

This section describes the regulatory setting and environmental setting for aesthetic resources in the vicinity of the proposed San Rafael Transit Center Replacement Project (proposed project). It also describes the impacts on aesthetic resources that would result from implementation of the proposed project and other build alternatives and mitigation measures that would reduce significant impacts, where feasible and appropriate. Impacts related to the No-Project Alternative are discussed in Chapter 5, Alternatives to the Project.

3.1.1 Existing Conditions

3.1.1.1 Regulatory Setting

Federal and State

There are no federal or state regulations or plans that are applicable to the proposed project. There are no roadways within or near the project area that are designated in federal or state plans as a scenic highway or a route worthy of protection for maintaining and enhancing scenic viewsheds (Caltrans 2019).

Local

City of San Rafael General Plan 2040

~~The City of San Rafael General Plan 20240~~ contains the following policies pertaining to aesthetic resources that are relevant to the proposed project. There are no roadways within or near the project area that are designated in the general plan as a scenic highway or a route worthy of protection for maintaining and enhancing scenic viewsheds (City of San Rafael ~~2021a~~ 2016). ~~The City of San Rafael (City) is currently working on the Draft San Rafael General Plan 2040, which contains some of the same policies identified in the current general plan. However, a number of policies have been updated or removed to reflect the current conditions within or goals of the City (City of San Rafael 2020a).~~

Policy LU-~~42~~17. Building Heights. Use General Plan Figures 3-3 and 3-4 as the basis for determining “baseline” maximum building heights in San Rafael. Maximum heights should continue to be codified through zoning and any applicable Specific Plans or Precise Plans. In addition, the following specific provisions related to building heights shall apply: ~~Citywide height limits in San Rafael are described in Exhibits 7 and 8. For Downtown height limits see Exhibit 9:~~

- a. Height of buildings existing or approved as of January 1, 1987 shall be considered conforming to zoning standards.¹

¹ For the proposed project, height limits include heights of up to 36 feet east of U.S. Highway 101 and 36, 42, and 66 feet west of U.S. Highway 101.

- b. Hotels outside of the Downtown Precise Plan boundary have a 54-foot height limit, except where a taller height is shown on Exhibit 9 (Downtown Building Height Limits). Within Downtown, the height provisions of the Downtown Precise Plan apply (see Figure 3-4).
- c. As provided for by Policy LU-1.18, “baseline” building heights are subject to height bonuses where specific community benefits are provided, where a Variance or zoning exception is granted, or where a Transfer of Development Rights (TDR) is being implemented.
- d. Heights may be increased by up to six (6) feet above the baseline building heights as necessary to mitigate the exposure of properties to sea level rise and other flooding hazards (e.g., raising the first floor of habitable floor space above anticipated tidal flood elevations).
- e. ~~Height limits may be exceeded through granting of a zoning exception or variance, or through a height bonus as described in LU-13 (Height Bonuses).~~

Policy LU-3.9. Neighborhood Centers. Support the vitality of attractive, viable neighborhood centers and assist these centers as they adapt to changing economic conditions and community needs. Existing neighborhood centers should be retained unless it can be clearly demonstrated that they are not economically viable or useful to the neighborhood. Where commercial uses are no longer feasible, other uses that are compatible with the neighborhood such as housing and local services should be accommodated.

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~~**Policy LU-14. Land Use Compatibility.** Design new development in mixed residential and commercial areas to minimize potential nuisance effects and to enhance their surroundings.~~

Policy NH-1.1: A Thriving Downtown. Sustain and improve Downtown San Rafael as a safe, attractive, convenient, well-maintained place to visit, shop, recreate, work, and live.

Policy NH-1.7: Context-Sensitive Design. Ensure that new construction and redevelopment is sensitive to Downtown’s existing context, with thoughtful transitions to established neighborhoods and retention of important historic buildings and building elements. As Downtown grows, it should retain its sense of history and authenticity.

Policy NH-1.10: Downtown Circulation. Provide a safe, well-connected transportation network that efficiently serves all modes of travel. This network should promote safety for all travelers and create a street network that is safer and more comfortable for pedestrians.

Policy NH-1.11: Parking. Pursue creative solutions to meeting Downtown parking needs without losing the sense of the area as a pedestrian-oriented district. These solutions should include better management of the existing parking supply, additional private parking (including spaces available for public use) in high-demand areas such as the transit center vicinity, more efficiently designed parking structures, and improved signage and visibility of public parking facilities.

~~**Policy NH-7. Neighborhood Identity and Landmarks.** Enhance neighborhood identity and sense of community by retaining and creating gateways, landmarks, and landscape improvements that help to define neighborhood entries and focal points.~~

~~**Policy NH-10. Neighborhood Centers.** Support the vitality of attractive, viable neighborhood centers by using incentives to encourage desired mixed-use, local services and to create areas for the community to gather. Assist these centers to adapt to changing community needs. Retain existing neighborhood centers unless it can be clearly demonstrated that local-serving uses are not economically feasible.~~

Policy NH-14. Gathering Places and Events. To spark social interaction and create a greater sense of community, encourage both daytime and nighttime gathering places and events in appropriate locations, such as cafes, restaurants, outdoor eating places, bookstores, shopping facilities, libraries, schools, churches, parks, recreation facilities, community gardens, farmers' markets, transit stops, parks, recreation facilities, commercial facilities, cultural facilities, teen facilities, and City-sanctioned street closures for festivals, parades, and block parties. Improve parks and their facilities to include active recreation and passive social interaction areas, and, where appropriate, incorporate areas that can accommodate group activities such as social events, picnics and concerts in a manner respectful of nearby residents.

Policy NH-15. Downtown Vision. Continue to implement Our Vision of Downtown San Rafael.

Policy NH-23. Full Use of Street System. To enable our desired uses and activities to happen Downtown, encourage full use of streets and alleyways reflecting Downtown's urban character.

Policy NH-24. Full Range of Transportation Options. In addition to autos, encourage a variety of ways for people to travel to, in, and through Downtown, including:

- Bicycle and walking paths to other neighborhoods, Boyd and Albert Parks, and along Mahon Creek,
- Bike lanes where appropriate,
- Efficient bus service,
- A rail transitway, and
- Shuttle buses.

Policy NH-25. Pedestrian Comfort and Safety. Make Downtown's street systems more comfortable and safe for pedestrians by:

- Balancing between the needs of pedestrians and the desire for efficient traffic flow,
- Slowing traffic where necessary,
- Providing two-way traffic where feasible,
- Making pedestrian crossings direct and safe,
- Establishing pedestrian environments unique to each District,
- Improving and/or expanding sidewalks, street trees, landscaping and other sidewalk amenities,
- Increasing visibility to storefronts and businesses,
- Seeking innovative solutions and ideas.

Policy NH-26. Refine Look of Lincoln, Hetherington, Lindero and Andersen Drive. Improve the look and function of these important streets by emphasizing safe and efficient movement of pedestrians, cars and, where feasible, bicycles traveling into and through Downtown.

Policy NH-28. Special Place. Preserve Downtown's reputation as a special place by developing a design strategy that capitalizes on Downtown's existing strengths:

- Unique urban characteristics and density,
- Diversity in architectural design, and
- Historic heritage and buildings.

Policy NH-29. Downtown Design. New and remodeled buildings must contribute to Downtown's hometown feel. Design elements that enhance Downtown's identity and complement the existing attractive environment are encouraged, and may be required for locations with high visibility or for compatibility with historic structures. Design considerations include:

- Varied and distinctive building designs,
- Sensitive treatment of historic resources,
- Generous landscaping to accent buildings,
- Appropriate materials and construction, and
- Site design and streetscape continuity.

Policy NH-30. Pedestrian Environments. Enhance Downtown's streets by establishing pedestrian environments appropriate to each District. These environments could include the following:

- Well-designed window displays and views into retail stores,
- Outdoor businesses and street vendors,
- Signs that are easy for pedestrians to see and read,
- Sun-filled outdoor courtyards, plazas and seating areas,
- Attractive street furniture and lighting,
- Information kiosks and public art.

Policy NH-31. Ground Floor Designed for Pedestrians. Ensure that all buildings, regardless of height, are comfortable for people at the street level. This includes:

- Relating wall and window heights to the height of people,
- Use of architectural elements to create visual interest,
- Adding landscaping and insets and alcoves for pedestrian interest, and,
- Stepping upper stories back as building height increases.

Policy NH-32. Historic Character. Recognize and use the unique character of Downtown's many attractive, well-liked, historic buildings. Encourage new development on sites in the Downtown area to be compatible with nearby historic buildings, the historic Downtown street pattern, and the area's historic, pedestrian-oriented character.

Policy NH-36. Hetherton Office District.

- a. Office Center. Emphasize development related to the Transportation Center, especially office and professional service buildings, which could include limited areas for street-level retail uses. Residential is also strongly encouraged in this area.
- b. Transportation Hub. Use the Transportation Center to coordinate and facilitate the different ways people move to and around Downtown, including bus, rail, auto, bicycle and on foot. Include safe pedestrian and bicycle connections linking this area to the stores, services, cultural facilities, and recreational opportunities in other parts of Downtown. Expand connections from the Transportation Center to other parts of the City by:
 - Encouraging expanded bus transit,
 - Considering shuttle service to feasible locales when such service is warranted and can be funded,
 - Incorporating a rail station with the initiation of rail service;
 - Improving walking and biking facilities,
 - Providing a safe connection to Mahon Path,
 - Facilitating the movement of commuters to and from the neighborhoods, and
 - Creating safer pedestrian crossings on Second and Third Streets.

Policy NH-37. Hetherton Office District Design Considerations.

- a. ~~Downtown Gateway. Transform the Hetherton Office District into an elegant transition into Downtown San Rafael. Improve the entries to Downtown at Third Street, Fifth Street, Mission Avenue, Lincoln Avenue and the freeway ramps with entrance graphics, enhanced planting and lighting. Buildings should complement the district's entryway treatment and provide an attractive facade along Hetherton Street.~~
- b. ~~Fourth and Hetherton. Announce and mark this primary gateway to Downtown with a distinctive gateway treatment at Fourth Street and Hetherton, which is gracious and welcoming in character. Design issues to consider are:

 - ~~Plaza or other open space areas both public and private,~~
 - ~~Public art,~~
 - ~~Strong landscaping design, and~~
 - ~~Retail uses opening on to a plaza or other open space areas.~~~~
- c. ~~Hetherton Design. Encourage projects of high quality and varied design with landmark features that enhance the District's gateway image. Examples include:

 - ~~Building design emphasizing the gateway character and complementing the district's transitional treatment by incorporating accent elements, public art and other feature items,~~
 - ~~Upper stories stepped back,~~
 - ~~Ground floor areas have a pedestrian scale,~~
 - ~~Retail uses opening onto public areas,~~
 - ~~Useable outdoor spaces, courtyards and arcades that are landscaped, in sunny locations and protected from freeway noise.~~~~
- d. ~~Under Highway 101 Viaduct. Work with [the California Department of Transportation] to make the area under the freeway attractive and safe with, for example, maintained landscaping, public art, creek enhancements or fencing.~~
- e. ~~Height. Building heights of three to five stories are allowed west of the rail transitway, and typically up to three stories east of the rail transitway.~~

Policy NH-125. Design Blend. Continue to provide a blend of architecture styles in the Montecito/Happy Valley Neighborhood compatible with and retaining the character of attractive older buildings. Newer buildings should be well designed, blend well with the existing homes and provide a "pedestrian friendly" street front.

