



**SAN RAFAEL**

THE CITY WITH A MISSION

Community Development Department – Planning Division

**Meeting Date:** September 29, 2020

**Agenda Item:** 3

**Case Numbers:** UP20-017

**Project Planner:** Ali Giudice (415) 485-3092

## REPORT TO PLANNING COMMISSION

**SUBJECT: 3301 Kerner Blvd (Homeward Bound)** –Use Permit to allow for an emergency shelter to be located within an existing 25,000 square foot building; APN: 008-082-52; Canal Core Industrial/Office (CCI/O) Zoning District; Homeward Bound of Marin, applicant; Gilardi Charitable Remainder Unitrust Etal, owners; File No(s): UP20-017

### EXECUTIVE SUMMARY

This project is being referred to the Planning Commission for review and action of a Use Permit to allow a 45-bed emergency shelter within an existing commercial/office building located at 3301 Kerner Blvd.

On April 6, 2020, the City Council approved entitlements for 190 Mill Street, allowing Homeward Bound to move forward with redevelopment of that site as a combination emergency shelter and permanent supportive housing development. The existing building at that location has been used as an emergency shelter since 1986. The building will soon be demolished as a first phase of the redevelopment of that site. The 3301 Kerner Blvd site will serve as a temporary emergency shelter during construction of 190 Mill St, for approximately 1 year to accommodate 45-beds for night to night stays.

The City supports the requested Use Permit because it would allow the use of the site for a much needed emergency shelter for those experiencing homelessness.

State Government Code Section 65583 relating to land use, specifies that while a local government may require a Use Permit and apply certain written objective standards for emergency shelters, the permit processing and application of standards applied to such permits shall not be deemed to be discretionary acts within the meaning of the California Environmental Quality Act (CEQA). Therefore, although the proposed project requires Use Permit approval, this project is a Ministerial Project exempt from CEQA pursuant to Section 15268 (Ministerial Projects).

### RECOMMENDATION

It is recommended that the Planning Commission adopt the attached Resolution (Exhibit 1) approving a Use Permit (UP20-017) to allow 45-bed emergency shelter to be located at 3301 Kerner Blvd.

**PROPERTY FACTS**

<b>Address/Location:</b>	3301 Kerner Boulevard	<b>Parcel Number(s):</b>	008-082-52
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<b>Property Size:</b>	42,000 Square Feet	<b>Neighborhood:</b>	Canal Neighborhood
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Site Characteristics			
	General Plan Designation	Zoning Designation	Existing Land-Use
<b>Project Site:</b>	<b>Light Industrial/Office (LI/O)</b>	<b>CCI/O</b>	<b>Office (vacant)</b>
North:	Light Industrial/Office (LI/O)	CCI/O	Office/personal service
South:	General Commercial (GC)	GC	Retail/restaurant/auto repair
East:	Medium-density Residential	MR3	Multi-family residential
West:	Neighborhood Commercial (NC)	NC	Retail

**Site Description/Setting:**

The property is an approximately 42,000 square foot parcel located at 3301 Kerner Boulevard, on the corner of Kerner Boulevard and Bellam Boulevard. The property has a General Plan land use designation of LI/O and a zoning classification of CCI/O, both of which are Industrial land use classifications. Emergency shelters are allowed within this designation with a Use Permit (see Analysis section for Use Permit discussion). Uses surrounding the property are a mix of uses, including retail/restaurant use, automobile repair, office and residential



3301 Kerner Boulevard

**BACKGROUND/HISTORY**

**State Legislation governing review of Emergency Shelters:**

Government Code Section (GCS) 65583 requires local agencies to establish zones where emergency shelters are allowed as a permitted use and also zones where emergency shelters can be permitted through a use permit. In cases where a use permit process is required, a local agency must establish a process that is objective (non-discretionary) by adopting quantifiable development standards and written performance standards that can be applied to the project. The City has adopted such standards under Zoning Code Section 14.16.115. GCS 65583 also states that while a use permit may be required, such permit is not considered a discretionary project subject to the California Environment Quality Act.

**Homelessness:**

Homelessness is an increasingly urgent regional, state, and national crisis. California in particular has been significantly impacted by this issue. Despite being home to just 12% of the country’s population, California has over 25% of the nation’s homeless population. Of the close to 150,000 people who now find themselves without housing in California, only 1/3 have access to emergency shelter, which means the other 2/3 reside on the streets, in cars/RVs, and in other places not meant for human habitation.

In 2003, the Department of Housing and Urban Development (HUD) began requiring Point-In Time (PIT) counts in order for local agencies to receive federal funding to support programs related to homelessness. A PIT is a one-time census of people living sleeping on the street, in vehicles, in encampments, and in emergency shelters and transitional housing programs. During the last count which was conducted in 2019, 1,034 individuals experiencing homelessness were observed in the County. Visit the following City of San Rafael website <https://www.cityofsanrafael.org/departments/homelessness/> for more information on homelessness.

**Homeward Bound:**

Homeward Bound of Marin operates emergency shelters and supportive housing for families and adults throughout the County and currently operates a 55-bed emergency shelter at 190 Mill Street. On April 6, 2020, the City Council approved entitlements for 190 Mill Street, allowing Homeward Bound to move forward with redevelopment of that site as a combination emergency shelter and permanent supportive housing development. The existing building at that location has been used as an emergency shelter since 1986 and is currently the county's only year-round emergency shelter for homeless adults providing night to night shelter. Thus, finding a temporary replacement for an emergency shelter has been an important priority for Homeward Bound. Finding a suitable replacement was also a topic of discussion during the Planning Commission and City Council deliberations when the 190 Mill Street project was proposed.

Homeward Bound expects to begin demolition of the 190 Mill Street Project in early October.

**Site History:**

The site was developed in the early 1980's with the existing approximately 25,000 square foot three-story office building and associated parking lot containing 74 parking spaces. The site has been used for office space and is currently vacant.

**PROJECT DESCRIPTION****Use:***Emergency Shelter Operations*

The applicant is proposing to use 8,803 square feet of the existing building as a year-round emergency shelter for homeless adults for an approximately 1-year term. The remaining approximately 16,197 square feet will be partially used for storage and will be partially vacant for the 1-year term. The new emergency shelter would operate very much like the existing shelter at 190 Mill Street. The shelter would serve both men and women in separate dormitory-style rooms. Meals will be served nightly by volunteers from a network of churches and community groups. Residents seeking emergency shelter are offered an initial seven-day stay, and if within that timeframe an individual has resolved to end their homelessness, they will be offered a 28-day stay based on their vulnerability and their motivation to move into permanent housing.

Individual meals will be delivered to the site and a multipurpose room will be used for dining. Additionally, the site will provide a Computer Lounge. There are 2 staff offices for use by case management.

