 sf retail space -124 hotel rooms -24 gas pumps
Total Net Change (# of Residential Units)					+1,643
Total Net Change (sf of commercial/retail)					-897,300 sf
Total Net Change (other uses: gas pumps and hotel rooms)					-24 gas pumps -124 hotel rooms

9 Required Approvals

The City of Novato is the lead agency with responsibility for approving the project. Approval from other public agencies is not required. This Addendum is intended to provide the information and

environmental analysis necessary to assist the City in considering the approvals and actions necessary to adopt and implement the project. Such actions include:

- a. **Certification of an Addendum.** Certify the Residential General Plan and Zoning Amendments Addendum and make environmental findings pursuant to CEQA.
- b. **Approval of the Proposed Rezoning.** Update the zoning code map to reflect the proposed zoning changes to one or more of the subject sites.
- c. **Approval of the Proposed General Plan Designations.** Update the General Plan land use map for one or more of the subject sites.

10 Have California Native American Tribes Traditionally and Culturally Affiliated with the Project Area Requested Consultation Pursuant to Public Resources Code Section 21080.3.1?

On April 11, 2022, the City sent letters inviting the Federated Indians of Graton Rancheria and Guidiville Indian Rancheria to consult with the City under the provisions SB 18 and AB 52. The City received no response from Guidiville. On May 10, 2022, the City received letters from Graton accepting the City's invitation to consult pursuant to SB 18 and AB 52.

The City contacted Graton Rancheria on June 1, 2022, and June 20, 2022, to schedule a consultation meeting. Graton Rancheria responded on June 30, 2022, and on July 5, 2022, a consultation meeting was set for July 25, 2022. At the July 25, 2022, consultation meeting the City and Graton Rancheria discussed the particulars of possible future rezoning action to meet the City's RHNA. Graton Rancheria was particularly interested in the rezones as there was concern about future development disturbing recorded and/or unrecorded cultural resources and tribal cultural resources. The City, at the time, advised Graton Rancheria that selection of the sites to be rezoned had not been formally settled. As a result, the City and Graton Rancheria agreed to continue consultation at a time when these sites were identified and cultural resources information was available through the EIR process. The City will continue consultation with Graton Rancheria when specific development proposals submitted under the proposed project require it. Additionally, at their request the City has agreed to notify Graton Rancheria of affordable housing opportunities for tribal members through the Below Market Rate housing program.

Addendum Evaluation

1 Aesthetics

EIR Evaluation Criteria	Where was Impact Analyzed in the EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?		
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?
Would adoption of the project:						
a. Have a substantial adverse effect on a scenic vista?	EIR Page 4.1-11 through 4.1-18	Less than Significant	None	No	No	No
b. Substantially degrade the existing visual character or quality of Carlsbad and its surroundings?	EIR Page 4.1-11 through 4.1-18	Less than Significant	None	No	No	No
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?	EIR Page 4.1-19 through 4.1-20	Less Than Significant	None	No	No	No
d. Create a new source of light or glare that would adversely affect day- or night-time views in the area?	EIR Page 4.1-21	Less Than Significant	None	No	No	No

General Plan 2035 EIR Summary

The General Plan EIR discussed Aesthetic Impacts on pages 4.1-1 through 4.1-21. The EIR found that impacts to scenic vistas and scenic views would be less than significant with implementation of General Plan Policies LU 8 and 16, Policy CC 3, and the City's Hillside and Ridgeline Protection Ordinance. The EIR found impacts to be less than significant regarding the City's visual character by prioritizing development in focus areas and preserving single-family residential neighborhoods. Lastly, the EIR found impacts associated with light and glare from the General Plan 2035 to be less than significant with compliance to the City Municipal Code and General Plan policy supporting Dark Sky principles.

Impact Analysis

- a. *Would the project have a substantial adverse effect on a scenic vista?*
- b. *Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

The General Plan 2035 identifies scenic hills and ridges and scenic conservation areas within the City of Novato. Additionally, a 1.8-mile segment of Highway 101 north of the SR-37 junction and 1.7-mile segment of SR-37 east of the Highway 101 junction in Novato is eligible for the State designation as a scenic highway (Caltrans 2021). The segments of Highway 101 and SR-37 provide scenic views of hillsides and ridgelines to the west and north, and brief views of wetlands and plains connected to San Pablo Bay to the east. Site 7 is adjacent to the stretch of Highway 101 that is eligible for State designation as a scenic highway. The highway is visible from the top of the hill on the project site. Development facilitated by the proposed project on site 7 would be required to comply with General Plan Policy ES-15 which requires new development to be located and designed to protect scenic resources.

Novato also includes several scenic hills and ridges and scenic conservation areas. Nearly all of the subject sites except sites 4 and 6 are near scenic hills and ridges. Of the sites, sites 1, 7, and 8 are currently vacant and therefore have the most preserved views of these scenic resources. The other sites (2, 3, and 5) are in close proximity to development which may limit views of these resources. While the vacant subject sites near these scenic resources may currently have views of them that could be disrupted, development facilitated by the proposed project would be required to comply with the general plan policies listed above. With adherence to these policies, consistent with the General Plan EIR, impacts would be less than significant.

Site #2 is an approximate 65-acre site consisting of three separate parcels. Each parcel is developed with an office building, associated surface parking and landscaped areas. The existing office buildings total 711,000 square feet. Each of these buildings has an approximate footprint of 59,250 square feet, or 1.4 acres. Each building has four floors of conditioned (habitable) space at a height of 58.5-feet with an additional approximate 10-feet of height comprised of rooftop mechanical equipment penthouses, for a total of 68.5-feet. See Graphics 1 through 3 below.

Developed portions of Site #2 are relatively flat with an average slope under 10 percent. Approximately 21-acres of the site located north and west of East Campus Drive is sloped and undeveloped; with the western portion immediately adjacent to the Burdell Open Space Preserve. This area will remain undeveloped and designated Open Space.

Overall, the developed areas of Site #2 slope from west to east with higher elevations of approximately 46–48 feet near E. Campus Drive on the west, to elevations around 17.5 feet on the east near E. Campus Drive. The area developed with the three office buildings was graded fairly level with ground elevations ranging from 27.1 feet to 29.2 feet.

The parking area to the west slopes down from west to east with elevations ranging from 45.9 feet at E. Campus Drive to 28.2 feet closer to the building addressed as 773 San Marin Drive.

The proposed Master Plan/Precise Development Plan which will constitute rezoning of Site #2 includes objective design standards developed for this specific site. Building height standards range from 30 and 40-feet in SM1 (single family detached homes), to 40-feet in SM2 (attached townhomes), to 65-feet in SM3, (attached multifamily apartment homes) with an additional 5-foot allowance for rooftop equipment and screening, and a 10-foot allowance for elevator and stair projections. Total building height in SM3 would be 65- to 70-feet, the same as the height of buildings currently developed on the site with the exception of the noted minor projections for rooftop access.



Graphic 1. Four-story office buildings at former Fireman’s Fund campus (source: Google Maps, 2023)



Graphic 2. Aerial View of rooftop mechanical equipment penthouses at former Fireman’s Fund campus (source: Google Maps, 2023)



Graphic 3. Street view of mechanical equipment penthouses, former Fireman’s Fund campus (source: Google Maps, 2023)

The property is accessed via San Marin Drive with intersections at East and West Campus Drives which are referred to in various documents as the “Loop Road” because they provide internal circulation in a loop road configuration. The Loop Road and San Marin Drive generally form the boundaries of the area proposed for redevelopment, representing approximately 44-acres. The property hosts a variety of underground utilities, including drainage pipes, sewer laterals, and water lines. These utilities are predominantly located inside the developed area of the property and connect to public utility lines within San Marin Drive. A drainage channel runs along the north side of a portion of West Campus Drive and almost the full length of East Campus Drive. The drainage channel connects to a wetland along the east boundary of the site. Proposed development on the site would take advantage of this existing service infrastructure and would be built at approximately the same elevations as developed today with above ground improvements.

General Plan 2035 identifies hillsides and ridgelines surrounding the city as scenic resources that generally enhance the community’s visual character, including views of Mt. Burdell. Other scenic resources the City has identified include the Bay plains and Bay shorelines. The General Plan requires preservation of views between Highway 101 and Mount Burdell, which is visible in the distance from portions of roadways near Site #2. The General Plan also includes a designation for “Scenic Hills and Ridges” (see Figure ES-6, Ridgelines and Scenic Resources. The project site is not within these zones.

Immediately adjacent to the Site is a 57.7 acre parcel owned by County Parks & Open space and constitutes part of the Mount Burdell Open Space Preserve. The 57.7 acre parcel includes two small peaks, one rising to 323-feet above sea level and the second at approximately 240-feet above seal level. The higher of the two is approximately 295-feet above the ground elevations of the developed portions of Site #2 and approximately 275-feet above elevations of the property adjacent to West Campus Drive. In addition to the hillsides, the Preserve features oak savannah woodlands.

Site #2 is located in an area of Novato featuring a mix of established residential neighborhoods and administrative offices, as well as undeveloped properties currently designated for non-residential uses. The area is in transition, with recent approvals of a hotel at the corner of Wood Hollow Drive and Redwood Boulevard, two residential projects approved on sites formerly designated for commercial uses, Habitat for Humanity and the soon-to-be-completed condominiums at 7711 Redwood Boulevard. In addition, Valley Oaks, a third residential development project was recently recommended for approval by the Novato Planning Commission and will be heard by the Novato City Council in January 2024.

Several existing residential developments, including Partridge Knolls Unit II, Nunes 13 and San Marin East, are located in vicinity of Site #2 and were developed at elevations well above the elevations proposed for Site #2. As illustrated in Graphic 4, Site #2 is located in a topographic bowl, surrounded by higher elevation open space and residential development.



Graphic 4. Former Fireman’s Fund office campus as currently developed (source: Project Design Standards, 2022).



Graphic 5. Views of upper floors of Former Fireman's Fund office campus from southbound Highway 101. The two small peaks of the Burdell Open Space Preserve are visible behind the buildings and the lower elevations of Mount Burdell visible in the background on the right of photo. (source: Google Maps, 2023)

The project would not block views of Mt. Burdell but would obstruct intermittent views of the hillsides to the west and north of the site from adjacent roadways. Because the project would be built on the flatter areas of the project site, buildings would not break views of the ridgeline from Redwood Boulevard or U.S. 101 and views of a significant portion of the hillsides would still be visible over the proposed buildings. Since the project would only partially block some views of hillsides from Highway 101, San Marin Drive and Redwood Boulevard and since the views are already partially blocked by existing development, impacts would be less than significant.

There are no officially designated State Scenic Highways in Marin County (California Department of Transportation [Caltrans] 2019). However, certain sections of Highway 101 is eligible for State designation, including a short stretch approximately 3.5-4.0 miles from the project site, near SR 37 where it terminates at the transition to Highway 101. This eligible portion is too distant from the project site to be affected by development on Site #2. Additionally, no buildings or rock outcroppings would be damaged or removed from the project site.

LESS THAN SIGNIFICANT IMPACT

- c. *Would the project, 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?*

The existing visual character of Novato is suburban with prominent hillsides and ridgelines that provide a natural ambience. The project would largely preserve this visual character by prioritizing rezones in infill areas. Adherence to General Plan policies and City ordinances would protect the scenic natural resources that contribute to the City's visual character. Specifically, General Plan 2035 Policy CC 3 (Hillsides) would protect Novato's hillsides and ridgelines from visual impacts from

development on sites near hillsides, such as site 1 by limiting the extent and location of new development and ensuring that new development complies with all objective standards of the Hillside and Ridgeline Protection ordinance in the Zoning Code. In addition, Policy ES 15 (Scenic Resources) states that development should be located and designed to protect visual values on hillsides, ridgelines, and other scenic resources.

Development under the project would be subject to the Hillside and Ridgeline Protection Ordinance, which would protect the quality of public views of Novato's scenic hillsides and ridgelines. The City's Hillside and Ridgeline Ordinance sets standards for development on parcels with an average slope of at least 10 percent, which would apply to sites 1, 7 and 8. The ordinance sets siting and height restrictions for structures that are placed adjacent to ridgelines. Structures shall be placed at least 25 feet below the top five feet of ridgelines. The ordinance also places a maximum allowable building height of 25 feet for residential buildings and 35 feet for non-residential buildings. The rezoning of sites would change uses on the project sites, but these uses would not be inconsistent with the surrounding uses and development throughout Novato. The rezoned sites would change land uses on the eight sites to residential, mixed-use, and open space. These uses would not be out of character in Novato.

Future residential building heights of 65 to 70-feet allowed by the Master Plan/Precise Development Plan rezoning of Site #2 are essentially the same as the office campus currently developed on the site. Future residential development heights would not block views of Mt. Burdell.

Views of intermediate hillsides and ridgelines, such as those of the immediately adjacent 57-acre Open Space Preserve, contribute to Novato's sense of place as articulated in the General Plan (page 3-15). However, existing nearby development already contrasts with the natural landscape, integrating to varying degrees by virtue of their design, and intermittent views of the hillsides remain. In this way, existing development has not disrupted the experience of natural environments and sense of place in the vicinity of Site #2. The change from commercial office space to residential development would not change the visual character or quality of public views of the site or its surroundings.

Compliance with established standards and General Plan 2035 policies would ensure that new development under the project complements and enhances the City's existing visual character and quality. Therefore, new development associated with the project would have a less than significant impact on visual character and quality and would not have impacts beyond those analyzed in the EIR.

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- d. *Would the project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?*

Illumination from new development under the project (security lighting, parking lot lighting, ornamental lighting, pedestrian scale lights, lighting from ground floor storefronts and signs) would increase overall lighting levels in areas where increased development is expected to occur. In addition, future development on the subject sites, particularly development projects of substantial scale such as site 2, would result in the introduction of lighting in areas where currently lighting levels are low or where lighting levels along sidewalks is interrupted by darkened or shadowed areas. Compliance with General Plan 2035 policies and the City's Zoning Ordinance requirements would minimize adverse effects from light spillover to nearby properties and glare. General Plan 2035 Policy CC 12b (Lighting Design Guidelines) includes standards for exterior lighting in design

guidelines that support Dark Sky principles for appearance, intensity, and light spillage. In addition, existing general development standards in Section 19.22.060 of the Novato Municipal Code require shielding or modification of exterior lighting to prevent the emission of light or glare beyond the property line. The placement of exterior lights is required to eliminate spillover illumination or glare onto adjoining properties to the maximum extent feasible, and not interfere with the normal operation or enjoyment of adjoining properties. Therefore, adherence to existing City lighting requirements and General Plan 2035 CC 12b would reduce impacts from new development associated with the project to less than significant and thus would not have impacts beyond those determined in the EIR.

LESS THAN SIGNIFICANT IMPACT

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2 Agriculture and Forestry Resources

EIR Evaluation Criteria	Where was Impact Analyzed in the EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?		
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?
Would adoption of the project:						
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	EIR page 4.17-1	No Impact	None	No	No	No
b. Conflict with existing zoning for agricultural use or a Williamson Act contract?	EIR page 4.17-1	No Impact	None	No	No	No
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	EIR page 4.17-1	Less Than Significant	None	No	No	No
d. Result in the loss of forest land or conversion of forest land to non-forest use?	EIR page 4.17-1	Less Than Significant	None	No	No	No

General Plan 2035 EIR Summary

The General Plan EIR discussed Agricultural impacts as part of Section 4.17, Effects Found not to be Significant on page 4.17-1. The EIR found that there would be no impact related to agriculture and less than significant impacts related to forestry resources resulting from the 2035 General Plan.

Impact Analysis

- a. *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

As discussed in the General Plan 2035 EIR, the City of Novato contains land designated as Urban and Built-Up Land, Grazing Land, Farmland of Local Importance, and Other Land (Department of Conservation [DOC] 2023). No Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is designated within the Plan Area. Sites 2 through 8 are located on Urban and Built-up Land and therefore would not convert any farmland to non-agricultural use (DOC 2023). Site 1 is on land designated as Farmland of Local Importance; however, the parcels are zoned under the Planned District zoning and do not contain active agriculture, and thus would not be converted from agriculture use to non-agricultural use. Therefore, the project would result in no impact and thus would not have impacts beyond those analyzed in the EIR.