Policy NH-127. Fourth Street. Ensure that Fourth Street provides a "pedestrian oriented" walking street connection to Downtown. The Fourth Street view of the High School should be reestablished and improved with landscaping and fencing.

Policy NH-128. Sidewalk Improvements. Provide sidewalks that are safe and attractive to walk along.

Policy CDP-1.1. City Image. Reinforce ~~San Rafael~~the City's positive and distinctive image by recognizing ~~respecting~~ the city's natural features of the City, protecting ~~its~~ historic resources, and by strengthening the positive qualities of the City's ~~sits~~ focal points, gateways, corridors, and neighborhoods.

Policy CD-2. Neighborhood Identity. Recognize and promote the unique character and integrity of the city's residential neighborhoods and Downtown. Strengthen the "hometown" image of San Rafael by:

- ~~Maintaining the urban, historic, and pedestrian character of the Downtown;~~

- ~~Preserving and enhancing the scale and landscaped character of the City's residential neighborhoods;~~
- ~~Improving the appearance and function of commercial areas; and~~
- ~~Allowing limited commercial uses in residential neighborhoods that serve local residents and create neighborhood-gathering places.~~

Policy CDP-1.5. Views. ~~Respect and enhance to the greatest extent possible, views of the Bay and its islands; wetlands, marinas, and canal waterfront; hillsides and ridgelines; Mt. Tamalpais; Marin Civic Center; and St. Raphael's bell tower; as seen from streets, parks, and public pathways.~~ Bay wetlands, St. Raphael's church bell tower, Canalfront, marinas, Mt. Tamalpais, Marin Civic Center and hills and ridgelines from public streets, parks and publicly accessible pathways.

Policy CDP-2.1: Neighborhoods, Districts, and Centers. Strengthen San Rafael's identity as a community of unique centers, neighborhoods, corridors, and districts. Design decisions should maintain Downtown as a historic, walkable center; preserve the integrity and character of residential neighborhoods; and improve the appearance and function of mixed use districts such as the North San Rafael Town Center.

Policy CDP-2.2: Downtown Urban Design. Enhance the design qualities that make Downtown San Rafael a unique and special place, including its traditional street grid, street trees, walkable scale, historic building stock, and varied architecture.

Policy CDP-2.3: Neighborhood Identity and Character. Recognize, preserve, and enhance the positive qualities that shape neighborhood identity. Development standards should respect neighborhood context and scale and preserve design elements that contribute to neighborhood livability. Standards should also provide the flexibility for innovative design and new types of construction. Code enforcement and City programs should maintain community standards and the integrity of buildings and landscapes.

Policy CDP-2.4: Corridors. Improve the function and appearance of San Rafael's major transportation corridors and enhance their role in shaping the city's character.

Policy CD-7. Downtown and Marin Civic Center. Build upon the character of these areas by controlling land uses to clearly distinguish their boundaries; by recognizing Mission San Rafael Arcangel and St. Raphael Church, Marin Civic Center, and other buildings that help define the City's character, and requiring that these and other architectural characteristics and land uses that give these areas their identity are strengthened.

Policy CDP-2.6. Gateways. Provide distinctive, attractively designed gateways into the city and its major districts. Gateways should optimally convey a sense of arrival, reinforce a positive image of the city, and help define a unique identity for individual districts. ~~Provide and maintain distinctive gateways to identify City entryways.²~~

Policy CDP-3.1: Plazas and Active Public Spaces. Encourage the integration of public space—or private space that is available for public use—in larger-scale commercial, civic, and mixed use development. Such spaces should be designed and operated so that they can be easily maintained, remain safe and attractive, and contribute positively to the community.

Policy CD-9. Transportation Corridors. To improve the function and appearance of corridors, recognize those shown on Exhibits 17 and 18 and define each corridor's contribution to the City based upon its land use and transportation function and how it is experienced by the public.

Policy CD-10. Nonresidential Design Guidelines. Recognize, preserve and enhance the design elements that contribute to the economic vitality of commercial areas. Develop design guidelines to

² The City of San Rafael General Plan 2020 2040 identifies that north- and southbound U.S. Highway 101 provide a gateways to the Downtown area in the general area of the San Rafael Transit Center.

ensure that new nonresidential and mixed-use development fits within and improves the immediate neighborhood and the community as a whole.

Policy CD-15. Participation in Project Review. Provide for public involvement in the review of new development, renovations, and public projects with the following:

- Design guidelines and other information relevant to the project as described in the Community Design Element that would be used by residents, designers, project developers, City staff, and City decision makers;
- Distribution of the procedures of the development process that include the following: submittal information, timelines for public review, and public notice requirements;
- Standardized thresholds that state when design review of projects is required (e.g. residential conversions, second-story additions); and
- Effective public participation in the review process.

Policy CDP-4.7.2. Street Furnishings. Use street furniture and pavement materials to create a more attractive city, particularly in commercial districts. Seating, trash receptacles, streetlights, art, and other street furnishings should be compatible with—and strengthen—the identity of San Rafael’s business districts and neighborhoods while supporting “green streets” and low impact development principles. Encourage appropriate benches, trash containers, street lighting, public art, and other street furnishings. Select styles compatible with individual neighborhoods and the Downtown to strengthen their identities.

Policy CDP-4.8.3. Landscaping Landscape Design in Public Rights-of-Way. Use landscape design in public rights-of-way to soften the built environment, showcase San Rafael’s natural environment, and advance City goals related to walkability, climate change, conservation, and hazard reduction. Landscaping should control heat build-up from pavement, provide shade, reduce air pollution, and improve visual quality. Recognize the unique contribution provided by landscaping, and make it a significant component of all site design.

Policy CDP-3.4: Landscape Maintenance. Prioritize landscape maintenance along the city’s most heavily traveled roadways and gateways. Control costs by using low-maintenance materials, removing litter, and avoiding deferred maintenance. Operational practices should support the City’s commitment to water conservation, fire prevention, and reduced use of toxic materials.

Policy CDP-3.5: Street Trees. Encourage the planting and maintenance of street trees to reduce urban heat island effects, sequester carbon, improve air quality, absorb runoff and wind, define neighborhoods, and improve the appearance and character of city streets.

Policy CDP-3.7: Greenways. Encourage the development of “greenways” such as the North San Rafael Promenade and the Tamalpais Greenway that improve connectivity, link neighborhoods, restore creeks, and enhance the appearance of the city.

Policy CDP-4.1: Design Guidelines and Standards. Use design guidelines and standards to strengthen the visual and functional qualities of San Rafael’s neighborhoods, districts, and centers. Guidelines and standards should ensure that new construction, additions, and alterations are compatible with the surrounding neighborhoods while still allowing for innovative, affordable design.

Policy CDP-4.3: Creative Architecture and Design. Encourage creative architecture while respecting the context of each site.

Policy CDP-4.8: Scale Transitions. Require sensitive scale and height transitions between larger and smaller structures. In areas where taller buildings are allowed, they should be designed to minimize shadows, loss of privacy, and dramatic contrasts with adjacent low-scale structures. Exceptions may be made where taller buildings are also permitted on the adjoining site.

Policy CDP-4.9: Parking and Driveways. Encourage parking and circulation design that supports pedestrian movement and ensures the safety of all travelers, including locating parking to the side or

rear of buildings, limiting driveway cuts and widths, and minimizing large expanses of pavement. Parking should be screened from the street by landscaping and should provide easy access to building entrances.

Policy CDP-4.10: Landscape Design. Encourage—and where appropriate require—privately owned and maintained landscaping that conserves water, contributes to neighborhood quality, complements building forms and materials, improves stormwater management and drainage, and enhances the streetscape. Natural elements such as plants should be an integral part of site development and should enhance the built environment while supporting water conservation goals.

Policy CDP-4.11: Lighting. Encourage lighting for safety and security while preventing excessive light spillover and glare. Lighting should complement building and landscape design. ~~Allow adequate site lighting for safety purposes while controlling excessive light spillover and glare.~~

Policy CDP-4.12: Commercial Signage. Encourage commercial signage that provides the visual identification necessary for business success, while enhancing the building, streetscape, and surrounding area.

Policy CDP-5.1 Historic Buildings and Areas. Preserve buildings and areas with special and recognized historic, architectural or aesthetic value, including but not limited to those on the San Rafael Historical/Architectural Survey. New development and redevelopment should respect architecturally and historically significant buildings and areas.

Policy CDP-5.6: Protecting the Integrity of Historic Properties. Ensure that modifications to designated historic properties, including additions, alterations, and new structures, are visually compatible with the property's contributing features, as defined by the San Rafael Municipal Code.

Policy CDP-5.9: Preservation Education. Encourage historic preservation activities and programs that heighten awareness of historic resources and the ways that architecture and landscape define the city's character.

Policy C-1.16: Urban Forestry. Protect, maintain, and expand San Rafael's tree canopy. Trees create shade, reduce energy costs, absorb runoff, support wildlife, create natural beauty, and absorb carbon, making them an essential and valued part of the city's landscape and strategy to address global climate change. Tree planting and preservation should be coordinated with programs to reduce fire hazards, reduce greenhouse gas emissions, expand solar opportunities, and ensure public safety, resulting in a community that is both green and fire-safe.

Policy C-1.17: Tree Management. The removal of healthy trees shall be discouraged, and their replacement may be required when trees are removed due to health, safety, or maintenance reasons. Site plans should indicate the location of existing trees and include measures to protect them wherever feasible.

Policy C-1.19: Light Pollution. Reduce light pollution and other adverse effects associated with night lighting from streets and urban uses.

Policy CM-225.2. Attractive Roadway Design. Design roadway projects to be attractive and, where possible, to include trees, landscape buffer areas, public art, ~~integration of public spaces,~~ and other visual enhancements. Emphasize tree planting and landscaping along all streets.

Policy M-6.1: Encouraging Walking and Cycling. Wherever feasible, encourage walking and cycling as the travel mode of choice for short trips, such as trips to school, parks, transit stops, and neighborhood services. Safe, walkable neighborhoods with pleasant, attractive streets, bike lanes, public stairways, paths, and sidewalks should be part of San Rafael's identity.

Policy CSI-4. Utility Undergrounding. Continue to pursue the undergrounding of overhead utility lines, and support maintenance and replacement programs to reduce wildfire hazards.

Policy CAAC-5. Public Art. Promote a stimulating and engaging environment through the greater display of ~~artwork in public places~~ art, including both temporary and permanent works. Locations throughout the city should be considered.

