SIGNIFICANCE CRITERIA OR THRESHOLDS

Under CEQA, a substantial, or potentially substantial, adverse change in the environment is considered to be significant (Public Resources Code Section 21068). The Town's Draft 2010-30 General Plan does not include specific significance criteria. This Initial Study applies the significance criteria identified by Appendix G of the CEQA Guidelines.

POTENTIAL IMPACTS

Issues:

I. AESTHETICS – Would the project:	**Potentially significant impact**	**Less than significant with mitigation incorporation**	**Less than significant impact**	**No impact**
a) Have a substantial adverse effect on a scenic vista?	☐	☐	*☒	☐
b) Substantially damage scenic resources, ~~including but not limited to, trees,~~ rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	*☒	☐
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	*☒	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

A. Environmental Setting

Fairfax is located 3.25 miles (5.2 km) west-northwest of San Rafael, at an elevation of 115 feet (35 m). The town's natural setting encompasses a series of valleys, canyons, and forested hills with largely undeveloped ridgelines. Scenic and natural resources are key aspects of the community's sense of place and contribute to the overall quality of life in Fairfax. In addition to the form of the land, mature trees and the extensive areas of protected open space in and around the Town help define the community character. The architectural diversity of the neighborhoods and the compact, small scale Town Center area also make Fairfax a very special place for residents and visitors.

B. Discussion

a.) ***Less Than Significant Impact.*** The proposed project involves the creation of the Town of Fairfax 2010-30 General Plan, which includes Land Use, Open Space, Conservation and Town Center Elements. These elements includes goals, policies and programs that are intended to guide

development and promote the health, safety and well-being for residents in the Town of Fairfax. Accordingly, there are no designated scenic vistas in Town. Therefore, development in accordance with the General Plan will not result in an adverse effect on a scenic vista. Ridgelines and other open space amenities around Town will still be visible with new development. **No mitigation measures are necessary**.

b.) ***Less Than Significant Impact.*** Sir Francis Drake Boulevard and Bolinas Road, the two main arterial roads in Fairfax, have not been officially designated as scenic highways in the California State Scenic Highway Program (http://www.dot.ca.gov/hq/LandArch/scenic_highways/). Therefore, the proposed project will have no impact on scenic resources such as trees or rock outcroppings on a state scenic highway. **No mitigation measures are necessary**.

c.) ***Less Than Significant Impact.*** *See Response 1a).*

d.) ***Less Than Significant Impact.*** The Fairfax 2010-30 General Plan allows for new development to occur in accordance with the Town Code. Projects proposed for development shall adhere to the rules and regulations governing new design. New projects will be required to comply with the Town Code and General Plan and will be required to mitigate the impacts from substantial light and glare. The General Plan itself does not include development of structures that would introduce new sources of light and glare, therefore the impact is considered less than significant.

Sources: The Town of Fairfax 2010-30 General Plan
http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm

II. AGRICULCTURAL RESOURCES – Would the project:	**Potentially significant impact**	**Less than significant with mitigation incorporation**	**Less than significant impact**	**No impact**
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, non-agricultural use?	☐	☐	☐	☒

A. Environmental Setting

There are no Agricultural land use designations in the Town of Fairfax. The Town of Fairfax is a highly urbanized community in the County of Marin, CA. There are no agricultural lands or agriculture designations in the Town Code and General Plan that exist within the Town boundaries of

Fairfax.

B. Discussion

a) ***No Impact.*** There are no lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance in the Town of Fairfax.

b) ***No Impact.*** There are no properties under Williamson Act contract in Fairfax; therefore **there would be no impact.**

c) ***No Impact.*** There are no designated agriculture land uses in the Town of Fairfax and no uses proposed that would result in the cumulative loss of farmland.

Sources: The Town of Fairfax 2010-30 General Plan;

III. AIR QUALITY – Would the project:	**Potentially significant impact**	**Less than significant with mitigation incorporation**	**Less than significant impact**	**No impact**
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☒*	☐	☐

A. Environmental Setting

Illingworth & Rodkin, Inc. prepared an Air Quality and Greenhouse Gas CEQA Evaluation in January, 2012. Their report is the basis for the environmental determinations in the discussion section below.

The Bay Area Air Quality Management District (BAAQMD) is the regional agency tasked with managing air quality in the region. At the State level, the California Air Resources Board (CARB -a part of the California Environmental Protection Agency) oversees regional air district activities and

regulates air quality at the State level. The BAAQMD has recently published CEQA Air Quality Guidelines that are used in this assessment to evaluate air quality impacts of projects[1].

The Town of Fairfax is located in Marin County, CA, which is in the San Francisco Bay Area Air Basin. Ambient air quality standards have been established at both the State and Federal level. The Bay Area meets all ambient air quality standards with the exception of ground-level ozone, respirable particulate matter (PM_{10}) and fine particulate matter ($PM_{2.5}$). While exceedances of these standards do not occur in Marin County, emissions from the area can contribute to exceedances elsewhere in the Bay Area.

High ozone levels are caused by the cumulative emissions of reactive organic gases (ROG) and nitrogen oxides (NOx). These precursor pollutants react under certain meteorological conditions to form high ozone levels. Controlling the emissions of these precursor pollutants is the focus of the Bay Area's attempts to reduce ozone levels. Highest ozone levels in the Bay Area occur in the eastern and southern inland valleys that are downwind of air pollutant sources. High ozone levels aggravate respiratory and cardiovascular diseases, reduced lung function, and increase coughing and chest discomfort.

Particulate matter is another problematic air pollutant of the Bay Area. Particulate matter is assessed and measured in terms of respirable particulate matter or particles that have a diameter of 10 micrometers or less (PM_{10}) and fine particulate matter where particles have a diameter of 2.5 micrometers or less ($PM_{2.5}$). Elevated concentrations of PM_{10} and $PM_{2.5}$ are the result of both region-wide (or cumulative) emissions and localized emissions. High particulate matter levels aggravate respiratory and cardiovascular diseases, reduce lung function, increase mortality (e.g., lung cancer), and result in reduced lung function growth in children.

Toxic air contaminants (TAC) are a broad class of compounds known to cause morbidity or mortality (usually because they cause cancer) and include, but are not limited to, the criteria air pollutants listed above. TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, fuel combustion, and commercial operations (e.g., dry cleaners). TACs are typically found in low concentrations, even near their source (e.g., diesel particulate matter near a freeway). Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, state, and Federal level.

Diesel exhaust is the predominant TAC in urban air and is estimated to represent about three-quarters of the cancer risk from TACs (based on the Bay Area average). According to the CARB, diesel exhaust is a complex mixture of gases, vapors and fine particles. This complexity makes the evaluation of health effects of diesel exhaust a complex scientific issue. Some of the chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by the CARB, and are listed as carcinogens either under the state's Proposition 65 or under the Federal Hazardous Air Pollutants programs.

CARB has adopted and implemented a number of regulations for stationary and mobile sources to reduce emissions of diesel particulate matter (DPM). Several of these regulatory programs affect medium and heavy duty diesel trucks that represent the bulk of DPM emissions from California highways. These regulations include the solid waste collection vehicle (SWCV) rule, in-use public and utility fleets, and the heavy-duty diesel truck and bus regulations. In 2008 CARB approved a new regulation to reduce emissions of DPM and nitrogen oxides from existing on-road heavy-duty diesel fueled vehicles[2]. The regulation requires affected vehicles to meet specific performance requirements

[1] Bay Area Air Quality Management District. 2010. BAAQMD CEQA Air Quality Guidelines. June.
[2] http://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm

between 2011 and 2023, with all affected diesel vehicles required to have 2010 model-year engines or equivalent by 2023. These requirements are phased in over the compliance period and depend on the model year of the vehicle.

B. Discussion

a.) ***No Impact.*** The BAAQMD CEQA Air Quality Guidelines provide methods for determining the consistency of General Plan update projects with the Bay Area's latest clean air plan. The most recent clean air plan is the *Bay Area 2010 Clean Air Plan* that was adopted by BAAQMD in September 2010. A key tool for local agency implementation is the development of land use policies and implementing measures that address new development or redevelopment in local communities. The 2010 CAP includes about 55 control measures that are intended to reduce air pollutant emissions in the Bay Area either directly or indirectly. The consistency of the proposed General Plan update is evaluated with respect to each set of control measures.

The General Plan Update incorporates many of the recommendations included in the Climate Action Plan. These are addressed in the Conservation Element as programs contained in CON-1.1, CON-1.2, CON-1.3 and CON-2.1. In addition, CON-7.1 and CON-7.2 address the reduction of solid waste, which indirectly generates GHG emissions.

The proposed General Plan Update will not conflict with the latest Clean Air planning efforts since (1) the project will have emissions well below the BAAQMD thresholds (see discussion c below), (2) the General Plan Update will not interfere with implementation of control measures included in the CAP, and (3) the General Plan Update includes policies and implementing measures that support control measures to reduce air pollutant and GHG emissions, especially those aimed at reducing transportation-related emissions. Therefore there is **no impact.**

b.) ***Less than Significant Impact.*** Carbon monoxide emissions from traffic generated by the opportunity sites will be the pollutant of greatest concern at the local level. Congested intersections with a large volume of traffic have the greatest potential to cause high-localized concentrations of carbon monoxide. Air pollutant monitoring data indicate that carbon monoxide levels have been at healthy levels (i.e., below State and Federal standards) in the Bay Area since the early 1990s. As a result, the region has been designated as attainment for the standard. There is an ambient air quality monitoring station in San Rafael that measures carbon monoxide concentrations. The highest measured level over any 8-hour averaging period during the last three years is less than two parts per million (ppm), compared to the ambient air quality standard of 9.0 ppm. Intersections in Fairfax will have traffic volumes that are below screening levels used by BAAQMD to identify potential air quality impacts from local traffic. BAAQMD screening guidance indicates that projects will have a less than significant impact to carbon monoxide levels if project traffic projections indicate traffic levels will not increase at any affected intersection to more than 44,000 vehicles per hour. As discussed under impact discussion (c) below, the project will have emissions less than significant thresholds adopted by BAAQMD for evaluating impacts to ozone and particulate matter. Therefore, the project will not contribute substantially to existing or projected violations of those standards and the impact would be considered **less than significant.** No mitigation would be required.

c.) ***Less than Significant Impact.*** The Bay Area is considered a non-attainment area for ground-level ozone and fine particulate matter ($PM_{2.5}$) under both the Federal Clean Air Act and the California Clean Air Act. The area is also considered non-attainment for respirable particulates or particulate matter with a diameter of less than 10 micrometers (PM_{10}) under the California Clean Air Act, but not the Federal act. The area has attained both State and Federal ambient air quality

standards for carbon monoxide. As part of an effort to attain and maintain ambient air quality standards for ozone and PM_{10}, the BAAQMD has established thresholds of significance for these air pollutants and their precursors. These thresholds are for ozone precursor pollutants (ROG and NOx), PM_{10} and $PM_{2.5}$ and apply to both construction period and operational period impacts.

Opportunity sites where much of the growth under the General Plan Update would occur were considered for new air pollutant emissions. The URBEMIS2007 model was used to predict annual and daily emissions associated with new development or redevelopment of the six opportunity sites. Emissions were modeled with URBEMIS2007 default inputs for the San Francisco Bay Area. This includes default trip rates and travel characteristics for the selected land uses. Because model defaults were used, these predictions likely overestimate the actual emissions that will occur. For example, the model did not incorporate any effects of transit, bicycle or pedestrian travel modes. Emissions of both area and operational (i.e., traffic) were predicted assuming complete build out in 2020. See below - Table 1: Average Daily Emissions for Development/Redevelopment of General Plan Update Opportunity Sites from the Illingworth & Rodkin report.

