

ORDINANCE NO. 1298

AN URGENCY ORDINANCE OF THE CITY OF SAN RAFAEL AMENDING ORDINANCE NO. 1219 WHICH AMENDED THE BOUNDARIES OF DISTRICTS IN ACCORDANCE WITH SECTION 14.02.010 OF THE MUNICIPAL CODE OF SAN RAFAEL, CALIFORNIA, SO AS TO RECLASSIFY CERTAIN REAL PROPERTY FROM "P-D" (PLANNED DEVELOPMENT) DISTRICT TO "P-D" (PLANNED DEVELOPMENT) DISTRICT BY AMENDING THE MASTER PLAN

THE CITY COUNCIL OF THE CITY OF SAN RAFAEL DO ORDAIN AS FOLLOWS:

DIVISION 1. The Zoning Districts of the City of San Rafael, California, are amended by reclassifying the following real property from "P-D" (Planned Development) District to "P-D" (Planned Development) District by amending the Master Plan. Said property so reclassified is the area shown as 2B on the Master Plan for Smith Ranch, located on the north side of Smith Ranch Road, east of Highway 101, and shown as a portion of County Assessor's Parcel 155-120-70, as shown on Exhibit "A" (attached hereto) and made a part hereof by reference.

DIVISION 2. Any development of this property shall be subject to the development plans and conditions approved in Ordinance No. 1219 and, in addition, subject to the conditions approved in the action labeled as Z78-9; these conditions are marked as Exhibit "B" (attached hereto) and made a part hereof by reference.

DIVISION 3. This Ordinance is hereby declared to be an Urgency Ordinance necessary for the immediate preservation of the public peace, health, and safety within the meaning of Government Code Section 25123 and will take effect and be in force upon its adoption of a 4/5 vote of the San Rafael City Council.

The reasons for the urgency are as follows: The Applicant requesting the rezoning herein, necessary to effect its development project, submitted said rezoning request in a timely fashion, consistent with its processing timetable and deadlines. Due to administrative error and oversight, said rezoning request was not scheduled for

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consideration by the City Council in a timely fashion, and expedient rezoning is now necessary so that Applicant can avoid unnecessary economic hardship. Moreover, rezoning on an urgency basis is hereby declared and found to be necessary for said development project, consistent with the General Plan and will not be detrimental nor inimical to property in the vicinity nor to the community at large.

DIVISION 4. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.



C. PAUL BETTINI, Mayor

Attest:


JEANNE M. LEONCINI, City Clerk

* * * * *

The above and foregoing Ordinance No. 1298 was adopted as an Urgency Ordinance of the City of San Rafael at a regular meeting of the City Council of San Rafael held on the fifth day of June, 1978, by the following vote, to wit:

