



APRIL 2020

PUBLIC REVIEW DRAFT

Hotel Floor Area Bonus Ordinance Initial Study/ Mitigated Negative Declaration

for the
**TOWN OF CORTE
MADERA**







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PREPARED BY:



1625 Shattuck Avenue, Suite 300
Berkeley, California 94709
510.848.3815

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SOURCES

In addition to the technical appendices, all documents cited in this report and used in its preparation are hereby incorporated by reference into this Initial Study. Copies of documents referenced herein are available for review at 300 Tamalpais Drive, Lower Level, Corte Madera, CA 94925.

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1. Introduction

This Initial Study for the Hotel Floor Area Bonus Ordinance (proposed project) was prepared by the Town of Corte Madera (Town) to determine if the proposed project may have a significant effect on the environment. This Initial Study was prepared pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000 *et seq.*) and CEQA Guidelines (California Code of Regulations Sections 15000 *et seq.*). Pursuant to CEQA Guidelines Section 15051, the Town is the Lead Agency for the proposed project.

The project consists of proposed amendments to Corte Madera's Zoning Ordinance which would allow future hotel development projects that meet specific performance criteria to be constructed at higher densities than what is currently permitted. The proposed amendments would increase the existing maximum Floor Area Ratio (FAR)¹ of .34 to a maximum .70 FAR for hotels on lots greater than one acre in size in certain zoning districts which conditionally permit hotel uses. The amendments would also include an amendment to the C-4 zoning district to allow hotel uses as a conditional use in that district. Up to four such hotels would be allowed within the Town provided certain conditions and performance criteria are met. For further details on the project, see Chapter 3, Project Description of this Initial Study.

1.1 INITIAL STUDY

Pursuant to Section 15063 of the CEQA Guidelines,² an Initial Study is a preliminary environmental analysis that is used by the lead agency as a basis for determining what form of environmental review is required for a project. The CEQA Guidelines require that an Initial Study contain a project description, description of environmental setting, identification of environmental effects by checklist or other similar form, explanation of environmental effects, discussion of mitigation for significant environmental effects, evaluation of the project's consistency with existing and applicable land use controls, and the name of persons who prepared the study.

¹ Section 18.04.265 of the Corte Madera Code of Ordinances defines FAR as "the gross floor area of all structures on a site, divided by the net area of land".

² The CEQA Guidelines are found in California Code of Regulations, Title, 14, Section 15000 *et seq.*

INTRODUCTION

1.2 REPORT ORGANIZATION

This Initial Study is organized into the following chapters:

- **Chapter 1: Introduction.** This chapter provides an introduction and overview of the Initial Study document.
- **Chapter 2: Executive Summary.** A summary of the pertinent details for the proposed project, including lead agency contact information, proposed project location, and General Plan and Zoning designations are in this chapter.
- **Chapter 3: Project Description.** This chapter describes the location and setting of the proposed project, along with its principal components, as well as a description of the policy setting and implementation process for the proposed project.
- **Chapter 4: Environmental Analysis.** Making use of the CEQA Guidelines Appendix F, Energy Conservation, and Appendix G, Environmental Checklist, this chapter identifies and discusses anticipated impacts from the proposed project, providing substantiation of the findings made.
- **Chapter 5: Mitigation Monitoring and Reporting Program.** This chapter lists the impacts found to be significant and identifies the recommended mitigation measures categorized by impact area.
- **Chapter 6: Organizations and Persons Consulted.** This chapter presents a list of Town, other agencies, and consultant team members that contributed to the preparation of the Initial Study.

2. Executive Summary

2.1 INITIAL STUDY CHECKLIST

1. Project Title: Hotel Floor Area Bonus Ordinance
2. Lead Agency Name and Address: Town of Corte Madera, Planning and Building
300 Tamalpais Drive
Corte Madera, CA 94925
3. Contact Person and Phone Number: Adam Wolf, Director, Planning and Building
AWolff@tcmmail.org
415-927-5059
4. Project Location: Town of Corte Madera, south Marin County, eight miles north of San Francisco. See page 3.1 of Chapter 3.1, Site Location and Characteristics.
5. Project Applicant's Name and Address: Town of Corte Madera, Planning and Building
300 Tamalpais Drive
Corte Madera, CA 94925
6. General Plan Land Use Designation: Mixed-Use Commercial
7. Zoning: C-3, C-4, MX-1, Overlay: BRNH, AHMU
8. Description of Project: See Project Description in Chapter 3
9. Surrounding Land Uses and Setting: See page 3.1.2 of Chapter 3, Project Description
10. Other Public Agencies whose Approval is Required: See page 3.5 of Chapter 3, Project Description
11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

The Town has not received any request from any Tribes in the geographic area with which they are traditionally and culturally affiliated with or otherwise to be notified about projects in the Town of Corte Madera.

EXECUTIVE SUMMARY

2.2 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

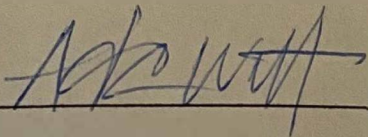
The environmental factors checked below would be potentially affected by the proposed project, involving at least one impact that is a potentially significant impact without mitigation, as indicated by the checklist.

- | | | |
|--|--|---|
| ☐ Aesthetics | ☐ Agriculture & Forestry Resources | ☒ Air Quality |
| ☒ Biological Resources | ☐ Cultural Resources | ☐ Energy |
| ☐ Geology & Soils | ☒ Greenhouse Gas Emissions | ☐ Hazards & Hazardous Materials |
| ☐ Hydrology & Water Quality | ☐ Land Use & Planning | ☐ Mineral Resources |
| ☒ Noise | ☐ Parks & Recreation | ☐ Population & Housing |
| ☐ Public Services | ☐ Transportation | ☐ Tribal Cultural Resources |
| ☐ Utilities & Service Systems | ☐ Wildfire | ☐ Mandatory Findings of Significance |

2.3 DETERMINATION:

On the basis of this initial evaluation:

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

Approved by: 

Adam Wolff

Planning Director

4-24-20

Date

2.4 SUMMARY OF IMPACTS

The proposed project (zoning ordinance amendments) does not include any proposed physical development and therefore all CEQA level topic areas within this Initial Study Mitigated Negative Declaration were identified to have less than significant impacts. Future development within the hotel bonus areas under the proposed project's zoning ordinance amendment would undergo project level CEQA analysis to determine the level of significance for each topic. A detailed discussion of the project's impacts is provided in Chapter 4, Environmental Analysis, of this Initial Study.

EXECUTIVE SUMMARY

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3. Project Description

The Town of Corte Madera (Town) is proposing amendments to Chapter 18.12 – C (Commercial Districts) and Chapter 18.13 – MX (Mixed Use Districts) of the Zoning Ordinance to amend the permitted Floor Area Ratio (FAR) for hotel uses. The proposed amendments would establish a framework of performance standards to allow a greater FAR for hotel development on lots greater than one acre in size within the C-3, C-4 and MX-1 zoning districts. The performance standards are related to site planning and design features, environmental sustainability components, community integration / benefits and public realm elements. The proposed ordinance amendments would permit up to a maximum .70 FAR where the existing maximum is .34 FAR. The proposed ordinance amendments would also change the C-4 zoning district to allow hotels as a conditional permitted use. Finally, the ordinance amendments would permit an increase in the allowable height for hotels from 35 feet in the C-3 and C-4 districts, and from a base height of 35 feet, (up to 40 feet in the MX-1 district), to 47 feet. The amendments would restrict the total number of qualifying projects to a total of four, with an allowance of no more than two in each of four hotel bonus areas, as described in Section 3.1.2 below. Please refer to Attachment A for the complete draft hotel FAR Ordinance. Please note that although the draft ordinance does not currently include the the proposed height limit increase, Town staff has included this change in this Project Description and environmental analysis to allow the Planning Commission and Town Council to consider this addition at future public hearings, without the need for additional environmental review.

3.1 SITE LOCATION AND CHARACTERISTICS

3.1.1 REGIONAL LOCATION

The Town of Corte Madera is located in Marin County, California —eight miles north of San Francisco. Corte Madera is positioned directly on San Francisco Bay, with its eastern boundary extending into the Bay itself. The Town of Corte Madera is comprised of 4.5 square miles. However, approximately 1.25 square miles of this area is submerged under Bay waters and approximately 0.67 square miles is protected marshland adjacent to the Bay, leaving a net land area of 2.55 square miles. To the south of the Town is the unincorporated community of Strawberry and Mill Valley, and to the north is the City of Larkspur and unincorporated community of Greenbrae. North-south running Highway 101 (US-101) bisects the Town and provides regional access to the municipality. The location of the Town within regional and local contexts is illustrated in Figure 3-1.

PROJECT DESCRIPTION



Note: Unincorporated county areas are shown in white.



Source: ESRI, 2019

PLACEWORKS

FIGURE 3-1
REGIONAL LOCATION

3.1.2 LOCAL SETTING AND LAND USE

There are four general areas within the Town where the proposed hotel floor area bonus would be applied, as shown on Figure 3-2³. These areas were identified to indicate the distinct geographic and physical Town context (i.e. land use patterns) in which potential hotels could be developed pursuant to the project. As noted above, the proposed zoning amendments would limit the total number of qualifying projects to four with a maximum of two in each hotel bonus area. The following provides a description of each of the four hotel bonus areas.

Hotel Bonus Area One

As shown on Figure 3-2, hotel bonus area one is primarily zoned C-4 and is located proximate to the geographic center of Corte Madera and is bounded by Tamalpais Drive to the north, San Clemente Drive to the east, and Paradise Drive to the south and west. Also included in hotel bonus area one is a small “island” zoned C-3, which is bounded by US-101 to the west and Paradise Drive to the east.

Hotel bonus area one is about 26 acres in size and largely built out with commercial uses. Land uses include construction equipment rental store, storage units, veterinary hospital, and automotive dealerships. The C-4 zoning district is comprised of 26 parcels consisting of one, two, and three-story commercial buildings, surrounded by surface parking, and a three- and four-story residential apartment complex with 79 units. Light landscaping consisting of bushes, trees, and grass, runs along the perimeter of the district and between some of the lots. The C-4 district includes two zone overlays — the Baylands Risk Zone Overlay covering 12 parcels on the northern half of the district and Affordable Housing Mixed Use Overlay on two parcels along San Clemente Drive, including the residential apartment complex. Surrounding uses include residential uses and open space to the east, commercial uses to the south, Hwy. 101 to the west, and commercial retail uses to the north. The C-3 zone area contains one parcel that is currently being developed as a new drive-through restaurant, including surface parking. Of the 26 parcels in hotel bonus area one, five parcels are greater than or equal to one acre in size.

Hotel Bonus Area Two

Hotel bonus area two consists of land zoned C-3 and is located proximate to the geographic center of Corte Madera with Casa Buena Drive to the north and east, U.S. 101 further to the east, multi-family residential uses to the south, and Meadowsweet Drive to the west. This area contains 9.5 acres consisting of commercial uses and one residential apartment building. It is comprised of 13 parcels containing 10 buildings between one to three stories, including a restaurant, a bank, two hotels, a coffee shop and two automotive dealerships. Ornamental landscaping comprised of bushes, trees, and grass runs along the perimeter of the zone and in between lots. Surrounding uses include multi-family residential uses to the

³ Only parcels zoned C-3, C-4, or MX-1 within these hotel bonus areas would be eligible to utilize the proposed Hotel Floor Area Bonus.

PROJECT DESCRIPTION

west and south, and commercial uses to the north and east. Of the 13 parcels in hotel bonus area two, two parcels are greater than or equal to one acre in size. Hotel bonus area two contains two hotels; Americas Best Value Inn at .25 acre in size with 18 rooms and a Budget Inn, .48 acre in size with 18 rooms, which is currently slated for demolition and reconstruction as a 22 room hotel.

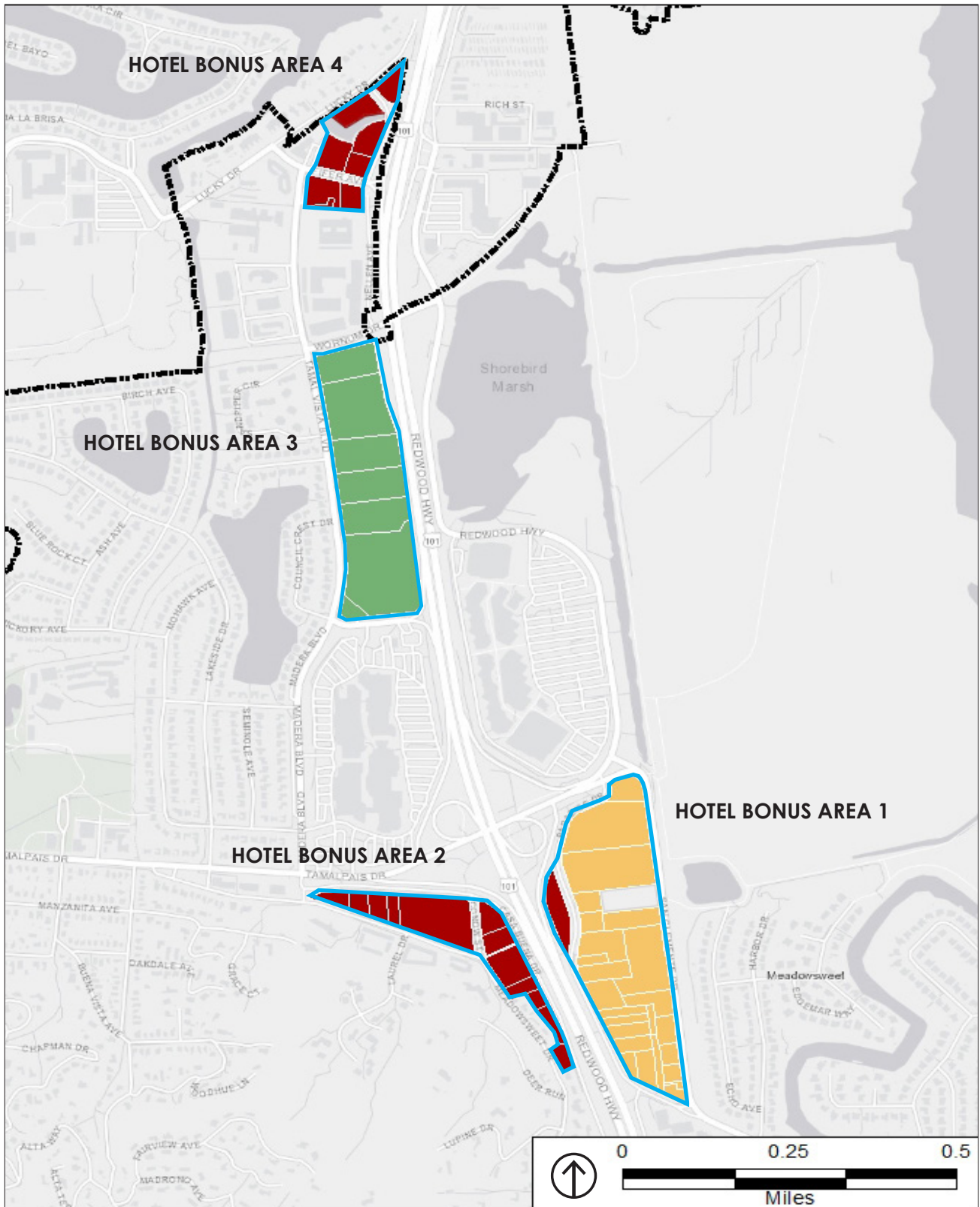
Hotel Bonus Area Three

Hotel bonus area three consists of the area zoned MX-1 – Tamal Vista Mixed Use Corridor, and is bounded by US 101 to the east, Madera Boulevard to the south, Tamal Vista Boulevard to the west, and Wornum Drive to the north. The Baylands Risk Zone Overlay covers the southern two parcels. Hotel bonus area three contains seven parcels within the 18-acre area. The area is made up of 10 buildings between one and three stories, including two hotels, commercial retail, offices, and a movie theater with associated surface parking. Surrounding land uses consist of commercial to the north, U.S. 101, commercial retail, and Shorebird Marsh to the east, commercial uses to the south, and single and multi-family residences to the west. Of the seven parcels in this hotel bonus area three, six parcels are greater than or equal to one acre in size. Hotel bonus area three contains two hotels; Marin Suites 1.9 acres in size with 101 rooms and the Best Western Corte Madera Inn 6.6 acres in size with 110 rooms.

Hotel Bonus Area Four

Hotel bonus area four consists of the area zoned C-3, south of Fifer Avenue between Tamal Vista Boulevard to the west, and Nellen Avenue to the east. Additional lands in hotel bonus area four include an area zoned C-3, bounded by Fifer Avenue to the south, Lucky Drive to the north, and Nellen Ave to the east. The area is 5.1 acres in size, consisting of eight parcels, and is made up of commercial uses and open space. Existing development in the bonus area consists of one parcel under construction and six buildings, ranging between one and two stories, surrounded by surface parking. Ornamental landscaping including trees, shrubs, and patches of grass, run along the perimeter of the area and between buildings. A lagoon runs from Lucky Drive to Nellen Avenue. Surrounding the area are multi and single-family residences to the north and west, US 101 to the east, and commercial office uses to the west and south. Of the eight parcels in this hotel bonus area, only one parcel is greater than or equal to one acre in size. Surrounding the area are multi and single-family residences to the north and west, US 101 to the east, and commercial office uses to the west and south.

PROJECT DESCRIPTION



Source: Esri, 2019; PlaceWorks, 2020.

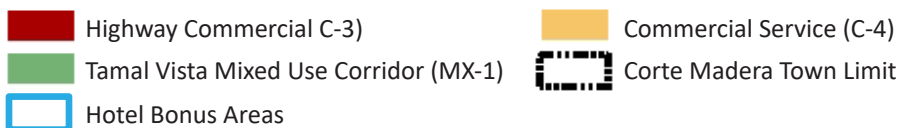


FIGURE 3-2
HOTEL BONUS AREA MAP

PROJECT DESCRIPTION

3.1.3 BUILDOUT PROJECTIONS

Buildout projections were developed to quantify the additional hotel development that could occur within each of the four hotel bonus areas. For purposes of analysis, one qualifying project, meeting all of the performance standards, allowing the maximum .70 FAR, was assumed for each bonus area. For each hypothetical project, larger parcels, representative of the largest likely development sites in each hotel bonus area, were selected in order to conservatively estimate the distribution and amount of buildout potential of the proposed ordinance.

To illustrate the increased hotel development intensity permitted pursuant to the proposed ordinance, a comparison was made between hypothetical projects using the existing FAR of .34 (and the proposed .34 FAR that would be permitted for hotels in the C-4 district) versus hotel projects meeting the density bonus performance standards, using the proposed FAR of .70. Table 3-1, Existing Setting and Buildout Projections, summarizes the development potential for the four hotel bonus areas.

As shown in Table 3-1, assuming development of four new hotels and application of the density bonus, together with allowing hotel development in the C-4 Zone, the proposed project could result in a net increase of 51,587 square feet (in the C-4 at .34 FAR) and 64 hotel rooms plus 211,702 square feet of total building area (in the C-4 at .70 FAR) and 261 hotel rooms compared to development at the same sites under the current .34 FAR standard. However, for purposes of this environmental analysis, the buildout projections are based on application of the proposed ordinance compared to existing conditions, resulting in a potential increase of 411,644 square feet of building area, with 507 rooms. It should be noted that the actual number of hotel rooms would likely be lower than 507, when factoring in ancillary amenities, including restaurants, meeting rooms, retail space and exercise facilities, which for urban business hotels, would use an additional 12 to 16 percent of building area.⁴

⁴ deRoos, J. A. (2011). Planning and programming a hotel [Electronic version]. Retrieved 4/23/2020, from Cornell University, School of Hospitality Administration site: <http://scholarship.sha.cornell.edu/articles/310>

PROJECT DESCRIPTION**TABLE 3-1 HOTEL BONUS AREA ZONING ORDINANCE BUILDOUT PROJECTIONS**

Hotel Bonus Area	Zoning Designation(s)	Hotel Bonus Area size (acres)	Development Potential Existing Zone ^{ab}	Development Potential Hotel Bonus Area Zone ^{ac}	Net Increase
1	C-4 & C-3	26 ac.	Hypothetical Site 1 Parcel Size: 3.5 ac. FAR: .34 Building Area: 51,837 sf. Rooms ^b : 64	Hypothetical Site 1 Parcel Size: 3.5 ac. FAR: .70 Building Area: 106,722 sf. Rooms: 131	C-4 (.34 FAR)-Building: 51,837 sf. /Rooms: 64 C-4 (.70 FAR)-Building: 54,885 sf./Rooms 67
2	C-3	9.5 ac.	Hypothetical Site 2 Parcel Size: 2.75 ac. FAR: .34 Building Area: 40,729 sf. Rooms: 50	Hypothetical Site 2 Parcel Size: 2.75 ac. FAR: .70 Building Area: 83,853 sf. Rooms: 103	Building Area: 43,125 sf. Rooms: 53
3	MX-1	18 ac.	Hypothetical Site 3 Parcel Size: 5 ac. FAR: .34 Building Area: 74,052 sf. Rooms: 91	Hypothetical Site 3 Parcel Size: 5 ac. FAR: .70 Building Area: 152,460 sf. Rooms: 188	Building Area: 78,408 sf. Rooms: 97
4	C-3	5.1 ac.	Hypothetical Site 4 Parcel Size: 2.25 ac. FAR: .34 Building Area: 33,324sf. Rooms: 41	Hypothetical Site 4 Parcel Size: 2.25 ac. FAR: .70 Building Area: 68,607 sf. Rooms: 84	Building Area: 35,284 sf. Rooms 43
Total Buildout			Building Area: 199,941 sf. Rooms: 246	Building Area: 411,644 sf. Rooms: 507	Net New Building Area: 211,702 sf. + C-4 (51,587 sf.) Net New Rooms: 261 + C-4 (64)

Notes: sf. = Square feet; ac = acres

^a Room size was calculated based off of existing Corte Madera Hotels. Room size is calculated as follows: Total room building area of all hotels in Corte Madera divided by total number of all hotel rooms in Corte Madera equals average room size.^b Assumes one hotel room for every 650 square feet of building area dedicated solely to lodging. (Note that 20% of building area is used for food service and administrative offices, hallways, other public spaces). Number of rooms is calculated as follows: building area minus 20%: remaining building area divided by 650 square feet equals number of rooms.^c Assumes construction of one hotel per Study Area, under maximum bonus potential.

Employee Generation

For purposes of this analysis, under maximum buildout conditions, it is estimated that the employee work force would be in the range of 250 employees, based on a ratio of .5 employees per room, and assuming provision of guest amenities as described above.

PROJECT DESCRIPTION

3.2 Automobile Delay and Vehicle Miles Traveled Analysis

On September 27, 2013, SB 743 was signed into law. SB 743 started a process that could fundamentally change transportation impact analysis as part of CEQA compliance. These changes include the elimination of auto delay, level of service (LOS), and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts in many parts of California (if not statewide). As part of the updated CEQA Guidelines, the new criteria “shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses” (Public Resources Code Section 21099(b)(1)). On January 20, 2016, OPR released revisions to its proposed CEQA guidelines for the implementation of SB743. Final review and rulemaking for the new guidelines were completed in December 28, 2018 when the California Natural Resource Agency certified and adopted the CEQA Guidelines update package, including guidelines section implementing Senate Bill 743. OPR allows agencies an opt-in period to adopt the guidelines; they become mandatory on July 1, 2020.

VMT is an indicator of the travel levels on the roadway system by motor vehicles. It corresponds to the number of vehicles multiplied by the distance traveled in a given period over a geographical area. In other words, VMT is a function of (1) number of daily trips and (2) the average trip length ($VMT = \text{daily trips} \times \text{average trip length}$).

This Initial Study is based on the revised (2020) CEQA Guidelines, and will therefore not evaluate LOS as part of the CEQA analysis, however LOS conformity is discussed in Section 4.1-XVII for informational purposes.

3.3 Public Service and Utility Providers

The following public service providers would serve the proposed project:

- Corte Madera Fire Department (CMFD for fire protection, emergency, medical, and hazardous materials)
- Central Marin Police Authority for police protect services
- Marin County Library District
- Larkspur-Corte Madera School District
- Reed Union School District
- Tamalpais Union High School District
- Marin Municipal Water District (MMWD) for water services
- Marin County Sanitary District No. 2 for sanitary sewer services and wastewater would be treated at the CMSA Wastewater Treatment Plant
- Pacific Gas & Electric (PG&E) for electricity and natural gas
- Mill Valley Refuse Service provides solid waste collection.

3.4 LAND USE DESIGNATION AND ZONING

The project encompass several Assessor's Parcel Numbers (APNs), these are⁵:

- **Hotel Bonus Area One:** 024-171-10, 024-171-22, 024-171-26, 024-171-27, 024-171-31, 024-171-32, 024-171-33, 026-011-27, 026-011-07, 026-011-40, 026-011-26, 026-011-33, 026-011-39, 026-011-15, 026-011-16, 026-011-32, 026-011-17, 026-021-20, 026-021-15, 026-021-19, 026-021-21, 026-021-22, 026-021-23, 026-021-24, 026-021-25, and 026-021-26.
- **Hotel Bonus Area Two:** 025-065-01, 025-071-03, 025-071-04, 025-071-06, 025-071-07, 025-073-06, 025-073-02, 025-073-05, 025-073-04, 025-182-12, 025-182-13, 025-182-25, and 025-182-16.
- **Hotel Bonus Area Three:** 024-031-26, 024-031-36, 024-031-28, 024-031-25, 024-031-21, 024-031-16, and 024-031-16.
- **Hotel Bonus Area Four:** Parcel 024-042-01, 024-041-17, 024-041-12, 024-041-02, 024-041-16, 024-011-75, 024-011-76, and 024-011-57.

3.4.1 GENERAL PLAN

The General Plan land use designation for the project is Mixed-Use Commercial, which is intended to support infill activities, and site and building redevelopment of existing neighborhood commercial centers and along commercial corridors. Mixed-Use Commercial includes allowable uses such as office, light industrial (non-manufacturing), and commercial services, as well as new housing developments. The designation intends to encourage various community activities and services to co-exist within close proximity to one-another such as jobs, services, and housing, in an effort to reduce the need for extensive automobile travel. A reduction in parking standards may be allowed if the site is located within 0.25 mile of a transit stop.⁶

3.4.2 ZONING

The proposed project consists of amendments to zoning ordinance that would allow future hotels to be constructed in the C-4 zone in accordance with existing height and FAR standards, and would also allow future hotels in the C-3, C-4, and MX-1 zoning districts to be constructed at an increased FAR if they meet specified performance standards. In addition, this Initial Study examines potential impacts of increasing the allowable height for hotels from a base height of 35 feet (up to 40 feet in the MX-1 district) to 47 feet.

⁵ Marin Map, 2019, MarinMap Map Viewer, available online at <https://www.marinmap.org/Html5Viewer/Index.html?viewer=smmdataviewer>, accessed March 16, 2020.

⁶ Town of Corte Madera General Plan, 2009, Land Use, available online at <https://www.townofcortemadera.org/DocumentCenter/View/275/Chapter-2---Land-Use-PDF?bidId=>, accessed March 18, 2020.

PROJECT DESCRIPTION

Some parcels within these zoning districts are also zoned with a Baylands Risk Zone Overlay or an Affordable Housing Mixed Use Overlay.⁷

As described in Title 18 – Zoning of Corte Madera’s Municipal Code, the general types of uses allowed within these zoning district are:⁸

- Commercial Service District (C-4): The C-4 district is intended to create and enhance areas where larger scale commercial uses can be located. These uses typically do not locate in shopping centers and may have some adverse impacts if located next to residential areas but have low vehicle trip generation rates. Locally and regionally serving, these uses are located so as to have convenient access to the freeway. These areas include such land extensive establishments as automobile dealers, building materials sales, home improvement sales, and veterinarians.
- Highway Commercial District (C-3): The C-3 district is intended to create and enhance areas where automobile associated traveler services are desired. The C-3 district regulations are applied to areas near freeway interchanges or in areas with convenient access to the freeway, and provide for commercial uses which typically are freeway-oriented but do not locate in shopping centers, such as automotive dealers, automotive services, gas stations, restaurants and motels.
- Mixed Use Tamal Vista Corridor District (MX-1): The MX-1 district is intended to create a mixed residential and non-residential district, where such uses coexist on a single site or across multiple sites, while reinforcing and supporting existing commercial uses and enhancing the amenities available to surrounding residential communities.
- Baylands Risk Zone and Natural Habitat Overlay District (BRNH): The BRNH district is intended to apply to lands which have a potential for substantial additional development, have less than ten percent slope, and are underlain by bay mud.
- Affordable Housing Mixed Use Overlay District (AHMU): The AHMU district is intended to provide for mixed uses in commercial areas. This overlay district serves to implement the housing element goal of providing new housing and addressing affordable housing needs by establishing development regulations for designated housing opportunity sites.

⁷ Town of Corte Madera, 2019, Zoning District Map, available online at <https://www.townofcortemadera.org/DocumentCenter/View/296/Zoning-District-Map-PDF?bidId=>, accessed March 18, 2020.

⁸ Town of Corte Madera, 2019, Municipal Code Title 18 – Zoning, available online at https://library.municode.com/ca/corte_madera/codes/code_of_ordinances?nodeId=TIT18ZO, accessed March 19, 2020.

3.5 REQUIRED PERMITS AND APPROVALS

Following approval of this Initial Study and adoption of the Mitigated Negative Declaration, the following land use and approvals from the Town would be required for the proposed project:

- Zoning Ordinance Amendment
- Conditional Use Permit for future development.
- Design Review Permit for future development.

PROJECT DESCRIPTION

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4. Environmental Analysis

4.1 DISCUSSION OF ENVIRONMENTAL EVALUATION

I. AESTHETICS

Would the proposed project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	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)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d)	Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Existing Conditions

To the west of the Town of Corte Madera are the Marin Hills of the Northern California Coast Ranges, including Mt. Tamalpais, to the south is open space consisting of the Tiburon Ridge Open Space Preserve and Ring Mountain Open Space Preserve, to the east is San Francisco Bay, and to the north is the City of Larkspur. The Town's topography consists of rolling wooded hillsides descending easterly from Mt. Tamalpais toward a flat terrain (filled baylands) extending to waterways and marshlands of the San Francisco Bay.

The project would apply to the C-3, C-4, and MX-1 zoning districts within the Town. The areas within these zoning districts currently consist of commercial uses generally characterized by one to three story buildings, adjacent surface parking, and vegetation consisting of grass, trees, shrubs, and bushes interspersed between parcels. The Town is generally defined by low-density single-family residential uses and low-density commercial uses mostly located along the north-south running US 101, intermixed with hillside open space, wetlands and marshlands, and parks. The Corte Madera General Plan Resource Conservation and Sustainability Element identifies the wetlands and marshlands along San Francisco Bay and San Clemente Creek, and the viewsheds and hillsides of Mount Tamalpais as scenic resources in the Town. Additionally, the Corte Madera General Plan Community Design Element identifies Tamalpais Drive, Paradise Drive, Corte Madera Avenue and San Clemente Drive as scenic corridors.

ENVIRONMENTAL ANALYSIS

Applicable General Plan Policies and Programs

The Town of Corte Madera General Plan establishes a number of policies and programs guiding community design. The following are most relevant to the proposed project and will be applied to all future development within the hotel bonus areas:

- **POLICY CD-1.5:** Preserve the value of the community's night sky and avoid unnecessary light and glare from signage, building and landscape illumination, or other sources of outdoor lighting.
 - **Implementation Program CD-1.5.a: Reduce Lighting Levels:** Revise the Zoning Ordinance and other appropriate sections of the Municipal Code to limit lighting levels, and to establish acceptable types of lighting, fixtures, and the location of lighting in relation to nearby properties. Include the following in the Design Guidelines to reduce lighting levels:
 - A requirement that outdoor lighting of nonresidential uses shall be designed to be turned off when not in use where security and safety are not a concern.
 - When streetlights are located along the perimeter of the community Plan areas, overhead lighting shall be shielded to minimize lighting of adjacent properties.
 - Roadway, commercial, and residential lighting shall be limited to the minimum amount needed for public safety and shall be designed to focus light where it is needed.
 - Streetlight fixtures should be designed to block illumination of adjoining properties and to prohibit light emitted from the fixtures above the horizontal plane.

Town Design Guidelines

Chapter 18.30 of the Town's Zoning Code specifies requirements for all development subject to Design Review. The following guiding principles related to new development in project areas are included in the Town's design guidelines:⁹

- 1) Preservation of natural landforms and trees to the maximum extent possible; minimization of grading and/or removal of trees with trunk diameters of four inches or more at ground level; use of high-quality materials and earth tone colors are encouraged; the location of off-street parking should be subordinate to the main structure; access drives should be minimum width necessary;
- 2) Preservation of view corridors to the Bay wherever possible;
- 3) Landscaping should be native, low maintenance and have low water demands;
- 4) New utilities should be placed underground; and
- 5) Specific guidelines for senior housing developments.

⁹ Town of Corte Madera, 2019, Municipal Code, available online at https://library.municode.com/ca/corte_madera/codes/code_of_ordinances?nodeId=TIT18ZO_CH18.30DERE_18.30.030GU, accessed March 19, 2020.

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Additionally, the Town's Municipal Code includes standard conditions of approval within the subject proposed projects' districts.¹⁰

1) Required standards in mixed use districts (18.13.030):

- a. All exterior lighting shall be dark sky compliant, and designed, located and lamped in order to prevent overlighting, energy waste, glare, light trespass, and unnecessary skyglow. All parking lot area lights shall be full cutoff luminaires, as certified by the manufacturer, with the light source directed downward and away from residences with the fixture level with the horizontal plane; shall not exceed 20 feet in height; shall be equipped with timers and motion sensors that are utilized to reduce energy use when not necessary. Parking area lights are encouraged to be greater in number, lower in height and lower in light level, as opposed to fewer in number, higher in height and higher in light level. All other luminaires shall be shielded with an opaque material and located or directed so as to not produce glare or direct illumination across a property line. Bollard lighting may be used to light walkways and other landscape features, but shall cast its light downward.
- b. No internally illuminated fascia, wall, roof, awning or other building part shall be allowed. Floodlights are not permitted and all nonessential exterior lighting associated with nonresidential uses shall be turned off within ½ hour after the close of business or when the non-residential use is not in use.

2) Required standards in commercial districts (18.12.030):

- a. All exterior lighting shall be directed toward the property and away from nearby residential districts and adjacent streets. The lighting patterns of each fixture shall be contained within the site and shall be effectively shielded from nearby residential districts. No internally illuminated fascia, wall, roof, awning or other building part shall be allowed.

The Town's design review process establishes standard procedures for the review and approval of development applications. During the design review process, findings are required to be made related to compliance with existing plans and zoning, preservation of natural features and natural beauty, impacts on residential views and privacy, building and site design, site orientation, use of quality materials and compatibility, and adequate access for all modes of travel.

Discussion

a)

For purposes of determining significance under CEQA, a scenic vista is generally considered a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. Some scenic vistas are officially designated by public agencies, or informally designated by tourist guides. Vistas provide visual access or panoramic views to a large geographic area and are generally located at a point

¹⁰ Town of Corte Madera, 2019, Municipal Code, available online at https://library.municode.com/ca/corte_madera/codes/code_of_ordinances?nodeId=TIT18ZO_CH18.30DERE_18.30.030GU, accessed March 19, 2020.

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where surrounding views are greater than one mile away. Panoramic views are usually associated with vantage points over a section of urban or natural areas that provide a geographic orientation not commonly available. Examples of panoramic views might include an urban skyline, valley, mountain range, a large open space area, the ocean, or other water bodies. A substantial adverse effect to a scenic vista is one that degrades the view from such a designated view spot.

The proposed project does not consist of any physical development. The proposed project consists of amendments to zoning ordinance that would allow future hotels to be constructed in the C-4 zone in accordance with existing height and FAR standards, and would also allow future hotels in the C-3, C-4, and MX-1 zoning districts to be constructed at an increased FAR if they meet specified performance standards. In addition, this Initial Study examines potential impacts of increasing the allowable height for hotels from a base height of 35 feet (up to 40 feet in the MX-1 district) to 47 feet. Future development under the proposed project (including the proposed height limit increase) would have the potential to affect scenic vistas and/or scenic corridors if new or intensified development blocked views of areas that provide or contribute to such vistas. Potential effects could include blocking views of a scenic vista/corridor from specific publicly accessible vantage points or the alteration of the overall scenic vista/corridor itself. Such alterations could be positive or negative, depending on the characteristics of individual future projects and the subjective perception of observers. However, future projects would consist of redevelopment of parcels that would replace existing buildings with new buildings, within the commercial corridors along US 101, including the Village at Corte Madera and Corte Madera Town Center developments. Adherence to design review principles including building design, massing, and setbacks put forth by the Town's commercial development standards and the consideration of view impacts required through the design review process, would ensure no impacts to scenic resources would occur. Therefore, future development under the proposed project would have *less than significant* impacts to scenic vistas and scenic resources.

b)

North-south running Highway 101 (US-101) is located adjacent to all four hotel bonus areas. However, U.S. 101 as it passes through Corte Madera is not state-designated scenic highway, as shown on the California Scenic Highway Mapping System of the California Department of Transportation¹¹. Furthermore, there are no rock outcroppings or historic buildings located in any of the hotel bonus areas — they are fully built out with commercial uses. Therefore, future development under proposed project would have *no impacts* to scenic resources including trees, rock outcroppings, historic buildings within a State scenic highway.

c)

There are four areas within the Town where the proposed ordinance amendments would be located, as shown on Figure 3-2, *Hotel Bonus Areas*. As stated previously, the zoning ordinance would allow future hotels to be constructed in the C-4 zone in accordance with existing height and FAR standards, and would also allow future hotels in the C-3, C-4, and MX-1 zoning districts to be constructed at an increased FAR if they meet specified performance standards. In addition, this Initial Study examines potential impacts of

¹¹ California Department of Transportation (Caltrans). 2019. California Scenic Highway Mapping System. http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm.

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increasing the allowable height for hotels from a base height of 35 feet (up to 40 feet in the MX-1 district) to 47 feet.

All four hotel bonus areas are largely built out with little undeveloped space remaining. The hotel bonus areas and surrounding locales are urbanized, as is much of the Town. The hotel bonus areas are currently designated in the Town's general plan as Mixed-Use Commercial. As stated in the existing conditions, the four areas are generally defined by one to three story buildings, adjacent surface parking, and vegetation consisting of grass, trees, shrubs, and bushes interspersed between parcels. Adherence to the Town's development standards and design review process guidelines will ensure that any redevelopment of existing parcels would be similar in scale and massing to existing development in the project vicinity. Therefore, future development under the proposed project, including any potential height increase, would not be in conflict with zoning or other regulations and there would be no impacts to scenic quality.

d)

Nighttime light and glare impacts are the effects of a project's exterior lighting upon adjacent uses and areas. Glare can also be generated by light reflecting off passing cars and large expanses of glass windows or other reflective surfaces. Excessive light and/or glare can impair vision, cause annoyance, affect sleep patterns, and generate safety hazards when experienced by drivers. Light and glare impacts are determined through a comparison of the existing light and glare sources with the proposed lighting plan or policies and the type of development proposed.

The Town of Corte Madera is a largely urbanized and built out environment with many existing sources of nighttime illumination. Existing commercial uses within the four hotel bonus areas currently generate light and glare generated by existing streetlights, vehicle headlights, and indoor and outdoor lighting for wayfinding and landscaping. The proposed zoning ordinance amendments would not alter the existing level of light and glare.