Table 1. Average Daily Emissions for Development/Redevelopment of General Plan Update Opportunity Sites

Scenario	Total Exhaust or Evaporative Emissions ROG	NOx	PM10	PM2.5
Emissions in tons per year				
Site #1 Lutheran Church	0.82	0.4	0.71	0.14
Site #2 10 Olema	0.41	0.23	0.57	0.11
Site #3 Westside Commercial	0.27	0.14	0.31	0.06
Site #4 School Street Plaza	0.67	0.41	1.11	0.21
Removal of existing uses	-0.5	-0.61	-1.81	-0.34
Site #5 Fair Anselm Shopping Center	0.35	0.26	0.68	0.13
Site #6 Eastside Commercial	0.34	0.26	0.75	0.14
Total	**2.36**	**1.09**	**2.32**	**0.45**
BAAQMD Thresholds (tons/year)	*10*	*10*	*15*	*10*
Emissions in in pounds per day				
Site #1 Lutheran Church	4.5	2.2	3.9	0.8
Site #2 10 Olema	2.2	1.3	3.1	0.6
Site #3 Westside Commercial	1.5	0.8	1.7	0.3
Site #4 School Street Plaza	3.7	2.2	6.1	1.2
Removal of existing uses	-2.7	-3.3	-9.9	-1.9
Site #5 Fair Anselm Shopping Center	1.9	1.4	3.7	0.7
Site #6 Eastside Commercial	1.9	1.4	4.1	0.8
Total	**12.9**	**6.0**	**12.7**	**2.5**
BAAQMD Thresholds (pounds/day)	54	54	82	54

Source: Illingworth & Rodkin

Emissions from the build out of the General Plan Update Opportunity sites will be below thresholds used by BAAQMD to evaluate emissions from projects. Therefore, the impact is considered **less than significant,** and no further mitigation is required.

d.) ***Less than Significant Impact.*** According to the BAAQMD CEQA Air Quality Guidelines, for a General Plan to have a less-than-significant impact with respect to TACs, buffer zones must be established around existing and proposed land uses that will emit these air pollutants. Buffer zones to avoid TAC impacts must be reflected in local plan policies, land use maps, or implementing ordinances.

The BAAQMD CEQA Air Quality Guidelines consider exposure of sensitive receptors to air pollutant levels that result in an unacceptable cancer risk or hazard, to be significant. For cancer risk, which is a concern with diesel particulate matter and other mobile-source TACs, the BAAQMD considers an increased risk of contracting cancer that is 10 in one million chances or greater, to be significant risk for a single source. The BAAQMD CEQA Guidelines also consider exposure to annual $PM_{2.5}$ concentrations that exceed 0.3 micrograms per cubic meter (μg/m3) to be significant. Non-cancer risk would be considered significant if the computed Hazard Index is greater than 1.0 .

The General Plan Update will permit and facilitate the development of new sensitive receptors (e.g., new homes) in locations near arterial roadways, and possibly stationary sources of TACs. Screening modeling indicates that sensitive receptors within some areas of Fairfax could be exposed to levels of TACs and or $PM_{2.5}$ that could cause an unacceptable cancer risk or hazard near the following roadways and train lines. Sources of TAC emissions in Fairfax include:

Roadways. Sir Francis Drake Boulevard is the main arterial roadway through town and the only roadway in Fairfax that carries about 20,000 or more average daily traffic trips. BAAQMD considers roadways with this much traffic as having a potential to expose sensitive receptors to TACs. There are no daily traffic projections for Sir Francis Drake Boulevard. Peak-hour projections indicate volumes of 1,300 to almost 1,700 vehicles per hour. Assuming that the peak-hour is equivalent to seven-percent of the average daily traffic volume, then Sir Francis Drake could carry up to almost 24,000 vehicles per day. BAAQMD publishes screening tables to determine community risk from local roadways. Community risk impacts were computed from these tables assuming a traffic volume of 24,000 average daily trips for a east-west roadway in Marin County. Based on the BAAQMD tables, cancer risk, non-cancer risk and $PM_{2.5}$ concentrations will be well below the BAAQMD recommended significance levels.

Stationary Sources. BAAQMD provides a Google Earth tool that was used to identify stationary sources of TACs. According to the BAAQMD records, there are four fueling stations and three dry cleaners that are sources of TAC emissions in Fairfax. There are some other very minor sources that do not affect adjacent land uses.

Fueling Stations. According to the California Air Resources Board's (CARB) *Land Use and Air Quality Handbook*, most gas station facilities that incorporate vapor recovery systems meeting current regulations have less-than-significant cancer risk at distances beyond 50 feet. Gasoline dispensing stations with very large throughputs will have higher risks, but the data described by CARB represents the upper limit for 96 percent of the State's gasoline stations. Based on these data, the nearby Arco station is not expected to have a cancer risk greater than three in one million at the proposed project (over 500 feet away). The gasoline station is not a source that leads to $PM_{2.5}$ exposure and does not cause acute or chronic non-cancer risk impacts.

Dry Cleaning Operations. According to the California Air Resources Board (CARB), dry cleaning operations that use perchlorethylene could pose significant cancer risk at distances

out to 300 feet. However, significant impacts will be considerably less, because recent CARB regulations will phase out the use of perchloroethylene by 2023. That will greatly reduce current impacts and eliminate future exposures for development under the General Plan Update. Dry cleaning operations are not a source of $PM_{2.5}$ emissions.

Future development or redevelopment-facilitated development within Fairfax, could generate short-term temporary emissions of dust, fuel combustion exhaust, and gases from architectural coatings and other building materials. The most substantial air pollutant emissions would be fugitive dust generated from demolition of buildings and other site improvements, loading debris into trucks for disposal, grading and earth-moving, and wind erosion of exposed ground areas. Construction activities could also generate exhaust emissions from vehicles, equipment and worker commute trips, primarily in the form of particulate matter (PM_{10} and $PM_{2.5}$) and nitrogen oxides. Solvents in adhesives, non-water-based paints, thinners, some insulating materials, and caulking materials can evaporate into the atmosphere and participate in the photochemical reaction that creates urban ozone. Asphalt used in paving is also a source of organic gases for a short time after its application. The General Plan Update Conservation Element includes programs in CON-2.1.2 that would reduce construction emissions by controlling dust and exhaust emissions and mitigating TAC emissions from demolition projects.

BAAQMD has adopted emission-based thresholds that will apply to exhaust and evaporative emissions from construction activities. Development in accordance with the General Plan Update will occur over a period of many years, where some years may have more construction and other years may have little or no construction. Exhaust construction emissions will be dependent on the year that construction occurs and the age of the construction fleet used, especially for large construction equipment. Recent State law requires retrofit or replacement of construction equipment, which will result in substantial decreases in future nitrogen oxides (NO_X) and particulate matter (including diesel particulate matter) emissions from construction equipment. In addition, State law will also require retrofitting or replacement of large trucks that are typically used in construction. BAAQMD's thresholds apply to emissions from projects and are not applicable to potential emissions resulting from build-out of land use plans.

By applying Policy CON-2.1.2 and it's associated programs, as well as the current BAAQMD rules and guidelines, the impacts related to exposing sensitive receptors to substantial pollutant concentrations will be mitigated to **Less than Significant** levels, therefore no further mitigation is required.

e.) ***Less than Significant with Mitigation Incorporation.*** Odors are assessed based on the potential of the Plan to result in odor complaints. This could result from the Plan creating development that produces objectionable odors or places people near sources of objectionable odors.

Sources of odors in Fairfax are localized. These primarily include restaurants. Significant odor sources are not currently located within the Town; therefore, new uses are not likely to be affected by existing odor sources. The Town will include a mix of uses that could place new residences near localized sources of odors. An example is a mixed-use building that includes both residences and restaurants. While this mix of uses is common in urban areas, odor complaints can occur. Some people find odors from restaurants objectionable, while others find them pleasant. This is considered to be a significant impact, therefore the following mitigation will reduce impacts to a **less than significant level with mitigation incorporation.**

Mitigation Measure AIR-1: New restaurants located in mixed-use developments, or

adjacent to residential developments, shall install kitchen exhaust vents with filtration systems, re-route vents away from residential development, or use other accepted methods of odor control, in accordance with local building and fire codes. New residences proposed in buildings or immediately adjacent to buildings that include restaurant or other odor producing uses shall be designed to reduce exposures to odors. This could be conducted through proper design of ventilations systems either at the residence or the source.

Greenhouse Gases – Impact Discussion

Although not required to be considered under by state law applicable to the Initial Study - CEQA Checklist G, greenhouse gas emissions are a topic of growing concern in California and worldwide. As a result, this Initial Study has considered Greenhouse Gases ("GHG"). The Illingworth & Rodkin report provides detailed analysis of the GHG impacts related to the Town of Fairfax General Plan and Climate Action Plan.

–a.) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? -

Less-than-significant: Scientists have found that human caused emissions of GHG contribute to global warming. The State of California is addressing this issue through legislation, policy guidance, and outreach programs. Carbon dioxide (CO_2) is the primary GHG emitted from land use projects, mostly through automobile and energy use.

OPR recommended that each agency develop an approach to addressing GHG emissions that is based on best available information. The approach includes three basic steps: (1) identify and quantify emissions; (2) assess the significance of the emissions; and (3) if emissions are significant, identify mitigation measures or alternatives that will reduce the impact to a less-than-significant level.

The Town of Fairfax has developed a draft Climate Action Plan. The discussion below under Criterion b. analyzes the draft Climate Action Plan and its qualifications according to the BAAQMD criteria, and judges the Specific Plan GHG emissions under the performance-based thresholds.

The results shown in Table 2, below, reflect the potential land use growth in the General Plan Update that could produce emissions. As these results do not include the effects of the General Plan policies or Draft Climate Action Plan, the GHG emissions are overestimated.

Table 2. Annual GHG Emissions Associated with Development/Redevelopment of General Plan Update Opportunity Sites

Scenario	Annual Emissions (metric tons) CO_2	
Emissions in tons per year		
Site #1 Lutheran Church	524	
Site #2 10 Olema	303	
Site #3 Westside Commercial	176	
Site #4 School Street Plaza	544	
Removal of existing uses	-835	
Site #5 Fair Anselm Shopping Center	337	
Site #6 Eastside Commercial	364	
Total	**1,412**	
BAAQMD Thresholds (tons/year)	*1,100*	
GHG Emissions Per Capita	**3.04**	
Annual Emissions	1,412	metric tons per BGM
Population	88	= 44 apts* 2 people/unit
Students	400	= 100 students *300 students
Workers	-24	= -7,046 sf * 1 worker/300 sf

Source: *Town of Fairfax Draft Climate Action Plan, Fairfax General Plan Update Air Quality and Greenhouse Gas CEQA Evaluation, Illingworth & Rodkin, January 30, 2012*

The 2010-30 General Plan Update includes several features that will reduce the GHG emissions from the numbers shown in Table 2. Most importantly, the General Plan Update will include the Climate Action Plan *Greenhouse Gas Reduction Strategies*. These include 10 different recommended actions that will reduce vehicle travel associated with land use. An approximate four percent reduction from overall Town emissions is anticipated with these measures alone. The draft Climate Action Plan also includes 14 recommended actions to reduce energy consumption and use cleaner (i.e., lower GHG emitting) sources of energy to reduce GHG emissions. These *Green Building, Energy Efficiency and Renewable Energy* measures are anticipated to reduce Town GHG emissions by almost 13 percent. Additional **[?]**

The Town's draft Climate Action Plan is considered a qualified plan using the BAAQMD criteria, as it contains: a baseline inventory, business-as-usual scenario demonstrating the rise in GHG emissions in the absence of the Climate Action Plan, and an acceptable numerical target for GHG reduction in line with the Governor's Executive Order S-03-5.

The draft Climate Action Plan analyzed growth in Fairfax assuming ABAG and MTC projections for future population and vehicle activity. The General Plan Update is not anticipated to cause growth that will exceed those projections. GHG emissions at the programmatic level are, therefore, found to be **less than significant**.

b.) Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

No Impact. The proposed 2010-30 General Plan Update will include the Town's draft Climate Action Plan recommended measures. The draft Climate Action Plan supports County, regional and State policies and regulations aimed at reducing the emissions of GHGs. As a result, adoption

of the 2010-30 General Plan update will not conflict with efforts to reduce GHG emissions, therefore, there is **no impact** and no mitigation would be required.

Sources: The Town of Fairfax 2010-30 General Plan; Town of Fairfax Draft Climate Action Plan, Fairfax General Plan Update Air Quality and Greenhouse Gas CEQA Evaluation, Illingworth & Rodkin, January 30, 2012

IV. BIOLOGICAL RESOURCES – Would the project:	**Potentially significant impact**	**Less than significant with mitigation incorporation**	**Less than significant impact**	**No impact**
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, polices, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or by the U.S. Fish and Wildlife Service?	☐	☐	☒	☐
c) Have a substantial adverse effect on 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?	☐	☐	☐	☒
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?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local,	☐	☐	☐	☒

regional, or state habitat conservation plans

A. Environmental Setting

The Town of Fairfax 2010-30 General Plan includes a Conservation Element and an Open Space Element. These two Elements include goals and policies that protect and enhance the natural characteristics and habitats found in Town. Fairfax lies at the confluence of San Anselmo Creek and Fairfax Creek, establishing the headwaters of Corte Madera Creek. The structure of the Town has evolved around these dynamic streams, which historically supported salmon and steelhead and a wide variety of aquatic and terrestrial wildlife, all dependent on a healthy riparian corridor and floodplain.