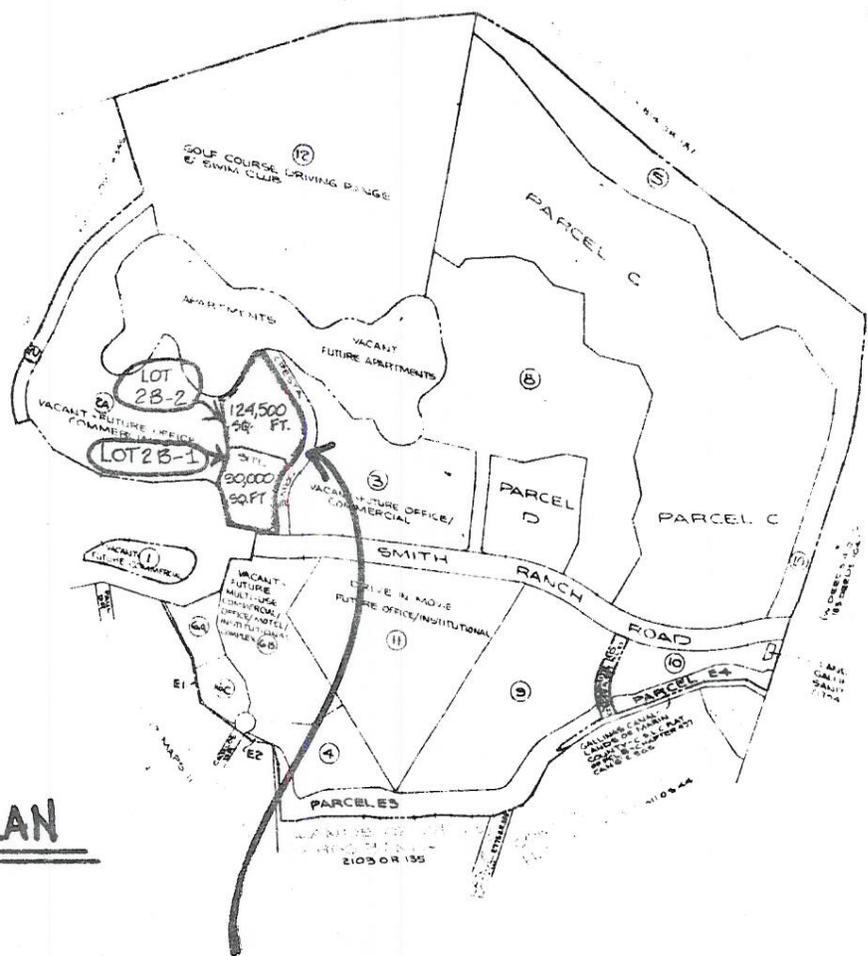
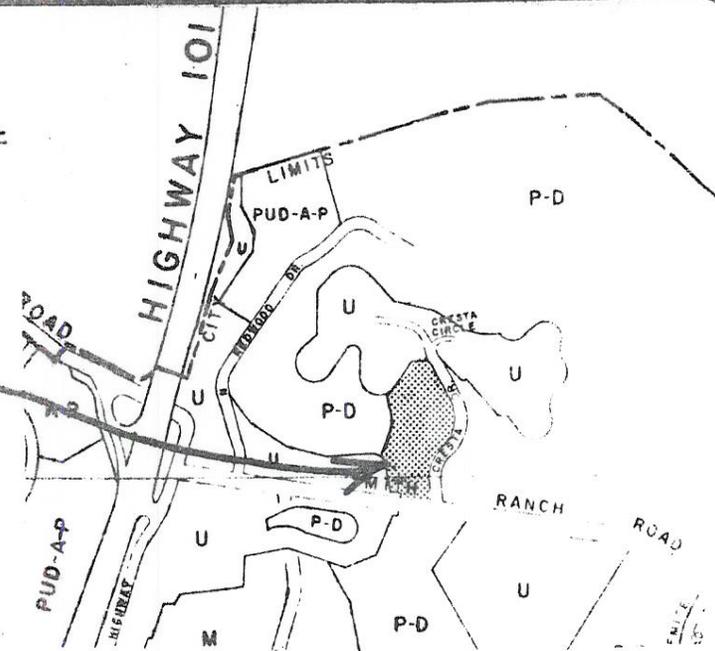
AYES: COUNCILMEN: Jensen, Miskimen, Mulryan and Mayor Bettini
NOES: COUNCILMEN: None
ABSENT: COUNCILMEN: Nixon


JEANNE M. LEONCINI, City Clerk

SITE LOCATION



SITE



SITE PLAN

PROPOSED SUBDIVISION AND REZONING OF PARCEL

EXHIBIT "B"

Conditions Which Were Included As Part of The Zoning
(Z78-9) Action by The San Rafael Planning Commission
on April 25, 1978

- (a) The Master Zoning Plan (Z75-7) is amended to permit the subdivision of parcel 2B into two lots (2B-1, 2B-2) as shown on the staff map.
- (b) Cresta Drive is approved as access for Lot 2B-2.
- (c) Cresta Drive, from Smith Ranch Road to the Lands of Sade, shall be dedicated to the City.

EXHIBIT "A"