Future development under the proposed project would be infill development projects that replace existing buildings with new buildings. Future development would have the potential to change existing light levels. However, all projects would be required to comply with Sections 18.12.030 and 18.13.030 of the Corte Madera Municipal code as, described previously, covering lighting in Commercial and MX-1 districts, respectively:¹²

- All exterior lighting shall be dark sky compliant, and designed, located and lamped in order to prevent overlighting, energy waste, glare, light trespass, and unnecessary skyglow. All parking lot area lights shall be full cutoff luminaires, as certified by the manufacturer, with the light source directed downward and away from residences with the fixture level with the horizontal plane; shall not exceed 20 feet in height; shall be equipped with timers and motion sensors that are utilized to reduce energy use when not necessary. Parking area lights are encouraged to be greater in number, lower in height and lower in light level, as opposed to fewer in number, higher

¹² Town of Corte Madera, 2019, Municipal Code, available online at https://library.municode.com/ca/corte_madera/codes/code_of_ordinances?nodeId=TIT18ZO_CH18.30DERE_18.30.030GU, accessed March 19, 2020.

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in height and higher in light level. All other luminaires shall be shielded with an opaque material and located or directed so as to not produce glare or direct illumination across a property line. Bollard lighting may be used to light walkways and other landscape features, but shall cast its light downward.

- All exterior lighting shall be directed toward the property and away from nearby residential districts and adjacent streets. The lighting patterns of each fixture shall be contained within the site and shall be effectively shielded from nearby residential districts. No internally illuminated facia, wall, roof, awning or other building part shall be allowed.

Although the increased height allowed under the proposed zoning ordinance amendment could increase the visible illumination from windows at upper floors of new development, it is speculative to address this future project design feature at a programmatic level within this document, and will be assessed on a project specific basis. Therefore, future development under the proposed project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

Mitigation Measures

No mitigation beyond compliance with the relevant policies, regulations, and programs identified in this section.

ENVIRONMENTAL ANALYSIS**II. AGRICULTURE AND FORESTRY RESOURCES**

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Existing Conditions

The Town of Corte Madera contains no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance according to the Marin County Important Farmland map produced by the California Department of Conservation Division of Land Resource Protection Farmland Mapping and Monitoring Program.¹³ According to the Marin County Important Farmland map, all land in Corte Madera is classified as either *Urban and Built Up Land* or *Other Land*. Urban and Build-Up Land is defined as land having a building density of “at Least 1 Unit to 1.5 Acres, or Approximately 6 Structures to a 10-Acre Parcel.” Other Land is simply land that is not included in other mapping categories, and in the case of Corte Madera, applies to the wetland and riparian areas along San Francisco Bay which are not suitable to agriculture or aquaculture. All four areas which are included under the proposed zoning ordinance are fully urbanized with commercial uses consisting of various buildings, no taller than three stories, with adjacent surface parking and light landscaping along buildings and parcel boundaries.

¹³ California Department of Conservation, 2016, California Important Farmland Finder, available online at <https://maps.conservation.ca.gov/DLRP/CIFF/>, accessed March 26, 2020.

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Discussion

a) – e)

The California Department of Conservation manages the Farmland Mapping and Monitoring Program (FMMP), which identifies and maps significant farmland. Farmland is classified using a system of five categories including Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land. The classification of farmland as Prime Farmland, Unique Farmland, and Farmland of Statewide Importance is based on the suitability of soils for agricultural production, as determined by a soil survey conducted by the Natural Resources Conservation Service (NRCS). The California Department of Conservation manages an interactive website, the California Important Farmland Finder. This website program identifies the four hotel bonus areas as outside of the survey area, and it is therefore not considered agriculturally important land.¹⁴

There are four areas within the Town where the proposed ordinance amendments would be applied. All four areas are urbanized, and the surrounding areas do not contain agricultural resources or are used for agricultural purposes. As stated above in the Existing Conditions, The Town of Corte Madera contains no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. No designated forest land exists within the hotel bonus areas, and the proposed ordinance amendments would not result in the loss of forest land. This hotel bonus areas are not subject to a Williamson Act contract.¹⁵ None of these zoning districts (C-3, C-4 and MX-1) are intended for agricultural uses. Therefore, the proposed ordinance amendments would result in no impact to agriculture or forestry resources.

Mitigation Measures

None required.

¹⁴California Department of Conservation. California Important Farmland Finder (CIFF). 2018. <https://maps.conservation.ca.gov/dlrp/ciff/>. Accessed August 27, 2019

¹⁵ California Department of Conservation, 2019, Williamson Act Program, available online at <https://www.conservation.ca.gov/dlrp/wa>, accessed March 26, 2020.

ENVIRONMENTAL ANALYSIS**III. AIR QUALITY**

Would the proposed project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under applicable federal or State ambient air quality standard?	☐	☐	☒	☐
c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Existing Conditions*Regulatory Framework*

Pollutants emitted into the ambient air by stationary and mobile sources are regulated by the Federal Clean Air Act (Federal CAA). The Federal CAA was passed in 1963 by the United States Congress and has been amended several times. The 1990 amendments represent the latest in a series of federal efforts to regulate the protection of air quality in the United States. The Federal CAA requires the USEPA to define national ambient air quality standards (AAQS) and allows states to adopt more stringent standards or to include other pollutants.

The California Clean Air Act (California CAA), signed into law in 1988, is administered by the California Air Resources Board (CARB) at the state level under the California Environmental Protection Agency. CARB is responsible for meeting the state requirements of the Federal CAA, administering the California CAA, and establishing the California AAQS. The California CAA requires all air districts in the state to achieve and maintain the California AAQS. CARB also regulates mobile air pollution sources such as motor vehicles. CARB is responsible for setting emission standards for vehicles sold in California and for other emission sources, such as consumer products and certain off-road equipment. CARB has established passenger vehicle fuel specifications and oversees the functions of local air pollution control districts and air quality management districts, which in turn administer air quality activities at the regional level. CARB also conducts or supports research into the effects of air pollution on the public and develops approaches to reduce air pollutant emissions.

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Air Pollutants of Concern

The pollutants emitted into the ambient air by stationary and mobile sources are regulated by federal and State law under the Federal Clean Air Act (CAA) and the California CAA, respectively.^{16,17} The Federal CAA requires the United States Environmental Protection Agency (EPA) to define national ambient air quality standards (AAQS) and allows states to adopt more stringent standards or to include other pollutants.¹⁸ At the state level, the California CAA, is administered by the California Air Resources Board (CARB) under the California EPA. CARB is responsible for meeting state requirements of the Federal CAA, administering the California CAA, and establishing the California AAQS, which all air districts within the state are required to achieve and maintain. CARB also regulates mobile air pollution sources such as emission standards and fuel specifications for vehicles sold in California, consumer products, and certain off-road equipment. CARB oversees the functions of local air pollution control districts and air quality management districts, which in turn administer air quality activities at the regional level. CARB also conducts or supports research into the effects of air pollution on the public and develops approaches to reduce air pollutant emissions.

The Federal pollutants under the national AAQS are categorized as primary and/or secondary pollutants. Primary air pollutants are those that are emitted directly from sources. Carbon monoxide (CO), reactive organic gases (ROG) (also referred to as volatile organic compounds [VOC]), nitrogen oxides (NO_x), sulfur dioxide (SO₂), coarse inhalable particulate matter (PM₁₀), fine inhalable particulate matter (PM_{2.5}), and lead (Pb) are considered as primary air pollutants. All of these, except for ROGs are “criteria air pollutants,” which means that AAQS have been established for them.¹⁹ The Federal and California AAQS are the levels of air quality considered to provide a margin of safety in the protection of the public health and welfare. They are designed to protect “sensitive receptors” most susceptible to further respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and persons engaged in strenuous work or exercise. Healthy adults can tolerate occasional exposure to air pollutant concentrations considerably above these minimum standards before adverse effects are observed.

In addition to criteria air pollutants, both the State and federal government regulate the release of toxic air contaminants (TACs). Common sources of TACs include mobile sources (e.g., cars, trucks, and buses) and stationary sources (e.g., factories, refineries, and power plants). The California Health and Safety Code defines a TAC as “an air pollutant which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health.” A substance that is listed as a

¹⁶ United States Environmental Protection Agency, 2019, Summary of the Clean Air Act, available online at <https://www.epa.gov/laws-regulations/summary-clean-air-act>, accessed March 27, 2020.

¹⁷ United States Environmental Protection Agency, 2019, Clean Air Act Permitting in California, available online at <https://www.epa.gov/caa-permitting/clean-air-act-permitting-california>, accessed March 26, 2020.

¹⁸ United States Environmental Protection Agency, 2017, Reviewing National Ambient Air Quality Standards (NAAQS): Scientific and Technical Information, available online at <https://www.epa.gov/naaqs>, accessed March 27, 2020.

¹⁹ United States Environmental Protection Agency, 2018, Criteria Air Pollutants, available online at <https://www.epa.gov/criteria-air-pollutants>, accessed March 26, 2020.

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hazardous air pollutant pursuant to Section 112(b) of the Federal Clean Air Act (42 United States Code Section 7412[b]) is a TAC.

Under State law, the California Environmental Protection Agency (CalEPA), acting through the California Air Resources Board (CARB), is authorized to identify a substance as a TAC if it determines that the substance is an air pollutant that may cause or contribute to an increase in mortality or serious illness, or may pose a present or potential hazard to human health.²⁰

Regional Air Quality

Corte Madera, located in eastern Marin County along the San Francisco Bay, is partially sheltered from prevailing northwesterly winds coming off the Pacific Ocean by elevated terrain west of the town. Temperatures are moderated by the cooling and warming effects of the San Francisco Bay in summer and winter, respectively. The unique climatological and topographic conditions of Corte Madera result in greater air pollution potential from the region's limited ability to transport and dilute pollutants. However, Marin County does not have many polluting industries and air quality is generally good. Sensitive receptors in Corte Madera include schools, retirement homes, convalescent homes, and medical clinics.²¹

California is divided geographically into air basins for the purpose of managing the air resources of the State on a local and regional basis. An air basin generally has similar meteorological and geographic conditions throughout that area. The proposed project hotel bonus areas are in the San Francisco Bay Area Air Basin (SFBAAB), which comprises all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara counties; the southern portion of Sonoma County; and the southwestern portion of Solano County. The Bay Area Air Quality Management District (BAAQMD) is the regional air quality agency for the SFBAAB.²² The current comprehensive air quality management plan (AQMP) for the SFBAAB is the 2017 Bay Area Clean Air Plan entitled *Spare the Air – Cool the Climate*, adopted by BAAQMD on April 19, 2017.²³

Areas that meet AAQS are classified attainment areas, and areas that do not meet these standards are classified nonattainment areas. The most recent information from BAAQMD shows that the SFBAAB is in nonattainment for California standards for ozone (8-hour and 1-hour), PM₁₀ (annual arithmetic mean and

²⁰ California Air Resources Board, 1993, CARB Identified Toxic Air Contaminants, available online at <https://ww2.arb.ca.gov/resources/documents/carb-identified-toxic-air-contaminants>, accessed March 26, 2020.

²¹ Town of Corte Madera, 2009. *General Plan*, Chapter 3, Resource Conservation and Sustainability, available online at <https://www.townofcortemadera.org/DocumentCenter/View/274/Chapter-3---Resource-Conservation-and-Sustainability-PDF?bidId=>, accessed March 26, 2020.

²² United States Environmental Protection Agency, 2020, EPA – Approved Bay Area Air District Regulations in the California SIP, available online at <https://www.epa.gov/sips-ca/epa-approved-bay-area-air-district-regulations-california-sip>, accessed March 27, 2020.

²³ Bay Area Air Quality Management District, 2017, *Spare the Air: Cool the Climate, A Blueprint for Clean Air and Climate Protection in the Bay Area*, available online at https://www.baaqmd.gov/~media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf?la=en, accessed March 26, 2020.

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24 hour), PM_{2.5} (annual arithmetic mean), and for national standards for ozone (8-hour) and PM_{2.5} (24-hour).²⁴

Applicable General Plan Policies and Programs

The Town of Corte Madera General Plan established a number of policies and programs related to air quality. The following are most relevant to the proposed project and will be applied to all future development within the hotel bonus areas:

- **GOAL RCS – 10:** Attainment of Air Quality standards in the San Francisco Bay Air Basin.
- **POLICY RCS – 10.1:** Reduce the potential for air quality impact of new development and redevelopment by requiring pedestrian, bicycle, and transit-oriented features.
 - **Implementation Program RCS – 10.1.a: Air Quality Improvements:** Require developers to implement strategies to reduce or avoid potential air quality impacts, including:
 - Encouraging or providing incentives for use of public transportation and carpooling.
 - Locating residential or mixed-use development in proximity to public transit, employment centers and shopping.
- **POLICY RCS – 10.2:** Encourage new development and redevelopment of existing sites that will locate mixed uses near employment and commercial service centers in order to reduce vehicular air pollution.
 - **Implementation Program RCS – 10.2.a: Mixed Use, Infill Development:** Amend the Zoning Ordinance to allow infill development, with a focus on mixed uses of residential, commercial and employment. Encourage mixed-use development in the San Clemente/Paradise Drive, Fifer Avenue/Tamal Vista Boulevard, Tamalpais Drive/Casa Buena Drive and Old Corte Madera Square Community Plans.
- **POLICY RCS – 10.3:** Require the incorporation of air quality mitigation measures for development projects.
 - **Implementation Program RCS – 10.3.a: Emissions Controls:** Through the development review process and in amendments to the Zoning Ordinance, require new uses that generate significant air emissions or odors include adequate buffer zones, setbacks or other site planning approaches to protect existing or future sensitive receptors.
 - **Implementation Program RCS – 10.3.b: Tree Planting Mitigations:** Consider tree planting as mitigation for GHG emissions and other environmental impacts of development projects as appropriate.

²⁴ Bay Area Air Quality Management District, 2018, Air Quality Standards and Attainment Status, available online at <https://www.baaqmd.gov/about-air-quality/research-and-data/air-quality-standards-and-attainment-status>, accessed March 26, 2020.

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- **Implementation Program RCS – 10.3.c: Construction Dust Control:** As a condition of approval for discretionary projects, require dust control measures consistent with the “Feasible Control Measures for Construction Emissions of PM₁₀” of the BAAQMD CEQA Guidelines or its successor document.
- **Implementation Program RCS – 10.3.d: Demolition Air Contaminants Control:** As a condition of approval of demolition permits, require applicants to demonstrate compliance with applicable BAAQMD standards and procedures for mitigating the risk of exposure to lead paint and asbestos.
- **Implementation Program RCS – 10.3.e: Construction Equipment Control:** As a condition of approval, require emission control measures for construction equipment that are appropriate to the specifics of the project and as recommended by the BAAQMD. Considerations in determining appropriate control measures may include factors including, but not limited to, length of time of construction and proximity to sensitive receptors.
- **Implementation Program RCS – 10.3.f: Odor Emission Control:** As a condition of approval for new development that would be a source of odors near residences or sensitive receptors, or as a condition of approval of new residential development or other sensitive receptors near existing sources of odor, require adequate buffer distances (based on recommendations and requirements of the California Air Resources Board and BAAQMD) or filters or other equipment or solutions to reduce exposure to acceptable levels. Coordinate odor emission control conditions of approval with permit conditions required by BAAQMD.
- **Implementation Program RCS – 10.3.g: Toxic Air Contaminants Control:** As a condition of approval for new development that would be a source of Toxic Air Contaminants (TAC’s) near residences or sensitive receptors, or as a condition of approval of new residential development or other sensitive receptors near existing sources of odor, require adequate buffer distances (based on recommendations and requirements of the California Air Resources Board and BAAQMD) or filters or other equipment or solutions to reduce exposure to acceptable levels. Coordinate odor emission control conditions of approval with permit conditions required by BAAQMD.
- **POLICY RCS – 10.4: Reduce PM₁₀ emissions from fireplaces and wood stoves.**
 - **Implementation Program RCS – 10.4.a: Natural gas Fireplaces:** Amend the Municipal Code to prohibit wood burning devices other than EPA certified appliances or equivalent in new construction and require conversion to natural gas fireplaces or EPA certified appliances in remodeling projects that include the replacement of wood burning devices.
- **POLICY RCS – 10.5: Contribute towards regional efforts by participating with neighboring jurisdictions in sub-regional planning activities to improve air quality.**
 - **Implementation Program RCS – 10.5.a: Program Implementation:** Participate in and implement strategies of the Metropolitan Transportation Commission’s “Smart Growth Initiative” and “Transportation for Livable Communities Program.”

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- **POLICY RCS – 10.6:** Support the Bay Area Air Quality Management District in monitoring air pollutants of concern, the Governor’s Office of Planning and Research (OPR) in developing CEQA guidelines related to GHG emissions and energy for all projects, and in meeting federal and State air quality standards.
 - **Implementation Program RCS – 10.6.a: Development Review:** Refer larger development projects, or those with potential to generate substantial dust or air pollution, to the BAAQMD for review. Incorporate appropriate mitigation measures in project conditions.
 - **Implementation Program RCS – 10.2.c: Air Quality Regulations for GHG Emissions:** The Town shall implement any regulations issued by the California Air Resources Board or other regulatory agency regarding greenhouse gas emissions. The Town will enforce CEQA Guidelines developed by the Governor’s Office of Planning and Research that seek to analyze and mitigate GHG emissions and energy use (See RCS Policy 3.1.a).
 - **Implementation Program RCS – 10.6.e: Traffic Calming:** Implement traffic calming techniques on residential and arterial streets where needed and when feasible to reduce mobile source emissions.

Discussion

a)

Regional growth projections are used by BAAQMD to forecast future emission levels in the SFBAAB. For the Bay Area, these regional growth projections are provided by the Association of Bay Area Governments (ABAG) and transportation projections are provided by the Metropolitan Transportation Commission (MTC) and are partially based on land use designations in city and county general plans.²⁵ Typically, only large, regionally significant projects have the potential to affect the regional growth projections. The proposed project involves zoning ordinance amendments; it does not involve a specific application for development. Potential future development applications would need to be reviewed on a project-specific level for consistency with applicable air quality policies, summarized above. Furthermore, potential future development under the zoning ordinance amendments would be evaluated to determine whether they would fall below the BAAQMD operational emission thresholds or include project specific measures and conditions to ensure the conformance. Therefore, the proposed project would not conflict with or obstruct implementation of the 2017 Bay Area Clean Air Plan and impacts would be considered less than significant.²⁶

²⁵ Bay Area Air Quality Management District, 2014, Air District, available online at <https://www.baaqmd.gov/rules-and-compliance>, accessed March 26, 2020.

²⁶ Bay Area Air Quality Management District, 2017, Spare the Air: Cool the Climate, A Blueprint for Clean Air and Climate Protection in the Bay Area, available online at https://www.baaqmd.gov/~media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf?la=en, accessed March 26, 2020.

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b)

The SFBAAB is currently designated as a nonattainment area for California standards for ozone (8-hour and 1-hour), PM₁₀ (annual arithmetic mean and 24 hour), PM_{2.5} (annual arithmetic mean), and for national standards for ozone (8-hour) and PM_{2.5} (24-hour). Any project that does not exceed or can be mitigated to less than the BAAQMD significance levels, used as the threshold for determining major projects, does not add significantly to a cumulative impact.²⁷

The proposed zoning ordinance amendments would facilitate potential future development within the four hotel bonus areas and does not include a specific development proposal. Thus, the proposed project would not directly result in any criteria air pollutant emissions that could exceed the BAAQMD significance thresholds. While the proposed zoning ordinance amendments would facilitate future development projects, identifying impacts to air quality would be undertaken as development applications are received by the Town. As previously mentioned above, potential future development under the proposed project would be subject to review on a project-by-project basis and would be required to comply with Town and BAAQMD policies regarding air quality. Nevertheless, the following analysis describes changes in regional impacts from short-term construction activities and long-term operation of future projects allowed under the proposed zoning ordinance amendment.

Construction Impacts

Construction activities produce combustion emissions from various sources, such as on-site heavy-duty construction vehicles, vehicles hauling materials to and from the site, and motor vehicles transporting the construction crew. Site preparation activities produce fugitive dust emissions (PM₁₀ and PM_{2.5}) from demolition and soil-disturbing activities, such as grading and excavation. Air pollutant emissions from construction activities on site vary daily as construction activity levels change. Construction activities associated with future development would result in emissions of ROG, NOx, CO, PM₁₀, and fine PM_{2.5}.

Construction Fugitive Dust

Ground disturbing activities during future construction would generate fugitive dust (PM₁₀ and PM_{2.5}). The amount of dust generated during construction would be highly variable and is dependent on the amount of material being disturbed, the type of material, moisture content, and meteorological conditions. If uncontrolled, PM₁₀ and PM_{2.5} levels downwind of actively disturbed areas could possibly exceed State standards. BAAQMD considers all impacts related to fugitive dust emissions from construction to be less than significant with implementation of BAAQMD's best management practices, which are shown in Mitigation Measure AQ-1.

Significance without Mitigation: Significant.

²⁷ Bay Area Air Quality Management District (BAAQMD), 2011. *California Environmental Quality Act Air Quality Guidelines*.

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Impact AQ-1: Uncontrolled fugitive dust (PM₁₀ and PM_{2.5}) could expose the areas that are downwind of construction sites to air pollution from construction activities without the implementation of BAAQMD's best management practices.

Mitigation Measure AQ-1a: Development of hotel projects would not be exempt from CEQA and this mitigation measure shall apply to all future hotel projects within the proposed project zoning amendment districts. Prior to issuance of any construction permits for development projects, development project applicants shall prepare and submit to the Town of Corte Madera Planning Department a technical assessment evaluating potential project regional and localized construction-related air quality impacts. The evaluation shall be prepared in conformance with Bay Area Air Quality Management District (BAAQMD) methodology in assessing air quality impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the BAAQMD regional (average daily emissions) and localized (risk and hazards) thresholds of significance, as identified in BAAQMD's CEQA Air Quality Guidelines, the Town shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities to below these thresholds. These identified measures shall be incorporated into appropriate construction documents (e.g., construction management plans) submitted to the Town and shall be verified by the Town's Planning Department.

Mitigation Measure AQ-1b: The applicant/construction contractor shall be required to specify in the construction bid that the project construction contractor shall comply with the following the Bay Area Air Quality Management District's best management practices for reducing construction emissions of uncontrolled fugitive dust (coarse inhalable particulate matter [PM₁₀] and fine inhalable particulate matter [PM_{2.5}]):

- Water all active construction areas at least twice daily or as often as needed to control dust emissions. Watering shall be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water shall be used whenever possible.
- Pave, apply water twice daily or as often as necessary to control dust, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
- Sweep daily (with water sweepers using reclaimed water if possible) or as often as needed all paved access roads, parking areas, and staging areas at the construction site to control dust.
- Sweep public streets daily (with water sweepers using reclaimed water if possible) in the vicinity of the project site, or as often as needed, to keep streets free of visible soil material.
- Hydro-seed or apply non-toxic soil stabilizers to inactive construction areas.
- Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (e.g., dirt, sand).

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- Limit vehicle traffic speeds on unpaved roads to 15 miles per hour.
- Replant vegetation in disturbed areas as quickly as possible.
- Install sandbags or other erosion control measures to prevent silt runoff from public roadways.

These measures shall be noted on grading plans prepared by the future project applicant. The construction contractor shall implement these measures during ground disturbing activities. The Town of Corte Madera shall verify compliance that these measures have been implemented during normal construction site inspections.

Significance with Mitigation: Less than significant. Mitigation Measures AQ-1a and 1b would ensure that the construction contractor complies with BAAQMD's best management practices to reduce fugitive dust to less than significant levels.

Construction Exhaust Emissions

Future development could result in demolition debris and may require soil export for underground parking or other project specific uses that would occur near existing sensitive land uses. Thus, the BAAQMD screening criteria for construction-related impacts may not be met. To determine potential construction-related air quality impacts, average daily criteria air pollutants emissions generated by development-related construction activities would be compared to the BAAQMD significance thresholds found in Table 4.3-1.

TABLE 4.3-1 CONSTRUCTION-RELATED CRITERIA AIR POLLUTANT EMISSIONS SIGNIFICANCE THRESHOLDS

Category	Criteria Air Pollutants (Average lbs/day)					
	ROG	NO _x	Fugitive PM ₁₀ ^a	Exhaust PM ₁₀	Fugitive PM _{2.5} ^a	Exhaust PM _{2.5}
BAAQMD Average Daily Project-Level Threshold	54	54	Implement BMPs	82	Implement BMPs	54

Notes: BMP = Best Management Practices; Shading represents the fugitive dust component of the emissions that are mitigated through BAAQMD's BMPs.

a. Includes implementation of best management practices for fugitive dust control required by the Bay Area Air Quality Management District.

Implementation of BAAQMD construction best management practices is considered to result in construction-related fugitive dust emissions that are acceptable. See Mitigation Measure AQ-1.

Source: CalEEMod 2016.3.2.25.

Significance without Mitigation: Potentially Significant.

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Impact AQ-1.2: Future development may not meet the BAAQMD screening criteria for construction-related impacts.

Mitigation Measure AQ-1.2: Implement Mitigation Measure 1a.

Significance with Mitigation: Less than significant. Implementation of Mitigation Measure AQ-1.2 would ensure that criteria air pollutant emissions from construction equipment exhaust would not exceed the BAAQMD average daily thresholds and impacts from future development-related construction activities to the regional air quality would be less than significant.

Operational Emissions

Long-term air pollutant emissions generated by a hotel development are typically associated with the burning of fossil fuels in vehicle trips to and from the hotel (mobile sources); energy use for cooling, heating, and cooking (energy); and landscape equipment use and household products (area sources). The primary source of long-term criteria air pollutant emissions generated by future development would be emissions produced from specific project-generated vehicle trips. The BAAQMD significance thresholds for operational emissions are found in Table 4.3-2.

TABLE 4.3-2 OPERATIONAL CRITERIA AIR POLLUTANT EMISSIONS SIGNIFICANCE THRESHOLD

Category	Criteria Air Pollutants (tons per year) ^a			
	ROG	NO _x	PM ₁₀	PM _{2.5}
BAAQMD Annual Project-Level tons/yr Threshold	10	10	15	10

Category	Criteria Air Pollutants (average pounds per day)			
	ROG	NO _x	PM ₁₀	PM _{2.5}
BAAQMD Average Daily Project-Level lbs/day Threshold	54	54	82	54

Notes: Reactive Organic Gases = ROG; Nitrogen Oxides = NO_x; Coarse Inhalable Particulate Matter = PM₁₀; Fine Inhalable Particulate Matter = PM_{2.5}
Source: California Emissions Estimator Model (CalEEMod), Version 2016.3.2.25

Significance without Mitigation: Potentially Significant.

Impact AQ-1.3: Future development may not meet the BAAQMD screening criteria for operational-related impacts.

Mitigation Measure AQ-1.3: Development of hotel projects would not be exempt from CEQA and this mitigation measure shall apply to all future hotel projects within the proposed project zoning amendment districts. Prior to discretionary approval by the Town of Corte Madera for development projects, project applicants shall prepare and submit a technical assessment evaluating potential project operation phase-related air quality and greenhouse gas (GHG) impacts to the Town of Corte Madera Planning Department for review and approval. The evaluation shall be prepared in conformance with Bay Area Air Quality Management District (BAAQMD) methodology in assessing air quality impacts. If operation-related air pollutants are determined to have the potential to exceed the

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BAAQMD thresholds of significance (average daily and tons per year), as identified in the BAAQMD's CEQA Air Quality Guidelines, or 660 metric tons of carbon dioxide-equivalent emissions annually (MTCO₂e/yr)²⁸ for GHG emissions, the Town shall require that applicants for new development projects incorporate mitigation measures to reduce emissions during operational activities. The identified measures shall be included as part of the conditions of approval. Possible mitigation measures to reduce long-term emissions can include, but are not limited to the following:

- Require that new hotels be designed and built to use all electric energy systems (e.g., induction stoves, electric ovens, electric heating, electric water heaters). Use of natural gas shall be prohibited in new hotel construction.
- Require installation of solar panels to offset electricity demand.
- Provide bicycle parking facilities equivalent to or greater than as specified in Section A4.106.9 (Residential Voluntary Measures) of the CALGreen Code.
- Provide preferential parking spaces for low-emitting, fuel-efficient, and carpool/van vehicles equivalent to or greater than Section A5.106.5.1 of the CALGreen Code (Nonresidential Voluntary Measures).
- Provide facilities to support electric charging stations per Section A5.106.5.3 (Nonresidential Voluntary Measures) and Section A5.106.8.2 (Residential Voluntary Measures) of the CALGreen Code.
- Applicant-provided appliances shall be Energy Star-certified appliances or appliances of equivalent energy efficiency (e.g., dishwashers, refrigerators, clothes washers, and dryers). Installation of Energy Star-certified or equivalent appliances shall be verified by Building & Safety during plan check.
- For GHG emissions that cannot be reduced onsite, the Applicant can purchase voluntary carbon offsets (i.e., not compliance offsets) from the California Air Resources Board (CARB) approved Offset Project Registries (i.e., Climate Action Reserve, Verra, American Carbon Registry) or forecasted mitigation units (FMUs) (GHG Mitigation Credits) from the Climate Action Reserve's Climate Forward program. The voluntary carbon offsets or FMUs must be real, additional, permanent, confirmable, and enforceable. The order of preference for purchase of voluntary carbon offsets or FMUs shall be as follows: 1) within the Town; 2) within the San Francisco Bay Area Air Basin; 3) within the State of California; then 4) elsewhere in the United States. Evidence of payments, and funding of an escrow-type account or endowment fund shall be submitted to the Town by the project applicant. Prior to issuance of the certificate of occupancy, the project applicant shall submit to the Town of Corte Madera Planning Department official or his/her designee, the necessary documentation to verify the agreement to purchase the necessary voluntary carbon offsets or FMUs to offset project emissions to below 660 MTCO₂e per year.

²⁸ Note 1: BAAQMD's CEQA Air Quality Guidelines identify a screening criteria of 1,100 MTCO₂e/yr identified to achieve the GHG targets of Assembly Bill 32 for the Bay Area. The 660 metric tons of MTCO₂e/yr is based on a 40 percent reduction of this criteria as a result of Senate Bill 32, which a 40 percent reduction from AB 32 levels (i.e., 1,100 – 440 = 660).

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Significance with Mitigation: Less than significant. Implementation of Mitigation Measure AQ-1.3 would ensure that criteria air pollutant emissions from operational emissions would not exceed the BAAQMD daily pounds per day or annual tons per year project level threshold. Therefore, development would not cumulatively contribute to the nonattainment designations of the SFBAAB and operational emissions to the regional air quality would be *less than significant*.

c)

As discussed above, the proposed project would result in a zoning ordinance amendment which would allow future hotels to be constructed in the C-4 zone in accordance with existing height and FAR standards, and would also allow future hotels in the C-3, C-4, and MX-1 zoning districts to be constructed at an increased FAR if they meet specified performance standards. Implementation of the proposed project would result in changes at the regulatory level and does not include a specific development proposal. The proposed project would not result directly in any criteria air pollutant emissions.

New development could expose sensitive receptors to elevated pollutant concentrations if it would cause or contribute significantly to elevated pollutant concentration levels. Unlike regional emissions, localized concentrations refer to an amount of pollutant in a volume of air (ppm or $\mu\text{g}/\text{m}^3$), so that they can be more readily correlated to potential health effects.

Construction

Future development projects may elevate concentrations of TACs and construction exhaust $\text{PM}_{2.5}$ in the vicinity of sensitive residential land uses (i.e., receptors) during construction activities. Sensitive receptors proximate to the project site would include residences, hospitals, schools, daycare facilities, and elderly housing, among others. Construction activities may occur near these sensitive receptor locations. To determine potential risk of localized emissions to sensitive receptors from future development, a health risk assessment (HRA) of TACs and construction exhaust $\text{PM}_{2.5}$ would be prepared and compared to the thresholds found in Table 4.3-3.

TABLE 4.3-3 CONSTRUCTION HEALTH RISK ASSESSMENT THRESHOLDS

Receptor	Project Level Risk		
	Cancer Risk (per million)	Chronic Hazards	Construction Exhaust $\text{PM}_{2.5}$ ($\mu\text{g}/\text{m}^3$)
Threshold	10	1.0	0.3 $\mu\text{g}/\text{m}^3$

Notes: Cancer risk calculated using the 2015 Office of Environmental Health Hazard Assessment (OEHHA) Health Risk Assessment guidance.
Source: Lakes AERMOD Version 9.8.3, CalEEMod Version 2016.3.2.25.

Significance without Mitigation: Potentially Significant.

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Impact AQ-1.4: Construction activities of the project could expose off-site sensitive receptors to substantial concentrations of TAC, exceeding the applicable cancer risk threshold.

Mitigation Measure AQ-1.4a: Implementation of Mitigation Measure 1a.

Mitigation Measure AQ-1.4b: The project applicant shall be required to specify in the construction bid that the project construction contractor(s) and subcontractor(s) comply with the following requirements for all off-road equipment greater than 50 hp that will be operating for more than 20 hours over the entire duration of the construction activities at the site:

- Have engines that meet either US EPA or California Air Resources Board (CARB) Tier 4 Final emission standards. Ensure that all construction plans submitted to the School District clearly show the selected emission reduction strategy for construction equipment over 50 horsepower.
- Maintain a list of all operating equipment in use on the project site for verification by Town official or his/her designee. The construction equipment list shall state the makes, models, and number of construction equipment on-site. Ensure that all equipment shall be properly serviced and maintained in accordance with the manufacturer's recommendations.
- Communicate with all sub-contractors in contracts and construction documents that all non-essential idling of construction equipment is restricted to 5 minutes or less in compliance with California Air Resources Board Rule 2449 and is responsible for ensuring that this requirement is met.

Significance with Mitigation: Less than significant. Implementation of Mitigation Measure AQ-1.4a would require a technical assessment evaluating potential development localized construction-related air quality impacts to determine the potential health risk to nearby sensitive receptors. Mitigation Measure AQ-1.4b would require equipment that meets the EPA Tier 4 (Final) emissions standards on all equipment with more than 50 horsepower (that will be operating for more than 20 hours over the entire duration of the construction activities) and would reduce any potential cancer risk impacts to on-site or off-site maximum exposed receptors to below the BAAQMD cancer risk threshold of 10 in a million. Therefore, cancer risk impacts from development-related construction activities would be less-than-significant levels with incorporation of mitigation.

Operation

Health Risk

Exposure to elevated concentrations of vehicle-generated PM_{2.5} and TACs at sensitive land uses have been identified by CARB, the California Air Pollution Control Officer's Association, and BAAQMD as a potential air quality hazard. Future hotel development would not create new major sources of TACs, which are more commonly associated with industrial manufacturing or warehousing. Thus, implementation of the proposed project would not result in creation of land uses that would generate substantial concentrations of TACs.

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Future hotel development within the hotel bonus areas may result in stationary sources of TACs emissions from the restaurant's use of charbroilers, or emergency generators and boilers. However, these sources are not considered to be large emitters. Examples of projects which generate substantial TAC emissions are distribution centers with more than 100 trucks per day or 40 trucks with transport refrigeration units (TRUs) per day, refineries, chrome platers, dry cleaners, gasoline dispensing facilities, and railyards.²⁹ Possible stationary sources associated with hotels would require permits from BAAQMD to limit TAC emissions (e.g., diesel-fueled emergency generators over 50 horsepower, water boilers with natural gas combustion). The permitting process ensures that stationary source emissions would be below the BAAQMD significance thresholds of 10 in a million-cancer risk and 1 for acute risk at the maximally exposed individual. Additionally, hotel-related truck deliveries would be less than CARB's recommended advisory criteria for distribution centers (100 trucks per day). Therefore, operation-related health risk impacts associated with future development are considered *less than significant*.

CO Hotspots

Areas of vehicle congestion have the potential to create pockets of carbon monoxide (CO), called hotspots. These pockets have the potential to exceed the State 1-hour standard of 20 parts per million (ppm) or the 8-hour standard of 9.0 ppm. Because CO is produced in the greatest quantities from vehicle combustion and does not readily disperse into the atmosphere, adherence to AAQS is typically demonstrated through an analysis of localized CO concentrations. Hotspots are typically produced at intersections, where traffic congestion is highest because vehicles queue for periods of time and are subject to reduced speeds. With the turnover of older vehicles, introduction of cleaner fuels, and implementation of control technology, the SFBAAB is in attainment of the California and National AAQS, and CO concentrations in the SFBAAB have steadily declined. Because CO concentrations have improved, the BAAQMD does not require a CO hotspot analysis if the following criteria are met:³⁰

- The project is consistent with an applicable congestion management program established by the County Congestion Management Agency for designated roads or highways, the regional transportation plan, and local congestion management agency plans.
- The project would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour.
- The project traffic would not increase traffic volumes at affected intersection to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway).

Hotel development within the hotel bonus areas would not conflict with the Transportation Authority of Marin's (TAM) Congestion Management Program (CMP) because it would not hinder the capital improvements outlined in the CMP or alter regional travel patterns. TAM's CMP must be consistent with *Plan Bay Area 2040*. An overarching goal of the regional *Plan Bay Area 2040* is to concentrate

²⁹ California Air Resources Board (CARB), 2005. *Air Quality and Land Use Handbook*.

³⁰ Bay Area Air Quality Management District, 2017, Revised, California Environmental Quality Act Air Quality Guidelines, http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf, accessed October 25, 2018.

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development in areas where there are existing services and infrastructure rather than allocate new growth in outlying areas where substantial transportation investments would be necessary to achieve the per capita passenger vehicle, vehicle miles traveled, and associated GHG emissions reductions. The hotel bonus areas are in close proximity to existing employment centers, roadways, transit, and bicycle and pedestrian routes (see Section XVI, Transportation, below), and for these reasons would be consistent with the overall goals of the *Plan Bay Area 2040*. Furthermore, implementation of the proposed project would result in the potential generation of 138 AM (morning) peak hour trips on a weekday³¹ and would not increase traffic volumes at affected intersections by more than 44,000 vehicles per hour or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited. Therefore, impacts associated with CO hotspots would be *less than significant*.

d)

Construction and operation of hotel developments would not generate odors that would affect a substantial number of people. The type of facilities that are considered to have objectionable odors include wastewater treatment plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food manufacturing facilities. Hotel uses are not associated with foul odors that constitute a public nuisance.

During operation, the on-site restaurant could generate odors from cooking. Odors from cooking are not substantial enough to be considered nuisance odors that would affect a substantial number of people. Furthermore, nuisance odors are regulated under BAAQMD Regulation 7, Odorous Substances, which requires abatement of any nuisance generating an odor complaint. BAAQMD's Regulation 7, Odorous Substances, places general limitations on odorous substances and specific emission limitations on certain odorous compounds³². Odors are also regulated under BAAQMD Regulation 1, Rule 1-301, Public Nuisance, which states that "no person shall discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or the public; or which endangers the comfort, repose, health or safety of any such persons or the public, or which causes, or has a natural tendency to cause, injury or damage to business or property." During construction activities, construction equipment exhaust and application of asphalt and architectural coatings would temporarily generate odors. Any construction-related odor emissions would be temporary and intermittent. Additionally, odors would typically be confined to the immediate vicinity of the construction equipment. By the time such emissions reach any sensitive receptor sites, they would be diluted to well below any level of air quality concern.

In summary, because construction-related odor emissions would be temporary and intermittent, hotel developments are not considered the type of use that would generate odors that would affect a substantial number of people and future development would be required to comply with BAAQMD

³¹ Kittelson and Associates Transportation Evaluation for the Town of Corte Madera Hotel Floor Area Bonus Ordinance, April 7, 2020, Table 3 Trip Generation comparison for Existing setting and Buildout Projections.

