



# Surface Parking Lot Air Rights Study

City of San Rafael

Study sponsored and funded by Opening Doors Marin

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## Executive Summary

The purpose of this study is to determine the preliminary feasibility of deeding air rights of seven City-owned parcels to housing developers as a strategy to increase the stock of housing in Downtown San Rafael. Seven lots were chosen for their location within or near the Downtown area, and lack of existing permanent structures. In addition to providing relevant descriptive data on the seven properties under study, this report employs a “preliminary pro forma” analysis to assess how many units of what types of housing could be developed as raised structures above the study properties. The pro forma analysis tests a range of housing mixes (studio, one-bedroom up to three-bedroom) at varying affordability levels (very low-income and low-income). While the results from the analysis are not meant to represent a comprehensive financial assessment of net present value of all estimated costs and revenues, it offers a preliminary assessment of what types of developments are possible on the study sites given existing regulations, allowances, constraints, and other conditions.

## Introduction and Background

Located in the heart of the Bay Area, San Rafael is a highly desirable place to call home. The City is surrounded by major job centers and stunning natural beauty, while itself boasting a diverse economy with high quality education, open space, and cultural opportunities. Like other Bay Area communities, housing in San Rafael commands higher average prices compared to California as a whole, and the City has become more expensive over time. According to Zillow, average residential property values in San Rafael have nearly doubled (98%, adjusting for inflation) between 1996 and 2018, while average rents have increased by 40% in real terms between 2010 and 2018.<sup>1</sup> Data from the U.S. Census Bureau’s most recent Longitudinal Employment-Household Dynamics Survey (LEHD) indicates that lower-income workers commute from other counties more in San Rafael than in comparable cities: 36% of San Rafael’s workers earning less than \$1,250 monthly commute from within Marin County, while 13% and 12% commute from Sonoma and Contra Costa Counties respectively. Comparatively, 61% of Petaluma workers in the same income bracket commute from within Sonoma County, and 50% of Walnut Creek workers in the same income bracket commute from within Contra Costa County.

Like all cities and towns in California, San Rafael is required by the State to zone for a certain number of housing units at various income affordability thresholds, known as the Regional Housing Needs Allocation (RHNA). According to the City’s 2018 annual implementation progress report for the 2015-2023 RHNA Cycle, San Rafael’s remaining target for the 2015-2023 RHNA cycle is 798 more housing units total: 237 at the “very-low” income affordability threshold (based on local area median income), 102 units at the “low” income affordability threshold, 170 units at the “moderate” threshold, and 289 units at the “above moderate” threshold.

The City has a variety of programs and tools designed to promote affordable housing development outlined in the City’s General Plan 2020 Housing Element. This report represents an initial exploration of one of these: program H-18F regarding the utilization of air rights for ensuring adequate sites for new

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<sup>1</sup> 2010 is the earliest year for which Zillow rent data is available.

housing development. Specifically, the program stipulates that the City “take an active role in evaluating the feasibility of air rights development and consider possible zoning incentives for such development” and “encourage developers of affordable housing to utilize air rights, such as above public parking lots Downtown.”

This study represents an initial exploration of this policy, by examining the preliminary feasibility of deeding air rights of seven City-owned parcels to housing developers as a strategy to increase the stock of housing in Downtown San Rafael. Seven lots were chosen for their location within or near the Downtown area, and their lack of existing permanent structures. In addition to providing relevant descriptive data on the seven properties under study, this report employs a “preliminary pro forma” analysis (explained in the “methodology section) to assess what types of housing could legally be developed as raised structures above the study properties. The project prototypes used in the pro forma analysis all assume air rights are deeded to affordable housing developers at no cost, that projects are 100% residential with no space devoted to any other use, and that developments include 100% affordable housing. The analysis tests a range of housing mixes (studio, one-bedroom, etc.) at the low income and very low-income threshold.