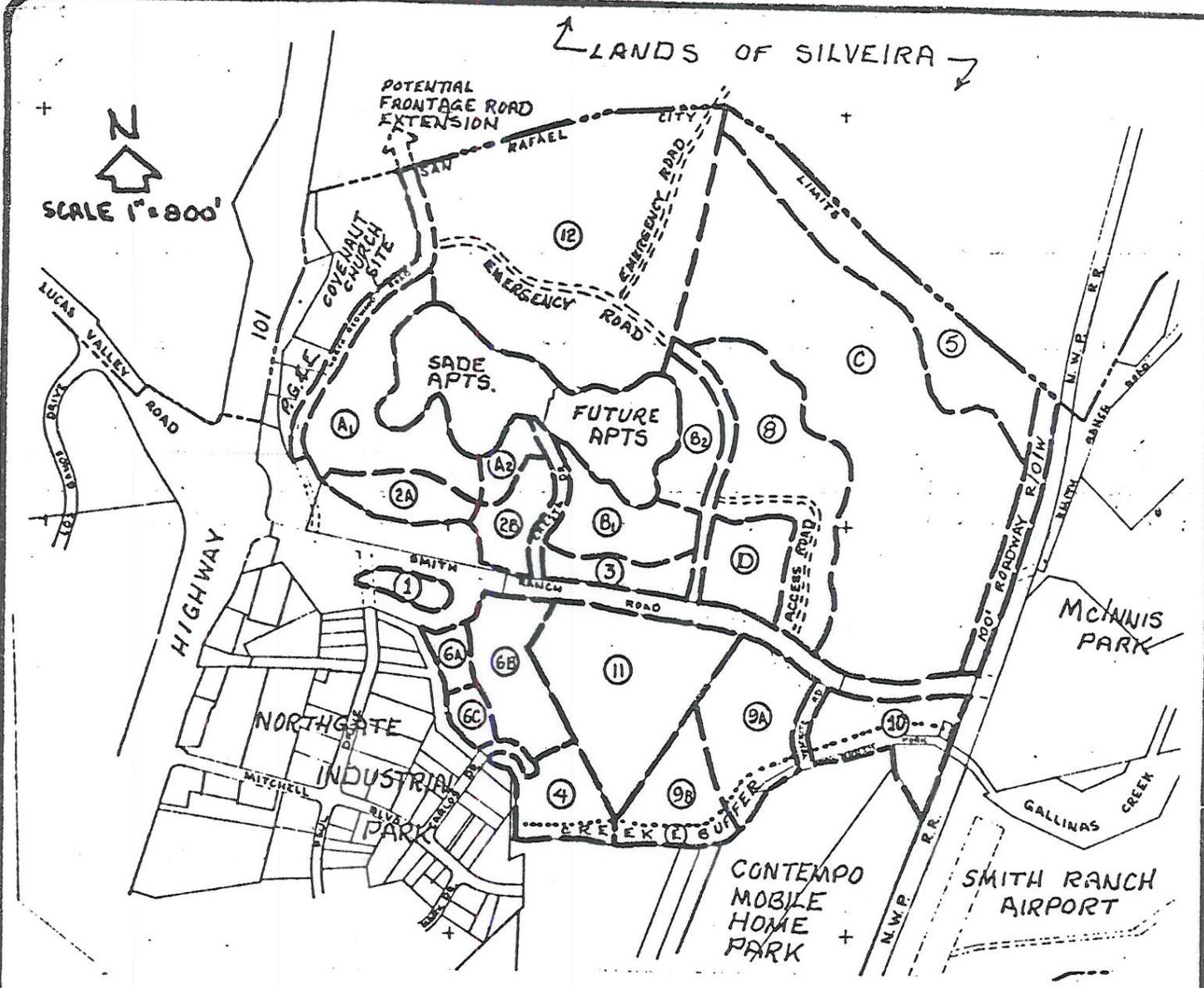
Conditions which were included as part of the zoning (Z78-18) action by the Planning Commission on October 17, 1978.

- A. This amendment of the Smith Ranch Master Plan zoning from "townhomes" use to "general hospital and medical office use" shall take effect upon approval of the proposal by the State Department of Health. Prior to Department of Health approval, the existing "townhomes" use and the existing "Specific Area Conditions" for Area 8 shall remain in effect in the form listed in Ordinance No. 1219.
- B. Upon approval of the proposal by the State Department of Health, Ordinance No. 1219, establishing Smith Ranch Master Plan zoning, shall be deemed amended, changing the "townhomes" designation for Area 8 of the Land Use and Subdivision Pattern Map Exhibit A to "general hospital and medical offices; and changing Section C Specific Area Conditions, Subsection 9 as follows:

9. Area 8

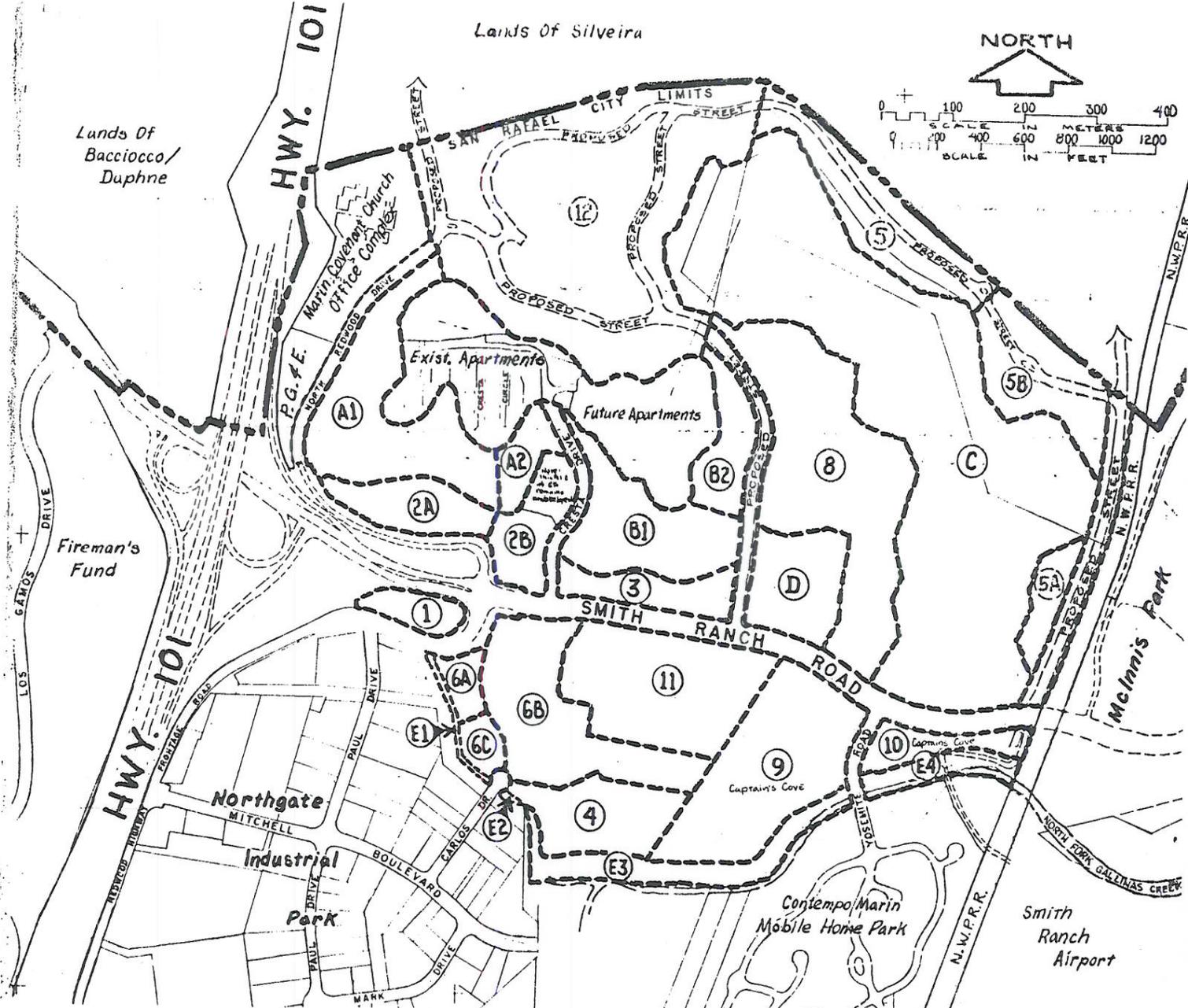
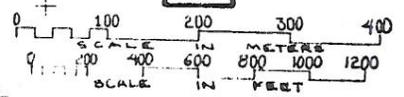
- a. Land use: general hospital and medical offices. The general hospital shall be limited to 120 beds and 91,000 sq. ft. The medical offices shall be limited to 51,000 sq. ft.
- b. Area: Gross, 13.0 acres, net 10.2 acres.
- c. Setbacks: 80 feet from Smith Ranch Road frontage; 25 feet from the Pond property line; 20 feet from the curb line of the roadway forming the west boundary lines.
- d. Coverage: 30% maximum building coverage; 30% minimum landscaped area.
- e. Specific Architectural Standards: (1) maximum building height not to exceed 4 stories for the general hospital and not to exceed 3 stories above ground for the medical offices; (2) building siting, orientation and architectural design shall be subject to approval at the time of Environmental and Design Review; (3) heavy landscaping shall be provided the hillside portion of the "panhandle area" adjacent to Smith Ranch Road.
- f. Circulation: Access shall be from a collective roadway constructed to City standards. The minimum roadway width shall be 40 feet curb-to-curb within a 60 foot right-of-way unless the City Engineer determines that a 34 foot curb-to-curb width is acceptable for the 500 foot length of roadway north of the Pond parcel. There shall be a second emergency service connection to Smith Ranch Road near Yosemite Drive but shall be designed to minimize separation of the Pond and the hillside. A median cut in Smith Ranch Road for the emergency access connection shall not be permitted. All private roadways shall be constructed to City approved standards. An "all weather emergency vehicle roadway" shall be graded and constructed to connect to the existing roadway which terminates at the golf course. An easement shall be granted for this emergency roadway. The applicant shall take all steps necessary to secure CalTrans approval for and shall provide appropriate share, as determined by the City Engineer, of the improvements necessary for mitigation of traffic impact at the Lucas Valley interchange, to the extent that the impact is identified in the DeLeuw Cather Traffic Analysis submitted as a part of the rezoning application. The improvements shall consist of either:
- (1) Construction of a new diagonal northbound on-ramp from