NO IMPACT

- b. *Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?*
- c. *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?*
- d. *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*
- e. *Would the project 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?*

As discussed on page 4.17-1 of the General Plan EIR, there is one Williamson Act contract within Novato (DOC 2016), on a parcel with an Agricultural land use designation. This site is not one of the proposed subject sites, and therefore, agriculture production could continue on the parcel and the proposed project would not conflict with agriculture or the Williamson Act contract.

Additionally, the City contains land designated for open space and conservation but no forest or timberland land uses are designated with the City (City of Novato 2020). The proposed project would result in additional land zoned for open space in the city; however, this would not convert land designated for agricultural or forestland use. Therefore, there would be no impact, and thus would not have impacts beyond those analyzed in the EIR.

NO IMPACT

3 Air Quality

EIR Evaluation Criteria	Where Was Impact Analyzed in EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))	Project is within the Scope of General Plan EIR?
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
Would adoption of the proposed project								
a. Conflict with or obstruct implementation of the applicable air quality plan?	EIR Pages 4.2-8 to 4.2-12	Less than significant	None	No	No	No	Yes	Yes
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	EIR Pages 4.2-12 to 4.2-14	Less than significant with mitigation	AQ-1	No	No	No	Yes	Yes
c. Expose sensitive receptors to substantial pollutant concentrations?	EIR Pages 4.2-14 to 4.2-15	Less than significant with mitigation	AQ-2	No	No	No	Yes	Yes

EIR Evaluation Criteria	Where Was Impact Analyzed in EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162(a) Occur?	Project is within the Scope of General Plan EIR?
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
d. Create objectionable odors affecting a substantial number of people?	EIR Pages 4.2-15 to 4.2-16	Less than significant with mitigation	AQ-1 and AQ-3	No	No	No	Yes	Yes

General Plan 2035 EIR Summary

The General Plan FEIR discussed Air Quality impacts on pages 4.2-1 through 4.2-16. Analysis in the General Plan EIR found that the project would not conflict with the 2017 Clean Air Plan, and that operational emissions would be less than significant. However, the General Plan found that construction of development facilitated by the General Plan would generate air pollutants, but that with basic construction mitigation measures, this impact would be reduced to a less than significant level. The General Plan also found that implementation of the General Plan may expose sensitive receptors to toxic air contaminants, but that this impact would be reduced to a less than significant level with mitigation to perform health risk assessments where warranted. The General Plan EIR also found that, with mitigation to reduce odors and implementation of construction emissions control, the General Plan would not create objectionable odors or conflict with regional plans.

Mitigation Measures AQ-1 through AQ-3 are reproduced below.

AQ-1 Construction Emissions Reduction

New discretionary projects in the Plan Area that exceed the construction screening criteria of the Bay Area Air Quality Management District (BAAQMD) shall be conditioned to reduce construction emissions of reactive organic gases, nitrogen oxides, and particulate matter (PM10 and PM2.5) by implementing the BAAQMD's Basic Construction Mitigation Measures (described below) or equivalent, expanded, or modified measures based on project and site-specific conditions.

Basic Construction Mitigation Measures

- 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, with priority given to the use of recycled water for this activity when feasible.
- 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 shall be 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 5 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 visible emissions evaluator.
- h. A publicly visible sign shall be posted with the telephone number and person to contact at the lead agency 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.

AQ-2 Health Risk Assessments

Projects that may result in additional toxic air contaminants that are located within 1,000 feet of a sensitive receptor(s) or would place sensitive receptors within 1,000 feet of uses generating toxic air contaminants, such as roadways with volumes of 10,000 average annual daily trips or greater, shall implement Bay Area Air Quality Management District Guidelines and State Office of Environmental Health Hazard Assessment policies and procedures requiring health risk assessments (HRAs) for residential development and other sensitive receptors; screening area distances may be increased on a case-by-case basis if an unusually large source or sources of hazardous emissions are proposed or currently exist. Based on the results of the HRA, identify and implement measures (such as air filtration systems) to reduce potential exposure to particulate matter, carbon monoxide, diesel fumes, and other potential health hazards. Measures identified in HRAs shall be included into the site development plan as a component of a proposed project.

AQ-3 Odor Reduction

Require new manufacturing and laboratory development to be designed and constructed in a way that reduces the potential for future odors. Ensure prompt response to complaints about odors reported by residences and businesses by developing a website link that directs users to BAAQMD's odor reporting and inspection program.

Impact Analysis

- a. *Would the project conflict with or obstruct implementation of the applicable air quality plan?*
- b. *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*
- c. *Would the project expose sensitive receptors to substantial pollutant concentrations?*

Novato is located in the San Francisco Bay Area Air Basin (the Basin), which is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). The local air quality management agency is required to monitor air pollutant levels to ensure that applicable air quality standards are met, and, if they are not met, to develop strategies to meet the standards. The BAAQMD has adopted an Air Quality Management Plan that provides a strategy for the attainment of State and federal air quality standards. Emissions generated by development on the subject sites would include temporary construction emissions and long-term operational emissions. Based on the projected buildout of the subject sites included in the Project Description, all sites except for site 2 would result in less than significant operational impacts based on their size and BAAQMD's screening criteria (BAAQMD 2022).

Certain population groups, such as children, the elderly, and people with certain identified health problems, are considered particularly sensitive to air pollution. Sensitive receptors include land uses that are more likely to be used by these population groups. Sensitive receptors include health care facilities, retirement homes, school and playground facilities, and residential areas.

Construction activities such as the operation of construction vehicles and equipment over unpaved areas, grading, trenching, and disturbance of stockpiled soils have the potential to generate fugitive dust (PM₁₀) through the exposure of soil to wind erosion and dust entrainment. In addition, exhaust emissions associated with heavy construction equipment would potentially degrade air quality. Construction emissions on subject site 2 could exceed BAAQMD significance thresholds.

Long-term emissions associated with operational impacts on subject site 2 would include emissions from vehicle trips, natural gas and electricity use, landscape maintenance equipment, and consumer products and architectural coating associated with development within the City. Emissions could exceed BAAQMD significance thresholds. Long-term vehicular emissions could also result in elevated concentrations of carbon monoxide (CO) at congested intersections in the vicinity of the City. However, according to the Focused Transportation Analysis prepared by W-Trans in May 2023 (Appendix A), the overall buildout of the proposed project across all subject sites would result in a net decrease of 5,672 daily trips, and 39,454 daily VMT as compared to the buildout assumed in the General Plan EIR. Note that the Valley Oaks project traffic counts were included in this traffic analysis on order to understand cumulative impacts associated with housing element implementation. This was especially important along the Redwood Boulevard corridor which is experiencing much of the proposed development. Therefore, the overall buildout of the proposed project across all subject sites would result in VMT impacts that are lesser than those of the General Plan, and therefore mobile emissions would be lower as well.

Impacts related to both temporary construction-related air pollutant emissions and long-term emissions associated with buildout on subject site 2 may be potentially significant. However, similar to the General Plan EIR, with implementation of Mitigation Measures AQ-1 and AQ-2 on sites 1 through 8, impacts would be reduced to less than significant levels.

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d. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

The occurrence and severity of potential odor impacts depends on a number of factors, including the nature, frequency, and intensity of the source; the wind speeds and direction; and the sensitivity of the receiving location, each contribute to the intensity of the impact. Although offensive odors seldom cause physical harm, they can be annoying and cause distress among the public and generate citizen complaints.

Development of the subject sites would facilitate the creation of additional housing units in an urbanized area with existing residential and commercial uses. Construction activities for development of the subject sites may produce temporary odors. Potential odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment, and architectural coatings. Such odors would disperse rapidly from the individual project sites, generally occur at magnitudes that would not affect substantial numbers of people and would be limited to the construction period. Accordingly, the construction of future development on the subject sites is not anticipated to create objectionable odors affecting a substantial number of people and impacts would be less than significant.

BAAQMD's *CEQA Guidelines* identifies land uses associated with odor complaints as agricultural uses, wastewater treatment plants, chemical and food processing plants, composting, refineries, landfills, dairies, and fiberglass molding. Residential uses are not identified on this list. Development of the subject sites would be residential, commercial, and mixed-use development, which is not considered a major generating source of odor and would not create objectionable odors to surrounding sensitive land uses. Mitigation Measure AQ-3 would further reduce potential impacts. Therefore, impacts would be less than significant and would not have impacts beyond those analyzed in the EIR.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

4 Biological Resources

EIR Evaluation Criteria	Where Was Impact Analyzed in EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15164(a) Occur?	Project is within the Scope of General Plan EIR?
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
Would adoption of the proposed 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 U.S. Fish and Wildlife Service?	EIR Pages 4.3-10 to 4.3-13	Less than significant with mitigation	BIO-1, BIO-2, BIO-3	No	No	No	Yes	Yes
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	EIR Pages 4.3-10 to 4.3-13	Less than significant with mitigation	BIO-4	No	No	No	Yes	Yes

EIR Evaluation Criteria	Where Was Impact Analyzed in EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162(a) Occur?	Project is within the Scope of General Plan EIR?
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
c. Have a substantial adverse effect on state or federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	EIR Pages 4.3-14 to 4.3-15	Less than significant	None	No	No	No	Yes	Yes
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?	EIR Pages 4.3-15 to 4.3-16	Less than significant with mitigation	BIO-5, BIO-6	No	No	No	Yes	Yes
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	EIR Pages 4.3-16 to 4.3-17	Less than significant	None	No	No	No	Yes	Yes

EIR Evaluation Criteria	Where Was Impact Analyzed in EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162(a) Occur?	Project is within the Scope of General Plan EIR?
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
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?	EIR Page 4.3-17	No Impact	None					

General Plan 2035 EIR Summary

The General Plan EIR determined that impacts to habitat conservation plans, natural community conservation plans, local policies protecting biological resources, riparian and wetland habitats would be less than significant with mitigation. The General Plan EIR found that the General Plan 2035 did not require assessment of sensitive biological resources for development in sensitive biological areas; therefore, with Mitigation Measure BIO-2 to require biological studies, the impact would be reduced to a less than significant level. The General Plan EIR found that Mitigation Measure BIO-4 for nesting bird surveys would reduce impacts to avian bird species to a less than significant level. Implementation of the project also had the potential to result in a significant impact on wildlife movement corridors; however, with the incorporation of Mitigation Measure BIO-5 and BIO-6, the impact would be reduced to a less than significant level. Mitigation Measures are reproduced below. Mitigation Measures BIO-1 and BIO-5 are directives to update General Plan goals or policies, which were added to the General Plan when adoption occurred.

BIO-1 Incorporation of Sensitive Species

Environmental Stewardship Goal 1 shall be updated in General Plan 2035 to read:

Preserve, enhance and restore natural areas and features, including Novato's scenic hillsides, waterways, riparian corridors, wetlands ~~and~~ baylands, and special status species.

BIO-2 Biological Studies for New Development

Project applicants shall be required to provide a biological resources assessment for projects on parcels with potentially suitable habitat or potential for the occurrence of special status species. The biological resources assessment shall be conducted by a qualified biologist and will include a data review and habitat assessment prior to project activities to identify whether any special-status plant or animal species habitat or sensitive natural communities occur on-site. The data reviewed shall include the biological resources setting, Appendix C species list, and best available, current data for the area, including current review of the California Natural Diversity Database. Habitat assessments shall be completed at an appropriate time of year for identifying potential habitat and no more than one year prior to commencement of project activity. The purpose of these biological resources assessments is to identify appropriate measures to avoid or minimize harm to sensitive biological resources and to incorporate the recommended measures as conditions of approval for the project. Based on the results of the biological resources assessment, the qualified biologist will provide site-specific mitigation measures to avoid special status species or reduce impacts to a less than significant level.

BIO-3 Biological Resources Inventory for New Development

A detailed inventory of biological resources conducted by an independent, professionally qualified biologist, plant ecologist, arborist, or appropriately qualified specialist shall be required for projects in sensitive and vulnerable habitats, as identified in Mitigation Measure BIO-2. If there are seasonal constraints with performing surveys, presence of such special status species shall be assumed and measures to reduce impacts to special status species and avoidance shall be implemented in accordance with a biological resources assessment and/or project specific California Environmental Quality Act documentation. If sensitive resources are identified on the project sites, recommendations to protect the sensitive resources shall conform with applicable State and federal regulations regarding their protection and may include avoidance of the resource, providing

setbacks, clustering development onto less sensitive areas, preparing restoration plans, off-site mitigation, and/or other similar measures as determined on a project specific basis.

BIO-4 Nesting Bird Protection

All discretionary projects shall retain the services of a qualified biologist(s) to conduct a preconstruction nesting bird survey during the nesting season (February 1 through August 31) at most 14 days prior to any and all development that may remove trees or vegetation that may provide suitable nesting habitat for migratory birds or other special-status bird species. If nests are found the qualified biologist(s) shall identify and the project sponsor shall implement appropriate avoidance measures, such as fenced buffer areas or staged tree removal periods.

BIO-5 Wildlife Movement Corridors Protection Policy

The General Plan Environmental Stewardship Policy ES 3 shall be updated to read:

Policy ES 3: *Wildlife Habitat.* Endeavor to preserve and enhance wildlife habitat areas and important wildlife movement corridors in watercourse areas and control human use of these areas as necessary to protect them.

BIO-6 Biological Studies for Wildlife Movement Corridors

All discretionary projects on parcels with indicators of wildlife movement corridors shall retain the services of a qualified biologist(s) to conduct a biological assessment prior to any and all development that may impact wildlife movement. If movement corridors are potentially impacted by the proposed project, the qualified biologist(s) shall identify appropriate mitigation measures to avoid or minimize the impact. Such measures shall be a condition of approval and implemented by the project sponsor.

Impact Analysis

- a. *Would the project 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 U.S. Fish and Wildlife Service?*
- b. *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*
- c. *Would the project 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?*
- d. *Would the project 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?*
- e. *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

Development of the subject sites would prioritize development of new residences on infill sites in areas previously developed in the central and northern portions of the city, and Site 8 in the south.

Proposed housing opportunity sites located in the northern portion of the city adjacent to hillside open space areas may support habitat for special-status species, nesting birds, or species may be present. According to the US Fish and Wildlife Service National Wetland Inventory there are a freshwater pond and freshwater emergent wetland in the southern developed portion of Novato adjacent to where Site 8 is located (USFWS 2023). Development on the subject sites has the potential to impact special status species, wetlands, and nesting birds. However as found in the General Plan EIR, with the required compliance with existing regulations such as the Clean Water Act, Mitigation Measures BIO-2 (on sites 1, 2, 3, 4, 7, and 8), BIO-4 (on sites 1 through 8), and BIO-6 (on sites 1, 2, 4, 7, and 8), and General Plan policies such as ES 3, ES 4, ES 6 and ES 11, which aim to protect species habitat, encourage habitat restoration, require cooperation with state and federal agencies to ensure that development does not substantially adversely affect special status species, and the City's Wetland Protection and Restoration Ordinance, which requires an expanded wetland buffer area to protect special status species, impacts would be less than significant.

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- f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

The subject sites are not located within any approved local, regional, or state Habitat Conservation Plan or Natural Community Conservation Plan (CDFW 2019). Therefore, no impact would occur.

NO IMPACT

5 Cultural Resources

EIR Evaluation Criteria	Where Was Impact Analyzed in the EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?		
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?
Would adoption of the proposed project						
11 Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5.	EIR Pages 4.4-16 to 4.4-18	Less than significant with mitigation	CUL-1	No	No	No
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	EIR Pages 4.4-18 to 4.4-19	Less than significant with mitigation	CUL-2	No	No	No
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	EIR Pages 4.4-20 to 4.4-20	Less than significant	None	No	No	No

General Plan 2035 EIR Summary

The 2035 General Plan EIR discusses Cultural Resources in section 4.4 on pages 4.4-1 through 4.4-21. The EIR determined that the General Plan includes policies and actions that would reduce impacts to cultural, historical, paleontological, and archaeological resources, as well as human remains, to less than significant level with mitigation incorporated. Mitigation Measure CUL-1 and CUL-2, which involve historical resources and archaeological resources, would be required to reduce impacts to less than significant levels. Mitigation Measures are reproduced below.

CUL-1 Historical Resources Study Program

All discretionary projects shall investigate the potential to impact historical resources. A historical resources evaluation shall be performed to confirm the presence of historical resources within the project site when there is a structure(s) or feature of a type, period, and/or method of construction that could be qualified as having historic status. The study shall, at a minimum, be conducted by a qualified professional meeting the Secretary of the Interior's (SOI) Professional Qualification Standard (PQS) for architectural history (NPS 1983). The study shall include a pedestrian survey of the project site and background research including a records search at the Northwest Information Center (NWIC), building permit research, and/or research with the local historical society(ies). The subject property(ies) and/or structures shall be evaluated for federal, state, and local designation on California Department of Parks and Recreation 523 series forms, included as an appendix to the study. If historical impacts are identified, the study shall include recommendations to avoid or reduce impacts on historical resources and the project sponsor shall implement the recommendations or conduct additional environmental review.