The applicant has indicated that staffing for the new emergency shelter would have at least 2 full time staff plus a 24-hour security guard. This staff provides 24/7 coverage, with a variety of skill sets including shelter management, housing and social service support, and clinical support.

**Site Plan:**

The site is developed with a building 25,000 square foot building with 74 parking spaces and landscape improvements. Vehicular access to the site is from Kerner Boulevard and a separate access from Belvedere Boulevard. Access to the building is from Kerner Boulevard and from Bellam. Covered bicycle parking will be installed within the covered parking area.

**ANALYSIS*****Consistency with General Plan Policies***

The proposed use is consistent with the following General Plan Policies:

***Land Use Element***

As the project does not propose new development, but rather just internal conversion, the project would not be subject to Floor area or height standards per LU-9 or LU-12. LU-14 identifies that new development in mixed residential and commercial areas to minimize potential nuisance effects. As designed and with the conditions of approval and standards, this policy would be met. A Shelter is also an allowable type of land use in the Light Industrial/Office general plan land use designation per LU-23

***Housing Element***

*H-12. Residential Care Facilities and Emergency Shelters.* Encourage a dispersion of residential care facilities and emergency shelters, and avoid an over concentration of residential care facilities and shelters for the homeless in any given area. This policy also recognizes the value of eliminating governmental constraints in the operation or construction of transitional, supportive, and emergency housing, consistent with State law.

***Governance Element***

*G-2. Variety of Housing.* This policy supports the creation and retention of a wide variety of housing types serving people of all economic levels.

*G-3. Housing Agencies, G-18. Support for Special Needs Groups, and G-18a. Collaboration with Local Agencies.* These policies encourage collaboration and support of housing agencies, non-profits and other organizations that provide shelter, housing, and related services to very low-, low-, and moderate-income households as well as emergency shelter and supportive housing for the homeless and those with special needs.

*G-18c. Zoning Allowance.* Encourages zoning allowance for group homes, transitional housing and treatment facilities. It recognizes the use of SB2 as a method for supporting programs in support of transitional and supportive housing projects.

According to the *2019 Marin County Homeless Point-in-Time Count & Survey*, there are approximately 161 unsheltered homeless people in the City of San Rafael. This proposed use would provide 45 emergency shelter beds, provide emergency shelter to San Rafael's homeless population

***Neighborhoods Element***

*NH-4. Improve Property Maintenance and NH-4a. Code Enforcement.* Requires owners to maintain their properties in good condition and appearance and to eliminate unsafe and unhealthy conditions. Maintain an effective Code Enforcement program that engages with neighborhoods and business groups and works in partnerships with appropriate City staff to address nuisances and zoning code violations.

The applicants have submitted a site management plan that includes a code of conduct that must be signed by emergency shelter users. On site monitoring is provided 24/7 by onsite staff. Garbage collection is located on site. The applicant will be required to maintain the property in good condition at all times.

***Consistency with Zoning Ordinance***

The proposed use is allowed within the CCI/O Zoning State Government Code Section 65583, use permits for emergency shelters are considered ministerial projects allowing only the application of objective standards related to site development and management of the facility. The site is developed with a legally constructed 25,000 square foot building and associated parking and landscape

improvements. The applicant would comply with the required site management standards outlined in SRMC Section 14.16.115 - *Emergency shelters—Permanent*, as follows:

1. *On-site management and on-site security shall be provided during hours when the emergency shelter is in operation.*
2. *Adequate external lighting shall be provided for security purposes*
3. *The applicant proposes the following specific common facilities for the exclusive use of the residents and staff:*
  - a. *Recreation room.*
  - b. *Counseling/ supportive services*
  - c. *Computer lounge*
4. *Parking designed to provide security for residents, visitors, employees and the surrounding area, and consistent with the requirements of Section 14.18.040 (Parking Requirements).*
5. *The applicant shall comply with the following requirements:*
  - a. *No individual or household may be denied emergency shelter because of an inability to pay.*
  - b. *Staff and services shall be provided to assist residents to obtain permanent shelter and income.*
  - c. *The provider shall have a written management plan including, as applicable, provisions for staff training, neighborhood outreach, security, screening of residents to ensure compatibility with services provided at the facility, and for training, counseling, and treatment programs for residents.*
6. *The facility shall be in, and shall maintain at all times, good standing with city and/or state licenses, if required by these agencies for the owner(s), operator(s), and/or staff on the proposed facility.*
7. *The maximum number of beds or clients permitted to be served (eating, showering and/or spending the night) nightly shall comply with the occupancy limit established by the building code. Additionally, the number of beds or clients permitted to be served may be further limited as required by conditional use permit.*

The applicant's submittal documents demonstrate compliance with the above objective development standards as shown on proposed project plans (Exhibit 1) and will be required as conditions of project approval.

## **ENVIRONMENTAL DETERMINATION**

State Government Code Section 65583 relating to land use, specifies that while a local government may require a use permit and apply certain written objective standards for emergency shelters, the permit processing and application of standards applied to such permits shall not be deemed to be discretionary acts within the meaning of the California Environmental Quality Act (CEQA). Therefore, this project is a Ministerial Project exempt from CEQA pursuant to Section 15268 (Ministerial Projects).

## **PUBLIC NOTICE / CORRESPONDENCE**

Notice of the Planning Commission hearing was completed in accordance with the noticing requirements contained in Chapter 14.29 (Zoning- Public Notice) of the San Rafael Municipal Code. A Notice of Public Hearing was mailed to all property owners and occupants within a 300-foot radius of the subject site and other interested individuals, 15 calendar days prior to the date of this hearing.

Staff has received email request for additional information and some phone calls expressing concerns regarding the proposed project. It is staff's opinion that the concerns expressed in the comment letters are addressed by the objective design standards and performance standards outlined in this report.

## OPTIONS

The Planning Commission has the following options:

1. Approve the requested Use Permit with Conditions of approval (*staff recommendation*)
2. Approve the requested Use Permit with Conditions of approval, with certain modifications, changes or additional conditions of approval.
3. Continue the applications to allow the applicant to address any of the Commission's comments or concerns; or
4. Deny the project and direct staff to return with revised resolutions.