³² It should be noted that while restaurants can generate odors, these sources are not identified by BAAQMD as nuisance odors because they typically do not generate significant odors that affect a substantial number of people. Larger restaurants that employ five or more people are subject to BAAQMD Regulation 7, Odorous Substances.

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Regulation 7, as well as relevant General Plan policies and Municipal Code regulations. Therefore, odor-related impact to off-site land uses would be *less than significant*.

Mitigation Measures

Implementation of Mitigation Measure AQ-1a, AQ-1b, AQ-1.2, AQ-1.3, AQ-1.4a, and AQ-1.4b, as well as compliance with the relevant policies, regulations, and programs identified in this section.

ENVIRONMENTAL ANALYSIS**IV. BIOLOGICAL RESOURCES**

Would the proposed project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	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 plan, policies, or regulations, or by the California Department of Fish and Wildlife 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, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
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 a 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 plan?	☐	☐	☐	☒

Existing Conditions

The areas in the vicinity of the hotel bonus areas are mostly developed, consisting of commercial and residential land uses with limited biological value. However, there are habitat types found within the Town with important ecological value; namely, coastal redwoods, coastal scrub, annual grasslands, freshwater wetlands, tidal flats, and others. The General Plan EIR identifies several special-status plant and animal species which have been recorded, or are suspected to occur, within the Town of Corte Madera. The San Francisco Bay Tidal Marshes and undeveloped portions of Bay frontage are valuable habitat types identified within Corte Madera given their loss to development elsewhere in the Bay Area. The Corte Madera Ridge, Meadowsweet Ridge, Chapman Hill, Christmas Tree Hill include sensitive terrestrial habitats and the Tiburon Peninsula and associated wetland habitats are most prevalent east of Highway 101, abutting San Francisco Bay.

The project site and surrounding area has been urbanized and now contains roadways, structures, other impervious surfaces, areas of turf, and ornamental landscaping. Vegetation in these areas consists mostly of landscaped shrubs and trees, manicured lawns, and invasive weeds. The Town's General Plan EIR classifies the hotel bonus areas as an urban area, which are generally not of high value for wildlife. Wildlife species that typically occur in these areas are typically well-adapted to human habitation. These include introduced species such as the European starling (*Sturnus vulgaris*), rock pigeon (*Columba livia*), house sparrow (*Passer domesticus*), Norway rat (*Rattus norvegicus*), and house mouse (*Mus musculus*), as well

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as native species such as the western fence lizard, western toad (*Bufo boreas*), Brewer's blackbird (*Euphagus cyanocephalus*), American crow (*Corvus brachyrhynchos*), and house finch (*Carpodacus mexicanus*).

According to the General Plan EIR, wetlands and jurisdictional waters within the Town boundary include intermittent and perennial stream corridors, as well as estuarine and palustrine systems, and associated riverine/riparian and freshwater wetlands. Potentially regulated waters within the hotel bonus areas are discussed within the discussion below.

Wildlife corridors serve residential and migratory species by providing established migration routes for passage from one geographic location to another. Corridors encompass a variety of habitats and typically link fragmented acres of undisturbed area. Wildlife movement throughout the vicinity of the hotel bonus areas within the Town is limited due to the urban nature of the area. The nearest wildlife corridor consists of the riparian corridor of Corte Madera Creek, north of hotel bonus area four, which serves as a migration corridor for terrestrial and aquatic wildlife.

The Town's General Plan EIR includes a record of special-status plant or animal species within the hotel bonus areas and those within the Town's boundary. There is a possibility that birds could nest in trees and other landscaping within the hotel bonus areas, for which their nests are protected under the Migratory Bird Treaty Act (MBTA) and California Fish and Game (CFG) Code when in active use.

It is too speculative to know where future hotel projects will be located and specific biological impacts cannot be determined. As future projects are submitted to the Town through future entitlement processes, each will be reviewed as a part of the application process for potential impacts to biological resources. Biological resources evaluated during the application process are plant and animal species protected by statutes such as the Federal Endangered Species Act (FESA), the California Endangered Species Act (CESA), and the Clean Water Act (CWA). The Migratory Bird Treaty Act (MBTA) affords protection to migratory bird species including birds of prey. These regulations provide the legal protection for plant and animal species of concern and their habitat.³³

Applicable General Plan Policies and Programs

The Town's General Plan sets forth a number of policies and programs that are intended to protect nature communities and biological resources. The following are particularly relevant to the proposed amendments and will be applied to all future development within the four hotel bonus areas:

- **POLICY RCS– 6.2:** Protect wetlands, other waters of the United States, and essential habitat for special status species, including, but not limited to, other wetland habitat areas, habitat corridors, and sensitive natural communities.

³³ Town of Corte Madera, 2008, General Plan EIR: Chapter 4.9 – Biological Resources, available online at <https://www.townofcortemadera.org/DocumentCenter/View/254/Sections-49-through-412-PDF?bidId=>, accessed March 26, 2020.

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- **Implementation Program RCS-6.2.a: Resource Protection:** Protect sensitive biological resources, including wetlands and other waters of the United States and other wetland habitat areas, and habitat corridors, and sensitive natural communities through environmental review of development applications in compliance with CEQA provisions, participation in comprehensive habitat management programs with other local and resource agencies, and continued acquisition and management of open space lands that provide for permanent protection of important natural habitats. Protect wetlands and other waters of the United States in accordance with the regulations of the U.S. Army Corps of Engineers and other appropriate agencies as well as consistent with Implementation Program RCS-8.2 a. Protect other habitat areas, habitat corridors, and sensitive natural communities consistent with program RCS-6.3 a.
- **POLICY RCS– 6.3:** Manage the development review process in compliance with CEQA provisions to promote resource conservation and sustainability.
 - **Implementation Program RCS-6.3.a: Environmental Review:** Continue to require environmental review of development applications pursuant to CEQA to assess the impact of proposed development on species and habitat diversity, particularly special-status species, sensitive habitat areas, wetlands and other wetland habitats, and habitat connectivity. Require adequate mitigation measures for ensuring the protection of sensitive resources and achieving “no net loss” of sensitive habitat acreage, values and function. Require specific mitigation measures for wetlands and waters of the United States (see Implementation Program RCS-8.2 a for mitigation standards for wetlands and waters of the U.S.).
- **POLICY RCS– 7.2:** Retain sensitive habitat areas and restore to their natural state, where feasible, and protect from inappropriate development and landscaping.
 - **Implementation Program RCS-7.2.a: Environmental Assessment:** Require applicants to provide an environmental assessment in compliance with CEQA provisions for development proposed on sites that may contain sensitive biological or wetland resources including jurisdictional wetlands, waters of the United States, and other wetland habitats. Require the assessment to be conducted by a qualified professional to determine the presence of any sensitive resources, to assess the potential impacts, and to identify measures for protecting the resource and surrounding habitat (see Implementation Program RCS-8.2.a for mitigation standards for wetlands and waters of the U.S. See Implementation Program RCS- 6.3 a) for mitigation standards for other wetland habitat areas).
- **POLICY RCS– 7.4:** Protect woodland and tree resources.
 - **Implementation Program RCS-7.4 a: Tree Protection:** Protect large native trees, trees with historical importance, oak woodlands, and forest habitats, and prevent the untimely removal of trees through implementation of standards in the Town’s Municipal Code. Evaluate tree protection standards as part of the project to develop Design Guidelines and update the Tree Ordinance accordingly.

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- **POLICY RCS– 7.5:** Require use of native plant species in landscaping plans and reduce spread of invasive species.
 - **Implementation Program RCS-7.5.a: Landscape Plants:** Prepare lists of appropriate native landscape species and inappropriate invasive exotic species for use by property owners in developing landscape plans or enhancing existing landscaping, and include in the Design Guidelines. Prepare the lists with input from the California Department of Fish and Game, Agricultural Commissioner, University of California Cooperative Extension, California Native Plant Society, and other appropriate sources to verify suitability. Provide educational materials with information on how to care for plants included in the lists of appropriate native landscape species.
- **POLICY RCS– 8.1:** Protect wetlands through careful environmental review of proposed development applications.
 - **Implementation Program RCS-8.1.a: Wetland Data:** Pursuant to CEQA, when sites with potential wetlands (as defined herein), other waters of the U.S., or other wetland habitat areas are proposed for development, require detailed assessments to demonstrate compliance with State and Federal regulations. Assessments shall be conducted by a qualified professional retained by the Town to determine wetland boundaries and the presence of sensitive resources including endangered and special status species and their habitat, to assess the potential impacts, and to identify measures for protecting the resource and surrounding buffer habitat. Assessments will delineate and map jurisdictional wetlands, waters of the United States, other wetland habitat areas open-water habitats, and upland habitats and will make recommendations for avoidance. Delineation studies shall be submitted to the U.S. Army Corps of Engineers and other resource agencies to determine the boundaries of wetlands and waters of the United States.
 - **Implementation Program RCS-8.1.b: Wetland Avoidance:** Restrict or modify proposed development in areas that contain wetlands as defined herein or waters of the United States, as necessary to ensure the continued health and survival of special status species and sensitive habitat areas. Development projects shall preferably be modified to avoid impacts on sensitive resources, or to adequately mitigate impacts by providing on-site replacement or (as a lowest priority) off-site replacement at a higher ratio. Modification in project design shall include adequate avoidance measures to ensure that no net loss of wetland acreage, function, water quality protection, and habitat value occurs. This may include the use of setbacks, buffers, and water quality drainage control features, or other measures to maintain existing habitat and hydrologic functions of retained wetlands and waters of the U.S. (see Implementation Program RCS-8.2 a for mitigation standards for wetlands and waters of the U.S. See Implementation Program RCS6.3 a for mitigation standards for other wetland habitat areas.,
- **POLICY RCS– 8.2:** Establish and implement criteria to mitigate wetland losses.
 - **Implementation Program RCS-8.2.a: Wetland Mitigation:** Where complete avoidance of wetlands and waters of the United States due to filling is not feasible (as defined under State CEQA Guidelines Section 15364), require provision of replacement habitat on-site through

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restoration and/or habitat creation at a minimum 2:1 ratio that would ensure no net loss of wetland acreage, function, water quality protection, and habitat values occurs. Allow restoration of wetlands off-site only when an applicant has demonstrated that no net loss of wetlands would occur and that on-site restoration is not feasible. Off-site wetland mitigation preferably will consist of the same habitat type as the wetland are that would be lost.

- **POLICY RCS– 8.3:** Use flood basins for seasonal habitat.
 - **Implementation Program RCS-8.3.a: Flood Basins:** Utilize natural or managed flood basins to provide seasonal habitat for waterfowl and shorebirds, and avoid development in these basins to protect habitat values.
- **POLICY RCS– 8.4:** Work toward integrated management of tidal areas and drainages within the Town limits.
 - **Implementation Program RCS-8.4 a: Drainage Management:** As part of the review of discretionary applications, identify the overlapping governmental jurisdictions of existing marsh and tidal areas, including flood flow management areas, and design management approaches that limit maintenance requirements by integrating effective natural components of tidal and drainage systems.

Discussion

a)

Nesting Birds

The areas under the proposed zoning amendment consist of fully developed urban areas, dominated by buildings, roads, and hardscape areas. However, there is a possibility that birds that are protected by the MBTA and CFG Code could nest in trees and other landscaping on the project site and, therefore mitigation measures would be required for the project to reduce impacts to a *less than significant* level.

Significance without Mitigation: Potentially Significant.

Impact BIO-1: The proposed project could have a substantial adverse effect, either directly or through habitat modifications, on a plant or animal population, or essential habitat, defined as a candidate, sensitive or special-status species.

Mitigation Measure BIO-1a: Nests of raptors and other birds shall be protected when in active use, as required by the federal Migratory Bird Treaty Act and the California Fish and Game Code. If construction activities and any required tree removal are proposed to occur during the breeding season (February 1 and August 31), the construction contractor shall indicate, on all construction plans, that preconstruction surveys shall:

- Be conducted by a qualified biologist prior to tree removal or grading, demolition, or construction activities. Note that preconstruction surveys are not required for tree removal or construction, grading, or demolition activities outside the nesting period.

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- Be conducted no more than 14 days prior to the start of tree removal or construction.
- Be repeated at 14-day intervals until construction has been initiated in the area after which surveys can be stopped.
- Document locations of active nests containing viable eggs or young birds.

Mitigation Measure BIO-1b: Protective measures for active nests containing viable eggs or young birds shall be implemented under the direction of the qualified biologist until the nests no longer contain eggs or young birds. Protective measures shall include:

- Establishment of clearly delineated exclusion zones (i.e., demarcated by identifiable fencing, such as orange construction fencing or equivalent) around each nest location as determined by the qualified biologist, taking into account the species of birds nesting, their tolerance for disturbance and proximity to existing development. In general, exclusion zones shall be a minimum of 300 feet for raptors and 75 feet for passerines and other birds.
- Monitoring active nests within an exclusion zone on a weekly basis throughout the nesting season
- to identify signs of disturbance and confirm nesting status.
- An increase in the radius of an exclusion zone by the qualified biologist if project activities are determined to be adversely affecting the nesting birds. Exclusion zones may be reduced by the qualified biologist only in consultation with California Department of Fish and Wildlife.
- The protection measures shall remain in effect until the young have left the nest and are foraging independently or the nest is no longer active.

Significance with Mitigation: Less than significant.

Bird Collision

Avian injury and mortality resulting from collisions with buildings, towers and other man-made structures is a common occurrence in city and suburban settings. Some birds are unable to detect and avoid glass and have difficulty distinguishing between actual objects and their reflected images, particularly when the glass is transparent and views through the structure are possible. Night-time lighting can interfere with movement patterns of some night-migrating birds, causing disorientation or attracting them to the light source. The frequency of bird collisions in a particular area is dependent on numerous factors, including: characteristics of building height, fenestration (the arrangement of windows and doors on the elevations of a building) and exterior treatments of windows and their relationship to other buildings and vegetation in the area; local and migratory avian populations, their movement patterns, and proximity of water, food and other attractants, time of year; prevailing winds; weather conditions; and other variables.

Future development within the four hotel bonus areas would alter the physical characteristics of the sites; however, this change is not expected to contribute to a substantial increase in the risk of collisions to local and migratory birds. This is due to several reasons, including the fact that the surrounding area is within an urbanized area and is already intensively developed with structures, in addition to recommendations that development building materials would have a light reflectance value of more than 15 percent and

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would utilize lighting with low-level illumination with no up-lighting on the building exterior. While any bird collisions that do occur should not have a substantial adverse effect on special-status bird species or more common bird species that may be flying through the vicinity, the following bird-safe design measures could be considered as part of the design of future development in an effort to reduce the risk of bird collision:³⁴

- **Non-Reflective Glass:** No reflective glass would be used in the building, because some birds in certain circumstances might see vegetation in the reflection and fly into a building. None of the exterior glass in the building will have a light reflectance value of more than 15 percent.
- **Fritted Glass:** Fritted glass is a non-reflective glass that is used to reduce glare and lower the danger to birds. Using fritted glass on upper floor windows would help prevent possible bird strikes. Fritting helps diminish the transparency of glass and is a documented approach to helping reduce the probability of bird collisions. Transparent glass used in “design traps” such as glass bridges or parapets can also be problematic.
- **Building Lighting:** Overly lit buildings can be problematic, especially if there is up-lighting. Future development would be required to meet Town code minimum standards on exterior lighting, and new development would have no up-lighting. The source, intensity, and type of exterior lighting for development would generally be provided for the purpose of orienting site users and for safety needs. All on-site lighting would be low-level illumination and shielded to reduce light spill or glare.
- **Tree Screening on Lower Floors:** Planting trees would help shield lower floors, which shielding would increase as the new trees grow over time.
- **Reduced Unnecessary Interior Lights:** Energy conservation measures, such as employing automatic sensors to turn off lights when guests are not present in guest rooms, would be used as part of interior lighting for future development.

It is speculative to determine whether future projects could cause the potential for bird collision impacts and project specific impacts will be assessed as they are received. These measures were included because they could serve to minimize the potential for bird strikes through the use of bird-friendly design guidelines in the treatment of windows and other aspects of future development, and would ensure any potential impact would be *less than significant* for special-status birds and more common bird species.

As It is too speculative to know where future hotel projects will be located and other specific biological impacts cannot be determined, as future projects are submitted to the Town through future entitlement processes, each will be reviewed as a part of the application process for potential impacts to biological resources and required avoidance and minimization measures may be implemented. Therefore, any potential impact to special-status species would be *less than significant*.

³⁴ San Francisco Planning Department, 2011. Standards for Bird-Safe Buildings, San Francisco, California. Adopted July 14, 2011.

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b- c)

As discussed in the Existing Conditions section above, riparian habitat and potentially regulated waters within the hotel bonus areas are discussed within this discussion. An approximately 0.64-acre pond is located to the north and towards the rear of the Corte Madera Inn property on hotel bonus area three. The Corte Madera Inn Rebuild EIR included a jurisdictional delineation which found that the pond is classified as jurisdictional waters of the U.S. Sensitive natural communities and special status species were identified through the proposed project's CEQA process in 2017. The project has since been discontinued.³⁵ Nonetheless, project-specific avoidance and/or mitigation measures related to impacts to biological resources would need to be considered if a new development application is proposed.³⁶ Similarly, an approximately 0.46-acre pond is located south of the Barcelino Continental Corporation on hotel bonus area four. A preliminary review application for a new memory care facility was reviewed by the Town in October 2018, however no applications have been submitted or further action taken to develop the Barcelino property. Project-specific avoidance and/or mitigation measures of biological resources would need to be considered if a development application is proposed. Hotel bonus areas one and two lack ponds, riparian habitat, wetlands or sensitive natural communities.

Proposed infill development into the four hotel bonus area has a limited potential to affect important biological resources through either disturbing or eliminating areas of remaining natural communities and, with the exception of the aforementioned ponds within hotel bonus areas three and four, the proposed ordinance amendments would apply to a previously developed area with limited remaining habitat value. There are no changes that would occur as a result of the zoning text amendment that would alter the established protection of biological resources provided by the Endangered Species Act, Migratory Bird Treaty Act, California Fish and Game Code, or as outlined within the General Plan. Additionally, future development within the hotel bonus areas would undergo CEQA level environmental analysis on a project specific basis to ensure compliance with relevant local, state, and federal regulations. Therefore, the proposed amendment would result in a less than significant impact to any species identified as a candidate, sensitive, or special-status species in local or regional plan, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

The proposed zoning amendment does not involve any physical changes to the existing ponds and it would be speculative at this time to assume how development would occur on any one particular site within the C-3, C-4, or MX-1 zoning districts. Because any future development would undergo CEQA project level analysis, as well as an Environmental Assessment pursuant to Implementation Program RCS-7.2.a and a Wetland Data Assessment pursuant to Implementation Program RCS-8.1.a, which would determine jurisdictional waters and implement relevant protective measures and required regulatory compliance, impacts to riparian habitat or other sensitive natural communities, as well as state or federally protected wetlands would be *less than significant*.

³⁵ Town of Corte Madera. 2017. Available online at <https://www.townofcortemadera.org/DocumentCenter/View/1046/CM-Inn-DEIR-Sect-43-Biological-Resources?bidId=>, accessed February 11th, 2020.

³⁶ Town of Corte Madera. 2017. Available online at <https://www.townofcortemadera.org/DocumentCenter/View/1046/CM-Inn-DEIR-Sect-43-Biological-Resources?bidId=>, accessed February 11th, 2020.

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d)

The proposed zoning amendments would not 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. The four hotel bonus areas occur within an area which is fully developed with existing commercial uses and is surrounded by urban development within the Town of Corte Madera. US Highway 101 directly abuts all hotel bonus areas, which restricts movement or migration of sensitive species. Therefore, the zoning amendments would have no impacts to native residents, migratory species, established wildlife corridors, or native wildlife nursery sites.

e)

The four hotel bonus areas are dominated by landscaped and ornamental trees species and lack native stands of trees. Additionally, all hotel bonus areas are located along Highway 101 which, in some portions, includes trees acting as a buffer between the highway and urban development within the Town to the east and west. Local policies and ordinances, such as Title 15, Chapter 15.50 of the Municipal Code have been put in place to protect mature trees within the Town of Corte Madera. Any future development within the four hotel bonus areas would be in conformance, to the extent feasible, with the Town's Tree Preservation Ordinance. Future development applications will be subject to relevant tree protection measures, as well as Chapter 15.50, and if new tree species are proposed or if tree removal is proposed, project-level analysis will be undertaken for potential impacts and conditions developed in order to ensure consistency with Chapter 15.50. Therefore, future development within the hotel bonus areas would not result in an impact due to a conflict with the Town's Tree Preservation Ordinance.³⁷

f)

The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan because there are none which apply to the Town of Corte Madera. Furthermore, because the proposed zoning ordinance amendment would not result in any physical change to the environment, there would be no impact from conflicts with applicable policies and programs found within the General Plan. Therefore, the project would have no impact to an adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan.

Mitigation Measures

Implementation of Mitigation Measures BIO-1a and BIO-1b, as well as compliance with the relevant policies, regulations, and programs identified in this section.

³⁷ Town of Corte Madera, 2019, Municipal Code – Chapter 15.50 – Trees, available online at https://library.municode.com/ca/corte_madera/codes/code_of_ordinances?nodeId=TIT15BUCO_CH15.50TR, accessed March 26, 2020.

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V. CULTURAL RESOURCES

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☐	☒	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

Existing Conditions

Corte Madera contains a limited number of historic-era resources dating to Euro-American settlement in 1848, which may include buildings, structures, landscapes, sites, objects, and districts. Cultural resource investigations have been undertaken for 20% of the Town of Corte Madera. Available records indicate the known presence of 19 prehistoric sites and 19 historic buildings and structures – none of which are listed on the California Register of Historic Resources.

The proposed Project would amend the existing zoning with the Town of Corte Madera to provide the opportunity for future hotel development within existing commercial corridors, at higher densities the heights than currently permitted, as well as allowing hotels in the C-4 zone in accordance with existing height and FAR standards. The zoning amendments would not grant any entitlements. The four hotel bonus areas are not located within any designated historic districts and do not contain any identified historic resources. Although there is potential for the hotel bonus areas to contain archaeological and/or paleontological resources, any subsurface resources have likely been disturbed due to previous development activities associated with the on-site commercial areas.

Applicable General Plan Policies and Programs

The Town's General Plan sets forth a number of policies and programs that encourage consideration and protection of Corte Madera's historic and cultural resources. The following are particularly relevant to the proposed amendments and will be applied to all future development within the four hotel bonus areas:

- **GOAL RCS– 11:** Preservation and enhancement of historic resources within the community.
- **POLICY RCS– 11.1:** Preserve Corte Madera's historic resources through historic preservation programs.
 - **Implementation Program RCS-11.1.a: Inventory Historic Resources:** Develop an historic resources inventory, identifying buildings, sites, and other resources in the community.
- **POLICY RCS– 11.2:** Protect historic sites and archaeological resources for their aesthetic, scientific, educational, and cultural values.
 - **Implementation Program RCS-11.2.a: Development Project Review:** Cultural resource studies (i.e., archaeological and historical investigations) shall be required for all applicable

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discretionary projects, in accordance with CEQA regulations, for areas not previously surveyed and/or that are sensitive for cultural resources. The studies should identify cultural resources, (prehistoric sites, historic sites, and historic buildings/structures) in the project area, determine their eligibility for inclusion in the California Register of Historical Resources, and provide feasible and appropriate measures for the protection of any historical resources or unique archaeological resources to maximum extent feasible. Cultural resources studies should be completed by a professional archaeologist or architectural historian that meets the Secretary of the Interior's Professional Qualifications standards in archaeology.

- **Implementation Program RCS-11.2.c: Native American Human Remains:** When an initial study identifies the existence or likelihood of Native American remains within a project, the Town shall consult with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code §5097.98. The project applicant may develop an agreement with the appropriate Native Americans, as identified by the Native American Heritage Commission, for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials. In the event of the accidental discovery or recognition of human remains in a location other than a dedicated cemetery, procedures described in CEQA Guidelines section 15064.5(e) shall be followed including, when applicable, assisting the most likely Native American descendent in consultations with the landowner or other responsible person regarding the treatment or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code §5097.98.
- **Implementation Program RCS-11.2.d: Historic Integrity:** Ensure the integrity of historic structures and the parcels on which they are located are preserved through the implementation of applicable design, building and fire codes.
- **Implementation Program RCS-11.2.e: Tax Relief for Cultural Resources:** Utilize tax relief programs, such as the Mills Act, to encourage preservation of cultural resources.

Discussion

a)

The four hotel bonus areas do not contain any identified historic resources, however, dependent on the age of the existing buildings, at some point in the future there is the possibility that one or more of the affected buildings may exhibit some degree of historical significance. Therefore, any future development within the four hotel bonus areas will be subject to General Plan Policy RCS 11.2a requiring that a cultural resource evaluation be prepared for discretionary projects. Furthermore, future discretionary development applications would be subject to subsequent CEQA review and any potential impacts to cultural resources would be disclosed, analyzed, and mitigated, as appropriate. While the proposed zoning amendments would provide the opportunity for redevelopment within the boundaries of the four hotel bonus areas, no physical changes are proposed at this time. Therefore, future development allowed under the proposed zoning amendments would result in a less than significant impact to historical resources pursuant to Section 15064.5.

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b)

According to the Town of Corte Madera General Plan EIR, archaeological resource investigations have been performed for approximately 20% of the Town and each investigation has unearthed archaeological resources. Due to Corte Madera's rich prehistory and the numerous archaeological resources identified through past investigations, it is possible that the four hotel bonus areas may contain yet undiscovered resources. Although the four areas have been disturbed previously, including the underlying subsurface area, there remains a potential presence of buried cultural resources that may be unearthed during future construction activities. Therefore, future development within the boundaries of the four hotel bonus areas would be subject to General Plan Program RCS 11.2.a requiring that applicable discretionary projects prepare a cultural resource evaluation to identify the presence of any archaeological or historic resource and provide feasible and appropriate measures for their protection. Because no physical development is proposed at this time, and future development applications would be subject to environmental review under CEQA, as well as relevant General Plan policies or programs, future development within the hotel bonus areas would result in less than significant impacts to archaeological resources pursuant to Section 15064.5.

c)

Prehistoric archaeological sites recorded in the Corte Madera and Larkspur region are known to contain Native American human remains. These remains may occur in conjunction with habitation debris associated with shell mounds, which may include midden containing faunal shell and bone, and culturally flaked stone and groundstone. While the four hotel bonus areas under the proposed zoning amendment have been subject to previous disturbance, they still have the potential to contain yet undiscovered remains as the sites redevelop. Due to the area wide potential for the presence of human remains, General Plan program TCS 11.2.b requires consultation with appropriate tribes in the event of inadvertent discovery and compliance with the provisions of CEQA Guidelines Sections 15064.5(e). Because future discretionary projects facilitated by the zoning amendments would be subject to this implementing program, impacts related to the inadvertent discovery of human remains will be less than significant.

Mitigation Measures

No mitigation beyond compliance with the relevant policies, regulations, and programs identified within this section.

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Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Existing Conditions

The Town of Corte Madera is serviced by Pacific Gas and Electric (PG&E) for gas and electricity. PG&E is responsible for maintenance, operation, and repair of all transformers and electrical facilities within the Town. The Town does not have any substations within its limits and existing electric facilities within the Town consist of 12- to 69-kilovolt transmission lines.³⁸ Utility uses within the hotel bonus areas include natural gas for water heaters, commercial dryers, kitchen equipment, and pool and spa heaters, as well as electricity for a diverse variety of commercial uses.³⁹

All of Marin County, as well as all of Napa County, unincorporated Contra Costa County, unincorporated Solano County, and several cities and towns in the East Bay, are serviced by Marin Clean Energy which was formed in 2008 as California's first Community Choice Aggregation (CCA) agency.⁴⁰ CCA's came into existence through the passing of Assembly Bill 117 in 2002, which offered an opportunity for California communities to choose the source of their electricity.⁴¹ With electricity serviced from MCE, customers can choose how much renewable energy is in their electricity service. The mission of MCE is to lower its customers greenhouse gas emissions in an effort to reduce their communities carbon footprint, evident by having enabled Marin County to meet its climate action plan target eight years early.⁴² MCE works in collaboration with PG&E, utilizing the existing meters and reading from PG&E, as well as the power line maintenance and billing. However, MCE is responsible for buying and providing electricity from renewable sources which include solar, wind, geothermal, hydroelectric, and bioenergy from location within

³⁸ Town of Corte Madera, 2008, General Plan Update EIR: Chapter 4.11 Public Services, available online at <https://www.townofcortemadera.org/DocumentCenter/View/254/Sections-49-through-412-PDF?bidId=>, accessed March 26, 2020.

³⁹ Town of Corte Madera, 2014, Corte Madera Inn Rebuild EIR, available online at <https://www.townofcortemadera.org/DocumentCenter/View/1057/CM-Inn-DEIR-Sect-414-Energy?bidId=>, accessed March 26, 2020.

⁴⁰ Marin Clean Energy, 2020, My Community My Choice, available online at <https://www.mcecleanenergy.org/>, accessed March 27, 2020.

⁴¹ Assembly Bill No. 117, available online at http://www.leginfo.ca.gov/pub/01-02/bill/asm/ab_0101-0150/ab_117_bill_20020924_chaptered.pdf

⁴² Marin County, 2014, Marin County Climate Action Plan, available online at https://www.marincounty.org/~media/files/departments/cd/planning/sustainability/climate-and-adaptation/marinupdate_publicdraft20140825.pdf?la=en, accessed March 27, 2020.

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California, Colorado, and the Pacific Northwest. MCE reports their energy procurement annually to the California Public Utilities Commission and the California Energy Commission to verify the amount of renewable energy provided to customers. Opting in or enrolling for electricity provision from MCE is made by simply contacting their office by phone or email, with the prospective customers PG&E account information to allow for a merging of service.⁴³

Energy Efficiency regulations applicable to the proposed project include the current Building Energy Efficiency Standards, Town of Corte Madera Climate Action Plan, and California Green Building Standards Code (CALGreen), which include performance standards for energy efficiency and require installation of electric vehicle charging stations and secured bicycle parking.⁴⁴⁴⁵⁴⁶ Energy Efficiency incentive programs available throughout Marin County and applicable to future development within the hotel bonus areas include the Green Business Programs which certifies businesses which conserve water and energy, reduce waste, and prevent pollution, Marin Energy Watch Partnership, which provides resources and incentives to residents, businesses, and public agencies to increase energy efficiency, Energy Upgrade California, which provides incentives, rebates, and financing through its program.⁴⁷

Applicable General Plan Policies and Programs

The Town's General Plan sets forth a number of policies and programs that are intended to address energy. The following are relevant to the proposed amendments and will be applied to all future development within the four hotel bonus areas:

- **GOAL RCS – 2: Reduced consumption of non-renewable energy sources in Corte Madera.**
- **POLICY RCS – 2.1:** Ensure that basic energy services are available to all Town residents.
 - **Implementation Program RCS-2.1.a: Estimate Energy Demands:** Continue to coordinate with Pacific Gas and Electric to identify projected energy demands for residential, commercial, industrial, and other land uses.
- **POLICY RCS– 2.2:** Increase energy conservation and efficiency within Corte Madera.
 - **Implementation Program RCS-2.2.a: Energy Conservation and Efficiency:** Identify opportunities for creating energy conservation and efficiency programs for application in all Town facilities, schools, and local businesses.

⁴³ Marin Clean Energy, 2020, My Community My Choice, available online at <https://www.mcecleanenergy.org/>, accessed March 27, 2020.

⁴⁴ California Energy Commission, 2020, Building Energy Efficiency Standards – Title 24, available online at <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards>, accessed March 26, 2020.

⁴⁵ Town of Corte Madera, 2016, Climate Action Plan, available online at <https://www.townofcortemadera.org/DocumentCenter/View/2556/Climate-Action-Plan-March-2016?bidId=>, accessed March 26, 2020.

⁴⁶ Department of General Services, 2020, CALGreen, available online at <https://www.dgs.ca.gov/BSC/Resources/Page-Content/Building-Standards-Commission-Resources-List-Folder/CALGreen#@ViewBag.JumpTo>, accessed March 26, 2020.

⁴⁷ Marin County, 2014, Marin County Climate Action Plan, available online at https://www.marincounty.org/~media/files/departments/cd/planning/sustainability/climate-and-adaptation/marincapupdate_publicdraft20140825.pdf?la=en, accessed March 27, 2020.

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- **POLICY RCS– 2.2:** Increase energy conservation and efficiency within Corte Madera.
 - **Implementation Program RCS-2.2.c: Public Facilities Conservation:** Strongly encourage the use of recycled water and drought-resistant landscaping in Town facilities, public roadway landscape, and in new development.
 - **Implementation Program RCS-2.2.f: Cooperate with Regional Energy Programs:** Cooperate with regional energy programs such as the Marin County Energy Watch Partnership to promote energy efficiency in Town facilities, residences, and commercial buildings.
 - **Implementation Program RCS-2.2.g: Conduct Energy Audits:** Continue to conduct energy audits of Town facilities, and implement energy efficiency recommendations from those audits. Seek funding from available state sources and grant opportunities, as well as the CIP.
 - **Implementation Program RCS-2.2.h: Heat Islands:** Minimize heat islands and the resulting increase in energy use for cooling, by avoiding the use of materials such as some types of artificial turf that have excessive heat reflection characteristics, and by using cooling techniques such as landscape shading where reasonable feasible.
- **POLICY RCS– 2.3:** Develop programs to increase energy conservation within Corte Madera residences.
- **POLICY RCS– 2.4:** Support the development and utilization of renewable energy.
 - **Implementation Program RCS-2.4.b: Renewable Energy:** Provide for use of renewable energy systems to help meet future energy needs of the community. This may include use of photovoltaic solar collection systems to reduce dependency on fossil fuels. Include provisions for use of such systems in the Town’s Design Guidelines.
- **POLICY RCS– 2.5:** Minimize transportation-related energy consumption.
- **POLICY RCS– 2.6:** Reduce energy consumption in buildings by balancing energy efficient design with good planning principles.
 - **Implementation Program RCS-2.6.a: Energy Efficient Building Design:** Require energy efficient site and building design in all new development projects consistent with the requirements of Title 24 of the California Administrative Code. Measures may include, but are not limited to, building orientation and shading, landscaping, use of active and passive solar heating and hot water system, etc.
 - **Implementation Program RCS-2.6.b: Design Approaches:** The Town’s Design Guidelines shall include an emphasis on environmentally sensitive design approaches that incorporate resource-conserving construction practices.
 - **Implementation Program RCS-2.6.d: Green Building Guidelines:** Adopt Green Building guidelines for new construction, renovations, and municipal projects. Integrate green building requirements into the development review and building permit process. Collaborate with local jurisdictions to share resources and develop green building policies and programs that are optimize for the region. This approach may include:
 - Optional or incentive based green building provisions to encourage compliance.

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- Conservation of natural resources when planning site development.
 - Use of green building materials, including recycled-content materials.
 - Promotion of water efficiency and conservation measures, including low impact development strategies.
 - Increased energy efficiency in building and site designs.
 - Promotion of the use of renewable energy.
 - Improved indoor air quality that includes the use of formaldehyde-free, non-toxic construction materials.
- **POLICY RCS– 2.7:** Expand public participation in energy conservation and efficiency measures.
 - **Implementation Program RCS-2.7.c: Promotion of Energy Efficient Products:** Promote the purchase of Energy Star appliances rated at least “Energy Star” and fuel efficient or alternative fuel vehicles by Town businesses and residents.

Discussion

a)

The proposed project involves a zoning ordinance amendment; it does not involve a specific application for development. Construction activities associated with future development within the four hotel bonus areas would require construction equipment which could use electricity, natural gas, gasoline or diesel for power. The energy use during construction would vary during different phases of construction, whereas construction equipment used during site preparation, trenching, grading, and paving would be gas- or diesel-powered, later construction phases, such as applying architectural coatings and interior construction, would require electric-powered equipment. Overall, the use of electricity would be temporary in nature and would fluctuate according to the construction phase. However, it is anticipated that the construction contractors would minimize non-essential idling of construction equipment during construction in accordance with Section 2449 of the California Code of Regulations (CCR), Title 13, Division 3, Chapter 9, Article 4.8 and as required by relevant General Plan and Municipal Code Ordinances.^{48,49} In addition, commercial vendor trucks of 10,000 pounds and greater would be subject to Section 2485 of the CCR, Title 13, Division 3, Chapter 10, Article 1, which prohibits non-essential idling to no more than 5 minutes.⁵⁰ Implementation of these practices would limit wasteful and unnecessary energy consumption for future development within the proposed project hotel bonus areas.

⁴⁸ California Air Resources Board, 2011, Regulation for Un-Use Off-Road Diesel-Fueled Fleets, available online at <https://ww3.arb.ca.gov/msprog/ordiesel/documents/finalregorder-dec2011.pdf>, accessed March 26, 2020.

⁴⁹ Town of Corte Madera, 2009, General Plan: Chapter 3 – Resource Conservation and Sustainability, available online at <https://www.townofcortemadera.org/DocumentCenter/View/274/Chapter-3---Resource-Conservation-and-Sustainability-PDF?bidId=>, accessed March 26, 2020.

⁵⁰ California Air Resources Board, 2005, Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Moto Vehicle Idling, available online at <https://ww3.arb.ca.gov/regact/idling/fro1.pdf>, accessed March 26, 2020.

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The four hotel bonus areas are already substantially developed and are serviced through PG&E. Although future operation of development within the proposed project areas would increase the demand for electrical, cable, telephone, and natural gas, PG&E does not anticipate any availability or service problems in the future in serving the land uses proposed within the General Plan.⁵¹ Additionally, any future development within the four hotel bonus areas would be individually reviewed by PG&E before project approval.⁵² As a utility service provider, PG&E offers reports, programs, and systems to ensure energy-efficiency and these would be assessed implemented to as applicable during the operation of any proposed redevelopment.⁵³ Furthermore, future development within the four hotel bonus areas would be required to comply with the Building Energy Efficiency Standards, and the California Green Building Standards Code to minimize the demand for energy, including energy produced from non-renewable sources.⁵⁴ Future development would also be encouraged to take advantage of energy efficiency programs within Marin County as described previously within this section, and the ordinance amendment itself would require enhanced energy efficiency by requiring elevated green building standards beyond what is required under the California Building Code.⁵⁷

Because no physical development is proposed at this time and future development applications would be subject to subsequent CEQA review, as well as consistency with energy-related regulations, the proposed zoning amendments are expected to result in less than significant impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation.

b)

As mentioned in the greenhouse gas section of this Initial Study, the Town of Corte Madera adopted the Climate Action Plan (CAP) in 2016 to provide direction for the reduction of community GHG emissions. The measures identified within the Town's CAP represent measures to reduce GHG emissions, as well as

⁵¹ Town of Corte Madera, 2008, General Plan Update EIR: Chapter 4.11 Public Services, available online at <https://www.townofcortemadera.org/DocumentCenter/View/254/Sections-49-through-412-PDF?bidId=>, accessed March 26, 2020.

⁵² Pacific Gas and Electric, 2020, Building and renovation, available online at https://www.pge.com/en_US/small-medium-business/building-and-property/building-and-maintenance/building-and-renovation/understand-the-process.page, accessed March 26, 2020.

⁵³ Pacific Gas and Electric, 2020, Putting Energy Efficiency First, available online at <https://www.pge.com/myhome/environment/pge/energyefficiency/>, accessed March 26, 2020.

⁵⁴ California Energy Commission, 2020, Building Energy Efficiency Standards – Title 24, available online at <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards>, accessed March 26, 2020.

⁵⁵ Town of Corte Madera, 2019, Chapter 15.13 – Green Building Code, available online at https://library.municode.com/ca/corte_madera/codes/code_of_ordinances?nodeId=TIT15BUCO_CH15.13GRBUCO, accessed March 26, 2020.