CUL-2 Archaeological Resources Study Program

All discretionary projects shall investigate the potential to disturb archaeological resources. If preliminary reconnaissance suggests that cultural resources may exist, a Phase I cultural resources study shall be performed by a qualified professional meeting the Secretary of the Interior's (SOI) Professional Qualification Standard (PQS) for archaeology (NPS 1983). A Phase I cultural resources study shall include a pedestrian survey of the project site and sufficient background research and, as necessary, field sampling to determine whether archaeological resources may be present. Archival research shall include a records search at the Northwest Information Center (NWIC) and a Sacred Lands File (SLF) search with the Native American Heritage Commission (NAHC), and coordination with Native American tribes listed by the NAHC. The Phase I technical report documenting the study shall include recommendations to avoid or reduce impacts on archaeological resources. The project sponsor shall implement the recommendations.

The 2035 General Plan EIR discussed paleontological resources in Section 4.4. These impacts are discussed in Section 4.6 of this document: Geology and Soils.

Impact Analysis

- a. *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?*

As discussed in the 2035 General Plan EIR, there are several known historical resources in the City. There is one resource listed on the National Register of Historic Places (NRHP) in Novato, the Fashion Shop and Stephen Porcella House, located at 1009 Reichert Way (National Park Service

2022). Additionally, the Sweetser Mansion (now known as Trumbull Manor) at 50 Rica Vista is listed on the California Register of Historical Resources (CRHR) and is eligible for listing in the NRHP (City of Novato 2020). Novato also has the NRHP and CRHR-listed Hamilton Army Airfield Discontiguous Historic District that encompasses parts of the Hamilton Army Air Field. Additionally, the City of Novato has 54 resources that are locally designated as potentially eligible historic resources.

The proposed project involves the rezoning of eight parcels within the City. None of these parcels contain structures that are listed in the NRHP or the CRHR. The nearest parcel to a known historical resource is site 3, which is approximately 0.25 mile southwest of the NRHP-listed Fashion Shop and Stephen Porcella House. Site 5 is approximately 0.2 miles northeast of the CRHR-listed Trumbull Manor. While these subject sites are near historical resources, they are not immediately adjacent to these resources, and the proposed project would not cause substantial adverse change to these historical resources.

In addition, Mitigation Measure CUL-1 (as listed above), included in the 2035 General Plan EIR, would be applicable to development constructed on the subject sites. This mitigation measure would require a historical resources study to be conducted to confirm the presence of historical resources within the project site when there is a structure(s) or feature of a type, period, and/or method of construction that could be qualified as having historic status. With implementation of Mitigation Measure CUL-1 on sites 1 through 8, impacts would be less than significant and would not have impacts beyond those determined in the EIR.

LESS THAN SIGNIFICANT IMPACT

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

As discussed in the 2035 General Plan EIR, the identification of archeological resources is possible during construction of development on the eight subject sites. It is likely that on these sites prior grading, construction, and modern use of the sites would have either removed or destroyed archaeological resources within surficial soils. Nonetheless, there is the potential for archaeological resources to exist below the ground surface throughout the City, which could be disturbed by grading and excavation activities associated with new development facilitated by the proposed project on the subject sites that are vacant. Therefore, Mitigation Measure CUL-2 as included in the 2035 General Plan EIR, would be required to ensure impacts to archeological resources are avoided or reduced during construction on sites 1 through 8. Consistent with the 2035 General Plan EIR, impacts would be less than significant with mitigation incorporated.

c. Would the project disturb any human remains, including those interred outside of formal cemeteries?

Development facilitated by the proposed project could result in ground disturbance during construction. The discovery of human remains is always a possibility during ground disturbing activities. If human remains are found, the State of California Health and Safety Code Section 7050.5 states no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the human remains are determined to be prehistoric, the Coroner would notify the Native American Heritage Commission, which would determine and notify a most likely descendant (MLD). The MLD has 48 hours from being granted site access to make recommendations for the disposition of the remains. If the MLD does not make recommendations within 48 hours, the landowner shall reinter

the remains in an area of the property secure from subsequent disturbance. Consistent with the 2035 General Plan EIR, with adherence to State law, impacts related to the discovery of human remains would be less than significant.

LESS THAN SIGNIFICANT IMPACT

6 Energy

EIR Evaluation Criteria	Where Was Impact Analyzed in the EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?		
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?
Would adoption of the proposed project:						
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	EIR Page 5-3 to 5-6	Less than significant	None	No	No	No
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	EIR Page 5-3 to 5-6	Less than significant	None	No	No	No
*Energy Effects discussion contained in the EIR Section 5, Other CEQA Required Discussions						

General Plan 2035 EIR Summary

The General Plan EIR discusses energy in Section 5.3, *Energy Effects*. At the time the General Plan EIR was prepared, there were no adopted thresholds for energy use under CEQA. The General Plan EIR concluded that the project would result in consumption of energy beyond current conditions but that policies included in the General Plan such as ES 25 and ES26 would promote energy conservation and efficiency. The General Plan EIR also found that the project would be consistent with the 2009 CAAP and that the general plan itself includes measures to reduce greenhouse gas emissions.

Impact Analysis

- a. *Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

The project would prioritize the development of new housing within urbanized and previously developed areas. Development facilitated by the proposed project would consume energy during construction and operation through the use of petroleum fuel, natural gas, and electricity, as further addressed below.

Construction

Energy use during construction associated with development facilitated by the proposed project would be in the form of fuel consumption (e.g., gasoline and diesel fuel) to operate heavy equipment, light-duty vehicles, machinery, and generators for lighting. In addition, temporary grid power may also be provided to construction trailers or electric construction equipment. Energy use during the construction of individual projects would be temporary in nature, and equipment used would be typical of construction projects in the region. In addition, construction contractors would be required to demonstrate compliance with applicable California Air Resources Board (CARB) regulations that restrict the idling of heavy-duty diesel motor vehicles and govern the accelerated retrofitting, repowering, or replacement of heavy-duty diesel on- and off-road equipment. Construction activities associated with development facilitated by the proposed project would be required to utilize fuel-efficient equipment consistent with State and federal regulations and would comply with State measures to reduce the inefficient, wasteful, or unnecessary consumption of energy. In addition, individual projects would be required to comply with construction waste management practices to divert 80 percent of construction and demolition debris.

These practices would result in efficient use of energy during construction of development on the subject sites. Furthermore, in the interest of both environmental awareness and cost efficiency, construction contractors would not utilize fuel in a manner that is wasteful or unnecessary. Therefore, future construction activities associated with development on the subject sites would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy, and impacts would be less than significant.

Operation

Long-term operation of new residences and commercial space developed on the subject sites would require permanent grid connections for electricity and natural gas service to power internal and exterior building lighting, and heating and cooling systems. As previously discussed, the subject sites are on underutilized infill parcels in the areas of Novato that are already served by energy providers. Electricity services are provided by Pacific Gas & Electric (PG&E) and MCE. Natural gas service in the City is provided by PG&E.

Development facilitated by the proposed project would be subject to the energy conservation requirements of the California Energy Code (Title 24, Part 6 of the California Code of Regulations, California's Energy Efficiency Standards for Residential and Nonresidential Buildings), the California Green Building Standards Code (Title 24, Part 11 of the California Code of Regulations). The California Energy Code provides energy conservation standards for all new and renovated commercial and residential buildings constructed in California. This Code applies to the building envelope, space-conditioning systems, and water-heating and lighting systems of buildings and appliances and provides guidance on construction techniques to maximize energy conservation. Minimum efficiency standards are given for a variety of building elements, including appliances; water and space heating and cooling equipment; and insulation for doors, pipes, walls, and ceilings. The Code emphasizes saving energy at peak periods and seasons and improving the quality of installation of energy efficiency measures. The California Green Building Standards Code sets targets for energy efficiency; water consumption; dual plumbing systems for potable and recyclable water; diversion of construction waste from landfills; and use of environmentally sensitive materials in construction and design, including ecofriendly flooring, carpeting, paint, coatings, thermal insulation, and acoustical wall and ceiling panels.

In addition, the proposed project would prioritize developing new residential units in close proximity to existing commercial/retail and recreational land uses, which would reduce trip distances and encourage the use of alternative modes of transportation such as bicycling and walking. These factors would minimize the potential of the rezoned sites to result in the wasteful or unnecessary consumption of vehicle fuels. As a result, operation of new development on the subject sites would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy, and impacts would be less than significant, similar to the General Plan EIR.

LESS THAN SIGNIFICANT IMPACT

b. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

In 2009, the City of Novato adopted a Climate Change Action Plan to direct the City towards reducing energy usage and emissions. The Climate Change Action Plan includes goals to reduce energy usage through energy efficiency, conservation, renewable energy, and green building design (City of Novato 2009). The goals and policies included in the Climate Change Action Plan were included in the 2035 General Plan which was adopted by the City in 2020. The project would comply with Goals 5 and 6 of the plan by focusing on infill and underutilized parcels for development and would not obstruct other goals and implementation measures.

Development on the subject sites would be required to comply with regulatory standards and local measures, which would ensure that the project would not conflict with renewable energy and energy efficiency plans adopted by the City. Additionally, in 2020 Novato adopted a climate

emergency resolution which made addressing climate change a priority of the City. As discussed above, the project would be consistent with goals and policies in the CCAP and would therefore not conflict with obstruct the climate emergency resolution. Impacts would be less than significant and would not have impacts beyond those analyzed in the EIR.

LESS THAN SIGNIFICANT IMPACT

7 Greenhouse Gas Emissions

EIR Evaluation Criteria	Where Was Impact Analyzed in EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15164(a) Occur?	Project is within the Scope of General Plan EIR?
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
Would adoption of the proposed project								
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	EIR pages 4.6-12 through 4.6-14	Less than significant	None	No	No	No	Yes	Yes
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	EIR pages 4.6-15 through 4.6-20	Less than significant	None	No	No	No	Yes	Yes

General Plan 2035 EIR Summary

The General Plan EIR determined that development allowed under the General Plan would result in new projects that would increase greenhouse gas emissions in the city; however, emissions would still be below the 2035 efficiency threshold and therefore impacts would be less than significant. The General Plan is consistent with the 2009 Novato Climate Action Plan and ABAG/MTC Plan Bay Area 2040 as well as state policies and regulations. Impacts relating to conflicts with plans, policies and regulations adopted to reduce greenhouse gases were also found to be less than significant.

Impact Analysis

- a. *Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?*
- b. *Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

Development facilitated by the proposed project would generate greenhouse gas (GHG) emissions during construction through the use of petroleum-fueled construction equipment and worker vehicle trips to and from construction sites. Operation of new housing units under the project would generate GHG emissions through the use of electricity and natural gas, vehicle trips of occupants, waste generation, water use, and wastewater generation.

Buildout of the proposed project would not exceed the number of units and commercial space assumed in the 2035 General Plan EIR. As discussed above, the 2035 General Plan EIR found that development under the 2035 General Plan would not exceed the 2035 efficiency threshold for greenhouse gas emissions. Additionally, according to the Focused Transportation Analysis prepared by W-Trans in May 2023, the proposed project would result in a net decrease of 5,672 daily trips, and 39,454 daily VMT as compared to the buildout assumed in the General Plan EIR. Therefore, operational greenhouse gas emissions would be reduced compared to the buildout assumed in the General Plan EIR and would also be below the 2035 efficiency threshold.

Development on the subject sites would be required to adhere to applicable climate and greenhouse gas emissions policies and regulations including consistency with SB 32, AB 32, SB 97, and SB 375. Additionally, the proposed project, like the 2035 General Plan, would be consistent with the Novato Climate Change Action Plan (CCAP), as it would be required to comply with General Plan policies that are consistent with the CCAP. Development on these eight sites would also be required to comply with policies and actions in the General Plan. Therefore, impacts would be less than significant and would not have impacts beyond those analyzed in the EIR.

LESS THAN SIGNIFICANT IMPACT

8 Geology and Soils

EIR Evaluation Criteria	Where Was Impact Analyzed in the EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?		
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?
Would adoption of the proposed project						
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides?	EIR pages 4.5-16 through 4.5-18	Less than significant	None	No	No	No
b. Result in substantial soil erosion or the loss of topsoil	EIR pages 4.5-18 through 4.5-19	Less than significant	None	No	No	No
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse	EIR pages 4.5-16 through 4.5-18	Less than significant	None	No	No	No
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property	EIR page 4.5-20	Less than significant	None	No	No	No

EIR Evaluation Criteria	Where Was Impact Analyzed in the EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?		
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	EIR pages 4.5-20 through 4.5-21	Less than significant with mitigation	GEO-1	No	No	No
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	EIR pages 4.4-19 through 4.4-20	Less than significant with mitigation	CUL-3			

General Plan 2035 EIR Summary

The General Plan EIR discussed Geology and Soils in section 4.5 on pages 4.5-1 through 4.5-22. The EIR determined that impacts related to seismic activity, landslides, lateral spreading, subsidence, and liquefaction would be less than significant. Impacts related to soil erosion would be less than significant with the implementation of the goals and policies of the General Plan. Impacts related to expansive soil would be less than significant with compliance with the California Building Code (CBC). Impacts related to septic tank use were found to be potentially significant, however, this impact would be mitigated to less than significant with the implementation of the following mitigation measure:

GEO-1 Soil Investigation Report

New development projects not connected to the municipal sewer system and requiring the use of septic tanks or alternative wastewater disposal systems shall complete a soil investigation report to be submitted to the City of Novato for review and approval prior to issuance of grading and building permits. The study shall demonstrate the capability of the underlying soils to support the use of septic tanks or alternative wastewater disposal systems. Such a report shall be prepared by a registered professional geologist and shall include soil type characteristics, percolation rates, and design recommendations.

The General Plan EIR discussed paleontological resources in Section 4.4: Cultural Resources. Impacts to paleontological resources is discussed on page 4.4-19. The EIR found that effects to paleontological resources could be significant, however this impact would be mitigated to less than significant with the implementation of the following mitigation measure:

CUL-3 Paleontological Resource Studies

Avoidance and/or mitigation for potential impacts to paleontological resources shall be required for any discretionary development proposal in Novato that occurs within high sensitivity geologic units (Pleistocene alluvium [Qpa] and Pleistocene alluvium [Qoa] deposits), whether they are mapped at the surface or occur at the subsurface. When paleontological resources are uncovered during site excavation, grading, or construction activities, work on the site will be suspended until the significance of the fossils can be determined by a qualified paleontologist. If significant resources are determined to exist, the paleontologist shall make recommendations for protection or recovery of the resource.

The City shall require the following specific measures for projects that could disturb geologic units with high paleontological sensitivity:

- **Retain a Qualified Paleontologist to Prepare a PMMP.** Prior to initial ground disturbance, the project applicant shall retain a Qualified Paleontologist, as defined by the SVP (2010), to direct all mitigation measures related to paleontological resources and design a Paleontological Mitigation and Monitoring Program (PMMP) for the project. The PMMP shall include measures for a preconstruction survey, a training program for construction personnel, paleontological monitoring, fossil salvage, curation, and final reporting, as applicable

Impact Analysis

- a.1. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving 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?*
- a.2. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?*
- a.3. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?*
- a.4. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?*

Geologic conditions onsite and in the region remain generally the same as when analyzed in the General Plan 2035 EIR. According to the Alquist-Priolo earthquake hazards map, none of the subject sites are within an active fault zone (DOC 2023). Development constructed on the subject sites would be required to comply with the California Building Code (CBC) and goals and policies in the 2035 General Plan. Compliance with CBC Section 1613 would ensure that all construction built pursuant to the proposed project is designed and constructed to resist the effects of seismic activity. Impacts would be less than significant.

Novato is not within a liquefaction or landslide zone according to the Department of Conservation (DOC 2023). Additionally, consistent with the analysis in the General Plan 2035 EIR, impacts related to liquefaction and landslides would be less than significant with implementation of General Plan programs such as:

- Program SH 1a, Geotechnical Evaluation, which would require the preparation of geotechnical evaluations by an engineering geologist or geotechnical engineer for new construction and grading in seismically and geologically hazardous areas and for all crucial (i.e., high occupancy, health, or emergency response) structures.
- Program SH 4a, Building Code Enforcement, which would require new development, building additions and remodels to be reviewed and inspected to ensure enforcement with the State Uniform Building Code and local amendments.