Fairfax is near the head of the Ross Valley watershed, and the policies and programs identified are intended to improve protection measures for creek and watershed process not only within the Town, but downstream through a series of other communities to San Francisco Bay.

The Conservation Element goals and policies are consistent with the larger context of the Marin landscape matrix of protected lands. Fairfax is bordered by Marin Open Space on Loma Alta to the north, Mt. Tam State Park and MMWD land to the west and south, and the Golden Gate Recreation Area to the far west. Wildlife habitats of many kinds cover all these areas and it is important to understand and allow for both seasonal and resident wildlife use of the habitat. The General Plan proposes to enhance healthy stream corridors, connections between lowland and upland habitat, areas of low human disturbance, contiguous stands of mature trees, open meadow, and riparian cover to help maintain diverse and resilient wildlife habitats.

The adjacency of the larger protected lands create opportunities for interactions and conflicts between people and wildlife, but the policies of the General Plan attempt to reduce the conflict potential and enhance the protection and restoration of wildlife habitat within the Fairfax Planning Area. The General Plan has set goals for removal of invasive species and restoration of endangered species in an effort to reduce the detrimental impact of land use and development in the Fairfax Planning Area.

B. Discussion

a.) ***Less Than Significant Impact.*** The Town of Fairfax identifies the need to protect special status species that occur in areas throughout the Town. The Conservation Element of the General Plan identifies several policies and goals intended to protect special status species. The Fairfax General Plan identifies housing opportunity sites including the key parcels and/or sites that potential for low-income or affordable housing in-fill development. In considering these available sites, the Town determined the size, location, and current status of each site. The ideal sites should have good access and infrastructure availability, be centrally located or along transit routes and promote the principals of Transit Oriented Development (TOD) or Traditional Neighborhood Design (TND) as outlined in the 2010 Land Use Element. Two of the opportunity sites (detailed in Population and Housing below); Christ Lutheran Church and 10 Olema, have creeks or drainage channels along one edge of their property. Biological assessments of those creeks and drainage channels will be required by the Town as part of any project application, prepared either by the project applicant or the Town. Should adverse impacts to any sensitive species be identified, the Town will require adequate mitigation to be incorporated into the project plans. [The intent and purpose of the General Plan, including the goals and policies of the Conservation Element are designed to protect the natural realm of the Town of Fairfax, including special status species. The General Plan does not specifically propose new development projects that will result in habitat modifications nor does it

designate development opportunities on sites where special status species occur. Future development projects will be subjected to the development standards and local, federal and state codes and therefore will not have a substantial adverse impact on the special status species listed in the Fairfax General Plan. As a result, the impact is considered **less than significant.**

b.) ***Less Than Significant Impact.*** San Anselmo Creek and Fairfax Creek are not identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or by the U.S. Fish and Wildlife Service as riparian or sensitive natural communities. The General Plan identifies Goal CON-3: Watershed and stream management as a means to protect and enhance these systems throughout Town. With the intent to protect and enhance the local creek system there will be **no impact** to riparian or sensitive natural communities, therefore no mitigation is required.

c.) ***No Impact.*** There are no wetlands, as defined by Section 404 of the Clean Water Act, occurring in the Town of Fairfax, therefore there is **no impact**.

d.) ***Less Than Significant Impact.*** Goal CON-6 of the Conservation Element of the General Plan is created to protect wildlife in Fairfax. Objectives CON-6.1, (Policies CON-6.1.1 and CON-6.1.2) and CON-6.2 are created to protect existing and future wildlife habitats and wildlife corridors. San Anselmo Creek and Fairfax Creek are identified by the County of Marin as having potential for anadromous fish species. The Fairfax General Plan specifies restoring habitats for anadromous fish in Policy CON-6.2.1 The basic tenets of the policies and programs in the Conservation Element is to identify, list, map, educate and ultimately protect special status species in and around the Town of Fairfax. Since the General Plan does not specifically outline projects that will interfere or disturb species and wildlife habitat, the impact is considered **less than significant,** and therefore no mitigation is required.

e.) ***Less Than Significant Impact.*** There are currently no local policies or ordinances protecting biological resources in the Town of Fairfax. The Town does have a Tree Ordinance aimed at preserving native trees from unnecessary alteration or removal. Goals CON-5 and Policy CON-5.2.1 of the General Plan are designed to maintain or restore native vegetation where appropriate with the Fairfax Planning Area. There is no conflict with existing policies or ordinances, therefore the impact will be **less than significant** and no mitigation is required.

f.) ***No Impact.*** The Fairfax General Plan is designed to protect and enhance natural features and habitats. Furthermore, there are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans that conflict with the goals and policies of the General Plan. Therefore, there is **no impact**.

Sources: The Town of Fairfax 2010-30 General Plan, Fairfax Town Code – Chapter 8.36, Department of Fish and Game, CNDDB online database: http://www.dfg.ca.gov/biogeodata/cnddb/mapsanddata.asp

V. CULTURAL RESOURCES – Would the project:	**Potentially significant impact**	**Less than significant with mitigation incorporation**	**Less than significant impact**	**No impact**
a) Cause a substantial adverse change in the significance of a historical resource as defined	☐	☐	☒	☐

in §15064.5 of the California Environmental Quality Act?				
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5	☐	☐	☒	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

A. Environmental Setting

The Town of Fairfax has a significant pre-historic historical Native American presence including resources such as the burial mounds near the Town's Pavilion and the midden sites near the Fair-Anselm shopping center. Other significant resources may have originated around the time of "Lord" Charles Snowden Fairfax, when the descendants of Europeans and others first started settling the Fairfax area. The Town's culture and unique identity grew in the early 20th century, when several movie companies used the area in and around Fairfax and later, when visitors from around the Bay Area flocked to Fairfax to enjoy its Town and Country Club. In the 1960's and 70's, the cultural revolution exploded in San Francisco and dripped into the psychedelic corners of this central-Marin hamlet. Fairfax culture continues to evolve, as bicyclists flock to the local coffee shops and internet cafes, and musicians serenade the popular restaurants and bars.

B. Discussion

a-d) ***Less Than Significant Impact.*** There are known instances of unique paleontological resources occurring throughout the Town of Fairfax. Several mapped sites are located around the two watercourses running through downtown, including areas along Center Boulevard and near the Town Pavilion. The Fairfax General Plan is sensitive to the existence of known cultural and historic resources and has identified protective measures by creating Goal CON-8.1: Historical and cultural preservation, in the Conservation Element. The subsequent policies and programs listed under this goal of the Conservation Element outline the proper protection and documentation procedures to address cultural and historic resources in Town. All future projects shall prepare applications based on the requirements of Goal Con-8.1 and evaluated by the criteria set forth in CEQA *Guidelines* Section 15064.5.

The policies and programs of Goal CON-8.1 outline the potential project mitigation measures including, but not limited to, hiring a qualified paleontologist to examine and document fossil discoveries uncovered during construction; hiring a Secretary of the Interior-qualified archaeologist to document ground-disturbances and; requiring a Native American monitor's presence during ground-disturbing activities. An archaeological monitoring plan shall be developed prior to ground-disturbing activities for sites where known resources are located. An appropriate treatment plan for the resources shall be developed and shall be submitted to the Town for review and approval. Project archaeologist shall consult with the designated Native American representatives in determining appropriate treatment for prehistoric or Native American cultural resources. In considering any suggested mitigation proposed by the archaeologist and Native American representative, the Town will determine whether avoidance is necessary and feasible in light of factors such as the nature of the find,

project design, costs, and other considerations. If avoidance is infeasible, other appropriate measures will be instituted as determined by the project archaeologist and the Town.

The implementation of these possible mitigation measures will reinforce the policies and programs of Goal CON-8.1 and therefore will not cause substantial adverse changes or significance to local resources, therefore there will be a **less than significant** impact and no additional mitigation measures are required.

Sources: The Town of Fairfax 2010-30 General Plan, CEQA Guidelines, Title 14: http://ceres.ca.gov/ceqa/guidelines/art5.html

VI. GEOLOGY AND SOILS – Would the project:	**Potentially significant impact**	**Less than significant with mitigation incorporation**	**Less than significant impact**	**No impact**
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as ~~delineated on the most recent~~ Alquist-Priolo Earthquake Fault zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong Seismic Ground shaking?	☐	☒	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☒	☐	☐
iv) landslides?	☐	☒	☐	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal system where sewers are not available for the disposal of waste water?	☐	☐	☒	☐

A. Environmental Setting

The Town of Fairfax General Plan has a Safety Element that describes and addresses potential geologic hazards and impacts. The coastal landscape of Marin County in general and the Town of Fairfax is dominated by ridges and valleys formed over centuries of geomorphologic processes including plate tectonics and erosion. The predominant geologic units underlying the Town of Fairfax are bedrock and alluvium. All the bedrock units are considered part of the Franciscan Complex, and comprised of metamorphosed rock, which is considered to have low to moderate slope stability relative to earthquake shaking, particularly on steep slopes. The alluvium is primarily loose and soft sediments and debris deposited along streambeds within the last 10,000 years. These deposits are typically those that are the most susceptible to seismic shaking, liquefaction and differential settlement.

Fairfax lies nearly equidistant from the San Andreas and the Hayward-Rodgers Creek Fault Zones. Either of these fault systems is capable of generating a large earthquake that could cause damage to the Town of Fairfax, and greater damage to extensive portions of the San Francisco Bay Region. The Town of Fairfax area is also subject to earthquake induced ground movements including liquefaction and landslides.

B. Discussion

a, i). ***Less than Significant.*** The proposed project is not located near a fault rupture zone as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map. The Town of Fairfax is approximately seven miles east of the San Andreas Fault Zone. There is no threat from a rupture of a known earthquake fault in the Town of Fairfax, therefore the impact is considered **less than significant**.

a, ii - iv). ***Less than Significant.*** The potential for strong seismic shaking in specific areas of the Town of Fairfax is very high (See Figure S-2: Areas Susceptible to Earthquake Shaking). The San Andreas Fault, San Gregorio and Hayward Faults present the highest potential for severe ground shaking. The significant adverse impact associated with strong seismic shaking is potential damage to structures and improvements. These impacts can be mitigated to less than significant levels by incorporating design level requirements for building new structures and features in accordance with the provisions of the California Building Code (CBC), the Town of Fairfax Zoning Ordinance. Further, project level geotechnical engineering analysis of all potential hazards on new development sites shall be required prior to planning approval.

The Safety Element of the Town of Fairfax General Plan indicates that the Town of Fairfax is characterized by alluvium geologic deposits primarily along the main streambeds in the downtown area. These loose and soft sediments indicate areas of moderate to high geologic hazards resulting from liquefaction. The Safety Element of the General Plan determined that new developments will not expose people to substantial adverse effects from liquefaction. Potential impacts from liquefaction can be mitigated to less than significant levels by incorporating design level requirements for building new structures and features in accordance with the provisions of the California Building Code (CBC), the Town of Fairfax Zoning Ordinance; therefore the impact is **considered less than significant with**

mitigation incorporation.

The Town of Fairfax has several ridgelines and steeped sloped areas that are characterized as being susceptible to landslides (see Figure S-3: Areas Susceptible to Landslides). While many of the mapped areas occur in open spaces outside of the planning area, the Town of Fairfax is highly susceptible to landslides during periods of extended heavy rainfall during the wet season. Landslides occurring in the Town of Fairfax can cause damage to infrastructure, including power lines and utility pipelines and block access and egress routes. Existing residential development in steep hill neighborhoods such as the Cascades, Forrest/Hillside, Oak Manor hills, and Willow/Upper Ridgeway are at risk from landslides.

