

RESOLUTION NO. 12-09

RESOLUTION OF THE CITY OF SAN RAFAEL PLANNING COMMISSION RECOMMENDING TO THE CITY COUNCIL ADOPTION OF AN ORDINANCE REZONING CERTAIN REAL PROPERTY FROM PLANNED DEVELOPMENT (PD) - WETLAND OVERLAY (-WO) DISTRICT (PD1764-WO) TO A REVISED PD - WO DISTRICT (ZC05-01) TO ALLOW THE ADDITION OF A NEW 85,700-SQUARE-FOOT RECREATIONAL BUILDING, TWO OUTDOOR FIELDS, AND ASSOCIATED SITE IMPROVEMENTS, LANDSCAPING AND PARKING TO THE EXISTING PRIVATE AIRPORT AND ANCILLARY LIGHT-INDUSTRIAL USES CURRENTLY ALLOWED BY PD 1764-WO, ON A VACANT PORTION OF THE 119.5-ACRE SAN RAFAEL AIRPORT PROPERTY LOCATED AT 397-400 SMITH RANCH ROAD (SAN RAFAEL AIRPORT) (APN'S: 155-230-10, 11, 12, 13,14, 15 AND 16)

WHEREAS, on March 1, 2005, San Rafael Airport, LLC submitted planning application ZC05-01 to the City of San Rafael requesting an amendment to the properties existing Planned Development Zoning District (PD1764-WO) to allow approval of a new indoor and outdoor recreational facility on a portion of the 119.5-acre San Rafael Airport property, aka 155-230-12; and

WHEREAS, the current Planned Development (PD1764-WO) District, Wetland Overlay zoning ordinance adopted for this site (March 19, 2001) established land use regulations for a private airport use limited to 100-based aircraft and limited non-aviation uses consistent with those permitted in the Use Permit (UP99-9) at the San Rafael Airport. The current PD zoning ordinance does not contain appropriate land use limitations and development standards, as required by Section 14.07.060 of the Zoning Ordinance. Rezoning has been initiated to establish the required development standards for the proposed addition of a indoor and outdoor recreational facility as well as to incorporate the existing and previously approved standards for San Rafael Airport, as outlined in Attachment "B" - (*San Rafael Airport - Planned Development District*); and

WHEREAS, accompanying applications for an Environmental and Design Review Permit (ED05-16) and an amendment to the Master Use Permit (UP05-08) have been submitted and are being processed concurrent with the Rezoning application, as required by the Zoning Ordinance; and

WHEREAS, on January 24, 2012, the Planning Commission by separate resolution has recommended to the City Council the certification of a Final Environmental Impact Report/Response to Comments (FEIR) (SCH#2006012125) for the San Rafael Airport Recreational Facility Project; and

WHEREAS, on June 6, 2012, the Planning Commission by separate resolution has recommended to the City Council adoption of CEQA Findings of Fact for the San Rafael Airport Recreational Facility Project; and

WHEREAS, a Mitigation Monitoring and Reporting Program has been prepared for the project in compliance with California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, the custodian of documents which constitute the record of proceedings upon which this decision is based is the Community Development Department of the City of San Rafael; and

WHEREAS, on May 29, 2012, the San Rafael Planning Commission held a duly-noticed public hearing on the proposed Rezoning, as required by State law, accepting all oral and written public testimony and the written report of the Community Development Department staff reports relevant to the proposal; and

WHEREAS, the Planning Commission closed the May 29, 2012 public hearing and continued its meeting to June 6, 2012 in order to conclude its deliberations on the San Rafael Airport Recreation Facility project.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission recommends to the City Council adoption of the Planned Development (PD) District Rezoning to rescind the existing PD District (PD 1764-WO) for these properties and establish a new PD District – WO as outlined in Attachment “C” (*San Rafael Airport – Planned Development District*) based on the following findings, as required under Zoning Ordinance Sections 14.27.060 and 14.07.090:

