

**Summary of San Rafael General Plan 2040 Steering Committee Meeting  
Meeting #11 February 13, 2019  
6:00 – 9:00 PM at 750 Lindero Avenue**

**Attendance**

Members Present: *DJ Allison, Bella Bromberg, Bill Carney, Berenice Davidson, Linda Jackson, Margaret Johnston, Jeff Jones, Bonnie Marmor, Bob Miller, Drew Norton, Stephanie Plante, Kate Powers, Jeff Rhoads, Jackie Schmidt, Roger Smith, Eric Spielman, Karen Strolia, Cecilia Zamora*

Members Excused: *Jenny Broering, Maribeth Bushey, Omar Carrera, Richard Hall, Eric Holm, Sparkie Spaeth*

Alternates Seated: *Kate Colin (for Maribeth Bushey), Samantha Sargent (for Eric Holm)*

Alternates in audience: *Jim Geraghty*

Staff Present: *Raffi Boloyan, Anne Derrick, Allison Giffin, Paul Jensen, Barry Miller*

Sign-Ins: *Shirl Buss, Maika Llorens Gulati (note: additional audience members were present and did not sign in)*

**Welcome/ Roll Call**

Chair Plante called the meeting to order at 6:07 PM. Project Manager (PM) Miller took roll call and reviewed the agenda.

**Acceptance of Meeting Summary**

A motion and Second were made to approve the Minutes from the 12.12.18 meeting. The motion passed unanimously.

**Public Comment on items Not on Agenda**

Brad Sears requested that Steering Committee meetings be taped and made available to the public.

**Steering Committee Status Report and 2019 Meeting Strategy and Schedule**

Planning Manager Boloyan provided a Status Report to the Committee. He described the work completed to date and milestones achieved in 2018. He noted that the Committee was about halfway through its work and would be using electronic polling devices during its upcoming meetings so that Committee members could weigh in on policy issues. He noted that Opticos would be at the March meeting to discuss Downtown issues.

Committee Member comments are listed below. *Staff responses (made at the meeting) are noted in italics:*

- What is the sequence from to get us from policy “audits” like those in today’s agenda packet to the Draft General Plan? The organization I represent would like to comment on the open space and conservation policies, but we’re not sure when to do that, or if there will be enough time.

*Boloyan responded that there will be many opportunities for the general public to comment through future public meetings to be held later this year, including pop-up meetings at locations around the city. He also noted that all of the information (policy audits and draft policies) is on the website. Individuals and organizations also can email Barry with questions and/or concerns about the various elements. He also noted that there will be public hearings at the Planning Commission and City Council at the end of the process.*

*Project Manager (PM) Miller noted that there will be multiple iterations of each draft and the public can comment on each draft at any time. In the case of open space and conservation policies, organizations can comment on the “audits”---staff will take this feedback into consideration when we draft new policies. The public can then comment on the draft policies—there will be multiple drafts of each set policies before the Public Review Draft General Plan is published. It will be most helpful if comments are in writing.*

- Can we get more advanced notice of what topics will be covered at upcoming meetings?

*We are working on a master schedule of topics and will share this with Committee members.*

- Is there sufficient time to go through all the elements this way, if the aim is to finish by the end of the year?

*The intent is not to limit discussion to one element per meeting. Some of the elements will be evaluated by other entities—for example, the Arts and Culture Element. We will check in with the Steering Committee on these issues, but they will not be the primary source of input. The Committee’s focus is on the “core” elements like Land Use and Transportation. We will also have multiple reviews of each element, in some cases.*

- Some Committee members may want to comment on the “non-core” elements like Arts and Culture. Some of us would like to review all elements.

*So noted; we will do our best to engage Steering Committee members if we convene discussions of these elements. Ultimately the Committee will review all elements—but some may be the focus of an entire meeting, and in other cases we may address four elements in a single meeting.*

- Some of the elements require more review---we shouldn’t shortcut the discussion, especially for elements where “the devil is in the details.”

*PM Miller indicated that we are limited in how deep we can go during the meetings given the large number of committee members—thus, the written feedback provided by Committee members in between meetings is very important. Written comments from Committee members on the land use policy audit were used to draft the revised land use policies. He encouraged further written comments on the current draft as well as the “audits” that were in the agenda packet.*

- Will you continue to take comments on the Open Space and Conservation element policy audit after this meeting? What’s the deadline?

*Yes, comments will be considered and we will wait until after the March meeting before rewriting these policies. Please provide comments by March 6.*

- How can the general public get this information in advance so they can comment? Raffi mentioned pop-up workshops---is there a schedule of when and where they will be? If not, can one be provided?