The Town of Fairfax General Plan Safety Element addresses geological hazards with the implementation of Goal S-1: Minimize risks due to geologic hazards. Fairfax has adopted current building codes to guide new development and substantial improvements to existing development. Fairfax is also in compliance with State legislation designed to reduce hazards posed by unreinforced masonry buildings. The implementation of the Fairfax General Plan and the requirements set forth in the Town Building Code and the California Building Code will ensure that new development meets the highest standards; therefore, impacts related to earthquake ground shaking will be **less than significant with mitigation incorporation.**

By applying Goal S-1 and Policy S-1.1.1 and it's associated programs, as well as the current California Building Code rules and guidelines for seismic compliant construction, the impacts related to potential substantial adverse effects, including the risk of loss, injury, or death involving fault rupture, strong seismic shaking, liquefaction and landslides can be mitigated to **Less than Significant** levels, with the following **mitigation incorporation.**

> **Mitigation Measure GEO-1:** Project level geotechnical engineering analysis, by a qualified California geotechnical engineer, of all potential hazards on new development sites shall be required prior to planning approval.

b, c & d). ***Less than Significant.*** The Safety Element of the Town of Fairfax General Plan indicates that the Town of Fairfax is located in an area that has incidences of expansive soils, unstable soils or soils that could become unstable as a result of development projects. However, the General Plan, as drafted, will not potentially result in on or off-site landslides, lateral spreading, subsidence, liquefaction or collapse. The Town of Fairfax is located in an area that will be susceptible to ground shaking due to an earthquake, but this impact will be considered less than significant if proposed projects adhere to the CBC. Fairfax is also in compliance with State Legislation designed to reduce hazards posed by unreinforced masonry buildings. Site preparation and grading shall conform to the recommendations and criteria set forth by a licensed geotechnical engineer. New structures and features shall be designed in accordance with the provisions of the California Building Code (CBC). CBC Coefficients shall be used to calculate the base shear deign for proposed subsurface improvements. A licensed structural engineer shall confirm the structural integrity of existing structures prior to any modifications or renovations. A licensed geotechnical engineer shall review the plans and specification for the project when they are nearing completion to confirm the intent of the geotechnical recommendations. Therefore, implementing the General Plan would result in **less than significant impacts** and no further mitigations are required.

e). ***Less than Significant.*** The Town of Fairfax is a populated urban community with modern wastewater infrastructure and sewage systems. There are likely incidents of residential hook-ups utilizing septic tanks or alternative waste water disposal system, but the intent and purpose of the General Plan is to protect the citizens of Fairfax from geotechnical hazards. Policy S-1.1.6 is designed

to ensure that all residents in Fairfax design projects that adhere to the relevant codes and construction standards. Therefore, the impact is considered **less than significant.**

Sources: Town of Fairfax 2010-30 General Plan, Safety element Maps: SE-1, 2 & 3; Association of Bay Area Governments Hazard Maps and Information

VII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:	**Potentially significant impact**	**Less than significant with mitigation incorporation**	**Less than significant impact**	**No impact**
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and , as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
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 for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐

A. Environmental Setting

The Town of Fairfax 2010-30 General Plan has a Safety Element that describes and addresses potential natural hazards and impacts. The coastal landscape of Marin County in general and the Town of Fairfax is dominated by ridges and valleys formed over centuries of geomorphologic processes including plate tectonics and erosion. Fairfax lies nearly equidistant from the San Andreas and the Hayward-Rodgers Creek Fault Zones. Either of these fault systems is capable of generating a large earthquake that could cause damage to the Town of Fairfax, and greater damage to extensive portions of the San Francisco Bay Region. The Town of Fairfax area is also subject to earthquake induced ground movements including liquefaction and landslides.

Sir Francis Drake Boulevard bisects the downtown of Fairfax in an east-west direction and is a main connector for vehicles travelling to and from West Marin to the urban eastern core of the county.

The Town of Fairfax is at risk from two types of fire: urban fire and wildland fire. Given the trend toward infill development on the steep hillsides and canyons of Fairfax, urban fire remains a risk to life and property.

Wildland-Urban Interface (WUI) fire hazards are presented in **Figure S-5, Wildland Urban Interface Zones** of Fairfax General Plan Safety Element are, especially pronounced in areas of high structure densities adjacent to undeveloped open space areas with dense vegetation. These areas often contain older summer homes that have been converted to permanent residences, infill occurs with more modern construction, and are often situated on steep terrain with narrow winding roads. WUI fires result in death, injury, economic loss and a large public expenditure in fire fighting activities.

The California Department of Forestry and Fire Protection (CAL FIRE) has developed maps at the County level for both State Responsibility Areas (SRAs) and Local Responsibility Areas (LRAs). The Town of Fairfax, because it is incorporated and maintains its own fire service through the Ross Valley Fire Department (RVFD) is mapped as a LRA. The surrounding unincorporated area is mapped as an SRA.

In December of 2007 The Town of Fairfax established the WUI area within the Town. The WUI includes areas with a certain housing density. These areas were evaluated for specific fuel type, slope and aspect. The development of the maps did not include fire history. The State maps rate the fire danger and are not maps of the WUI.

The CAL FIRE maps indicate that the incorporated area of Fairfax lies in a high fire hazard severity zone, with the exception of a portion of the most northern part of Fairfax, which is undeveloped and classified as a moderate fire hazard severity zone. Most of the unincorporated land adjacent to the Town of Fairfax is mapped as a moderate fire hazard severity zone.

B. Discussion

a) ***Less than Significant Impact.*** The Fairfax General Plan does not discuss proposed routine transport, use, or disposal of hazardous materials. The Town of Fairfax General Plan includes Safety

and Circulation Elements. The goals, policies and programs in these elements are intended to improve standards of living and minimize impacts related to hazards, congestion or transport. Sir Francis Drake Boulevard is a heavily travelled arterial road connecting West Marin with the urban county core to the east, and implementation of the mitigations listed in the Air Quality section above will render this impact **less than significant**.

b) ***Less than Significant Impact.*** The Town of Fairfax General Plan includes Land Use and Safety Elements. The goals, policies and programs in these elements are intended to improve standards of living and minimize impacts related to incompatible land uses and hazards or hazardous materials, The General Plan does not include 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. Therefore the impacts of the General Plan are considered **less than significant** and no mitigation is required.

c) ***No Impact.*** Section 17213 of the California State Education Code mandates that a school site must not be located within one-quarter of a mile of a hazardous materials site. There are no known properties in the Town. Therefore, the impact of hazardous waste sites on schools is **less than significant**.

d) ***Less than Significant Impact.*** According to the State Water Resources Control Board there are four Leaking Underground Storage Tank (LUST) cleanup sites listed in the Town of Fairfax. In addition there are three closed sites, and three permitted Underground Storage Tanks. These sites are consistent with former or current gasoline or automobile repair stations. There is only one site listed on the California Department of Toxic Substances Control website indicating cleanup sites and hazardous waste permitted facilities. That site, at the Fair-Anselm shopping center is currently occupied by the new (2012) Good Earth grocery store has undergone renovation and remediation. The Town of Fairfax General Plan includes a Land Use Element and a Town Center Element. These elements are designed to promote compatible and safe land uses in the Town. There are no other known instances of hazardous materials sites, therefore the impact is considered **less than significant** and no mitigation is required.

e) ***No Impact.*** The Town of Fairfax is not 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, and therefore will not result in a safety hazard for people residing or working in the project area.

f) ***No Impact.*** The Town of Fairfax is not located near a private airstrip and is not within a flight path of an airport.

g) ***No Impact.*** The Town of Fairfax General Plan includes a section on Community Preparedness in the Safety Element. The goals, policies and programs of this section are intended to be compatible with any and all adopted emergency response plans or emergency evacuation plans. Goal C-4 of the Circulation Element and Policy S-3.1.3 of the Safety Element are designed to ensure access for emergency vehicles and public evacuation.

h) ***Less than Significant.*** The Town of Fairfax General Plan and Zoning Ordinance impose the recommended setbacks and standards from the State of California Department of Forestry and Fire Protection as well as the Ross Valley Fire Department for projects within the Wildland Urban Interfaces (WUI). However, the Town is at risk from wildland fire. The goals, policies and programs in the Safety Element are intended to prepare Fairfax residents for potential wildfire occurrences. Goal S-3: Minimize risk due to fire hazards contains policies and programs that, when implemented, will protect the people and property of Fairfax from the risks associated with wildland fires. Furthermore, the policies contained, will help mitigate the impacts of potential wildfires. Therefore,

the General Plan Safety Element is designed to reduce the impacts of wildland fires and, when implemented, will not expose people or structures to a significant risk of loss, injury or death involving wildland fires. Adoption of the General Plan and implementation of the standards discussed above presented would reduce the impacts to a **less than significant level.**

Sources: Town of Fairfax 2010-30 General Plan; California Department of Forestry and Fire Protection (CAL FIRE) http://www.envirostor.dtsc.ca.gov/public/; http://geotracker.waterboards.ca.gov/map/

VIII. HYDROLOGY AND WATER QUALITY – Would the project:	**Potentially significant impact**	**Less than significant with mitigation incorporation**	**Less than significant impact**	**No impact**
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern of the site or area including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or –off site.	☐	☐	☒	☐
e) 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?	☐	☐	☒	☐
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate map or other flood hazard delineation map?	☐	☐	☒	☐
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☒	☐
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

A. Environmental Setting

The Fairfax General Plan Safety Element includes goals, policies and programs designed to mitigate future potential flooding impacts. The Ross Valley Watershed reaches from the foothills of Mount Tamalpais in the Coast Range to the San Francisco Bay. The watershed drains approximately thirty square miles into nearly as many named creeks. San Anselmo and Fairfax Creeks rise along the southern and western ridges and drain steep upland areas onto relatively narrow valley flats. These creeks combine as San Anselmo Creek in the Town of Fairfax. In general, the Ross Valley is naturally prone to flooding by its location and geologic and fluvial geomorphic setting.

The Town of Fairfax is subject to periods of extremely intense rainfall. Storm events, coupled with shallow soils with limited absorbing capacity, steep slopes, and incised and narrow stream channels offering little in-channel storage, and can contribute to periods of heavy flooding. Development in the Ross Valley has created expansive impermeable areas while encroaching onto the banks of the channel, supplanting the natural flood-attenuating capacity of the floodplain. The effects of narrow bridge and culvert openings and poorly designed residential stream bank stabilization structures have been superimposed on this naturally flood-prone system, exacerbating the flooding problem.

Downtown Fairfax begins to flood when the capacity of the long culvert (i.e. from Town Hall under Bolinas, Sherman, Dominga, and one private residence opening into the San Anselmo Creek) at the downstream end of Fairfax Creek is exceeded or debris blocks its entrance. Water leaving the creek upstream of the culvert runs through downtown Fairfax and returns to the main channel downstream of Pacheco Avenue, where the channel is deeply incised and is able to convey greater flows.

The area subject to historic and future flooding lies in the floodplain adjacent to the confluence of Fairfax and San Anselmo creeks. The Federal Emergency Management Agency (FEMA) produces maps of flood prone areas to guide community floodplain management programs. The Fairfax General Plan Safety Element includes a **Figure S-4: Floodplains** showing the Special Flood Hazard Areas (SFHAs) subject to a one percent per annum flood. Additional information regarding flood history, hydrologic studies and current floodplain management programs is outlined in the Town of Fairfax FMP. In addition there is a substantial risk of localized flooding from small, undersized culverts and inadequate storm drain infrastructure as well as limited maintenance of these facilities.

B. Discussion

a) ***Less than Significant Impact.*** The Town of Fairfax General Plan is designed to complement the existing Town Zoning Code and applicable ordinances. The General Plan considers construction of new structures within the designated land use areas throughout town. The introduction of new structures will create additional impermeable surfaces, people, and vehicles that will result in the increase of urban pollutants such as oils, heavy metals, pesticides and fertilizers into the storm drain system.

Water quality is regulated by the State Water Resources Control Board (SWRCB) through the National Pollution Discharge Elimination System (NPDES) program, which was established by the Clean Water Act. The goal of the program is to control and reduce pollutants to water bodies from point and non-point discharges for both long term project activities and construction activities. The San Francisco Bay Regional Water Quality Control Board (RWQCB) issues and enforces NPDES permits for discharges to water bodies in the portion of Marin County that drains to the San Francisco Bay.

Projects disturbing more than one acre of land during construction are required to file a notice of intent to be covered under the NPDES General Permit for Storm Water Discharges Associated With Construction Activity for discharges of storm water associated with construction activities. The applicant must propose control measures that are consistent with this permit and consistent with recommendations and policies of the local agency and the RWQCB.

The State NPDES General Construction Permit requires development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) that uses storm water "Best Management Practices" to control runoff, erosion and sedimentation from the site both during and after construction. The SWPPP has two major objectives: (1) to help identify the sources of sediments and other pollutants that affect the quality of storm water discharges; and (2) to describe and ensure the implementation of practices to reduce sediment and other pollutants in storm water discharges. Compliance with the requirements of the NPDES General Permit and the Town of Fairfax Building Code will substantially reduce the potential water quality impact to a **less than significant level**.

b) ***Less than Significant Impact.*** The Town of Fairfax water supply is delivered by the Marin Municipal Water District. The district obtains 75 percent of the water consumed annually from rainfall collected in seven reservoirs in Marin. Five of the reservoirs are on the Mount Tamalpais Watershed and the other two are located in West Marin. The remaining 25 percent of the water supply comes from the Russian River in Sonoma County under a contract with the Sonoma County Water Agency. The Fairfax General Plan will not result in the depletion of local groundwater supplies or interfere substantially with groundwater recharge such that there will be a net deficit in aquifer volume or a lowering of the local groundwater table level, therefore the impact is considered **less than significant.**

c-f) ***Less than Significant Impact.*** The Town of Fairfax is currently developed with structures, roads, and drainage infrastructure. Any additional development, grading, or construction associated with implementation of the General Plan is not anticipated to result in significant changes to the existing drainage pattern. Any impacts from development projects within Town area associated with alteration of site drainage and related erosion from site disturbance such as construction activities, will be substantially lessened to a less than significant level with implementation of General Plan policies S-2.1.3 thru 2.1.5 as well as compliance with the Town Building Code and the NPDES permit requirements under the Clean Water Act.