⁵⁶ Department of General Services, 2020, CALGreen, available online at <https://www.dgs.ca.gov/BSC/Resources/Page-Content/Building-Standards-Commission-Resources-List-Folder/CALGreen#@ViewBag.JumpTo>, accessed March 26, 2020.

⁵⁷ Marin County, 2014, Marin County Climate Action Plan, available online at https://www.marincounty.org/~media/files/departments/cd/planning/sustainability/climate-and-adaptation/marinupdate_publicdraft20140825.pdf?la=en, accessed March 27, 2020.

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actions to reduce energy consumption.⁵⁸ Design features applicable to reducing the energy consumption of future development within the four hotel bonus areas include complying with the Building and Energy Efficiency Standards and improving pedestrian crossings and bike routes.⁵⁹⁶⁰ Furthermore, in order for a proposed projects approval process, the project would have to meet at least Tier 1 standards of the California Green Building Code (CALGreen).

Future development within the four hotel bonus areas of the proposed project would be subject to subsequent CEQA review, as well as consistency with energy-related regulations and the Town's adopted CAP. Therefore, the proposed project is not expected to conflict with or obstruct a State or local plan for renewable energy or energy efficiency and would result in less than significant impacts.

Mitigation Measures

No mitigation beyond compliance with the relevant policies, regulations, and programs identified in this section.

⁵⁸ Town of Corte Madera, 2016, Climate Action Plan, available online at <https://www.townofcortemadera.org/DocumentCenter/View/2556/Climate-Action-Plan-March-2016?bidId=>, accessed March 26, 2020.

⁵⁹ California Energy Commission, 2020, Building Energy Efficiency Standards – Title 24, available online at <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards>, accessed March 26, 2020.

⁶⁰ Town of Corte Madera, 2019, Chapter 15.13 – Green Building Code, available online at https://library.municode.com/ca/corte_madera/codes/code_of_ordinances?nodeId=TIT15BUCO_CH15.13GRBUCO, accessed March 26, 2020.

ENVIRONMENTAL ANALYSIS**VII. GEOLOGY AND SOILS**

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides, mudslides, or other similar hazards?	☐	☐	☒	☐
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 by Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Existing Conditions

Corte Madera's topography is varied, from lowlands towards the edge of the San Francisco Bay, to slopping hills along the Corte Madera Ridge. The geology of Marin County is characterized by three structural blocks separated by the Hayward and San Andreas faults. The Town of Corte Madera lies within the San Francisco-Marin block, roughly nine miles northeast of the San Andreas Fault. Geological terrain within the Town of Corte Madera consists of upland terrain of hills and ridges with steep slopes, as well as lowland terrain with subdivisions of valley lands and Bay lands. Bedrock underlying the upland terrain includes sheets of serpentine separated from sandstone and shale underlying the Franciscan mélangé. Mélangé is a composite of large and small hard rocks embedded in crushed and sheared rock; it underlies some of the lower slopes in the older areas within Corte Madera. Francisco sandstone permeates the ridges and knolls west of Highway 101. Bedrock underlying the valley lands have surface deposits of alluvium consisting of sand, silt, clay, and gravel deposited by landslide movements and streams. Bedrock underlying Bay lands are filled by silt and clay sediments transported by the Sacramento River and deposited by tidewaters of the Bay, and are overlain by marshes, Bay plains, and mudflats, all composing the Bay Mud in this area. Bedrock of the lowlands include hard rocky peninsulas and islands rising from the Bay Mud marsh, as well as areas of human placed fill.

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The Town of Corte Madera is within nearby proximity to several known and active earthquake faults, including the Calaveras, Hayward, and San Andreas faults. High magnitude earthquakes along these faults can cause damage, however Corte Madera has no direct reports of damage as a result of large earthquakes. Because the Town is relatively close to these regional fault zones, potential ground shaking may pose a significant threat to life and property. Geological features affect the intensity of ground shaking during an earthquake. Loose and deep soils, such as the Bay Mud common within the lowland areas of Town may amplify and prolong shaking, while granite would amplify ground shaking the least. Damage from earthquakes also depends on the structural integrity of buildings and utilities and is likely to be amplified in areas underlain by Bay Mud. A secondary effect of ground shaking is ground failure, which can include liquefaction, landslides, lurching, and differential settlement. During ground shaking, liquefaction may occur when poorly consolidated and saturated granular material is shaken and transformed into a fluid state. Liquefaction may cause buildings to sink or tilt, underground utility infrastructure may rise to the surface, and levees may fail. In the case that soils are poorly consolidated, ground may subside. Corte Madera faces risk for liquefaction due to development on top of human-placed fill and Bay Med sediments. Expansive soils also present a risk, as they could shrink and swell depending on moisture. Without identification and proper mitigation, expansive soils could result in damage to foundations, slabs, and pavement, as well as other infrastructure.

The Town of Corte Madera typically requires geotechnical investigations as conditions of approval for new development and appropriate mitigation is often implemented, including seismic design specifications and parameters pursuant to the Uniform Building Code and the California Building Code. Applicants undertaking new development must seek approval through the Town of Corte Madera to ensure compliance with these building codes, which reduce health and safety risks and increase structural stability of development projects.⁶¹⁶²

A portion of the project site lies with the Town's Baylands Risk Zone and Natural Habitat Overlay District. This district applies to land with the potential for substantial additional development that features slopes less than ten percent and is underlay by bay mud.⁶³ As part of the required geotechnical investigation for new development, the magnitude of impact related to geological and soil hazard risks to structures would be assessed and appropriate mitigation implemented. This overlay district requires that a geologic and soil investigation report be completed to identify the degree of risk related to structural damage, including differential settlement, subsidence, seismic activity, and other failure potential.⁶⁴

⁶¹ Town of Corte Madera, 2009, General Plan, Chapter 8.7 Geologic Hazards, available online at <https://www.townofcortemadera.org/DocumentCenter/View/269/Chapter-8---Public-Safety-and-Hazards-PDF?bidId=>, accessed March 24, 2020.

⁶² Town of Corte Madera, 2019, California Building Codes and Guidelines, available online at <https://townofcortemadera.org/135/California-Building-Codes-Guidelines>, accessed March 24, 2020.

⁶³ Town of Corte Madera, 1994, Municipal Code 18.18.200, available online at https://library.municode.com/ca/corte_madera/codes/code_of_ordinances?nodeId=TIT18ZO_CH18.18SPPUOVDI_IIIBRBARIZONA_HAOVDI_18.18.200GE, accessed March 24, 2020.

⁶⁴ Town of Corte Madera, 2009, General Plan, Chapter 8.7 Geologic Hazards, available online at <https://www.townofcortemadera.org/DocumentCenter/View/269/Chapter-8---Public-Safety-and-Hazards-PDF?bidId=>, accessed March 24, 2020.

ENVIRONMENTAL ANALYSIS*Applicable General Plan Policies and Programs*

The Town's General Plan sets forth a number of policies and programs that are intended to address construction affected by the geologic characteristics of the site and the potential presence of paleontological resources on the site. The following are relevant to the proposed amendments and will be applied to all future development within the four hotel bonus areas:

- **GOAL PSH-- 8:** Residential and structural protection from hazardous seismic and subsidence activity.
- **POLICY PSH-- 8.1:** All construction in Corte Madera shall comply with the California Building Code, including requirements for seismic design.
 - **Implementation Program PSH-8.1.a: Enforce California Building Code:** Enforce requirements of the California Building Code, including seismic design provisions, as part of the building permit issuance and inspection process.
 - **Implementation Program PSH-8.1.b: Adopt Updated CBC:** Adopt updated versions of the California Building Code to address new technical and structural requirements that improve safety.
- **POLICY PSH-- 8.2:** New development and redevelopment projects with the potential for geological hazards, such as slope failures or soil subsidence, shall be subject to geotechnical evaluation prior to approval.
 - **Implementation Program PSH-8.2.a: Geotechnical Reports:** Require new development and redevelopment projects in hillside areas subject to Hillside Land Capacity Overlay District Regulations, on slopes of 30% or more, or on sites designated "3" or "4" on the map entitled "Interpretation of the Relative Stability of Upland Slopes on the Tiburon Peninsula, Sausalito, and Adjacent Areas, Marin County, California, 1976" or areas subject to subsidence to submit a geologic investigation and a report by a qualified engineering geologist with application materials. The reports shall address potential for slope failure, soil subsidence and related geological events, and recommend measures to minimize hazards.
 - **Implementation Program PSH-8.2.b: Development Standards:** In areas with identified geotechnical hazards, development shall conform to geotechnical report mitigation measures and/or project and site modifications to respond to site-specific hazards and conditions.
 - **Implementation Program PSH-8.2.e: Site and Building Design:** Include site planning and building design features that reduce potential impacts from geologic hazards in the Town's Design Guidelines, including provisions to limit damage to structures caused by subsidence and accepted grading practices on hillsides.
- **POLICY RCS-- 11.3:** Protect paleontological resources.
 - **Implementation Program RCS-11.3.a:** Should any potentially unique paleontological resources (fossils) be encountered during development activities, work shall be halted immediately within 50 feet of the discovery. The Town of Corte Madera Planning Department shall be notified immediately, and a qualified paleontologist shall be retained to determine the

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significance of the discovery. Based on the significance of the discovery, the qualified paleontologist shall present options to the Town for protecting the resources. Appropriate action may include avoidance, preservation in place, excavation, documentation, and/or data recovery, and shall always include preparation of a written report documenting the find and describing steps taken to evaluate and protect significant resources. The Town will implement feasible and appropriate recommendations and mitigation measures of the qualified paleontologist for any unanticipated discoveries. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery or other appropriate measures.

Discussion

ai)

No known active faults or Alquist-Priolo earthquake hazard zones occur in the Town of Corte Madera Planning Area.⁶⁵ Therefore, there would be no direct impacts from fault rupture and the proposed project would have no impact due to fault related ground rupture.

aii)

Corte Madera is approximately eight miles northeast of the San Andreas Fault zone and eleven miles southwest of the Hayward Fault zone. Although high magnitude earthquakes along these faults can be felt, there are no direct reports of damage in Corte Madera as a result of major quakes. Additionally, there are no known active faults in Corte Madera, making ground rupture an unlikely hazard. Nevertheless, the potential for intense ground shaking poses a significant threat to life and property.⁶⁶

The proposed project does not include direct changes to the physical environment, that would be subject to strong ground shaking. Future development proposals would be subject to environmental review and mandatory conformance with the Town's building code.⁶⁷ Future project specific impacts will be evaluated on an individual basis to determine the appropriate level of mitigation necessary based on the specific development proposal and geotechnical characteristics. Additionally, adherence to applicable building codes, including conformance to the California Building Code and the Town's building permit requirements would ensure that the impacts associated with strong seismic ground shaking are minimized to the maximum extent practicable. Therefore, the proposed project would result in a less than significant impact concerning ground shaking.

⁶⁵ Town of Corte Madera, 2009, General Plan, Chapter 8.7 Geologic Hazards, available online at <https://www.townofcortemadera.org/DocumentCenter/View/269/Chapter-8---Public-Safety-and-Hazards-PDF?bidId=>, accessed March 24, 2020.

⁶⁶ Town of Corte Madera, 2009, General Plan, Chapter 8.7 Geologic Hazards, available online at <https://www.townofcortemadera.org/DocumentCenter/View/269/Chapter-8---Public-Safety-and-Hazards-PDF?bidId=>, accessed March 24, 2020.

⁶⁷ Town of Corte Madera, 2019, California Building Codes and Guidelines, available online at <https://townofcortemadera.org/135/California-Building-Codes-Guidelines>, accessed March 24, 2020.

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aiii, iv)

The four hotel bonus areas are located within a relatively flat area within Corte Madera characterized by surficial deposits and surrounded by areas with few landslides and some landslides farther south, as shown Figure 4.7-2 of the General Plan EIR. Most of Corte Madera is located within an area of high to very high liquefaction, according to Figure 4.7-3 of the General Plan EIR. Because no physical development is proposed at this time, there would be no change in risk level due to liquefaction.⁶⁸ Future urban development within the four project areas including new building and structures for residential uses could be sited within an area identified as having a very high liquefaction potential. Therefore, when a development application is received by the Town, it would be subject to its own project-level environmental review under CEQA. Furthermore, future infill development facilitated by the zoning amendments would be subject to the General Plan policy PSH-8.2 which protects health and safety through the requirement of a geotechnical investigation, setting forth site specific recommendations for liquefaction in accordance with industry standards and the California Building Code (CBC).⁶⁹ Therefore, because no development is currently proposed, and future development would undergo CEQA review, as well as a site specific geotechnical investigation, implementation of the proposed zoning amendments would result in less than significant impacts due to ground failure.

b)

Substantial soil erosion or loss of topsoil during construction could, in theory, undermine structures and minor slopes during future development within the four hotel bonus areas. However, compliance with existing regulatory requirement such as the implementation of grading erosion control measures specified in the CBC and the Town's Municipal Code would reduce erosion and loss of topsoil. The Town Municipal Code established standards and procedures for controlling erosion and runoff caused by grading, excavation, and land clearing on a construction site (Municipal Zoning Code Section 15.20.285). Other examples of these control measures include best management practices (BMPs) such as hydroseeding or short-term biodegradable erosion control blankets; silt fences, vegetated swales, or other forms of protection at storm drain inlets; post-construction clearing of debris and sediment; and post-construction inspection of drainage structures for accumulated sediment.

When development applications are received by the Town for redevelopment within the four hotel bonus areas, they would be subject to their own project-level environmental review under CEQA and would be evaluated for erosion impacts on degradation of water quality and interruption or drainage flow and appropriate mitigation measures would be developed to reduce impacts.

As the proposed zoning text amendments do not involve any physical development, it is not possible to determine any impacts related to erosion at this time. Nevertheless, adherence to General Plan Policies, as well as BMPs associated with the CBC and the Town's Municipal Code will ensure that all future development would have a less than significant impact due to erosion.

⁶⁸ Town of Corte Madera, 2008, General Plan Update: Environmental Impact Report, Chapter 4.7 Geology and Soils, available online at <https://www.townofcortemadera.org/DocumentCenter/View/255/Sections-41-through-47-PDF?bidId=>, accessed March 24, 2020.

⁶⁹ Town of Corte Madera, 2019, California Building Codes and Guidelines, available online at <https://townofcortemadera.org/135/California-Building-Codes-Guidelines>, accessed March 24, 2020.

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c)

The Town of Corte Madera project review process assesses engineering and structural safety of structures proposed on a site. Hotel bonus areas one, three, and four include portions which are within the Baylands Risk Zone and Natural Habitat Overlay District, which would require a geologic and soil investigation and report for proposed development on a site underlain by bay mud or fill. Future specific impacts will be evaluated on an individual project basis to determine the appropriate level of mitigation necessary depending on the project scope and specific lot characteristics. In addition, future development applications received by the Town shall be subject to General Plan policies and programs and the Municipal Zoning Code including Chapter 18.18, which regulates the Baylands Zone.⁷⁰ As no physical development is proposed at this time, there would be no change in risk level due to an unstable geologic unit. Because future development would be required to undergo project specific CEQA review, be in compliance with General Plan policy PSH-8.2 which protects health and safety through the requirement of a geotechnical investigation, and adhere to the Town's Municipal Code, the impacts from the proposed zoning amendment would be less than significant.

d)

Soil types found within the Town of Corte Madera include lowland areas containing alluvium and Bay mud consisting of rich clay soils with a moderate potential for expansion under changing conditions. According to Figure 4.7-4 of the General Plan EIR, soil types within the four hotel bonus areas consist of soil type 202 Urban Land-xerorthents complex with 0-9 percent slopes and soil type 204 xerorthents, Urban Land complex with 0-9 percent slopes. The xerorthent soil unit is comprised of fills and reworked soils associated with developed areas, altered to the extent that their original characteristics are no longer present. Because the zoning amendment does not propose any physical development at this time, impacts associated with expansive soils are expected to be less than significant. Future urban development such as new buildings and structures including residential uses could be sited within areas containing expansive soils. Applications required for future development received by the Town would be subject to project-level environmental review under CEQA including site specific geotechnical investigation.⁷¹ Pursuant to General Plan Program PSH-8.2b, development shall confirm all mitigation measures set forth in a site-specific geotechnical report.⁷² Therefore, specific impacts related to expansive soils will be evaluated on an individual project basis. Therefore, potential impacts due to a substantial risk from expansive soils are expected to be less than significant under the proposed zoning amendment.

⁷⁰ Town of Corte Madera, 1994, Municipal Code 18.18.200, available online at https://library.municode.com/ca/corte_madera/codes/code_of_ordinances?nodeId=TIT18ZO_CH18.18SPPUOVDI_IIIBRBARIZONA_HAOVDI_18.18.200GE, accessed March 24, 2020.

⁷¹ Town of Corte Madera, 2008, General Plan Update: Environmental Impact Report, Chapter 4.7 Geology and Soils, available online at <https://www.townofcortemadera.org/DocumentCenter/View/255/Sections-41-through-47-PDF?bidId=>, accessed March 24, 2020.

⁷² Town of Corte Madera, 2019, California Building Codes and Guidelines, available online at <https://townofcortemadera.org/135/California-Building-Codes-Guidelines>, accessed March 24, 2020.

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e)

The four hotel bonus areas do not contain septic tanks and none will be permitted in the future. All redevelopment activity will be required to connect to existing sewer facilities. Therefore, there are no impacts regarding the use of septic tanks within the proposed zoning amendment areas.

f)

According to the General Plan EIR, the Town of Corte Madera does not contain any identified paleontological resources or exhibit geologic conditions that would contain paleontological resources. However, paleontological resources have been identified in Marin County in Pleistocene and Pliocene sediments. Therefore, the potential remains to uncover previously undiscovered resources when sites are redeveloped, even in areas which have been subjected to previous disturbance.⁷³ Any future development within the proposed zoning amendment hotel bonus areas would be subject to General Plan Program RCS 11.3.a, which requires that in the event a paleontological resource is identified all work be halted within fifty feet and a qualified paleontologist shall be procured to evaluate and provide recommendations as to how best to proceed.⁷⁴ Because no physical development is proposed at this time and future development applications would be subject to subsequent CEQA review, as well as General Plan Program 11.3.a, the proposed zoning amendments are expected to result in less than significant impacts to paleontological resources.

Mitigation Measures

No mitigation beyond compliance with the relevant policies, regulations, and programs identified in this section.

⁷³ Town of Corte Madera, 2008, General Plan Update: Environmental Impact Report, Chapter 4.7 Geology and Soils, available online at <https://www.townofcortemadera.org/DocumentCenter/View/255/Sections-41-through-47-PDF?bidId=>, accessed March 24, 2020.

⁷⁴ Town of Corte Madera, 2019, California Building Codes and Guidelines, available online at <https://townofcortemadera.org/135/California-Building-Codes-Guidelines>, accessed March 24, 2020.

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VIII. GREENHOUSE GAS EMISSIONS

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Existing Conditions

Regulatory Framework

The United States Environmental Protection Agency (USEPA) announced on December 7, 2009, that greenhouse gas (GHG) emissions threaten the public health and welfare of the American people and that GHG emissions from on-road vehicles contribute to that threat. The USEPA's final findings respond to the 2007 United States Supreme Court decision that GHG emissions fit within the Clean Air Act definition of air pollutants. The findings do not in and of themselves impose any emission reduction requirements, but allow the EPA to finalize the GHG standards proposed in 2009 for new light-duty vehicles as part of the joint rulemaking with the Department of Transportation.⁷⁵ The USEPA's endangerment finding covers emissions of six key GHGs—carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆)—that have been the subject of scrutiny and intense analysis for decades by scientists in the United States and around the world. The first three are applicable to future development facilitated by the proposed project because they constitute the majority of GHG emissions.⁷⁶

Applicable General Plan Policies and Programs

The Town's General Plan sets forth several policies and programs that are intended to address GHG emissions. The goals, policies, and programs described within the energy section of this Initial Study as well as the following are relevant to GHG emissions for the proposed amendment and will be applied to all future development within the four hotel bonus areas:

⁷⁵ United States Environmental Protection Agency (USEPA), 2009. EPA: Greenhouse Gases Threaten Public Health and the Environment, Science overwhelmingly shows greenhouse gas concentrations at unprecedented levels due to human activity, December, <http://yosemite.epa.gov/opa/admpress.nsf/0/08D11A451131BCA585257685005BF252>.

⁷⁶ United States Environmental Protection Agency (USEPA), 2014, Climate Change Indicators: U.S. Greenhouse Gas Emissions, available online at <https://www.epa.gov/climate-indicators/climate-change-indicators-us-greenhouse-gas-emissions>, accessed on March 27, 2020.

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- **GOAL RCS – 3:** Reduce existing and future levels of GHG emissions originating from within the community.
- **POLICY RCS – 3.1:** Actively seek to reduce greenhouse gas emissions within the Planning Area.
- **Implementation Program RCS-3.1.a: Implement California Air Resources Board Regulations:** The Town shall implement regulations adopted by the California Air Resources Board or other applicable regulatory agency to reduce greenhouse gas emissions.
- **Implementation Program RCS-3.2.b: Support Marin County’s Greenhouse Gas Reduction Plan:** The Town shall support Marin County’s Greenhouse Gas Reduction Plan by implementing all feasible greenhouse gas mitigation measures outlined therein.

Discussion

a)

The proposed project would establish a framework for permitting a floor area and height bonus for hotel development on lots greater than one acre in size within the C-3, C-4, and MX zoning districts provided that specific conditions and criteria related to site planning and design are met. The proposed project would increase the existing Floor Area Ratio (FAR) of hotel uses from 0.34 to a maximum 0.70, and allow an increase in height up to 47 feet. The bonus provisions would only apply to up to four hotel projects. The amendments would also include an amendment to the C-4 zoning district to allow hotel uses as a conditional use (up to .34 FAR). As discussed, it does not include specific physical improvements, and would therefore not result in direct impacts to GHG emissions. However, future development facilitated by the proposed zoning ordinance amendments would contribute to global climate change through direct and indirect GHG emissions from transportation sources, energy (natural gas and purchased energy), water use and wastewater generation, waste generation, and other, off-road equipment (e.g., landscape equipment, construction activities). The following is a discussion of the project’s contribution to GHG emissions during both the construction and operation phases.

Construction

BAAQMD does not have thresholds of significance for construction-related GHG emissions, however, the BAAQMD advises that the lead agency should quantify and disclose GHG emissions that would occur during construction and make a determination on the significance of these construction-generated GHG emissions in relation to meeting Senate Bill 32 GHG reduction goals. GHG emissions from construction activities are one-time, short-term emissions and therefore, would not significantly contribute to long-term cumulative GHG emissions impacts of future development. One-time, short-term emissions are converted to average annual emissions by amortizing them over the service life of a building. For buildings in general, it is reasonable to look at a 30-year time frame, since this is a typical interval before a new building requires the first major renovation.⁷⁷ To evaluate the average annual construction emissions from

⁷⁷ International Energy Agency, 2008. Energy Efficiency Requirements in Building Codes, Energy Efficiency Policies for New Buildings.

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future development within the hotel bonus areas, GHG emissions would be amortized over a 30-year project lifetime and would be compared with the BAAQMD *de minimis* bright-line threshold of 660 MTCO₂e/year to ensure that it is not in exceedance. Because BAAQMD does not have thresholds of significance for construction-related GHG emissions, and because GHG emissions would be calculated for future development on a project specific bases for disclosure purpose, this impact would be *less than significant*.

Operation

Future development within the hotel bonus areas would generate a more weekday vehicle trips than under existing conditions. Furthermore, operation of any future hotel developments would result in a new water demand, wastewater and solid waste generation, area sources (e.g., consumer cleaning products), energy usage (i.e., natural gas and electricity), and vehicle trips from operations pertaining to the hotels. The total and net increase of GHG emissions that are associated with future development may be in exceedance of the BAAQMD bright-line screening threshold of 660 MTCO₂e. As a result, GHG emissions associated with the project are considered potentially significant.

Significance without Mitigation: Potentially significant.

Impact GHG-1: Operation of the proposed project may generate a cumulatively considerable net increase in GHG emissions that would exceed the BAAQMD bright-line threshold.

Mitigation Measure GHG-1: Implementation of Mitigation Measure AQ-1.3.

Significance with Mitigation: Mitigation Measure GHG-1 would implement measures to reduce GHG emissions associated with future development. Additionally, the measure would require the purchase of voluntary carbon credits or FMUs to offset project specific generated emissions, as necessary. As a result of implementation of Mitigation Measure GHG-1, emissions from future development would not exceed the BAAQMD's bright-line threshold. Therefore, the impact would be *less than significant*.

b)

Applicable plans adopted for the purpose of reducing GHG emissions include the CARB Scoping Plan, ABAG's *Plan Bay Area 2040*, and the Town's CAP. A consistency analysis with these plans is presented below to illustrate that the proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions, and impacts would be *less than significant*.

CARB Scoping Plan

The California Air Resources Board 2017 Climate Change Scoping Plan and was approved on December 14, 2017. The 2017 Climate Change Scoping Plan outlines the State's strategies to reduce GHG emissions in accordance with the targets established under AB 32 and SB 32. The Scoping Plan is applicable to State agencies and is not directly applicable to cities/counties and individual projects. Nonetheless, the Scoping Plan has been the primary tool that is used to develop performance-based and efficiency-based CEQA criteria and GHG reduction targets for climate action planning efforts.

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Statewide strategies to reduce GHG emissions in the 2017 Climate Change Scoping Plan include: implementing SB 350, which expands the Renewable Portfolio Standard (RPS) to 50 percent by 2030 and doubles energy efficiency savings; expanding the Low Carbon Fuel Standards (LCFS) to 18 percent by 2030; implementing the Mobile Source Strategy to deploy zero-electric vehicle buses and trucks; implementing the Sustainable Freight Action Plan; implementing the Short-Lived Climate Pollutant Reduction Strategy, which reduces methane and hydrofluorocarbons to 40 percent below 2013 levels by 2030 and black carbon emissions to 50 percent below 2013 levels by 2030; continuing to implement SB 375; creating a post-2020 Cap-and-Trade Program; and developing an Integrated Natural and Working Lands Action Plan to secure California's land base as a net carbon sink.

Future development within the hotel bonus areas would implement statewide strategies to reduce GHG emissions which include the low carbon fuel standards, California Appliance Energy Efficiency regulations, California Renewable Energy Portfolio standard, changes in the CAFE standards, and other early action measures as necessary to ensure the State is on target to achieve the GHG emissions reduction goals of AB 32 and SB 32. In addition, future development would comply with the current Building Energy Efficiency Standards and California Green Building Standards Code (CALGreen), at minimum, which include performance standards for energy efficiency and require installation of electric vehicle charging stations and secured bicycle parking.⁷⁸⁷⁹ Future development with the hotel bonus areas would comply with these GHG emissions reduction measures since they are statewide strategies. Because future developments' GHG emissions would be reduced from compliance with statewide measures that have been adopted since AB 32 and SB 32 were adopted, impacts would be *less than significant*.

Plan Bay Area

Plan Bay Area 2040 is the Bay Area's Regional Transportation Plan/Sustainable Community Strategy. *Plan Bay Area 2040* is a limited and focused update to the 2013 *Plan Bay Area*, with updated planning assumptions that incorporate key economic, demographic, and financial trends from the last several years. *Plan Bay Area 2040* was adopted jointly by the Association of Bay Area Governments (ABAG) and MTC on July 26, 2017. To achieve MTC/ABAG's sustainable vision for the Bay Area, *Plan Bay Area* concentrates the majority of new population and employment growth in the region in transit-oriented, infill development PDAs within existing communities. *Plan Bay Area 2040* lays out a development scenario for the region, which, when integrated with the transportation network and other transportation measures and policies, would reduce GHG emissions from transportation (excluding goods movement) beyond the per capita reduction targets identified by the California Air Resources Board (CARB).⁸⁰ Future development within the hotel bonus areas would occur in areas where there is existing infrastructure. Although future development would generate new trips to the hotel bonus areas, future hotel development would not be a growth inducing project, as the potential 254 new jobs created would be occupied by locals from within the Town of Corte Madera or the Bay Area, and the 1,014 potential hotel

⁷⁸ California Energy Commission, 2020, Building Energy Efficiency Standards – Title 24, available online at <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards>, accessed March 26, 2020.

^{79 79} Department of General Services, 2020, CALGreen, available online at <https://www.dgs.ca.gov/BSC/Resources/Page-Content/Building-Standards-Commission-Resources-List-Folder/CALGreen#@ViewBag.JumpTo>, accessed March 26, 2020.

⁸⁰ Plan bay Area 2040, 2019, Final Plan, available online at <http://2040.planbayarea.org/>, accessed March 26, 2020.

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guests would represent temporary visitors, rather than full time residents of the Town. Therefore, the proposed zoning amendment would be consistent with the overall goals of *Plan Bay Area 2040*, and impacts would be *less than significant*.

Town of Corte Madera Climate Action Plan

The Town of Corte Madera adopted a Climate Action Plan (CAP) in March 2016 as guidelines for reducing GHG emissions in Corte Madera. The Climate Action Plan set a reduction goal of reducing emissions 54 percent below baseline emissions by 2030, in line with the State's 2030 goal. Local GHG emissions reduction strategies outlined in the Climate Action Plan include adopting water and energy efficiency programs, replacing public lighting with energy-efficient LED lighting, purchasing renewable electricity for Town facilities, installing solar systems at Town facilities, implementing strategies to encourage bicycling and walking as transportation methods, increasing public transportation services, encouraging the use of electrically powered transportation, increasing tree cover, and implementing strategies towards obtaining zero-waste status.⁸¹

Future development within the hotel bonus areas would be required to adhere to Town-adopted policy provisions, including those contained in the CAP. The Town shall ensure that the provisions of the Town's CAP are incorporated into future projects and their permits through development review and applications for conditions of approval, as applicable. Therefore, this impact would be *less than significant*.

Mitigation Measures

Implementation of Mitigation Measure GHG-1 and compliance with the relevant policies, regulations, and programs identified in this section.

⁸¹ Town of Corte Madera, 2016, Climate Action Plan, available online at <https://www.townofcortemadera.org/DocumentCenter/View/2556/Climate-Action-Plan-March-2016?bidId=>, accessed March 26, 2020.

ENVIRONMENTAL ANALYSIS**IX. HAZARDS AND HAZARDOUS MATERIALS**

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	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 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 material sites compiled pursuant to Government Code Section 65962.5 and, as a result, 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, result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☒	☐

Existing Conditions

The California Department of Toxic Substances Control (DTSC) defines a hazardous material within the California Code of Regulations, Title 22, Section 66260.10 as:⁸²

A substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed.

Chemical and physical properties which classify a substance as hazardous include the properties of reactivity, corrosivity, ignitability, and toxicity. Health effects caused by hazardous materials exposure are influenced by factors such as the frequency of exposure, the dose to which the person is exposed, the exposure pathway, and individual susceptibility.

⁸² Thomson Reuters Westlaw, 2020, Definitions, available online, accessed at [https://govt.westlaw.com/calregs/Document/I9F2AC740D4BA11DE8879F88E8B0DAAAE?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Document/I9F2AC740D4BA11DE8879F88E8B0DAAAE?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)).

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The DTSC maintains a Hazardous Waste and Substances List known as the Cortese List which is used by state and local agencies as well as developers to comply with CEQA requirements through disclosing locations and information about nearby hazardous materials sites.

Corte Madera lacks any sizeable industrial operations, and therefore does not have any significant threat from the use or storage of hazardous materials. Most hazardous materials within the Town of Corte Madera are associated with historic automobile-related activities such as repair shops and service stations and are located mostly near Highway 101 and their primary risk is leaking gasoline and diesel fuel hydrocarbons as well as other related compounds into the soil and groundwater.⁸³

In California, the unified hazardous materials and hazardous waste management program, known as the “Unified Program” was established by the Secretary for Environmental Protection. The Certified Unified Program Agencies (CUPA), under the Unified Program, locally administers and implements requirements, inspections, and permits for six programs, including the Underground Storage Tank (UST) program and the Hazardous Waste Generator/Tiered Permitting Program.

The Marin County CUPA oversees the administration, permitting, inspections, and enforcement of hazardous waste and materials throughout Marin County as well as in the Town of Corte Madera.⁸⁴ On an annual basis, any business in Marin County regulated per Chapter 7.80 of the Marin County Code by the Office of Waste Management must be issued a permit for any of the CUPA programs which are applicable to that specific business.⁸⁵ Furthermore, the Marin County Hazardous Materials Area Plan includes preparedness and pre-incident planning for hazardous materials releases and clarifies the roles and responsibilities of federal, state, and local agencies during a hazardous materials incident. The Plan describes Marin County’s hazardous materials incident response program, communications, training, and post-incident recovery procedures.⁸⁶

Applicable General Plan Policies and Programs

The Town’s General Plan sets forth several policies and programs that are intended to address the potential presence of hazardous materials on or nearby the hotel bonus areas. The following are relevant to the proposed zoning ordinance amendments and will be applied to all future development within the four hotel bonus areas:

- **POLICY PSH– 1.1:** Require fire safe construction practices, such as fire preventive site design, landscaping and building materials, and installation of sprinklers on new development and redevelopment projects.

⁸³ Town of Corte Madera, 2008, General Plan Update, available online at <https://www.townofcortemadera.org/DocumentCenter/View/255/Sections-41-through-47-PDF?bidId=>, accessed March 21, 2020.

⁸⁴ County of Marin, 2020, CUPA, available online at <https://www.marincounty.org/depts/pw/divisions/public-services/cupa>, accessed March 21, 2020.

⁸⁵ County of Marin, 2007, Hazardous Waste Generator Program, available online at https://www.marincounty.org/-/media/files/departments/pw/forms/application_to_obtain_a_permit_for_a_hwg_only.pdf, accessed March 21, 2020.

⁸⁶ County of Marin, 2008, Hazardous Materials Area Plan, available online at <https://www.marincounty.org/userdata/bs/agendas/080722/080722-16-PW-attach-REP.pdf>, accessed March 21, 2020.

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- **Implementation Program PSH 1.1.a: Non-Combustible Construction.** Continue to implement requirements for non-combustible roofs, and expand the Fire Code to include non-combustible exterior siding.
- **Implementation Program PSH-1.1.b: Development Review.** Through the project review process, continue to ensure that landscaping, lighting, building siting and design, adequate water pressure and peak load storage capacity, and building construction materials reduce the opportunity for fire hazards.
- **Implementation Program PSH-1.1.c: Firefighting Access.** Continue to require access for emergency vehicles and firefighting equipment on all new development and redevelopment projects. The Town shall also identify the feasibility of constructing additional emergency access improvements, such as:
 - Potential for construction of new or improved emergency access routes.
- **POLICY PSH– 2.9:** Establish or identify facilities and provide equipment that may be used by residents during the first days immediately after a major disaster
 - **Implementation Program PSH-2.9.a: Identify Emergency Supplies.** Identify needed emergency supplies to assist Town residents in the first days following an emergency or major disaster.
 - **Implementation Program PSH-2.9.b: CIP Funding for Emergencies.** Use Capital Improvement Program or similar funding to establish a readily accessible supply of funds for use by the Town in times of an emergency or major disaster.
- **POLICY PSH– 2.10:** Minimize the exposure of persons to known and unknown hazards materials in areas proposed for development and from the routine transport, use, disposal, or accidental release of hazardous materials.
 - **Implementation Program PSH-2.10.a: Hazardous Waste Releases.** Work with property owners and applicable regulatory agencies to identify and eliminate hazardous waste releases from private parties and public agencies.
 - **Implementation Program PSH-2.10.c: Secondary Containment.** As part of review and approval of development plans and building permits, ensure that secondary containment is provided for hazardous and toxic materials as required by local, state, and federal standards.
 - **Implementation Program PSH-2.10.d: Contaminated Sites.** Prior to site improvements for properties that are suspected or known to contain hazardous materials and sites that are listed on or identified on any hazardous material or waste database search, the site and surrounding area shall be reviewed, tested, and remediated for potential hazardous materials in accordance with all local, state, and federal regulations.

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Discussion

a) – b)

The four hotel bonus areas occur within a fully developed commercial area along the perimeter of Highway 101. These areas under the proposed amendment lack industrial or manufacturing activities which would typically generate hazardous waste or use hazardous materials. Furthermore, as stated previously, the Town of Corte Madera lacks any sizeable industrial operations, and therefore does not have any significant threat from the use or storage of hazardous materials. Future development within the hotel bonus areas may include the temporary or permanent use of potentially hazardous materials for cleaning and maintenance purposes, such as cleansers, pesticides, degreasers, and fertilizers. However, these potentially hazardous materials would not be of a type or be present in sufficient quantities to pose a hazard to public health and safety or the environment. Furthermore, adherence to relevant General Plan policies including Implementation Program PSH-2.10.d, BAAQMD Regulation 11, Rule 2 which includes identification, handling, reporting, and disposal of Recognized asbestos containing materials (RACM), as well as best management practices implemented through federal, state, and local regulatory and permitting mechanisms will ensure that any potential impacts occur at less than significant impacts.⁸⁷

The proposed project's four hotel bonus areas occur in close proximity to Highway 101, and therefore there is the potential for nearby hazardous spills on the highway to affect future development within the hotel bonus areas. However local, state, and federal standards include protectionary regulations which would protect public health and ensure that hazardous material exposure is avoided. Any potential use or generation of hazardous waste in the hotel bonus areas would be regulated through CUPA and would be pursuant to the provisions found within the Hazardous Material Area Plan.

Future development within the Town of Corte Madera will be subject to specific project-level environmental review under CEQA in which a hazardous materials assessment for wastes and toxic materials will be conducted. Any future development will be in conformity with the policies and goals outlined in the General Plan as well as local, state, and federal regulations which manage the storage, use, and transportation of hazardous materials. Because the proposed amendment will not result in a physical change to the project hotel bonus areas, and future development within the areas would be assessed on a specific basis, the implementation of the proposed project would result in less than significant impacts due to exposure from hazardous materials or wastes.

c)

The four hotel bonus areas of the proposed project are within an urban, developed, and commercial area of Corte Madera. The nearest schools include Redwood High School which is located ¼ mile west of hotel bonus area four and Neil Cummins Elementary School located ¼ mile west of hotel bonus area three. Future development within the proposed project areas will be subject to specific project-level environmental review under CEQA in which a hazardous materials assessment for wastes and toxic

⁸⁷ Bay Area Air Quality Management District, 1998, Regulation 11 Hazardous Pollutants, Rule 2, Asbestos Demolition, Renovation, and Manufacturing, available online at [https://www.baaqmd.gov/~media/dotgov/files/rules/reg-11-rule-2-asbestos-demolition-renovation-and-manufacturing/documents/rg1102.pdf?la=en](https://www.baaqmd.gov/~/media/dotgov/files/rules/reg-11-rule-2-asbestos-demolition-renovation-and-manufacturing/documents/rg1102.pdf?la=en), accessed March 21, 2020.