Furthermore, the Novato Municipal Code, specifically the Hillside and Ridgeline Protection Ordinance which limits development on hillsides with an average slope of 10 percent or more, would be applicable to development on sites 1, 7 and 8. With adherence to these requirements, impacts would be less than significant and would not have impacts beyond those analyzed in the EIR.

LESS THAN SIGNIFICANT IMPACT

- b. Would the project result in substantial soil erosion or the loss of topsoil?*

Development constructed on the subject sites could cause soil erosion through grading and excavation. Grading and excavation activity during the construction of structures on the project site could result in soil erosion. However, consistent with the analysis in the 2035 General Plan EIR, this impact would be less than significant with the incorporation of goals and policies in the General Plan such as:

Goal CC 2: Promote high-quality and sustainable development.

- **Policy CC 3: Hillsides.** Protect Novato’s hillsides and ridgelines from erosion, slope failure and visual impacts by limiting the extent and location of new development and ensuring that new development complies with the requirements of the Hillside and Ridgeline Protection ordinance in the Zoning Code

Goal SH 2 Flood Hazards.

- **Policy SH 2g: Erosion Control.** Enforce measures to minimize soil erosion and volume and velocity of surface runoff both during and after construction through implementation of the Grading Ordinance.

The proposed project would be consistent with these goals and policies. Development constructed on the subject sites would be required to comply with these goals and policies as well. There would be no new or substantially more severe impacts than what was analyzed in the 2035 General Plan EIR and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- c. *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?*
- d. *Would the project 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?*

As discussed previously, Novato is at low risk of liquefaction and landslides. The 2035 General Plan EIR indicated that expansive soil occurs east of Highway 101 in the City. Subject sites one through eight are west of highway 101 and are therefore at low risk of being on expansive soil. Site 8 is along the eastern edge of highway 101 and could include expansive soil. Development constructed on the subject sites would be required to comply with CBC standards, specifically Chapter 18: Soils and Foundations which provides criteria for geotechnical and structural considerations in the selection, design, and installation of building foundations. Consistent with the 2035 General Plan EIR, compliance with CBC standards would ensure impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- e. *Would the project 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?*

Development constructed on the subject sites could require the use of septic systems or alternative wastewater disposal systems. Mitigation Measure GEO-1 from the 2035 General Plan EIR would be required. This mitigation measure would require soil investigations for any development built pursuant to the proposed project that requires the use of a septic tank or alternative wastewater disposal system. The soil investigation would ensure that the soil can support the septic tank or alternative wastewater disposal system. Consistent with the 2035 General Plan EIR, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- f. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Development on the subject sites could disturb paleontological resources. As discussed in the 2035 General Plan EIR, Novato has areas of high paleontological sensitivity mostly concentrated in areas west of Highway 101, and the paleontological conditions have not changed since the EIR was approved. Sites 1 and 2 are on or near areas noted for high paleontological sensitivity. Mitigation Measure CUL-3 from the 2035 General Plan EIR would be required to ensure impacts to paleontological resources would be less than significant and would therefore be consistent with the General Plan EIR.

9 Hazards and Hazardous Materials

EIR Evaluation Criteria	Where Was Impact Analyzed in the EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?		
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?
Would adoption of the proposed project:						
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	EIR pages 4.7-13 through 4.7-15	Less than significant	None	No	No	No
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	EIR pages 4.7-13 through 4.7-15	Less than significant	None	No	No	No
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	EIR pages 4.7-15 through 4.7-16	Less than significant	None	No	No	No
d. Be located on a site that is included on a list of hazardous material 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?	EIR pages 4.7-16 through 4.7-17	Less than significant	None	No	No	No

EIR Evaluation Criteria	Where Was Impact Analyzed in the EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?		
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?
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 a safety hazard or excessive noise for people residing or working in the project area?	EIR pages 4.7-17 through 4.7-18	Less than significant		No	No	No
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	EIR page 4.7-18	Less than significant				
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	EIR pages 4.7-19 through 4.7-20	Less than significant				

General Plan 2035 EIR Summary

The General Plan EIR determined that impacts regarding the potential to create a significant hazard to the public through the routine transport, use, or disposal of hazardous materials; emission of hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; or location of projects on sites included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 would be less than significant with incorporation of General Plan goals and policies under subsection 6.3: Safety and Hazards.

While the northern portion of Novato is inside the area of influence for Gnoss Field-Marin County Airport and could result in safety hazards for people working or residing in this area, none of the subject sites would be within the 60dBA contour and impacts related to this would be less than significant with implementation of General Plan goals and policies, such as Policy LU 32 and MO 24.

The General Plan EIR found that impacts regarding the potential to expose people or structures to a significant risk of loss, injury or death involving wildland fires would be less than significant.

Impact Analysis

- a. *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

The project would facilitate development on subject sites in urban infill and underutilized sites. Construction associated with development on the subject sites would involve the use of potentially hazardous materials, such as vehicle fuels and fluids, that could be released should a leak or spill occur. However, contractors would be required to implement standard construction BMPs for the use and handling of such materials to avoid or reduce the potential for such conditions to occur. Any use of potentially hazardous materials during construction on the subject sites would be required to comply with all local, State, and federal regulations regarding the handling of potentially hazardous materials. Likewise, the transport, use, and storage of hazardous materials during construction would be required to comply with all applicable State and federal laws, such as the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Material Management Act, and California Code of Regulations Title 22.

Housing is not a land use typically associated with the use, transportation, storage, or generation of significant quantities of hazardous materials. Operation of housing developed on the subject sites would likely involve an incremental increase in the use of common household hazardous materials, such as cleaning and degreasing solvents, fertilizers, pesticides, and other materials used in regular property and landscaping maintenance. Use of these materials would be subject to compliance with existing regulations, standards, and guidelines established by the federal, State, and local agencies related to storage, use, and disposal of hazardous materials. Therefore, upon compliance with all applicable local, State, and federal laws and regulations relating to environmental protection and the management of hazardous materials, impacts associated with the routine transport, use, or disposal of hazardous materials during construction and operation of development under the project would be less than significant. Impacts would not be beyond those analyzed in the EIR.

LESS THAN SIGNIFICANT IMPACT

- b. *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*
- d. *Would the project be located on a site that is included on a list of hazardous material 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?*

Per Government Code Section 65962.5, the following lists were searched for listed properties in the City of Novato:

- Hazardous Waste and Substances site “Cortese” list (65962.5[a]) (Department of Toxic Substances Control [DTSC] 2023)
- GeoTracker: List of LUST sites (65962.5[c][1]) (State Water Resources Control Board [SWRCB] 2023)
- List of solid waste disposal sites identified by the Water Board (65962.5[c][2]) (California Environmental Protection Agency [CalEPA] 2022a)
- List of “active” Cease and Desist Order and Cleanup Abatement Order sites (65962.5[c][3]) (CalEPA 2022b)

A search of these lists revealed that there are active cleanup sites within Novato; however, none of the cleanup sites are on an active cleanup site. Additionally, as described under *criterion a*, above, the transport, use, and storage of hazardous materials during the construction of future development under the project would be conducted in accordance with all applicable state and federal laws, such as the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Material Management Act, and California Code of Regulations Title 22. Therefore, consistent with the General Plan EIR, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- c. *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?*

The Novato Unified School District (CUSD) contains 13 schools, including three high schools, two middle schools, seven elementary schools, and one K-8 school. Additional private schools are also located in the City. None of the subject sites are located within 0.25 mile of a school. Additionally, as discussed under *criterion a*, above, the transport, use, and storage of hazardous materials during the construction of future development under the proposed project would be conducted in accordance with all applicable state and federal laws, such as the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Material Management Act, and California Code of Regulations Title 22. Additionally, as described under *criterion a*, residential and mixed-use development proposed under the proposed project would not involve the use or transport of large quantities of hazardous materials. Therefore, consistent with the General Plan EIR impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

Residential General Plan and Zoning Amendments

- 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 a safety hazard or excessive noise for people residing or working in the project area?*

There are no public or private airports within the Plan Area. The nearest airport is the Gness Field-Marin County Airport located in Northern Marin County, approximately one mile north of Novato. The Marin County Airport Land Use Commission has adopted an Airport Land Use Plan that identifies the following safety zones around the Gness Field Marin County Airport: Zone 1-Clear Zone, Zone 2-Approach Zone, Zone 3-Traffic Zone, Zone 4-Overflight Zone, and Zone 5-Referral Area Boundary. The northern and central portions of Novato are inside the area of influence for the airport. Sites 3, 4, 5, 6, and 7 are within Zone 5, and sites 1 and 2 are within Zone 4, which is the overflight zone (City of Novato 1996). The maximum height allowed combined with the ground elevations on sites 1 and 2 would not penetrate the conical surface elevation applicable to the overflight zone. According to the Gness Field Airport Land Use Plan, safety risks in the overflight zone and the referral area boundary are minimal. All construction within Zones 3 and 4 must comply with the Federal Aviation Regulation Part 77, which protects this area from obstructions due to new development. The County has land use jurisdiction over the unincorporated areas surrounding the airport. Additionally, as owner of the airport, the County has control over the operation and development of the facility. Site 8 is not within any airport safety zones.

Section 65302.3 of the Government Code requires general plans and applicable specific plans to be consistent with amended Comprehensive Airport Land Use Plans (CALUP). In accordance with State law, the County of Marin and the City of Novato amended their respective general plans and zoning ordinances to incorporate the compatibility criteria and compatibility zones established by the Airport Land Use Commission for Gness Field Marin County Airport (City of Novato 1996, County of Marin 2007). General Plan 2035 Policy LU 32, Policy MO 24, and related policies would minimize hazards associated with the daily operations of the airport by monitoring the County’s planning efforts to ensure the health and safety of Novato residents and encouraging maintenance at Gness Field to support safety improvements. Compliance with the CALUP and applicable 2035 General Plan policies would reduce airport hazards within the City and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- f. *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Novato is a participant in the Marin County Multi-Jurisdictional Hazard Plan (2018). The City also adopted an emergency response plan (EOP) in 2009 which establishes the emergency management organization required to mitigate any significant emergency or disaster affecting Novato and the overall operational concepts associated with Novato’s Emergency Operations Center (EOC) activities and the recovery process. Development facilitated by the proposed project would be required to comply with these plans and applicable general plan policies. Therefore, consistent with the General Plan EIR, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?*

As further discussed in Section 19, *Wildfire*, the southern portion of City is located in a Very High Fire Hazard Severity Zone (FHSZ) (CAL FIRE 2007). There are no subject sites within this area. Additionally, development facilitated by the proposed project would be required to be constructed according to the Uniform Building Code requirements for fire-protection and would be subject to review and approval by the Novato Fire Protection District (NFPD). Wildfire impacts are further discussed under Section 20, *Wildfire*. Consistent with the General Plan EIR, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

10 Hydrology and Water Quality

EIR Evaluation Criteria	Where Was Impact Analyzed in the EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?		
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?
Would adoption of the proposed project:						
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	EIR pages 4.8-18 through 4.8-20	Less than significant	None	No	No	No
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	EIR pages 4.8-20 through 4.8-21	Less than significant	None	No	No	No
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:	EIR pages 4.8-21 through 4.8-22	Less than significant	None	No	No	No
(i) Result in substantial erosion or siltation on- or off-site;	EIR pages 4.8-21 through 4.8-22	Less than significant	None	No	No	No
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	EIR pages 4.8-23 through 4.8-24	Less than significant	None	No	No	No

EIR Evaluation Criteria	Where Was Impact Analyzed in the EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?		
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?
(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	EIR pages 4.8-23 through 4.8-24	Less than significant	None	No	No	No
(iv) Impede or redirect flood flows?	EIR pages 4.8-24 through 4.8-25	Less than significant	None	No	No	No
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	EIR pages 4.8-26 through 4.8-27	Less than significant	None	No	No	No
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	EIR pages 4.8-18 through 4.8-20	Less than significant	None	No	No	No

General Plan 2035 EIR Summary

The General Plan EIR discussed Hydrology and Water Quality in section 4.8 on pages 4.8-1 through 4.8-27. The EIR found that all impacts related to hydrology and water quality would be less than significant with implementation of general plan goals and policies and adherence to applicable laws including NPDES general permits, the Novato Municipal Code (Section 7-4 Urban Runoff Pollution Prevention), and the Clean Water Act (CWA).

Impact Analysis

- a. *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

The construction facilitated by the proposed project could potentially impact surface or ground water quality due to erosion resulting from exposed soils and the generation of water pollutants, including trash, construction materials, and equipment fluids.

Novato is within the jurisdiction of the San Francisco Bay Regional Water Quality Control Board (RWQCB), which is responsible for the preparation and implementation of the water quality control plan for the Bay Area Region. As discussed in the 2035 General Plan EIR, section 7-4 of the Novato Municipal Code, *Urban Runoff Pollution Prevention*, requires BMPs for stormwater and runoff pollution control, which would apply to both construction and operational activities in the City. In addition, regulations under the Federal Clean Water Act require compliance with the National Pollutant Discharge Elimination System (NPDES) storm water permit for projects disturbing more than one acre during construction. Operators of a construction site would be responsible for preparing and implementing a SWPPP that outlines project specific BMPs to control erosion, sediment release, and otherwise reduce the potential for discharge of pollutants in stormwater. Typical BMPs include covering stockpiled soils, installation of silt fences and erosion control blankets, and proper handling and disposal of wastes. Consistent with analysis in the General Plan EIR, compliance with these regulatory requirements would minimize impacts to water quality during the construction of future development facilitated by the proposed project.

Compliance with federal, State, and local regulations would reduce impacts resulting from reasonably foreseeable new development under the proposed project to a less than significant level. Furthermore, the proposed project would not preclude implementation of or alter these policies and procedures in any way. Therefore, consistent with the analysis in the General Plan EIR, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

Development built pursuant to the proposed project could increase the amount of impervious surface on the subject sites; however, four of the eight proposed subject sites (site 2, 4, 5 and 6) are currently developed. Development facilitated by the proposed project on these sites would be infill development that would occur on an already developed site which would minimize the conversion of open space and permeable surfaces to impervious surfaces. Individual projects that would create or replace 2,500 square feet or more of impervious surface would be required to implement site design measures identified in the SWRCB Phase II General Permit to reduce project site runoff. These measures include

stream setbacks and buffers, soil quality improvement and maintenance, tree planting and preservation, rooftop and impervious area disconnection, porous pavement, green roofs, vegetated swales, and rain barrels and cisterns. Individual projects that create or replace 5,000 square feet or more of impervious surface area would be required to implement Low Impact Development (LID) design standards, hydromodification management measures, and post-construction storm water management measures to reduce runoff and maximize infiltration. Compliance with General Plan Policy SH 2a would maintain post-development peak runoff rates and average volumes similar to the predevelopment conditions to the maximum extent practicable. Consistent with the analysis in the 2035 General Plan, with adherence to SWRCB Phase II General Permit requirements and general plan goals and policies to minimize runoff and maximize infiltration, implementation of the proposed project would not substantially interfere with groundwater recharge such that a lowering of the local groundwater table level would result.

As discussed in the 2035 General Plan EIR, although Novato is underlain by the Novato Valley groundwater basin, the City does not use groundwater as a source for municipal water supply. Therefore, implementation of the proposed project would not result in extraction of groundwater resources or the direct lowering of local groundwater levels.

Consistent with the General Plan EIR, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- c.(i) Would the project 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 result in substantial erosion or siltation on- or off-site?*
- c.(ii) Would the project 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 substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*
- c.(iii) Would the project 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 that would 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?*

As discussed previously, four out of eight of the proposed subject sites (sites 2, 4, 5 and 6) currently developed with structures and/or entirely paved. Development built pursuant to the proposed project on these sites would not be anticipated to substantially alter drainage patterns. sites 1, 3, 7 and 8 are vacant and would be required to maintain existing drainage patterns pursuant to the Novato Municipal Code Section 5-15. Consequently, development built pursuant to the proposed project would not alter the drainage pattern of the City to an extent that would result in substantial erosion, siltation, or flooding on- or off-site.