## EXHIBITS

1. Vicinity/Location Map
2. Draft Resolutions for approval of Use Permit
3. General Plan Consistency Table
4. Homeward Bound Project Description/Plans

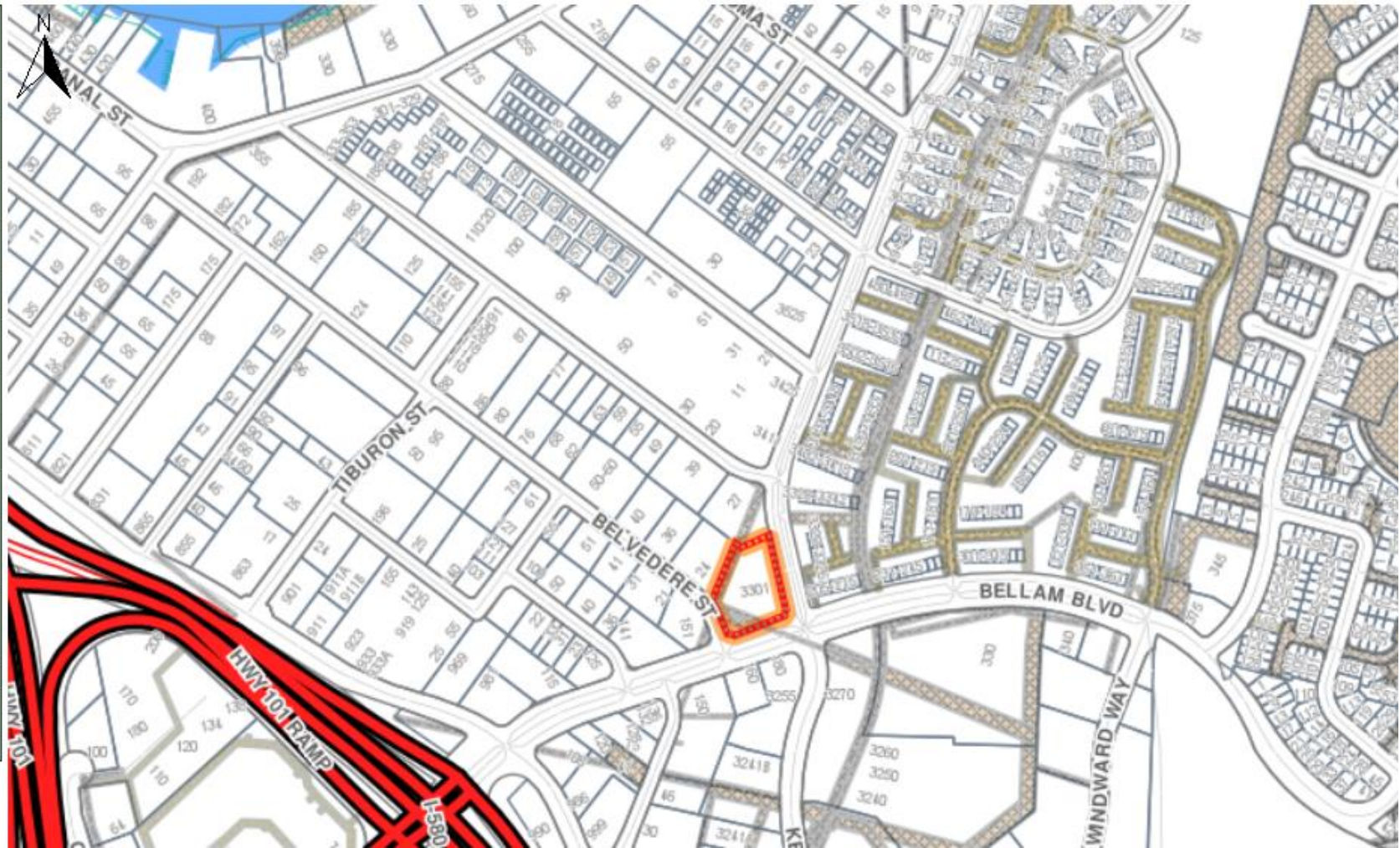
*Electronic copies of plans can be viewed on line at <https://www.cityofsanrafael.org/major-planning-projects/>*



# Exhibit 1

## Vicinity Map

Legend	
Marin Cities	Marin Cities
Bay Waters	Bay Waters
Parcels	Parcels
ROW	ROW
Other Easements	EASEMENTS
MMWD Easements	EASEMENTS
Boat Docks	Boat Docks
Street Centerline	Street Centerline
Street Names	Street Names
Label	SITUS
San Rafael Sphere of Influence	San Rafael Sphere of Influence
San Rafael City Limit	City Limit Line
Query Results	Results



**RESOLUTION NO. 20-\_\_\_**

**RESOLUTION OF THE CITY OF SAN RAFAEL PLANNING COMMISSION  
APPROVING CONDITIONAL APPROVAL OF USE PERMIT (UP20-017) TO  
ALLOW THE OPERATION OF AN EMERGENCY SHELTER IN AN EXISTING  
BUILDING LOCATED AT 3301 KERNER BOULEVARD (APN: 008-082-52)**

**WHEREAS**, Homeward Bound of Marin has operated a permanent emergency shelter at 190 Mill Street with an approved Use Permit since 1986; and

**WHEREAS**, on April 6, 2020, Homeward Bound of Marin received City Council approval for a project at 190 Mill allowing expansion of the emergency shelter to allow up to 66 beds and a supportive housing development; and

**WHEREAS**, Homeward Bound proposes to demolish the existing building at 190 Mill and rebuild a new building to accommodate the emergency shelter operation and supportive housing facility; and

**WHEREAS**, Homeward Bound is in need of a temporary location to operate their emergency shelter during redevelopment of the 190 Mill street site: and

**WHEREAS**, Homeward Bound has submitted a Use Permit application requesting approval to utilize the existing building at 3301 Kerner Boulevard as an emergency shelter; and

**WHEREAS**, emergency shelters are listed as an allowable use within the applicable CCI/O zoning district with prior use permit approval by the Planning Commission; and

**WHEREAS**, State Government Code Section 65583 relating to land use, specifies that while a local government may require a use permit and apply certain written objective standards for emergency shelters, the permit processing and application of standards applied to such permits **shall not** be deemed to be discretionary acts within the meaning of the California Environmental Quality Act (CEQA). Therefore, this project is a Ministerial Project exempt from CEQA pursuant to Section 15268 (*Ministerial Projects*).

**WHEREAS**, on September 29, 2020, the Planning Commission held a duly noticed public hearing to review and consider the Use Permit request (UP20-017) to allow an emergency shelter, and considered all oral and written public testimony and the written report of the Community Development Department; and

**WHEREAS**, the custodian of documents which constitute the record of proceedings upon which this decision is based, is the Community Development Department.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission hereby makes the following findings related to the Use Permit (UP20-017)



**USE PERMIT (UP20-017)  
FINDINGS**

- A. The proposed use is in accord with the general plan, the objectives of the zoning ordinance, and the purposes of the district in which the site is located in that the use is located within the Light Industrial/Office (LI/O) General Plan Land Use Designation and Core Canal Industrial/Office District (CCI/O) Zoning District. This Land Use category allows emergency shelters with a use permit.