1. The Development Plan is consistent in principle with the San Rafael General Plan 2020 and other applicable City plans or policies in that the *San Rafael Airport - Planned Development District* document includes appropriate development standards, and is subject to an Environmental and Design Review Permit and a Master Use Permit, implementing the intent of Chapters 22 (Use Permit) and 25 (Environmental and Design Review Permit) of the San Rafael Zoning Ordinance, the applicable General Plan land use policies, including:
 - a) The proposed project as designed and conditioned would be consistent with Land Use Element Policies LU-2 (*Development Timing*), LU-9 (*Intensity of Nonresidential Development*), LU-10 (*Planned Development Zoning*), LU-12 (*Building Heights*), LU-14 (*Land Use Compatibility*), LU-22 (*Odor Impacts*) and LU-23 (*Land Use Map and Categories*) given that the project: 1) would be approved at a time when there is adequate infrastructure to serve the proposed development; 2) would not exceed the maximum floor area ratio intensity of 0.30 allowed in the North San Rafael area; 3) is part of a Planned District and includes a request for Rezoning to allow the addition of a recreational facility; 4) would not exceed the maximum building height of 36 feet allowed for this part of San Rafael (which is measured using the 1997 Uniform Building Code method); 5) has been designed to minimize potential nuisance effects on adjacent residential and recreational properties; 6) would not be susceptible to odor impacts from the wastewater treatment plant; and 7) would be consistent with the Airport/Recreation land use designation in that the use is a private recreational use open to the general public and is therefore consistent with the covenant for this property.
 - b) The proposed project as designed and conditioned would be consistent with Housing Element Policies H-18 (*Adequate Sites*) and H-24 (*Contributions Towards Employee Housing*) in that: 1) the site is not identified as a housing opportunity site since residential development is not allowed as a result of the covenant and the General Plan land use designation; and 2) the project would be required to contribute towards affordable housing through payment of an in-lieu housing fee due to the housing needs created by the additional employment generated by this facility.
 - c) The project is consistent with the applicable Neighborhoods Element Policy NH-149 (*San Rafael Airport*) in that the proposed private recreational use recognizes the sites valuable recreational. Further, the project recognizes the sites valuable environmental characteristics by providing adequate setbacks in excess of 50-feet from wetlands and 100-feet from the North Fork of Gallinas Creek bank.

- d) The project as proposed and as conditioned would be consistent with Community Design Element Policies CD-5 (*Views*), CD-6 (*Hillsides and Bay*), CD-7 (*Downtown and Marin Civic Center*), CD-10 (*Non-Residential Design Guidelines*), CD-18 (*Landscaping*), CD-19 (*Lighting*) CD-21 (*Parking Lot Landscaping*) in that the project design: 1) preserves, to the greatest extent possible, views of the Bay, Mt. Tamalpais, Civic Center and the hills and ridgelines from surrounding public areas; 2) would neither break nor silhouette any hillsides or ridgelines nor block more than the bottom 1/3 of any hillsides of views from surrounding public places; 3) would not result in a significant loss of views of Marin Civic Center since it would only block views of the Civic Center from a public trail next to McInnis Park for approximately 600 feet of the 2.1 mile long trail between the McInnis Park parking lot and the Bay; 4) is generally in keeping with the mass and scale of other commercial, office and recreational developments that surround the Civic Center and Smith Ranch Road and would introduce a higher quality architectural design than currently present on the site; 5) provides landscaping to screen and enhance the project and site; 6) creates adequate lighting without spillover onto adjacent properties or natural areas; and 7) has been reviewed by the Design Review Board and found to be consistent the applicable design policies of the General Plan and the City's Non-Residential Design Guidelines.
- e) The project as proposed and as conditioned would be consistent with Circulation Policies C-1 (*Regional Transportation Planning*), C-5 (*Traffic Level of Service Standards - LOS D for Arterials and Intersections*), C-7 (*Circulation Improvements Funding*), C-8 (*Eliminating and Shifting Peak Hour Trips*), C-9 (*Access for Emergency Services*), C-26 (*Bicycle Plan Implementation*) and C-27 (*Pedestrian Plan Implementation*) in that the project: 1) would be consistent with the land use assumptions of the Congestion Management Plan; 2) would not exceed the acceptable level of service standards (LOS), LOS D, established for intersections along the Smith Ranch Road/Lucas Valley Road arterial segment impacted by project generated traffic; 3) would be required to pay its fair share towards traffic impacts to fund circulation impacts in order to maintain acceptable LOS standards for the General Plan; 4) would not generate new trips during the A.M. peak hour; 5) would maintain adequate access for emergency services as determined by the City's Public Safety Departments; and 6) would create a new bicycle and pedestrian pathway for access to the new use.
- f) The project as proposed and as conditioned would be consistent with Infrastructure Element Policies I-2 (*Adequacy of City Infrastructure and Services*), I-7 (*Landscape Maintenance*), I-10 (*Sewer Facilities*) and I-13 (*Wastewater Treatment and Reuse*) in that the appropriate utility agencies have reviewed the project and determined that there is adequate water, sewer drainage and utility capacity to serve the new use and the project has been conditioned to require that in the future if reclaimed water is made available in this area, it be used for site landscaping.
- g) The project as proposed and as conditioned would be consistent with Parks and Recreation Element Policies PR-4 (*City Recreational Needs*), PR-4a (*All-Weather Fields*), PR-13 (*Commercial Recreation*) PR-13a (*Commercial Recreation*) and PR-14 (*Amateur Multi-sport Athletic Fields*) given that: 1) the project would be a privately developed recreational facility in the North San Rafael area; 2) the recreational facility would provide additional outdoor sports opportunities, including outdoor sports fields; 3) the facility would provide all-weather outdoor fields for year-round use; and 4) the City's Parks and Recreation Commission reviewed the project on July 21, 2005 and found it to be consistent with these policies.
- h) The project as proposed and as conditioned would be consistent with Safety Element Policies: S-3 (*Use of Hazard Maps in Development Review*), S-4 (*Geotechnical Review*), S-5 (*Minimize Potential Effects of Geological Hazards*), S-6 (*Seismic Safety of New Buildings*), S-13 (*Potential Hazardous Soils Conditions*), S-14 (*Hazardous Materials Storage, Use and Disposal*), S-17