By capturing increased storm water runoff and treating it on site through low impact development (LIDs), biofiltration swales, best management practices (BMPs) and other storm water control measures new construction will not result in altering the existing drainage pattern of the site or area resulting in substantial erosion or siltation and will not substantially increase the rate or amount of surface runoff in a manner that will result in flooding on-or–off site and it will not contribute runoff water that will exceed the capacity of the existing or planned stormwater drainage systems. Treating runoff on-site will not provide substantial additional sources of polluted runoff and will effectively reduce the amount of degraded storm-water runoff from the site. Therefore the impact is **less than significant**.

g-h) ***Less than Significant.*** Many portions of downtown Fairfax are within the 100-year floodplain for San Anselmo and Fairfax Creeks. These areas are heavily urbanized and contain many residences and commercial structures. The General Plan allows for development and redevelopment of residential and commercial zoned vacant properties along these two waterways. Goal S-2: Minimize risks due to flood hazards is designed to mitigate potential impacts from future flooding in Fairfax. Furthermore, Policies S-2.1.1 thru 2.1.8 include the necessary measures to ensure existing and future development address the potential hazards. Adherence to the State NPDES General Construction Permit requiring development to implement a Storm Water Pollution Prevention Plan (SWPPP) utilizing storm water BMPs to control runoff, erosion and sedimentation from the site both during and after construction will also help to minimize potential flooding. Implementation of the policies contained in the Safety Element of the Fairfax 2010-30 General Plan will ensure that new or improvement construction projects will not place structures in areas that are susceptible to flooding, nor will implementation of the General Plan place structures that could substantially redirect flood flows. Furthermore, compliance with the requirements of the NPDES General Permit and the Town of Fairfax Building Code will substantially reduce the potential impacts from floods to a **less than significant level.**

i) ***No Impact.*** There are no mapped levees or dams in the vicinity of the Town of Fairfax that could impact the Town due to failure. The nearest reservoirs with dams to Fairfax are Bon Tempe and Alpine Lakes (approximately 2.5 miles). These lakes, while close to the Town, are not within the same watershed. If either of these dams were to fail, the resulting flooding will occur southwest of Town.

j) ***No Impact.*** The Town of Fairfax is not located near a large body of water and will not be subject to seiche, tsunami or a significant mudflow.

Sources: The Town of Fairfax 2010-30 General Plan; FEMA FIRM Maps; SWRCB: (http://www.swrcb.ca.gov/plans_policies/); NPDES: (http://cfpub.epa.gov/npdes/stormwater/cgp.cfm)

IX. LAND USE AND PLANNING – would the project:	**Potentially significant impact**	**Less than significant with mitigation incorporation**	**Less than significant impact**	**No impact**
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted	☐	☐	☐	☒

for the purpose of avoiding or mitigating an environmental effect?				
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

A. Environmental Setting

The specific land use policies of the Town of Fairfax are designed to encourage infill development and limit new construction in steeply sloped and wooded areas. Review of individual development applications includes consideration and mitigation of environmental, design, traffic and other impacts. The Town has helped facilitate the construction of affordable housing in a number of ways, which include allowing planned unit developments (PUD's) and clustered housing. Upon certification of the 2010 Housing Element by HCD (or upon final adoption of the 2010-30 General Plan), the Town proposes to rezone all of the CH (Commercial Highway) properties to CC (Central Commercial); which will allow residential units on the second floor to a minimum density of 20 units per acre "by-right" – rather than by Conditional Use Permit only as is the case under CH.

The Town enacted a second unit amnesty program, however, only two units have been processed to date (as of February 2012) due largely to the costly requirement for fire suppression sprinkler systems and/or parking requirements. In the spring of 2010 the Town Council extended the Second Unit Amnesty Ordinance for another year and eliminated the sprinkler requirement (while still enforcing the other code and other fire safety measures). Upon final adoption of the 2010-30 General Plan the Town Council will consider enacting another second unit one-year amnesty ordinance.

Fairfax's land use designations, as identified in the Zoning Ordinance, have been relatively stable for many years. The predominant designations are residential (RS-6) and (RD5.5-7) allowing single-family residences and duplexes at densities of 8 to 14 units per acre. In fact, because most of the lots in Fairfax are legal, "non-conforming" due to exceptionally small size, the density in many areas of the community far exceeds the zoning designation. Due to steep slopes and related narrow roads, as well as a general lack of undeveloped land, increasing density beyond the current maximums in established residential areas would not result in an appreciable increase in the supply of housing. Duplexes are allowed in both primary residential zones and accessory second dwelling units are permitted by right on conforming residential lots.

B. Discussion

a) ***No Impact.*** The General Plan will not divide an established community, therefore there is **no impact**.

b) ***No Impact.*** The proposed project is consistent with the Town of Fairfax General Plan. The proposed General Plan is consistent with the purpose of avoiding or mitigating an environmental effect, therefore there is **no impact**.

c) ***No Impact.*** There are no habitat conservation plans or natural community conservation plans for the Town of Fairfax, therefore there is **no impact**.

Sources: The Town of Fairfax 2010-30 General Plan

X. MINERAL RESOURCES – Would the project:	**Potentially**	**Less than significant**	**Less than significant**	**No impact**

	significant impact	with mitigation incorporation	impact	
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

A. Environmental Setting

The Town of Fairfax is endowed with areas of great natural beauty, abundance, and character. It is also populated by a community that not only strives to protect these resources, but that endeavors to preserve and conserve resources across the country and around the planet through the impacts that local activities may have beyond the Town borders. The General Plan includes a Conservation Element. The purpose of the Conservation Element of the Fairfax General Plan is two-fold:

- Identify the community's natural and cultural resources and develop policies and programs that will conserve them now and for future generations; and

- Identify areas where the community can conserve resources generally and develop policies and programs that will help our citizenry in reducing overall the negative impacts humans may have on the health of the planet.

B. Discussion

a). ***No Impact.*** The California Geological Survey designates Mineral Resource Zones, which are areas containing mineral deposits potentially valuable to residents of California. There are no known mineral resources located in the Town of Fairfax, and no Mineral Resource Zones have been designated within the proposed Planning Area. Therefore, implementation of the proposed General Plan would not affect State-designated mineral resource areas and there is **no impact**.

b). ***No Impact.*** There are no known mineral resources in the Planning Area as delineated in the Fairfax General Plan or other land use plans, therefore there is **no impact**.

Sources: The Town of Fairfax 2010-30 General Plan; California Geological Survey

XI. NOISE- would the project result in:	Potentially significant impact	Less than significant with mitigation incorporation	Less than significant impact	No impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐
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 expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing ~~or working in the project area to~~ excessive noise levels?	☐	☐	☐	☒

A. Environmental Setting

Illingworth & Rodkin, Inc. conducted a noise assessment analysis of the Fairfax General Plan on November 16, 2011. The findings in their report are the basis for the following discussion.

The primary source of environmental noise within the Town of Fairfax is produced roadway traffic, with commercial activities in the Town Center area also contributing to the noise environment. Roadway traffic is one of the more prevalent sources of noise in the City. Traffic noise at a particular location depends on the traffic volume on the roadway, the average vehicle speed, the distance between the receptor and the roadway, the presence of intervening barriers or structures between source and receiver, and the ratio of trucks (particularly heavy trucks) and buses to automobiles.

A number of factors control how traffic noise levels affect nearby sensitive land uses. These include roadway elevation compared to the surrounding grade; any structures or terrain intervening between the roadway and the sensitive receptors; and the distance between the roadway and receptors. Because of the higher traffic volumes on arterial roadways in the area, Sir Francis Drake Boulevard, Broadway Boulevard, Center Boulevard, and Bolinas Road constitute the loudest roadway noise sources in the City. Commercial uses are primarily located along these roadways in the Town Center area, however there are residences located along them outside of the Town Center area.

Construction can be another significant, although typically short-term, source of noise. Construction is typically of most concern when it takes place near sensitive land uses, or occurs at night or in early morning hours. The dominant construction equipment noise source is usually diesel engines of heavy construction equipment.

Other existing sources of noise include noise from commercial, recreational, and school uses. Noise sources associated with commercial uses include mechanical equipment, as well as activities associated with parking lots and loading docks. Mechanical equipment is used extensively in buildings to provide heating, cooling, air circulation and water supply. Mechanical equipment that produces noise includes motors, pumps and fans.

General Plan

The Current General Plan Noise Element incorporates the following noise and land-use standards, which have guided development in the Town of Fairfax since it was adopted in 1975. These standards are shown in the table below.

Town of Fairfax Noise Element standards by Land Use

Land Use	Outdoor Average Noise Level			Indoor Average Noise Level		
	Daytime, dBA	Nighttime, dBA	L_{dn}[1], *dBA*	Daytime, dBA	Nighttime, dBA	L_{dn}[1], *dBA*
Residential	65	55	*65*	45	35	*45*
Commercial	65	55	*65*	45	40	*48*
Office	65	55	*65*	45	40	*48*
Parks & Open Space	45	45	*51*	45	40	*48*
Major Roadways: Sir Francis Drake & Bolinas Ave.	Less than 65 dBA at 100 feet from roadway					

[1] L_{dn} calculated based on the daytime and nighttime average noise level standards

Municipal Code

The Fairfax Noise Control Ordinance is found in Chapter 8.20 of the Health and Safety title of the Town of Fairfax Municipal Code. Section 8.20.050 contains the following exterior noise standards and limits;

(A) *Maximum permissible sound levels by receiving land use.*

(1) The noise standards for the various noise zones as presented in the following table shall, unless otherwise specifically indicated, apply to all such property within a designated zone.

(2) No person shall operate or cause to be operated any source of sound at any location within the incorporated town, or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by the person, which causes the noise level when measured at the complainant's property line to exceed the limits in the table below (see Table 5) for more than seven and one-half minutes in a 15- minute period. Those seven and one-half minutes need not be continuous.

(3) If the measured ambient level differs from that permissible, the allowable noise exposure standard shall be adjusted in five-decibel increments in each category as appropriate to encompass or reflect the ambient noise level.

(4) If the measurement location is on a boundary between two different zones, the noise level limit applicable to the lower noise zone shall apply.

Table 5: Exterior Noise Limits (Levels not be exceeded more than 7.5 minutes in any 15-minute period)

Noise Zone	Time Period	Noise Level (dBA)

A (Residential)	Night	10:00 p.m. - 7:00 a.m.	40
	Day	7:00 a.m. - 10:00 p.m.	50
B (Multiple Dwelling, Residential)	Night	10:00 p.m. - 7:00 a.m.	50
	Day	7:00 a.m. - 10:00 p.m.	55
C (Commercial)	Night	10:00 p.m. - 7:00 a.m.	55
	Day	7:00 a.m. - 10:00 p.m.	60

Source: Fairfax General Plan Update Environmental Noise Assessment, November 16, 2011, Illingworth & Rodkin.

(B) *Correction for character of sound.*

(1) In the event the alleged offensive noise, as judged by the Chief of Police or his or her designated representative, contains a steady, audible tone such as a whine, screech or hum, or is a repetitive noise such as hammering or riveting, or contains music or speech, the standard limits set forth in the table (above) shall be reduced by five decibels.

Section 8.20.060 (C) contains the following noise standards related to Construction/demolition domestic power tools;

(1) The operation of any tools or equipment used in construction or demolition work between weekday hours of 8:00 p.m. and 8:00 a.m. or on weekends or holidays between the hours of 8:00 p.m. and 9:00 a.m., such that the sound there from creates a noise disturbance across a residential or commercial real property line, is prohibited.

(2) Operating or permitting the operation of any mechanically powered saw, sander, drill, grinder, lawn or garden tool or similar tool between 8:00 p.m. and 8:00 a.m. or on weekends or holidays between the hours of 8:00 p.m. and 9:00 a.m., so as to create a noise disturbance across a residential or commercial real property line, is prohibited.