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materials will be conducted. Any future development will adhere to General Plan policies and goals and will be in conformity with existing local, state, and federal regulations, including the BAAQMD Regulation 11, Rule 2 as described previously. Furthermore, Section 17213 of the California State Education Code prohibiting uses of toxic or hazardous materials and wastes within a ¼ mile of a school will be adhered to.⁸⁸ Therefore, the proposed amendments would have a less than significant impact from hazardous emissions, materials, substances, or wastes to nearby schools.

d)

The Cortese List discloses information related to the location of hazardous waste sites. A search of the Cortese List on Geotracker and Envirostor, performed on March 20, 2020, did not indicate the presence of any open or active hazardous material sites which have not yet been remediated within or adjacent to the four hotel bonus areas of the proposed project.⁸⁹ Therefore, because the proposed project is not included on a list of hazardous material sites, it would not create a significant hazard to the public or the environment, and there would be no impact.

e)

The Town of Corte Madera is located roughly six miles from San Rafael Airport, which is the nearest airport to the project locations. The Town does not support any air related facilities within the Town limits and the Town is not located within close proximity to a private airstrip or within the boundaries of an airport land use plan. Therefore, there will be no impacts from airport related hazards.

f)

The Marin Operational Area (OA) Emergency Operations Plan (EOP) mandates the planned response to emergency situations pertaining to large-scale disasters affecting cities, towns, special districts, and unincorporated areas within Marin County. The EOP is based on the principles and functions of the California Standardized Emergency Management System (SEMS), the National Incident Management System (NIMS), and the California Incident Command System (ICS). The plan identifies the how the emergency operational system coincides with the overall Californian and National risk-based, all hazard emergency response and recovery operations plan. The EOP includes guidance on critical activities such as care and shelter, post-disaster housing, spontaneous volunteers, bioterrorism, and medical health and addresses supporting plans such as the Local Hazard Mitigation Plan and the Hazardous Material Response Plan.⁹⁰

Future development within the Town of Corte Madera will be subject to specific project-level environmental review under CEQA and any future development will be in conformity with the policies and goals outlined in the General Plan as well as local, state, and federal regulations. Because the proposed

⁸⁸ California Legislative Information, 2008, Education Code, available online at https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC§ionNum=17213, accessed March 20, 2020.

⁸⁹ EnviroStor, 2020, EnviroStor and Geotracker Map, available online at https://www.envirostor.dtsc.ca.gov/public/map/?global_id=60001667, accessed March 20, 2020.

⁹⁰ County of Marin, 2014, Marin County Emergency Operations Plan, available online at <https://www.marinsheriff.org/assets/downloads/EOP-Final-Draft-10.14.2014.pdf>, accessed March 20, 2020.

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amendment will not result in a physical change to the project hotel bonus areas, and future development within the project areas would be assessed on a specific basis, the implementation of the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan and, therefore, there would be a less than significant impact.

g)

The Town of Corte Madera, as well as nearby cities and towns within Marin County are at risk from wildland fires due to the close proximity to open space land with large quantities of vegetation as potential fire fuel. Susceptible locations within Corte Madera are mostly located within residential neighborhoods in hillside areas. Because the proposed project locations are within urban and well-developed areas within commercial footprints, the likelihood of risk from wildland fires is considerably diminished. Therefore, impacts from wildland fire hazards are less than significant.

Mitigation Measures

No mitigation beyond compliance with the relevant policies, regulations, and programs identified in this section.

ENVIRONMENTAL ANALYSIS**X. HYDROLOGY AND WATER QUALITY**

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i) Result in substantial erosion or siltation on- or off-site; ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) Impede or redirect flood flows?	☐	☐	☒	☐
d) In a flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Existing Conditions

The Town of Corte Madera is located within the Ross Valley Area watershed with San Clemente Creek and Corte Madera Creek being the main surface hydrological features. San Clemente Creek functions as the primary water course transporting surface waters from the Ross Valley watershed to the San Francisco Bay while also serving as a tidal slough and draining stormwater runoff from the Town to the San Francisco Bay. Corte Madera Creek is located just north of the Town and extends for approximately 4.2 miles.⁹¹

The State Water Resources Control Board (SWRCB) oversees the implementation of the National Pollution Discharge Elimination System program (NPDES) and creates permitting requirements to regulate pollutant discharges, which includes those resulting from construction related activities. SWRCB works in conjunction with Regional Water Quality Control Boards (RWQCB) to implement water quality protection

⁹¹ Town of Corte Madera, 2008, General Plan Update: Environmental Impact Report, Chapter 4.8: Hydrology and Water Quality, available online at <https://www.townofcortemadera.org/DocumentCenter/View/260/Section-48-PDF?bidId=>, accessed March 24, 2020.

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goals and objectives. The Town of Corte Madera lies within the jurisdiction of the San Francisco Regional Water Quality Control Board.⁹²

Section 402 of the Clean Water Act regulates the discharge of pollutants to waters of the U.S. The National Pollution Discharge Elimination System (NPDES) Construction General Permit applies to grading, grubbing, and other ground disturbance activities.⁹³ Construction activities which occur on more than one acre are subject to NPDES permitting requirements including the preparation of a Storm Water Pollution Prevention Plan (SWPPP). A SWPPP identifies stormwater collection and discharge points, specific drainage patterns across a site, and Best Management Practices (BMPs) that dischargers will use to protect stormwater runoff during construction and at operation.⁹⁴

The Municipal Stormwater Ordinance for the Town of Corte Madera is found within Chapter 9.33 of the Municipal Code. The ordinance stipulates stormwater prevention protective measures for stormwater discharges that are not regulated under the NPDES permit. The ordinance also regulates runoff from parking lots and establishes requirements for the implementation of BMP for new development and redevelopment.⁹⁵ To provide protection from flooding hazards, the Town of Corte Madera has adopted a Flood Damage Prevention ordinance in Chapter 16.10, Flood Damage Prevention, which consists of measures to alleviate or avoid flood hazards generated by a 100 year storm event or by future sea level rise.⁹⁶

Applicable General Plan Policies and Programs

The Town's General Plan sets forth a number of policies and programs to protect water quality and limit hydrological hazards. The following are relevant to the proposed amendments and will be applied to all future development within the four hotel bonus areas:

Stormwater Runoff

- **POLICY RCS– 9.1:** Continue to comply with local, state, and federal standards for water quality.
 - **Implementation Program RCS 9.1.a: Countywide Stormwater Program:** Continue to participate in the countywide stormwater program and comply with its performance standard.

⁹² California Waterboards San Francisco Bay Region 2, 2020, NPDES Wastewater Permits, available online at https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/npdes_wastewater_permit.html, accessed March 24, 2020.

⁹³ US Environmental Protection Agency, 2017, Section 404 of the Clean Water Act, Section 402: National Pollutant Discharge Elimination System, available online at <https://www.epa.gov/cwa-404/clean-water-act-section-402-national-pollutant-discharge-elimination-system>, accessed March 24, 2020.

⁹⁴ US Environmental Protection Agency, 2007, Developing a Stormwater Pollution Prevention Plan (SWPPP), available online at <https://www.epa.gov/npdes/developing-stormwater-pollution-prevention-plan-swppp>, accessed March 24, 2020.

⁹⁵ Town of Corte Madera, 2015, Chapter 9.33: Urban Runoff Pollution Prevention, available online at https://library.municode.com/ca/corte_madera/codes/code_of_ordinances?nodeId=TIT9PESAMO_CH9.28COPUPR, accessed March 24, 2020.

⁹⁶ Town of Corte Madera, 2018, Chapter 16: Flood Damage Prevention, available online at https://library.municode.com/la/rosepine/codes/code_of_ordinances?nodeId=COOR_CH16FLDAPR, accessed March 24, 2020.

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- **Implementation Program RCS-9.1.b: Stormwater Runoff Measures:** Continue to incorporate measures for stormwater runoff control and management in construction sites.
- **POLICY RCS– 9.2:** Continue to address non-point source pollution and protect receiving waters from pollutants discharged into the storm drain system by requiring Best Management Practices.
 - **Implementation Program RCS-9.2.a: Alternatives to Impervious Surfaces:** Support alternatives to impervious surfaces in new development, redevelopment, or public improvement projects to reduce urban runoff into drain systems, creeks, and other drainages.
 - **Implementation Program RCS-9.2.b: Reduce Grading:** Require that site designs work with natural topography and drainages to the extent practicable to reduce the amount of grading necessary and limit disturbance to natural water bodies and natural drainage systems.
 - **Implementation Program RCS-9.2.c: Natural Filters:** Where feasible, use vegetation to absorb and filter fertilizers, pesticides, and other pollutants.
 - **Implementation Program RCS-9.2.d: Proper Disposal of Pollutants:** Continue to promote proper disposal of pollutants to the sanitary sewer or hazardous waste facilities rather than to the storm drainage systems.
 - **Implementation Program RCS-9.2.e: Compliance by Contractors:** Continue to require contractors to comply with accepted stormwater pollution prevention planning practices for all projects subject to erosion potential. Also, continue to require the proper use, storage, and disposal of on-site materials.

Flooding

- **GOAL F:** Reduced flood-related hazards to life and property.
- **POLICY F– 1.4:** Use local plans and groups to help identify flooding hazards and mitigation options.
 - **Implementation Program F-1.4.b: Implementation of Hazard Plan:** Complete and implement provisions of a Local Hazard Mitigation Plan, consistent with the requirements of FEMA.
- **POLICY F– 2.1:** Require new development and redevelopment in areas subject to flooding to minimize or eliminate flooding hazards.
 - **Implementation Program F-2.1.a: 100-Year Flood Protection:** Continue to review new development and remodeling proposals in areas subject to flooding for compliance with Chapter 16, Flood Damage Prevention, of the Municipal Code. Require improvements that provide a minimum flood protection level equal to a 100-year storm event.
 - **Implementation Program F-2.1.b: Reduce Flood Hazards:** Require individual development projects located in areas subject to flooding to reduce or alleviate flood hazard conditions through preparation of hydrological studies and incorporation of mitigation measures. Individual development project mitigation shall demonstrate, through qualified engineering analyses, that no adverse flooding impacts are created by development on upstream and downstream properties in the project vicinity. Compliance requirements shall be consistent with those prescribed in Chapter 16 (Flood Damage Prevention) of the Municipal Code.

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- Continue to review new development and remodeling proposals in areas subject to flooding for compliance with Chapter 16, Flood Damage Prevention, of the Municipal Code. Require improvements that provide a minimum flood protection level equal to a 100-year storm event.
- **POLICY F– 2.2:** Require construction of storm drainage facilities and low impact development (LID) techniques for new development.
 - **Implementation Program F-2.2.a: Drainage Improvements:** As a condition of approval for new development and redevelopment of existing site, require stormwater detention or retention facilities (on- or off-site), if necessary, to prevent flooding due to run-off or where existing storm drainage facilities are unable to accommodate increased storm water drainage.
- **POLICY F– 2.3:** Continue to implement flood hazard mitigation measures for San Clemente Creek and other areas subject to flooding.
- **POLICY F– 2.4:** Allow the use of flood control and prevention measures for individual development applications where determined to be feasible and supported by qualified engineering documentation.
 - **Implementation Program F-2.4.a: Flood Control Alternatives:** Review development applications for appropriate engineering measures to mitigate flood hazards.
- **POLICY F– 4.3:** Ensure adequate provision of storm drainage facilities within the Town.
 - **Implementation Program F-4.3.a: Storm Drainage Upgrades:** Review plans for new development or redevelopment of existing sites to ensure necessary upgrades are provided
 - **Flood Control Alternatives:** Review development applications for appropriate engineering measures to mitigate flood hazards.
- Allow the use of flood control and prevention measures for individual development applications where determined to be feasible and supported by qualified engineering documentation.
 - **Implementation Program F-2.4.a: Flood Control Alternatives:** Review development applications for appropriate engineering measures to mitigate flood hazards.
 - **Implementation Program PSH-8.2 e: Site and Building Design:** Include site planning and building design features that reduce potential impacts from geologic hazards in the Town’s Design Guidelines, including provisions to limit damage to structures caused by subsidence and accepted grading practices on hillsides.
- **POLICY RCS– 11.3:** Protect paleontological resources.
 - **Implementation Program RCS-11.3 a:** Should any potentially unique paleontological resources (fossils) be encountered during development activities, work shall be halted immediately within 50 feet of the discovery. The Town of Corte Madera Planning Department shall be notified immediately, and a qualified paleontologist shall be retained to determine the significance of the discovery. Based on the significance of the discovery, the qualified paleontologist shall present options to the Town for protecting the resources. Appropriate action may include avoidance, preservation in place, excavation, documentation, and/or data

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recovery, and shall always include preparation of a written report documenting the find and describing steps taken to evaluate and protect significant resources. The Town will implement feasible and appropriate recommendations and mitigation measures of the qualified paleontologist for any unanticipated discoveries. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery or other appropriate measures.

Discussion

a)

Future development within the four bonus areas would be subject to the provisions of the NPDES General Permit for municipal separate storm sewer systems (MS4's), which would require preparation of a Stormwater Control plan and adherence to low impact development (LID) requirements.⁹⁷ Future development within the boundaries of the hotel bonus areas would also be subject to Chapter 9.33 of the Town's Municipal Code Ordinance, which regulates water quality impacts generated by parking lots and similar structures and includes requirements for the implementation of Best Management Practices (BMPs) for new development and redevelopment.⁹⁸ Because the four hotel bonus areas are developed with existing structures and hardscape and that future development would be required to be in compliance with all applicable federal, state, and local regulations, any impacts related to water quality standards are expected to be *less than significant*.

b)

The zoning amendment would provide an opportunity for development within the four hotel bonus areas of the proposed project. Because these areas are already substantially developed and are serviced through municipal water, anticipated changes to future water use and changes of impervious surfaces quantities are expected to be negligible. Currently, the four project areas are served by the Marin Municipal Water District (MMWD), which does not rely on groundwater reserves to supply customers, instead the water supply is made up of seven reservoirs in Marin County with imported water from the Russian River (via the Sonoma County Water Agency), and recycled water from the Las Gallinas Valley Sanitary District.⁹⁹ The four project areas are not located in any identified groundwater recharge area. Therefore, the future development within the hotel bonus areas under the proposed zoning amendment would not modify the use of reliance on groundwater supplies or alter groundwater recharge and impacts related to groundwater supply and recharge are expected to be *less than significant*.

⁹⁷ US Environmental Protection Agency, 2020, National Pollutant Discharge Elimination System (NPDES): Stormwater Discharges from Municipal Sources, available online at <https://www.epa.gov/npdes/stormwater-discharges-municipal-sources>, accessed March 24, 2020.

⁹⁸ Town of Corte Madera, 2015, Chapter 9.33: Urban Runoff Pollution Prevention, available online at https://library.municode.com/ca/corte_madera/codes/code_of_ordinances?nodeId=TIT9PESAMO_CH9.28COPUPR, accessed March 24, 2020.

⁹⁹ Marin Municipal Water District, 2020, Where Your Water Comes From, available online at <https://www.marinwater.org/461/Where-Your-Water-Comes-From>, accessed March 24, 2020.

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c. i)-iii)

The proposed project areas exist in a full developed urban environment within the Town of Corte Madera with impervious areas characterized by buildings, parking areas, driveways, and sidewalks. Current stormwater flows are directed towards the streets and into the Town's storm drainage system. The proposed zoning ordinance amendment would not physically change the existing storm drainage system. Chapter 9.33 of the Town's Municipal Code would require retention of stormwater runoff to reduce runoff for any future development on the project sites. Given that the project sites are characterized by urban development, alterations to the existing drainage pattern from future development would be minimal or nonexistent and, therefore, erosion, siltation, or flooding on or off-site is not expected.¹⁰⁰ Furthermore, future development would be subject to the Town's design review, as well as CEQA review to ensure that development activity would not increase the rate or amount of surface runoff in a manner which would result in flooding on or off site or 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. Therefore, any future development would be assessed on project specific basis during Design Review to ensure compliance with relevant and impacts would be *less than significant*.

c. iv)

The Town of Corte Madera is mostly located within Flood Zone AE according to the FEMA Flood Insurance Rate Map, effective March 16, 2016. The four hotel bonus areas are located within Flood Zone AE, with exception to a northern portion of hotel bonus area three which is located within Flood Zone X. Zone AE indicates a one percent vulnerability to a 100-year annual flood event. Meanwhile, Zone X indicates areas that are outside of the one percent vulnerability to a 100-year annual flood event. Future development within the four hotel bonus areas could be subject to inundation in the event of a 100-year flood event and could impede or redirect flood flows affecting adjacent properties.¹⁰¹ In light of this, the Town Municipal Code requires that all new structures and "substantial improvements" built within a FEMA designated Special Flood Hazard Area meet requirements set forth under the Flood Damage Prevention Ordinance found within Chapter 16.10, Flood Damage Prevention of the Municipal Code. Compliance with the provisions of the Town's Municipal Code will prevent future development from impeding or redirecting flood flows.¹⁰²

d)

Due to the site's proximity to San Francisco Bay and its majority location in a FEMA flood zone, future development could potentially expose people and or/structures to hazards generated by sea level rise, including inundation and increased flooding. To address this potential hazard, any future development located within the proposed zoning amendment areas will be required to comply with General Plan

¹⁰⁰ Town of Corte Madera, 2015, Chapter 9.33: Urban Runoff Pollution Prevention, available online at https://library.municode.com/ca/corte_madera/codes/code_of_ordinances?nodeId=TIT9PESAMO_CH9.28COPUPR, accessed March 24, 2020.

¹⁰¹ FEMA, 2020, Flood Insurance Rate Map (FIRM), available online at <https://www.fema.gov/flood-insurance-rate-map-firm>, accessed March 24, 2020.

¹⁰² Town of Corte Madera, 2018, Chapter 16: Flood Damage Prevention, available online at https://library.municode.com/la/rosepine/codes/code_of_ordinances?nodeId=COOR_CH16FLDAPR, accessed March 24, 2020.

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program F-2.1.a, which requires flood protection capable of accommodating the 100-year storm event, and program F-2.1.b, which requires that projects subject to flood hazards prepare a hydrological study and implement mitigation measures commensurate to the identified hazards.¹⁰³ Given the above, and that all future development within the four hotel bonus areas will be subject to project specific hydrological studies, impacts that could occur as a result of the zoning amendments will be less than significant.

The proposed zoning amendment sites are not located in a mapped tsunami hazard area, with exception to hotel bonus area four. The Town has prepared the Town-Wide Storm Drainage and Flood Control Study which provides recommendations for storm drainage improvements and tidal inundation improvements in an effort to prevent tidal flooding, eliminate curb and street ponding, and provide a list of improvements of substandard and/or now inadequate drainage systems throughout the watersheds found within the area.¹⁰⁴

e)

The Town of Corte Madera does not have an existing overarching water quality control plan or sustainable groundwater management plan dedicated within its limits. However, the Marin County Stormwater Management Plan – Action Plan 2010, as part of the Marin County Stormwater Pollution Prevention Program provides coverage under State Water Resources Control Board’s General Permit for Storm Water Discharges from Small MS4s, Water Quality Order No. 2003-00005-DWQ (commonly referred to as the Phase II General Permit).¹⁰⁵ Although the zoning ordinance does not consist of any physical development within the project areas, any future development within the proposed project’s hotel bonus areas would be required to be in conformance with the Action Plan. Therefore, the proposed project would not conflict with or obstruct with implementation of a water quality control plan and any future development would be assessed on a project basis for potential conflicts and the impact would be less than significant.

Mitigation Measures

No mitigation beyond compliance with the relevant policies, regulations, and programs identified in this section.

¹⁰³ Town of Corte Madera, 2008, General Plan Update: Environmental Impact Report, Chapter 4.8: Hydrology and Water Quality, available online at <https://www.townofcortemadera.org/DocumentCenter/View/260/Section-48-PDF?bidId=>, accessed March 24, 2020.

¹⁰⁴ A-N West, Inc., 2007, Draft Town-Wide Storm Drainage and Flood Control Study-Phase 1. February 2007.

¹⁰⁵ Marin County Stormwater Pollution Prevention Program, 2010, Action Plan 2010, available online at https://www.marincounty.org/~media/files/departments/pw/mcstoppp/ap2010_20050520.pdf, accessed March 20, 2020.

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XI. LAND USE AND PLANNING

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

Existing Conditions

As described in the project description, the hotel bonus areas occur in four areas within the Town where the proposed ordinance amendments would be applied. The four areas and surrounding localities are built out with commercial uses that are generally characterized by one to three story buildings, adjacent surface parking, and vegetation consisting of grass, trees, shrubs, and bushes, interspersed between building parcels. As shown at Figure 3-2, Project Study Area, the General Plan's Land Use Map designates the four hotel bonus areas as Mixed-Use Commercial. Town of Corte Madera zoning designates the four hotel bonus areas as Commercial Service (C-4), Highway Commercial (C-3) and Tamal Vista Mixed Use Corridor (MX-1).¹⁰⁶ The zoning ordinance amendment would allow for up to four hotels total within the Town that have a **maximum FAR of 70 percent.**

Applicable General Plan Policies and Programs

The Town's General Plan sets forth a number of goals, policies, and programs to guide decision-making in land use. The following are relevant to the proposed amendments and will be applied to all future development within the four hotel bonus areas:

- **POLICY H-2.3:** Contributions for workforce Housing from Non-Residential Uses. Consider housing needs for local workers when reviewing non-residential development proposals. The Town will require non-residential uses to contribute to the provision of affordable workforce housing by techniques such as in lieu fees, provision of housing, or other alternatives of equal value.
 - **Implementation Program H-2.3.a:** Nonresidential Development Impact Fee. The Town will continue to implement the Nonresidential Development Impact Fee. This fee is collected for any change in use that is to a nonresidential use, for any new nonresidential use, and for any expansion of a nonresidential use. Fee proceeds are deposited in the Affordable Housing Fund (CMC, Chapter 3.48).
- **POLICY H-2.4:** Employee Housing. The Town will work with employers developing larger projects (20+ employees) to promote local housing opportunities for their employees and will encourage employers to find ways to provide housing assistance as part of their employee package.

¹⁰⁶ Town of Corte Madera, 2009, General Plan: Chapter 2 - Land Use, Pg. 2-21, available online at <https://www.townofcortemadera.org/DocumentCenter/View/275/Chapter-2---Land-Use-PDF?bidId=>, accessed March 24, 2020.

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Developers of major projects in mixed-use areas will be encouraged to consider and propose housing, if feasible.

- **Implementation Program H-2.4.a:** Employee Housing. As part of the development review process for larger projects, encourage developers to provide housing on-site. Where permitted by the General Plan land use designations, the base zoning district and/or overlay zoning, offer flexible development standards as an incentive to provide on-site employee housing.
- **POLICY LU-3.1:** Provide for infill development in core Town areas.
 - **Implementation Program LU-3.1.a: Infill Locations:** The General Plan Land Use Element includes policies calling for preparation of Community Plans for several key areas, and encourages redevelopment of other lands in and around commercial and office core areas of the Town. In doing so, the General Plan purposefully creates greater potential for more intensive infill development of sites that may be underutilized. Infill development can help create areas that are more compact with a diverse mixture of land uses, improve connectivity between neighborhoods and uses, reduce traffic congestion and provide a greater range of community amenities. In keeping with stated goals, infill development in core areas should also provide for transit oriented development. Infill development may occur within the Town's four Community Plan areas, and in the Mixed Use Commercial, Commercial Services, Region-Serving Commercial and Office land use designations. Additionally, redevelopment of older apartment complexes, in areas generally designated for Medium Density or High Density Residential, are acceptable infill developments if retaining or increasing the number of rental units, consistent with density criteria of the General Plan and state density bonus regulations.
 - **Implementation Program LU-3.2.b: Encourage Locations:** Update the Zoning Ordinance to remove impediments to infill development, including allowing flexible and shared parking, and updating building height, yard setback, lot coverage and similar standards to reflect the desire to allow for additional density where appropriate and transit oriented development.
- **POLICY LU-3.3:** Provide for increased floor area for new infill development.
 - **Implementation Program LU-3.3.a:** Infill Floor Area. Consider Community Plan policies and Zoning Ordinance amendments to allow bonuses to maximum floor area ratios for infill development that demonstrates substantial compliance with General Plan infill policies. Employee Housing. As part of the development review process for larger projects, encourage developers to provide housing on-site. Where permitted by the General Plan land use designations, the base zoning district and/or overlay zoning, offer flexible development standards as an incentive to provide on-site employee housing.
- **POLICY LU-5.2:** Promote economic development through use of flexible development standards and fees.
 - **Implementation Program LU-5.2.a:** Zoning Ordinance Amendments. Consider adoption of Zoning Ordinance amendments that provide flexible development standards (such as reduced on-site or shared parking, increased building heights, reduced setbacks, etc.) to attract highly desirable economic development land uses. Such standards shall only be implemented where

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it can be demonstrated that no adverse traffic, aesthetic, or land-use compatibility impacts will result.

Discussion

a)

The physical division of an established community typically refers to the construction of a physical feature (such as a wall, interstate highway, or railroad tracks) or the removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying areas. An example of a physical feature that would divide an existing community is an airport, roadway, or railroad track through an existing community that could constrain travel from one side of the community to another or impair travel to areas outside of the community.

The proposed project does not consist of any physical changes to the environment. However, the proposed project would allow future physical changes to the Town to occur. The proposed project consists of a Hotel Bonus Ordinance, applicable to four hotel bonus areas within the Town, that would allow an increased floor area ratio of up to .70 FAR (while keeping existing FAR in the C-4 District) and increase height limits to 47 feet. Up to four hotels, with a maximum of two hotels per hotel bonus area, with this increased FAR would be allowed. While the proposed project would allow physical changes to the Town, these changes would not have the potential to divide an established community.

Future hotel development allowed under the proposed ordinance would be restricted to existing parcels one acre or larger and would consist of infill development. Further, as mentioned in the existing conditions, all four hotel bonus areas are largely built out with commercial development and are accessible by existing arterial roadways and local driveways. Future development under the proposed project would not include the construction of physical features such as an airport, roadway, or railroad track, which would divide a community. Therefore, no impact would occur, and no mitigation measures are necessary.

b)

The Town of Corte Madera General Plan is the primary planning document for the Town of Corte Madera. The four hotel bonus areas which would allow increased hotel FAR under the proposed amendment are all designated as Mixed-Use Commercial within the Corte Madera General Plan. Mixed-Use Commercial allows commercial services with a FAR up to 0.34 for non-residential uses. However, the General Plan states that “nonresidential FAR may be increased if allowed pursuant to applicable zoning district regulations.”¹⁰⁷

The General Plan further affirms the proposed ordinance’s consistency with the Town’s General Plan with specific policies. For example, Policy LU-3.3 encourages “increased floor area for new infill development”. Implementation Program LU-3.3.a: Infill Floor Area goes on to say “Consider Community Plan policies and

¹⁰⁷ Town of Corte Madera, 2009, General Plan: Chapter 2 – Land Use, Pg. 2-21, available online at <https://www.townofcortemadera.org/DocumentCenter/View/275/Chapter-2---Land-Use-PDF?bidId=>, accessed March 19, 2020.

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zoning ordinance amendments to allow bonuses to maximum floor area ratios for infill development that demonstrates substantial compliance with General Plan infill policies”. Policy LU-5.2 promotes “economic development through use of flexible development standards and fees. Implementation Program LU-5.2.a: Zoning Ordinance Amendments goes on to say “consider adoption of Zoning Ordinance amendments that provide flexible development standards (such as reduced on-site or shared parking, increased building heights, reduced setbacks, etc.) to attract highly desirable economic development land uses.”¹⁰⁸

Furthermore, the Town of Corte Madera Planning Commission affirmed that the draft ordinance was consistent with the general plan, among other actions related to the ordinance, in a Planning Commission meeting on April 19, 2019.¹⁰⁹ The draft ordinance reviewed by the Planning Commission at this meeting did not include a height allowance up to 47 feet and did not limit the number of hotels that could utilize the Hotel Floor Area Bonus to four. In the future when development applications for hotel redevelopment are received by the Town, they will be reviewed for consistency with the General Plan including all applicable compatibility standards pertaining to mixed-use development. Therefore, potential impacts due to a conflict with land use, zoning or other regulation, are expected to be less than significant.

Mitigation Measures

No mitigation beyond compliance with the relevant policies, regulations, and programs identified in this section.

¹⁰⁸ Town of Corte Madera, 2009, General Plan: Chapter 2 – Land Use, Pg. 2-21, available online at <https://www.townofcortemadera.org/DocumentCenter/View/275/Chapter-2---Land-Use-PDF?bidId=>, accessed March 19, 2020.

¹⁰⁹ Corte Madera, Town Of. 2019, April. Planning Commission Meeting. Website: <https://www.townofcortemadera.org/DocumentCenter/View/4551/Hotel-Floor-Area-ZOA-040919-PC-Reso-19-015>

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XII. MINERAL RESOURCES

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Result in the loss of availability of a known mineral resource that would be a 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?	☐	☐	☐	☒

Existing Conditions

The California State Department of Conservation Division of Mine and Geology has “designated” eight sites in Marin County as having significant mineral resources in the North Bay region. The Countywide General Plan for Marin County includes mapped locations of the designated sites, of which the Town of Corte Madera is not within one of the mineral resource preservation sites.¹¹⁰

Discussion

a), b)

None of the eight “designated” sites for which significant mineral resources have been identified is within the Town of Corte Madera. The four hotel bonus areas for the proposed project consist of fully developed urban environment and the proposed zoning amendment would not result in a loss of resources or an important mineral resource recovery site. Therefore, mineral resources would not be impacted by the proposed project because none have been identified on site or within the nearby vicinity.

Mitigation Measures

None required.

¹¹⁰ Marin County, 2015, Countywide General Plan, available online at https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/publications/county-wide-plan/cwp_2015_update_r.pdf?la=en, accessed March 19, 2020.

ENVIRONMENTAL ANALYSIS**XIII. NOISE**

Would the proposed project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 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?	☐	☐	☐	☒

Existing Conditions

The project hotel bonus areas are located within a well-developed, urban, and commercial area within the Town of Corte Madera. Existing noise sources within this area consist of those made by automotive traffic on Highway 101 and along local roadways, neighborhood parks, intermittent construction, and commercial or industrial activities. All hotel bonus are located within the 65 dBA noise contour for Highway 101 with the exception of several parcels in the northeast portion of hotel bonus area three which are located within the 60 dBA noise contour.¹¹¹ The Town of Corte Madera General Plan and Chapter 9.36 of the Town's Municipal Code include guidelines, regulations, and policies applicable to noise within the Town limits. The Noise Ordinance of the Town's Municipal Code regulates noise levels by zoning areas as follows:

TABLE 4.13-1 TOWN OF CORTE MADERA STATIONARY NOISE STANDARDS

Zoning District	Sound Level Above Ambient (dBA)	Cumulative Time of Condition
R-1-A, R-1-B, R-1-C, R-1, R-2, R-3	25	Noise occurs more than 10 minutes in any hour
R-1-A, R-1-B, R-1-C, R-1, R-2, R-3	35	Noise occurs more than three minutes in any hour
R-1-A, R-1-B, R-1-C, R-1, R-2, R-3	40	Noise occurs any amount of time
All other zoning districts	40	Noise occurs more than 10 minutes in any hour
All other zoning districts	50	Noise occurs more than three minutes in any hour
All other zoning districts	55	Noise occurs any amount of time

Source: Town of Corte Madera, 2020, Municipal Code Noise Ordinance No. 989, available online at <https://www.townofcortemadera.org/Archive/ViewFile/Item/3116>, accessed February 26, 2020.

¹¹¹ Town of Corte Madera, 2009, General Plan: Chapter 8 Public Safety and Hazards, available online at <https://www.townofcortemadera.org/DocumentCenter/View/269/Chapter-8---Public-Safety-and-Hazards-PDF?bidId=>, accessed March 26, 2020.

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The General Plan EIR found that traffic noise from buildout of the General Plan may contribute to an exceedance of the Town's traffic noise standards from projected increases in traffic volumes. This would result in potential noise impacts to sensitive receptors for which mitigation was considered inconsistent and infeasible with the fundamental principles of the General Plan Update. Therefore, despite conformance with the General Plan policies, potential traffic noise increases would be considered a significant and unavoidable impact, due to the exposure of sensitive receptors to noise levels in exceedance of adopted standards.¹¹²

Applicable General Plan Policies and Programs

The Town's General Plan sets forth a number of goals, policies, and programs to reduce community noise exposure. The following are relevant to the proposed amendments and will be applied to all future development within the four hotel bonus areas:

- **GOAL PSH-4:** Minimized noise intrusion to commercial and office areas along the Highway 101 frontage.
- **POLICY PSH-4.1:** New commercial and office development and redevelopment projects along the freeway frontage shall include evaluations of methods to reduce Highway 101-related noise impacts.
 - **Implementation Program PSH-4.1.a: Noise Studies Along 101:** Require noise studies for new commercial and office development along Highway 101, and implement noise attenuation measures. These studies shall be based on traffic volumes commensurate with cumulative build-out conditions within the area and compliance with standards prescribed within the Noise section of the Public Safety and Hazards chapter of the General Plan.
- **POLICY PSH-4.2:** Working with Caltrans, develop noise-reduction alternatives to the construction of noise deflection walls along Highway 101 within Corte Madera Town limits.
 - **Implementation Program PSH-4.2.a: Avoid Noise Deflection Walls:** Coordinate land development and transportation planning activities with Caltrans, with a goal of avoiding use of noise deflection walls along Highway 101.
- **GOAL PSH-5:** Town noise standards to provide protection from unsafe and undesirable noise levels.
- **POLICY PSH-5.1:** The interior and exterior noise level standards for noise-sensitive areas of new uses affected by traffic-related noise are as follows (Table 8.1 in the Corte Madera General Plan):

¹¹² Town of Corte Madera, 2008, General Plan EIR: Chapter 4.6 Noise, available online at <https://www.townofcortemadera.org/DocumentCenter/View/255/Sections-41-through-47-PDF?bidId=>, accessed March 26, 2020.

ENVIRONMENTAL ANALYSIS**TABLE 4.13-2 MAXIMUM NOISE LEVELS FOR NEW USES AFFECTED BY TRAFFIC NOISE**

New Land Use	Outdoor Activity Areas (Ldn)	Interior Spaces (Ldn/Peak Hour Leq ¹)	Notes
All Residential	60-65	45	2, 3, 4
Transient Lodging	65	45	5
Hospitals and Nursing Homes	60	45	6
Theaters and Auditoriums	-	35	
Churches, Meeting Halls, Schools, Libraries, etc.	60	40	
Office Buildings	65	45	7
Commercial Buildings	65	50	7
Playground, Parks, etc.	70	-	
Light Industry	65	50	7

Source: Town of Corte Madera, 2009, General Plan Chapter 8 Public Safety and Hazards, available online at <https://www.townofcortemadera.org/DocumentCenter/View/269/Chapter-8---Public-Safety-and-Hazards-PDF?bidId=>, accessed February 26, 2020.

Notes:

- For traffic noise within Corte Madera, Ldn and peak-hour Leq values are estimated to be approximately similar. Interior noise level standards are applied within noise-sensitive areas of the various land uses, with windows and doors in the closed positions.
- Outdoor activity areas for single-family residential uses are defined as backyards. For large parcels or residences with no clearly defined outdoor activity area, the standard shall be applicable within a 100-foot radius of the residence.
- For multi-family residential uses, and for mixed-use projects that include residential units, the exterior noise level standard shall be applied at the common outdoor recreation area, such as at pools, play areas or tennis courts.
- Where it is not possible to reduce noise in outdoor activity areas to 60 dB Ldn or less using a practical application of the best-available noise reduction measures, an exterior noise level of up to 65 dB Ldn may be allowed provided that available exterior noise level reduction measures have been implemented and interior noise levels are in compliance with this table.
- Outdoor activity areas of transient lodging facilities include swimming pool and picnic areas.
- Hospitals are often noise-generating uses. The exterior noise level standards for hospitals are applicable only at clearly identified areas designated for outdoor relaxation by either hospital staff or patients.
- Only the exterior spaces of these uses designated for employee or customer relaxation have any degree of sensitivity to noise.

- **Implementation Program PSH-5.1.a: Traffic-Related Noise:** Evaluate new development proposals for compliance with the above-noted standards. Where necessary, the Town may require preparation of a noise study to determine compliance, utilizing the procedures outlined in Policy PSH-5.3.

- **POLICY PSH-5.2:** The interior and exterior noise level standards for noise-sensitive areas of new uses affected by non-traffic noise are as follows (Table 8.2 in the Corte Madera General Plan):

TABLE 4.13-3 MAXIMUM NOISE LEVELS FOR NEW USES AFFECTED BY NON-TRANSPORTATION NOISE

New Land Use	Outdoor Activity Area Day-time (Leq)	Outdoor Activity Area Night-time (Leq)	Interior Daytime and Night-time (Leq)	Notes
All Residential	50	45	35	1, 2, 7
Transient Lodging	55	-	40	3
Hospitals and Nursing Homes	50	45	35	4

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TABLE 4.13-3 MAXIMUM NOISE LEVELS FOR NEW USES AFFECTED BY NON-TRANSPORTATION NOISE

New Land Use	Outdoor Activity Area Day-time (Leq)	Outdoor Activity Area Night-time (Leq)	Interior Daytime and Night-time (Leq)	Notes
Theaters and Auditoriums	-	-	35	
Churches, Meeting Halls, Schools, Libraries, etc.	55	-	40	
Office Buildings	55	-	45	5, 6
Commercial Buildings	55	-	45	5, 6
Playgrounds, Parks, etc.	65	-	-	6
Light Industry	65	65	50	5

Source: Town of Corte Madera, 2009, General Plan Chapter 8 Public Safety and Hazards, available online at <https://www.townofcortemadera.org/DocumentCenter/View/269/Chapter-8---Public-Safety-and-Hazards-PDF?bidId=>, accessed February 26, 2020.

Notes:

- Outdoor activity areas for single-family residential uses are defined as backyards. For large parcels or residences with no clearly defined outdoor activity area, the standard shall be applicable within a 100-foot radius of the residence.
- For multi-family residential uses, the exterior noise level standard shall be applied at the common outdoor recreation area, such as at pools, play areas or tennis courts. Where such areas are not provided, the standards shall be applied at individual patios and balconies of the development.
- Outdoor activity areas of transient lodging facilities include swimming pool and picnic areas, and are not commonly used during nighttime hours.
- Hospitals are often noise-generating uses. The exterior noise level standards for hospitals are applicable only at clearly identified areas designated for outdoor relaxation by either hospital staff or patients.
- Only the exterior spaces of these uses designated for employee or customer relaxation have any degree of sensitivity to noise.
- The outdoor activity areas of office, commercial and park uses are not typically utilized during nighttime hours.
- It may not be possible to achieve compliance with this standard at residential uses located immediately adjacent to loading dock areas of commercial uses while trucks are unloading. The daytime and nighttime noise level standards applicable to loading docks shall be 55 and 50 dB Leq, respectively.

- **Implementation Program PSH-5.2.a: Non-Traffic-Related Noise:** Evaluate new development proposals for compliance with the above-noted standards. Where necessary, the Town may require preparation of a noise study to determine compliance, utilizing the procedures outlined in Policy PSH-5.3.
- **POLICY PSH-5.3:** Any Town-required acoustical analysis shall be prepared according to specific standards and practices.
 - **Implementation Program PSH-5.3.a: Acoustics Analysis:** An acoustical analysis may be required by the Town for development projects that are deemed to possibly result in violation of the noise standards outlined in Policies PSH-5.1 and 5.2, above, either in terms of a noise impact created by the new development may be impacted by existing noise sources in the community. Additionally, a noise analysis may be required pursuant to Policy PSH 6.1, below, regarding project proximity to noise sensitive receptors.
- **POLICY PSH-5.4:** The responsibility for compliance with Town noise standards rests with new development, rather than forcing noise mitigation measures upon existing uses.
 - **Implementation Program PSH-5.4.a: Implementing Noise Standards:** New development shall comply with noise standards in Policies PSH-5.1 and 5.2.