(*Flood Protection of New Development*), S-18 (*Storm Drainage Improvements*), S-20 (*Levee Upgrading*), S-22 (*Erosion*) S-25 (*Regional Water Quality Control Board (RWQCB) Requirements*), S-26 (*Fire and Police Services*) and S-32 (*Safety Review of Development Projects*) in that: 1) the project has been reviewed using the hazard maps and Geotechnical Review Matrix; 2) the geotechnical review and peer review concluded that the development on this site, with conditions, is feasible and appropriate from a geotechnical engineering standpoint; 3) the project would not include any hazardous materials or uses in its operations; 4) the development would be built to conform to current building and seismic safety codes; 5) the structure would be built in accordance with the Federal Emergency Management Agency (FEMA) regulations for this type of structure and use in a 100-year flood zone; 6) storm drain systems on the site are adequate to accommodate a 100-year storm; 7) conditions have been included requiring that the property owner maintain the integrity of the levees that surround the site and maintain the required height for the levees; 8) an erosion control plan would be required during construction of the project; 9) the drainage plan would direct all new run-off from the site into vegetated swale before being released into the storm drain system and creek; and 10) the project has been reviewed by the Police and Fire Department and found to be in conformance with their fire and crime prevention standards and would not pose a risk to public safety or impact their levels of service.

- i) The project as proposed and as conditioned would be consistent with Noise Element Policies N-1 (*Noise Impacts on New Development*), N-3 (*Planning and Design of New Development*), N-4 (*Noise from New Nonresidential Development*), N-5 (*Traffic Noise from New Development*) and N-7 (*Airport/Heliport*) in that the project: 1) has undergone acoustical studies to evaluate compatibility of the siting of the new recreational use and the evaluate and analyze the impacts on adjacent properties; 2) acoustical analysis has found that the operation of this new use would not increase noise levels or traffic noise more than that prescribed by the City policy; 3) conditions and mitigations have been incorporated to reduce any temporary impacts due to construction; and 4) would not result in any changes to the previously approved private airport and its operation and the conditions that have previously been applied to that use.
- j) The project as proposed and as conditioned would be consistent with Conservation Element Policies CON-1 (*Protection of Environmental Resources*), CON-2 (*Wetlands Preservation*), CON-3 (*Unavoidable Filling of Wetlands*), CON-4 (*Wetland Setbacks*), CON-6 (*Creek and Drainageway Setbacks*), CON-7 (*Public Access to Creeks*), CON-8 (*Enhancement of Creeks and Drainageways*), CON-9 (*Native and/or Sensitive Habitats*), CON-10 (*Impacts to Sensitive Habitats*), CON-11 (*Wildlife Corridors*), CON-12 (*Preservation of Hillsides*), CON-13 (*Threatened and Endangered Species*), CON-14 (*Special Status Species*), CON-15 (*Invasive Non-Native Plant Species*), CON-16 (*Landscape with Native Plant Species*) and CON-22 (*Resource Efficiency in Site Development*) in that the proposed project: 1) would not fill or impact any of the potential wetlands that are present on the site to the north of the proposed building and these potential wetlands have been determined to be of low quality; 2) would maintain setbacks from the creek and potential wetland areas in excess of those required by the applicable policies and standards; 3) is not located on a site where it is feasible to create public access to the creek since the site is privately owned, operated as an airport and not connected with surrounding public trails; 4) would not impact a wildlife corridor since the site is currently developed with an airport and biological assessments have found no such corridors; 5) with the distance of the site from surrounding properties, only views of the lower third of the hills to the south and west would be impacted and views of surrounding hills and ridgelines would neither be broken nor silhouetted; 6) would not impact any sensitive or threatened/endangered species or habitats; 7) would avoid sensitive portions of the site or the surrounding areas; 8) has been conditioned to ensure that disturbance to any potential nesting birds be avoided during

