



Agenda Item No: SM a
Meeting Date: February 2, 2026

SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Community and Economic Development

Prepared by: Greg Minor
Assistant Director

City Manager Approval: 

TOPIC: 2026 HOUSING STUDY SESSION ONE

SUBJECT: PRESENTATION ON HOUSING DEVELOPMENT IN SAN RAFAEL AND POTENTIAL CHANGES TO HOUSING POLICIES AND REVIEW PROCEDURES

INTRODUCTION:

In light of the new regulatory landscape for housing development in California, City staff propose holding two City Council study sessions in the first half of 2026 to (i) clarify what project elements local governments can influence, (ii) identify the types of housing San Rafael wants to encourage, and (iii) present policy and process adjustments for City Council consideration.

GOALS OF THE FIRST STUDY SESSION:

- The goals of the first study session are as follows:
- (1) Establish a baseline understanding of what levers of control local jurisdictions have over housing development; and
 - (2) Receive input from the City Council on whether to:
 - i. explore amendments to the downtown’s density requirements;
 - ii. redefine the role of the planning commission with respect to the review of housing developments; and
 - iii. create a new ministerial process that encourages housing development that aligns with City Council priorities.

STUDY SESSION AGENDA:

- The study session will commence with a staff presentation focusing on the following themes:
- 1. State Legislation and City Plans (approximately 10 minutes)
 - 2. Current Development Activity in San Rafael (approximately 10 minutes)
 - 3. Potential Policy and Process Adjustments (approximately 5 minutes)

The remaining hour will allow for discussion and comments from the public and City Councilmembers followed by direction from the City Council on potential policy and process adjustments.

BACKGROUND RESOURCES:

Staff have provided resources with more details on state housing laws and City plans to complement the study session presentation.

FOR CITY CLERK ONLY

Council Meeting: _____

Disposition: _____

A. State Laws that have been utilized in San Rafael over the last five years:

1. **State Density Bonus Law** [Government Code Section 65915](#) – published legislation – 1979
Additional Resources:
 - i. [SDBL Overview](#) - California Association of Councils Governments – 2025
 - ii. [Density Bonus Model Program Guidelines](#)- Association of Bay Area Governments – 2025
2. **Housing Accountability Act/SB330** - [HAA](#)- published legislation – 2019
Additional Resources:
 - i. [Housing Accountability Dashboard](#)- State of California Housing and Accountability Act Website that reflects the actions the Housing Accountability Unit (HAU) has taken since January 1, 2020.
3. **State Bill 35 (2017)** and its subsequent amendments, codified at [Government Code Section 65913.4](#), et seq.- published legislation – September 2017
Additional Resources:
 - i. [Findings from the first five years of SB 35](#)- Report from the Turner Center – 2023
4. **State Bill 9 (2021)** and its subsequent amendments, codified at Government Code Section [65852.21](#) and [66411.7](#)– published legislation – September 2021
Additional Resources:
 - i. [Department of Housing and Community Development SB 9 Factsheet](#) – 2024
5. [Affordable Housing and High Road Jobs Act of 2022](#) – September 2022
Additional Resources:
 - i. [Overview of AB 2011](#) prepared by the Association of Bay Area Governments
6. **California Environmental Quality Act (CEQA) Resources**
 - i. [California Environmental Quality Act - CEQA Primer](#) by City of San Rafael
 - ii. Exemptions:
 - a. Categorical: [Memo](#) prepared by the Southern California Association of Governments, including an overview of Class 32 Infill Development Projects.
 - b. Statutory: [AB 130](#) -published legislation – July 2025
 1. [Summary of Key Provisions in AB 130](#) prepared by the Association of Bay Area Governments

B. City of San Rafael Plans

1. [General Plan 2040](#) (August 2021)
2. [2023-2031 Housing Element](#) (May 2023)
3. [Downtown San Rafael Precise Plan](#) (August 2021)