*Everything provided to Committee members is posted on the website and provided to folks on our mailing list in advance of the meeting. Chair Plante reiterated that all information made available to the Committee is simultaneously posted to the website for the public to review.*

- Committee members should be given deadlines (perhaps a month before the meeting) as to what is expected to be covered in a meeting, so that they can do their outreach to the groups they are representing.
- Can you verify that the goal is to have all of the Committee and public input shaping the elements finished by the end of the year? If the goal is to adopt the Plan in Spring 2020, that suggests the EIR is ready at the end of the year---but how can it be finished before the Plan is drafted?

*We have already started writing the EIR—e.g., documenting background conditions. Most of the EIR impact analysis work will happen in Winter 2019-20. The Public Review Draft Plan will be presented to the Planning Commission by Spring 2020. It is difficult to predict how long the public hearing process will take.*

- Perhaps we can create subcommittees, given the large amount of information to be covered.

*CD Director Jensen noted that this was done in the last Plan Update, but that was a much longer process and many new elements were being added to the Plan. This process is more of an update. PM Miller remarked that the one topic that may warrant a Subcommittee would be the Downtown Precise Plan because it is a more focused topic, with a lot of new content.*

- In lieu of subcommittees, we could consider Study Groups on certain topics, convened by members.

### **Downtown Precise Plan Boundary and Upcoming Milestones**

PM Miller gave a PowerPoint presentation on a proposed boundary for the Downtown Precise Plan. He explained the rationale for the boundary. He also provided an overview of the Downtown Precise Plan work program.

Committee Member comments are listed below. *Staff responses (made at the meeting) are noted in italics:*

- Will the affordable housing and anti-displacement (AHAD) strategy address impacts of Downtown development on housing outside of the Plan boundary? There may be more impacts there than in Downtown proper.

*Typically, the AHAD strategy only looks at what happens in the Plan Area, but we can explore external effects.*

- It's not just about stopping displacement. New housing downtown is an important part of keeping downtown vital. We need housing production strategies in the Downtown plan too.
- Could you explain more about what form-based zoning means, what the term "missing middle" means, and how the Precise Plan may affect other neighborhoods?

*PM Miller responded that form-based zoning focuses on the envelope and physical shape of the building rather than the uses that occur within the building. "Missing middle" refers to the segment*

*of the housing market in between single family detached homes and big apartment buildings—i.e., duplexes, triplexes, fourplexes, etc.*

Staff distributed electronic polling devices to Committee members. A “test question” was asked to get members familiar with the technology: How often do you visit downtown? Members voted. The responses were:

- 30% of respondents visit downtown every day
- 50 % visit downtown several times a week
- 20% visit downtown once to several times a month

PM Miller noted that the starting point for drawing the Downtown boundary was the 1993 Downtown Vision. This was augmented by considering the boundary for the Station Area Plan in 2012, which included areas within ½ mile from the SMART station. However, single family neighborhoods and most industrial land within the ½ mile radius had been excluded. He explained that the Steering Committee had taken the boundary issue up last year and suggested possibly going further south and southeast.

The Committee asked why some residential areas were being included in the boundary when they are not perceived as Downtown (e.g., Mission at Mary, Union, Grand, etc.). PM Miller responded that the boundaries aligned with Census tracts, which facilitates data collection. The residential edge is very irregular, and boundaries following street centerlines are easier to work with. However, zoning designations in the residential areas will stay the same. Other comments included:

- Why is the Montecito Shopping Center not included? Why isn't Albert Park included?
- Why is Whole Foods in the boundary, but Montecito Shopping Center not?
- Take out Whole Foods—it's suburban in scale and not Downtown
- Montecito Shopping Center should be in the boundary (multiple speakers supported this)

The Committee was polled about the boundary using electronic “clickers” using a multiple choice question. 14 of 20 members indicated the boundary was “pretty good, but would be better with a few changes”; 5 thought it was OK as proposed; one was unsure.

The poll question was asked again but was changed to include the Montecito Shopping Center in the Downtown plan. The new results found 12 who agreed with the amended boundary, 7 who felt a few changes were still needed, and one who was unsure. PM Miller asked the members who still had reservations to speak out. A few members indicated that they felt Montecito should NOT be part of the Downtown Plan.

A Committee member asked what the implications were about being inside or outside of the boundary. PM Miller responded that properties inside the boundary were likely to get new zoning and would be subject to new design guidelines and policies/ programs related to business development and parking. He noted that if a parcel is excluded from the boundary, this does not necessarily indicate that the zoning will stay the same forever—but it's more likely to change if it's inside the boundary.