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- **POLICY PSH-5.7:** Reduce noise impacts from construction activities.
 - **Implementation Program PSH-5.7.a: Construction Time Restrictions:** Construction activities shall be limited to the hours between 7:00 a.m. and 5:00 p.m. on weekdays, and 10:00 a.m., and 5:00 p.m. on weekends, unless an exemption is first obtained from the Town in response to special circumstances.
- **GOAL PSH-6:** Projects that minimize noise impacts to sensitive receptors.
- **POLICY PSH-6.1:** Reduce noise impacts to sensitive receptors.
 - **Implementation Program PSH-6.1.a: Perform Noise Analyses:** Require noise-specific noise analysis where noise sensitive land uses are proposed in proximity to sensitive noise sources (such as residences, schools, nursing homes, hospitals and day care operations), or where similar sources are proposed to be located near noise-sensitive land uses. Noise mitigation shall be included where results of the study warrant such actions.

Discussion

a)

A significant stationary-source impact would occur if the activities or equipment associated with new development produce noise levels at nearby sensitive receptors in excess of local standards.

With respect to projected-related increases, noise impacts can be placed into three categories. The first is “audible” impacts, which refer to increases in noise level that are perceptible to humans. Audible increases in general community noise levels generally refer to a change of 3 decibels (dB) or more since this level has been found to be the threshold of perceptibility in exterior environments. The second category, “potentially audible” impacts, refers to a change in noise level between 1 and 3 dB. The last category includes changes in noise level of less than 1 dB that are typically “inaudible” to the human ear except under quiet conditions in controlled environments. Only “audible” changes in noise levels at sensitive receptor locations (i.e., 3 dB or more) are considered potentially significant. Note that a doubling of traffic flows (i.e., 10,000 vehicles per day to 20,000 per day) would be needed to create a 3 dB increase in traffic-generated noise levels. An increase of 3 dB is often used as a threshold for a substantial increase.

Construction Noise

Construction activities associated with future development within the hotel bonus areas has the potential to cause high levels of noise.

Two types of short-term noise impacts could occur during construction: (1) mobile-source noise from transport of workers, material deliveries, and debris and soil haul and (2) stationary-source noise from use of construction equipment. The following discusses construction noise impacts to the off-site sensitive receptors.

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Construction Vehicles

The transport of workers and materials to and from the construction site of future development within the hotel bonus areas would incrementally increase noise levels along local roadways. Individual construction vehicle pass-bys may create momentary noise levels of up to approximately 85 dBA ($L_{\max}$) at 50 feet from the vehicle, but these occurrences would generally be infrequent and short lived. Therefore, noise impacts from construction-related truck traffic would be *less than significant* at noise-sensitive receptors along construction routes and no mitigation measures would be required.

Construction Equipment

Noise generated during construction is based on the type of equipment used, the location of the equipment relative to sensitive receptors, and the timing and duration of the noise-generating activities. Each phase of construction has a different equipment mix, depending on the work to be accomplished. The noise produced at each phase is determined by combining the L_{eq} contributions from each piece of equipment used at a given time. Construction noise quite often exhibits a high degree of variability because factors such as noise attenuation due to distance, the number and type of equipment, and the load and power requirements to accomplish tasks at each construction phase result in different noise levels at a given sensitive receptor. Heavy equipment such as dozers, graders, excavators, loaders, and pavers and rollers can have maximum, short-duration noise levels of 85 dBA at 50 feet and may exhibit the loudest noises.¹¹³ Since noise from construction equipment is intermittent and diminishes at a rate of 6 dB per doubling distance, the average noise levels at noise-sensitive receptors could be lower, because mobile construction equipment would move around the development area with different loads and power requirements.

Future development within the hotel bonus areas would be in accordance with General Plan Policy PSH-5.7 through the implementation of construction time restriction to limit construction activities to between 7:00 a.m. and 5:00 p.m. on weekdays, and 10:00 a.m., and 5:00 p.m. on weekends.¹¹⁴ Furthermore, the Noise Ordinance within Chapter 9.36 of the Town's Municipal Code specifies specific maximum noise levels for mechanical devices within certain zoning districts outside of the allowable construction hours, that all powered construction equipment is equipped with intake and exhaust mufflers, and that all jackhammers and pavement breakers shall be equipped with acoustical attenuating shields or shrouds.¹¹⁵ In addition, project specific acoustical analysis in accordance with General Plan Program PSH-6.1 would be required, and, in accordance with General Plan Program PSH 4.1.a, a Noise Study would be required prior to the issuance of a building permit because the hotel bonus areas are in close proximity to Highway

¹¹³ Federal Highway Administration, 2006. *Roadway Construction Noise Model User's Guide*. January.

¹¹⁴ Town of Corte Madera, 2009, General Plan Chapter 8 Public Safety and Hazards, available online at <https://www.townofcortemadera.org/DocumentCenter/View/269/Chapter-8---Public-Safety-and-Hazards-PDF?bidId=>, accessed February 26, 2020.

¹¹⁵ Town of Corte Madera, 2020, Municipal Code Noise Ordinance No. 989, available online at <https://www.townofcortemadera.org/Archive/ViewFile/Item/3116>, accessed February 26, 2020.

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101.¹¹⁶ Lastly, future development allowed under the proposed amendment would be subject to environmental review pursuant to CEQA to assess noise exposure and the potential to implement mitigation measures to attenuate any noise level increase. Despite the aforementioned provisions, construction noise levels associated with future development within the hotel bonus areas could create a substantial temporary increase in ambient noise levels, dependent on site-specific conditions and the presence of sensitive receptors. This would be considered a potentially significant impact.

Impact NOI-1: Construction activities would result in a substantial temporary noise increase.

Mitigation Measure NOI-1: Perform Noise Analyses: Require noise-specific noise analysis where noise sensitive land uses are proposed in proximity to sensitive noise sources (such as residences, schools, nursing homes, hospitals and day care operations), or where similar sources are proposed to be located near noise-sensitive land uses. Noise mitigation shall be included where results of the study warrant such actions. Noise mitigation measures applicable to future development include, but are not limited to:

- The project sponsor and contractors shall prepare a Construction Noise Control Plan. The details of the Construction Noise Control Plan shall be included as part of the permit application drawing set and as part of the construction drawing set.
- Limit construction to between 7:00 a.m. and 5:00 p.m. on weekdays, and 10:00 a.m., and 5:00 p.m. on weekends.
- At least 30 days prior to the start of construction activities, all off-site businesses and residents within 500' of the project site shall be notified of the planned construction activities. The notification shall include a brief description of the project, the activities that would occur, the hours when construction would occur, and the construction period's overall duration. The notification shall include the telephone numbers of the Town's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint.
- At least 10 days prior to the start of construction activities, a sign shall be posted at the entrance(s) to the job site, clearly visible to the public, that includes permitted construction days and hours, as well as the telephone numbers of the Town's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint. If the authorized contractor's representative receives a complaint, he/she shall investigate, take appropriate corrective action, and report the action to the Town.
- Erect a temporary noise barrier between the construction zone and any sensitive receptors along the project's boundaries. The temporary sound barrier shall have a minimum height of 12 feet and be free of gaps and holes. The barrier can be (a) a ¾-inch-thick plywood wall OR (b) a hanging blanket/curtain with a surface density of at least 2 pounds per square foot.

¹¹⁶ Town of Corte Madera, 2009, General Plan Chapter 8 Public Safety and Hazards, available online at <https://www.townofcortemadera.org/DocumentCenter/View/269/Chapter-8---Public-Safety-and-Hazards-PDF?bidId=>, accessed February 26, 2020.

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- During the entire active construction period, equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds), wherever feasible.
- Require the contractor to use impact tools that are hydraulically or electrically powered wherever possible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools.
- During the entire active construction period, stationary noise sources shall be located as far from sensitive receptors as possible, and they shall be muffled and enclosed within temporary sheds, or insulation barriers or other measures shall be incorporated to the extent feasible.
- Select haul routes that avoid the greatest amount of sensitive use areas.
- Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All other equipment shall be turned off if not in use for more than 5 minutes.
- During the entire active construction period and to the extent feasible, the use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. The construction manager shall use smart back-up alarms, which automatically adjust the alarm level based on the background noise level, or switch off back-up alarms and replace with human spotters in compliance with all safety requirements and laws.

Significance with Mitigation: With implementation of Mitigation Measure NOI-1, project-related construction noise impacts to any nearby sensitive receptors would be reduced to *less than significant*.

Operational Noise

Noise from sources such as people talking, employees using outdoor common areas, or property maintenance may also contribute to the total noise environment within the direct vicinity of the new development within the hotel bonus areas. Additionally, exterior mechanical and HVAC equipment associated with the hotels are expected to be similar to the equipment at surrounding commercial, multi-family residential, and hotel uses. Typical HVAC units range from approximately 70 to 75 dBA L_{eq} at a distance of 3 feet. The Corte Madera Municipal Code specifies noise limits of 50 dBA and 45 dBA at residential uses during daytime and nighttime, respectively. Therefore, although project specific information about new development within the hotel bonus area is not yet known, operational impacts could be potentially significant due to the potential to exceed local thresholds.

Impact NOI-1.2: Operational activities could result in a substantial noise increase.

Mitigation Measure NOI-1.2: Mechanical equipment shall be selected and designed to reduce impacts on surrounding uses to meet the Corte Madera Municipal Code specifies noise limits of 50 dBA and 45 dBA at residential uses during daytime and nighttime, respectively. A qualified acoustical consultant shall be retained to review mechanical noise as these systems are selected to determine specific noise reduction measures necessary to reduce noise to comply with the Town's noise level

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requirements. Mechanical equipment shall be selected and designed to reduce impacts on surrounding uses to meet the Town's noise level requirements. Noise reduction measures could include, but are not limited to:

- Selection of equipment that emits low noise levels;
- Installation of noise dampening techniques, such as enclosures and parapet walls, to block the line-of-sight between the noise source and the nearest receptors;
- Locating equipment in less noise-sensitive areas, where feasible.

Significance with Mitigation: With implementation of Mitigation Measure NOI-1.2, project-related operational noise impacts to any nearby sensitive receptors would be reduced to *less than significant*.

Traffic Noise

Future development within the hotel bonus areas would be in accordance with Implementation Program PSH-5.1.a: Traffic-Related Noise, which would evaluate new development proposals for compliance with relevant noise standards. Where necessary, the Town may require preparation of a noise study to determine compliance, utilizing the procedures outlined in Policy PSH-5.3.

Impact NOI-1.3: Traffic noise may result in a substantial temporary noise increase.

Mitigation Measure NOI-1.3: An assessment of peak hour traffic volumes along roadways in the project area would be used to analyze traffic noise through comparing Existing Plus Project peak hour traffic volumes with Existing traffic volumes.

Significance with Mitigation: With implementation of Mitigation Measure NOI-1.3, project-related traffic noise impacts to any nearby sensitive receptors would be reduced to *less than significant*.

b)

Operational Vibration

Operation of future hotels within the hotel bonus areas would not generate substantial levels of vibration because there are no notable sources of vibrational energy associated with the development, such as industrial machinery or railroad operations. Thus, operation of the proposed project would not result in *less than significant* groundborne vibration impacts.

Construction Vibration

Construction activities generate varying degrees of ground vibration, depending on the construction procedures, construction equipment used, and proximity to vibration-sensitive uses. The generation of vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, to slight damage at the highest levels. Specific construction activities and equipment shares for new development projects within the hotel bonus area are currently unknown. Therefore, it is speculative to provide an analysis for the impacts from construction vibration.

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However, because any future development allowed under the proposed amendment would be subject to environmental review pursuant to CEQA, and would be in compliance with the Town's General Plan and Municipal Code, impacts from the proposed project on excessive groundborne vibration or groundborne noise levels would be *less than significant*.

c)

The Town of Corte Madera is located roughly six miles from San Rafael Airport, which is the nearest airport to the project locations. The Town does not support any airport or airstrip related facilities within the Town limits and the Town is not located within close proximity to a private airstrip or within the boundaries of an airport land use plan. Therefore, the proposed project would not expose people residing or working in the project area to excessive noise levels and there would be no impact.

Mitigation Measures

Implementation of Mitigation Measures NOI-1, NOI-1.2, and NOI-1.3 as well as compliance with the relevant policies, regulations, and programs identified in this section.

ENVIRONMENTAL ANALYSIS**XIV. RECREATION**

Would the proposed project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b)	Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Existing Conditions

According to the Corte Madera Zoning Map and Corte Madera General Plan Land Use Diagram, no parks or open space exist in any of the four hotel bonus areas where the proposed ordinance amendments would be applied. A lagoon runs from Lucky Drive to Nellen Avenue in hotel bonus area four, but it used for flood control purposes, i.e., non-recreational purposes.

Applicable General Plan Policies and Programs

The Town's General Plan sets forth a number of policies and programs for publicly owned parks and sites intended for active and passive recreation. The following is relevant to the proposed amendments and will be applied to all future development within the four hotel bonus areas:

- **POLICY LU-2.12:** Lands designated Medium Density Residential or Mixed Use shall be located in proximity to a range of supporting services and activity centers, including transit stops, schools, commercial centers, employment centers and parks. Housing to Meet Local Needs. Provide for the development of new housing to meet the diverse economic and physical needs of existing residents and projected population capacity by planning for adequate sites and supporting programs to achieve Corte Madera's Regional Housing Needs Allocation.
 - **Implementation Program LU-2.12.a: Location of High Density Sites:** Designate Medium-Density Residential, High-Density Residential and Mixed Use lands on the Land Use Diagram in accordance with this Policy.

Discussion

a), b)

The proposed zoning ordinance amendments would not result in impacts related to increased use of existing neighborhood and regional parks or other recreational facilities as the ordinance amendments would not include any physical development of any kind. The proposed ordinance amendments would establish a framework for permitting a floor area bonus for hotel development on lots greater than one acre in size within the C-3, C-4 and MX-1 zoning districts provided that specific conditions and criteria related to site planning and design, environmental sustainability, community integration and public realm are met. The bonus would permit up to a maximum .70 FAR where the existing maximum is .34 FAR. The

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amendment would not result in any increase in the residential population of the Town, because although employees could reside within the community, the number would be low and, furthermore, it is expected that the employment base within the community is large enough to temper relocation to Corte Madera.

As described in Section 3.1.3, Buildout Projections, buildout of potential future development facilitated by the proposed project could include an estimated addition of up to 507 hotel rooms. Using an estimate of 0.5 employees per room, this would equate to 254 additional employees. With an average of 2 guests per hotel room this would equate to a maximum capacity of 1014 hotel guests from potential future buildout. The estimated 254 employees would likely include residents of Corte Madera or the surrounding Bay Area, as opposed to people relocating from other locations and generating new population to the city. Recreational facilities could be used by guests of future potential projects; however, these would be limited in duration based on visitors' length of stay within Corte Madera and would not be anticipated to result in substantial physical deterioration of parks and recreational facilities.

Future development allowed under the proposed amendment would be subject to environmental review pursuant to CEQA, including an evaluation of impacts to parks and open space, and would ensure no such impacts occur. Therefore, impacts from the proposed zoning ordinance amendments on parks and recreation would be less than significant.

Mitigation Measures

No mitigation beyond compliance with the relevant policies, regulations, and programs identified in this section.

ENVIRONMENTAL ANALYSIS**XV. POPULATION AND HOUSING**

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Induce substantial unplanned population growth or growth for which inadequate planning has occurred, 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 people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Existing Conditions

As of January 1, 2019, the Town of Corte Madera had an estimated population of 10,047.¹¹⁷ The variety of housing stock totaled 4,026 units as of January 2014, according to the Corte Madera General Plan Housing Element.¹¹⁸ Using ABAG's projections for the Town, the population is anticipated to increase to approximately 10,200 people, the total households to increase to 4,285, and the total jobs to increase to 7,080, by 2035.¹¹⁹

Applicable General Plan Policies and Programs

The Housing Element of the Town's General Plan sets forth a number of policies and programs to provide goals, policies, quantified objectives and scheduled programs to improve, preserve, and develop housing.¹²⁰ The following are particularly relevant to the proposed amendments and will be applied to all future development within the four hotel bonus areas:

- **Policy H-2.8:** Retention and Expansion of Multi-Family Sites at Medium and Higher Density. The Town will protect and strive to expand the supply and availability of multi-family infill housing sites for affordable and workforce housing, will make the most efficient use of these sites in meeting local housing needs, and will strive to make sites competitive for subsidies. Pursuant to Government Code Section 65863, the Town will not re-designate or rezone residential land identified for multi-family housing in the Available Land Inventory (Table 47) to lower densities without identifying sufficient additional sites with an equal or greater residential density or making written findings as identified in Government Code Section 65863.

¹¹⁷ State of California Department of Finance, 2019, E-1 Population Estimates for Cities, Counties, and the State, available online at <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-1/>, accessed March 19, 2020.

¹¹⁸ Town of Corte Madera, 2015. Housing Element, page 22.
(<https://www.townofcortemadera.org/DocumentCenter/View/1694/Adopted-Corte-Madera-Housing-Element-51915?bidId=>)

¹¹⁹ Plan Bay Area 2040, 2017, Projections 2040, available online at <http://projections.planbayarea.org/>, accessed April 10, 2020.

¹²⁰ Town of Corte Madera General Plan, 2015, Housing Element, Pg. 110, available online at <https://www.townofcortemadera.org/DocumentCenter/View/1694/Adopted-Corte-Madera-Housing-Element-51915>, accessed March 19, 2020.

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- **Policy H-3.4:** Preservation of Residential Units. The Town will seek to preserve the existing quantity of housing and will discourage the demolition of residential units that reduce the Town's affordable housing stock or adversely affect the Town's ability to meet its total housing requirements at all household income levels.
- **Policy H-3.6:** Protection of Existing Affordable Housing. The Town will strive to ensure that affordable housing provided through government subsidy programs, incentives and deed restrictions remains affordable over time, and intervene when possible to help preserve such housing.

Discussion

a)

The proposed project does not include physical development or new direct impacts of any kind that would require extension of any feature (e.g., roadway, utility) with the potential to induce growth.

Future development facilitated by the proposed amendment would not include residential uses. The proposed ordinance amendments will allow hotel infill development with an increased FAR of 0.70, which is currently not permitted under existing zoning, compared to the existing FAR of 0.34. The increased FAR would be allowed in four areas of the Town which already have established commercial uses, including existing hotels, which attracts a number of employees and customers. As described previously, buildout of potential future development facilitated by the increased FAR could result in an estimated addition of 254 employees, which would most likely include residents of Corte Madera or the surrounding Bay Area. This would be within projected increased population and job growth for the Town. Changes to existing FAR through the proposed amendment is therefore not expected to substantially alter the number of people visiting the four project areas compared to the existing conditions. Therefore, impacts would be less than significant, and no mitigation measures are necessary.

b)

The proposed amendment would allow increased hotel development intensity in four areas of the Town. No housing units are located in hotel bonus areas three or four, and the proposed project would not introduce new housing. Hotel bonus area one (C-4 Zoning) contains an Affordable Housing Mixed Use Overlay for three parcels. One of these parcels contains San Clemente Place, an affordable housing complex for families, seniors and special needs households. While the proposed ordinance amendments would introduce infill hotel development to hotel bonus area one, the Town's General Plan Housing Element contains policies which safeguard affordable housing in the Town. Compliance with existing regulations, including those within the Town's General Plan, would ensure the proposed project will not displace existing housing units or necessitate the construction of housing elsewhere. No impact would occur, and no mitigation measures are necessary.

Mitigation Measures

No mitigation beyond compliance with the relevant policies, regulations, and programs identified in this section.

ENVIRONMENTAL ANALYSIS**XVI. PUBLIC SERVICES**

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
i) Fire protection?	☐	☐	■	☐
ii) Police protection?	☐	☐	■	☐
iii) Schools?	☐	☐	■	☐
iv) Libraries?	☐	☐	■	☐
v) Other public facilities?	☐	☐	■	☐

Existing Conditions

The following public service providers would serve the proposed project:

- Corte Madera Fire Department (CMFD for fire protection, emergency, medical, and hazardous materials)
- Central Marin Police Authority for police protect services.
- Marin County Library District
- Larkspur-Corte Madera School District
- Reed Union School District
- Tamalpais Union High School District

Applicable General Plan Policies and Programs

The Town's General Plan sets forth a number of policies and programs that are intended to maintain effective public services. The following policy is relevant to the proposed zoning ordinance amendments and will be applied to all future development under the proposed project:

- **POLICY LU-6.2:** Provide high-quality fire protection and paramedic services for residents and businesses in the community.
 - **Implementation Program LU-6.2.a:** Response Times Maintain the existing target response time of five minutes or less for emergency Fire calls through adequate staffing and proper distribution of Fire stations and equipment.

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- **Implementation Program LU-6.2.b: Update Town Impact Fees.** Through periodic updates to Town impact fees, require all new development to contribute funding toward necessary Fire and paramedic facilities and equipment.
- **Implementation Program LU-6.2.d: Fire Department Review.** Include Fire Department review and comments on proposed building plans to address safety concerns.
- **Implementation Program LU-6.3.b: Financing of Police Services.** Through periodic updates to Town impact fees, require all new development to contribute fair-share funding toward necessary law enforcement facilities and equipment.
- **Implementation Program LU-6.3.d: Police Department Review.** Include Police Department review and comments on proposed building plans to address safety concerns.

Discussion

a. i) – v)

The four hotel bonus areas which would permit an increased hotel FAR under the proposed amendment are all well served by existing public services. The proposed project does not consist of any specific physical changes or development to the environment. However, as described in Section 3.1.3, Buildout Projections, buildout of potential future development facilitated by the proposed project could include an estimated addition of 507 hotel rooms, which could include an additional 254 employees and 1,014 hotel guests. The estimated 254 employees would likely be existing residents of Corte Madera or the surrounding Bay Area.

Future development facilitated by the proposed ordinance amendments will be subject to General Plan policies or developer impact fees to contribute financially to maintain or improve public services. For example, regarding fire protection, the Town's General Plan Policy LU-6.2.d requires the Fire Department to review all building plans. Furthermore, police services, fire protection, and schools are all covered by development impact fees. These development impact fees help finance public improvements and ensure new development contributes their fair share of the construction costs for these improvements. As employees of future development would be likely to include current residents of Corte Madera or the surrounding area, and visitors would remain for short period of time, it is not anticipated library services would experience significant impacts. Furthermore, all future development allowed under the proposed ordinance amendments will be subject to review for impact to public services including fire protection, police protection, schools, libraries, and other public facilities. Therefore, the proposed project and future development permitted by the proposed project are expected to result in less than significant impacts

Mitigation Measures

No mitigation beyond compliance with the relevant policies, regulations, and programs identified in this section.

ENVIRONMENTAL ANALYSIS**XVII. TRANSPORTATION**

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☐	☒
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	☐	☒
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d) Result in inadequate emergency access?	☐	☐	☐	☒

Existing Conditions**Regulatory Framework***State Regulations*

Senate Bill 743

On September 27, 2013, Senate Bill (SB) 743 was signed into law. The legislature found that with the adoption of the Sustainable Communities and Climate Protection Act of 2008 (SB 375), the State had signaled its commitment to encourage land use and transportation planning decisions and investments that reduce vehicle miles traveled and thereby contribute to the reduction of greenhouse gas emissions, as required by the California Global Warming Solutions Act of 2006 (Assembly Bill 32). In December 2018, the Governor's Office of Planning and Research (OPR) finalized guidelines on evaluating transportation impacts in CEQA based on SB 743.

Implementation of SB 743 eliminated use of criteria including auto delay, level of service, and similar measures of vehicle capacity of traffic congestion as the basis for determining significant impacts as part of CEQA compliance. In place of these "delay based" measures, SB 743, as implemented through OPR's guidelines and incorporated into the CEQA Guidelines as Section 15064.3, requires the use of Vehicle Miles Traveled (VMT) to measure transportation impacts. The SB 743 VMT criterion promotes reduction of greenhouse gas emissions, development of multimodal transportation networks, and a diversity of land uses. As a general rule, OPR's guidance suggests that impacts would be considered significant if project VMT per capita would be expected to be more than 85% of the VMT per capita from existing similar projects.

Public agencies are required to use VMT effective July 1, 2020. However, projects that are approved prior to July 1, 2020 are not required to address VMT.¹²¹

¹²¹ Citizens for Positive Growth & Preservation v. City of Sacramento (2019) 2019 Cal. App. LEXIS 1274

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Regional Regulations

Metropolitan Transportation Commission

The Metropolitan Transportation Commission (MTC) is the transportation planning, coordinating, and financing agency for the nine-county Bay Area, including Marin County. It also functions as the federally mandated metropolitan planning organization (MPO) for the region. *Plan Bay Area 2040* is the Bay Area's Regional Transportation Plan (RTP)/Sustainable Community Strategy (SCS). *Plan Bay Area 2040*, adopted jointly by Association of Bay Area Governments (ABAG) and MTC July 26, 2017, lays out a development scenario for the region, which, when integrated with the transportation network and other transportation measures and policies, would reduce GHG emissions from transportation (excluding goods movement) beyond the per capita reduction targets identified by California Air Resources Board. It serves as a limited and focused update to *Plan Bay Area* (2013), with updated planning assumptions that incorporate key economic, demographic, and financial trends from the last several years. MPOs must use transportation and air emissions modeling techniques consistent with guidelines prepared by the California Transportation Commission. The Project's relationship to GHG emissions reductions is discussed in detail in the Greenhouse Gas Emissions chapter of this Draft EIR.

Transportation Authority of Marin

Congestion Management Program 2019

The Transportation Authority of Marin (TAM) is the Congestion Management Agency (CMA) for Marin County and is responsible for maintaining the region's Congestion Management Plan (CMP).¹²² The TAM CMP monitors local multi-modal transportation networks level of service on roadways, bicycle and pedestrian facilities and transit services, and identifies improvements to the performance of these multi-modal systems.

The CMP consists of a system of monitoring effort, performance measurement and capital improvement plan for these systems. As required by state legislation, TAM maintains a travel demand model to forecast proposed changes to the transportation network.

While TAM has not adopted thresholds of significance for land use analysis purposes, projects should consider all types of impacts on CMP roadways:

- Autos: vehicle delay, if required by local jurisdiction, and consistency with adopted plans.
- Transit: effects of vehicle traffic on mixed-flow transit, transit capacity, transit access/egress, need for future transit service, consistency with adopted plans, and Circulation Element needs.
- Bicycles: effects of vehicle traffic on bicyclists conditions, site development, and roadway improvements, and consistency with adopted plans.

¹²² Transportation Authority of Marin, 2018, Congestion Management Plan, available online at <https://www.tam.ca.gov/congestion-management-program/>, accessed March 24, 2020.

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- Pedestrians: effects of vehicle traffic on pedestrian conditions, site development, and roadway improvements, and consistency with adopted plans.
- Other impacts and opportunities: noise impacts for projects near state highway facilities and opportunities to clear access improvements for transit-oriented development projects.

Policy regarding mitigation measures for identified impacts to be considered adequate must be:

- Sufficient to sustain CMP roadway and transit service standards.
- Fully funded.
- Consistent with project funding priorities established in the Capital Improvement Program of the CMP, the Countywide Transportation Plan, and the Regional Transportation Plan or the federal Transportation Improvement Program.

The Town utilizes a Traffic Mitigation Improvement Funding program, adopted in 1984.¹²³ Collected fees are fixed and are periodically updated to reflect changes in the costs of construction. Pursuant to Resolution 3314, Street Impact Fees are also collected and are intended to compensate for damage caused by any construction related traffic.¹²⁴

Local Regulations

Town of Corte Madera General Plan

The Town's General Plan sets forth a number of policies and programs to reduce traffic congestion and promote safe and efficient transportation routes for pedestrians, bicyclists, and drivers. The following are particularly relevant to the proposed ordinance and will be applied to all future development within the proposed density bonus.

- **POLICY CIR-1.2:** Ensure that current Levels of Service at intersections are maintained when considering new development within Corte Madera.
 - **Implementation Program CIR-1.1.a:** The town shall strive to maintain Level of Service (LOS) D operation during the weekday morning and evening peak periods at intersections of an arterial street with either another arterial or a collector street and intersections of two collector streets. For projected future conditions the LOS is to be calculated using the average traffic demand over the highest 60-minute period. For all types of controls the Level of Service standard is to be applied to the average operation of the intersection, and not that for any single movement or approach. Exceptions to meeting this standard include:
 1. Stop-controlled minor street approaches to either collector or arterial streets, where safety shall be the primary consideration;

¹²³ Town of Corte Madera, 2009, General Plan: Chapter 4 – Circulation Pg. 4-1, available online at <https://www.townofcortemadera.org/DocumentCenter/View/273/Chapter-4---Circulation-PDF?bidId=>, accessed March 24, 2020.

¹²⁴ Town of Corte Madera, 2018, Resolution No. 17/2018, available online at <https://www.townofcortemadera.org/ArchiveCenter/ViewFile/Item/2127>, accessed March 24, 2020.

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2. Locations where the Town Engineer deems improvement to be technically, financially, or environmentally infeasible;
 3. Conditions where the improvement would result in significant adverse impacts to other travel modes, including walking, bicycling, or transit; or
 4. Locations where attainment would ensure the loss of an area's unique character.
- **POLICY CIR-1.5:** Emphasize traffic safety and reduce travel-related impacts to residential neighborhoods and the local street system.
 - **Implementation Program CIR-1.5.a:** Circulation Studies Developers shall fund and the Town will administer traffic impact studies to address on- and off-site traffic and circulation impacts, including assessments of project level of service intersection impacts.

Bicycle / Pedestrian Plan

The *Corte Bicycle and Pedestrian Plan (2016)*, provides for a recommended town-wide network of sidewalks, bicycle paths, lanes and routes, along with pedestrian- and bicycle-related programs and support facilities, intended to ensure bicycling and walking become a more integral part of transportation for people who live, work and recreate in Corte Madera. The purpose of the bicycle and pedestrian plan is to improve the bicycling and walking environment in Corte Madera by providing direction for future bicycle and pedestrian planning. The Plan looks to create a more balanced transportation system where bicycling and walking are not only viable but attractive and convenient ways to travel in and around Corte Madera. The Plan includes the following goals and policies that pertain to the proposed project:

- Develop a bicycle and pedestrian environment that sustains healthy, strong communities and supports a vibrant economy.
- Improve the walkability of Corte Madera by designing streets that are accessible to people of all ages, connect major destination such as shopping centers, transit, schools, and parks, and include amenities such as seating, restrooms, and pedestrian-focused signal timing.
- Increase bicycle and pedestrian safety through improved intersection visibility, well-managed motor vehicle speeds, and land use codes that support active use and the perception of safety.
- Become a more sustainable city by replacing motor vehicle trips with active transportation trips in order to reduce emissions, reduce the cost of healthcare, and decrease reliance on fossil fuels
- Reduce bicycle- and pedestrian-related collisions.
- Per the Town of Corte Madera General Plan (Section 4.5 of the Circulation Element) and Complete Streets Policy (expected to be approved 12/2015) developments are to incorporate convenient bicycle and pedestrian access and facilities that link to Town and regional path connections.

ENVIRONMENTAL ANALYSIS**Existing Transportation Network***Roadway Network*

The Town of Corte Madera is bisected in a north-south direction by US Highway 101, which serves as the primary arterial corridor between Sonoma, Marin, and San Francisco Counties. Regional access to the Town of Corte Madera from Highway 101 is provided via an interchange at Tamalpais Drive (449A) and Fifer Avenue (450A) southbound offramp. Points of access to the hotel bonus areas of the proposed project include the Tamalpais Drive (449A) interchange for hotel bonus areas one and two and the Redwood Highway (450A) northbound offramp for hotel bonus areas three and four. The only designated CMP roadway within the hotel bonus area is US 101.

Key roadways segments within the network adjoining the four project areas include the following:

Road Name Cross Street A Cross Street B 2020 ADT₁

- 1) Lucky Drive between Fifer Avenue and Nellen Avenue
- 2) Fifer Avenue between Tamal Vista Boulevard and Nellen Avenue
- 3) Tamal Vista Boulevard between Fifer Avenue and Wornum Drive
- 4) Wornum Drive between Tamal Vista Boulevard and US 101
- 5) Tamal Vista Boulevard between Wornum Drive and Madera Boulevard
- 6) Madera Boulevard between Tamal Vista Boulevard and US 101
- 7) Madera Boulevard between Council Crest Drive / Madera Boulevard and Tamalpais Drive
- 8) Tamalpais Drive between Lakeside Drive and Madera Boulevard
- 9) Tamalpais Drive between Madera Boulevard and US 101
- 10) Sanford Street between Casa Buena Drive and Meadowsweet Drive
- 11) Paradis Drive East of San Clemente Drive
- 12) San Clemente Drive between Tamalpais Drive and Paradise Drive

Transit

The Town of Corte Madera is served by two Marin Transit lines; Route 17 (San Rafael to Sausalito), and Route 22, between San Rafael and Marin City.

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Discussion

a)

Town of Corte Madera General Plan

The following discussion is based on a transportation evaluation memorandum entitled, *Transportation Evaluation for the Corte Madera Hotel Floor Area Bonus Ordinance*, prepared by Kittelson & Associates (Appendix B). The memo provides an overview of the potential trips generated by the proposed project compared to development under the existing zoning standards and a qualitative conclusion on impacts to level of service at the 12 intersections listed above.

The traffic evaluation estimated that under buildout conditions, the project would have the potential to increase vehicle trips by 2,193 with 138 trips occurring during the AM peak hour and 191 in the PM peak hour. Compared to the development potential under the existing zoning standards, the proposed project would have the potential to increase the number of daily trips by 2,173 121 in the AM peak hour and 156 in the PM peak hour. The memo concludes that with the existing roadway traffic volumes, and the relatively small increase in traffic from implementation of the zoning ordinance amendments, it is not anticipated that project trips would result in degrading operations at the study roadway segments.

As described above, General Plan Policy Implementation Program 1.1a requires signalized intersections to operate at LOS D. Based on the conclusions of the traffic evaluation memo, implementation of the proposed zoning ordinance amendments would not degrade operations, and would therefore not conflict with General Plan Policy Implementation Program 1.1a. Furthermore, transportation studies will be required for future hotel projects to provide quantitative analysis on LOS impacts per this general plan implementation measure.

Transit, Bicycle, Pedestrian Facilities

The proposed amendments would regulate all future hotel development within the project areas that seek additional FAR beyond that allowed under existing zoning. The proposed zoning amendment does not affect any policies related to alternative modes of transportation nor do they result in any physical changes that would impact alternative transportation facilities. All future development will be reviewed to ensure that adequate transit bicycle and pedestrian facilities are provided onsite and in the project vicinity in order to promote walkability and non-motor vehicle transit in accordance with General Plan Policies CIR 3.2, 3.5, and 4. Accordingly, impacts are expected to be less than significant related to a conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities.

b)

Since neither the Town of Corte Madera nor TAM have established standards or thresholds regarding analysis of VMT impacts, and since VMT analysis is not required under CEQA until July 1, 2020, this Initial Study does not include a full VMT analysis.

Instead, the estimated VMT from future development under the proposed zoning ordinance amendment will need to be calculated for individual projects that are proposed under the zoning ordinance amendment for any projects that are considered for approval after July 2020.

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In order to assess VMT impacts in the future, the analysis will need to consider the VMT associated with each proposed hotel room, which will be further divided into VMT associated with hotel employees' home-to-work travel patterns and the travel patterns of hotel guests. This will then be compared to an estimate of existing average VMT per hotel room in the area, so as to determine whether the proposed project(s) would create potential impacts by generating VMT that is more than the threshold to be adopted by the Town or TAM. If an impact is found, mitigation measures will focus on developing and implementing a Transportation Demand Management (TDM) plan for the hotel project, which would focus on providing incentives for employees and guests to use alternative travel modes and to lessen driving.

In sum, the following three factors come into play with regard to the assessment of a potential impact with regard to VMT:

- 1) The proposed zoning ordinance amendments themselves would not result in a specific development project or new traffic generation.
- 2) Future development to be entitled under the proposed zoning amendment would be subject to project-specific CEQA review, including VMT analysis against thresholds that are to be developed and adopted by the Town and/or TAM.
- 3) Any impacts found through the project-specific VMT analysis will either be mitigated to less-than-significant levels or will be subject to a Finding of Overriding Consideration.

Therefore, adoption of the ordinance amendments would have no impact with regard to VMT emissions.

c)

The proposed amendments will not grant entitlements or otherwise authorize development that would introduce potential design hazards such as sharp curves, limited site distance or dangerous intersections since no changes are proposed to the existing road network or existing access points within the four hotel bonus areas. Future development entitled under the proposed zoning amendment would be subject to project specific CEQA review at which time the site and circulation plan would be reviewed, analyzed and mitigated as appropriate. As such, no impacts due to the introduction of design feature hazard will result from the proposed zoning amendment.

d)

The proposed amendments will not introduce any physical changes that could obstruct or inhibit emergency access. The existing road network, the backbone of the emergency access/response, will not be modified by the proposed project. Future development proposed within the Hotel Bonus Areas will be subject to review and approval by the Fire Department and Department of Public Works which would ensure that adequate emergency access is provided for in all new or redevelopment projects. As there will be no changes to the roadway network or access along the roadways a result of the zoning amendment and future development will be subject to project specific review, there will be no impacts associated with inadequate emergency access.

ENVIRONMENTAL ANALYSIS

XVIII. TRIBAL CULTURAL RESOURCES

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than- Significant	No Impact
a) Cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is: i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code Section 5024.1. In applying the criteria set forth in subdivision (c) of the Public Resource Code Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance to a California Native American tribe.	□	□	■	□

Existing Conditions

The Town of Corte Madera is located in southeast Marin County just north of San Francisco and near the western shore of the San Francisco Bay. Present-day Corte Madera is in the ethnographic territory of the Coast Miwok, who occupied the areas which are now Marin and southern Sonoma Counties. Coast Miwok territories were comprised of one or more land-holding groups that anthropologists refer to as “tribelets” which consisted of a population ranging between 50 to 500 persons. Traditional Coast Miwok life was severely disrupted due to introduced diseases, a declining birth rate, and impact of the Spanish Mission system. In the present day, many Coast Miwok people live in their ancestral Marin County and are engaged in traditional cultural practices. The Federated Indians of Graton Rancheria (FIGR) are a federally recognized tribe consisting of both Coast Miwok and Southern Pomo (ancestrally within northern Sonoma County). Established in 1992, FIGR, provides members with educational and economic opportunities while simultaneously preserving their heritage.¹²⁵

¹²⁵ Town of Corte Madera, 2014, Corte Madera Inn Rebuild EIR, available online at <https://www.townofcortemadera.org/DocumentCenter/View/1047/CM-Inn-DEIR-Sect-44-Cultural-Resources?bidId=>, accessed March 19, 2020.

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Applicable General Plan Policies and Programs

The Town's General Plan sets forth a number of policies and programs that are intended to address tribal cultural resources. In addition to the goals, policies, and programs included within the cultural resources sections, the following are relevant to the proposed amendment and will be applied to all future development within the four hotel bonus areas:

- **POLICY RCS– 11.2:** Protect historic sites and archaeological resources for their aesthetic, scientific, educational, and cultural values.
 - **Implementation Program RCS-11.2.b: Native American Cultural Resources:** When initial review of proposed development projects indicates that known or potential undiscovered Native American cultural resources exist at the project site, consult with California Native American Tribes that have been identified by the Native American Heritage Commission per Government Code §65352.3. Consider recommendations from the Tribes regarding the location of cultural places, appropriate conservation measures, and the qualifications of archaeologists to conduct further investigations when additional research is required. Where historic and cultural such resources are identified, measures shall be identified to avoid impact to the resource, where feasible. Where avoidance is not practical, mitigations shall identify how the impact may be minimized.
 - **Implementation Program RCS-11.2.f: Native American Cultural Awareness:** In consultation with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code §5097.98, prepare a brochure explaining property owners rights and responsibilities regarding Native American historic and cultural resources that may be discovered in the development process. Distribute the brochure to development applicants.