Policy CA 13. Historic Buildings and Areas. Preserve buildings and areas with special and recognized historic, architectural or aesthetic value including but not limited to those on the San Rafael Historical/Architectural Survey. New development and redevelopment should respect architecturally and historically significant buildings and areas.

Policy EV-3.1: Business Areas. Strengthen the positive qualities of each business area in San Rafael to create a stronger sense of place and brand identity.

Policy EV-3.2: Revitalization. Support and encourage redevelopment and upgrading of commercial and industrial properties while retaining economic and business diversity. The City should work with property owners, businesses, and business organizations to address issues such as parking, beautification and landscaping, streetscape improvements, and circulation and access.

Policy EV-3.8: Creative Infill. Encourage creative infill development and redevelopment that maximizes existing resources and makes the best use of limited available space. Expedite the development review process by establishing clear expectations for design, and effectively involving the community.

San Rafael Downtown Station Area Plan

The *San Rafael Downtown Station Area Plan* (Downtown SAP), approved in 2012, was developed to focus on development within a 0.5-mile radius around the planned Downtown San Rafael Sonoma-Marin Area Rail Transit (SMART) station. It sets the stage to create a more vibrant, mixed-use, livable area supported by a mix of transit opportunities, including passenger rail service. The plan supports the vision of creating a transit-oriented, walkable, and active enrollment in the SMART station area by limiting the amount of parking provided to encourage transit use, walking, and bicycling instead of personal vehicle use (City of San Rafael 2012).

Downtown San Rafael Precise Plan-City of San Rafael Downtown Vision

The City is currently in the process of a preparing and adopting a more comprehensive, inclusive planning document, the Downtown San Rafael Precise Plan (City of San Rafael 2020b). However, the *City's Our Vision of Downtown San Rafael and Our Implementation Strategy* (Downtown Vision)

The *Downtown San Rafael Precise Plan*, adopted in August 2021, provides the currently adopted vision and implementation strategy for Downtown San Rafael. The proposed project falls within the ~~Hetherington~~Downtown Gateway District of Downtown sub-area, which serves as a "major entryway is envisioned to ~~Downtown~~ be a "vibrant, active node and focus of the transportation system" (City of San Rafael 1993). The document establishes the following design principals for the district ~~hub~~, and an inviting entrance to Downtown accentuated with new mixed-use development, amenities, streetscape improvements, and community space." In addition, the document contains the design vision that includes details on building heights and transitions, the SMART Transit Plaza, overarching principles for street design in Downtown, improvements along 4th Street from Tamalpais Avenue to B Street, and design details to guide redevelopment of the Downtown Gateway sub-area. In addition, the plan contains the Downtown Form-Based Code that helps to implement the plan; provides a clear understanding of what the code requires and what it allows and generates regarding physical form, character, and uses; and streamlines the review and processing of development projects by providing clear standards and expectations. The document establishes the following design principals and guiding policies for the Downtown area that apply to aesthetic resources and are relevant to the proposed project: (City of San Rafael 2021b).

- ~~Create a gracious and inviting entrance to all **Principle 1. Strengthen Downtown's identity and sense of Downtown arrival** by:~~
 - ~~Improving the gateway and entry point character of Third, Fourth, Fifth Streets, Mission and Lincoln Avenues;~~
 - ~~Extending the Hetherton Gateway quality of focusing development along Fourth Street to Irwin Avenue; and~~
 - ~~Making the area under the freeway attractive and safe.~~

~~Announce and mark the edge of Downtown with a distinctive gateway treatment at Fourth Street and Hetherton. The Gateway would be gracious and welcoming in character with key nodes and gateways.~~

- ~~Plaza or other open space areas both public and private;~~
- ~~Public art;~~
- ~~Strong, colorful landscaping; and~~
- ~~Retail uses opening on to a plaza or other open space areas.~~
- ~~Involve public and private contributions to the Fourth Street Gateway. **New Policy 1B.** Set development would locate open space and landscape areas so as to expand the public areas, and retail uses would open on to these areas. Buildings would be designed to incorporate accent elements, public art and other items to emphasize the gateway character of the District.~~
- ~~Improve the other entry streets of Third Street, Fifth, Mission and Lincoln Avenues with entrance graphics, planting and lighting.~~
- ~~Encourage all standards to ensure that new development to include usable outdoor spaces, courtyards and arcades in sunny locations protected from freeway noise.~~
- ~~Expand connections from the Transportation Center to other parts of Downtown by:~~

~~Providing shuttles and trolleys to the Fourth Street Retail Core, West End Village, Montecito is harmonious with the existing fabric, and enhances neighborhood and Albert Park; character through architecture, landscape and streetscape design.~~

 - ~~Improving walking and biking facilities leading to nearby residential neighborhoods;~~
 - ~~Providing safe connections to the bicycle and pedestrian path along San Rafael Creek; and~~
 - ~~Facilitating the movement of commuters to and from the neighborhoods. Incorporate attractive parking structures throughout the District with retail or commercial uses on the ground floor areas adjacent to the street.~~
- ~~Encourage high quality and varied project designs with some landmark features to enhance the District's gateway image.~~
- ~~Develop the area between the Transitway and Lincoln Avenue with:~~
 - ~~Larger scale buildings of three to five stories with upper stories stepped back; and~~
 - ~~Ground floor area designs that are human in scale and are pleasant to walk past.~~
- ~~Develop the area between Transitway and Hetherton Avenue with:~~
 - ~~Smaller scale buildings of three stories with stepped back upper floors to soften the visual impact of Highway 101 and buffer Downtown from freeway noise;~~
 - ~~Building designs that complement the entryway treatment; and~~
 - ~~Attractive facades along Hetherton Avenue.~~

In addition to the **Policy 1C.** Establish a sense of arrival into Downtown through “gateway features” at all entrances including landmark buildings, streetscape improvements, public art, etc.

Principle 2. Coordinate placemaking improvements to make Downtown Vision, the City has a resource available on its website called “Good Design” Guidelines interesting, safe, and inviting for everyone.

Policy 2C. Create greater awareness of community assets and landmarks, and build upon the Downtown- *Preliminary Findings and Recommendations* that was presented at the February 5, 2017, City Council meeting. These Parking and Wayfinding Strategy to orient and direct visitors.

Principle 4. Establish a network of attractive and welcoming streets and civic spaces.

Policy 4A. Improve existing civic spaces such as Courthouse Square, Boyd Park, and Albert Park through design improvements and programming.

Policy 4G. Include public art and signage in civic spaces and streetscapes to strengthen identity, improve wayfinding, and highlight community landmarks. Develop incentives for public art as part of private development.

Principle 6. Reinforce Downtown’s eclectic character with historic preservation and new context-sensitive development.

Policy 6A. Protect historic and cultural landmarks and celebrate them in the design of the built form and public realm.

Policy 6B. Use appropriate historic preservation tools to safeguard the built character of historic resources while accommodating sensitive modifications and additions as needed.

Policy 6D. Employ the Form-Based Code to guide the physical form of new development on sites adjacent to Downtown’s historic resources.

San Rafael Transit Center Relocation Guidance Report

The *San Rafael Transit Center Relocation Guidance Report* includes the following design recommendations are available to help designers and homeowners ensure that projects meet overlay zoning district standards and help in creating designs that are high quality, pedestrian friendly, and respectful related to aesthetics and the importance of district environments facilitating an entry to Downtown San Rafael (City of San Rafael 20178).

Maximize 4th Street Vitality

1. Foster 4th Street’s “main street” feeling between Lincoln and Irwin. Accommodate broader tree-lined sidewalks with fewer vehicle crossings, unique, street-facing storefronts and inviting public space, adequately sized to allow outdoor dining, family fun, community events, and people watching.
6. Limit any 4th Street transit center driveways to the minimum width necessary, with excellent sight lines.
7. The 4th St. intersection at Hetherton is a priority location for gateway elements, including signature landscaping, artwork, wayfinding signage, electronic message boards and specialty lighting.

Clearly Define Transit Center Access Routes

6. Anticipate a landscaped pathway on the east side of Hetherton between Mission and 3rd St. where feasible.
9. Safe, inviting mid-block pedestrian routes to the transit center should be provided, where possible.

Improve Utilization of the California Department of Transportation (Caltrans) Right-of-Way

1. Transformation of the Caltrans property will increase transit center safety and use. Identify modifications that will benefit the project and the overall improvement of the neighborhood.
2. Explore increasing the efficiency of Caltrans' land use under the freeway by either creating a safe, inviting transit center or expanding parking capacity using vertical lift parking systems.
3. The area under the raised freeway structures should be redeveloped to increase the visual appeal and unique sense of Gateway arrival into the Downtown. Include elements such as identity graphics, artwork, creek restoration, landscaped plazas and sitting areas, historic markers, electronic message signs, special effect lighting, and food trucks and kiosk vendors.
4. Include more street trees on both sides of this roadway to add visual relief and calm traffic. Accommodate landscaping within Caltrans' right-of-way on the eastern frontage of the existing Bettini Transit Center if Hetherton bus pads are discontinued.
5. Create an attractive landscaped terminus adjacent to the SB 101 on-ramp south of 2nd St.

Demonstrate Enduring Design

2. The transit center should reflect San Rafael's pattern, scale, and neighborhood heritage, while also being a unique, innovative architectural statement. Construction materials should produce an enduring high quality with reasonable ongoing maintenance needs.
3. The Transit Center should be safe, well-lit, and attractively landscaped, creating a welcoming effect for users and passers-by. Include Gateway features within the site plan and facility design that are compatible with the City Vision. Nighttime lighting should create a safe, artistic sense of arrival, while limiting night sky glare.
5. Identify locations for appropriately sized public gathering areas to complement the center's function as a regional and Downtown hub. These settings would include attractive seating, unique paving, landscaping, lighting, directional signage, informational kiosks, historic markers, play areas, public art, trash and recycling containers, and flexible space for micro-enterprise and event opportunities.

Preserve Whistlestop

1. Retain the Whistlestop building on its current site, with street level modifications to improve pedestrian enjoyment. Create wider sidewalks on the south and west side of the building.
2. At the north end of Whistlestop, anticipate more public amenities, including possibly a coffee kiosk, fountain, landscaping, or other gateway features.
3. Anticipate removal of a portion of the south end of the Whistlestop building to create safer transit user movement across 3rd St. and more interesting public space.

San Rafael Municipal Code

The San Rafael Municipal Code contains the following codes related to aesthetic resources that apply to the proposed project.

Section 4.16.227 - Light and glare.

Colors, materials and lighting shall be designed to avoid creating undue off-site light and glare impacts. New or amended building or site colors, materials and lighting shall comply with the following standards, subject to review and recommendation by the police department, public works department, and community development department:

- A. Glossy finishes and reflective glass such as glazed or mirrored surfaces are discouraged, and prohibited where it would create an adverse impact on pedestrian or automotive traffic or on

adjacent structures; particularly within the downtown environs and in commercial, industrial and hillside areas.

B. Lighting fixtures shall be appropriately designed and/or shielded to conceal light sources from view off-site and avoid spillover onto adjacent properties.