As discussed under *criterion a* of this section, future construction activities would be required to include BMPs to prevent stormwater contamination and reduce runoff, pursuant to Chapter 7-4 of the Novato Municipal Code, and potentially the NPDES General Construction Permit depending on the size of future development projects. BMPs would be required to reduce polluted runoff from future project sites by retaining, treating, or infiltrating polluted runoff on site, and integrate post-construction BMPs into the site's overall drainage system. These construction and erosion control practices would reduce the potential for adverse effects caused by excavation and general construction. Therefore, future development facilitated would not introduce substantial additional sources of polluted runoff.

Because implementation of the project would not substantially alter the existing drainage pattern and development and construction of future projects would be required to implement stormwater BMPs, future development under the proposed project would not generate a substantial increase in runoff that would result in substantial erosion, siltation, flooding on- or off-site, or increased polluted runoff. Consistent with the analysis in the General Plan EIR, impacts related to drainage and runoff would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c.(iv) Would the project 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 impede or redirect flood flows?

A summary of the subject sites that fall within a FEMA flood zone is included in Table 7 below:

Table 7 FEMA Flood Zones

Site Number	FEMA Flood Zone
1	Not within a flood zone
2	Not within a flood zone
3	Within Zone AE ³
4	Within Zone AO ²
5	Within Zone AO ¹
6	Partially within flood zone AE ⁴
7	Not within a flood zone
8	Partially within flood zone AE ⁴

Notes:

¹ Base flood elevation of 1 foot

² Base flood elevation of 2 feet

³ Base flood elevation of 22 feet

⁴ Base flood elevation of 10-11 feet

Development facilitated by the proposed project on subject sites within FEMA flood zones AO or AE would be subject to Chapter V of the Novato Municipal Code, which contains several requirements and restrictions related to floodplain development, including siting restrictions for new structures and engineering design requirements for new development in floodplains. Encroachments, including fill, new construction, substantial improvements, and other development would be prohibited in floodways unless certification by a registered professional engineer or architect is provided demonstrating that encroachments would not result in any increase in flood levels during the occurrence of the base flood discharge. Additionally, General Plan Policy SH 2, Flood Hazards, and its associated implementation actions would help to ensure proper flood zone protection and management, and would minimize the risk of loss, injury, or death from flooding.

Four (sites 2, 4, 5 and 6) out of the eight proposed subject sites are currently developed, and development built on these sites would not be anticipated to substantially alter drainage patterns. Development built pursuant to the proposed project on the remaining five subject sites which are currently vacant would be required to implement BMPs to reduce runoff pursuant to Chapter 7-4 of the Novato Municipal Code, and potentially the NPDES General Construction Permit depending on the size of future development projects. Furthermore, none of the subject sites encompass a stream or river;

however, some sites, such as site 8, are near waterways. Development facilitated by the proposed project (at all sites including site 8) would be required to comply with existing general plan policies, SWRCB Phase II General Permit requirements, and the Novato Municipal Code which would reduce impacts to streams and rivers as well as existing drainage on the subject sites. Consistent with the general plan EIR, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- d. *In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?*

Relatively small areas associated with the main streams that cross Novato, including Novato Creek and Arroyo San Jose, are subject to flooding from a 100-year storm and are designated as Special Flood Hazard Areas (FEMA 2021). These Special Flood Hazard Areas run northwest to southeast through the northern portion of the Plan Area and west to east through the southern portion of the Plan Area (FEMA 2021). Sites 3, 4, 5, 6 and 8 could be affected by these special flood zones. However, any development in flood zones within Novato is subject to compliance with the Novato Municipal Code, which contains several requirements and restrictions related to floodplain development, including siting restrictions for new structures and engineering design requirements for new development in floodplains. Encroachments, including fill, new construction, substantial improvements, and other development would be prohibited in floodways unless certification by a registered professional engineer or architect is provided demonstrating that encroachments would not result in any increase in flood levels during the occurrence of the base flood discharge. As discussed in the 2035 General Plan EIR, there is a tsunamis inundation zone that runs along the eastern boundary of the City. None of the proposed subject sites are near this boundary. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- e. *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

Novato is located within the Novato Valley Groundwater Basin, which is a low priority basin according to the Department of Water Resources (DWR) Sustainable Groundwater Management Act Basin Prioritization dashboard (DWR 2020). Low priority basins are not required to adopt a groundwater sustainability plan.

Development facilitated by the project would be subject to the San Francisco Bay Basin Water Quality Control Plan (Basin Plan) (SWRCB 2018). The San Francisco Bay RWQCB is responsible for adopting and updating the Basin Plan, which establishes water quality control measures and flow requirements needed to provide reasonable protection of beneficial uses in the watershed. As discussed in criterion (a), the project would be required to comply with NPDES requirements and portions of the NMC, such as Chapter 7-4 (Urban Runoff Pollution Prevention) and Chapter 7-5 (Regulatory Fee for Clean Stormwater Activities) relevant to water quality. The project would therefore not conflict with or obstruct implementation of the Basin Plan.

As discussed in Section 19, *Utilities and Service Systems*, the City of Novato is served by the NMWD which provides potable and recycled water service to the City, surrounding unincorporated areas, and portions of West Marin. Approximately 80 percent of the Novato water supply comes from the Russian River through the NMWD wholesale water supplier, the Sonoma County Water Agency. The remaining 20 percent comes from local runoff into Stafford Lake. NMWD has no local, developed groundwater sources (NMWD 2016).

Residential General Plan and Zoning Amendments

Additionally, as discussed under criterion (a), development facilitated by the project would be required to include features that comply with NMC Sections 7-4.6 and 7-4.10(d), which require the project to be designed to control pollutants, pollutant loads, and runoff volume to the maximum extent feasible by minimizing impervious surface area and controlling runoff from impervious surfaces through infiltration, evapotranspiration, bioretention, and/or rainfall harvest and use, which would decrease the amount of runoff from the site, allowing for more infiltration. Development facilitated by the project would not use groundwater and would not conflict with a sustainable groundwater management plan. Consistent with the General Plan EIR, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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11 Land Use and Planning

EIR Evaluation Criteria	Where Was Impact Analyzed in the EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?		
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?
Would adoption of the proposed project						
a. Physically divide an established community?	EIR pages 4.9-10 through 4.9-12	Less than significant	None	No	No	No
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?	EIR pages 4.9-13 through 4.9-20	Less than significant	None	No	No	No

General Plan 2035 EIR Summary

The General Plan EIR determined that impacts to land use and planning would be less than significant as they pertain to conflicts with applicable land use plans, population growth, and potential to displace people or existing housing. It found that the General Plan would also have a less than significant impact associated with the physical division of an established community.

Impact Analysis

a. Would the project physically divide an established community?

The proposed project would prioritize the development on infill sites within areas of the City. Reasonably foreseeable development under the proposed project would occur in an already generally urbanized area and would not involve the construction of new roads, railroads, or other features that may physically divide established communities in the City. Therefore, consistent with the General Plan EIR, there would be less than significant impacts associated with the physical division of an established community.

LESS THAN SIGNIFICANT IMPACT

b. Would the project 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?

The proposed project would facilitate new housing primarily on urban infill sites within Novato. Development facilitated by the project would be required to comply with all adopted local and State laws, regulations, standards and policies. Consistent with the General Plan EIR, impacts related to conflicts with land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect would be less than significant.

LESS THAN SIGNIFICANT IMPACT

12 Mineral Resources

EIR Evaluation Criteria	Where Was Impact Analyzed in the EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?		
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?
Would adoption of the proposed 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?	EIR page 4.17-2	Less than significant	None	No	No	No
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?	EIR page 4.17-2	Less than significant	None	No	No	No

General Plan 2035 EIR Summary

The General Plan EIR discusses mineral resources in Section 4.17, *Effects Found Not to Be Significant*. The General Plan EIR determined that there are no active quarry operations in the City, and General Plan 2035 Policy ES 19 recognizes designated mineral resources and mineral resources sites to continue their conservation. Therefore, impacts would be less than significant.

Impact Analysis

- a. *Would the project 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?*
- b. *Would the project 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?*

The primary extractive resources located within Novato include sand and gravel. However, there are no active quarry operations in the City (USGS 2022). Therefore, no impact from the loss of availability of a mineral resource would occur as a result of the project.

NO IMPACT

13 Noise

EIR Evaluation Criteria	Where Was Impact Analyzed in EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162(a) Occur?	Project is within the Scope of General Plan EIR?
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
Would the project								
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?	EIR Page 4.10-7	Less than significant with mitigation	N-1	No	No	No	Yes	Yes
b. Generation of excessive ground-borne vibration or groundborne noise levels?	EIR Pages 4.10-8 to 4.10-14	Less than significant with mitigation	N-2	No	No	No	Yes	Yes
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	EIR Page 4.10-17	Less than significant	None	No	No	No	Yes	Yes

	Where Was Impact Analyzed in EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162(a) Occur?	Project is within the Scope of General Plan EIR?
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Substantial Information of Importance Requiring New Analysis or Verification?		
EIR Evaluation Criteria								
	or working in the project area to excessive noise levels?							

General Plan 2035 EIR Summary

The General Plan EIR determined that impacts to ambient noise and ground borne vibration would be mitigated to less than significant with implementation of Mitigation Measures N-1 and N-2. Implementation of the proposed policies and actions of the General Plan would ensure all other noise impacts would be less than significant. Mitigation Measures N-1 and N-2 are reproduced below.

N-1 Construction Noise Reduction Measures

The following measures to minimize exposure to construction noise shall be included as standard conditions of approval for applicable projects involving construction:

1. *Mufflers.* During excavation and grading construction phases, all construction equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers consistent with manufacturers' standards.
2. *Stationary Equipment.* All stationary construction equipment shall be placed so that emitted noise is directed away from the nearest sensitive receptors.
3. *Equipment Staging Areas.* Equipment staging shall be located in areas that will create the greatest distance feasible between construction-related noise sources and noise-sensitive receptors.
4. *Smart Back-up Alarms.* Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction.

N-2 Construction Vibration Reduction Measures

The following measures to minimize exposure to construction vibration shall be included as standard conditions of approval for applicable projects involving construction:

1. *Building Examination.* The pre-existing condition of any buildings within 25 feet of any construction activities shall be recorded in order to evaluate damage from project-related construction. Fixtures and finishes within a 25-foot radius of construction activities susceptible to damage will be documented (photographically and in writing) prior to construction. All damage will be repaired back to its pre-existing condition.
 - i. *Stationary Equipment.* All vibratory stationary construction equipment shall be placed as far as possible from the nearest sensitive receptors.
 - j. *Equipment Staging Areas.* Equipment staging shall be located in areas that will create the greatest distance feasible between construction-related vibration sources and noise-sensitive receptors.

Impact Analysis

- a. *Would the project result in 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?*

Construction Noise

The Housing Element Update would facilitate new development in the City, the construction of which could generate temporary noise levels in excess of the standards in the City of Novato Municipal Code Section 19.22.070 and the Safety and Noise Element of the Novato General Plan. In addition, according to the City’s Municipal Code Section 19.22.070(7), construction noise is exempted during weekdays between 7:00 a.m. and 6:00 p.m. and between 10:00 a.m. and 5:00 p.m. on Saturdays, excluding national holidays.

Noise from construction facilitated by the Housing Element Update would create temporary noise level increases on and adjacent to individual construction sites. Since there are no specific plans or time scales for development facilitated by the Housing Element Update, it is not possible to determine exact noise levels, locations, or time periods for construction of such projects. However, sites adjacent to areas where most future development is anticipated to occur would be exposed to the highest levels of construction noise for the longest duration.

Table 8 illustrates typical noise levels associated with construction equipment. At a distance of 50 feet from the construction site, noise levels similar to those shown in Table 8 would be expected to occur during individual development projects, depending on the types of constructing equipment used. Noise would typically drop off at a rate of about 6 dBA per doubling of distance. Therefore, noise levels would be about 6 dBA lower than shown in the table at 100 feet from the noise source and 12 dBA lower at a distance of 200 feet from the noise source.

Table 8 Typical Noise Levels from Equipment at Construction Sites

Equipment	Typical Noise Level (dBA)		
	50 feet from Source	100 feet from Source	200 feet from Source
Air Compressor	80	74	68
Backhoe	80	74	68
Concrete Mixer	85	79	73
Dozer	85	79	73
Grader	83	77	71
Paver	85	79	73
Pile-driver (impact)	101	95	89
Saw	76	70	64
Scraper	85	79	73
Truck	84	78	72

Source: FTA 2018

As shown in Table 8, noise levels from construction activity could approach 101 dBA L_{eq} at adjacent land uses located approximately 50 feet away. Construction noise would exceed noise standards included in Section 19.22.070 of the Novato Municipal Code (60 dB for construction between the hours of 6 a.m. and 10 p.m.) and may temporarily disturb people at neighboring properties. However, because construction noise is exempt from these requirements between the hours of 6 a.m. and 10 p.m., impacts would be less than significant.

Operational Noise

The operation of new development facilitated by the Housing Element Update has the potential to generate vehicle trips to and from individual projects and include operational noise sources including, but not limited to, heating, ventilation and air conditioning (HVAC) equipment and hauling/delivery vehicles.

Delivery trucks are assumed to generate a noise level of 68 dBA L_{max} at 30 feet from the source (Charles M. Salter Associates, Inc. 2017). However, noise from delivery and loading trucks would be temporary and intermittent noise and would be limited to five minutes per the California Code of Regulations Section 2485.

Since implementation of the proposed project would require similar HVAC equipment as envisioned in the General Plan 2035 EIR, operational noise impacts from HVAC would not be more severe than analyzed under the approved project.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

- b. *Would the project result in generation of excessive groundborne vibration or groundborne noise levels?*

Construction activity can result in varying degrees of ground vibration depending on the equipment and methods employed. Development proposed under the Housing Element Update would not result in operational vibration. Therefore, this analysis focuses on vibration during construction. Operation of construction equipment causes vibrations that spread through the ground and diminish in strength with distance. Groundborne vibration related to human annoyance is generally related to root mean square (RMS) velocity levels expressed in vibration decibels (VdB).

The Housing Element Update would facilitate the construction of residential units in the City. Certain types of construction equipment that would potentially be utilized during construction activities facilitated by the proposed Housing Element Update, such as vibratory rollers, bulldozers, and jackhammers would be similar to those analyzed in the General Plan 2035 EIR. As discussed in the General Plan 2035 EIR, at close distances and if uncontrolled, construction vibration could reach levels that result in potential architectural building damage or potential annoyance. Section 19.22.070 of the City's Municipal Code prohibits construction activities between the hours of 6:00 p.m. and 7:00 a.m. on weekdays, 5:00 p.m. and 10:00 a.m. on Saturdays, and on any Sunday or federal holiday. The Municipal Code requirements reduce exposure to construction vibration by limiting construction activities to the less-sensitive daytime hours. Since implementation of the proposed project would require similar types of construction equipment as envisioned in the General Plan 2035 EIR, temporary vibration impacts would not be more severe than analyzed under the approved project and Mitigation Measure N-2 would be required to reduce construction to a level of less than significant.

LESS THAN SIGNIFICANT IMPACT

- 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?*

Gross Field Airport is a County-owned, general aviation airport that has no scheduled commercial flights. However, the airport has numerous private aircraft operations and an air taxi service. None of the subject sites are within the noise contours of the Gross Field Airport.

Additionally, General Plan 2035 includes policy NS 1c which requires consideration of an acoustical study and noise mitigation for residential development within the 55 dBA CNEL contour. NS 1c also requires disclosure of noise levels to residents who may live in an area where outdoor noise exceeds or is anticipated to exceed 60 dBA L_{dn} . Section 3.3.3 of the Gross Field Airport Land Use Plan, Planning Considerations, also prohibits residential development within the 60 dBA CNEL noise contour, and requires noise easements for development within the 55 dBA CNEL noise contour.

According to the General Plan 2035 and Gross Field Airport Land Use Plan, residential development included in the Housing Element Update should not be located within the 60 dBA CNEL contour included in the Airport Land Use Plan. None of the subject sites are within the 60 dBA noise contours of the airport; therefore,, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

14 Population and Housing

EIR Evaluation Criteria	Where Was Impact Analyzed in EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15164(a) Occur?	Project is within the Scope of General Plan EIR?
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
Would adoption of the proposed project :								
a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	EIR pages 4.11-4 to 4.11-5	Less than significant	None	No	No	No	Yes	Yes
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	EIR pages 4.11-5 to 4.11-6	Less than significant	None	No	No	No	Yes	Yes

General Plan 2035 EIR Summary

The General Plan EIR discusses population and housing in Section 4.11, Population and Housing. The General Plan EIR determined that the proposed General Plan would accommodate approximately 935 new residential units and 3,340 new residents; however, it would not result in substantial population growth, nor would it result in displacement of housing or people. Impacts to population and housing would be less than significant. Therefore, implementation of the General Plan would result in a less than significant impact relating to population growth and the displacement of people or housing.