construction; 9) has been conditioned to use native tree species for all new perimeter screening trees; and 10) would provide shade trees in a majority of the parking lot and there are not large expanses of windows proposed on the structure.

- k) The project as proposed and as conditioned would be consistent with Air and Water Quality Element Policies: AW-1 (*State and Federal Standards*) AW-2 (*Land Use Compatibility*) AW-3 (*Air Quality Planning with Other Processes*) AW-4 (*Particulate Matter Pollution Reduction*), AW-7 (*Local, State and Federal Standards*), AW-8 (*Reduce Pollution from Urban Runoff*) and AW-9 (*Erosion and Sediment Control*) since the project: 1) would comply with local, state and federal air quality standards; 2) mitigation measures have been incorporated to address temporary air quality impacts during construction; 3) drainage systems have been designed to utilize vegetated swales before discharging drainage into storm drain systems or the creek; 4) methods consistent with the Storm Water Pollution Prevention Standards of the Regional Water Quality Board have been incorporated into the design and conditions have been included to require compliance with these standards.
 - l) The project as proposed and as conditioned would be substantially in compliance with the applicable polices in the Sustainability Element of the General Plan: SU-5a. (*Green Building Regulations*) *Require new construction to comply with adopted green building regulations*; SU-5c. (*Water Efficiency Programs*) *Develop and implement water efficient conservation programs..., including water efficient landscape regulations*; SU-5d. (*Reflective Surfaces*) *Encourage use of high albedo (reflectivity) materials for future outdoor surfaces such as parking lots, roadways*; and SU-6. (*New and Existing Trees*) *Plant new and retain existing trees to maximize energy conservation and carbon sequestration benefits*. The development would achieve minimum LEED certification, comply with current building code (CBC) Title-24 energy efficiency requirements and Water Efficient Landscape mandates of MMWD, and will plant in excess of 100 new trees on-site. Achieving LEED green building certification would be consistent with the Sustainability policies and the City's Climate Change Action Plan, In order to assure substantial compliance, the project could be required to implement clean air vehicle parking per San Rafael Municipal Code Section 14.18.045, install bicycle parking per SRMC 14.18.090 and implement construction demolition debris recycling as part of LEED certification, and building permit issuance. The project would also meet CCAP objectives through its required payment of affordable housing fee's, use of reclaimed water if available, proposed installation of solar and green roofing materials, and proposed provision of a bicycle and pedestrian path from Smith Ranch Road. The bicycle parking requirement and policy SU-5d would be included as conditions of approval Based on this discussion, staff concludes that the project would be in substantial compliance with the new Sustainability Element and CCAP.
2. The project presents a recreational development of sustained desirability and stability in harmony with the character of the surrounding residential, recreational and commercial/industrial developments and has provided adequate open space in that: a) the Development Plan as proposed would cluster the new development and maintain over 84% of the site without structures, impervious materials or paving; b) the remaining open areas of the site have been set aside for the purpose of preserving and enhancing site resources, including the wetlands and creek surrounding the site; c) the site does not have frontage on a public street and is landlocked, but includes appropriate access rights to provide adequate and safe access to the site; and d) the project design considers the surrounding hillside setting, bordering open space, and the surrounding residential, recreational, and commercial/industrial developments and minimizes to the greatest extent possible impacts to views of hillsides and ridgelines, Mt Tamalpais and the Marin Civic Center from public places.

