

June 21, 2024

Mayor Kate and Councilmembers  
City of San Rafael  
1400 Fifth Avenue,  
San Rafael, CA 94903

Re: Proposed Elimination of San Rafael's Design Review Board and Reconfiguration of Planning Commission

Dear Mayor and Councilmembers:

I am against the proposal to eliminate the Design Review Board (DRB) and to transfer the function of the DRB to 5 Planning Commissioners (4 District and 1 At Large, some with planning and land use experience) and 1 Licensed Architect and 1 Design Professional, with 2 Alternates. My concern has to do with the City's lack of a robust process for adopting Objective Design and Development Standards (ODDS).

At the February 27, 2024 Planning Commission (PC) meeting, the Commission was told that though the ODDS needed urgent approval, they had been intended for a larger review process; that though the proposed ODDS incorporated comments from the September 2022 DRB meeting, the September 2022 meeting was not intended to be DRB's final review. DRB had asked for the ODDS to come back to them for further consideration as they were not finished with them. At the February 27, 2024 PC meeting, staff stated that the City can go back and make any number of revised modifications for approval by resolution at a later date.

During the February 27, 2024 PC meeting, PC Chair, now Commissioner, Saude, cautiously asked a number of times, and in a number of ways, whether the requested recommendation to Council to adopt ODDS could include language that the PC would like the ODDS to come back to both the DRB and the PC. Also, during that meeting Planning Director Kavanaugh-Lynch stated that the Downtown Precise Plan Form-based Code had inconsistencies within the document and additionally needed modifications in sections where it is now preempted by state law.

Without thorough and well-considered ODDS, San Rafael leaves much of the urban design of the city up to developers at a time when development proposals are ramping up and seeking to take advantage of streamlined approvals. The primary motivation of most developers is financial and to serve the interests of investors.

The role of San Rafael's DRB has been very different from that of the PC. The PC is tasked with ensuring that projects adhere to San Rafael's General Plan, its policies and programs,

ordinances and zoning. The value of the DRB is the expertise of local design professionals to evaluate proposed projects and make advisory recommendations that will often result in improvements that are both visually and functionally appropriate, that have contextual consistency or are in relationship with adjacent development, and which review provisions for access on local streets and parking, and other elements in the project planning.

The proposed dissolution of the DRB comes at a time when San Rafael has yet to fully flesh out robust ODDS. The county, and other jurisdictions throughout the county, have adopted robust standards in order to have local influence over how those jurisdictions will weather the advantages handed down to developers through recent state housing legislation. Several San Rafael community members at project hearings have over the past few years been requesting that the City complete an ODDS process similar to other jurisdictions. San Rafael kept putting it off and never did. San Rafael's ODDS for areas outside the downtown area total 6 pages. In comparison, [Corte Madera's ODDS Toolkit](#) totals 205 pages.

The proposed dissolution of DRB by the City concentrates decisions about the future of the City in the hands of a few. This will greatly reduce opportunity for broader representation of interest and expertise.

The proposal that city staff could “hire experts in these areas that could come to a hearing and provide *education in these areas for the community* on a particular project” is a poor substitute for a board of five dedicated volunteers with design experience, plus an alternate, who live and/or work in San Rafael, and in most cases have for many years. The proposal to move the DRB's responsibility to a hired consultant on an as-needed determination by staff seems particularly insincere at a time when residents are consistently told city funds are tight.

Mayor and Council Members, please maintain the Design Review Board until it finishes its valuable contribution to restarting and completing a robust process in developing ODDS prior to dissolution and reconfiguring of the Planning Commission.

It's important to the people of San Rafael that you not only are “proud to be a pro-growth city”, but also that you show through careful consideration of actions such as these that the interests of all of San Rafael's communities and community members are valued as the city grows and continues to serve all of its members over time.

Thank you,

Kate Powers