Additional comments are listed below. Staff responses (given at the meeting) are in italics:

- Is the Plan boundary in keeping with our arts and culture assets? Should we add Falkirk Mansion?

*Falkirk was not included because it is a heritage resource and there are no proposed changes to its zoning. It can still be acknowledged as a resource in the Plan.*

- What are the implications of the boundaries to our eligibility for funding—or state housing bills?

*There is a possibility that properties in the boundary would be treated differently given pending state legislation.*

- The City is experiencing a lot of changes, including a restructuring of retail and sea level rise. Including the Montecito Shopping Center touches both issues—we should include it in Downtown to open the eventual possibility of housing.
- Including Montecito Shopping Center is a good idea and makes sense.
- Montecito Shopping Center is where Downtown touches the waterfront—we should include it. Conversely, we should exclude the residential area along Mission Street east of Irwin, and some of the properties north of 4<sup>th</sup> Street. The boundary should end at the overflow lot east of Montecito and not extend further east down Third Street onto the San Pedro Peninsula.
- A lot of the businesses, like Whole Foods, United Market, and Montecito shopping center have the potential for worker housing on the second level.
- Montecito Shopping Center is likely to be redeveloped in the future—we should anticipate that.
- When we did General Plan 2020, there was some concern over including Latham St. in the Downtown area—we indicated it would not be rezoned, and in fact—it has not been rezoned. The area continues to be a successful residential pocket. It's OK to include residential areas with this caveat. Also, it makes sense to include the Montecito Shopping Center in the Downtown Plan area.

Staff noted that a second question to think about is what the vision for Downtown was for the next 20 years---that could inform decisions about the boundary. PM Miller asked what committee members thought about excluding the residential area on Mission east of Irwin (and surrounding blocks). Several members concurred that this area should be excluded. PM Miller requested the group to take another vote on amending the Downtown Plan to include Montecito Shopping Area and exclude the residentially zoned parcels in the upper right corner of the existing Boundary Map (east of the commercially zoned parcels on Irwin and north of Fourth Street).

On the third vote, 16 (of 20) approved of the boundary, 2 voted that it was good but a few changes could be considered, one voted for major changes, and one was unsure. The discussion was closed and the Committee took a short break.

### **Policy Discussion on Open Space and Conservation Element –**

Chair Plante reopened the meeting and introduced the item. PM Miller delivered a PowerPoint presentation reviewing the contents of the Open Space and Conservation Elements and key policy issues.

PM Miller asked the committee to use their electronic clickers to respond to the following question:

How well are GP 2020 Conservation Policies working?

The results were: Very well (4), Pretty well but could be better (8), Not well (5), and not sure (3).

PM Miller asked if those who voted that policies were not working well could speak up on why they voted the way they did. The following comments were made:

- Sidewalk policies are problematic.

- Policies are OK but the implementation measures need work.
- We need to be more flexible in how we manage shoreline properties. As we look at adaptation strategies, the current requirements may be too inflexible and do not provide the options needed to respond to sea level rise and flood risk.
- Flood corridors should be addressed as does riparian habitat and groundwater recharge. We need to look at the intensity of use along our creeks and do more watershed and stormwater management planning. Other communities have designated Priority Conservation Areas—there is funding from ABAG/MTC to conserve these areas, and they are an important part of our resilience strategy. Can we apply for these designations in San Rafael? Also, we need to focus more on our creeks and the impacts of salinity increases—and we need to have more robust policies on control of invasive species.
- What is the distinction between the Open Space and Parks? What’s the status of Barbier Park?  
*Staff noted that Barbier Park was donated to the city. Most of the open space areas are hillsides that were secured through an open space bonds. Parks tend to be on flatland areas, with recreation improvements.*
- Did an Open Space Committee actually get created? *Staff indicated that it had.*
- If Committee members want to come up with suggestions in writing, who should they be submitted to and who will do the “fact finding” to see if they work? *PM Miller indicated these suggestions be sent to him, and he would follow up.*
- Will fire prevention be addressed in Conservation? *PM Miller noted this is generally covered in the Safety Element, though it touches conservation and open space. CD Director Jensen added that the City needs to focus more on the connection between open space management and fire hazard in the updated General Plan, given heightened risk and awareness.*
- Can you combine the Parks and Open Space Elements? *PM Miller noted that the Open Space and Conservation Elements were being combined, because they both focused on natural resource management. The Parks and Recreation Element is more focused on recreation services and “active” open space.*
- The current plan needs to be reorganized to make it clearer what the priorities are. Rewrite policies to reflect our “new abnormal”—eg sea level rise, drought, fire, and the impact of climate change on plants and animals. Rewrite this chapter through a climate change lens.
- The term “Conservation” may have been appropriate twenty years ago, but the focus should shift to “Resiliency.” We should create polices to address the effects of the environment on infrastructure and other issues. Our current policies may be too restrictive and could impede the community from responding to climate change. *PM Miller remarked that there is a separate Resilience Element in the Plan which will address many of these issues.*
- The current open space policies seem to focus on protecting open space from more development. But that’s not a risk anymore, as most of the developable parcels have been publicly acquired. Need to shift to how we manage these lands. Can mitigation be embedded in the plan? *CD Director Jensen concurred that much of the existing General Plan reflected an era when shoreline and hillside development was prevalent and conservation policies were important to protect resources. The*