**General Plan Consistency:**

The proposed emergency shelter use is consistent with the goals and policies of San Rafael General Plan 2020 as a whole, and the use specifically supports and implements the following:

1. **Housing Element Policy H-9** (*Special Needs*) which supports the added affordable housing in the very-low and low-income categories including housing that supports the homeless population.
2. **Housing Element Policy H-12** (*Residential Care Facilities and Emergency Shelters*) which recognizes the value of eliminating governmental constraints in the operation or construction of transitional, supportive, and emergency housing, consistent with State law; recognizes the need to continue working with other jurisdictions and agencies in Marin to support and allocate funds, as appropriate, for programs providing emergency, supportive, and/or transitional shelter and counseling services for families and individuals who are homeless or at-risk of homelessness.

**Zoning Consistency:**

This use is located in the Core Canal Industrial/Office District (CCI/O) Zoning District, which allows emergency shelters with approval of a Use Permit pursuant to Section 14.06.020.

- B. The proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, or to the general welfare of the city because the project is subject to adherence to the performance standards addressed in the findings and the conditions below, which would among other measures require on-site management and security, fully enclosed refuse storage areas that are adequate for the proposed use, adequate security lighting, and adequate parking for the shelter staff, service providers and volunteers. In addition, the provider is required to have a written management plan including, as applicable, provisions for staff training, neighborhood outreach, security, screening of residents to ensure compatibility with services provided at the facility, and for training, counseling, and treatment programs for residents.
- C. The proposed use complies with the applicable provisions of the Zoning Ordinance. The emergency shelter meets the following development and performance standards, as required by Section 14.16.115.C:
1. On-site management and on-site security shall be provided during hours when the emergency shelter is in operation.
  2. Adequate external lighting shall be provided for security purposes.

3. The development provides common facilities for the exclusive use of the occupants and staff, including a shared dining room, lounge, outdoor terraces, and offices for counseling and other support services.
4. Parking and outdoor facilities provide adequate security for staff, service providers, and volunteers.
5. A fully enclosed refuse storage area located in the enclosed garage area is provided that is large enough to accommodate a standard-sized trash bin; and a additional enclosure for recycling bins.
6. The agency or organization operating the shelter shall comply with the following requirements:
  - a. Shelter shall be available to residents for no more than twelve (12) months. No individual or household may be denied emergency shelter because of an inability to pay.
  - b. Staff and services shall be provided to assist residents to obtain permanent shelter and income.
  - c. The provider shall have a written management plan including, as applicable, provisions for staff training, neighborhood outreach, security, screening of residents to ensure compatibility with services provided at the facility, and for training, counseling, and treatment programs for residents.
7. The emergency shelter is not within proximity to any other existing or planned emergency homeless shelter;
8. The facility shall be in, and shall maintain at all times, good standing with city and/or state licenses, if required by these agencies for the owner(s), operator(s), and/or staff on the proposed facility.
9. The maximum number of beds or clients permitted to be served (eating, showering and/or spending the night) nightly shall not exceed the occupancy limit established by the building code.

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that the Planning Commission of the City of San Rafael approves the Use Permit (UP20-017) subject to the following conditions:

**USE PERMIT (UP20-017)  
CONDITIONS OF APPROVAL**

1. This Use Permit approves the operation of an emergency shelter within the third floor of an existing building located at 3301 Kerner Boulevard as shown on plans presented to the Planning Commission on September 29, 2020.
2. The applicant shall comply with all applicable requirements of the San Rafael Municipal Code and of the implementing zone classification as permitted by and consistent with State law.

3. This Use Permit does not approve any signs proposed for the project site. A separate sign permit and fee will be required for any signage for the new building.
4. Minor modifications or revisions to the project shall be subject to review and approval of the Community Development Department, Planning Division. Modifications deemed not minor by the Community Development Director shall require review and approval by the original decision-making body.
5. The applicant shall comply with the following on-site management and security requirements:
  - a. The property shall be equipped with fully enclosed refuse storage areas that are adequate for the proposed use;
  - b. Adequate security lighting shall be provided;
  - c. Parking spaces shall be the minimum necessary to provide adequate parking for the shelter staff, service providers and volunteers.
  - d. The applicant shall maintain a written management plan that includes provisions for staff training, neighborhood outreach, security, and for training, counseling, and treatment programs for residents.
  - e. The applicant shall assure that all applicants are advised of the facility's code of conduct and shall post a copy of the code of conduct at two locations:
    - i. The entrance to the facilities;
    - ii. Inside the facilities in a visible location.
6. The applicant shall comply with all applicable requirements of the City, County, State, and other responsible agencies. This Use Permit shall run with the land.
7. This Use Permit shall become null and void if not vested within two (2) years from the date of approval, unless a time extension is granted before that date. Vesting shall include issuance of necessary building permits or commencement of operations.
8. The applicant shall comply with applicable Fire Department requirements.
9. The applicant shall comply with applicable Building Division requirements.

The foregoing resolution was adopted at the regular City of San Rafael Planning Commission meeting held on the 29<sup>th</sup> day of September 2020. The Planning Commission's Action is final unless it is appealed to the City Council within five (5) working days pursuant to San Rafael Municipal Code Section 14.28.030 - *Filing and time limit of appeals*.

Moved by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_ as follows:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

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

DRAFT

**Exhibit 3**

**PROJECT CONSISTENCY WITH SAN RAFAEL GENERAL PLAN 2020  
FOCUSED**

<b>LAND USE ELEMENT</b>	
<p><b>LU-2. Development Timing.</b> For health, safety and general welfare reasons, new development should only occur when adequate infrastructure is available consistent with the following findings:</p> <ul style="list-style-type: none"> <li>a. Project-related traffic will not cause the level of service established in the Circulation Element to be exceeded;</li> <li>b. Any circulation improvements needed to maintain the level of service standard established in the Circulation Element have been programmed and funding has been committed;</li> <li>c. Environmental review of needed circulation improvement projects has been completed;</li> <li>d. The time frame for completion of the needed circulation improvements will not cause the level of service in the Circulation Element to be exceeded, or the findings set forth in Policy C-5 have been made; and</li> <li>e. Sewer, water, and other infrastructure improvements will be available to serve new development by the time the development is constructed</li> </ul>	<p><i>Consistent</i></p> <p><i>Project-related traffic will not cause the level of service established in the Circulation Element to be exceeded; Any circulation improvements needed to maintain the level of service standard established in the Circulation Element have been programmed and funding has been committed; Environmental review of needed circulation improvement projects has been completed; The time frame for completion of the needed circulation improvements will not cause the level of service in the Circulation Element to be exceeded, or the findings set forth in Policy C-5 have been made; and Sewer, water, and other infrastructure improvements will be available to serve new development by the time the development is constructed</i></p>
<p><b>LU-12. Building Heights.</b> Citywide height limits in San Rafael are described in Exhibits 7 and 8. For Downtown height limits see Exhibit 9.</p>	<p><i>N/A</i></p> <p><i>The project does not propose exterior changes</i></p>
<p><b>LU-23. Land Use Map and Categories.</b> Land use categories are generalized groupings of land uses and titles that define a predominant land use type (See Exhibit 11). All proposed projects must meet density and FAR standards (See Exhibits 4, 5 and 6) for that type of use, and other applicable</p>	<p><i>Consistent</i></p> <p><i>The project consists of an Emergency Shelter which is an allowable use in the LI/O General Plan Land Use and within the applicable CCI/O zoning district with prior use permit approval.</i></p>