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 - (1) Construction of a new diagonal northbound on-ramp from westbound Smith Ranch Road, or
 - (2) A second left-turn lane from westbound Smith Ranch Road to the currently proposed CalTrans northbound Highway 101 on-ramp and signalization of the Smith Ranch Road-Frontage Road intersection.
- g. Grading: Cut of fill slopes shall not exceed a 2-to-1 slope except that when hard rock is encountered, steeper slopes may be permitted upon approval of the City Engineer. Existing areas of natural, undisturbed topography shall not be graded.



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|----|---------------------------|----|----------------------|
| 1 | COMMERCIAL | 10 | GARDEN APARTMENTS |
| 2A | OFFICE/COMMERCIAL | 11 | OFFICE/INSTITUTIONAL |
| 2B | OFFICE/COMMERCIAL | 12 | PRIVATE RECREATIONAL |
| 3 | OFFICE/COMMERCIAL | A1 | PRIVATE OPEN SPACE |
| 4 | OFFICE/LIGHT INDUSTRIAL | A2 | PRIVATE OPEN SPACE |
| 5 | RECREATIONAL VEHICLE PARK | B1 | PRIVATE OPEN SPACE |
| 6A | MULTI-USE | B2 | PRIVATE OPEN SPACE |
| 6B | MULTI-USE | C | PUBLIC OPEN SPACE |
| 6C | MULTI-USE | D | PUBLIC OPEN SPACE |
| 8 | TOWNHOMES | E | CREEK BUFFER |
| 9A | GARDEN APARTMENTS | | |
| 9B | TENNIS/SWIM CLUB | | |

SMITH RANCH MASTER PLAN
Z 75-7 TO "PD" JUNE, 1976



AREA	USE	COMMENTS	Ord. Ref.	AREA	USE	COMMENTS	Ord. Ref.
1	Commercial	Constructed-Runk	1219	11	Theater	Theater Constructed	1444
2A	Office/Commercial	Constructed-Offices	1444	12*	Retirement Residential	Master Plan Approval	1488
2B	Office/Commercial	Constructed-Offices (see notes on map)	1298	A1	Open Space-Private	Open Space	1219
3	Office/Commercial	Undeveloped	1474	A2	" " "	" " "	"
4	Light Industrial/Office	Approval with time ext	1444	B1	" " "	" " "	"
5*	Retirement Residential	Master Plan Approval	1488	B2	" " "	" " "	"
5A*	"	" " "	1488	C	Open Space-Public	Open Space-Dedicated	"
5B	Below Market Rate Residential	" " "	1488	D	" " "	" " "	"
6A	Office/Commercial	Constructed	1444	E1	" " "	Creek Buffer	"
6B	Commercial/Office	Offices Under Constr.	1444	E2	" " "	" " "	"
6C	Office/Light Industrial	Constructed	1219	E3	" " "	" " "	"
8	Residential/Hospital	Hosp. Plan Submitted	1314	E4	" " "	" " "	"
9	Residential	Under Construction	1399				
10	Residential	" " "	1399				

* Note: Areas 5, 5A and 12 combined to form Smith Ranch Hills Marin.

General Note: All Areas affected by Ord. 1457.

SMITH RANCH P-D MASTER PLAN

SHOWING ALL AMENDMENTS, APPROVALS AND ACTIONS TO DATE

PREPARED BY SAN RAFAEL PLANNING DEPARTMENT 2/13/85 J.D.