*current plan should reflect that we are more built out--policies on wetlands and special status species may be carried forward but we're focusing more on infill now.*

- We need a creek master plan. Creeks have been damaged by urban run-off. We should strengthen policies to improve creek quality.
- The 2020 Plan referenced a master plan for Mahon Creek—does it exist? We need to address our creeks at the watershed level, in addition to planning for the creeks themselves. What happens on uplands affects the creeks. Creeks should be more of an asset to the city—they need aesthetic improvements. *There was a Mahon Creek restoration plan done during the environmental review process for the last plan.*

PM Miller presented the Open Space Policy Issues. Committee feedback was requested.

- Which part of the Plan addresses bike use and dogs on trails—parks or open space? *This is an Open Space access issue.*
- Much of the existing Plan language is too passive and not action-oriented enough.
- How can we update the priority acquisition list? *The acquisition list is from the early 1980s and is outdated—it's an appendix to the Plan now and it will need to be updated and/or removed.*
- The wetlands policies need to be more flexible to recognize the impacts of sea level rise. Also, the creeks discussion should have an updated map showing creeks.
- We should have a dark sky and light pollution policies; integrated pest management policies; and the Committee should be proactive in setting policies related to wireless facilities in open space areas but its policies should align with the Council's. Also, keep the feral cat policy.

### **Discussions of Draft Land Use Element Policies**

PM Miller provided a PowerPoint presentation on the draft Land Use policies. Using the “clickers”, Committee members voted on a series of policy questions. Following the votes, the Committee went back through each question to discuss why they voted the way they did.

The polling results were as follows:

#### **Issue 1: Housing in Industrial Areas (Program 19b)**

Consider an “Innovation District (a new zoning district or overlay) on Light-Industrial/Office properties in which multi-family uses would be allowed, subject to performance standards and use permit requirements.

*Great Idea (13), A few reservations (3), A lot of reservations (2), strongly disagree (1), unsure (1)*

#### **Issue 2: Reuse of School Sites (Policy 16)**

Change the criteria for reuse of surplus school sites to emphasize public benefit uses, such as affordable housing, etc.

*Acceptable as proposed (12), Needs a few edits (4), Not a fan but can live with it (1), strongly disagree (1), unsure (1)*

Concerns were expressed about vetting this policy with the School Districts before going any further—and also checking state law regarding the City’s land use authority over school property.

Issue 3: Height Bonuses (Policy 13)

How do you feel about the revised policies on height bonuses?

*Great idea (10), Needs a few edits (7), Strongly disagree (2), unsure (1)*

The following additional comments were made

- Height bonuses for properties subject to sea level rise should also be allowed in areas in the flood zone.
- Please define “affordable housing.” Staff replied.

Issue 4: Multiple Units on Small Vacant Multi-family zoned Lots (proposed new Program)

PM Miller explained that existing zoning prohibited multiple units on vacant lots in multi-family districts if the lots were small. This change would allow multiple units on these lots, consistent with the density allowed for larger parcels in that zone. The poll showed:

*Agree (15), Maybe (3), Disagree (1), Unsure (1)*

Issue 5: Development timing

PM Miller noted that existing policies linked development approval to available road capacity, and suggested that because of changes in State laws, the City would be shifting its approach. He noted this would be coming to the City Council for discussion, but this was a preliminary chance for the Committee to weigh in. The Committee voted on proposed language:

*Agree (13), Have Reservations (3), Don’t Like this Approach (4)*

The Committee asked about the implications of state law and the city’s ability to make its own choices on this topic. A discussion of SB 743 followed.

PM Miller circled back to the first polling question (regarding housing in industrial areas) and asked the Committee to discuss the outcomes.