Section 8.20.070 (D) contains the following exemptions for construction or demolition work;

The operation of any tools or equipment used in construction, drilling, repair, alteration or demolition work, mechanically powered saw, sander, drill, grinder, lawn or garden tool, leaf blower, or similar tool between 8:00 a.m. and 8:00 p.m. on weekdays and 9:00 a.m. and 8:00 p.m. on weekends are exempt.

B. Discussion

a). ***Less Than Significant Impact.*** Under the General Plan, new noise-sensitive uses may be developed in noisy areas such as major roadway corridors (e.g., Sir Francis Drake Boulevard, Broadway, Center Boulevard, and Bolinas Road). Single-family residential development, schools, libraries, hospitals, convalescent homes, and places of worship are considered the most noise-sensitive land uses. Residential development is sensitive to community noise both outdoors and indoors during the daytime and nighttime. High-density/mixed-use residential, commercial, and industrial development is less noise sensitive because uses are primarily indoors, and noise levels are mitigated with building design and construction. Noise exposures along major roadways could exceed "normally acceptable" levels for these uses.

Where exterior noise levels exceed 60 dBA L_{dn} in new residential development areas, interior levels may exceed 45 dBA L_{dn}. Interior noise levels are about 15 dBA lower than exterior levels within residential units with the windows partially open and approximately 20-25 decibels lower than exterior noise levels with the windows closed, assuming typical California construction methods. Where exterior day-night average noise levels are 60 to 70 dBA L_{dn}, interior noise levels can typically be maintained below 45 dBA L_{dn} with the incorporation of an adequate forced air mechanical ventilation system in the residential units to allow residents the option of controlling noise by keeping the windows closed. In areas exceeding 70 dBA L_{dn}, the inclusion of windows and doors with high Sound Transmission Class (STC) ratings, and the incorporation of forced-air mechanical ventilation systems,

may be necessary to meet 45 dBA L_{dn}.

General Plan Policies N-1.1.1 through N-1.1.6 would require;

- That all new development to an analysis of potential noise impacts (N-1.1.1),
- That the Town to maintain a feasible pattern of land uses separating noise sensitive land uses from major traffic noises (N-1.1.2),
- The incorporation of effective mitigation measures into the project design to reduce noise levels in outdoor activity areas at new noise-sensitive developments to 60 dBA L_{dn} or less (N-1.1.3),
- Interior noise levels to be limited to 45 L_{dn} within all new residential units (N-1.1.4), and
- That new development of noise-sensitive land uses shall either not be allowed in areas where noise due to non-transportation noise sources will exceed noise ordinance standards (N-1.1.5), or noise mitigation per an acoustical analysis will be included in the design to reduce noise levels to within noise ordinance standards (N-1.1.6).

The implementation of these Noise Element policies will reduce potential impacts associated with noise and land use compatibility to a **less-than-significant** level, therefore **no mitigation is required.**

b). ***Less Than Significant Impact with mitigation incorporation.*** Structures in the vicinity of new development allowed in the General Plan Area could be exposed to construction-related vibration during the excavation and foundation work associated with these projects. Depending on the project design and conditions these structures may be exposed to perceptible or damaging vibration levels ~~from construction activities. This is a **less-than-significant impact with the incorporation of mitigation**.~~

Construction of projects under the General Plan may be located adjacent to existing structures. Construction activities may include demolition of existing structures, site preparation work, excavation of below grade levels, foundation work, and framing. Demolition for an individual site may last several weeks to months and at times may produce substantial vibration. Excavation for underground levels may also occur on some project sites and vibratory pile driving could be used to stabilize the walls of the excavated area. Piles or drilled caissons may also be used to support building foundations.

Pile driving has the potential to generate the highest ground vibration levels and is of primary concern to structural damage, particularly when it occurs within 100 feet of structures. Vibration levels generated by pile driving activities will vary depending on project conditions such as soil conditions, construction methods, and equipment used. Other project construction activities, such as caisson drilling, the use of jackhammers, rock drills and other high-power or vibratory tools, and rolling stock equipment (tracked vehicles, compactors) may also potentially generate substantial vibration in the immediate vicinity. Erection of building structures themselves is not anticipated to be a source of substantial vibration.

Past studies have established a peak vertical particle velocity of 0.20 inches/sec, ppv as the limit where vibration will begin to annoy people in buildings and at which there is a risk of cosmetic damage to normal dwellings (see Table 3). Vibration levels generated by construction activities will vary depending on project conditions, such as soil types, construction methods, and equipment used. As with any type of construction, vibration levels may at times be perceptible. However, construction phases that have the highest potential of producing vibration (pile driving, jackhammers and other high power tools) will typically be intermittent and will be expected to occur for short periods of time for any individual project site.

With incorporation of the following mitigation, the potential impacts related to exposing persons to or generation of excessive groundborne vibration or groundborne noise levels may be reduced to a **less-than-significant level.**

Mitigation MeasureNOISE-1:

a) Avoid impact pile driving where possible. Drilled piles cause lower vibration levels where geological conditions permit their use.

b) Avoid using vibratory rollers and tampers near sensitive areas.

c) In areas where project construction is anticipated to include vibration-generating activities, such as pile driving, in close proximity to existing structures, site-specific vibration studies shall be conducted to determine the area of impact and to present appropriate mitigation measures that may include the following:

1. Identification of sites that will include vibration compaction activities such as pile driving and have the potential to generate groundborne vibration, and the sensitivity of nearby structures to groundborne vibration. Vibration limits should be applied to all vibration-sensitive structures located within 200 feet of the project. This task should be conducted by a qualified structural engineer.

2. Development of a vibration monitoring and construction contingency plan to identify structures where monitoring will be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies will be identified for when vibration levels approached the limits.

3. At a minimum, vibration monitoring should be conducted during initial demolition activities and during pile driving activities. Monitoring results may indicate the need for more or less intensive measurements.

4. When vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures.

5. Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage has been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities.

c). ***Less Than Significant Impact.*** The primary source of permanent increase in ambient noise levels in the Plan Area vicinity (above levels existing without the implementation of the General Plan) will be from traffic noise increases. Traffic noise modeling based on approved project trips and a growth rate factor on Town roadways using future land use and development patterns consistent with the General Plan indicates that traffic noise levels are projected to increase by less than one dBA L_{dn} along all roadways within the Town with the exception of Sir Francis Drake Boulevard, where noise levels could increase by less than three dBA L_{dn}. Under CEQA a noise increase by more than 3 dB L_{dn} due a project in a noise environment greater than 60 dBA, L_{dn} is typically considered a significant impact. Fairfax General Plan Policy N-1.1, Program N-3.1.1.1 contains a provision that noise-generating projects that cause the L_{dn} at noise-sensitive uses to increase by 3 dBA or more and exceed the "normally acceptable" level, will require an acoustical analysis. General Plan Program N-2.1.1.1 also calls for the use of quiet pavement techniques when resurfacing roadways. With the implementation of these policies, and considering that the expected noise level increases under expected General Plan development will be less than the CEQA significance standard, the impact resulting from increased

vehicular traffic on Town roadways will be considered **less than significant**. Therefore, no mitigation is required.

d.) ***Less Than Significant Impact with Mitigation Incorporation.*** The proposed General Plan will facilitate the construction of new projects within the Planning Area. Residences and businesses located adjacent to the proposed development sites will be affected at times by construction noise. Noise impacts resulting from construction depend on the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise sensitive receptors. Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise-sensitive land uses, or when construction durations last over extended periods of time.

Major noise-generating construction activities associated with new projects could include removal of existing pavement and structures, site grading and excavation, the installation of utilities, the construction of building cores and shells, paving, and landscaping. The highest construction noise levels will be generated during grading and excavation because of the use of heavy equipment, with lower noise levels occurring during building construction activities when activities move indoors and less heavy equipment is required. Construction equipment will typically include, but would not be limited to, earth-moving equipment and trucks, pile driving rigs, mobile cranes, compressors, pumps, generators, paving equipment, and pneumatic, hydraulic, and electric tools. Table 7 of the Illingworth & Rodkin report presents the typical range of hourly average noise levels generated by different phases of construction measured at a distance of 50 feet.

Table 7 Typical Ranges of Noise Levels at 50 Feet from Construction Sites (dBA L_{eq})

	Domestic Housing		Office Building, Hotel, Hospital, School, Public Works		Industrial Parking Garage, Religious Amusement & Recreations, Store, Service Station		Public Works Roads & Highways, Sewers, and Trenches	
	I	II	I	II	I	II	I	II
Ground Clearing	83	83	84	84	84	83	84	84
Excavation	88	75	89	79	89	71	88	78
Foundations	81	81	78	78	77	77	88	88
Erection	81	65	87	75	84	72	79	78
Finishing	88	72	89	75	89	74	84	84

I - All pertinent equipment present at site.
II - Minimum required equipment present at site.
Source: United States Environmental Protection Agency, 1973, Legal Compilation on Noise, Vol. 1, p. 2-104.

Hourly average noise levels generated by demolition and construction are about 77 dBA to 89 dBA L_{eq} measured at a distance of 50 feet from the center of a busy construction site. Large pieces of earth-moving equipment, such as graders, scrapers, and bulldozers, generate maximum noise levels of 85 to 90 dBA L_{max} at a distance of 50 feet. Typical hourly average construction-generated noise levels are about 81 to 89 dBA L_{eq} measured at a distance of 50 feet from the site during busy construction periods. During each stage of development, there will be a different mix of equipment operating and

noise levels will vary based on the amount of equipment in operation and the location of the activity. These noise levels drop off at a rate of about 6 dBA per doubling of distance between the noise source and receptor. Intervening structures or terrain will result in lower noise levels.

General Plan Goal N-3 concludes that if project construction is expected to take less than 18 months and work will be done following standard construction controls as given in Goal N-3.a-h (see below), then the project will be found to cause a less-than significant impact. Goal N-3 also finds that if project is construction activities last beyond 18 months, or occur outside of allowable time periods per Goal N-3.a, then the project will be found to cause a potentially significant impact and will be subject to environmental review under CEQA.

With incorporation of the following construction control measures in Goal N-3, the potential impacts related to a permanent increase in ambient noise levels in the project vicinity above levels existing without the project may be reduced to a **less-than-significant level**.

Mitigation Measure Noise-2: Noise Element Goal N-3 standard construction controls:

a. Limit construction to the hours of 8:00 a.m. to 5:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on Saturdays, with no noise-generating construction on Sundays or holidays.

b. Control noise from construction workers' radios to the point where they are not audible at existing residences that border the Project site.

c. Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.

d. Utilize quiet models of air compressors and other stationary noise sources where technology exists.

e. Locate stationary noise-generating equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction project area.

f. Prohibit unnecessary idling of internal combustion engines.

g. Notify residents adjacent to the Project site of the construction schedule in writing.

h. Designate a noise disturbance coordinator who will be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaints (e.g., starting too early, bad muffler) and institute reasonable measures warranted to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site.

The implementation of General Plan Goal N-3 and included standard controls will reduce potential impacts associated with noise and land use compatibility to a **less-than-significant** level.

e.) ***No Impact.*** The Town of Fairfax is not located within an airport land use plan or, within two miles of a public airport or public use airport. Implementation of the General Plan will not expose people residing or working in the project area to excessive noise levels, therefore there is **no impact**.

f.) ***No Impact.*** The Town of Fairfax is not located near a private airport. Implementation of the General Plan will not expose people residing or working in the project area to excessive noise levels, therefore there is **no impact**.

Sources: Town of Fairfax 2010-30 General Plan; Fairfax General Plan Update Environmental Noise Assessment, November 16, 2011, Illingworth & Rodkin,

XII. POPULATION AND HOUSING – Would the project:	**Potentially significant impact**	**Less than significant with mitigation incorporation**	**Less than significant impact**	**No impact**
a) Induce substantial 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)?	☐	☐	☒	☐
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

C. Environmental Setting

Fairfax is situated in a highly desirable setting, largely related to the forested hillsides that surround the community. Despite its natural beauty, however, the Town is in fact, very densely developed. With over 3,500 residents per square mile, and with most of the existing residences built on very small lots, there are few opportunities to provide additional housing through infill development within the Town's residential areas except through the use of "informal" second units that have traditionally provided very low income housing – though not officially recognized as such.

Fairfax is surrounded on three sides by vast areas of spectacular open space, providing the community with scenic vistas, as well as a rural ambience, despite the Town's location in one of the nation's largest metropolitan areas. However, this protected open space amenity contributes to the Town's housing problem, as it acts as a constraint that limits the community's ability to expand, or significantly increase, the area that could be developed for housing through the traditional annexation process.