C. The foot-candle intensity of lighting should be the minimum amount necessary to provide a sense of security at building entryways, walkways and parking lots. In general terms, acceptable lighting levels would provide one (1) foot-candle ground level overlap at doorways, one-half (½) foot-candle overlap at walkways and parking lots, and fall below one (1) foot-candle at the property line.

D. Lighting shall be reviewed for compatibility with on-site and off-site light sources. This shall include review of lighting intensity, overlap and type of illumination (e.g., high-pressure sodium, LED, etc.). This may include a review by the city to assure that lighting installed on private property would not cause conflicts with public street lighting.

E. Installation of new lighting fixtures or changes in lighting intensity on mixed use and non-residential properties shall be subject to environmental and design review permit review as required by Chapter 14.25 (Design Review).

F. Maximum wattage of lamps shall be specified on the plans submitted for electrical permits.

G. All new lighting shall be subject to a 90-day post installation inspection to allow for adjustment and assure compliance with this section.

Section 14.18.170 - Lighting.

Lights provided to illuminate any parking facility or paved area shall be designed to reflect away from residential use and motorists. It is the intent to maintain light standards in a low profile design, as well as to be compatible to the architectural design and landscape plan. Light fixtures (e.g., pole and wall-mount) should be selected and spaced to minimize conflicts with tree placement and growth. (See Section 14.16.227 for additional standards on foot-candle intensity).

Section 14.25.050(E) - Review Criteria for Site Design.

There should be a harmonious relationship between structures within the development and between the structures and the site. Proposed structures and site development should be related accordant to existing development in the vicinity. There must be a consistent organization of materials and a balanced relationship of major elements.

1. **Views.** Major views of the San Pablo Bay, wetlands, bay frontage, the Canal, Mt. Tamalpais and the hills should be preserved and enhanced from public streets and public vantage points. In addition, respect views of St. Raphael's Church up "A" Street.
2. **Site Features and Constraints.** Respect site features and recognize site constraints by minimizing grading, erosion and removal of natural vegetation. Sensitive areas such as highly visible hillsides, steep, unstable or hazardous slopes, creeks and drainageways, and wildlife habitat should be preserved and respected.
3. **Access, Circulation and Parking.** The development should provide good vehicular, bicycle and pedestrian circulation and access, on-site and in relation to the surrounding area, including public streets, waterways, shorelines and open space areas. Safe and convenient parking areas should be designed to provide easy access to building entrances. Parking facilities should detract as little as possible from the design of proposed or neighboring structures. Entrances to parking structures should be well-defined and should include materials compatible with those of the parking garage. Traffic capacity of adjoining streets must be considered.

4. **Energy-Efficient Design.** The site design shall show that due regard has been given to orientation of structures to streets and climatic considerations.
5. **Drainage.** Special attention shall be given to proper site surface drainage and an adequate drainage system. (Note: The details of drainage systems shall be subject to approval of the director of the department of public works.)
6. **Utility Service.** Utility connections shall be installed underground. Proposed method of sanitary sewage disposal for all buildings shall be indicated. Refuse collection areas shall be screened and located in areas convenient both to users and to persons who make collections. There shall be adequate ingress and egress to all utilities. (Note: Recycling facilities must meet Standard of Resolution 93-57.)

3.1.1.2 Environmental Setting

Regional Setting

The project site is in the Downtown area of the City of San Rafael (City), between the coastal range and San Francisco Bay. Visual features of the City include hills to the west, creeks, open spaces, mature trees, views of the Bay, and a Downtown with a mix of historic and contemporary architecture and pedestrian scale. Topography plays a key role in shaping San Rafael's visual character. Hills to the north and west provide a prominent visual backdrop to the commercial areas present in Downtown San Rafael. Mount Tamalpais serves as the highest point in the region and stands at approximately 2,500 feet above mean high-water sea level. The topography in the project vicinity gradually flattens out from the hills to the west and north, toward San Francisco Bay. ~~The Draft San Rafael General Plan 2040~~ identifies views of Mount Tamalpais and San Pedro Mountain as key views to be protected from the Downtown portion of the City (City of San Rafael 20201a).

The eastern City limits extend approximately 3 miles into the San Francisco Bay and include the Marin Islands. The City's waterfront serves a key role in the visual and cultural identity and consists of beaches, marinas, parks trails, wetlands, and marshes. One of the most important components of San Rafael's waterfront is the Bay Trail, a 500-mile planned trail network that currently exists along portions of the City's shoreline and in the Downtown area (City of San Rafael 20201a).

Local Setting

The land uses closest to the project site consist primarily of Downtown mixed use, with medium- and high-density residential uses present east of Irwin Street, and parks, recreation, and open space uses south of 2nd Street. As described in Section 3.4, Cultural Resources, most of the buildings on the project area³ were built between 1890 and 1950, with the exception of 666 3rd Street (currently Citibank), 640 4th Street, 1001 Irwin Street, and 915–917 Irwin Street, which were built after 1970. The U.S. Highway 101 (US-101) northbound viaduct was constructed in 1941 and the southbound viaduct was completed in 1965, and height and scale of these structures dominate existing views in the project area. Buildings in the project area are typically between one and two stories and there is little consistency in the building materials of each structure. Key nearby visual features include San Rafael Creek and Mount Tamalpais to the south and southwest, historic and commercial areas to the west, San Pedro Mountain to the north, and the French Quarter District, Dr. Hawkins Residence,

³ The "project area" refers to all areas affected by the build alternatives.

Holtwood, and commercial areas to the east (City of San Rafael 2020^{1a}). The elevated US-101 corridor passes through the proposed project area, with the Move Whistlestop Alternative, Adapt Whistlestop Alternative, and 4th Street Gateway Alternative project sites to the west of the freeway and the Under the Freeway Alternative project site underneath and east of the freeway. Portions of the project sites would be visible in foreground views from US-101. However, the focus of views from US-101 include high-quality, scenic views of the surrounding hillsides in the middleground and background. Views of San Rafael Creek are also available from US-101. Although views of the creek from northbound US-101 are prominent and quality views, southbound views of the creek to the north are not notable because the creek narrows to a size such that it does not stand out in views. Although these views are scenic, they are not considered scenic vista views because the vantage is not high enough for expansive views and because intervening vegetation and development limit views along sections of the freeway through the project area.

Build Alternative Sites

Existing Groups and Existing Viewer Sensitivity

Existing viewer groups and viewer sensitivity is similar across all build alternatives. Viewer groups in the project area include roadway users traveling on US-101 and local roadways, commercial users, and adjacent residences. Residents would be expected to have the highest sensitivity to visual changes in the project area because of their familiarity with the view, their investment in the area, and their sense of ownership of the view. Residents with views of the project area are primarily in multifamily and mixed-use residential buildings along 5th Avenue, 4th Street, Lincoln Avenue, and Irwin Avenue. Commercial users on and adjacent to the project area would also be expected to have a moderate to a high sensitivity to visual changes due to the familiarity with the view and their investment in the area; however, commercial users are anticipated to be less sensitive to changes than residents due to their transient nature.

Existing roadway users are also an important viewer group, as the project area is in a Downtown area that receives a high level of average daily traffic and is visible from US-101, which is a heavily used regional corridor. Although more numerous than local roadway users, motorists on US-101 would generally be less sensitive to visual changes in the project area because of the shorter duration of their exposure to the views, as drivers pass by the site at high rates of speed, and the focus of their attention on driving along the heavily used regional corridor. Therefore, freeway motorists are considered to have limited visual sensitivity. Motorists on the local roadways surrounding the project area would have higher sensitivity to changes due to the proximity of the project area in the foreground and the longer duration of travel on these lower-speed, stop-controlled streets.

Light and Glare

Existing light and glare conditions are similar across all build alternative project sites. Existing buildings adjacent to the project area include night lighting in addition to security lights that remain illuminated through the night. Additionally, adjacent streets and surface parking lots are well lit and headlights on vehicles driving through the area contribute to nighttime lighting. Glass and reflective surfaces on buildings and vehicles, on streets, and in parking lots contribute to a high amount of glare that is typical of a downtown commercial area. Due to the urbanized nature of the surrounding

area, a substantial amount of ambient nighttime lighting currently exists, affecting views of the nighttime sky.

Move Whistlestop Alternative, Adapt Whistlestop Alternative, and 4th Street Gateway Alternative

Existing Visual Character and Quality

The Move Whistlestop Alternative, Adapt Whistlestop Alternative, and 4th Street Gateway Alternative are all west of US-101 and share similar site conditions. The Move Whistlestop Alternative and Adapt Whistlestop Alternative are generally bounded by West Tamalpais Avenue and Hetherton Street to the west and east and by 4th Street and 3rd Street to the north and south. The 4th Street Gateway Alternative is bounded by 5th Avenue and 3rd Street to the north and south and by Hetherton Street to the east, and by the SMART tracks and curbs along West Tamalpais Avenue to the west. These project sites are flat. (See Figures 2-4, 2-5, and 2-6 for the alternative site plans.) As described in Chapter 2, Project Description, the Move Whistlestop Alternative, Adapt Whistlestop Alternative, and 4th Street Gateway Alternative project sites span multiple parcels that are currently occupied by a variety of businesses, existing transportation uses, and associated parking lots. The project area is composed mostly of buildings; pavement associated with roadways, sidewalks, and parking lots; aboveground utilities such as overhead streetlights and wooden utility poles and transmission lines; fencing and signage; and the SMART tracks.

Buildings on the project sites are typically between one and two stories and there is little consistency in the building materials of each structure. Landscape features on the project site are limited to street trees and parking lot islands. Landscaping is generally focused on screening and shading surfaces and street parking, and each parcel associated with these project sites exhibits its own onsite landscape approach. However, there are a limited amount of street trees, the canopy is not very dense, and the street trees are not a defining element of the visual character of the Move Whistlestop Alternative, Adapt Whistlestop Alternative, or 4th Street Gateway Alternative project sites.

Surrounding the three project sites are retail, commercial, and office uses to the north, US-101 to the east, the existing San Rafael Transit Center and San Rafael Creek to the south, and restaurants and retail facilities to the west. There is little relationship between existing buildings on and adjacent to these project sites, and the area generally lacks visual continuity.

San Pedro Mountain and Mount Tamalpais are identified in ~~the Draft~~ *San Rafael General Plan 2040* as key views to be protected from the Downtown portion of the City. Roadways surrounding the sites have expansive views of the wooded hills of the San Pedro Mountain and Southern Heights Ridge to the north and the wooded hills of Mount Tamalpais to the south; however, from many locations these features are not visible because of existing buildings and/or onsite trees and other vegetation. Additionally, the height and scale of the US-101 viaduct dominates the existing eastern views for these three build alternatives and limits ground-level views.

Consistent with the natural and built environments, these project sites have a moderate coherence and a moderate overall visual quality.