3. The applicant has demonstrated that the proposed recreational facility could be served by public facilities such as sewer, water, refuse services and other infrastructure resources that currently serve the existing development and are available to serve the proposed addition. Furthermore, the new recreational use would not induce population growth necessitating additional public facilities.
4. The new indoor and outdoor recreational facility project would be improved by deviations from typical Zoning Ordinance property development and parking standards in that such deviations are necessary in order to construct a recreational facility in this location near the private airport use and to protect site resources, provide sufficient parking for the highest anticipated demand of the multi-purpose recreational facility, and establish highly desired additional recreational facilities to meet needs and increase recreational use opportunities for residents of San Rafael and Marin County.
5. The auto, bicycle and pedestrian traffic systems presented on the Development Plan are adequately designed for circulation needs and public safety in that: a) Development Plan proposes a pedestrian and bicycle pathways through the development from the public street to the location of the recreational facility; b) the emergency vehicle ingress and egress from the development would be provided through the existing roadway and an extension to this roadway and this has been found to be adequate by the City of San Rafael Fire and Police Departments; c) the access and site layout has been reviewed by the appropriate City Departments and has been determined to meet City standards; and d) ample parking facilities would be provided on the site through the main paved parking lot and an overflow parking lot.
6. The public health, safety and welfare are served by the adoption of the proposed PD District, in that the project as proposed and conditioned: a) would implement recreational and environmental goals and policies adopted for this site in the San Rafael General Plan 2020; b) would conform to City standards for safety; c) as proposed, and conditioned, it would be consistent with the recommended mitigation measures presented in the Final Environmental Impact Report prepared for this project; and d) would address project impacts to noise, public safety, security, hours of operation through the inclusion of condition of approval on the Master Use Permit and Environmental and Design Review Permit.

The foregoing Resolution was adopted at the regular meeting of the City of San Rafael Planning Commission held on the 6th day of June 2012.

Moved by Commissioner Colin and seconded by Commissioner Robertson.

AYES: COMMISSIONERS Colin, Lang, Pick, Robertson and Chair Wise,

NOES: COMMISSIONERS Sonnet

ABSENT: COMMISSIONERS Paul

SAN RAFAEL PLANNING COMMISSION

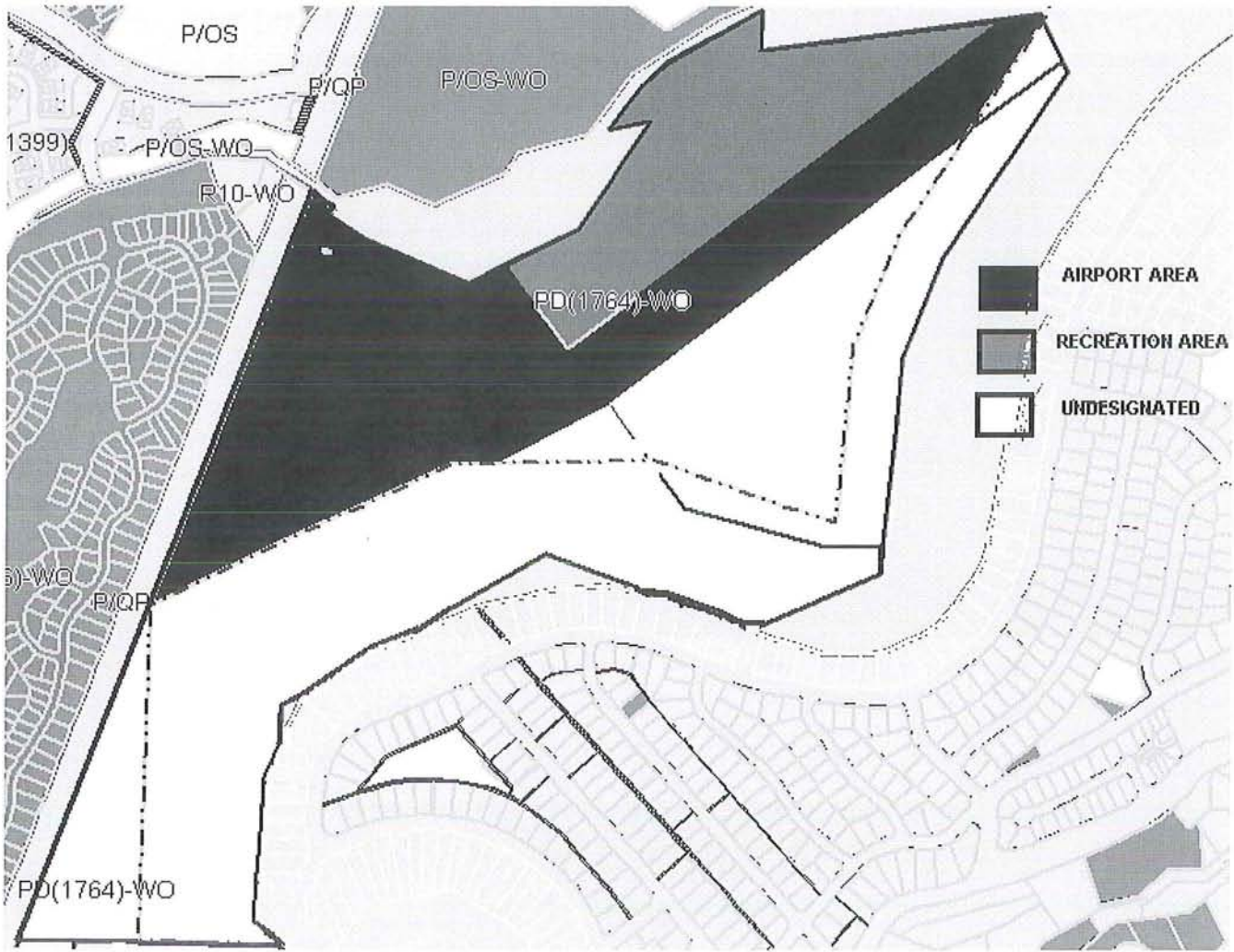
ATTEST: Paul A. Jensen
Paul A. Jensen, Secretary