Impact Analysis

- a. Would the project 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)?*

Development facilitated by the proposed project would occur on infill and underutilized parcels of Novato, which could increase development density throughout the city. The subject sites could potentially accommodate up to 1,643 new residential units. Development facilitated by the project would result in 3,966 new residents. While this is higher than the 3,340 new residents previously analyzed in the General Plan EIR, the proposed project would result in housing that would allow the city to meet their Regional Housing Needs Allocation (RHNA) as required by California law based on the growth projections of the City. Novato's RHNA requirement is 2,090 units for 2023-2031. The 1,643 units facilitated by the proposed project would be within the number of units identified in Novato's RHNA allocation which is intended to meet the needs of planned residential growth in Novato. Additionally, while the proposed project would result in an increase in residential units and population as compared to what was assumed in the 2035 General Plan, the project would result in a decrease of 897,300 sf of commercial, office, and retail space and a decrease of 124 hotel rooms and 24 gas pumps. Additionally, not every site will necessarily be rezoned. They are being analyzed for potential rezoning if needed to comply with the No Net Loss requirements of State law. Therefore, impacts would remain less than significant. Therefore, consistent with the General Plan EIR, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

Development on the subject sites would involve new development and redevelopment projects on infill and underutilized sites. As discussed in the project description, none of the subject sites are currently developed with a residential use; therefore, development facilitated by the proposed project would not result in the displacement of existing housing units and residents. Therefore, impacts would be less than significant and consistent with the General Plan 2035 EIR.

LESS THAN SIGNIFICANT IMPACT

15 Public Services

EIR Evaluation Criteria	Where Was Impact Analyzed in EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15164(a) Occur?	Project is within the Scope of General Plan EIR?
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
<p>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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:</p>								
a. Fire protection?	EIR pages 4.12-9 through 4.12-10	Less than significant	None	No	No	No	Yes	Yes
b. Police protection?	EIR pages 4.12-10 through 4.12-11	Less than significant	None	No	No	No	Yes	Yes
c. Schools?	EIR page 4.12-11	Less than significant	None	No	No	No	Yes	Yes
d. Parks?	EIR pages 4.13-2 through 4.13-3	Less than significant	None	No	No	No	Yes	Yes
e. Other public facilities?	EIR page 4.12-12	Less than significant	None	No	No	No	Yes	Yes

General Plan 2035 EIR Summary

The General Plan EIR found that all impacts to public services would be less than significant, as adherence to General Plan 2035 policies would reduce potential impacts due to increased population.

Impact Analysis

a.1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

Fire protection services in Novato are provided by the Novato Fire Protection District (NFPD). The proposed project would not expand the NFPD service area but would facilitate additional structures and population within the existing service area. As described in Section 14, *Population and Housing*, the proposed project would facilitate the development of approximately 1,643 residential units in the Plan Area. The additional housing units would result in approximately 3,966 additional persons to the city and to the NFPD area.

This increase in development and population generated by the proposed project would increase demand for fire protection services and may require provision of new or physically altered fire protection facilities. NFPD completed major renovations of Fire Station 64 in 2015. In the NFPD's most recent Strategic Plan, the NFPD identifies one of its major goals as being to "develop a facilities maintenance and review program to address physical resources needs." While facilities maintenance needs are a concern for the NFPD, no future plans for expansion or renovation of NFPD facilities exist. Thus, the specific environmental impact of constructing a new fire protection facility in the planning area cannot be determined at this programmatic level of analysis because no specific projects are proposed. However, development and operation of public facilities, such as a new fire protection facility, may result in potentially significant impacts that can be addressed by various General Plan 2035 goals and policies.

General Plan 2035 goals and policies aimed at reducing impacts related to the provision of fire service in the Plan Area include: Goals LU 3, SH 3 and Policies LU 3a, LU 3b, LU 3c and SH 3a. Goal LU 3 which calls for the City to plan infrastructure and service levels to provide capacity for the total amount of development expected by 2035. This would be achieved through implementing policies LU 3a through LU 3c which require the city to review growth associated with the proposed project and adjust service levels, infrastructure capacity and impact fees to meet the needs of the community; coordinate growth projections and planning of infrastructure and public services with the water, sanitary, fire protection and school districts; and continue to analyze the impacts of development on infrastructure capacity and services as a part of CEQA review. Additionally, Goal SH 3 calls for the City to continue to enforce fire code through review of all development proposals for fire risk and through coordination with the Novato Fire Protection District.

Population growth accommodated under the proposed project may contribute to a cumulative need for additional fire protection, but would not, by itself, necessitate the need for substantial new fire protection facilities. The population growth accommodated under the proposed project would be minor compared to the existing service population of the NFPD (approximately 6 percent of the existing service population).

Additionally, all new development that would occur under the proposed project would be required to comply with all applicable federal, State, and local regulations governing the provision of fire protection

services, including adequate fire access, fire flows, and number of hydrants, such as the 2022 California Fire Code and 2022 California Building Code. The 2022 California Fire Code contains project-specific requirements such as construction standards in new structures and remodels, road widths and configurations designed to accommodate the passage of fire trucks and engines, and requirements for minimum fire flow rates for water mains. The 2022 California Building Code requirements for construction, access, water mains, fire flows, and hydrants, and would be subject to review and approval. Consistent with the General Plan EIR, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

a.2. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

Police service in Novato is provided by the Novato Police Department (NPD). Implementation of the proposed project would result in an increase in development and population in the city. According to the 2035 General Plan EIR, Novato maintains a ratio of 1.12 sworn police officers to every 1,000 residents. There are 60 sworn officers in the Novato police department. The additional 3,966 residents added to the Plan Area with development associated with the proposed project would bring Novato's total population to 55,358. With 60 officers, the ratio of sworn officers per 1,000 residents would be 1.09, therefore, to maintain existing service ratios, NPD may need to add two additional officers. It is not anticipated that two new officers would require construction of new police facilities. Consistent with the General Plan EIR, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

a.3. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

All future development associated with the proposed project would be required to pay school impact fees which, pursuant to Section 65995 (3) (h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), are "deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization." With payment of mandatory school impact fees by developers in the city, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

a.4. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

See Section 16, *Recreation*, regarding impacts to parks.

LESS THAN SIGNIFICANT IMPACT

a.5. Would the project result in substantial adverse physical impacts associated with the provision of other new or physically altered public facilities, or the need for other new or physically altered

public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

Rezoning of all the rezoning sites would result in an increase of 3,966 new residents in the City. This increase in population would result in increased demand for public services such as libraries. Library service in Novato is provided by Marin County Free Library (MCFL). MCFL retains independent decision-making authority, and a new library building would be a project subject to its own CEQA review. Therefore, consistent with the General Plan EIR, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

16 Recreation

EIR Evaluation Criteria	Where Was Impact Analyzed in the EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?		
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?
Would adoption of 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?	EIR pages 4.13-2 through 4.13-3	Less than significant	None	No	No	No
b. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	EIR pages 4.13-2 through 4.13-3	Less than significant	None	No	No	No

General Plan 2035 EIR Summary

The General Plan EIR discusses recreational facilities in Section 4.13 *Recreation*. The General Plan EIR determined that impacts to existing park and recreational facilities and the necessity for new and/or expanded recreational facilities would be less than significant with implementation of the General Plan policies and actions such as Policy LW 2, and no mitigation was found to be necessary.

Impact Analysis

- a. *Would the project 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?*

Novato has 439 acres of existing parks (City of Novato 2020). The Novato Municipal Code Section 9-20 contains a general standard requiring 4.5 acres of neighborhood and community park and recreational purposes per 1,000 residents and requires new development either dedicate land or pay a fee to meet this standard. The proposed project would increase City population by 3,966 persons which, in turn, could increase demand for City parkland resources. Buildout of proposed project would thus increase total City population to 56,587 persons. Assuming approximately 439 acres of parkland in Novato, there would be over eight acres of parkland per 1,000 Novato residents, thus meeting the City's park dedication standard. Therefore, consistent with the General Plan EIR, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The project would rezone subject sites in infill and underutilized areas to assist in meeting the City's projected housing need. The project would not include the construction of recreational facilities and would not require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. Therefore, consistent with the General Plan EIR, any direct or indirect impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

17 Transportation

EIR Evaluation Criteria	Where Was Impact Analyzed in EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162(a) Occur?	Project is within the Scope of General Plan EIR?
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
Would adoption of the proposed project:								
k. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	EIR Pages 4.14-25 to 4.14-36	Significant and unavoidable with mitigation	T-1	No	No	No	Yes	Yes
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?	EIR Pages 4.14-42 to 4.14-43	Less than significant	None	No	No	No	Yes	Yes
d. Result in inadequate emergency access?	EIR Pages 4.14-43 to 4.14-44	Less than significant	None	No	No	No	Yes	Yes

General Plan 2035 EIR Summary

The General Plan EIR does not address consistency with *CEQA Guidelines* Section 15064.3, subdivision (b), since the General Plan EIR was prepared and certified prior to the adoption of the CEQA VMT requirements included in Senate Bill (SB) 743. The General Plan EIR analyzed Level of Service (LOS) instead of Vehicle Miles Traveled (VMT) and found that traffic impacts would be potentially significant. Mitigation Measure T-1 would reduce intersection level-of-service traffic impacts to less than significant. However, impacts to the Redwood Boulevard/ San Marin Drive, US 101 South Ramps/ San Marin Drive, US 101 North Ramps/ Atherton Avenue, US 101 South Ramps/ Ignacio Boulevard Enfrente Road intersections would remain significant and unavoidable even with incorporation of Mitigation Measure T-1 and applicable goals and policies from the General Plan. It was also found that new development facilitated by the General Plan would conflict with the County of Marin Congestion Management Program. Specifically impacts related to LOS standards on Bel Marin Keys Boulevard would be potentially significant. With implementation of Mitigation Measure T-1 and applicable general plan goals and policies, impacts would remain significant and unavoidable. All other transportation-related impacts were found to be less than significant without the need for mitigation.

On September 27, 2013, Governor Jerry Brown signed Senate Bill (SB) 743 into law. SB 743 changed the way transportation impact analysis is conducted as part of CEQA compliance. These changes eliminated automobile delay, level of service (LOS), and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts under CEQA. Prior rules treated automobile delay and congestion as an environmental impact. Instead, SB 743 requires the *CEQA Guidelines* to prescribe an analysis that better accounts for transit and reducing greenhouse gas emissions. In November 2017, Office of Planning and Research (OPR) released the final update to *CEQA Guidelines* consistent with SB 743, which recommend using vehicle miles traveled (VMT) as the most appropriate metric of transportation impact to align local environmental review under CEQA with California's long-term greenhouse gas emissions reduction goals. The *Guidelines* require all jurisdictions in California to use VMT-based thresholds of significance by July 2020. Therefore, VMT impacts of the proposed project as discussed below.

Impact Analysis

- e. *Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

The proposed project does not include construction of any residential units or commercial facilities. Development facilitated by the proposed project would be required to comply with the 2035 General Plan, and the City of Novato Bicycle/Pedestrian Plan. As discussed below, the project would result in a less than significant VMT impact, as it would result in lower VMT and daily trips than the buildout assumed in the 2035 General Plan. Development facilitated by the proposed project would be required to comply with the 2035 General Plan, and The City of Novato Bicycle/Pedestrian Plan. Policies included as part of the 2035 General Plan would require development facilitated by the proposed project to incorporate sidewalks, crosswalks, and bike lanes into any new or retrofitted road development and implement transportation demand reduction measures to reduce daily trips. Additionally, site plans for any development proposed on the subject sites would be reviewed by City staff for consistency with the aforementioned general plan policies and policies included in the Novato Bicycle/Pedestrian Plan. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- f. *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

Development on the subject sites would emphasize the creation of new housing units within urban infill areas of the City, which may allow for development of currently undeveloped parcels and for alteration, intensification, or redistribution of existing residential land uses. This could result in increased traffic compared to existing conditions. Trips generated as a result of increased density or new development under the proposed project have the potential to increase vehicle miles traveled (VMT) within Novato. A Focused Transportation Analysis was prepared by W-Trans in May 2023 (Appendix A). This analysis used the TADM model to compare the estimated daily trip generation potential for each rezone site under buildout conditions of both the proposed project and under General Plan 2035 assumptions. Rezoning the eight subject sites would shift non-residential daily trips to residential daily trips, resulting in a reduction of total vehicle trips. Overall, the proposed project would result in 5,672 fewer daily trips and a net decrease of 39,454 daily VMT as compared to the build-out assumed in the 2035 General Plan EIR. The net decrease in VMT is based on 99,612 total VMT associated with non-residential daily trips as compared to 60,158 total VMT resulting from residential daily vehicle trips. Because the proposed project would result in a net decrease of total VMT as compared to the buildout assumed by the 2035 General Plan, impacts would be less than those of the 2035 General Plan buildout. Therefore, impacts would be less than significant than those previously identified in the General Plan EIR. Overall, VMT impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- c. *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?*
- d. *Would the project result in inadequate emergency access?*

Development facilitated by the proposed project would be required to comply with policies in the 2035 General Plan that are intended to result in roadway designs that safely accommodate all users including Policy MO-8a which would revise the development standards of the Municipal Code to include complete streets design principles to aid in the design and assessment of new or retrofitted roadways. Additionally, the City of Novato maintains improvement standards that guide the construction of new transportation facilities to minimize design hazards for all users of the system. Through the environmental, entitlement and/or permitting review process, land use proposals that would add traffic to streets not designed to current standards would be evaluated. New and upgraded roadways needed to accommodate new development facilitated by the proposed project would be designed according to applicable Federal, State, and local design standards. Additionally, The Novato Fire Protection District evaluates all new construction for adequate emergency access. The State Fire Code, though its local adoption gives the Fire Chief authority to require adequate facilities such as minimum width and clear heights, turnarounds, and secondary means of ingress/egress. Therefore, consistent with the General Plan EIR, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

18 Tribal Cultural Resources

EIR Evaluation Criteria	Where Was Impact Analyzed in EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15164(a) Occur?	Project is within the Scope of General Plan EIR?
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
Would adoption of the project:								
a. 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)?	EIR Page 4.15-3	Less than significant	TCR-1	No	No	No	Yes	Yes
b. 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 c of Public Resources Code Section 5024.1?	EIR Page 4.15-3	Less than significant	TCR-1	No	No	No	Yes	Yes

General Plan 2035 EIR Summary

The General Plan EIR discusses Tribal Cultural Resources in Section 4.15, *Tribal Cultural Resources*. The EIR determined that impacts to tribal cultural resources would be less than significant with implementation of Mitigation Measure TCR-1, which requires compliance with Assembly Bill (Assembly Bill) 52.

Impact Analysis

- a. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is 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)?*
- b. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074 that is 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 (c) of Public Resources Code Section 5024.1?*

The project would prioritize the development of new housing on infill sites in areas that have previously been developed and disturbed. It is likely that previous grading, construction, and modern use of the sites would have either removed or destroyed tribal cultural resources within surficial soils. Nonetheless, there is the potential for tribal cultural resources to exist below the ground surface throughout the City, which could be disturbed by grading and excavation activities associated with new housing development. Development facilitated by the proposed project would be required to adhere to general plan policies, including the policy required by Mitigation Measure TCR-1 in the General Plan EIR, as well as state regulations such as SB 18. In accordance with the requirements of Senate Bill (SB) 18, the City contacted the California Native America Heritage Commission (NAHC) on March 1, 2022, seeking a list of local Native American tribal organizations to invite to consultation regarding potential future amendment of the land use and zoning designations of select properties to allow residential uses thereon. NAHC responded to the City's request on April 7, 2022, specifying the Federated Indians of Graton Rancheria and Guidiville Indian Rancheria as the Native American tribal organizations that should be invited to consult with the City.

On April 11, 2022, the City sent letters inviting these two tribes to consult with the City under the provisions SB 18 and AB 52. The invitations advised the tribes that if consultation was desired, then they must formally accept the invitation in writing within 90-days of receipt of the City's letter pursuant to SB 18 and accept the same relating to AB 52 within 30-days. The City received no response from Guidiville. On May 10, 2022, the City received letters from Graton accepting the City's invitation to consult pursuant to SB 18 and AB 52.