Under the Freeway Alternative

Existing Visual Character and Quality

The Under the Freeway Alternative is east of US-101 and is independent of the other three project sites. The site is mostly flat and is bounded by 5th Avenue, 4th Street, Irwin Street, and Hetherton Street (see Figure 2-7 for the site plan). As described in Chapter 2, Project Description, the Under the Freeway Alternative project site spans multiple parcels that are currently mostly occupied by a variety of businesses, existing transportation uses, and associated parking lots. The project area is composed mostly of buildings; pavement associated with roadways, sidewalks, and parking lots; aboveground utilities such as overhead streetlights and wooden utility poles and transmission lines; fencing and signage; and US-101 viaduct.

This project site is partially underneath US-101 on one park-and-ride lot, maintained and operated by ~~the California Department of Transportation (Caltrans)~~, and on parcels east of US-101. This project site crosses Irwin Creek, which is underneath US-101, and flows parallel to the viaduct. Portions of the existing project site not located under US-101 are currently occupied by offices, a bike shop, parking, vacant storefronts, and a Caltrans park-and-ride lot north of 4th Street and retail, offices, and a Caltrans park-and-ride lot south of 4th Street. Buildings on the project site are typically between one and two stories and there is little consistency in the building materials of each structure. Landscape features on the project site are limited to street trees and parking lot islands. Landscaping is generally focused on screening and shading surfaces and street parking, and each parcel associated with this project site exhibits its own onsite landscape approach. The street tree canopy associated with the Under the Freeway Alternative is denser than the canopy associated with the Move Whistlestop Alternative, Adapt Whistlestop Alternative, or 4th Street Gateway Alternative and is a defining element of the visual character with this alternative that improves the visual quality of the project site.

Surrounding this site are offices and residences to the north; residences and offices to the east; retail and offices to the south; and retail uses, restaurants, and offices to the west. Residential uses to the north are largely obscured from the site by an existing office building. However, residential land uses to the east have direct views of the site. There is little relationship between existing buildings on and adjacent to this project site, and the area generally lacks visual continuity. In addition, US-101 provides a distinct visual separation between land uses to the east and west of the freeway.

As described above, San Pedro Mountain and Mount Tamalpais are identified in ~~the Draft~~ *San Rafael General Plan 2040* as key views to be protected from the Downtown portion of the City. However, existing buildings and the urban forest canopy limits views to these features east of US-101. However, Irwin Street and other roadways running north to south have narrow, partially obscured views of the wooded hills of San Pedro Mountain to the north and the wooded hills of the Southern Heights Ridge to the south. Additionally, the height and scale of the US-101 viaduct dominates the existing western views for this build alternative and limits ground-level views to the west.

Consistent with the natural and built environments, this project site has moderate coherence and a moderate overall visual quality.

3.1.2 Environmental Impacts

Impacts for the build alternatives are presented together unless they differ substantially among alternatives.

3.1.2.1 Methodology

Aesthetic resources are all objects (artificial and natural, moving and stationary) and features (e.g., landforms and waterbodies) visible on a landscape. These resources add to or detract from the scenic quality (i.e., the visual appeal) of the landscape. A visual impact is the creation of an intrusion or perceptible contrast that affects the scenic quality of a viewscape. A visual impact can be perceived by an individual or group as either positive or negative, depending on a variety of factors or conditions (e.g., personal experience, time of day, weather, or seasonal conditions).

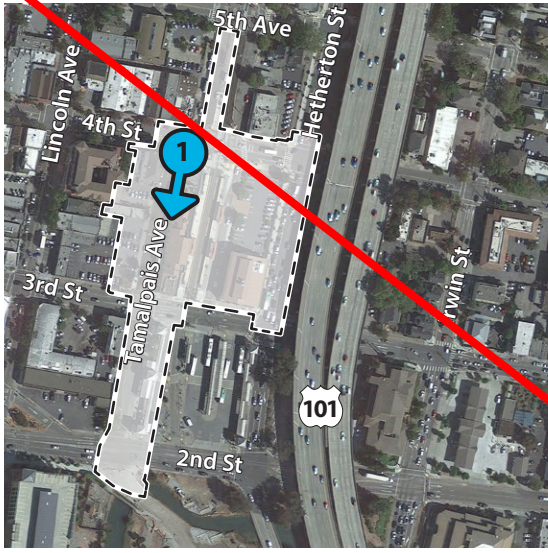
Identifying a study area's aesthetic resources and conditions involves understanding the visual character of the area's visual features and the regulatory context. Once those parameters are understood, a study area's aesthetic resources are further defined by establishing the area of visual effects (AVE) and documenting the visual character of the environmental setting, including the natural and cultural environments. For the purposes of this analysis, the AVE encompasses the land that would be developed by the project alternatives. The *affected population*, or viewers, is defined by its relationship to the alternatives, its visual preferences, and its sensitivity to changes associated with the proposed project. Visual preferences, or what viewers like and dislike about the alternatives' visual character, define the alternatives' *visual quality*. Visual quality serves as the baseline for determining the degree of visual impacts and whether a project's visual impacts would be negative, beneficial, or neutral.

The impact assessment methodology for aesthetic resources includes the following components.

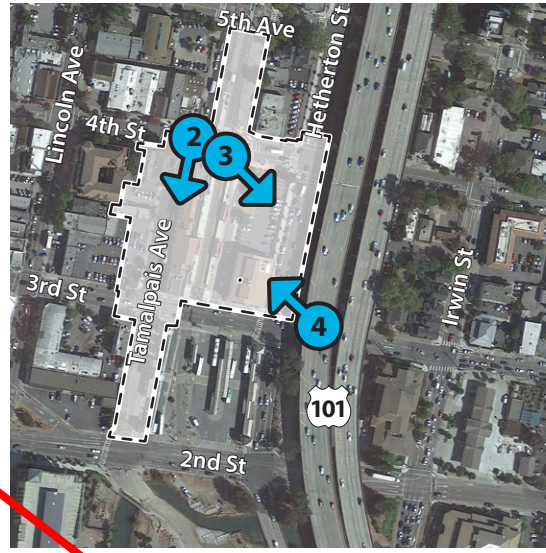
- Establishing the AVE for aesthetics resources
- Reviewing the build alternatives in regard to compatibility with state and local ordinances and regulations and professional standards pertaining to visual quality, and the extent to which the affected environment contains places or features that have been designated in plans and policies for protection or special consideration (e.g., as designated scenic vistas or highways)
- Inventorying and describing the affected environment, affected viewers, and existing visual quality, and identifying key viewpoints and views for visual assessment
- Reviewing project construction drawings
- Evaluating visual renderings. The visual renderings do not provide a side-by-side comparison of existing to proposed conditions. However, they do convey how the proposed project is likely to look within the existing landscape and the vantages of each rendering are shown on Figure 3.1-1. Existing condition picture snapshots taken from Google Street View, shown on Figures 3.1-2 through 3.1-911, provide the approximate view angle and a representation of the existing conditions found within the view angle that was rendered.
- Assessing visual compatibility and viewer sensitivity and analyzing the proposed project's visual impacts
- Proposing methods to mitigate significant visual impacts (FHWA 2015)

The focus of this visual analysis is on the alternatives' potential to negatively affect views from publicly accessible locations. Publicly accessible locations in the communities from which residents would view the study area are, therefore, considered to be of primary importance in this analysis.

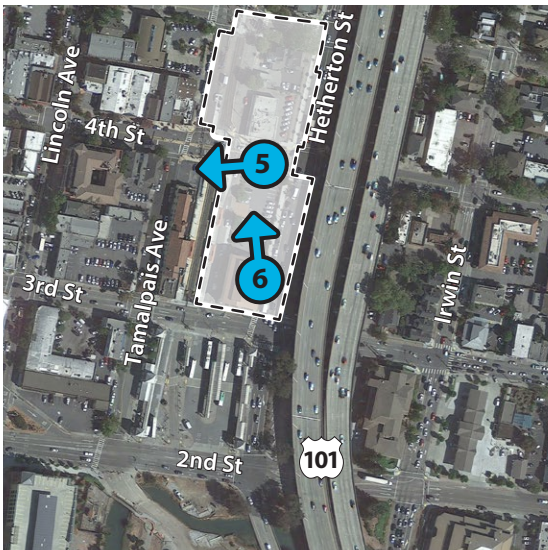
The methods for evaluating impacts are intended to satisfy the federal and state requirements, including the California Environmental Quality Act (CEQA). In accordance with CEQA requirements, an environmental impact report must include a description of the existing physical environmental conditions in the vicinity of the proposed project. Those conditions, in turn, "will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant" (14 California Code of Regulations 15125(a)).



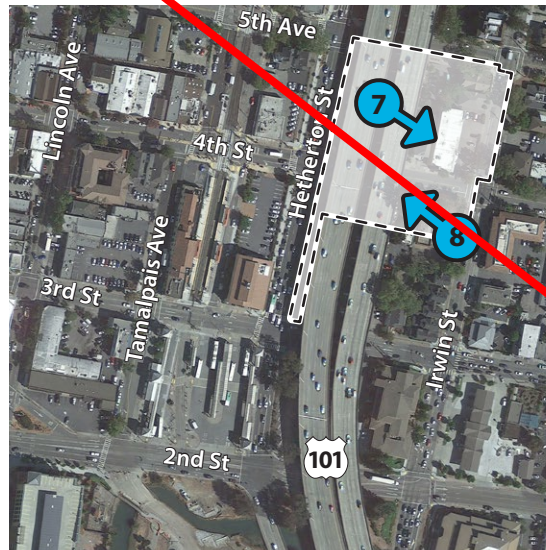
Move Whistlestop Alternative



Adapt Whistlestop Alternative






4th Street Gateway Alternative



Under the Freeway Alternative

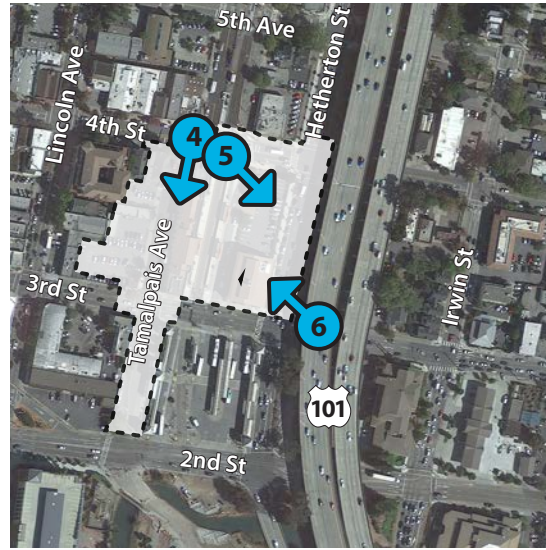
Legend

-  Key View
-  Affected Parcels

 Source: Google Earth Pro 2020.



Move Whistlestop Alternative



Adapt Whistlestop Alternative





4th Street Gateway Alternative




Under the Freeway Alternative

Legend

 Key View

 Affected Parcels

 N

Source: Google Earth Pro 2020.