BY: V. Wise
Viktoriya Wise, Chair

Attachment B: Planned Development District Standards
Attachment C: Legal Property Description

Attachment A

REZONING MAP



Attachment B

SAN RAFAEL AIRPORT – PLANNED DEVELOPMENT DISTRICT

I. PURPOSE OF PLANNED DEVELOPMENT DISTRICT

The purpose of the Planned Development (PD) –Wetland Overlay (-WO) District is to establish standards for development of the 119.5-acre San Rafael Airport property located off Smith Ranch Road, to accomplish the following:

- A. Accommodate development in compliance with the General Plan 2020 Airport/Recreation land use designation.
- B. Establish flexible development and design standards that will result in an integral development approach on this large and unique property in accord with an approved *Development Plan*.
- C. Locate development in areas to maintain open space buffers, preserve public views to the greatest extent feasible, and avoid sensitive areas on this property and in the surrounding area.
- D. Establish procedures for amendment to the PD District and approved *Development Plan*.
- E. Promote continued property maintenance for airport property use and safety.
- F. Maintain and implement the Wetland Overlay (-WO) classification for the entire site.

The PD-WO zoning classification will ensure the development of the site in accordance with the provisions of these property development regulations. The property development regulations may be modified through the PD amendment process.

II. LAND USES

Permitted uses consist of the following primary and ancillary land uses within areas designated on the PD-WO rezoning map exhibit, and subject to approved *Development Plans*.

A. Permitted Land Uses

None

B. Conditionally Permitted Primary Uses:

1. Private airport. Use limited to 100-based aircraft; non-aviation uses consistent with those described in Attachment D and permitted by use permit; 100 airplane hangars; two residential units for a caretaker and security guard; 2,450 square foot non-aviation building; and landscaping and parking area improvements.
2. Private recreational facility. Indoor multi-purpose gymnasium and outdoor field recreational areas for exercise, training, recreation, and instruction for individuals or groups. Examples include but are not limited to gymnasiums, sports/court facilities, dance, gymnastics, swimming, etc. This facility may include accessory uses such as community

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meeting rooms, administrative offices, café, sports shop and similar support services that are subordinate and related to the primary recreational use.

C. Ancillary Land Uses

Animal grazing in confined, fenced space for vegetation management purposes.

D. Undeveloped Areas

Areas of the property which are not designated for development with approved land uses, as indicated on the zoning map exhibit and approved *Development Plans*, including perimeter levees, wetland and creek buffers, and designated conservations areas, shall be maintained as required for preservation, protection and airport safety.

E. Zoning Entitlements Required

1. All land uses shall be implemented through approval of a *Master Use Permit*.
2. All development shall implemented in accordance with an approved *Development Plan*.
3. All building and site improvements shall require approval of an Environmental and Design Review permit.

II. DEVELOPMENT STANDARDS

The Planned Development–WO overlay district shall only be developed with the conditionally permitted private airport and private recreational facility uses in conformance with the PD-WO zoning map exhibit and approved *Development Plans*, which consists of the associated drawings and reports submitted with the Planned Development as listed in the Exhibit section below (i.e., *Exhibit “A”*; approved Site Plan and Master Plan – San Rafael Airport, approved March 19, 2001 and Exhibit “B”; site plan titled *Recreation Facility at the San Rafael Airport, Sheet A-1*), and in the development standards set forth below.