The City contacted Graton Rancheria on June 1, 2022, and June 20, 2022, to schedule a consultation meeting. Graton Rancheria responded on June 30, 2022, and on July 5, 2022, a consultation meeting was set for July 25, 2022. At the July 25, 2022, consultation meeting the City and Graton Rancheria discussed the particulars of possible future rezoning action to meet the City's RHNA. Graton Rancheria was particularly interested in the rezonings as there was concern about future development disturbing recorded and/or unrecorded cultural resources and tribal cultural resources. The City, at the time, advised Graton Rancheria that selection of the sites to be rezoned had not been formally settled. As a result, the City and Graton Rancheria agreed to continue consultation at a time when these sites were identified and cultural resources information was

available through the EIR process. The City will continue consultation with Graton Rancheria when specific development proposals submitted under the proposed project require it. Additionally, at their request, the City has agreed to notify Graton Rancheria of affordable housing opportunities for tribal members through the Below Market Rate housing program.

The General Plan goals and policies support reduction of impacts to tribal and cultural resources. Policies and actions in the General Plan included as mitigation in the General Plan EIR are implemented to help reduce impacts to the greatest extent possible. These policies and actions would be required with implementation of the proposed project. Therefore, consistent with the General Plan EIR, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

19 Utilities and Service Systems

EIR Evaluation Criteria	Where Was Impact Analyzed in EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162 Occur? (§15164(a))	Project is within the Scope of General Plan EIR?
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
Would adoption of 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?	EIR pages 4.5-16 through 4.5-18	Less than significant	None	No	No	No	Yes	Yes
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	EIR pages 4.5-18 through 4.5-19	Less than significant	None	No	No	No	Yes	Yes
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 project's projected	EIR pages 4.5-16 through 4.5-18	Less than significant	None	No	No	No	Yes	Yes

EIR Evaluation Criteria	Where Was Impact Analyzed in EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15162(a) Occur?	Project is within the Scope of General Plan EIR?
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
demand in addition to the provider's existing commitments?								
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?	EIR page 4.5-20	Less than significant	None	No	No	No	Yes	Yes
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	EIR pages 4.5-20 through 4.5-21	Less than significant with mitigation	GEO-1	No	No	No	Yes	Yes

General Plan 2035 EIR Summary

The General Plan EIR determined that impacts to utilities and services systems would be less than significant with the implementation of goals and policies included in the General Plan which require coordination between infrastructure planning and public services with the water, sanitary, fire protection, and school districts to ensure adequate wastewater capacity is available, and General Plan polices which require new developments to incorporate water-efficient design features and comply with NMWD regulations to reduce impacts to water supply. Additionally, the General Plan EIR determined that impacts related to solid waste would be less than significant with implementation of General Plan policies that guide the City to achieve a diversion rate of 80 percent by 2025 and 90 percent by 2035. Overall, impacts related to utilities and service systems would be less than significant.

Impact Analysis

- a. *Would the project 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?*
- c. *Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Reasonably foreseeable development facilitated by the proposed project would occur in urban areas that are served by existing utilities infrastructure, including wastewater, stormwater drainage, electrical power, natural gas, and telecommunications facilities.

Wastewater Generation

Wastewater treatment for development facilitated by the proposed project would be provided by existing infrastructure within the City. The Novato Sanitary District (NSD) provides wastewater collection, treatment, and disposal services for the Novato Community. Wastewater is transported to the Novato Treatment Plant (NTP) where most of the water undergoes primary and secondary treatment and is either discharged to San Pablo Bay or used for pasture irrigation. The NTP is designed for an average dry weather flow of 7.0 million gallons per day (MGD) and peak wet weather flow of 30.7 MGD. The NTP treats an average of 3.79 MGD per day. Therefore the NTP has a remaining capacity of 3.21 MGD for dry weather flow and 26.91 MGD for peak wet weather flow. (NSD 2023). Development facilitated by the proposed project would result in 0.344 MGD per day (using an estimate of 200 gallons/day per dwelling unit and 80 gallons/day per 1000 sf of commercial space) (City of Los Angeles 2006). Therefore, development facilitated by the proposed project would not exceed the remaining capacity of the NTP. Consistent with the General Plan EIR, impacts would be less than significant.

Stormwater

Novato is currently developed and served by existing stormwater infrastructure. The proposed project would facilitate development of residential units within infill areas of the city that are already developed or vacant and surrounded by development. Future development under the proposed project would be required to comply with the City's Municipal NPDES permit, which would reduce impacts associated with stormwater pollution. Additionally, pursuant to Novato Municipal Code Section 7-5, owners of real property in the City are required to pay an annual fee to the City for clean stormwater activities, which

include capital improvements to the City's storm drainage system. Therefore, consistent with the General Plan EIR, impacts would be less than significant.

Electricity, Natural Gas, and Telecommunications

Electricity in Novato is provided to the city by PG&E and MCE and natural gas service is provided by PG&E. Telecommunications services would be provided by Xfinity, AT&T, EarthLink, or other providers, at the discretion of future tenants. Telecommunications are generally available in the project area, and facility upgrades would not likely be necessary.

Operation and occupancy of new development facilitated by the proposed project would result in energy demand from new buildings and transportation fuel from new vehicle trips. It is anticipated that the proposed project would increase demand for electricity, natural gas, and transportation fuel compared to existing conditions. However, as discussed in Section 6, *Energy*, increased development density would not impact the capacities of local utilities infrastructure or require the expansion or construction of new facilities. Therefore, consistent with the General Plan EIR, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

Pursuant to the 2020 North Marin Water District (NMWD) UWMP, the NMWD has enough water supply to meet current demands. The UWMP projects water supplies and demand out to 2045, and projects that it will be able to meet projected demand in normal and multiple dry years through 2045 (NMWD 2020). NMWD projects to have excess water supply equaling approximately 4,800 acre-feet in multiple dry years in 2045. Development facilitated by the proposed project would result in approximately 462.004 acre feet per year using a generation rate of 120 percent of wastewater generation which is equal to 240 gallons/day per dwelling unit and 96 gallons/day per 1000 sf of commercial space. (City of Los Angeles 2006). Therefore, development facilitated by the proposed project would not exceed the supply capacity of NMWD. Consistent with the General Plan EIR, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- d. Would the project 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?*

Novato Sanitary District and Recology collect, transport, and dispose of solid waste for all residential and commercial uses in the City. Novato's solid waste is taken to Redwood Landfill. Development facilitated by the proposed project would be required to adhere to applicable laws and general plan goals and policies such as Goal ES 27 which guides the City to achieve a diversion rate of 80 percent by 2025 and 90 percent by 2035. With adherence to these waste diversion requirements and policies, development facilitated by the proposed project would not exceed the capacity of the Redwood Landfill. Consistent with the General Plan EIR, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

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In compliance with State legislation, any development project facilitated by the proposed project would be required to implement a Solid Waste Diversion Program and divert at least 75 percent of the solid waste generated from the applicable landfill site. Reasonably foreseeable development under the proposed project would comply with federal, State, and local statutes and regulations related to solid waste, such as the California Waste Integrated Waste Management Act (AB 939), the Solid Waste Integrated Resources Plan, and the City's recycling program. Consistent with the General Plan EIR, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

20 Wildfire

EIR Evaluation Criteria	Where Was Impact Analyzed in EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15164(a) Occur?	Project is within the Scope of General Plan EIR?
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
Would adoption of the project :								
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	EIR Pages 4.7-19 to 4.7-20	Less than significant	None	No	No	No	Yes	Yes
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?	EIR Pages 4.7-19 to 4.7-20	Less than significant	None	No	No	No	Yes	Yes
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?	EIR Pages 4.7-19 to 4.7-20	Less than significant	None	No	No	No	Yes	Yes

City of Novato
Residential General Plan and Zoning Amendments

EIR Evaluation Criteria	Where Was Impact Analyzed in EIR?	EIR Significance Conclusion	EIR Mitigation Measures	CEQA Guidelines Section 15162 Is a Subsequent EIR Needed?			Are Only Minor Technical Changes or Additions Necessary or Did None of the Conditions Described in §15164(a) Occur?	Project is within the Scope of General Plan EIR?
				Do the Proposed Changes Involve a New or Substantial Increase in the Severity of Previously Identified Impacts?	Are There New Circumstances Involving a New or Substantial Increase in the Severity of Previously Identified Impacts?	Is There New Information of Substantial Importance Requiring New Analysis or Verification?		
d. Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	EIR Pages 4.7-19 to 4.7-20	Less than significant	None	No	No	No	Yes	Yes

General Plan 2035 EIR Summary

The General Plan EIR discusses wildfire in Section 4.7, *Hazards and Hazardous Materials*. At the time, the General Plan EIR was prepared, there were no adopted thresholds for wildfire impacts under CEQA.

The General Plan EIR determined that impacts related to wildfire would be less than significant. Furthermore, General Plan Policies such as Policy SH 3a through SH 3j would require the City to review all development proposals for fire risk and require mitigation measures to reduce the probability of fire; continue to enforce the Fire Safety Ordinance requirements for sprinkler systems; require new developments within the Wildland-Urban Interface areas to develop and implement a vegetation management plan; ensure that new traffic signals include a system which allows emergency vehicles to change the signal; implement elements of the Novato Fire Protection District All Hazard Mitigation Program; encourage property owners to maintain defensible space; update fire safety ordinance to reflect current standards; ensure new public and critical facilities are located outside of Very High Fire Hazard Severity Zones; and review existing road widths to preserve emergency accessibility.

Setting

There are areas of moderate and high fire hazard severity in state responsibility areas around the city of Novato. The City itself is within a Local Responsibility Area (LRA). There are very high fire hazard severity zones (VHFHSZ) within the LRA in the southwest portion of the City.

Impact Analysis

- a. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?*

Most of Novato is located in an urbanized area surrounded by developed areas to the south, east, and west. The southern portion, west of Highway 101 are located in a Very High Fire Hazard Severity Zone (VHFHSZ) in Novato’s Local Responsibility Areas (LRA) (CalFire 2007)). Table 9 below shows the distance of each subject site to the nearest VHFHSZ within a state responsibility area (SRA). No site is within a VHFHSZ either in an LRA or SRA.

Table 9 Proximity of Subject Sites to Very High Fire Hazard Severity Zones

Site Number	Distance from Very High Fire Hazard Severity Zone
1	9.37 miles
2	9.20 miles
3	8.96 miles
4	8.02 miles
5	7.89 miles
6	7.91 miles
7	7.86 miles
8	7.76 miles
9	7.07 miles

Source: CalFire 2007

Construction activities associated with reasonably foreseeable new development facilitated by the proposed project could interfere with adopted emergency response or evacuation plans as a result of temporary construction activities within rights-of-way. However, temporary construction barricades or other obstructions that could impede emergency access would be subject to the City's permitting process, which requires a traffic control plan subject to City review and approval. Implementation of these plans would ensure that future development under the proposed project would not impair or physically interfere with adopted emergency response or evacuation procedures.

Increased housing development density under the proposed project could result in additional traffic on area roadways. However, in the event of a wildfire, implementation of the County's Emergency Response Plan would coordinate all the facilities and personnel of County government, along with the jurisdictional resources of the cities and special districts within the County, into an efficient organization capable of managing emergency evacuation for affected areas. Novato's Police and Fire Department would be responsible for ensuring that future development does not impair adopted emergency response or evacuation plans. As part of standard development procedures, future residential development plans would be submitted for review and approval to ensure that all new development has adequate emergency access and escape routes in compliance with existing City regulations.

Existing general plan policies discussed above would also ensure emergency service providers have sufficient access to existing and new development and minimum standards for evacuation. These policies would further reduce impacts from wildfire and emergency evacuation. Therefore, consistent with the General Plan EIR, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project, 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?*
- c. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project 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?*
- d. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

As mentioned above under *Impact a.* the City of Novato contains VHFHSZs and LRAs within the City limits. Portions of the City subject to wildland fire risk in VHFHSZs are subject to comply with California building codes and Novato's LHMP. The proposed project would focus on creating new residential development on urban infill sites and in areas that were previously developed or disturbed or are vacant and surrounded by existing development. However, as described in Table 9 above, all subject sites are outside of a fire hazard severity zone. Furthermore, all subject sites are over seven miles from a very high fire hazard severity zone; therefore, no subject sites are within or near a VHFHSZ.

Additionally, all new development facilitated by the proposed project would be required to comply with fire safety provisions established by the 2022 California Fire Code. Therefore, future development facilitated by the proposed project would not pose a substantial risk to people or structures due to wildland fires. Furthermore, reasonably foreseeable development facilitated by the proposed project

would not be anticipated to require additional roads, fuel breaks, emergency water sources, power lines, or other utilities that would exacerbate fire risk. Consistent with the analysis in the General Plan EIR, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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List of Preparers

Rincon Consultants, Inc. prepared this IS under contract to the City of Novato. Persons involved in data gathering analysis, project management, and quality control are listed below.

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City of Novato

Residential General Plan and Zoning Amendments

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May 30, 2023



Ms. Katherine Green
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Focused Transportation Analysis for the Novato Housing Element and Rezonings

Dear Ms. Green;

As requested, W-Trans has prepared a focused transportation analysis of the potential land use changes associated with implementation of the Novato Housing Element 2023 update, including associated rezonings of several parcels. The purpose of this letter is to determine whether the project would be likely to result in Vehicle Miles Traveled (VMT) levels or impacts that exceed those associated with buildout of the subject parcels consistent with the land use designations specified in the City of Novato *General Plan 2035* and the corresponding *Novato General Plan 2035 Draft Environmental Impact Report*. For informational purposes, a summary of the differences in vehicle trip generation between the proposed project and General Plan 2035 is also provided.

Background

This transportation analysis has been prepared by W-Trans to satisfy CEQA requirements, with modeling support provided by Kittelson & Associates (KAI). As required by the CEQA Guidelines, the primary determinant of significance related to transportation is focused on a quantitative assessment of vehicle miles traveled (VMT). VMT represents the number of daily miles driven and can be expressed in different ways including total VMT, which is an aggregate value measured in miles, and VMT per capita, which is a performance metric measured in the number of miles driven per person. Many factors affect VMT, including the average distance residents commute to work, school, and shopping, as well as the proportion of trips that are made by non-automobile modes. Areas that have a diverse land use mix and ample facilities for non-automobile modes of travel, including transit, tend to generate lower VMT than auto-oriented suburban areas.

This focus on VMT is a relatively recent change in CEQA, and relevant in that it has replaced the level of service (LOS) metric that was used to assess potential transportation impacts in the *Novato General Plan 2035 Draft Environmental Impact Report*. Historically, the transportation impacts of land development and transportation projects were evaluated based on the congestion-focused LOS metric, which is generally tied to the average delays that drivers experience. In 2013, Governor Brown signed SB 743, requiring amendments to the CEQA guidelines for analyzing transportation impacts. Through this action, Public Resources Code Section 21099 (b)(1) directed the California Governor's Office of Planning and Research (OPR) to prepare updated CEQA guidelines for adoption by the Natural Resources Agency, including revised transportation significance criteria. PRC Section 21099 (b)(2) further specifies that upon certification of the updated CEQA guidelines, "automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion, shall not be considered a significant impact on the environment." The use of VMT as a CEQA significance threshold became mandatory on July 1, 2020.

Methodology

TAMDM Model

Forecasts of travel by various modes in Marin County, including VMT projections, are determined using the Transportation Authority of Marin Demand Model (TAMDM). The travel model is a set of mathematical procedures and equations that represent the variety of transportation choices that people make, and how those choices result in trips on the transportation network. The TAM regional travel model is an activity-based model that is a member of the Coordinated Travel – Regional Activity-Based Modeling Platform (CT-RAMP) family of models. TAMDM is nested within the nine-county Bay Area Travel Model Two activity-based model maintained by the Metropolitan

Transportation Commission (MTC). The MTC version of the CT-RAMP features a very detailed spatial system including an all-streets transportation network with 4,800 Transportation Analysis Zones (TAZs) and almost 40,000 Micro-Analysis Zones (MAZs). The model also reflects 6,200 transit access points (TAPs).