Existing

Source: Google Street View



Rendering

Graphics ... 00748.17 (6/23/21) AB



Figure 3.1-2
Key View 1 – Existing View and Proposed
Rendering for Move Whistlestop Alternative



Existing

Source: Google Street View



Rendering

Graphics ... 00748.17 (7-26-2022).JIC



Updated Figure 3.1-2
Key View 1 – Existing View and Proposed
Rendering for Move Whistlestop Alternative



Existing

Source: Google Street View



Rendering



Existing

Source: Google Street View



Rendering



Existing

Source: Google Street View



Rendering

Graphics ... 00748.17 (13-2-2021) J.C



Figure 3.1-3
Key View 2 – Existing View and Proposed
Rendering for Adapt Whistlestop Alternative



Existing

Source: Google Street View



Rendering

Graphics ... 00748.17 (7-26-2022)



Updated Figure 3.1-5
Key View 4 – Existing View and Proposed
Rendering for Adapt Whistlestop Alternative



Existing

Source: Google Street View



Rendering

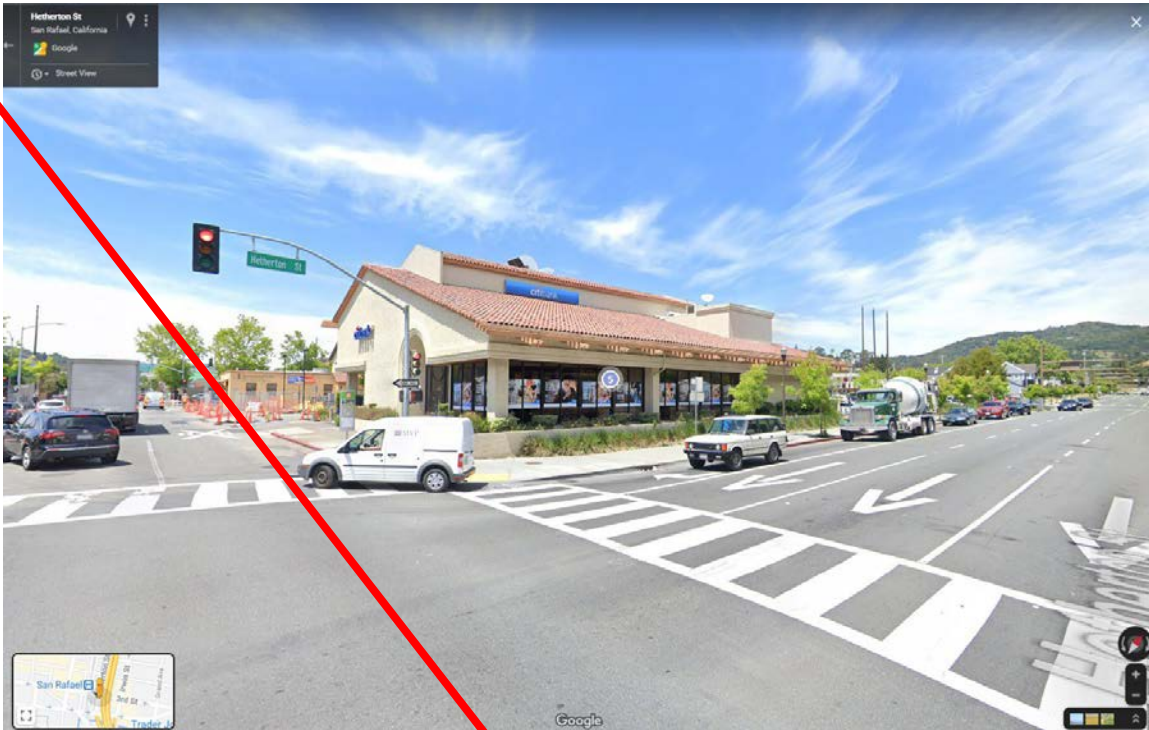


Existing

Source: Google Street View



Rendering



Existing

Source: Google Street View



Rendering



Existing

Source: Google Street View



Rendering



Existing

Source: Google Street View



Rendering

Graphics ... 00748.17 (13-2-2021) J.C



Figure 3.1-6
Key View 5 – Existing View and Proposed
Rendering for 4th Street Gateway Alternative



Existing

Source: Google Street View



Rendering



Existing

Source: Google Street View



Rendering



Existing

Source: Google Street View



Rendering

Graphics ... 00748.17 (5-3-2022) JC



**Updated Figure 3.1-9
Key View 8 – Existing View and Proposed
Rendering for 4th Street Gateway Alternative**



Existing

Source: Google Street View



Rendering

Graphics ... 00748.17 (13-2-2021) J.C



Figure 3.1-8
Key View 7 – Existing View and Proposed
Rendering for Under the Freeway Alternative



Existing

Source: Google Street View



Rendering



Existing

Source: Google Street View



Rendering



Existing

Source: Google Street View



Rendering

3.1.2.2 Thresholds of Significance

The following State CEQA Guidelines Appendix G thresholds identify significance criteria to be considered for determining whether a project could have significant impacts related to aesthetic resources and visual quality.

Would the proposed project:

- Substantially degrade the existing visual character or quality of public views of the site and its surroundings in a non-urbanized area, including scenic vistas?
- Conflict with applicable zoning and other regulations governing scenic quality in an urbanized area, including scenic vistas?
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- Create a new source of substantial light or glare that would adversely affect day or nighttime views near the project improvements?

3.1.2.3 Impacts

Impact AES-1: Substantially Degrade the Existing Visual Character or Quality of Public Views of the Site and its Surroundings in a Non-Urbanized Area, Including Scenic Vistas, or Conflict with Applicable Zoning and Other Regulations Governing Scenic Quality in an Urbanized Area, Including Scenic Vistas

Scenic Vistas

All Build Alternatives

All four build alternatives would be within an urbanized area of San Rafael. Therefore, these alternatives would have no visual impact on non-urbanized areas. In addition, as described under Section 3.1.1.1, Regulatory Setting, the US-101 corridor is elevated as it passes through the proposed project area. Although these views are scenic, they are not considered scenic vista views because the vantage is not high enough for expansive views and intervening vegetation and development limit views along sections of the freeway through the project area. Therefore, there would be **no impact** on scenic vistas as a result of the proposed project and no mitigation is required.

The City's Municipal Code Section 4.16.227, Light and glare, and Section 14.18.170, Lighting, contain codes that help to prevent impacts associated with light and glare. The impacts associated with light and glare are discussed below and are not under this threshold.

Construction

Move Whistlestop, Adapt Whistlestop, and 4th Street Gateway Alternatives

Construction activities would introduce considerable heavy equipment and associated vehicles, including backhoes, compactors, tractors, and trucks, into the viewshed of all viewer groups over the

course of 18 months. Temporary visual changes due to construction signaling and signage also would occur. As identified under Section 3.1.1.1, Regulatory Setting, *The City of San Rafael General Plan 20240* and *the Downtown Vision San Rafael Precise Plan* provide guidance and policies that support the transition of land uses along Hetherton Street, 3rd Street, 4th Street, 5th Avenue, Mission Avenue, Lincoln Avenue, and the freeway ramps to support transportation-oriented uses, including better connections for rail and bus transit; the creation of public plazas; the improvement of bicycle and pedestrian connections; and the installation of landscaping and beautification of the project area. Construction would be required to facilitate these modifications supported by the City. Therefore, all build alternatives are in keeping with the direction of the City plans. However, construction activities occurring near sensitive residential receptors could result in an invaded sense of privacy and disruptive views when experienced from residential areas, which could result in potentially significant visual impacts during construction. As described in Section 3.10, Land Use and Planning, residential land uses do not surround the Move Whistlestop Alternative, Adapt Whistlestop Alternative, or 4th Street Gateway Alternative project sites. Therefore, construction impacts for these build alternatives would be **less than significant**, and no mitigation is required.

Under the Freeway Alternative

Visual conditions for this project site are similar to those described above. However, construction would require the demolition of 1011 Irwin Street, a historic resource. In addition, although residential uses to the north are largely obscured from the site by an existing office building, residential land uses to the east have direct views of the Under the Freeway Alternative project site. This would result in a **significant** impact during construction due to the potential for invasions of privacy and the change in existing visual quality of having direct, extended views of construction activities and staging areas. Implementation of Mitigation Measure MM-AES-CNST-1 for the Under the Freeway Alternative would reduce impacts to a **less-than-significant level with mitigation** by screening disruptive construction activities near residences while helping to maintain residents' privacy.

Operations

The City of San Rafael General Plan 20240 and Municipal Codes (i.e., Zoning Ordinances) pertaining to light and glare, described in detail in Section 3.1.1.1, Regulatory Setting, contain policies and goals pertaining to aesthetic resources. These policies and goals are established to prevent undue light and glare and ensure that new development is designed to enhance their surroundings, preserve historic and architecturally significant structures, and maintain an aesthetically pleasing, residential character of the neighborhood. Additionally, *The City of the Downtown San Rafael General Precise Plan 2020* identifies the ~~Hetherton Office District~~ Downtown Gateway sub-area, which establishes the ~~districts sub-area~~ district sub-area as a “vibrant, active node and transportation hub, and an office center with development that relates inviting entrance to the existing transit center Downtown.” The focus on this ~~districts sub-area~~ district sub-area is to improve pedestrian facilities, expand bus transit, and incorporate rail services while creating the design measures to transform the ~~Hetherton Office District~~ Downtown Gateway sub-area into an elegant transition into Downtown San Rafael.

The existing transit center facility would be vacated under all four of the build alternatives. All build alternatives would have similar visual components such as straight-curb bus bays, pick-up/drop-off curb space, bicycle parking, 9-foot-wide platforms along bus bays, weather protection facilities and seating, public art, landscaping, security, wayfinding signage, and a new, roughly 3,000-square-foot Golden Gate Bridge, Highway and Transportation District (District) building to support the transit

center. This would include customer service, public restrooms, driver relief, small retail, maintenance, and security facilities.