There are a limited number of potential housing sites in Fairfax that can accommodate the Town's identified need for low-income or affordable housing units. The Town of Fairfax has identified several sites that could be realistically targeted as potential sites for such housing.

The Fairfax General Plan identifies housing opportunity sites including the key parcels and/or sites that potential for low-income or affordable housing in-fill development. In considering these available sites, the Town determined the size, location, and current status of each site. The ideal sites should have good access and infrastructure availability, be centrally located or along transit routes and promote the principals of Transit Oriented Development (TOD) or Traditional Neighborhood Design (TND) as outlined in the 2010 Land Use Element.

The potential sites are currently zoned Commercial Highway (CH), Limited Commercial (CL), or UR-

7 residential. The 2010 Housing Element recommends the rezoning of three to Planned District Development (PDD), that promotes a mix of uses including housing; and rezoning all CH to CC. Please note: Residential uses are permitted on the second floor in the CC zone "by-right", whereas they are only allowed by Conditional Use Permit in the CH and CL zones. This 2010 Housing Element and Land Use Element are recommending that:

- Christ Lutheran Church be rezoned from UR-7 to PDD.
- 10 Olema-Mandarin Gardens site be rezoned from CL to PDD to provide greater site planning flexibility.
- School Street Plaza to be rezoned from CL to PDD, which promotes a mix of uses including housing; and leaves open the possibility of a new school on the site as well.
- Rezoning the Fairfax Market sites and the open parcel next to it including the strip shopping center to the west, and Good Earth market site from CH to CC.
- Rezoning the Fair-Anselm shopping complex, and the Center Oaks apartment building site from CH to CC to allow residential units on the second floor by right.
- Rezoning the east side commercial area on Sir Francis Drake Boulevard from CH to CC to allow residential units on the second floor by right.

Based upon the proposed zoning above, and through the relaxation of requirements in the Second Unit Amnesty Ordinance, at least 172 affordable dwelling units have the realistic potential to be built over the next five years. Most other major sites in the community that are undeveloped or under-developed are steeply sloped and environmentally sensitive. These sites not only contribute to the rural nature of Fairfax but will also be extremely difficult to develop due to their site characteristics.

The Marin Municipal Water District (MMWD) provides water to the Town. Sanitary District #1 is the service provider for wastewater. Both agencies have adequate capacity to serve the sites identified in this section of the 2010 Housing Element. With the adoption of a "green building ordinances" – as called for in the 2010 Conservation Element (that promotes gray-water and water-efficient technologies) – the need for such energy intensive facilities will be reduced and/or eliminated.

This 2010 Housing Element also recommends the incorporation of green building technologies; reduced minimum unit size requirements (that allow for efficiency-sized apartments, and the reuse of small parcels); and urban "location-efficiency" placement through the use of historic TOD and TND – principals of sustainable urban design patterns as described in the 2010 Land Use Element.

Importantly, the Housing Opportunity Sites in the General Plan have been identified as having a high potential to accommodate at least 172 new affordable housing units, especially for very low income households.

D. Discussion

a). ***Less Than Significant Impact.*** The intent and purpose of the Town of Fairfax General Plan is to set overarching goals and direction for the community in the coming decade. While some of these goals promote new development on opportunity sites, there are very few properties that can be developed that will contribute to significant population growth, therefore the impact is considered **less than significant.**

b). ***No Impact.*** The General Plan includes a Land Use, Housing and Town Center Element. The primary goal of the Housing Element is to capitalize on under-utilized sites to create housing. Therefore, **there is no impact.**

c). ***No Impact.*** The Town of Fairfax General Plan will not displace people in need of replacement housing. Therefore, there is **no impact**.

Sources: The Town of Fairfax 2010-30 General Plan

XIII. PUBLIC SERVICES	**Potentially significant impact**	**Less than significant with mitigation incorporation**	**Less than significant impact**	**No impact**
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:				
a) Fire protection?	☐	☐	☒	☐
b) Police protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☒	☐
d) Parks?	☐	☐	☒	☐
e) Other public facilities?	☐	☐	☒	☐

A. Environmental Setting

Fairfax is situated in a highly desirable setting, largely related to the forested hillsides that surround the community. Despite its natural beauty, however, the Town is in fact, very densely developed. With over 3,500 residents per square mile, and with most of the existing residences built on very small lots, there are few opportunities to provide additional housing through infill development within the Town's residential areas except through the use of "informal" second units that have traditionally provided very low income housing – though not officially recognized as such.

Fairfax is surrounded on three sides by vast areas of spectacular open space, providing the community with scenic vistas, as well as a rural ambience, despite the Town's location in one of the nation's largest metropolitan areas. This protected open space amenity contributes to the Town's limited housing opportunities, as it acts as a constraint that limits the community's ability to expand, or significantly increase, the area that could be developed for housing through the traditional annexation process.

Within the existing town boundaries, Fairfax is very limited in terms of developable land. The Town is nearly built-out with all remaining undeveloped land, being either very steeply sloped or constrained from development for other reasons. Of the ten relatively large undeveloped sites located within the

Town's SOI, most are on steep hillsides or exhibit environmental constraints. Five of the parcels have a zoning of Upland Residential (UR). Parcels in the UR zone are allowed a maximum one unit per seven to 10 acres; however, these parcels remain vacant because of the steep site conditions.

B. Discussion

a-b) ***Less Than Significant Impact.*** The Ross Valley Fire Department and the Town of Fairfax Police Department currently provide fire protection services and policing services for the Town. The Town of Fairfax is mostly built out, with few opportunities for significant growth. The build out remaining opportunity sites identified in the General Plan would not result in significant population growth requiring an expansion of existing fire and police services. Furthermore, implementation of the General Plan will not result in adverse physical impacts or cause significant environmental impacts preventing these services from continuing, therefore there will be a **less than significant impact.**

c-e). ***Less Than Significant Impact.*** The intent and purpose of the General Plan is to promote the well-being of Fairfax residents and visitors alike. The Housing Element identifies several opportunity sites that could accommodate additional housing units. However, this increase in potential residential units will not contribute to a significant need for additional schools, parks or other public facilities. There will be **no impacts** associated with school facilities, parks and recreational facilities, or public facilities.

Sources: The Town of Fairfax 2010-30 General Plan

XIV. RECREATION	**Potentially significant impact**	**Less than significant with mitigation incorporation**	**Less than significant impact**	**No impact**
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 facilitated?	☐	☐	☐	☒
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?	☐	☐	☐	☒

A. Environmental Setting

Fairfax is a town defined by open space. Open space not only exists within the town, it abuts most town boundaries and defines the views from Town Center, from most neighborhoods, and throughout the Fairfax Planning Area. The location of Fairfax within the Ross Valley, surrounded by undeveloped hillsides and ridges, gives the Town a very distinctive look and feel.

B. Discussion

a-b) ***No Impact.*** The intent and purpose of the General Plan is to promote the well-being of

Fairfax residents and visitors alike. There are few opportunities for development in the Plan Area, and opportunity sites that could be utilized for housing purposes will not represent a significant increase in environmental impacts to warrant mitigation, therefore the project will not result in the physical deterioration of neighborhood or recreation facilities. The General Plan will not result in a substantial increase of residents or visitors to the Plan Area and no additional demand for recreational facilities; therefore there will be **no impact**.

Sources: The Town of Fairfax 2010-30 General Plan

XV. TRANSPORATION/TRAFFIC – Would the project:	**Potentially significant impact**	**Less than significant with mitigation incorporation**	**Less than significant impact**	**No impact**
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase either in the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections?)	☐	☒	☐	☐
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☒	☐	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☒	☐
f) Result in inadequate parking capacity?	☐	☐	☐	☒
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g. bus turnouts, bicycle racks)?	☐	☐	☐	☒

A. Environmental Setting

The Town of Fairfax is mostly built out, with few opportunities for significant growth. The primary infrastructure, the elements of the circulation network, including the roads and streets, pedestrian and bicycle ways, and utilities are in place. Therefore, the overarching objective for the Circulation

Element is to recognize and understand the opportunities and constraints presented by the established infrastructure, and how best to use the various elements to provide a safe and efficient environment for the entire community while maintaining the Town's quality of life.

The Fairfax 2010-30 General Plan calls for the limited expansion of the historic mixed-use character of the town center area allowing for more transit oriented development, infill development on two key opportunity sites appropriate for senior and workforce housing, and for the creation and utilization of existing and new second units in the residentially zoned areas – all as a way to accommodate a more equitable and sustainable evolution of the Town.

There are a few opportunities for land use changes and density increases in the Town Center area. Sir Francis Drake Boulevard, Center Boulevard, Broadway and Bolinas Road are the major roads to and through the town. All other streets in Fairfax are local streets. They provide access to residences and neighborhood functions. Most local streets in the Fairfax Planning Area were built before the Second World War and many are in hilly areas. Many do not meet minimum current standards for width, curve radius, sight distance and on-street parking.

The Fairfax Pedestrian and Bicycle Master Plan, bicycling in Fairfax fits into a number of niches: commute, school, and recreation, with of bicycle use more than three times the state average with more potential for increased bicycle use for many types of trips, and a current trend toward increased bicycle use.

In December 2011 and January 2012, Parisi Associates conducted a traffic impact analysis of the 2010 – 30 Fairfax General Plan. The overall purpose of this report is to evaluate the potential traffic impacts that could occur as a result of implementing the Town of Fairfax 2010-30 General Plan over the next twenty years and the potential traffic impacts that could result upon redevelopment of the six "opportunity sites or areas" identified in the Housing Element of the Town of Fairfax General Plan. Each of the sites/areas is proposed to contain affordable housing units, either for seniors or the general workforce, in addition to other land uses. The findings of that report are included in the environmental assessment that follows.

B. Discussion

a-b) ***Less Than Significant with Mitigation Incorporation.*** The Town of Fairfax uses the 2000 Highway Capacity Manual (HCM) operational procedures for evaluating signalized and unsignalized intersection performance. The HCM analysis procedures provide estimates of saturation flow, capacity, delay, level of service, and back of vehicle queue by lane group for each approach.

HCM level of service is measured as a function of vehicle delay, with the corresponding ranges shown in Table 2 from the Parisi report shown below. At signalized intersections and unsignalized intersections with all-way stop control, level of service is a measurement of the average overall delay of the intersection. For unsignalized intersections controlled with two or fewer stops, level of service is reported for the approach with the worst delay.

Table 2. Intersection Level of Service and Delay

Level of Service	Level of Delay	Signalized Delay (seconds)	Unsignalized Delay (seconds)
A	Insignificant	0 to 10	0 to 10
B	Minimal	>10 to 20	>10 to 15

C	Acceptable	>20 to 35	>15 to 25
D	Tolerable	>35 to 55	>25 to 35
E	Significant	>55 to 80	>35 to 50
F	Excessive	>80	>50

Source: Transportation Resource Board, Highway Capacity Manual, 2000
Parisi Associates, Traffic impact analysis report, Opportunity site analysis Fairfax, California, December 2011

The Town considers level of service (LOS) D to be the minimum level of operation at both signalized and unsignalized intersections. Therefore, a signalized intersection that experiences 55 seconds or greater average delays, or an unsignalized intersection that experiences 35 seconds or greater average delays, will be required to mitigate unacceptable traffic impacts to an acceptable level of service. There are occasions, however, when the necessary improvements to mitigate the potential traffic impacts are not feasible to construct, such as an exceedingly high construction cost to improve a short duration impact, or an unduly delay for other traffic approaches.

The level of service for weekday AM and PM peak hours for existing conditions was calculated for the 17 study intersections. The findings are shown in Table 3 of the Parisi report. It was found that most intersections are operating at acceptable levels. Four intersections are operating unacceptably:

- Sir Francis Drake Boulevard/Mitchell Drive/Banchero Way: Left-turn movements from Mitchell Drive operate at LOS E during the AM peak hour (22 vehicles per hour (vph))
- Sir Francis Drake Boulevard/Olema Road: Left-turn movements from Olema Road operate at LOS E during the PM peak hour (2 vph)
- Sir Francis Drake Boulevard/Pacheco Avenue: Left-turn movements from Pacheco
- Avenue operate at LOS E in the AM peak hour (19 vph) and LOS F in the PM peak hour (32 vph)
- Broadway /Center Boulevard/Pacheco Avenue: Average vehicle delays for all movements are at LOS E during the PM peak hour

The vehicle trips estimated to be associated with the opportunity sites were distributed to the street network based on existing travel patterns. Traffic volumes for existing plus opportunity sites condition are shown in Figure 3 of the Parisi report. The level of service for weekday AM and PM peak hours for the existing plus opportunity sites condition was calculated for the 17 study intersections. The results are shown in Table 3 of the Parisi report.