**Exhibit 3**

**PROJECT CONSISTENCY WITH SAN RAFAEL GENERAL PLAN 2020  
FOCUSED**

<p>development standards. Some listed uses are conditional uses in the zoning ordinance and may be allowed only in limited areas or under limited circumstances. Maintain a Land Use Map that illustrates the distribution and location of land uses as envisioned by General Plan policies. (See Exhibit 11).</p>	
<p><b>HOUSING ELEMENT</b></p>	
<p><b>H-12. Residential Care Facilities and Emergency Shelters.</b> Encourage a dispersion of residential care facilities and emergency shelters, and avoid an over concentration of residential care facilities and shelters for the homeless in any given area consistent with state and federal laws. Allow emergency shelter beds in appropriate zoning districts in order to accommodate San Rafael’s unsheltered homeless population. Recognize transitional and supportive housing units as residential units, and eliminate governmental constraints to the operation or construction of transitional, supportive, and emergency housing consistent with State law. Support the implementation of the San Rafael Homeless Action Plan.</p> <p><b>H-12a. Countywide Efforts to Address Homeless Needs.</b> Work with other jurisdictions and agencies in Marin to provide emergency, transitional, and supportive housing and assistance throughout Marin, and continue City staff’s role as the homeless coordinator for the County.</p> <p><b>H-12b. Good Neighborhood Relations Involving Emergency Shelters and Residential Care Facilities.</b> Where determined necessary during review of an application, encourage positive relations</p>	<p><i>According to the Homeward Bound of Marin website, Mill Street Center located at 190 Mill Street is Marin County’s only year-round emergency shelter for adults. The applicant is in the process of redeveloping the Mill Street site and seeking a use permit to the operation of the third story of 3301 Kerner Blvd as a 44-bed emergency shelter to fill the gap during he operation of the Mill Street project.</i></p> <p><i>Government Code Section (GCS) 65583 requires local agencies to establish zones where emergency shelters are allowed as a permitted use and also zones where emergency shelters can be permitted through a use permit. In cases where a use permit process is required, a local agency must establish a process that is objective (non-discretionary) by adopting quantifiable development standards and written performance standards that can be applied to the project. The City has adopted such standards under Zoning Code Section 14.16.115. GCS 65583 also states that while a use permit may be required, such permit is not considered a discretionary project.</i></p> <p><i>The project site is zoned CCI/O. Emergency shelters are allowable in the CCI/O zoning district with prior use permit approval by the Planning Commission. Conditions of project approval require the applicant to comply with the written performance standards outlined under section 14.16.115.</i></p>



**Exhibit 3**

**PROJECT CONSISTENCY WITH SAN RAFAEL GENERAL PLAN 2020  
FOCUSED**

between neighborhoods and providers of emergency shelters and residential care facilities by requiring shelter outreach communication programs with the neighborhoods.

**H-12d. Emergency Shelters, Transitional and Supportive Housing.** Implement Zoning Code Section 14.16.115 to allow emergency shelters as a permitted use in the General Commercial (GC) and Light Industrial (LI/O) zoning districts south of Bellam and east of Highway 580 and with appropriate performance standards as allowed by State law. Continue to allow emergency shelters with a use permit in areas zoned for office, commercial, light industrial and public/quasi-public use. Implement the City's Zoning Code (Zoning Code Chapter 14.03 - Definitions), consistent with State and Federal law, to recognize transitional and supportive housing as residential uses, subject to the same restrictions and standards of similar residential dwellings in the same zone.

Based on input from State HCD, amend Zoning Code Section 14.16.115 to clarify requirements for staff and services to be provided to assist residents in obtaining permanent shelter and income are permissive, rather than mandatory. In addition, clarify that while a written Management Plan is required, it is not subject to discretionary approval.

**Exhibit 3**

**PROJECT CONSISTENCY WITH SAN RAFAEL GENERAL PLAN 2020  
FOCUSED**

<p><b>H-17d. Efficient Project Review.</b> San Rafael has fully implemented the provisions of the Permit Streamlining Act (AB 884), continue to inform developers of density bonus incentives for affordable housing, and consistent with State requirements, any modified development standards as part of a density utilizes allowable California Environmental Quality Act (CEQA) exemptions for qualified urban infill and other residential projects where site characteristics and an absence of potentially significant environmental impacts allow.</p>	<p><i>Consistent Consistent with GCS 65583, the project is being considered for the requested use permit however, such permit is not considered a discretionary project and is considered ministerial for CEQA purposes.</i></p>
<p><b>NEIGHBORHOODS ELEMENT</b></p>	
<p><b>Canal Neighborhood</b></p>	
<p><b>NH-49. Conflicting Uses.</b> Prevent the encroachment of new residential development into the Light Industrial/Office District to minimize conflicts. Businesses locating adjacent to residential areas shall be designed to minimize nuisance impacts.</p>	<p><i>Consistent The property at 3301 Kerner Boulevard is currently zoned Core Canal Industrial/Office (CCI/O). The City has identified the CCI/ district as a district where emergency shelters are allowable with prior use permit approval.</i></p>
<p><b>COMMUNITY DESIGN ELEMENT</b></p>	
<p><b>CD-15. Participation in Project Review.</b> Provide for public involvement in the review of new development, renovations, and public projects with the following</p> <ul style="list-style-type: none"> <li>• 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;</li> </ul>	<p><i>Consistent Public notices were distributed to owners and tenants within 300 feet of the project site at least 15 days prior to the Planning Commission hearing date. Notification was also provided to Canal Community Alliance Representatives. The notice included a contact name of the oroject planner, information for submitting public comment, and advise of the availability of interpretation service if sufficient notice is provide to the City.</i></p>