Move Whistlestop and Adapt Whistlestop Alternatives

The Move Whistlestop and Adapt Whistlestop Alternatives share the same general location. As shown on Figures 2-4 and 2-5, both of these alternatives would have very similar features and a very similar layout and, therefore, would have a very similar appearance. The primary difference between the alternatives is that the Move Whistlestop Alternative would relocate the existing Whistlestop building west across Tamalpais Street or would build a new structure that utilizes similar façades and architectural elements from the existing Whistlestop building, whereas the Adapt Whistlestop Alternative would retain a portion of the existing Whistlestop building. In addition, both alternatives would include a substantial amount of landscaping compared to existing conditions, aesthetic paving details, unified color schemes, and site furnishings. As shown in the visual renderings on Figures 3.1-2 through 3.1-4, landscaping, aesthetic paving details, unified color schemes, and site furnishings associated with the Move Whistlestop Alternative would improve visual conditions at this project site by providing visual interest, softening the appearance of built structures in the landscape, and screening or undergrounding utilities and infrastructure such as transmission poles, fencing, and railings associated with the transit center. As shown in the visual renderings on Figures 3.1-3 through 3.1-5, landscaping, aesthetic paving details, color schemes, and site furnishings associated with the Adapt Whistlestop Alternative would be similar to under the Move Whistlestop Alternative. These changes would create an attractive, pedestrian-scale environment with visually pleasing plaza spaces, streetscapes, and transportation facilities. The public spaces in the station area would closely resemble what was described in the Downtown SAP, including the inclusion of a station plaza near West Tamalpais and 4th Street. As further shown in the visual rendering on Figures 3.1-2 through 3.1-4, the District building associated with the Move Whistlestop Alternative would have the same architectural style and visual character of the Whistlestop building and both the Move Whistlestop Alternative and the Adapt Whistlestop Alternative would implement the same design strategies. In addition, as shown in the visual renderings on Figures 3.1-2 through 3.1-5, views toward the hills and ridgelines may be screened down West Tamalpais Avenue due to landscaping proposed under both alternatives. ~~However, views of the hillsides from Hetherton Street may open up and become more prominent, as shown in the visual rendering on Figure 3.1-4. However, as seen on Figure 3.1-5, the view to the south down West Tamalpais Avenue from 4th Street would open up under the Adapt Whistlestop Alternative and create more views toward the west of West Tamalpais Avenue, even though taller development associated with redevelopment occurring in the Downtown area would partially obscure this opened-up view corridor. As seen on Figure 3.1-2, views to the west from the intersection of 4th Street and West Tamalpais Avenue would be more screened by landscaping and the relocated alignment of West Tamalpais Avenue under the Move Whistlestop Alternative. Views from this vantage point to the east would likely open up more under the Move Whistlestop Alternative than under the Adapt Whistlestop Alternative, because views behind the existing Whistlestop building would become more apparent once the building is relocated or demolished,⁴ and there is no structure to obscure views (Figure 3.1-3). In addition, views of the hillsides from Hetherton Street may open up and become more prominent, as shown in the visual rendering on Figure 3.1-7. In~~

⁴ Should relocation become infeasible due to engineering or structural concerns, accessibility concerns, or feedback from the Community Design Advisory Group, the Whistlestop building could also be demolished and a new building constructed at the current location of 703-705 4th Street and 927 Tamalpais Avenue.

addition, views of the hills from US-101 would not be affected because building heights and trees planted by these build alternatives would not obscure views of these features. Therefore, the Move Whistlestop Alternative and the Adapt Whistlestop Alternative would create a well-designed common area that helps preserve the view corridors along Tamalpais Avenue and the train tracks from 2nd Street to 5th Avenue, keeping the City's defining hillsides in view, to prevent the walling off of Downtown as adjacent blocks are redeveloped with taller buildings.

Under both alternatives, all of the proposed building and structure heights would fall within the limits identified in *The City of San Rafael General Plan 20240* and the Downtown SAP and retain many views toward the surrounding hillsides. Both alternatives would also enhance their surroundings associated with Downtown's existing urban and historic character; create pleasant and attractive streets that are bicycle- and pedestrian-friendly; include landscaping, sidewalks, and other site amenities; and create social gathering places in a manner that is consistent with *The City of San Rafael General Plan 2020,2040*, the Downtown SAP, and the Downtown Vision-San Rafael Precise Plan. Both alternatives would satisfy *The City of San Rafael General Plan 2020's,2040's*, the Downtown SAP's, and the Downtown Vision's San Rafael Precise Plan's goals of establishing the ~~Hetherton Office District~~Downtown Gateway sub-area as a transportation hub and enhancing the district's gateways image by improving the visual quality of the streets surrounding the transit center. Therefore, both the Move Whistlestop and Adapt Whistlestop Alternatives would not conflict with zoning and other regulations governing scenic quality. Impacts would be **less than significant**. No mitigation is required.

4th Street Gateway Alternative

The 4th Street Gateway Alternative shares the same general location as the Move Whistlestop and Adapt Whistlestop Alternatives. This alternative would also have similar features and a similar appearance to the Move Whistlestop and Adapt Whistlestop Alternatives. The primary difference between the alternatives is that the Whistlestop building would not be utilized by this build alternative and it would not be removed or relocated under the 4th Street Gateway Alternative. Instead, the proposed District building would be on the corner of Hetherton and 3rd Streets, replacing the existing Citibank building. As shown in the visual renderings on Figures 3.1-68 and 3.1-79, landscaping, aesthetic paving details, unified color schemes, and site furnishings associated with the 4th Street Gateway Alternative would also improve visual conditions at the project site by providing visual interest, softening the appearance of built structures in the landscape, and screening or undergrounding utilities and infrastructure such as transmission poles, fencing, and railings associated with the transit center. These changes would create an attractive, pedestrian-scale environment with visually pleasing plaza spaces, streetscapes, and transportation facilities. As shown in the visual renderings on Figure 3.1-68, views toward the hills and ridgelines may be screened down Hetherton and 4th Streets due to landscaping proposed under this alternative. Although not rendered, views of the hillsides from 5th Avenue may also be screened by landscaping. However, views of the hillsides from Hetherton Street may open up and become more prominent, as shown in the visual rendering on Figure 3.1-79. In addition, views of the hills from US-101 would not be affected because building heights and trees planted by the 4th Street Gateway Alternative would not obscure views of these features.

Proposed building and structure heights and site enhancements would be the same as described for the Move Whistlestop and Adapt Whistlestop Alternatives above. The changes under the 4th Street Gateway Alternative would be consistent with those of the Move Whistlestop and Adapt Whistlestop Alternatives. ~~However, the 4th Street Gateway Alternative would remove historic structures along~~

5th Avenue and, therefore, would conflict with zoning and other regulations governing scenic quality that are in place to protect such resources, resulting in a **significant** impact. Impacts would be reduced to ***less-than-significant levels with mitigation*** with implementation of Mitigation Measure MM-CULT-CNST-1, which would relocate and preserve these historic structures. However, the 4th Street Gateway Alternative would remove historic structures along 5th Avenue. The buildings at 633 5th Avenue and 637 5th Avenue are well maintained and have landscaping surrounding the structures that is also well kept. However, these buildings are surrounded by commercial buildings of varying age and repair that lack aesthetic appeal and transportation facilities, including US-101 and the rail line, that act to segment the block where these structures are located from surrounding areas. In addition, there is little landscaping surrounding the commercial buildings and transportation facilities to help improve the aesthetics of the area. Therefore, the buildings are within an area that is, overall, visually disjointed. Removal of these buildings would slightly detract from views. However, their removal would occur in conjunction with the removal of disjointed land uses along Hetherton Street and Tamalpais Avenue between 3rd Street and 5th Avenue. The 4th Street Gateway Alternative would replace the disjointed land uses with a station and public space that provides a more unified visual setting that includes landscaping and provides greater aesthetic appeal over a larger area. However, removal of these buildings would conflict with zoning and other regulations governing scenic quality that are in place to protect such resources, which could result in a **significant** impact. However, as described above, the 4th Street Gateway Alternative would replace the disjointed land uses with a more unified visual setting with greater aesthetic appeal over a larger area. These changes achieve many overarching aesthetic goals of the City to revitalize the area, create an attractive gateway, and improve the appearance of the neighborhoods in the City. Additionally, the City has adopted Municipal Code Section 14.25.050(E)(1) - *Review Criteria for Site Design, Views*, which sets forth the review criteria for development and requires a harmonious relationship between structures within the development and between the structures and the site. Proposed structures and site development should be related accordant to existing development in the vicinity. There must be a consistent organization of materials and a balanced relationship of major elements. The code also requires that major views of the San Pablo Bay, wetlands, bay frontage, the Canal, and Mt. Tamalpais and the hills should be preserved and enhanced from public streets and public vantage points. Implementation of this alternative would help open up views of the hillsides from Hetherton Street, making the views more prominent.

Furthermore, aesthetic impacts would be reduced to ***less-than-significant levels with mitigation*** with implementation of Mitigation Measure MM-CULT-CNST-1, which would relocate and preserve these historic structures, if feasible. If the buildings cannot be relocated or preserved, then Mitigation Measure MM-CULT-CNST-1 would ensure that the features of the buildings are retained in an onsite interpretive display commemorating the historical significance of the demolished building (refer to Mitigation Measure MM-CULT-CNST-3). In the event that the building cannot be relocated, the interpretative display that would be installed under Mitigation Measure MM-CULT-CNST-3 would be placed within this landscape as part of this alternative. Furthermore, the interpretive sign would achieve the goals of recognizing the buildings' aesthetic value and paying respect to historic buildings. In addition, the interpretive sign would be a form of preservation education that retains a visual representation of the buildings that can be seen by passing viewers who would benefit from the improved visual character and quality of the landscape.

Under the Freeway Alternative

The Under the Freeway Alternative is located independently of the other alternatives. However, this alternative would have similar design features as the Move Whistlestop, Adapt Whistlestop, and 4th Street Gateway Alternatives. Although the Under the Freeway Alternative would have similar design features, it would generally have a more urban appearance because it would be largely amongst the US-101 freeway piers, as shown in the visual rendering on Figure 3.1-810. This would create a transit center that does not have the same pedestrian-scale feeling as the other three alternatives. However, having an active transit center that improved the aesthetics associated with the area under the freeway would improve visual conditions and make this area feel safer, which would be consistent with the goals identified in *The City of San Rafael General Plan 20240* and *the Downtown Vision San Rafael Precise Plan*. In addition, this alternative would utilize areas that are not under the freeway, which are to the east of the freeway. As shown in the visual renderings on Figure 3.1-911, these parcels would have landscaping, aesthetic paving details, unified color schemes, and site furnishings associated with the Under the Freeway Alternative that would improve visual conditions at the project site by providing visual interest, softening the appearance of built structures in the landscape, and screening or undergrounding utilities and infrastructure such as transmission poles, fencing, and railings associated with the transit center. These changes would create an attractive, pedestrian-scale environment with visually pleasing plaza spaces, streetscapes, and transportation facilities. Views toward the surrounding hills and ridgelines from local streets are not likely to be affected by this alternative because the freeway and existing structures largely obscure views of these features west of the freeway. In addition, views of the hills from US-101 would not be affected because building heights and trees planted by this build alternative would not obscure views of these features.

Proposed building and structure heights and site enhancements would be the same as described for the Move Whistlestop and Adapt Whistlestop Alternatives above. The changes under this alternative would be ~~consistent with~~ similar to those described for the Move Whistlestop, Adapt Whistlestop, and 4th Street Gateway Alternatives. However, Similar to the 4th Street Gateway Alternative, the Under the Freeway Alternative would remove a one historic structure (i.e., 1011 Irwin Street), identified by the City as eligible for listing in the National Register of Historic Places and, therefore, California Register of Historical Resources as an excellent example of a hipped-roof cottage). This building is between a commercial business, which has no buffer between the paved parking area and paved access road and the historic structure, and another residential building that has been converted to a business. Therefore, similar to the 4th Street Gateway Alternative, 1011 Irwin Street is in an area that is visually disjointed. The building at 1011 Irwin Street looks like a house that is typical of this general area and the roof does not stand out as greatly different from other roofs in the area. In addition, the landscaping surrounding the structure is overgrown and does not enhance views of the structure. Overall, the general public would not likely perceive this as a historically protected structure and the structure does not stand out visually in the landscape as a building with overly unique features. Therefore, removal of this building would not likely result in substantial visual impacts if the structure were not protected. However, removal of this building would conflict with zoning and other regulations governing scenic quality that are in place to protect such resources, resulting which could result in a significant impact. Impacts would be reduced to less-than-significant levels. As described above, this alternative would replace disjointed land uses with mitigation a more unified visual setting with implementation of Mitigation Measure MM-CULT-CNST-1, which would relocate and preserve these historic structures greater aesthetic appeal over a larger area. These changes achieve many of the City's overarching aesthetic goals to revitalize the

area, create an attractive gateway to Downtown San Rafael, and improve the appearance of the neighborhoods in the City.