Discussion

a.i)

A search of the California Historical Resources through the Office of Historic Preservation reveals that there are no listed resources or potential resources eligible for listing in the California Register of Historical Resources within the proposed project study areas or within the Town of Corte Madera.¹²⁶ Because no physical development is proposed at this time, and future development applications would be subject to environmental review under CEQA, the zoning amendments to the four hotel bonus areas are expected to result in less than significant impacts to archeological resources pursuant to Section 15064.5.

¹²⁶ Office of Historic Preservation, California Historical Resources, 2020, available online at <https://ohp.parks.ca.gov/ListedResources/?view=county&criteria=21>, accessed March 20, 2020.

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a.ii)

In accordance with AB 52 (PRC Section 21084.2) lead agencies are required to consider Tribal Cultural Resources (TCR) including a site feature, place, cultural landscape, sacred place or object, of cultural value to the tribe and is listed on the California Register of Historic Resources (CRHR) or a local register, or the Lead agency, at its discretion, chooses to treat resources as such. AB 52 mandates that a lead agency initiate consultation with a tribe with traditional and/or cultural affiliations in the geographic area where a subject project is located.¹²⁷ Should the tribe respond requesting formal consultation, the lead agency must work with the tribe or representative thereof to determine the level of environmental review warranted, identify impacts, and recommend avoidance or mitigation measures to reduce any potential impacts.

As no physical development is proposed at this time, and future development applications would be subject to environmental review under CEQA and consultations per AB 52, the zoning amendments is expected to result in less than significant impacts to archeological resources.

Mitigation Measures

No mitigation beyond compliance with the relevant policies, regulations, and programs identified in this section.

¹²⁷ California Legislative Information, 2014, Assembly Bill No. 52, AB-52 Native Americans: California Environmental Quality Act, available online at https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201320140AB52, accessed March 24, 2020.

ENVIRONMENTAL ANALYSIS**XIX. UTILITIES AND SERVICE SYSTEMS**

Would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Existing Conditions

The following utilities would serve the proposed project:

- Marin Municipal Water District (MMWD) for water services
- Marin Municipal Water District (MMWD) for sanitary sewer services and wastewater would be treated at the CMSA Wastewater Treatment Plant
- Pacific Gas & Electric (PG&E) for electricity and natural gas or
 - Marin Clean Energy (MCE), a California Community Choice Aggregation (CCA), which provides electricity from renewable sources and is serviced through PG&E.
- Mill Valley Refuse Service provides solid waste collection.

Marin Municipal Water District (MMWD) is the public agency that provides water supply to Corte Madera. The MMWD water supply is made up of seven reservoirs in Marin County with imported water from the Russian River (via the Sonoma County Water Agency), and recycled water from the Las Gallinas Valley Sanitary District. The MMWD contains water treatment facilities, which process reservoir water and monitor water quality of the municipal water supply.¹²⁸

¹²⁸ Marin Municipal Water District, 2020, Water Treatment and Deliver, available online at <https://marinwater.org/322/Water-Treatment-and-Delivery>, accessed March 24, 2020.

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Sanitary District #2 is a member of the Central Marin Sanitation Agency (CMSA) that provides wastewater treatment and conveyance services to Corte Madera. The CMSA Treatment Plant receives wastewater conveyed through pipes and pump stations within Corte Madera. The Town of Corte Madera Public Works Department provided all engineering, management, and operational services for the wastewater collection system. Capacity of the Sanitary District #2 wastewater conveyance and treatment was determined to be adequate and capable of supporting projected growth from the General Plan.¹²⁹

As described previously within the energy section of this Initial Study, PG&E provides natural gas and electricity to commercial and residential areas within the Town of Corte Madera, while MCE provides electricity from renewable energy to customers seeking an alternative from traditional energy generation sources. MCE works in collaboration with PG&E, utilizing the existing meters and reading from PG&E, as well as the power line maintenance and billing. However, MCE is responsible for buying and providing electricity from renewable sources which include solar, wind, geothermal, hydroelectric, and bioenergy from location within California, Colorado, and the Pacific Northwest. MCE reports their energy procurement annually to the California Public Utilities Commission and the California Energy Commission to verify the amount of renewable energy provided to customers. Opting in or enrolling for electricity provision from MCE is made by simply contacting their office by phone or email, with the prospective customers PG&E account information to allow for a merging of service.¹³⁰

The Town of Corte Madera Public Works Department is responsible for the design, construction, operation, and maintenance of all flood control facilities including drainage pipes, catch basins, ditches, channels, ponds, pump stations, and other infrastructure that provide protection from flood damage.¹³¹

Redwood Landfill is the solid waste disposal site serving Corte Madera. Mill Valley Refuse Service (MVRS) provides waste and recycling collection services.¹³²

Applicable General Plan Policies and Programs

The Town's General Plan sets forth a number of policies and programs that are intended to maintain utilities and service systems. The following are relevant to the proposed amendment and will be applied to all future development within the four hotel bonus areas:

¹²⁹ Town of Corte Madera, 2013, Sewer Management Plan: Sanitary District No. 2 of Marin County, available online at <https://townofcortemadera.org/DocumentCenter/View/1020/Sanitary-District-No-2-Sewer-System-Mgmt-Plan-8-2013-Update>, accessed March 24, 2020.

¹³⁰ Marin Clean Energy, 2020, My Community My Choice, available online at <https://www.mcecleanenergy.org/>, accessed March 27, 2020.

¹³¹ Town of Corte Madera, 2019, Flood Protection, available online at <https://townofcortemadera.org/192/Flood-Protection>, accessed March 24, 2020.

¹³² Waste Management, 2020, Operations, available online at <http://redwoodlandfill.wm.com/about-us/operations.jsp>, accessed March 24, 2020.

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- **POLICY LU-1.10.** Coordinate with Marin Municipal Water District to assure the availability of water supply and distribution facilities for all development approvals.
 - **Implementation Program LU-1.10.a: Water Availability Verification.** In cooperation with Marin Municipal Water District develop and implement a policy to require verification of water supply and distribution facilities for all new construction.
- **POLICY LU-6.9.** Maintain existing infrastructure systems.
 - **Implementation Program LU-6.9.a: Infrastructure Maintenance.** Continue to work with service agencies to ensure the maintenance of infrastructure systems in Corte Madera.
- **POLICY LU-6.10.** Provide high-quality utility services for residents and businesses with the community.
 - **Implementation Program LU-6.10.a: Capital Improvement Program.** Review and revise the Town's Capital Improvement Program annually to ensure that proposed public improvements will be consistent with the General Plan's policies and that progress is being made toward implementing those policies.
 - **Implementation Program LU-6.10.b: Public Utility Systems.** Cooperate with public utilities providers in maintaining, evaluating and upgrading public utility systems.
 - **Implementation Program LU-6.10.c: Development Evaluation.** Evaluate development proposals in relation to the demand placed on public utilities resources.
- **POLICY LU-6.14.** Ensure adequate provision of wastewater conveyance and treatment to Town residents and businesses.
 - **Implementation Program LU-6.14.a: Wastewater Conveyance.** In consultation with the Central Marin Sanitation Agency, review plans for new development or redevelopment of existing sites to ensure necessary upgrades are provided to the Town's wastewater conveyance and treatment system.
- **POLICY F-1.1.** Develop and maintain an ongoing planning process that shall be the basis for flood control projects and managing development in flood prone areas of the community.
 - **Implementation Program F-1.1.a: Master Plan. Continue to administer the Storm Drainage Master Plan.** The Master Plan identifies preferred options and long-range solutions for reducing flood hazards. The Master Plan recommends policies for areas that are subject to flooding, but are not within the FEMA 100- year flood zone, and also recommends projects that will provide "100 year" protection for areas within the FEMA flood zone. The Master Plan also evaluates the existing informal drainage system to assess areas that are deficient in providing flood and drainage control. Continue to use the Master Plan as guidance for maintaining and improving the storm drain system.
- **POLICY RCS-4.1.** Encourage the expansion of vigorous recycling efforts so that all residents and businesses in Corte Madera recycle.

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- **POLICY RSC-4.2.** Ensure that solid waste disposal and recycling services are adequate to meet the needs of current and future residents.
 - **Implementation Program RCS-4.2.a: Recycling for Existing Uses.** Work with the Town's refuse collection provider and Marin County in continuing to provide Town-wide recycling and waste reduction services to existing residences, schools and businesses, as well as increasing participation in composting and recycling programs for technology waste, hazardous waste, and green waste.
- **POLICY RCS-5.1.** Minimize waste through reducing, reusing, and recycling. Encourage reduced consumption of non-renewable resources by expanding choices for using and reusing materials, energy, and water in an efficient manner.

Discussion

a)

The proposed project consists of proposed amendment to Corte Madera's Zoning Ordinance which would allow hotel uses in four areas in the Town to have an increased Floor Area Ratio (FAR) than currently allowed. These four areas in the town are fully built out with commercial uses and are well served by wastewater treatment facilities, storm water drainage, and utilities including electric power, natural gas, and telecommunication facilities.¹³³ The proposed project does not include any physical changes to the environment which would require utility services to be relocated or constructed. However, as previously described, buildout of potential future development facilitated by the proposed project could include an estimated additional 507 hotel rooms, 254 employees, and 1,014 hotel guests. Additional space, guests, and employees would result in increased use of utilities. However, specific amounts would depend on specific development proposed. In addition, as discussed under criteria (b) and (c) below, it is not anticipated that the future development facilitated by the proposed project would result in significant impacts related to water and wastewater demands. Future development allowed under the proposed amendment would be subject to environmental review pursuant to CEQA, including an evaluation of impacts to existing utilities infrastructure. Specific increase in utilities usage would depend on future project development proposed in comparison with existing site uses. Furthermore, General Plan policies call for coordination with water and wastewater service providers to address any expansion of infrastructure needs. Therefore, impacts from the proposed project on wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities would be less than significant.

b)

Potential future development applications facilitated by the proposed amendment will be evaluated on an individual project basis including a review of the adequacy of water supply. An increase in the employees and guests would be expected to increase the sites' water demand. As described in the Marin Municipal Water District's 2015 Urban Water Management Plan, the water district estimates that it will have

¹³³ Town of Corte Madera, 2009, General Plan – Chapter 2 Land Use, available online at <https://www.townofcortemadera.org/DocumentCenter/View/275/Chapter-2---Land-Use-PDF?bidId=>, accessed March 24, 2020.

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sufficient supplies to meet demands during normal and dry water years.¹³⁴ These projections take into account population growth estimated from ABAG. As described in Section XV, Population and Housing, the proposed project would remain within population growth projections. Therefore, it can be assumed that the project would not conflict with adequate water supply. Therefore, impacts due to a conflict with adequate water supply are expected to be less than significant.

c)

The Town is well served by existing wastewater facilities that provide conveyance and treatment. As described above, sites where potential future development would be facilitated by the proposed project are currently already built out with commercial uses. The Marin Municipal Water District's 2015 Urban Water Management Plan explains that wastewater projects are estimated to remain steady over the planning horizon (which is to 2040) since development within Marin County is limited due to space constraints.¹³⁵ Therefore, it is assumed that the proposed project would not increase demands on wastewater facilities to the extent that the facilities would not have adequate capacity. The proposed zoning amendments would dictate parameters for future development applications, which will be evaluated on an individual project basis. In addition, General Plan policies call for coordination with water and wastewater service providers to address any expansion of infrastructure needs.¹³⁶ Therefore, impacts to wastewater treatment facilities would be less than significant.

d- e)

All future development facilitated by the proposed project will be subject to applicable solid waste reduction laws as well as local policies and programs regarding waste reduction. The project as an amendment to the allowable FAR would not conflict with solid waste-related policies and programs. Future development facilitated by the proposed project could result in an increase in solid waste due to the increase in employees and visitors on-site. However, Therefore, the proposed amendments are expected to result in less than significant impacts due to landfill capacity and solid waste disposal.

Mitigation Measures

No mitigation beyond compliance with the relevant policies, regulations, and programs identified in this section.

¹³⁴ Marin Municipal Water District, 2016. Urban Water Management Plan, 2015 Update, page 7-7.
(<http://marinwater.org/DocumentCenter/View/3828/MMWD-2015-UWMP-Final---Report-Only?bidId=>)

¹³⁵ Marin Municipal Water District, 2016. Urban Water Management Plan, 2015 Update, page 6-9.
(<http://marinwater.org/DocumentCenter/View/3828/MMWD-2015-UWMP-Final---Report-Only?bidId=>)

¹³⁶ Town of Corte Madera, 2009, General Plan – Chapter 2 Land Use, available online at
<https://www.townofcortemadera.org/DocumentCenter/View/275/Chapter-2---Land-Use-PDF?bidId=>, accessed March 24, 2020.

ENVIRONMENTAL ANALYSIS

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the proposed project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

Existing Conditions

The State of California’s Department of Forestry and Fire Protection (CAL FIRE) ranks areas within all “state-responsibility zones”—unincorporated areas in California for which the State is responsible for fire protection—by moderate, severe, and very severe fire hazard risk. This ranking system is based on fuels (vegetation type and densities), terrain (fires spread faster over steeper topography), weather (e.g. wind and precipitation), and other relevant factors. Areas in State Responsibility Zones tend to be at higher risk for wildfire since they are most often in areas with wildland-urban interface—areas on the fringes of urban development containing significant development (e.g. houses) adjacent to wild vegetation. These areas often have higher winds than urban areas due to the lack of nearby tall buildings, as well as steeper topography, which both contribute to increased fire hazard risk.

The Town of Corte Madera is within the “local-responsibility zones” and is classified as Non Very High Fire Hazard Severity Zone (Non-VHFHSZ).¹³⁷ However, the Town of Corte Madera lies within the “interface” classification of the Wildland-Urban Interface zone and therefore, there is a potential for increased fire hazard risk from wildfires.¹³⁸

¹³⁷ California Department of Fire, 2008, Marin County Very High Fire Hazard Severity Zones in LRA, available online at https://osfm.fire.ca.gov/media/6709/fhszl_map21.pdf, accessed March 20, 2020.

¹³⁸ University of Wisconsin at Madison, 2010, Wildland-Urban Interface (WUI) Change 1990-2010, available online at <http://silvis.forest.wisc.edu/data/wui-change/>, accessed March 20, 2020.

ENVIRONMENTAL ANALYSIS

Discussion

a)

Although the Town of Corte Madera is classified as Non-VHFHSZ, it is located adjacent to the cities of Mill Valley and Larkspur which have areas considered a Very High Fire Hazard Severity Zone. Cal Fire provides fire preparedness information and fire safety education through their online web portal, and the department has a mission of fire prevention through activities which include wildland pre-fire engineering, fire planning, education and law enforcement, and vegetation management.¹³⁹ A local non-profit, Fire Safe Marin, is an organization committed to improving fire-safety awareness and reducing wildland fire hazards in Marin County. Fire Safe Marin uses the “Ready, Set, Go!” education program to organize the preparatory actions needed by residents and businesses in case of wildfire.¹⁴⁰ The Marin Wildfire Prevention Authority (MWPA) is a newly formed program which seeks to develop a coordinated program for wildfire prevention through providing locally-controlled funding dedicated public safety and wildfire prevention.¹⁴¹ In addition, Central Marin Fire has developed its own wildfire prevention and preparedness program to enhance local capabilities.¹⁴² The proposed project would not include any physical development and therefore would not substantially impair an adopted emergency response plan or emergency evacuation plan. All future redevelopment will be subject to local fire related emergency response plans or emergency evacuation plans as well as local policies and programs regarding fire protection and prevention. Therefore, the proposed amendments are expected to result in a less than significant impact.

b)

The proposed project would not include any physical development and therefore would not exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Furthermore, all hotel bonus areas are within urban areas which lack wildland habitat typically contributing as fuel for wildfires. All future redevelopment will be subject to local design review and CEQA analysis to ensure that future project impacts would also not exacerbate these risks. Therefore, the proposed amendments are expected to result in a less than significant impact.

c)

The proposed project would not include any physical development and therefore would not require installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. All future redevelopment will be subject to local design review, review by the Central Marin Fire Department, and CEQA analysis to ensure that future project impacts would also not exacerbate fire risks. Therefore, the proposed amendments are expected to result in a less than significant impact.

¹³⁹ Town of Corte Madera, 2017, Fire Preparedness, available online at <https://www.townofcortemadera.org/732/Fire-Preparedness>, accessed March 20, 2020.

¹⁴⁰ Fire Safe Marin, 2020, available online at <https://www.firesafemarin.org/>, accessed March 20, 2020.

¹⁴¹ Marin Wildfire Prevention and Mitigation Initiative, 2020, Marin Wildfire Prevention Authority, available online at <https://www.marinwildfire.org/>, accessed April 20, 2020.

¹⁴² Central Marin Fire Department, 2019, About Us, available online at <https://centralmarinfire.org/>, accessed April 20, 2020.

ENVIRONMENTAL ANALYSIS

d)

The proposed project would not include any physical development and therefore would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. All future redevelopment will be subject to local design review, Central Marin Fire Department review, and CEQA analysis to ensure that future project impacts would also not expose people or structures to significant risks. Therefore, the proposed amendments are expected to result in a less than significant impact.

Mitigation Measures

No mitigation beyond compliance with the relevant policies, regulations, and programs identified in this section.

ENVIRONMENTAL ANALYSIS**XXI. MANDATORY FINDINGS OF SIGNIFICANCE**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
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)

The four hotel bonus areas of the proposed project occur within a well-established and developed commercial area within the Town of Corte Madera. The proposed amendments to the Town's zoning ordinance, allowing up to four hotels in the Town to have an increased FAR, is consistent with General Plan land use, goals, policies, and programs. The hotel bonus areas are within an established urban environment which lacks natural habitat supportive of sensitive wildlife populations. Any future development or redevelopment within the project areas would be subject to CEQA level review on an individual project basis and would be analyzed for potential impacts to the quality of the environment, habitat of fish and wildlife species or populations, plant or animal communities, rare or endangered plants or animals, or of major period of California history or prehistory. Future analysis, including a cultural and biological report may be prepared for any future proposed development in an effort to analyze potential project level effects. Direct effects to the environment resultant from the proposed amendments to the Town's zoning ordinance would not occur and there is no physical development that would be permitted under the proposed project. All future development would involve discretionary review by the Town and, therefore, the project would not substantially alter existing natural and urban conditions of the four hotel bonus areas and no direct environmental impacts would occur. Therefore, the project is expected to result in less than significant impact to the environment described in this criteria threshold.

b)

The proposed project is consistent with Town's General Plan insofar as the hotel bonus areas are within an existing commercial zone. The General Plan EIR specifies that buildout under the General Plan Land Use Map would include population and housing increases which would not exceed ABAG projections for the

ENVIRONMENTAL ANALYSIS

Plan area. The proposed project would not include any physical development and therefore, does not have potential impacts that are individually limited, but cumulatively considerable. However, the proposed project consists of zoning ordinance amendments which would allow hotel uses in four areas in the Town to have an increased Floor Area Ratio (FAR) than currently allowed. The increased FAR resulting from the proposed amendment would remain consistent with the mixed-use character of the existing area as well as with the policies and programs found within the General Plan. Furthermore, the proposed amendment would not result in an exceedance of the ABAG projections for population, because the uses prescribed by the zoning amendment would be for intermittent housing of commercial nature rather than permanent residential uses which would result in an increase in population. Any cumulative impacts associated with future development within the project hotel bonus area's will be considered during site specific design review of development applications as they are received by the Town. Mitigation measure would be incorporated, as needed, to reduce impacts to less than significant. Because there are no physical changes proposed through the proposed project and it would be speculative at this time to assume how development would occur on any one particular site within the C-3, C-4, or MX-1 zoning districts, all future projects will undergo CEQA level review including an analysis of community impacts. Therefore the proposed project would result in less than significant cumulative impacts.

c)

The proposed project would not include any physical development and therefore, does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. Nevertheless, the proposed project consists of zoning ordinance amendments which would allow hotel uses in the C-4 zoning district; an increased Floor Area Ratio (FAR) than currently allowed in the C-3 and MX-1 districts (and proposed to be allowed in the C-4 district); and an increased height limit of 47 feet in all four hotel bonus areas. These four areas in the town are fully built out with commercial uses and therefore, the amendment is not expected to substantially alter the existing urban environment, which currently consists of a variety of high commercial intensity uses. Future development would be guided by policies and programs within the General Plan for all mixed-use development applications to incorporate design features which would avoid environmental effects which may cause adverse effects on human beings. Any potential impacts to human beings due to future development would be reviewed by the Town and would be required to incorporate site specific mitigation measures to reduce impacts to less than significant. Furthermore, all future projects will be subject to individual CEQA review including an analysis of the direct or indirect environmental effects on human beings. Therefore, the proposed zoning amendments would result in less than significant impacts.

5. Mitigation Monitoring and Reporting Program

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Hotel Floor Area Bonus Ordinance Project (proposed project). The purpose of the MMRP is to ensure the implementation of project-specific mitigation measures identified as part of the environmental review for the proposed project. The MMRP includes the following information:

- The full text of the mitigation measures;
- The party responsible for implementing the mitigation measures;
- The timing for implementation of the mitigation measure;
- The agency responsible for monitoring the implementation; and
- The monitoring action and frequency.

The Town of Corte Madera must adopt this MMRP, or an equally effective program, if it approves the proposed project with the mitigation measures that were adopted or made conditions of project approval.

MITIGATION MONITORING AND REPORTING PROGRAM

TABLE 5-1 MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
AIR QUALITY					
Mitigation Measure AQ-1a: Development of hotel projects would not be exempt from CEQA and this mitigation measure shall apply to all future hotel projects within the proposed project zoning amendment districts. Prior to issuance of any construction permits for development projects, development project applicants shall prepare and submit to the Town of Corte Madera Planning Department a technical assessment evaluating potential project regional and localized construction-related air quality impacts. The evaluation shall be prepared in conformance with Bay Area Air Quality Management District (BAAQMD) methodology in assessing air quality impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the BAAQMD regional (average daily emissions) and localized (risk and hazards) thresholds of significance, as identified in BAAQMD's CEQA Air Quality Guidelines, the Town shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities to below these thresholds. These identified measures shall be incorporated into appropriate construction documents (e.g., construction management plans) submitted to the Town and shall be verified by the Town's Planning Department.	Applicant	Prior to construction During construction.	Town of Corte Madera	Plan Review and Approval	During project approval During scheduled construction site inspections
Mitigation Measure AQ-1b: The applicant/construction contractor shall be required to specify in the construction bid that the project construction contractor shall comply with the following the Bay Area Air Quality Management District's best management practices for reducing construction emissions of uncontrolled fugitive dust (coarse inhalable particulate matter [PM10] and fine inhalable particulate matter [PM2.5]): Water all active construction areas at least twice daily, or as often as needed to control dust emissions. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.	Applicant	During construction	Town of Corte Madera	Plan Review and Approval	During scheduled construction site inspections

MITIGATION MONITORING AND REPORTING PROGRAM**TABLE 5-1** **MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
▪ Pave, apply water twice daily or as often as necessary to control dust, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites. ▪ Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer). ▪ Sweep daily (with water sweepers using reclaimed water if possible) or as often as needed all paved access roads, parking areas and staging areas at the construction site to control dust. ▪ Sweep public streets daily (with water sweepers using reclaimed water if possible) in the vicinity of the project site, or as often as needed, to keep streets free of visible soil material. ▪ Hydroseed or apply non-toxic soil stabilizers to inactive construction areas. ▪ Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt/sand). ▪ Limit vehicle traffic speeds on unpaved roads to 15 miles per hour. ▪ Replant vegetation in disturbed areas as quickly as possible. ▪ Install sandbags or other erosion control measures to prevent silt runoff from public roadways. These measures shall be noted on grading plans prepared by the future project applicant. The construction contractor shall implement these measures during ground disturbing activities. The Town of Corte Madera shall verify compliance that these measures have been implemented during normal construction site inspections.					
Mitigation Measure AQ-1.2: Implement Mitigation Measure 1a.	Applicant	Prior to construction During construction.	Town of Corte Madera	Plan Review and Approval	During project approval During scheduled construction site inspections

MITIGATION MONITORING AND REPORTING PROGRAM

TABLE 5-1 MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
Mitigation Measure AQ-1.3: Development of hotel projects would not be exempt from CEQA and this mitigation measure shall apply to all future hotel projects within the proposed project zoning amendment districts. Prior to discretionary approval by the Town of Corte Madera for development projects, project applicants shall prepare and submit a technical assessment evaluating potential project operation phase-related air quality and greenhouse gas (GHG) impacts to the Town of Corte Madera Planning Department for review and approval. The evaluation shall be prepared in conformance with Bay Area Air Quality Management District (BAAQMD) methodology in assessing air quality impacts. If operation-related air pollutants are determined to have the potential to exceed the BAAQMD thresholds of significance (average daily and tons per year), as identified in the BAAQMD's CEQA Air Quality Guidelines, or 660 metric tons of carbon dioxide-equivalent emissions annually (MTCO₂e/yr) for GHG emissions, the Town shall require that applicants for new development projects incorporate mitigation measures to reduce emissions during operational activities. The identified measures shall be included as part of the conditions of approval. Possible mitigation measures to reduce long-term emissions can include, but are not limited to the following: - Require that new hotels be designed and built to use all electric energy systems (e.g., induction stoves, electric ovens, electric heating, electric water heaters). Use of natural gas shall be prohibited in new hotel construction. - Require installation of solar panels to offset electricity demand. - Provide bicycle parking facilities equivalent to or greater than as specified in Section A4.106.9 (Residential Voluntary Measures) of the CALGreen Code. - Provide preferential parking spaces for low-emitting, fuel-efficient, and carpool/van vehicles equivalent to or greater than Section A5.106.5.1 of the CALGreen Code (Nonresidential Voluntary Measures). - Provide facilities to support electric charging stations per Section A5.106.5.3 (Nonresidential Voluntary Measures) and Section	Applicant	Prior to construction During construction.	Town of Corte Madera	Plan Review and Approval	During project approval During scheduled construction site inspections

MITIGATION MONITORING AND REPORTING PROGRAM**TABLE 5-1 MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
A5.106.8.2 (Residential Voluntary Measures) of the CALGreen Code. ▪ Applicant-provided appliances shall be Energy Star-certified appliances or appliances of equivalent energy efficiency (e.g., dishwashers, refrigerators, clothes washers, and dryers). Installation of Energy Star-certified or equivalent appliances shall be verified by Building & Safety during plan check. ▪ For GHG emissions that cannot be reduced onsite, the Applicant can purchase voluntary carbon offsets (i.e., not compliance offsets) from the California Air Resources Board (CARB) approved Offset Project Registries (i.e., Climate Action Reserve, Verra, American Carbon Registry) or forecasted mitigation units (FMUs) (GHG Mitigation Credits) from the Climate Action Reserve's Climate Forward program. The voluntary carbon offsets or FMUs must be real, additional, permanent, confirmable, and enforceable. The order of preference for purchase of voluntary carbon offsets or FMUs shall be as follows: 1) within the Town; 2) within the San Francisco Bay Area Air Basin; 3) within the State of California; then 4) elsewhere in the United States. Evidence of payments, and funding of an escrow-type account or endowment fund shall be submitted to the Town by the project applicant. Prior to issuance of the certificate of occupancy, the project applicant shall submit to the Town of Corte Madera Planning Department official or his/her designee, the necessary documentation to verify the agreement to purchase the necessary voluntary carbon offsets or FMUs to offset project emissions to below 660 MTCO₂e per year.					
Mitigation Measure AQ-1.4a: The project applicant shall be required to specify in the construction bid that the project construction contractor(s) and subcontractor(s) comply with the following requirements for all off-road equipment greater than 50 hp that will be operating for more than 20 hours over the entire duration of the construction activities at the site: ▪ Have engines that meet either US EPA or California Air Resources Board (CARB) Tier 4 Final emission standards. Ensure that all construction plans submitted to the Town clearly show	Applicant	During construction	Town of Corte Madera, Planning and Building	Plan Review and Approval	During scheduled construction site inspections

MITIGATION MONITORING AND REPORTING PROGRAM

TABLE 5-1 MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
the selected emission reduction strategy for construction equipment over 50 horsepower. - Maintain a list of all operating equipment in use on the project site for verification by Town official or his/her designee. The construction equipment list shall state the makes, models, and number of construction equipment on-site. Ensure that all equipment shall be properly serviced and maintained in accordance with the manufacturer's recommendations. - Communicate with all sub-contractors in contracts and construction documents that all non-essential idling of construction equipment is restricted to 5 minutes or less in compliance with California Air Resources Board Rule 2449 and is responsible for ensuring that this requirement is met.					
BIOLOGICAL RESOURCES					
Mitigation Measure BIO-1a: Nests of raptors and other birds shall be protected when in active use, as required by the federal Migratory Bird Treaty Act and the California Fish and Game Code. If construction activities and any required tree removal are proposed to occur during the breeding season (February 1 and August 31), the construction contractor shall indicate, on all construction plans, that preconstruction surveys shall: - Be conducted by a qualified biologist prior to tree removal or grading, demolition, or construction activities. Note that preconstruction surveys are not required for tree removal or construction, grading, or demolition activities outside the nesting period. - Be conducted no more than 14 days prior to the start of tree removal or construction. - Be repeated at 14-day intervals until construction has been initiated in the area after which surveys can be stopped. - Document locations of active nests containing viable eggs or young birds.	Applicant	Prior to construction During construction	Qualifying biologist in consultation with California Department of Fish and Wildlife as needed	Preconstruction Survey	Once for survey; ongoing if nesting birds identified and until they have left the nest

MITIGATION MONITORING AND REPORTING PROGRAM**TABLE 5-1 MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
Mitigation Measure BIO-1b: Protective measures for active nests containing viable eggs or young birds shall be implemented under the direction of the qualified biologist until the nests no longer contain eggs or young birds. Protective measures shall include: ▪ Establishment of clearly delineated exclusion zones (i.e., demarcated by identifiable fencing, such as orange construction fencing or equivalent) around each nest location as determined by the qualified biologist, taking into account the species of birds nesting, their tolerance for disturbance and proximity to existing development. In general, exclusion zones shall be a minimum of 300 feet for raptors and 75 feet for passerines and other birds. ▪ Monitoring active nests within an exclusion zone on a weekly basis throughout the nesting season to identify signs of disturbance and confirm nesting status. ▪ An increase in the radius of an exclusion zone by the qualified biologist if project activities are determined to be adversely affecting the nesting birds. Exclusion zones may be reduced by the qualified biologist only in consultation with California Department of Fish and Wildlife. The protection measures shall remain in effect until the young have left the nest and are foraging independently or the nest is no longer active.					
GREENHOUSE GAS EMISSIONS					
Mitigation Measure GHG-1: Implementation of AQ-1.3.	Applicant	Prior to construction During construction.	Town of Corte Madera, Planning and Building	Plan Review and Approval	During project approval During scheduled construction site inspections
NOISE					
Mitigation Measure NOI-1: Perform Noise Analyses: Require noise-specific noise analysis where noise sensitive land uses are proposed in proximity to sensitive noise sources (such as residences, schools, nursing homes, hospitals and day care operations), or where similar sources are proposed to be located near noise-sensitive land uses.	Applicant	Prior to construction During construction.	Town of Corte Madera, Planning and Building	Plan Review and Approval	During project approval During scheduled

MITIGATION MONITORING AND REPORTING PROGRAM

TABLE 5-1 MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
Noise mitigation shall be included where results of the study warrant such actions. Noise mitigation measures applicable to future development include, but are not limited to: ▪ The project sponsor and contractors shall prepare a Construction Noise Control Plan. The details of the Construction Noise Control Plan shall be included as part of the permit application drawing set and as part of the construction drawing set. ▪ Limit construction to between 7:00 a.m. and 5:00 p.m. on weekdays, and 10:00 a.m., and 5:00 p.m. on weekends. ▪ At least 30 days prior to the start of construction activities, all off-site businesses and residents within 500' of the project site shall be notified of the planned construction activities. The notification shall include a brief description of the project, the activities that would occur, the hours when construction would occur, and the construction period's overall duration. The notification shall include the telephone numbers of the Town's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint. ▪ At least 10 days prior to the start of construction activities, a sign shall be posted at the entrance(s) to the job site, clearly visible to the public, that includes permitted construction days and hours, as well as the telephone numbers of the Town's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint. If the authorized contractor's representative receives a complaint, he/she shall investigate, take appropriate corrective action, and report the action to the Town. ▪ Erect a temporary noise barrier between the construction zone and any sensitive receptors along the project's boundaries. The temporary sound barrier shall have a minimum height of 12 feet and be free of gaps and holes. The barrier can be (a) a ¾-inch-thick plywood wall OR (b) a hanging blanket/curtain with a surface density or at least 2 pounds per square foot. ▪ During the entire active construction period, equipment and trucks used for project construction shall utilize the best available					construction site inspections

MITIGATION MONITORING AND REPORTING PROGRAM**TABLE 5-1 MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
noise control techniques (e.g., improved mufflers, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds), wherever feasible. - Require the contractor to use impact tools that are hydraulically or electrically powered wherever possible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools. - During the entire active construction period, stationary noise sources shall be located as far from sensitive receptors as possible, and they shall be muffled and enclosed within temporary sheds, or insulation barriers or other measures shall be incorporated to the extent feasible. - Select haul routes that avoid the greatest amount of sensitive use areas. - Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All other equipment shall be turned off if not in use for more than 5 minutes. - During the entire active construction period and to the extent feasible, the use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. The construction manager shall use smart back-up alarms, which automatically adjust the alarm level based on the background noise level, or switch off back-up alarms and replace with human spotters in compliance with all safety requirements and laws.					
Mitigation Measure NOI-1.2: Mechanical equipment shall be selected and designed to reduce impacts on surrounding uses to meet the Corte Madera Municipal Code specifies noise limits of 50 dBA and 45 dBA at residential uses during daytime and nighttime, respectively. A qualified acoustical consultant shall be retained to review mechanical noise as these systems are selected to determine specific noise reduction measures necessary to reduce noise to comply with the Town's noise level requirements. Mechanical	Applicant	During construction Post construction.	Town of Corte Madera, Planning and Building	Plan Review and Approval	During project approval During scheduled construction site inspections Post construction

MITIGATION MONITORING AND REPORTING PROGRAM

TABLE 5-1 MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
equipment shall be selected and designed to reduce impacts on surrounding uses to meet the Town's noise level requirements. Noise reduction measures could include, but are not limited to: ▪ Selection of equipment that emits low noise levels; ▪ Installation of noise dampening techniques, such as enclosures and parapet walls, to block the line-of-sight between the noise source and the nearest receptors; ▪ Locating equipment in less noise-sensitive areas, where feasible.					
Mitigation Measure NOI-1.3: An assessment of peak hour traffic volumes along roadways in the project area would be used to analyze traffic noise through comparing Existing Plus Project peak hour traffic volumes with Existing traffic volumes.	Applicant	Prior to construction During construction	Town of Corte Madera, Planning and Building	Plan Review and Approval	Pre construction During construction Post construction

6. Organizations and Persons Consulted

This Initial Study was prepared by the following consultants and individuals:

LEAD AGENCY

Town of Corte Madera

Adam Wolff, Planning and Building Director

REPORT PREPARERS

Lead IS Consultant

PlaceWorks

Steve Noack, Principal, Principal-in-Charge

Sean Anayah, Associate, Project Manager

Allison Dagg, Project Planner

Nicole Vermilion, Associate Principal, Air Quality and Greenhouse Gas

Josh Carman, Senior Associate, Noise Specialist

Kristie Nguyen, Project Scientist, Air Quality and Greenhouse Gas

Transportation Consultant

Kittelson Associates Inc.

Fernando Sotelo, Transportation Planner

ORGANIZATION AND PERSONS CONSULTED

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Appendix A:

Proposed Hotel Floor Area Bonus Zoning Ordinance Amendments

**PROPOSED AMENDMENTS TO
TITLE 18 – ZONING**

**CHAPTER 18.12 – C - COMMERCIAL DISTRICTS; AND
CHAPTER 18.13 – MX - MIXED USE DISTRICTS**

New proposed text shown in underline; Text to be removed shown in ~~strikeout~~

18.12 – C Commercial Districts

I. General Provisions

18.12 – C Commercial Districts

I. General Provisions

18.12.020 - Permitted and conditional uses in commercial districts.

The following schedule indicates by the symbol "X" the permitted and conditional uses in each commercial district.

Conditional Uses	Local Shopping C-1	Regional Shopping C-2	Highway Commercial C-3	Commercial Service C-4
Hotels and motels	X	X	X	X

18.12.050 - Special floor area ratio provisions for hotels in the C-3 and C-4 zoning district

- a) Notwithstanding the floor area ratio standards of Section(s) 18.12.340 and 18.12.435, the FAR for hotels and any ancillary uses, including but not limited to restaurants or conference facilities, on property within the C-3 and C-4 zoning district that has a net area of land greater than one acre, may be increased up to .70 FAR (in accordance with the FAR assignment schedule described in this Section) if a proposed project meets all of the below conditions and the Planning Commission makes all of the below findings. The floor area devoted to required parking shall not be counted in the calculation of a project's FAR.

- b) The increased floor area for hotels permitted in this Section and in Section 18.13.040 may only be applied to four hotel projects in total, and no more than two hotel projects in each Hotel Bonus Zone. The Hotel Bonus Zones are described in Figure 1.

Conditions

- (1) A proposed project on a parcel of land located entirely or partially within the Special Flood Hazard Area shall meet the Town of Corte Madera's development requirements for residential construction in a Special Flood Hazard Area pursuant to Section 16.10.080(3) of the Corte Madera Municipal Code and shall be subject to otherwise applicable requirements of Title 16; and
- (2) An applicant seeking to utilize the provisions described in this section shall submit an application for preliminary review with the Planning Department and the applicant's project shall require a minimum of one public hearing at a Study Session before the Planning Commission. A primary purpose of the Study Session shall be to preliminarily evaluate the proposed project in light of the additional FAR requested, consistent with the findings and additional FAR assignment schedule described in this Section; and
- (3) An applicant shall hold at least one applicant-sponsored community meeting to solicit feedback and comments from community members prior to submission of an application for preliminary review.

Findings

- (1) The project provides a significant contribution to the aesthetics of the Town's built environment and integration with natural features and incorporates all of the below site and architectural design principles:
 - (A) The totality of the project is designed with a coherent, site-specific architectural idea, that harmonizes the relationships between project components and between the project and adjacent buildings, streets, open spaces, and natural setting, through the use of appropriate building scale, massing, fenestration, exterior materials, landscape architecture, and landscaping; and
 - (B) The project respects and exhibits natural systems and features through building siting, programming, and orientation; and
 - (C) The project organizes components of hotel uses and site design to complement and engage the public realm, with particular focus on the pedestrian and bicycle scale and experience;
 - (D) The project utilizes building materials, construction techniques, and external finishes for the quality, durability, and aesthetic appeal they provide, rather than the cost savings they may achieve.

- (2) The project incorporates quantifiable environmental sustainability measures that exceed existing environmental requirements or mitigation measures, and building code requirements in existence at the time of permit application(s), that are intended to minimize energy and water use, solid waste, greenhouse gas emissions, or otherwise improve a project's environmental sustainability. This finding shall be met if a project is assigned additional floor area in the Environmental Sustainability category pursuant to paragraph (b)(2).
- (3) The project includes on-site programmatic elements, site planning strategies, and/or operational commitments that encourage public use, community gathering, or supports community health and well-being. This finding shall be met if a project is assigned additional floor area in the Community Integration category pursuant to paragraph (b)(2).
- (4) The project includes enhancement of the public realm through upgrades to existing or proposed pedestrian and bicycle infrastructure in excess of that required by environmental mitigation measures or other regulatory requirement. This finding shall be met if a project is assigned additional floor area in the Public Realm category pursuant to paragraph (b)(2).
- c) In determining the total amount of additional FAR permitted pursuant to this section, the following FAR assignment schedule shall be used.