**Exhibit 3**

**PROJECT CONSISTENCY WITH SAN RAFAEL GENERAL PLAN 2020  
FOCUSED**

<ul style="list-style-type: none"> <li>• Distribution of the procedures of the development process that include the following: submittal information, timelines for public review, and public notice requirements;</li> <li>• Standardized thresholds that state when design review of projects is required (e.g. residential conversions, second-story additions); and</li> <li>• Effective public participation in the review process.</li> </ul>	
<b>GOVERNANCE</b>	
<p><b>G-3. Housing Agencies.</b> Support agencies and organizations that provide shelter, housing, and related services to very low-, low-, and moderate-income households.</p>	<p><i>Consistent</i> <i>See H-12</i></p>
<p><b>G-6. Broad-Based Involvement.</b> Establish methods to encourage broad-based, meaningful community involvement. Encourage residents who historically have not been involved in political processes to become engaged in government, consistent with the Community Engagement Action Plan.</p> <p><b>G-6a. Community Stakeholders.</b> Actively seek community-wide representation and public involvement opportunities on City issues through vigorous outreach programs to engage residents who are not typically involved, such as young people and residents not fluent in English.</p>	<p><i>Consistent</i> <i>Public notices were distributed to owners and tenants within 300 feet of the project site at least 15 days prior to the Planning Commission hearing date. Notification was also provided to Canal Community Alliance Representatives. The notice included a contact name of the project planner, information for submitting public comment, and advise of the availability of interpretation service if sufficient notice is provide to the City.</i></p>
<p><b>G-18. Support for Special Needs Groups.</b> Encourage government and business support for</p>	<p><i>Consistent</i> <i>See Policies LU23, H-12 and H-17b</i></p>

**Exhibit 3**

**PROJECT CONSISTENCY WITH SAN RAFAEL GENERAL PLAN 2020  
FOCUSED**

<p>non-profit and other organizations that provide services to the elderly, people with disabilities, homeless people, and others in need. Support efforts of Marin County to encourage the availability of social services throughout the County.</p> <p><b>G-18a. Collaboration with Local Agencies.</b> Work with non-profits and other organizations on priorities, services and facilities. Assist in establishing avenues of communication between non-profits and neighbors. Current examples include supporting efforts to provide emergency shelter and transitional housing to homeless individuals, families and victims of domestic violence, and working with local organizations on sidewalk accessibility.</p> <p><b>G-18c. Zoning Allowance.</b> Provide zoning allowance for group homes, transitional housing and treatment facilities, but preclude over-concentration of such facilities in residential neighborhoods as allowed by state law. Per the requirements of SB2, Zoning Ordinance amendments have been drafted to incorporate new definitions for “transitional housing” and “supportive housing”</p>	
<p><b>S-3. Use of Hazard Maps in Development Review.</b> Review Slope Stability, Seismic Hazard, and Flood Hazard Maps at the time a development is proposed. Undertake appropriate studies to assure identification and implementation of mitigation measures for identified hazards.</p>	<p><i>Consistent</i> <i>The project is located in a FEMA flood zone C, which could experience inundation. However, a Letter of Map Amendment has been issued by FEMA, removing the building from this special flood zone area as it was constructed above the base flood elevation.</i></p>

**Homeward Bound of Marin**  
**3301 Kerner Blvd**

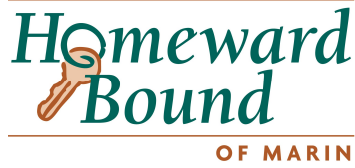
Homeward Bound of Marin is a registered 501(c)3 nonprofit. Our mission statement is “Opening Doors to Safety, Dignity, Hope and Independence” and our Vision Statement is “Everyone deserves a place to call home.”

Homeward Bound of Marin is proposing operation of a temporary homeless shelter at 3301 Kerner Blvd., San Rafael for the next 12-24 months. This is a temporary site to be operated while Homeward Bound of Marin’s regular homeless shelter at 190 Mill Street, San Rafael is under construction. Once the shelter at 190 Mill Street is rebuilt and operational, Homeward Bound of Marin would cease operating a temporary shelter at 3301 Kerner Blvd., San Rafael.

Homeward Bound of Marin will provide 24/7 staffing at 3301 Kerner Blvd. and management oversight. Homeless clients will be provided with food and temporary shelter as Homeward Bound of Marin and its community partners work collaboratively to try and identify a housing pathway for each client served. Homeward Bound operates under the attached Code of Conduct.

Homeward Bound of Marin staff is provided with training opportunities at least quarterly. Trainings include topics such as Motivational Interviewing, Trauma-Informed Care, De-escalation, Justice Equity Diversity and Inclusion, Mental Health First Aid, and many others.

Homeward Bound of Marin partners with a multitude of other nonprofits and government agencies to provide referrals to resources and services for the people we serve including, but not limited to, drug and alcohol recovery services; mental health resources; healthcare; job training and job search; benefits assistance; money management; credit resources; and much more.



## Code of Conduct

Homeward Bound of Marin is a community-based non-profit organization dedicated to being a place of safety and dignity. Anyone involved with the agency is required to promote and safeguard these values and the following safety rules. Any violation of these rules can result in removal from the program and the organization. These rules apply to board, staff, residents, volunteers, and visitors and are renewed annually. Thank you.

- Abusive verbal and body language to residents, staff, board, volunteers and anyone else on site is prohibited. This includes discourtesy, rudeness and disruptive behavior.
- Solicitation for and acceptance of gifts or gratuities for personal benefit by board, staff, residents and volunteers are prohibited.
- Possession or use of illegal drugs or drug paraphernalia on Homeward Bound of Marin's properties or sites is prohibited.
- Bringing unauthorized materials such as firearms, weapons, or similar items onto Homeward Bound's properties is prohibited.
- Visual, physical, sexual, verbal or written harassment is prohibited.
- Destruction of property belonging to another is prohibited.
- Actual or threatened violence toward anyone on Homeward Bound of Marin's property or involvement with a person who would present such a threat is prohibited.
- Conduct endangering the life, safety, health or well-being of others is prohibited, even if the person did not intend to endanger anyone.
- Conduct that compromises residents, staff, board, and or volunteer's Confidential Information and/or information that discloses participation in Homeward Bound programs is prohibited.

I have read and understand Homeward Bound of Marin's Code of Conduct. I agree to abide by the rules described above and understand that I may be removed from any program or other agency affiliation if I violate the rules.