Mitigation Measures

Furthermore, aesthetic impacts would be reduced to *less-than-significant levels with mitigation* with implementation of Mitigation Measures MM-CULT-CNST-1, which would relocate and preserve 1011 Irwin Street, if feasible. If the building cannot be relocated or preserved, then Mitigation Measure MM-CULT-CNST-1 would ensure that the features of affected historic buildings are retained in an onsite interpretive display commemorating the historical significance of the demolished building (refer to Mitigation Measure MM-CULT-CNST-3). In the event that the building could not be relocated, the interpretive display that would be installed under Mitigation Measure MM-CULT-CNST-3 would be placed within this landscape as part of this alternative. Furthermore, the interpretive sign would achieve the goals of recognizing the buildings' aesthetic value and paying respect to historic buildings. In addition, the interpretive sign would be a form of preservation education that retains a visual representation of the buildings that can be seen by passing viewers who would benefit from the improved visual character and quality of the landscape.

Mitigation Measures

Under any build alternative that is selected and constructed, the following measure would be implemented.

MM-AES-CNST-1: Install Visual Barriers Between Construction Work Areas and Sensitive Receptors

The project proponent or its contractor(s) shall install visual barriers between stationary construction work areas and sensitive residential receptors adjacent to the Under the Freeway Alternative site to reduce the impact on these receptors from invasions of privacy and the change in existing visual quality. Barriers shall be placed to obscure views of stationary work areas (e.g., staging areas or areas of fixed construction) where construction activity and equipment would be disruptive and lower the existing visual quality. These efforts shall include the following actions and performance standards:

- The project proponent or its contractors(s) shall install visual barriers to minimize sensitive residential receptors' views of construction work areas.
- The visual barriers shall be placed around the north, east, and south sides of the Under the Freeway Alternative site to protect residents that are within one block of the construction site because these residences would have an unobstructed view of the construction area.
- The visual barrier may be chain link fencing with privacy slats, fencing with windscreen material, wood barrier, or other similar barrier.
- The visual barrier shall be a minimum of 6 feet high to help to maintain the privacy of residents and block ground-level views toward stationary construction activities.

While the visual barriers would introduce a visual intrusion, they would greatly reduce the visual effects associated with visible construction activities, and screening construction activities would protect privacy. The visual barriers are an effective means of reducing the visibility of active construction work areas, thereby minimizing the impact on existing localized visual quality.

For the Under the Freeway Alternative, the following measures would be implemented.

MM-CULT-CNST-1: Prepare and Implement Relocation Plans

Refer to Section 3.4, Cultural Resources, for the full text of this measure.

MM-CULT-CNST-3: Develop and Implement an Interpretive Program

Refer to Section 3.4, Cultural Resources, for the full text of this measure.

Impact AES-2: Substantially Damage Scenic Resources, Including, but not Limited to, Trees, Rock Outcroppings, and Historic Buildings within a State Scenic Highway

All Build Alternatives

As described above under Section 3.1.1.1, Regulatory Setting, there are no roadways within or near the project area that are designated in federal, state, or local plans as a scenic highway or a route worthy of protection for maintaining and enhancing scenic viewsheds (Caltrans 2019; City of San Rafael 2016). Therefore, there would be **no impact** on scenic resources along a scenic route and no mitigation is required.

Mitigation Measures

No mitigation is required.

Impact AES-3: Create a New Source of Substantial Light or Glare that Would Adversely Affect Day or Nighttime Views Near the Project Improvements

Construction

Move Whistlestop, Adapt Whistlestop, and 4th Street Gateway Alternative

Nighttime construction would occur on a limited basis for in-lane street work to reduce traffic impacts during the day. Therefore, high-intensity nighttime lighting would be needed, intermittently, for short periods of time. As described in Section 3.10, Land Use and Planning, residential land uses do not surround the Move Whistlestop Alternative, Adapt Whistlestop Alternative, or 4th Street Gateway Alternative. Therefore, impacts would be **less than significant**, and no mitigation is required.

Under the Freeway Alternative

Although residential uses to the north are largely obscured from the site by an existing office building, residential land uses to the east have direct views of the Under the Freeway Alternative project site. The use of high-intensity nighttime lighting could negatively affect sensitive residential viewers next to this project site and result in substantial increases in light and glare during construction when high-intensity nighttime lighting is in use, resulting in a **significant** impact. Implementation of Mitigation Measure MM-AES-CNST-2 would reduce impacts to a **less-than-significant level with mitigation** by limiting construction to daylight hours near residences.

Operations

All Build Alternatives

Each of the alternatives would require the removal of existing buildings and landscaping; construction of District buildings or renovation of an existing building to include District offices; construction of station platforms, curbside bays, and space for public plazas, customer service facilities, bicycle parking, and/or transit-supportive land uses; and the relocation and/or removal of traffic signal poles and streetlights to accommodate the proposed project. The removal of existing buildings would remove existing sources of glare and nighttime lighting associated with street lighting and interior and exterior lighting associated with the existing buildings. However, street lighting would be relocated or removed and new buildings associated with the proposed project would include interior and exterior lighting.

The removal of vegetation would slightly increase glare in the project area, but glare associated with the urban areas is already a prominent visual element associated with all alternatives. Landscaping, including trees, would also be installed as part of the proposed project, which would replace sources of shade as trees mature and help to reduce glare and filter nighttime lighting. New structures built in the project area could be a source of glare, depending on the color and design selection for the structure, and relocated lighting could increase nighttime light and glare at certain locations. Due to the effect of landscaping and shade trees, it is expected that any shadows cast by relocated buildings would not have a noticeable effect on the visual experience of individuals at the project site.

However, Section 4.16.227, Light and glare, of the City's Municipal Code helps to limit and prevent undue offsite light and glare through colors and material selections that avoid glossy finishes and reflective surfaces and to ensure that lighting fixtures are designed and shielded to conceal light sources from views off site and avoid spillover onto adjacent properties. This applies to new lighting fixtures or changes in lighting intensity on mixed-use and non-residential properties, which are subject to environmental and design review permit review by the City. In addition, Section 14.18.170, Lighting, of the Municipal Code ensures that lighting for parking facilities and paved areas is designed be shielded away from residential uses and motorists. Compliance with the Municipal Code, which would be enforced through design review, would help to reduce the potential for increases in light and glare resulting from the proposed project.

However, even with compliance with the Municipal Code, the potential for impacts associated with light-emitting diode (LED) lighting would still exist and could affect sensitive receptors if not properly designed. LED lights can negatively affect humans by increasing nuisance light and glare, in addition to increasing ambient light glow, if blue-rich white light lamps (BRWL) lamps are used (American Medical Association 2016; International Dark-Sky Association 2010a, 2010b, 2015). Studies have found that a 4000 Kelvin white LED light causes approximately 2.5 times more light pollution than high-pressure sodium lighting with the same lumen output, which would affect sensitive receptors and more than double the perceived brightness of the night sky (Aubé et al. 2013; Falchi et al. 2011, 2016). This would result in a substantial source of nighttime light and glare that could adversely affect nighttime views in the area for all alternatives, resulting in a **significant** impact. Impacts associated with the Under the Freeway Alternative may be more pronounced if BRWL LED lighting affects sensitive residential viewers. Implementation of Mitigation Measure MM-AES-OP-3 would ensure that lighting impacts associated with all alternatives are reduced to **less-than-significant levels with mitigation** by employing measures to prevent light pollution and by preventing the use of BRWL LED lighting.

Mitigation Measures

Under any build alternative that is selected and constructed, the following measures would be implemented.

MM-AES-CNST-2: Limit Construction Near Residences to Daylight Hours

Construction activities scheduled to occur between 6 p.m. and 7 a.m. shall not take place before or past daylight hours (which vary according to season) near residences within one block of the Under the Freeway Alternative site. This will reduce the amount of construction experienced by viewer groups because most construction activities would be occurring during business hours (when most viewer groups are likely to be at work) and eliminate the need to introduce high-wattage lighting sources to operate in the dark near residences.

MM-AES-OP-3: Apply Minimum Lighting Standards

All artificial outdoor lighting and overhead street lighting shall be designed in accordance with Section 4.16.227, Light and glare, and Section 14.18.170, Lighting, of the City's Municipal Code. In addition, all lighting shall use downcast, cut-off type fixtures that are shielded and direct the light only toward objects requiring illumination. Therefore, lights shall be installed at the lowest allowable height and cast low-angle illumination while minimizing incidental light spill onto adjacent properties or open spaces, or backscatter into the nighttime sky. The lowest allowable wattage shall be used for all lighted areas, and the number of nighttime lights needed to light an area shall be minimized to the highest degree possible. Lighting shall be designed for energy efficiency, with daylight sensors or timers with an on/off program. Lights shall provide good color rendering with natural light qualities, with the minimum intensity feasible for security, safety, and personnel access. Lighting, including light color rendering and fixture types, shall be designed to be aesthetically pleasing.

LED lighting shall avoid the use of BRWL lamps and use a correlated color temperature that is no higher than 3,000 Kelvin, consistent with the International Dark-Sky Association's Fixture Seal of Approval Program (International Dark-Sky Association 2010a, 2010b, 2015). In addition, LED lights shall use shielding to ensure that nuisance glare and light spill does not affect sensitive residential viewers.

Lights along pathways and bridge safety lighting shall use shielding to minimize offsite light spill and glare and shall be screened and directed away from adjacent uses to the highest degree possible. The number of nighttime lights used along pathways shall be minimized to the highest degree possible to ensure that spaces are not unnecessarily over-lit. For example, the amount of light can be reduced by limiting the amount of ornamental light posts to higher-use areas and by using bollard lighting on travel way portions of pathways.

Technologies to reduce light pollution evolve over time; design measures that are currently available may help but may not be the most effective means of controlling light pollution once the proposed project is designed. Therefore, all design measures used to reduce light pollution shall use the technologies available at the time of project design to allow for the highest potential reduction in light pollution.

Furthermore, a pre-construction photometric analysis (i.e., a lighting study) will be prepared to demonstrate foot candle readings to determine how much light is coming from fixtures and

lighting the coverage area to help eliminate “hot spots” or areas where there is excessive lighting or light spill. In addition, a post-installation lighting inspection will occur 30 days following installation to allow for adjustments in the intensity of light and glare coming from installed lighting.