A. Minimum Lot Area

The airport property shall be maintained as a single parcel of land, as described in the attached Legal Description (Attachment C). Minimum areas dedicated for approved land uses as shown on the approved Zoning Map Exhibit (Attachment A) shall remain subject to the standards and restrictions contained in this PD zoning district and indicated on approved *Development Plans*.

B. Allowable Lot Coverage

1. Private airport and private recreation facility improvements shall be limited within the areas approved for development consistent with the approved *Development Plan*.

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2. Minor additions and modifications, including small, ancillary accessory structures located within areas approved for development may be permitted subject to approval of a minor Environmental and Design Review permit. Major modifications or expansion to structures or improvements shall be subject to a major Environmental and Design Review permit.
3. Undesignated property area shall not contain any permanent structures.

Areas that are not designated for development with land uses, i.e., undesignated property areas, include APN: 155-230-13 located south of the runway and in the City corporate boundary, APN: 155-230-10 located at the southwest terminus of the site and in the City corporate boundary, and APN's: 155-230-14, 15 and 11 that run along the South Fork of Gallinas Creek outside of the City corporate boundary.

C. Gross Building Areas

The conditionally permitted land uses shall be limited to the following building areas:

1. 210,000 square feet for the aircraft hangers/ancillary airport administrative office on the land area designated Private Airport use (e.g., approx. 38 acres of land identified as APN: 155-230-11)
2. 22,500 square feet for commercial/light-industrial buildings in a segregated area on the land area designated Private Airport use
3. 85,700 square feet for an indoor recreational building on the area designated for Private Recreational Facility use (e.g., approx. 16 acres of land identified as APN: 155-230-12)

Minor increases in gross building areas may be permitted for minor additions and ancillary accessory structures for land uses within the developable areas on the approved *Development Plans*, subject to approval of a minor amendment through grant of Environmental and Design Review permit. Major modifications or expansion to structures or improvements shall be subject to a major Environmental and Design Review permit.

D. Setbacks

1. Setbacks for the airport facility and associated light-industrial/commercial uses and the two residential uses are as established by the approved Site Plan and Master Plan – San Rafael Airport, approved March 19, 2001 (*Exhibit "A"*).
2. Setbacks for the indoor and outdoor recreational facility and associated improvements are as established by the approved site plan titled *Recreation Facility at the San Rafael Airport, Sheet A-1 (Exhibit "B")*. This includes the following minimum setbacks established for the development footprint:
 - a. 100-foot setback measured from top of North Fork of Gallinas Creek to the recreational facility structures and improvements.

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- b. 135-foot setback from the edge of the runway to the south perimeter of the recreational facility site improvements.
- c. 50-foot setback from designated wetlands to the nearest wall of the recreational facility building.

E. Building Height

- 1. Height limits for the airport and light industrial buildings shall not exceed 36 feet, as illustrated on the Site Plan and Master Plan – San Rafael Airport, dated March 19, 2001 (*Exhibit "A"*).
- 2. Height limits for the recreational facility shall be as follows:
 - a. Building heights shall not exceed 36-feet, as measured in accordance with the San Rafael Zoning Ordinance method for measurement (UBC 1997). The recreational building shall not exceed 39-foot-6-inch overall height as measured from finished grade to peak of roof.
 - b. Vegetation, structures, or improvements shall not intersect the 7:1 ‘ascending clear zone’ established from the airport runway for aircraft safety.

Exclusions to the maximum height limits shall be as prescribed by Section 14.16.120 of the Zoning Ordinance, as amended.

F. Parking Standards

- 1. Private airport and non-aviation uses shall maintain the following parking spaces, as shown on the Site Plan and Master Plan – San Rafael Airport, dated March 19, 2001 (*Exhibit "A"*)
 - a. 24 visitor and employee parking spaces in front of the main entry gate to the airport facility.
 - b. 2 parking spaces for each residential unit.
- 2. Private recreational uses shall provide sufficient parking spaces for all permitted multi-purpose gymnasium and sports field recreational uses in compliance with the City of San Rafael Parking Regulations (Chapter 14.18). Parking for the recreational facility shall include the following parking rates based on the mix of uses evaluated by the parking study prepared for the facility:
 - a. Gymnastics Studio: 1 space per 300 sq. ft. of gross floor area
 - b. Dance Studio: 1 space per 240 sq. ft. of gross floor area

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- c. Indoor Sports Field: 32.5 spaces per field
- d. Outdoor Sports Field: 65 spaces

Ancillary support services shall provide parking as determined by facility parking study, or default to San Rafael Municipal Code Chapter 14.18 parking ordinance requirement.