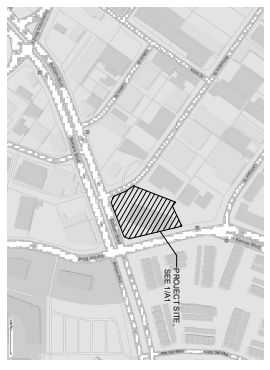
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Signature

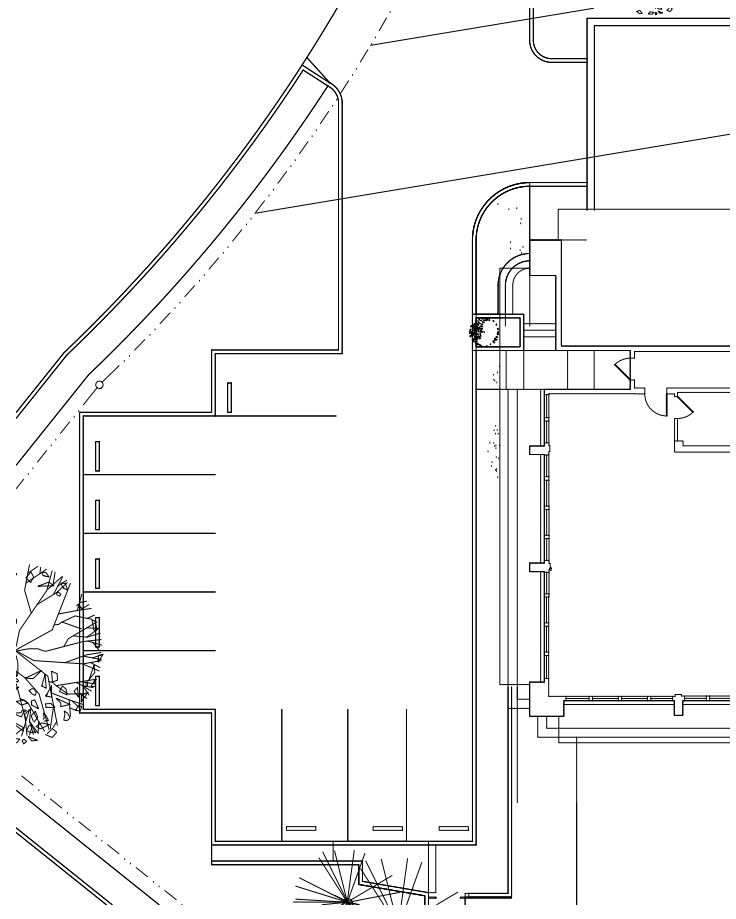
Date



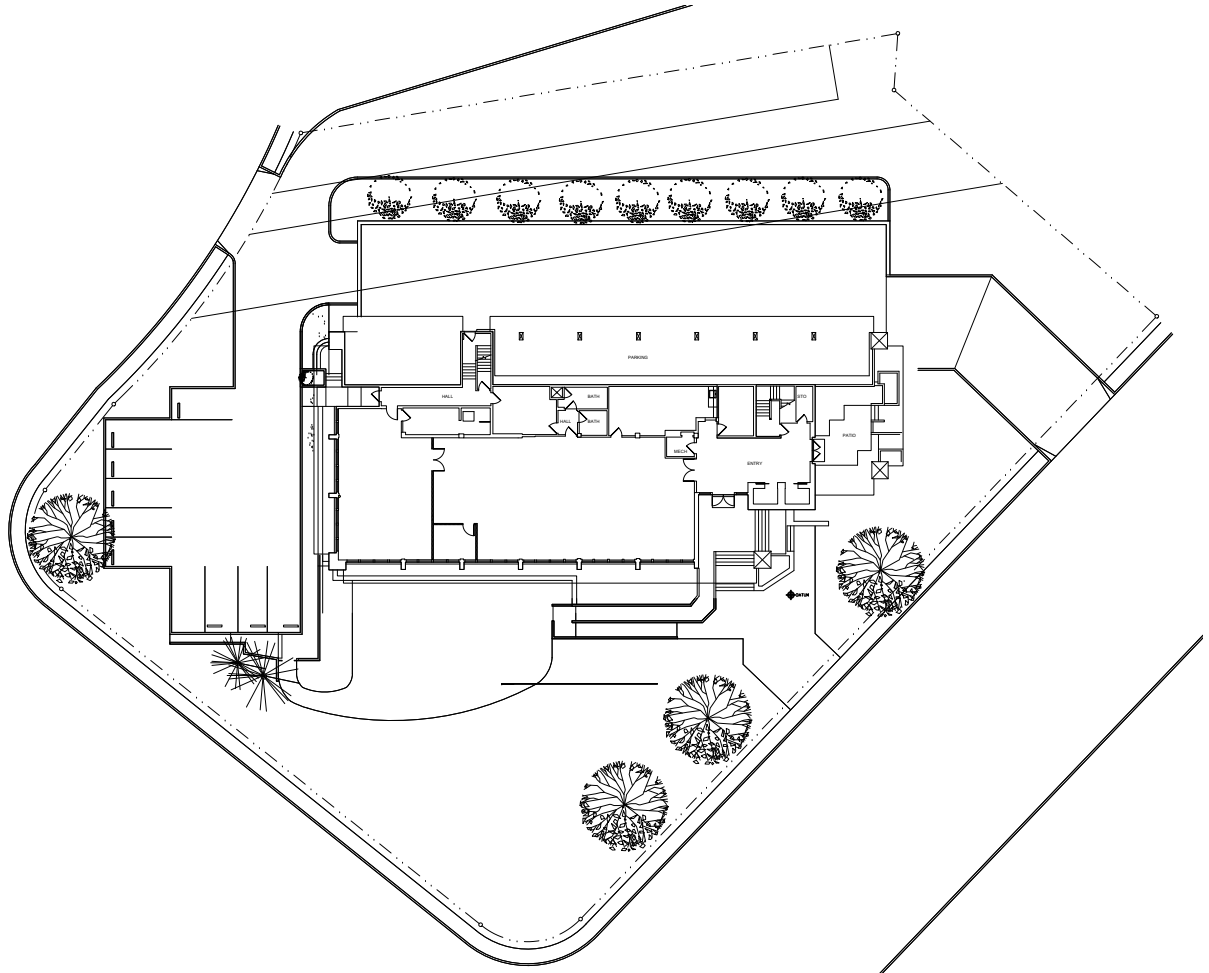
2 VICINITY MAP  
SCALE: AS NOTED  
NORTH



3 FRONT PARKING LOT  
SCALE: 1/8" = 1'-0"  
NORTH



1 SITE PLAN  
SCALE: 1/16" = 1'-0"  
NORTH



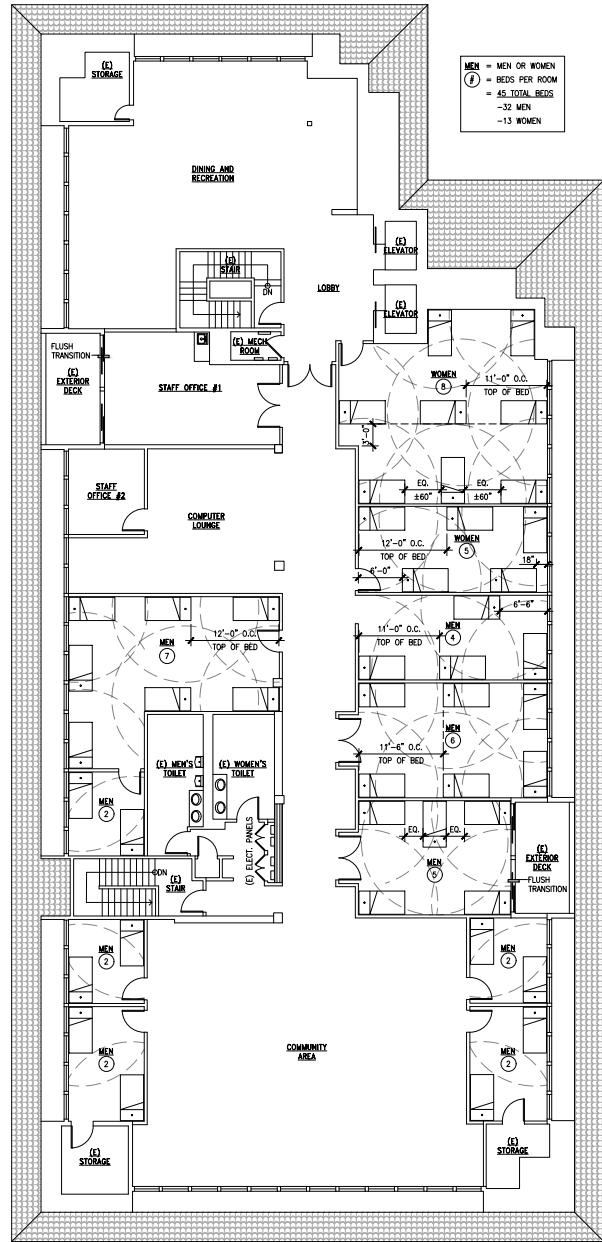
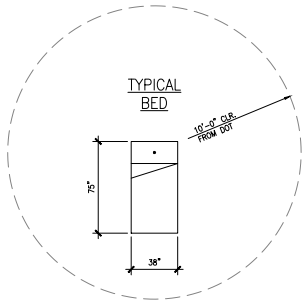
Revisions	
NO.	DATE
1	09-15-2020
2	09-04-2020
3	
4	
5	
6	
7	
8	
9	
10	

PROJECT: ALLIANCE  
 DRAWN BY: MK  
 CHECKED BY: MK  
 DATE: 09-04-2020  
 PROJECT NO: 18020303  
 DRAWING TITLE: SITE PLAN

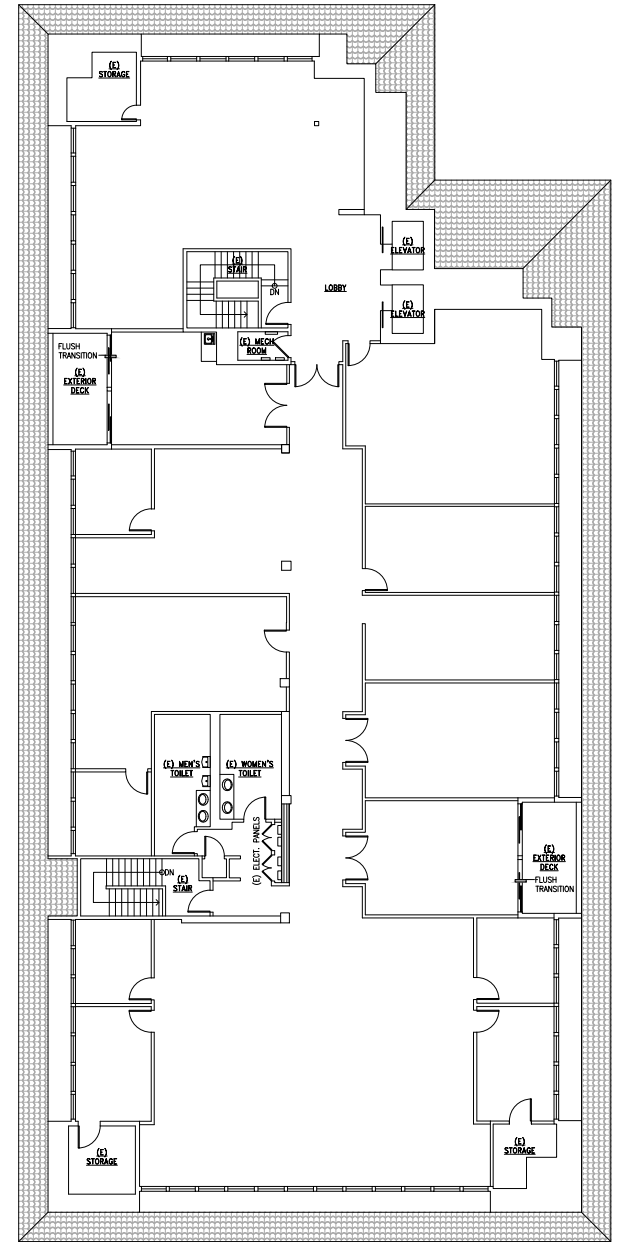
**SITE PLAN, VICINITY MAP,  
FRONT PARKING LOT**

**TEMPORARY EMERGENCY SHELTER**  
 3301 KERNER BLVD.  
 SAN RAFAEL, CA 94901  
 APN: 008-082-52  
 FOR: HOMEWARD BOUND OF MARIN

**ARCHITECTS**  
 FREDRIC C. DIVINE ASSOCIATES  
 1924 FOURTH ST., SAN RAFAEL, CA 94901  
 Phone: (415) 457-0220 Fax: (415) 454-9581



2 PROPOSED THIRD FLOOR PLAN  
 A2.1 THIRD FLOOR AREA: 8,803 SF --- BUILDING FLOOR AREA: 24,042 SF SCALE: 1/8" = 1'-0"  
 (MEASURED TO INSIDE OF EXTERIOR WALLS, EXCLUDES STAIR ENCLOSURES AND ELEVATORS)



1 EXISTING THIRD FLOOR PLAN  
 A2.1 THIRD FLOOR AREA: 8,803 SF --- BUILDING FLOOR AREA: 24,042 SF SCALE: 1/8" = 1'-0"  
 (MEASURED TO INSIDE OF EXTERIOR WALLS, EXCLUDES STAIR ENCLOSURES AND ELEVATORS)

Revision	09-15-2020
COORDINATION	
Drawn	09-04-2020
Scale	As Noted
Drawn	JMK
Job #	16032.03
Prototype	DMNE

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