- I strongly oppose this idea. Keeping incompatible uses apart is the foundation of zoning, and if we place housing in industrial areas, it will end up driving the industry out or making it more difficult for business to operate as residents complain.
- Think of it more as a pilot than a permanent change. It could work in some situations, like Northgate Business Park.
- I like the idea of an “Innovation District” –this could add vitality to some areas in the City. Further, young people and artists may want to live in these areas—no one is forcing them to live there. In addition, there will be less demand for auto service uses in the future as we shift to “driverless” cars and have fewer accidents and less car ownership—these sites could support housing or other new uses.
- It’s not just industrial uses—activities like dog kennels could be an issue if people are moving in nearby. Businesses in these areas should be protected.
- Does it have to be traditional multi-family? What if it’s “Live-work” development? We are not necessarily talking about single family homes or condos with auto body shops or kennels as neighbors



- I support this idea because there's a huge need for more housing and a lot of potential for second floors above retail space. Many apartments in the Canal have 2-3 families in one housing unit and would welcome more space.
- Housing is fundamentally not compatible with industrial uses, and I've seen a lot of complaints when the two were proximate.
- There are a large number of unsheltered people in the city, and this could provide opportunities for them, as well as the families that are living in very over-crowded apartments in the Canal.
- The idea of living over tire shops, retail uses, light assembly, etc. is very common in other cultures. Right now we have a situation where people are crowded, living in storage units, tents, back porches, etc. We need to change our standards.
- Think about the fiscal impacts of our decisions—also be responsive to the market. Save the highest value land uses and sales tax generators.
- We need to address the fact that we don't have a lot of land to deal with in San Rafael.
- We should keep in mind that the industrial parks also serve other parts of the Bay Area. Would it be feasible for some of these other neighboring cities take a greater share of the region's housing responsibility?
- Introducing housing in industrial areas may cause trouble, since the housing will likely be market rate/expensive (not affordable) and cater to people with high expectations for quality of life.
- Can you explain more about why its called an "Innovation District" and what that really means? *Staff noted that this term has been used by San Jose, Fremont and other Silicon Valley cities to express that they have identified areas in the city where technology, businesses, worker housing, smart infrastructure, etc. can be integrated and start-ups can thrive.*

A re-poll of Issue 1 was presented: Housing in Industrial Areas. Having had the benefit of discussion, the number in support went from 13 to 12 (of 20 present).

The group discussed the Height Bonus issue.

- What is the intent of a 6' height bonus---how would that work unless we also elevate infrastructure?
- Are we talking about homes on stilts, like those found in southern US coastal cities?
- Providing an extra story only if a project is 100% affordable is too high a bar to set. We should allow it for 50% affordable.
- Keep in mind that staff's proposal is that the extra story would be "by right" for 100% affordable projects. The extra story could still be approved for a project with less than 100% but it would be discretionary.
- The concept of a height bonus in this context is confusing. *PM Miller noted that the State allows a 35% density bonus for projects which contain certain percentages of affordable housing. It doesn't explicitly require a height bonus, though. Planning Manager Boloyan noted that San Rafael's code was worded in a way that allowed for the height bonus if the developer demonstrated it was needed to make the project pencil out.*
- Although there aren't many 100% affordable projects in San Rafael now, we could get more in the future. I think the "by right" height bonus for affordable is a great idea.
- We should be careful about where we are allowing this. It may not be appropriate everywhere—for example next to single family homes. If the bonuses are additive, you could get a pretty tall building next to a one story house, with no recourse. *CD Director Jensen responded that the current height bonus applies in selected areas like Downtown and Northgate Mall, for example. The proposed height bonus would be citywide.*
- The panelist from Eden Housing who spoke to the Committee a few months ago expressed how expensive affordable housing can be to build due to all of the regulations. I concur that we should make it easier by moving in the direction proposed by this policy.

- The City sill needs to address the fact that if we say the height limit is 4 stories, it should not approve 6 story buildings. What happens when the state mandates higher limits—how is this explained to the public? We need to communicate our expectations and rules clearly.

### **Committee Alternate Comments**

No alternate comments were made.

### **General Business Items**

It was announced that the next meeting is March 13, 2019. Barry Miller announced that all General Plan technical consultants have been retained, and work on data collection is underway. He also noted that the West End neighborhood will have a presentation and discussion of the General Plan at its annual meeting on February 28.

A Committee member announced that the Federation of San Rafael Neighborhoods will be having their Annual Meeting on February 27 at BioMarin.

### **Public Comments**

Shirl Buss (Y-Plan) thanked the Committee members for their involvement with the 5<sup>th</sup> grade students from Laurel Dell Elementary.

### **Adjournment**

The meeting ended at approximately 9:10 PM.