FAR Assignment Schedule

- (1) For each of the above findings, a maximum amount of additional FAR above .34 shall be allocated as follows:
- | | |
|--|------------------------|
| <u>Finding (1) (Design and Aesthetics):</u> | <u>.12 FAR maximum</u> |
| <u>Finding (2) (Environmental Sustainability):</u> | <u>.12 FAR maximum</u> |
| <u>Finding (3) (Community Integration):</u> | <u>.06 FAR maximum</u> |
| <u>Finding (4) (Public Realm):</u> | <u>.06 FAR maximum</u> |
- (2) The following FAR assignment schedule shall be used to assign additional FAR. Examples cited within the Community Integration and Public Realm Findings are intended to provide guidance related to the type of qualifying program or amenity that may satisfy each category within a finding. The examples are not intended to exclude other potential ways of achieving points under the category listed. The Environmental Sustainability Finding shall be met if a project includes at least one of the Required Environmental Options.

<u>Finding</u>	<u>Points (1 point = .01 FAR)</u>
<u>Design and Aesthetics</u>	<u>12 Maximum</u>

	- <u>Points based on extent to which Design Principles described in Finding (1) above are met</u>
<u>Environmental Sustainability</u>	<u>12 Maximum</u> <u>a) Required Environmental Options</u> <u>CalGreen Tier 2 = 12</u> <u>CalGreen Tier 1 = 6</u> <u>CalGreen + 3 electives = 2</u> <u>b) Additional Voluntary Environmental Options</u> <u>General or Climate Action Plan = 2 Max*</u> <u>Examples include:</u> - <u>Bike share program for hotel guests</u> - <u>Employee transportation program</u> - <u>Local shuttle for hotel guests</u> <u>* This option is only available to projects also meeting the CalGreen Tier 1 or CalGreen + 3 Required Environmental Options in paragraph a).</u>
<u>Community Integration</u>	<u>6 Maximum</u> <u>Community-Oriented accessory use = 2 Max</u> <u>Examples Include:</u> - <u>Restaurant</u> - <u>Neighborhood-Serving Retail</u> <u>Dedication of Interior Space = 3 Max</u> <u>Examples Include:</u> - <u>Community Meeting Room</u> - <u>Community Service Organization Space</u> <u>Dedication of Exterior Space = 3 Max</u> <u>Examples Include:</u> - <u>Public Park or Plaza</u> - <u>Habitat Preservation or Creation</u> <u>Community Programming = 3 Max</u> <u>Examples Include:</u> - <u>Public Use of Hotel Amenities (Gym, Pool, Community Discounts, etc.)</u>

	- <u>Provision of Space for Community Events</u> <u>Emergency Response Resource = 2 Max</u> <u>Examples Include:</u> - <u>Designated Disaster Recovery Center</u> <u>Workforce Housing = 6 Max</u> <u>Examples Include:</u> - <u>Development of Employee Housing Units</u> <u>Innovation Category = 2 Max</u>
<u>Public Realm</u>	<u>6 Maximum</u> <u>Pedestrian = 3 Max</u> <u>Examples Include:</u> - <u>Underground Utility Poles in Right of Way</u> - <u>Streetscape Beautification/Enhancement</u> - <u>Safety Measures</u> - <u>Financial Contribution to Project in CIP</u> <u>Bicycle = 3 Max</u> <u>Examples Include:</u> - <u>New/Enhanced bicycle lanes</u> - <u>Safety Measures</u> - <u>Financial Contribution to Project in CIP</u>

The maximum FAR for hotels allowed in this Section is not intended as a target to be achieved, but rather is the maximum allowable for any lot. The Planning Commission may approve less than the maximum allowable FAR in order to ensure that proposed development meets the above required findings or findings related to other Sections of this Title.

18.12.340 – Floor Area Ratio

Gross floor area shall not exceed thirty-four percent of the net site area, exclusive of the floor area devoted to required parking, except as set forth in Section 18.12.050.

18.13 – MX Mixed Use Districts

I. General Provisions

18.13.040 – Special floor area ratio provisions for hotels in MX Districts

- a) Notwithstanding the floor area ratio standards of Section(s) 18.13.145, the FAR for hotels/motels and any ancillary uses, including but not limited to, restaurants or conference facilities, on property within MX zoning districts, with a net area of land greater than one acre, may be increased up to .70 FAR (in accordance with the FAR assignment schedule below) if a proposed project meets the following conditions and the Planning Commission makes all of the below findings. The floor area devoted to required parking shall not be counted in the calculation of a project's FAR.
- b) The increased floor area for hotels permitted in this Section and in Section 18.12.050 may only be applied to four hotel projects, and no more than two hotel projects in each Hotel Bonus Zone. The Hotel Bonus Zones are described in Figure XX

Conditions

- (1) A proposed project on a parcel of land located entirely or partially within the Special Flood Hazard Area shall meet the Town of Corte Madera's development requirements for residential construction in a Special Flood Hazard Area pursuant to Section 16.10.080(3) of the Corte Madera Municipal Code and shall be subject to otherwise applicable requirements of Title 16; and
- (2) An applicant seeking to utilize the provisions described in this section shall submit an application for preliminary review with the Planning Department and the applicant's project shall require a minimum of one public hearing at a Study Session before the Planning Commission. A primary purpose of the Study Session shall be to preliminarily evaluate the proposed project in light of the additional FAR requested, consistent with the findings and additional FAR assignment schedule described in this Section; and
- (3) An applicant shall hold at least one applicant-sponsored community meeting to solicit feedback and comments from community members prior to submission of an application for preliminary review.

Findings

- (1) The project provides a significant contribution to the aesthetics of the Town's built environment and integration with natural features and incorporates all of the below site and architectural design principles:
 - (A) The totality of the project is designed with a coherent, site-specific architectural idea, that harmonizes the relationships between project components and between the project and adjacent buildings, streets, open spaces, and natural setting, through the use of appropriate building scale, massing, fenestration, exterior materials, landscape architecture, and landscaping; and

- (B) The project respects and exhibits natural systems and features through building siting, programming, and orientation; and
- (C) The project organizes components of hotel uses and site design to complement and engage the public realm, with particular focus on the pedestrian and bicycle scale and experience;
- (D) The project utilizes building materials, construction techniques, and external finishes for the quality, durability, and aesthetic appeal they provide, rather than the cost savings they may achieve.
- (2) The project incorporates quantifiable environmental sustainability measures as described in the table in paragraph (b) (2) that exceed existing environmental requirements or mitigation measures, and building code requirements in existence at the time of permit application(s), that are intended to minimize energy and water use, solid waste, greenhouse gas emissions, or otherwise improve a project's environmental sustainability. This finding shall be met if a project is assigned additional floor area in the Environmental Sustainability category pursuant to paragraph (b)(2); and,
- (3) The project includes on-site programmatic elements, site planning strategies, and/or operational commitments that encourage public use, community gathering, or supports community health and well-being. This finding shall be met if a project is assigned additional floor area in the Community Integration category pursuant to paragraph (b)(2); and,
- (4) The project includes enhancement of the public realm through upgrades to existing or proposed pedestrian and bicycle infrastructure in excess of that required by environmental mitigation measures or other regulatory requirement. This finding shall be met if a project is assigned additional floor area in the Public Realm category pursuant to paragraph (b)(2).
- c) In determining the total amount of additional FAR permitted pursuant to this section, the following FAR assignment schedule shall be used.

FAR Assignment Schedule

- (1) For each of the above findings, a maximum amount of additional FAR above .34 shall be allocated as follows:
- | | |
|--|------------------------|
| <u>Finding (1) (Design and Aesthetics):</u> | <u>.12 FAR maximum</u> |
| <u>Finding (2) (Environmental Sustainability):</u> | <u>.12 FAR maximum</u> |
| <u>Finding (3) (Community Integration):</u> | <u>.06 FAR maximum</u> |
| <u>Finding (4) (Public Realm):</u> | <u>.06 FAR maximum</u> |

- (2) The following FAR assignment schedule shall be used to assign additional FAR. Examples cited within the Community Integration and Public Realm Findings are intended to provide guidance related to the type of qualifying program or amenity that may satisfy each category within a finding. The examples are not intended to exclude other potential ways of achieving points under the category listed. The Environmental Sustainability Finding shall be met if a project includes one of the Required Environmental Options.

<u>Finding</u>	<u>Points (1 point = .01 FAR)</u>
<u>Design and Aesthetics</u>	<u>12 Maximum</u> - <u>Points based on extent to which Design Principles described in Finding (1) above are met</u>
<u>Environmental Sustainability</u>	<u>12 Maximum</u> 6) <u>Required Environmental Options</u> <u>CalGreen Tier 2 = 12</u> <u>CalGreen Tier 1 = 6</u> <u>CalGreen + 3 electives = 2</u> <u>b) Voluntary Environmental Options</u> <u>General or Climate Action Plan = 2 Max*</u> <u>Examples include:</u> - <u>Bike share program for hotel guests</u> - <u>Employee transportation program</u> - <u>Local shuttle for hotel guests</u> <u>* This option is only available to projects also meeting the CalGreen Tier 1 or CalGreen + 3 Required Environmental Options in paragraph a).</u>
<u>Community Integration</u>	<u>6 Maximum</u> <u>Community-Oriented accessory use = 2 Max</u> <u>Examples Include:</u> - <u>Restaurant</u> - <u>Neighborhood-Serving Retail</u> <u>Dedication of Interior Space = 3 Max</u> <u>Examples Include:</u> - <u>Community Meeting Room</u>

	- <u>Community Service Organization Space,</u> <u>Dedication of Exterior Space = 3 Max</u> <u>Examples Include:</u> - <u>Public Park or Plaza</u> - <u>Habitat Preservation or Creation</u> <u>Community Programming = 3 Max</u> <u>Examples Include:</u> - <u>Public Use of Hotel Amenities (Gym, Pool, Community Discounts, etc.)</u> - <u>Provision of Space for Community Events</u> <u>Emergency Response Resource = 2 Max</u> <u>Examples Include:</u> - <u>Designated Disaster Recovery Center</u> <u>Workforce Housing = 6 Max</u> <u>Examples Include:</u> - <u>Development of Employee Housing Units</u> <u>Innovation Category = 2 Max</u>
<u>Public Realm</u>	<u>6 Maximum</u> <u>Pedestrian = 3 Max</u> <u>Examples Include:</u> - <u>Underground Utility Poles in Right of Way</u> - <u>Streetscape Beautification/Enhancement</u> - <u>Safety Measures</u> - <u>Financial Contribution to Project in CIP</u> <u>Bicycle = 3 Max</u> <u>Examples Include:</u> - <u>New/Enhanced bicycle lanes</u> - <u>Safety Measures</u> - <u>Financial Contribution to Project in CIP</u>

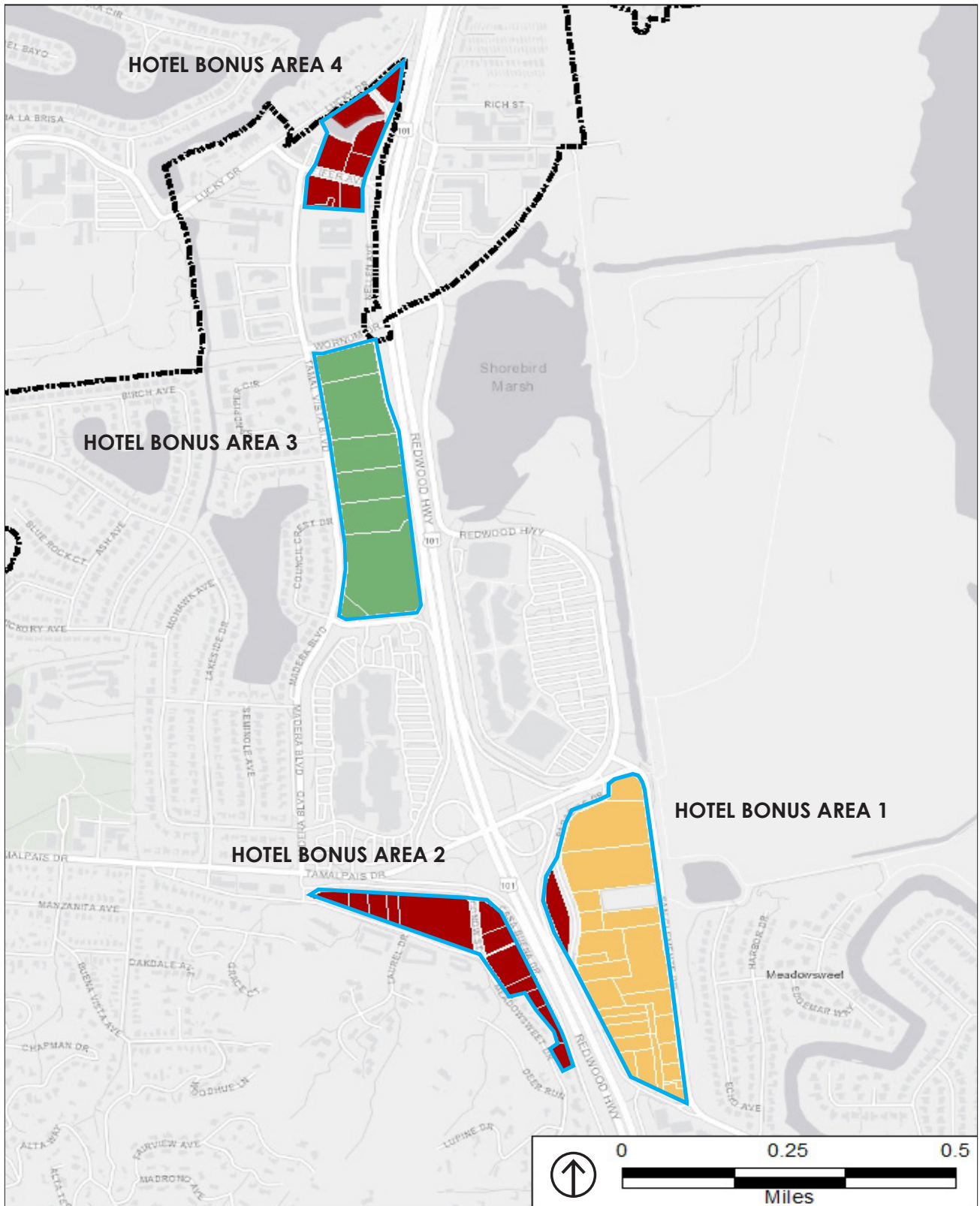
The maximum FAR for hotels allowed in this Section is not intended as a target to be achieved, but rather is the maximum allowable for any lot. The Planning Commission may approve less than the maximum allowable FAR in order to ensure that proposed development meets the above required findings or findings related to other Sections of this Title. *****

18.13.145 – Floor area ratio (FAR) and residential density

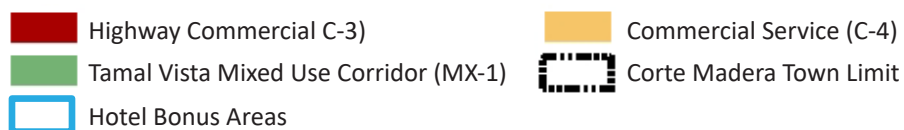
- (a) Gross floor area of all non-residential uses permitted and conditionally permitted in the MX-1 district shall not exceed .34 FAR, except as set forth in Section 18.13.040.
- (b) The gross floor area for sites that include residential uses shall not exceed .4 FAR, provided that a minimum .04 FAR includes non-residential uses permitted or conditionally permitted in the MX-1 district and that such uses are located in the Neighborhood Zone, as defined herein. The maximum permitted residential density shall be 15.1 units/acre. For the purpose of calculating residential density, portions of the site developed with non-residential uses shall be included in the calculation of gross area of land. If, after calculating the permitted number of units, a remainder of more than .5 units exists, the total number of units shall be rounded up to the next greater whole number; remainders of .5 units or less, shall be rounded down to the next lower whole number.
- (c) Gross floor area devoted to required parking for either residential or non-residential uses shall not be counted toward FAR.

18.13.150 - Provisions for increasing residential density and/or floor area ratio.

- (a) Notwithstanding the provisions of Section 18.13.145, residential density may be increased to 20.0 units/acre for projects that include senior housing, as defined in California Civil Code Section 51.3 (b)(1), provided that such project include deed restrictions ensuring continued use of the site for senior housing and provided that a minimum .05 FAR includes non-residential uses permitted or conditionally permitted in the MX-1 district.
- (b) Applications to increase density pursuant to the State Density Bonus Law (California Government Code Section 65915 - 65918) shall be made in accordance with Section 18.24.125.
- (c) Notwithstanding the provisions of Section 18.13.145, the FAR for non-residential intensity uses, except for hotels/motels, may be increased up to .5 FAR if the Planning Commission finds that the increase in ~~intensity~~ FAR is necessary to support the provision of on-site community services by a not-for-profit provider or that the proposed project provides extraordinary on-site amenities for public use and/or enjoyment.



Source: Esri, 2019; PlaceWorks, 2020.



Appendix B:
Transportation Memorandum

MEMORANDUM

Date: April 7, 2020

Project #: 24967

To: Steve Noack and Sean Anayah, PlaceWorks

From: Lilian Wu; Fernando Sotelo; Damian Stefanakis

Project: Corte Madera Zoning Amendment

Subject: Transportation Evaluation for the Town of Corte Madera Hotel Floor Area Bonus Ordinance

Kittelison and Associates (Kittelison) is pleased to provide a transportation evaluation for the Town of Corte Madera Hotel Floor Bonus Area Ordinance. This evaluation includes an estimate of potential trips with additional hotel rooms associated with the ordinance, a review of traffic volumes and intersections levels of service in the area, and an assessment of effects on the circulation system with the added trips to the roadway network.

PROJECT DESCRIPTION

The Town of Corte Madera (Town) is proposing amendments to Chapter 18.12 – C (Commercial Districts) and Chapter 18.13 – MX (Mixed Use Districts) of the Zoning Ordinance to amend the permitted Floor Area Ratio (FAR)¹ through adoption of a Floor Area Bonus overlay. The proposed Ordinance (Ordinance) would establish a framework for permitting a floor area bonus for hotel development on lots greater than one acre in size within the C-3, C-4 and MX-1 zoning districts provided that specific conditions and criteria related to site planning and design, environmental sustainability, community integration and public realm are met. The bonus would permit up to a maximum 0.70 FAR where the existing maximum is 0.34 FAR.

There are four areas within the Town where the proposed overlay would be applied, as shown in Attachment A. While it is speculative to anticipate the precise mix of uses that would be constructed as a result of the proposing zoning amendments, it is anticipated that more hotel rooms would be developed in these areas. Buildout projections were developed to quantify the additional hotel

¹ Section 18.04.265 of the Corte Madera Code of Ordinances defines FAR as “the gross floor area of all structures on a site, divided by the net area of land”.

development that could occur within each study area. Table 1 summarizes the development potential for the four study areas.

Table 1 Existing Setting and Buildout Projections

Study Area	Zoning Designation (s)	Study Area size (acres)	Existing Hotels	Development Potential Existing Zone a	Development Potential Overlay Zone ab	Net Overlay Increase
1	C-4 & C-3	26 ac.	N/A	Hypothetical Site 1 Rooms: 64	Hypothetical Site 1 Rooms: 131	Rooms: 67
2	C-3	9.5 ac.	<i>Americas Best Value Inn</i> Rooms: 18	Hypothetical Site 2 Rooms: 50	Hypothetical Site 2 Rooms: 103	Rooms: 53
			<i>Budget Inn</i> Rooms: 13			
3	MX-1	18 ac.	<i>Marin Suites</i> Rooms: 101	Hypothetical Site 3 Rooms: 91	Hypothetical Site 3 Rooms: 188	Rooms: 97
			<i>Best Western CM Inn</i> Rooms: 110			
4	C-3	5.1 ac.	N/A	Hypothetical Site 4 Rooms: 41	Hypothetical Site 4 Rooms: 84	Rooms: 43
Total Buildout				Rooms: 246	Rooms: 507	Rooms: 261

Source: PlaceWorks 2020

Notes: sf. = Square feet; ac = acres, N/A = not applicable, no existing hotel rooms

^a Assumes one hotel room for every 400 square feet of building area dedicated solely to lodging. Note that 20% of building area is not used for lodging (offices, hallways, other public spaces). Number of rooms is calculated as follows: building area minus 20%: remaining building area divided by 400 square feet equals number of rooms.

^b Assumes construction of one hotel per Study Area, under maximum overlay potential.

STUDY AREA AND EXISTING TRAFFIC VOLUMES

This memorandum focuses on potential transportation impacts related to the four study areas within the Town where the proposed overlay would be applied. Table shows the 2020 Average Daily Traffic (ADT) information for twelve key study segments. Key study segments are the ones where the four study areas would have the highest potential to generate trips to roadways and intersections. The segments were selected based on the location of the four study areas, a review of the circulation network and land uses in the region. The existing traffic volumes were obtained from a review of several traffic studies with data ranging from 2016 and 2017 conditions, and adjusted to 2020 conditions based on an annual growth rate of 1% per year, which is consistent with historic and projected trends in the Town. As shown in Table 2, the study roadways currently have ADT volumes ranging from 4,600 to 22,400.

Table 2 Study Roadway Segments Average Daily Traffic (ADT), Existing Conditions

#	Road Name	Cross Street A	Cross Street B	2020 ADT ¹
1	Lucky Dr	Fifer Ave	Nellen Ave	12,000
2	Fifer Ave	Tamal Vista Blvd	Nellen Ave	8,400
3	Tamal Vista Blvd	Fifer Ave	Wornum Dr	10,900
4	Wornum Dr	Tamal Vista Blvd	US 101	8,300
5	Tamal Vista Blvd	Wornum Dr	Madera Blvd	8,000
6	Madera Blvd	Tamal Vista Blvd	US 101	8,200
7	Madera Blvd	Council Crest Dr / Madera Blvd	Tamalpais Dr	10,100
8	Tamalpais Dr	Lakeside Dr	Madera Blvd	17,700
9	Tamalpais Dr	Madera Blvd	US 101	22,400
10	Sanford St	Casa Buena Dr	Meadowsweet Dr	4,600
11	Paradis Dr	East of San Clemente Dr		17,200
12	San Clemente Dr	Tamalpais Dr	Paradise Dr	19,400

¹ 2020 Average Traffic Volumes (ADT)s are estimated based on historical data sources and an annual growth rate of 1%.
Kittelson & Associates, Inc. 2020

PROJECT TRIP GENERATION

Trip generation estimates were prepared for the four study areas. These results are based on the Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition). ITE codes 310 for Hotel and 320 for Motel are used for trip generation. Attachment B includes the trip rates and the detailed calculations for each hotel/motel and for each study area.

Table 3 summarizes the number of daily and peak hour trips for the four study areas under (1) existing conditions, (2) existing zone potential development, and (3) the proposed ordinance change. The results in Table 3 indicate the following:

- Compared to existing conditions, the project would have a potential to increase the number of trips by 2,913 daily (138 in the AM peak hour and 191 in the PM peak hour).
- Compared to the development potential under the existing zone, the project would have a potential to increase the number of daily trips by 2,173 (121 in the AM peak hour and 156 in the PM peak hour).
- During the commuter peak hours, the higher traffic volumes occur in the PM peak hour. Rather than the increases occurring at one site impacting a particular area surrounding one site, these trips would occur in four separate areas in the Town (see Attachment A) being distributed over several roadways and segments. When compared to existing conditions the highest traffic increase in the PM peak hour would be at Area 1 with 79 additional trips. When compared to the existing zone development potential, the highest traffic increase in the PM peak hour would be at Area 3 with 58 additional trips.

Table 3 Trip Generation comparison for Existing setting and Buildout Projections

Study Area	(1) Existing Hotels	(2) Development Potential Existing Zone ³	(3) Development Potential Overlay Zone ³	Increase (3)-(1)	Increase (3)-(2)
Daily Trip Generation					
1	0	535	1,095	1,095	560
2	104 ¹	418	861	757	443
3	1,213 ²	761	1,572	359	811
4	0	343	702	702	359
TOTAL	1,317	2,057	4,230	2,913	2,173
AM Peak Hour Trip Generation					
1	0	30	61	61	31
2	11	24	49	38	25
3	88	43	88	0	45
4	0	19	39	39	20
TOTAL	99	116	237	138	121
PM Peak Hour Trip Generation					
1	0	39	79	79	40
2	11	30	62	51	32
3	103	55	113	10	58
4	0	25	51	51	26
Total	114	149	305	191	156

¹ Existing Hotels include Americas Best Value Inn and Budget Inn, for which trip generations are estimated as Motel Lodging in ITE.

² Existing Hotels include Marin Suites Hotel estimated as Hotel Lodging in ITE and Best Western CM Inn estimated as Motel Lodging in ITE.

³ Development scenarios assume all future hotels fall in the Hotel Lodging category in ITE for trip generations.
Kittelson & Associates, Inc. 2020

ASSESSMENT OF POTENTIAL TRAFFIC INCREASES

The Town of Corte Madera General Plan includes policy CIR-1.2, which requires that intersections LOS to be maintained when considering new development in Corte Madera. Implementation Program CIR-1.1a requires signalized intersections to operate at Level of Service (LOS) D². Traffic studies in Corte Madera normally determine that traffic impacts would occur when a project degrades an intersection to a level of service worse than LOS D.

Several traffic analyses have been conducted in recent years for projects in the vicinity of the four study areas in the Town of Corte Madera. A review of several analyses from 2008 to 2017 have indicated that future development will comply with the General Plan criteria of LOS “D” or better.

Table 4 shows the key roadways and intersections that would provide access to each study area. As discussed previously, due to the potential development increase, the traffic increases in the peak hours would range from 0 to 61 in the AM peak hour, and from 10 to 79 in the PM peak hour. The highest traffic increases would occur at Study Areas 1 and 3.

Table 4 Boundary Roadways and Adjacent Intersections for Study Areas

Study Area	Boundary Roadways	Adjacent Intersections
1	Tamalpais Drive to the north, San Clemente Drive to the east, and Paradise Drive to the south and west	San Clemente Dr & Paradise Dr San Clemente Dr & Tamalpais Dr
2	Casa Buena Drive to the north, U.S. 101 to the east, Sanford Street to the west, and Meadowsweet Drive to the southwest.	Madera Blvd/Sanford St & Tamalpais Dr
3	US 101 to the east, Madera Boulevard to the south, Tamal Vista Boulevard to the west, and Wornum Drive to the north	Wornum Dr & Tamal Vista Blvd Madera Blvd & Tamalpais Drive
4	south of Fifer Avenue between Tamal Vista Boulevard to the west, and Nellen Avenue to the east	Fifer Ave & Tamal Vista Blvd

Roadway Segments

The potential impact on local roadway segments with the proposed ordinance is evaluated based on the forecasted trip increases and the relative traffic increase to each segment. Table 5 compares the segment volumes for the buildout condition with the project (i.e. Potential Development Overlay Zone) with PM peak hour existing traffic conditions. The segment level traffic volume increases are assumed to be summed for its adjacent study area(s). The project volumes represent a conservative assumption, as they were assumed to be fully added to each segment. In reality these volumes would be less, as they are distributed over the circulation network via several routes. Most roadway segments would

² Town of Corte Madera General Plan Update, 2008;

carry less than 1,500 vehicles per hour per lane, which are considered acceptable. The segment of Paradise Road would approach 1,800 vehicles per hour per lane. However the potential increase in traffic with the project is relatively small and not anticipated to result in degrading roadway operations in that segment.

Table 5 Roadway Volumes Sensitivity Analysis

#	Road Name	Study Area	2020 PM Peak Hour Segment Volume (Bi-direction)		
			Scenario (1) Existing Hotels ¹	Scenario (3) Increase over (1) ²	Scenario (3) Development Potential Overlay Zone
1	Lucky Dr	4	1,200	51	1,251
2	Fifer Ave	4	840	51	891
3	Tamal Vista Blvd	3,4	1,090	61	1,151
4	Wornum Dr	3	830	10	840
5	Tamal Vista Blvd	3	800	10	810
6	Madera Blvd	2,3	820	61	881
7	Madera Blvd		1,010		1,010
8	Tamalpais Dr	2,3	1,770	61	1,831
9	Tamalpais Dr	2,3	2,240	61	2,301
10	Sanford St	2	460	51	511
11	Paradise Dr	1	1,720	79	1,799
12	San Clemente Dr	1	1,940	79	2,019

Kittelson & Associates, Inc. 2020

Notes:

- 1- 2020 PM Peak hour volumes for scenario 1 (existing hotels) are estimated as 1/10 of the ADT forecasts in Table 2.
- 2- The volume increases on each segment for Scenario (3) is based on Table 3. Adjacent study areas are considered for each segment. For example, segment 3 connects study area 3 and 4. Therefore, the increases on segment 3 are assumed to be a sum of both study areas without distributing the trips systematically on the roadway network.

Intersections

As shown in Table 5, the following key intersections are located in close proximity to the four study areas and would likely be the most affected by added traffic that would result from potential added development:

- San Clemente Dr & Paradise Dr
- San Clemente Dr & Tamalpais Dr
- Madera Blvd/Sanford St & Tamalpais Dr
- Wornum Dr & Tamal Vista Blvd
- Madera Blvd & Tamalpais Drive
- Fifer Ave & Tamal Vista Blvd

Future traffic conditions at intersections were evaluated in the Village of Corte Madera Expansion Traffic Impact Analysis (Fehr and Peers 2017). The study concluded that all study intersections would operate at acceptable LOS, except for the intersection of San Clemente Drive at Tamalpais Drive. This intersection would operate at acceptable LOS with mitigation. The mitigation measures consist of intersection improvements to widen the intersection, these improvements were considered feasible. It should be noted that all future projects proposed within the four study areas will be subject to individual project-level California Environmental Quality Act (CEQA) review and project conditions of approval requirements. Specific conditions and mitigation measures would be implemented to address potential transportation impacts associated with specific projects at that time. Pursuant to Senate Bill (SB) 743, the Natural Resources Agency adopted revisions to the CEQA Guidelines to implement SB 743 on December 28, 2018. The revised CEQA Guidelines establish new criteria for determining the significance of transportation impacts. Under the new Guidelines, VMT-related metric(s) that evaluate the significance of transportation-related impacts under CEQA for development projects, land use plans, and transportation infrastructure projects are required beginning on July 1, 2020. The legislation does not preclude the application of local general plan policies, zoning codes, conditions of approval, or any other planning requirements that require evaluation of LOS, but these metrics may no longer constitute the sole basis for determining transportation impacts under CEQA.

CONCLUSION

This traffic evaluation provides an estimate of potential trips with additional hotel rooms associated with the ordinance, a review of traffic volumes and intersections levels of service in the area, and an assessment of effects on the circulation system with the added trips to the roadway network. Trip generation projections were calculated with potential added hotel development where the proposed overlay would be applied. compared to existing conditions. The project would have a potential to increase the number of trips by 2,913 daily (138 in the AM peak hour and 191 in the PM peak hour). Compared to the development potential under the existing zone, the project would have a potential to increase the number of daily trips by 2,173 (121 in the AM peak hour and 156 in the PM peak hour). The traffic increases would range from 0 to 79 trips during the peak hours.

The Town of Corte Madera General Plan requires signalized intersections to operate at Level of Service (LOS) D. The potential impact on local roadway segments with the proposed ordinance is evaluated based on the forecasted trip increases and the relative traffic increase to each segment. As discussed previously because of the existing traffic volumes on roadways and the relatively small traffic related to the project, it is not anticipated that project trips would result in degrading roadway operations at study roadway segments.

Future traffic conditions at study intersections were evaluated using prior traffic studies prepared for other projects in the Town. These studies demonstrated that intersections would operate at acceptable LOS with mitigation. However, future hotel projects proposed within the four study areas will be subject to individual project-level CEQA review and project conditions of approval requirements.

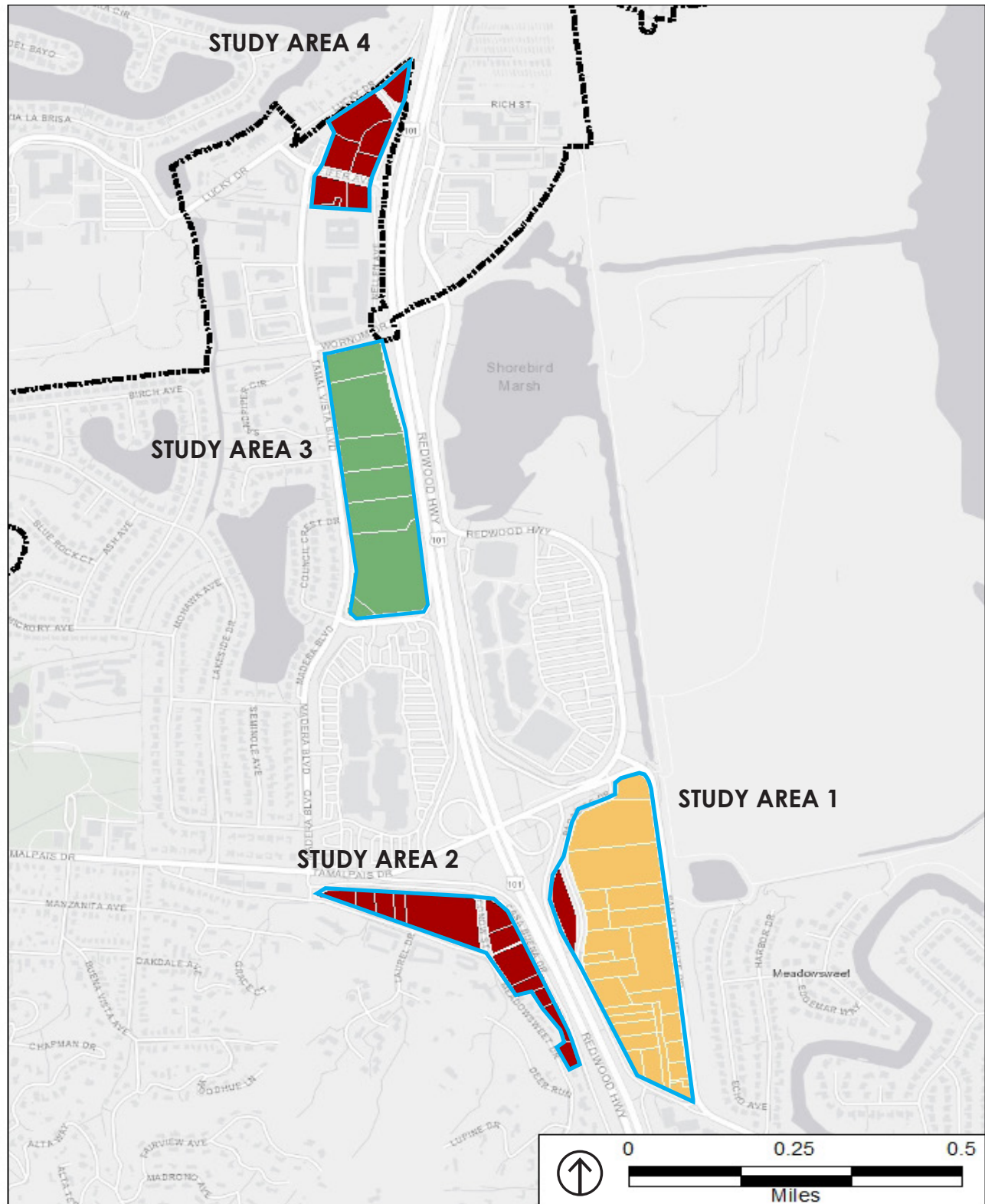
REFERENCES

1. Environmental Impact Report Volume II – Technical Appendices for the Town of Corte Madera General Plan Update, Prepared by PMC, 2008.
2. Amy's Drive Thru -Transportation Impact Study, prepared by Fehr & Peers, 2018.
3. Town of Corte Madera Hotel Market Study, prepared by ECONsolutions, 2019.
4. Corte Madera Inn Rebuild REIT, Chapter 4.12 Transportation/Traffic, prepared by Parisi Transportation Consulting, 2015.
5. Tamal Vista Boulevard Corridor General Plan and Zoning Amendments – Environmental Checklist and Initial Study / Negative Declaration, prepared by Metropolitan Planning Group, 2016.
6. Village at Corte Madera Expansion Transportation Impact Study, prepared by Fehr & Peers, 2017.
7. Hotel Floor Area Bonus Ordinance Initial Study, PlaceWorks, 2020.

Attachment A

Study Area

PROJECT DESCRIPTION



Source: Esri, 2019; PlaceWorks, 2019.

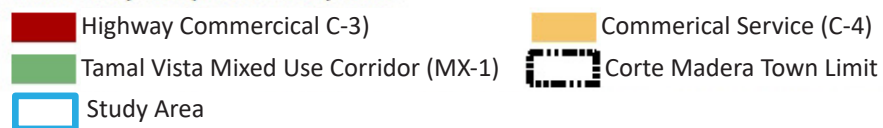


FIGURE 3-1
STUDY AREA MAP

Attachment B

Trip Generation Calculations

TABLE 1 TRIP GENERATION RATES

Land Use	ITE Code	Unit	Trip Generation ¹						
			Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Hotel	310	Rooms	8.36	0.28	0.19	0.47	0.31	0.29	0.60
Motel	320	Rooms	3.35	0.14	0.24	0.38	0.21	0.17	0.38

¹ Trip generation rates for peak hour of adjacent streets, per the ITE Trip Generation Manual 10th Edition.

TABLE 2 PROJECT TRIP GENERATION FOR STUDY AREA 1

Scenario ¹	Land Us	Rooms	Trip Generation for Study Area 1						
			Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Development Potential Existing Zone	Hotel	64	535	18	12	30	20	19	39
Development Potential Overlay Zone	Hotel	131	1,095	36	25	61	40	39	79

¹ Study Area 1 has no existing hotel.

TABLE 3 PROJECT TRIP GENERATION FOR STUDY AREA 2

Scenario	Land Us	Rooms	Trip Generation for Study Area 2						
			Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Existing ¹	Motel	31	104	4	7	11	6	5	11
Development Potential Existing Zone	Hotel	50	418	14	10	24	15	15	30
Development Potential Overlay Zone	Hotel	103	861	29	20	49	32	30	62

¹ Existing includes one Americas Best Value Inn with 18 rooms and one Budget Inn with 13 room.

TABLE 4 PROJECT TRIP GENERATION FOR STUDY AREA 3

Scenario	Land Us	Rooms	Trip Generation for Study Area 3						
			Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
<i>Existing - Marin Suites Hotel</i>	<i>Hotel</i>	<i>101</i>	<i>844</i>	<i>28</i>	<i>19</i>	<i>47</i>	<i>31</i>	<i>30</i>	<i>61</i>
<i>Existing - Best Western CM Inn</i>	<i>Motel</i>	<i>110</i>	<i>369</i>	<i>15</i>	<i>26</i>	<i>41</i>	<i>23</i>	<i>19</i>	<i>42</i>
Existing	Hotel, Motel	211	1,213	43	45	88	54	49	103
Development Potential Existing Zone	Hotel	91	761	25	18	43	28	27	55
Development Potential Overlay Zone	Hotel	188	1,572	52	36	88	58	55	113

TABLE 5 PROJECT TRIP GENERATION FOR STUDY AREA 4

Scenario ¹	Land Us	Rooms	Trip Generation for Study Area 4						
			Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Development Potential Existing Zone	Hotel	41	343	11	8	19	13	12	25
Development Potential Overlay Zone	Hotel	84	702	23	16	39	26	25	51

¹ Study Area 1 has no existing hotel.



1625 Shattuck Avenue, Suite 300
Berkeley, California 94709
510.848.3815

www.placeworks.com