The resulting traffic operations for the existing plus opportunity sites scenario will be similar to those under existing conditions for most of the study intersections. Each of the four intersections that currently operate at LOS E or F will continue to operate unacceptably. However, left-turning movements from Mitchell Drive onto Sir Francis Drake Boulevard will degrade from LOS E to LOS F conditions during the AM peak hour. The left-turning volume will increase from 22 vehicles per hour to about 61 vehicles per hour. At Sir Francis Drake Boulevard and Olema Road, the PM peak hour left-turning movements will degrade from LOS D to LOS E conditions. The number of left-turns will increase from two to four vehicles per hour

Redevelopment of the opportunity sites will not result in any of the 17 study intersections degrading from LOS D or better conditions to LOS E or LOS F conditions based on current traffic levels or those expected in year 2030. Four intersections will be expected to continue operating at LOS E or LOS F conditions with or without the redevelopment of the opportunity sites. A fifth intersection, Sir Francis Drake Boulevard/Mitchell Drive/Banchero Way, will have its stop sign-controlled left-turn degrade from LOS E to LOS F conditions during a peak period.

The impacts associated with the development of the opportunity sites in Fairfax can be mitigated to a **less than significant level with mitigation incorporation** for the following five intersections:

Mitigation Measure TRAF-1:

- Sir Francis Drake Boulevard/Mitchell Drive/Banchero Way: Stop sign-controlled left turns from Mitchell Drive currently operate at LOS E conditions during the AM peak hour. LOS E is expected to continue to result in the year 2030 without redevelopment. Redevelopment of the Christ Lutheran Church Site will degrade the left-turns to LOS F conditions and result in significant left-turn delays of two to three minutes. Traffic signalization of this intersection should be considered.

- Sir Francis Drake Boulevard/Olema Road: LOS E or F conditions will continue for left-turns turning from Olema Road with or without redevelopment of the opportunity sites. Fewer than five vehicles per peak hour are expected to continue turning left, experiencing delays of 60 seconds or less. This small volume, in comparison to the uncontrolled traffic movements at this intersection, plus the availability of alternative means to access northbound Sir Francis Drake Boulevard, do not justify mitigating the LOS E/F conditions.

- Sir Francis Drake Boulevard/Pacheco Avenue: LOS E or F conditions will continue for left-turns turning from Pacheco Avenue with or without redevelopment of the opportunity sites. Fewer than 35 vehicles per peak hour are expected to continue turning left, experiencing delays of 80 seconds or less. This volume, in comparison to the uncontrolled traffic movements at this intersection, plus the availability of alternative means to access northbound Sir Francis Drake Boulevard, do not justify mitigating the LOS E/F conditions.

- Broadway /Center Boulevard/Pacheco Avenue: The average delay for all movements at this all-way stop sign-controlled intersection is expected to equate to LOS E conditions during the PM peak period considering existing and year 2030 traffic volumes, with or without redevelopment of the opportunity sites. Installing a modern roundabout could be considered, if feasible, to mitigate these conditions. Provision of a traffic signal could exacerbate vehicle queuing through Pacheco Avenue's intersection with Sir Francis Drake Boulevard.

- Center Boulevard/Pastori Avenue: By the year 2030, with or without redevelopment of the opportunity sites, this intersection is expected to operate at LOS E during the PM peak hour. Installation of a modern roundabout could be considered in the future.

c.) ***No Impact.*** Current air traffic patterns will be maintained. The proposed project does not include improvements that will impact air traffic patterns; therefore there will be **no impact**.

d.) ***No Impact.*** The Circulation Element of the Fairfax General Plan does not involve design features that will increase hazards and will not introduce incompatible uses; therefore there will be **no impact**.

e.) ***Less Than Significant Impact.*** The Circulation Element of the Fairfax General Plan does not propose alteration of any roadways that will affect emergency access. The intent and purposes of Goal C-4: Ensure access by emergency service vehicles and public evacuation, is to enhance the emergency access network for the Town of Fairfax. As discussed above, many streets in Fairfax do not meet minimum current standards for width, curve radius, sight distance and on-street parking. Although there are no specific projects in the General Plan that will improve emergency access, there are also no proposed projects that will impede or alter access and circulation. Future development in Town will

be subject to design review and approval and all construction activity that will take place on potential project sites will be subject to review by staff for compliance with the General Plan and Zoning Code. Furthermore, projects that include alterations to infrastructure within the public street right of way, or impact access, circulation or sight distance will be subject to review and approval from various agencies including the local fire and emergency response departments responsible. Therefore, the impact is considered **less than significant** and no further mitigation is required.

f.) ***No Impact.*** Public parking in the Town of Fairfax is accommodated in several parking lots as well as on-street in the Town Center and on-street in residential areas. Although there has been no formal survey, parking is observed to be available in the downtown during most hours of the day and evening on weekdays and weekends. Merchants in the Town Center report that, in general, parking is available most of the time within a reasonable walking distance. Exceptions can occur during a Farmer's Market or special events in progress. Merchants generally support the concept of maintaining the existing parking supply rather than lose spaces to projects such as landscaping portions of the Parkade. The General Plan will not result in projects that reduce the public parking capacity; therefore, there is **no impact**.

g.) ***No Impact.*** The Circulation Element of the Fairfax General Plan includes goals and policies promoting the use of alternative modes of transportation, including bicycle and pedestrian trails and pathways. The intent and purpose of Goal C-5: Consider pedestrian and bicycle facilities as an integral part of a complete circulation network that provide affordable, healthful and ecological means of transportation, is to ensure the viability of alternative modes of transportation in Fairfax. Goal C-5 and related policies, as well as policy C-6.4, are designed to not conflict with adopted policies, plans, or programs supporting alternative transportation, therefore there is **no impact**.

Sources: Town of Fairfax 2010-30 General Plan; Parisi Associates, Traffic impact analysis report, Opportunity site analysis Fairfax, California, January 2012

XVI. UTILITIES AND SERVICE SYSTEMS – Would the project:	**Potentially significant impact**	**Less than significant with mitigation incorporation**	**Less than significant impact**	**No impact**
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d) Have sufficient water supplies available to	☐	☐	☒	☐

serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				
e) 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?	☐	☐	☒	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g) Comply with federal, state and local statutes and regulations related to solid waste?	☐	☐	☐	☒

A. Environmental Setting

Fairfax is situated in a highly desirable setting, largely related to the forested hillsides that surround the community. Despite its natural beauty, however, the Town is in fact, very densely developed. The Town density is characterized by 3,500 residents per square mile, and most of the existing residences are built on very small lots. Fairfax is surrounded on three sides by vast areas of open space, providing the community with scenic vistas, as well as a rural ambience, despite the Town's location in one of the nation's largest metropolitan areas. This protected open space amenity contributes to the Town's limited housing opportunities, as it acts as a constraint that limits the community's ability to expand, or significantly increase, the area that could be developed for housing through the traditional annexation process.

Within the existing town boundaries, Fairfax is very limited in terms of developable land. The Town is nearly built-out with all remaining undeveloped land, being either very steeply sloped or constrained from development for other reasons. Of the ten relatively large undeveloped sites located within the Town's SOI, most are on steep hillsides or exhibit environmental constraints. Five of the parcels have a zoning of Upland Residential (UR). Parcels in the UR zone are allowed a maximum one unit per seven to 10 acres; however, these parcels remain vacant because of the steep site conditions.

The Marin Municipal Water District (MMWD) provides water to the Town of Fairfax. Ross Valley Sanitary District #1 is the service provider for wastewater. Both agencies have adequate capacity to serve the Town and opportunity sites identified in the 2010 Housing Element. With the adoption of a "green building ordinances" – as called for in the 2010 Conservation Element (that promotes gray-water and water-efficient technologies) – the need for such energy intensive facilities will be reduced and/or eliminated.

This 2010 Housing Element also recommends the incorporation of green building technologies; reduced minimum unit size requirements (that allow for efficiency-sized apartments, and the reuse of small parcels); and urban "location-efficiency" placement through the use of historic TOD and TND – principals of sustainable urban design patterns as described in the 2010 Land Use Element.

B. Discussion

a-b) ***Less Than Significant Impact.*** The Fairfax General Plan will not result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. The Town is relatively built out and there are few opportunities for development. The impact to wastewater treatment facilities is considered **less than significant**, therefore no mitigation is required.

c) ***Less Than Significant Impact.*** The Town of Fairfax General Plan includes Policy CON-4.2.2 that aims to improve the standard practices contained in a Storm Drain Master Plan. The General Plan does not propose specific storm drain improvement projects but is designed to improve local water quality by establishing the Storm Drain Master Plan. This Master Plan will be evaluated for environmental impacts upon completion. The Discussion for Hydrology and Water Quality issues c-f above contains adequate environmental controls with regards to existing storm water management, therefore the impact is considered **less than significant**.

d) ***Less Than Significant Impact.*** The Town of Fairfax will continue to be served by the Marin Municipal Water District. There is adequate supply to meet the demands of the current Fairfax population, which is not anticipated to see significant population growth in the next ten years, and therefore will not generate the need to expand entitlements. The intent and purpose of Objective CON-4.1 is a 20% reduction of the Town's potable water consumption by 2015, therefore the impact is considered **less than significant**.

e) ***Less Than Significant Impact.*** The Town of Fairfax will continue to be served by the Ross Valley Sanitation District. There is adequate supply to meet the demands of the current Fairfax population, which is not anticipated to see significant population growth in the next ten years,. Furthermore, opportunity sites identified in the Housing Element can be served by the existing facilities, therefore the impact is considered **less than significant**.

f) ***Less Than Significant Impact.*** The intent and purpose of the Town of Fairfax General Plan Conservation Element is to protect the natural resources and character of the Town. The General Plan does not directly involve the removal of materials with specific need of landfill disposal. However, Goal CON-7: Waste Management is designed to reduce waste generated by Fairfax residents, businesses and government. Future development in Town will be influenced by the policies and programs contained in Goal CON-7 and will therefore limit the amount of waste sent to the local landfills in Marin County, therefore the impact is considered **less than significant**.

g) ***No Impact.*** The Town of Fairfax General Plan is consistent with all federal, state and local statutes and regulations related to solid waste.

Sources: Town of Fairfax 2010-30 General Plan

XVII. MANDATORY FINDINGS OF SIGNIFICANCE-	**Potentially significant impact**	**Less than significant with mitigation incorporation**	**Less than significant impact**	**No impact**
a) Does the project have the potential to degrade the quality of the environment,	☐	☐	☒	☐

substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☒	☐	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Discussion

a) ***Less than Significant Impact.*** The Town of Fairfax 2010-30 General Plan is a guide for future development while preserving unique and important habitats within Fairfax. The intent and purpose of the document is to promote sustainability including goals and policies that will reduce or prevent impacts to the environment. Although there are sensitive habitats and species identified throughout the General Plan area, there is no known habitat for fish or wildlife species or rare endangered plant or animal or important examples of the major periods of California history or prehistory on the opportunity sites or areas identified for development. Future projects will be subject to the design and construction guidelines of the Fairfax Planning Department and Building Services as well as potential regulatory agencies that have jurisdiction. All proposals would be subject to the applicable environmental evaluation prior to any plan review and approval. The General Plan, as designed, will not have the potential to degrade the quality of the environment, substantially reduce or cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community. Therefore the **impact is considered Less than Significant**.

b) ***Less than Significant Impact with Mitigation Incorporation.*** The intent and purpose of the Town of Fairfax 2010-30 General Plan is to is to create a set of overarching goals and a statement of direction for the Fairfax community in the coming decade. The goals, policies and programs contained within are designed to help focus the Town's energies and efforts in a common direction. The General Plan has been drafted to establish a vision for the future of the Town, establishing key initiatives to guide development, reduce waste and emissions, preserve open space and engage the public to help enact this vision. With the exception of the findings from the Parisi traffic analysis, no impacts will result in cumulatively considerable issues that cannot be mitigated to less than significant levels on a project by project basis. Furthermore, pursuant to the findings in the Parisi traffic analysis of the six opportunity sites/areas, the recommended mitigations for five intersections in Fairfax will reduce the cumulative impact to a **less than significant with mitigation incorporation level** (see Transportation/Traffic, a & b discussion above).

c) ***Less than Significant Impact.*** The Town of Fairfax General Plan is a guide for long-term development and sustainability and includes goals and policies that will reduce or prevent impacts to the environment. However, there may be impacts as a result of changes to the circulation system with regards to the full build-out of the opportunity sites/areas discussed above. The mitigation incorporation for those impacts should reduce them to **less than significant** levels and thus will not cause substantial adverse effects on human beings.