Parking shall be provided for change in occupancy or expansion based on the standards above. Any proposed new occupancies that do not have a specific parking rate assigned shall be parked at the rate established for the use in the City Parking Regulations Chapter 14.18, and/or subject to review by the City Traffic Engineer to determine the appropriate parking rate. An updated parking study may be required.

G. Conservation Area

A conservation area shall be established between the recreational facility and north fork of Gallinas Creek. The purpose of the conservation area shall be to permanently preclude development with structures and improvements between the recreational facility improvements and the North Fork of Gallinas Creek.

The conservation area shall include the jurisdictional wetland areas and 50-foot minimum wetland setbacks and the 100-foot buffer zone setback established from the North Fork of Gallinas Creek top of bank.

Maintenance practices and activities including disking, mowing, sheep grazing and levee maintenance may continue to occur within the conservation area.

H. Levee Protection

The perimeter levee system located on the property that protects the developed portions of the site shall be maintained by the property owner (currently at minimum elevation of 9-feet MSL) to provide adequate protection from flooding. The site shall be subject to any future zoning ordinance standards or adaptive strategies adopted by the City to assure that ongoing levee maintenance and flood protection is provided for the site and community.

Modifications to the height or design of the levee system shall be subject to additional City review and permits, including Environmental and Design Review permits.

I. Undesignated Land Area

The undesignated and undeveloped lands within the City of San Rafael jurisdiction are primarily located south of the airport runway and South Fork of Gallinas Creek, inboard of the levee system. Additional lands are located within the County of Marin jurisdiction and may include some lands outboard of the levee. Undeveloped land areas are not approved for development with structures or additional land uses, and shall remain as low-lying undeveloped

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lands that may be maintained for airport safety purposes (including grazing and maintenance of grasses and aviation aids).

J. Definition of Terms

Land uses shall be established in compliance with the provisions of the PD district through issuance of a use permit. The Community Development Director shall be responsible for implementing this PD district and all conditions of approval, and making any determinations necessary regarding land uses. An administrative decision of the Planning Director may be appealed to the Planning Commission.

III. EXHIBITS

This PD shall be implemented in accordance with the following approved *Development Plan* exhibits:

- A. The “San Rafael Airport Master Plan” approved plans for the private airport use area include exhibits prepared by L.A. Paul & Associates, March 19, 2001, Sheets A-0, A-1, A-2, A-3, A-4 and A-5.
- B. The “San Rafael Airport Recreational Facility” plans for the private recreational use area include:
 - Architectural Plans prepared by L.A. Paul & Associates - Sheets A.0, A.1, A.2, A.3, A.4, A.5, A.6 and A.7.
 - Civil Engineering Plans prepared by Oberkamper & Associates consisting of Sheet C-1, C-2, C-3, C-4 and C-5.
 - Landscape Plan prepared by Baronian & Whisler Landscape Architecture and Land Planning, consisting of Sheet L-1.
 - Photometric Study prepared by Associated Lighting Representatives consisting of Sheet 1.

IV. AMENDMENTS

- A. Modifications that exceed the standards prescribed by this PD, or propose uses that are not consistent with the land use regulations of the approved *Development Plan*, shall require an amendment to the PD District and associated *Development Plan*.
- B. Changes to the land uses permitted in this Planned Development (PD) District shall be administered through an amendment to the Use Permit as prescribed by the Master Use Permit.

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- C. Revisions to the design of structures or construction of new accessory building(s) associated with permitted or conditionally permitted uses shall be administered through an Environmental and Design Review Permit.

Attachment C

Legal Property Description

ALL THAT CERTAIN real property situate Partly in the City of San Rafael, County of Marin, State of California, described below as follows:

PARCEL ONE:

Parcel B, as shown upon that certain Parcel Map entitled "Parcel Map Civic Center North, lying within and adjoining the City of San Rafael, Marin County, California", filed for record December 15, 1983 in Book 21 of Parcel Maps, at Page 70, Marin County Records.

EXCEPTING THEREFROM any portion of the above described property lying within the bed of the Gallinas Canal (North or South Forks) below the line of natural ordinary high tide and also excepting any artificial accretions to said land waterward of said line of Natural ordinary high tide, as said canal is shown upon that certain map entitled, "Map No. 3 of Salt Marsh and Tide Lands, situate in the County of Marin, State of California", filed for record July 25, 1960 in Can "F", Marin County Records.

