

RESOLUTION NO. 25-07
RESOLUTION OF THE SAN RAFAEL PLANNING COMMISSION REPORTING
ON THE CONFORMITY OF THE ACQUISITION OF 350 MERRYDALE ROAD
AND 3833 REDWOOD HIGHWAY (ASSESSOR'S PARCEL NUMBERS 179-
041-27 AND 179-041-28) ("PROPERTY") WITH THE CITY OF SAN RAFAEL'S
ADOPTED GENERAL PLAN

WHEREAS, California Government Code Section 65402(a) requires that if a General Plan has been adopted, prior to a public entity's acquisition of real property for a public purpose, the applicable planning agency must report on the conformity of the acquisition with the adopted General Plan; and

WHEREAS, in 2021 the City of San Rafael (City) adopted its current [General Plan 2040](#) via City Council Resolution No. 14959; and

WHEREAS, San Rafael's City Council has determined that the City's Planning Commission under San Rafael Municipal Code ("SRMC") [2.16.110](#) shall advise on land use matters requiring City Council action; and

WHEREAS, pursuant to California Government Code 65100 et seq. and SRMC 2.16.110, the City's Planning Commission thus qualifies as the planning agency for the City to advise the City Council on the conformance of the acquisition of property with the City's' General Plan; and

WHEREAS, the City Council will consider acquiring the property located at 350 Merrydale Road and 3833 Redwood Highway, APN 179-041-27 and 179-041-28, ("the Property") to serve as an interim shelter, which may include a Low Barrier Navigation Center for unhoused San Rafael residents over the next two to four years followed by a permanent affordable housing development; and

WHEREAS, the Property is designated as Community Commercial Mixed Use on the General Plan 2040 Land Use Map, which allows for residential and commercial uses, including a mix of housing, office, retail, service, and public land uses; and

WHEREAS, the Property is also listed in General Plan Appendix A: Development Pipeline – Entitled Projects of the San Rafael Housing Element and identified for future residential development; and

WHEREAS, Government Code Section 65662 provides that a Low Barrier Navigation Center is a use by right in areas zoned for mixed use and nonresidential

zones permitting multifamily uses; and

WHEREAS, consistent with the City's [2023-2031 Housing Element](#) adopted May 15, 2023, Low Barrier Navigation Centers are allowed by right in mixed use and nonresidential zoning districts; and mixed use and nonresidential zoning districts; and

WHEREAS, the Property has a Planned Development zoning designation as set forth in Ordinance No. 1979, which allows for land uses set forth in the High Density Residential (HR1) District land use classification; and

WHEREAS, the uses allowed in a High Residential District are set forth in SRMC Chapter 14.04 and include mixed use; and

WHEREAS, the acquisition of the Property is consistent with the Property's General Plan designation and with applicable goals, policies and programs of the General Plan, specifically with policies of the Land Use, Neighborhoods, Community Design and Preservation, Conservation and Climate Change, Mobility, and Diversity, Equity, and Inclusion Elements as detailed in the General Plan Consistency Table, Attachment One, and Housing Element 2023-2031; and;

WHEREAS on November 4, 2025, the Planning Commission held a duly noticed special meeting to consider whether the acquisition of the Property conformed to the City's General Plan, and accepted all oral and written public comment and the written report of the Community Economic Development Department staff, and

NOW THEREFORE BE IT RESOLVED, the Planning Commission finds that the foregoing recitals are true and correct and incorporated by reference and reports that the acquisition of the Property, at 350 Merrydale Road and 3833 Redwood Highway (APN 179-041-27 and 179-041-28), conforms to the City of San Rafael's adopted General Plan.

SECTION 2. SEVERABILITY

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City.

Moved by Commissioner Saude and seconded by Commissioner Haveman. The vote is as follows:

AYES: COMMISSIONERS: Alvarez, Haveman, Salvemini, Saude, Summers, and

Vice Chair Rodby

NOES:

ABSENT: COMMISSIONERS: Mercado

SAN RAFAEL PLANNING COMMISSION

ATTEST: *Kristina Estudillo*
Kristina Estudillo (Nov 5, 2025 11:46:44 PST)

Kristina Estudillo, Secretary

BY: *Jill Rodby*
Jill Rodby (Nov 5, 2025 14:27:22 PST)

Jill Rodby, Vice Chair