The most recently updated version of the TAM regional activity-based travel demand model was used to identify the VMT generated by land uses in Novato, Marin County, and the entire Bay Area region. For the VMT analysis contained herein, the TAMDM 2040 scenario incorporating changes envisioned by long-range land use plans throughout the County and region was used to produce VMT estimates. The TAMDM requires land uses to be defined for each geographic area in the region, broken down to the MAZ level. The model land use inputs include numbers of households, persons and their attributes, employees by employment category, as well as enrollment at schools.

The transportation modeling completed for this analysis includes an assessment of nine sites, focusing on the comparative VMT differences resulting from buildout assumptions consistent with General Plan 2035 (and its associated EIR) versus what would result with buildout of the revised land use associated with the proposed project. KAI compiled the land use and population changes associated with the proposed project into a project-specific model run of the TAMDM model's 2040 forecast year scenario. From this model run, KAI extracted average trip length and VMT data for each of the MAZs containing one or more of the nine project sites for both residential and employment-based land uses.

Comparative VMT Assessment Approach

The applied VMT approach was structured to determine whether the proposed project would generate higher levels of VMT or potentially greater VMT impacts as compared to what was analyzed in the General Plan EIR. This form of analysis was chosen to support the CEQA Addendum to the General Plan EIR that is being prepared for the proposed project, which focuses on comparing the effects of General Plan 2035 to those that would occur with the project at a programmatic level.

The first step of the comparative VMT assessment was to estimate the daily vehicular trip generation potential of each site under buildout conditions both with the proposed project and under General Plan 2035 assumptions. The estimated quantities of each land use were developed by City staff for each site with assistance from the Housing Element update and CEQA consultant team. The buildout assumptions for General Plan 2035 without the proposed project are consistent with those analyzed in the General Plan 2035 EIR. The net difference in land use quantities resulting from implementation of the project versus what was estimated to be built under General Plan 2035 was then determined for each site.

The differences in estimated daily trip generation were then determined. The net difference in the quantities of each land use was multiplied by standard daily trip generation rates obtained from the *Trip Generation Manual*, 11th Edition, Institute of Transportation Engineers (ITE), 2021, to determine daily trips by land use. The number of residential units, and correspondingly the number of daily trips generated by residential uses at buildout, increases on all nine sites. In contrast, the proposed project would reduce the quantities of non-residential uses at buildout on all sites, resulting in reductions in non-residential daily trips.

The net differences in daily trips by land use were then multiplied by average trip lengths to establish total VMT estimates. Trip length data was extracted from the TAMDM year 2040 plus project scenario for both resident-based and employment-based trips. The net changes in residential and employment-based total VMT were then determined. Summing the total residential-based VMT and total employment-based VMT produces the total net change in total VMT associated with the project versus General Plan 2035.

The VMT associated with the net reductions in retail space that would result from the project are conservatively assumed to result in no change to regional VMT. This approach is consistent with the guidance contained in the OPR Technical Advisory, which indicates that local-serving retail development typically redistributes trips rather than creating new trips. OPR suggests that retail development of under 50,000 square feet may generally be considered local serving. On all sites in the proposed project where retail land use quantities would change, the net change would be less than 50,000 square feet. Such changes would be expected to cause shifts in where existing and future retail activity occurs, but would not be expected to result in net changes to VMT when

measured at the regional level. It is also noted that at the sites where retail quantities would be reduced, some local-serving retail uses would still remain onsite or on adjacent parcels.

Determination of VMT Impact

The proposed project would be considered to have a less-than-significant impact on VMT if it results in a lower level of total VMT than would have resulted from buildout of the sites under General Plan 2035 land uses.

Project Description

The proposed project would result in land use designation changes and rezones at nine sites within the City of Novato. Several of the sites are currently vacant land, while others have existing uses that would be entirely or partially eliminated. On all nine sites, the potential buildout condition resulting from implementation of the proposed project would be different than the buildout potential that was assumed and analyzed in the General Plan 2035 EIR. A summary of the buildout potential of the nine sites with the proposed project versus General Plan 2035 is shown in Table 1.

Table 1 – Comparison of Project Versus General Plan 2035 Buildout Potential			
Site	Changes from Existing		Difference Between Proposed Project and General Plan 2035 EIR
	Proposed Project	General Plan 2035 EIR	
1. Valley Oaks	+81 units	+180.0 ksf office	+81 residential units -180.0 ksf office
2. Meadow Crest/ Wood Hollow	+20 units	+24.0 ksf office	+20 residential units -24.0 ksf office
3. Fireman’s Fund	+1,300 units +5.0 ksf retail -711.0 ksf office	+30.0 ksf retail	+1,300 residential units -25.0 ksf retail -711.0 ksf office
4. The Square Shopping Center	+93 units -62.1 ksf retail	+53 units -24.8 ksf retail	+40 residential units -37.3 ksf retail
5. Baywood Center	+22 units -32.5 ksf office	None	+22 residential units -32.5 ksf office
6. Mission Lodge	+19 units +8.0 ksf retail	+16.2 ksf retail	+19 residential units -8.2 ksf retail
7. Diablo Office Building	+6 units -6.7 ksf office	None	+6 residential units -6.7 ksf office
8. The Pavillions	+34 units	+26.6 ksf office	+34 residential units -26.6 ksf office
9. Hanna Ranch	+243 units	+48 units +26.0 ksf retail +124 hotel rooms +24 gas pumps	+195 residential units -26 ksf retail -124 hotel rooms -24 gas pumps
Total Development Potential Net Change Proposed Project vs. General Plan 2035			+1,717 residential units -980.8 ksf office -96.5 ksf retail -124 hotel rooms -24 gas pumps

Note: ksf = 1,000 square feet

Trip Generation

The anticipated vehicle trip generation associated with the proposed project was estimated using standard rates published by the Institute of Transportation Engineers (ITE) in *Trip Generation Manual*, 11th Edition, 2021. Rates for several different land use categories in the *Trip Generation Manual* were used to estimate daily and p.m. peak hour trips. While daily trip generation is applicable to CEQA-based VMT analyses, p.m. peak hour trip generation was also included for informational purposes as it typically reflects the worst-case period for LOS. Residential land use categories include Single Family Housing (LU #210); Multifamily Housing Low-Rise (LU #220), which includes multi-family complexes with one to two levels; and Multifamily Housing Mid-Rise (LU #221), which includes multi-family complexes with three to 10 levels. Note that ITE provides separate trip generation rates for multifamily residential uses that are close to rail transit; for the purposes of this analysis, however, rates for multifamily *not* close to rail transit were applied uniformly to provide a conservative analysis, even though several sites are within walking or biking distance of SMART stations. Rates for General Office (LU #710) were applied to office uses, and rates for Hotel (LU #710) were applied to the hotel use. Retail trip generation was estimated using rates for Strip Retail Plaza <40k (LU #822) and were adjusted to reflect typical combined pass-by and internal trip deductions of 40 percent. Similarly, trips associated with the gas station were estimated using Gasoline/Service Station rates (LU #944), which were adjusted to include a 60 percent reduction for pass-by or internal trips.

The differences in the aggregate trip generation potential associated with buildout of the nine sites with the proposed project as compared to that resulting from buildout of General Plan 2035 is summarized in Table 2. Buildout of the sites with the proposed project’s rezonings would be expected to generate approximately 5,672 fewer daily trips and 1,042 fewer p.m. peak hour trips than would have resulted from buildout of the parcels under General Plan 2035.

Table 2 – Comparison of Project Versus General Plan 2035 Buildout Trip Generation

Land Use	ITE LU#	Units	Daily		PM Peak Hour	
			Rate	Trips	Rate	Trips
Single Family Housing	210	445 du	9.43	4,196	0.94	418
Multifamily Housing (Low-Rise)	220	356 du	6.74	2,400	0.51	182
Multifamily Housing (Mid-Rise)	221	916 du	4.54	4,159	0.39	357
Hotel	310	-124 rooms	7.99	-991	0.59	-73
General Office Building	710	-980.8 ksf	10.84	-10,632	1.44	-1,412
Strip Retail Plaza (<40k) ¹	822	-96.5 ksf	32.67	-3,153	3.95	-381
Gasoline/Service Station ²	944	-24 pumps	68.80	-1,651	5.56	-133
Total				-5,672		-1,042

Notes: du = dwelling unit; ksf = 1,000 square feet
¹ rates reflect reduction of 40% to account for pass-by and internal trips
² rates reflect reduction of 60% to account for pass-by and internal trips

For the purposes of the comparative VMT assessment, the net changes in daily trip generation were also determined individually for each of the project sites using the same trip generation rates, as described below.

VMT Analysis

The estimated daily trips associated with buildout of the changes in land use on each site were multiplied by the estimated total trip lengths obtained from the custom TAMDM model run to determine the anticipated net change in total VMT. Compared to the estimated total VMT that would occur with buildout of General Plan 2035, the proposed project would result in a net decrease of 39,454 total daily VMT. This net change consists of an increase in 60,158 total VMT associated with residential uses and a decrease of 99,612 total VMT associated with employment-based non-residential uses.

Because buildout of the sites would result in a net decrease in total VMT with the project as compared to General Plan 2035 and would therefore reduce the level of impact analyzed in the General Plan 2035 EIR, the VMT impact would be considered *less than significant*.

A summary of the comparative VMT assessment for the nine sites and for the project in aggregate is shown in Table 3.

Table 3 – Comparison of Project Versus General Plan 2035 Buildout Vehicle Miles Traveled

Site Use	Units	Daily Vehicle Trips			Average MAZ Trip Length			Vehicle Miles Traveled (VMT)			
		Rate	Residential	Nonresidential	Total	MAZ	Residential	Employment	Residential	Employment	Total
1 Single Family	61 du	9.43	575		575	811687	4.53		2,606		2,606
Multifamily (Low-Rise)	20 du	6.74	135		135		4.53		611		611
Office	-180.0 ksf	10.84		-1,951	-1,951			9.90		-19,317	-19,317
2 Multifamily (Low-Rise)	20 du	6.74	135		135	811687	4.53		611		611
Office	-24.0 ksf	10.84		-260	-260			9.90		-2,576	-2,576
3 Single Family	384 du	9.43	3,621		3,621	811222	5.41		19,590		19,590
Multifamily (Mid-Rise)	916 du	4.54	4,159		4,159		5.41		22,498		22,498
Retail	-25.0 ksf	32.67		-817	-817					*	0
Office	-711.0 ksf	10.84		-7,707	-7,707			9.22		-71,061	-71,061
4 Multifamily (Low-Rise)	40 du	6.74	270		270	813732	8.31		2,240		2,240
Retail	-37.3 ksf	32.67		-1,219	-1,219					*	0
5 Multifamily (Low-Rise)	22 du	6.74	148		148	813604	3.58		531		531
Office	-32.5 ksf	10.84		-352	-352			9.15		-3,224	-3,224
6 Multifamily (Low-Rise)	19 du	6.74	128		128	814049	8.73		1,118		1,118
Retail	-8.2 ksf	32.67		-268	-268					*	0
7 Multifamily (Low-Rise)	6 du	6.74	40		40	814049	8.73		353		353
Office	-6.7 ksf	10.84		-73	-73			9.01		-654	-654
8 Multifamily (Low-Rise)	34 du	6.74	229		229	810888	5.73		1,313		1,313
Office	-26.6 ksf	10.84		-288	-288			6.15		-1,773	-1,773
9 Multifamily (Low-Rise)	195 du	6.74	1,314		1,314	813515	6.61		8,688		8,688
Retail	-26.0 ksf	32.67		-849	-849					*	0
Hotel	-124 rooms	7.99		-991	-991			8.48		-1,008**	-1,008
Gasoline Station	-24 pumps	68.80		-1,651	-1,651					*	0
Net Change Project vs. General Plan			10,754	-16,426	-5,672				60,158	-99,612	-39,454

Notes: du=dwelling unit; ksf=1,000 square feet; MAZ=Micro-Analysis Zone; *local-serving use is presumed to cause no net change to regional VMT; **includes VMT generated by employees (approximately 12% of hotel trips) with guest VMT presumed to cause no net change in VMT; average MAZ trip lengths obtained from TAMDM 2040 data with proposed project; retail trip rates include 40% deduction for pass-by and internal trips; gas station trip rates include 60% deduction for pass-by and internal trips

Assessment of Residential VMT per Capita

The VMT analysis presented above has been structured to provide a comparative assessment between buildout of the sites with the proposed project versus buildout of the sites under General Plan 2035, consistent with the applied CEQA approach of preparing an addendum to the General Plan 2035 EIR. For informational purposes, the proposed Housing Element rezoning project was also assessed using a more conventional project-level approach, focusing on the projected residential VMT per capita that would be associated with residential uses in the seven MAZs containing the project sites.

Two modeling outputs from TAMDM were used to develop estimates of the residential VMT per capita associated with the new residential units that would be facilitated by the proposed project. These include the projected total home-based VMT and the corresponding population generating that VMT as estimated by TAMDM. The estimated VMT per capita was obtained by dividing the differences in home-based VMT and population between the 2040 without project and 2040 plus project model scenarios in the seven affected MAZs. Based on the analysis, the housing units associated with the proposed rezoning project would be expected to produce an approximate average of 9.4 home-based VMT per capita. A summary of the key model outputs and results is shown in Table 4.

Table 4 – Comparison of Project Versus General Plan 2035 Buildout Potential

Scenario	Home-Based VMT	Population	VMT Per Capita
2040 No Project	15,399	1,213	12.7
2040 Plus Project	51,943	5,092	10.2
Project Increment	36,544	3,879	9.4*

Note: Home-based VMT and population estimates obtained from TAMDM model output for the seven MAZs that contain the nine rezoning sites; *obtained by dividing the project's incremental increase in home-based VMT by the project's incremental increase in population

The VMT per capita significance threshold for residential development projects in Novato is set at 15 percent below the citywide average. Based on output from the 2019 TAMDM, the City of Novato has an average residential VMT per capita of 16.0 miles. The applied significance threshold is therefore 13.6 VMT per capita. As shown in Table 4, the potential residential units associated with the proposed project would generate approximately 9.4 VMT per capita. Because this is less than the significance threshold, the project would be considered to have a less-than-significant impact on VMT.

Comparative Effects on Traffic Congestion

While LOS can no longer be considered in CEQA analyses, the amount of traffic generated by development and its potential effects on congestion often remain of interest to the community and decision makers. For informational purposes, the differences in peak hour traffic resulting from buildout of the project sites versus what was analyzed for the sites in the General Plan 2035 EIR was considered.

As shown in Table 2, buildout of the project would be expected to result in fewer future vehicle trips on Novato's roadway network than would occur with buildout of General Plan 2035, including approximately 1,042 fewer trips during the critical p.m. peak hour. With fewer future vehicle trips generated, it is reasonable to presume that the project's effects on traffic congestion would be less than that forecast and analyzed in the General Plan 2035 EIR.

The changes in anticipated trip generation on San Marin Drive near the US 101 freeway interchange were also estimated since this is an area where the General Plan EIR identified future traffic congestion concerns. Focusing on the buildout potential at three key sites (sites 1, 2, and 3), the proposed project would be expected to result in approximately 620 fewer p.m. peak hour trips through the Redwood Boulevard/San Marin Drive intersection and adjacent interchange than what would have resulted from buildout of the General Plan 2035 land uses on these

sites. Accordingly, future congestion levels and LOS at intersections in this area are likely to be better with the proposed project than was reported in the General Plan 2035 EIR.

Conclusions

- The project would be expected to generate approximately 5,672 fewer daily trips and 1,042 fewer p.m. peak hour trips than would have resulted from buildout of the parcels under General Plan 2035.
- Compared to the estimated total VMT that would occur with buildout of General Plan 2035, the proposed project is estimated to result in a net decrease of 39,454 total daily VMT. Since the proposed project would result in less VMT than analyzed in the General Plan 2035 EIR, impacts to VMT would be considered less than significant.
- Application of a typical project-level VMT analysis approach to the proposed project would also result in a less-than-significant VMT impact, since the potential additional housing units facilitated by the project would be expected to produce an average of 9.4 VMT per capita, which falls below the significance threshold of 13.6 VMT per capita.
- Because the project would generate less vehicular traffic than would have resulted from buildout under General Plan 2035, including approximately 620 fewer added p.m. peak hour trips at the Redwood Boulevard/San Marin Drive intersection, its effects on traffic congestion would be less than that forecast and analyzed in the General Plan 2035 EIR.

Thank you for giving W-Trans the opportunity to provide these services. Please call if you have any questions.

Sincerely,



Zachary Matley, AICP
Principal

JZM/NOV148.L1