The first sections of this report are descriptive, consisting of tables comparing various characteristics of the study sites. The subsequent sections include more detailed descriptions and the raw results from the preliminary pro forma analysis for each of the study sites. The “discussion” section discusses and compares the results of the pro forma analyses for the study sites together. The report concludes with some brief recommendations for next steps, followed by an appendix with maps, and detailed descriptions of zoning and land use regulations.

## Preliminary Pro Forma Analysis Methodology

In real estate development, a pro forma is a document where developers input all expected costs and revenues of a potential development project to understand whether the project is likely to yield a net profit. Development pro formas strive to be comprehensive, with a complete picture of *all* expected hard costs (construction materials, etc.), soft costs (labor, permits and reviews, debt payments), and contingencies (unforeseen circumstances that increase costs). Some estimates input into a pro forma analysis can be generalized standards, but others have no standard and must be determined by characteristics specific to the development site. Additionally, development projects typically require debt financing from financial institutions which must be paid back over time, and they yield profits over time in the form of rents. Pro formas take these timelines into account, resulting in a discounted present-day estimate of long-term costs over long-term profits. The complexity and comprehensiveness of Pro formas can render them expensive, time consuming, and prone to error. They attempt to predict the future, and thus are highly sensitive to the assumptions that go into them.

This study employs a “preliminary” pro forma, using the dimensions, zoning, and land use regulations specific to each study site to determine a range of potential development projects that could legally be



built on the seven study sites.<sup>2</sup> The preliminary pro forma differs from a standard pro forma in that, rather than assessing project feasibility from a financial perspective, as a comprehensive pro forma analysis would, this study assesses project feasibility purely from a regulatory perspective. It seeks to answer the question: *what kind of residential developments are allowed by the city on these lots?* Inputs to the analysis include the size of the parcels as well as the range of land use regulations, zoning policies, overlay districts, exceptions, setbacks, and allowances that apply to each site. While the analysis does include estimates of rents yielded by project prototypes, they are represented as monthly estimates only rather than as net present value estimates of project revenues over a multi-year period, and they are not compared to estimates of projects costs.

The pro forma analysis assumes all projects will consist of 100% affordable multifamily residential housing. It assumes for each development prototype that all units are built as raised structures over the existing lots, either preserving existing parking or in the case of temporary fire station 52, creating new parking. Although the report does not assess project costs associated with building raised structures, it uses this assumption as an input to calculate the plausible range of units that could be legally constructed on each site “by right,” given that the first floor is devoted to parking.

The pro forma analysis assesses outcome sensitivity across two parameters. The first is using a range of unit mixes, or combinations of studios, one-bedroom, two-bedroom, and three-bedroom units. The second parameter assesses rents generated by each development based on two levels of affordability: low and very low-income, defined by HUD as 60% and 50% of area median income respectively. This assumption has to do with HUD’s Low-Income Housing Tax Credit program (LIHTC), which enables lending institutions to finance affordable housing projects in exchange for tax credits. Until recently, the LIHTC program required that LIHTC-financed units were available to income-tested occupants at the low and very low-income thresholds only (for the area, in this case the County, in which the project was developed). This was modified in 2018, now allowing developers to average the income of occupants across projects, achieving more flexibility in terms of affordability requirements for individual units. For simplicity, this report tests the range of potential monthly rents for varying mixes of low and very-low income units only, illustrated by the following sample table:

	<i>All very low</i>	<i>Max subsidy per SF: 0-1 bdrm low 2-3 bdrm very low</i>	<i>Min subsidy per SF: 0-1 bdrm very low 2-3 bdrm low</i>	<i>All low</i>
<i>All Studios</i>				
<i>No 3 bdrm</i>				
<i>Even Mix</i>				
<i>All 3 bdrm</i>				

<sup>2</sup> The pro forma model used in this report is derived from “Meeting the Housing Needs of the City of San Rafael: An analysis of barriers to housing production related to the City of San Rafael’s Affordable Housing Ordinance and Entitlement Processes” by Shanti Jensen, Spring 2019, and from “City of Oakland Public Lands Policy Analysis” by Carlos MacGregor Villarreal, May 15, 2015.

For each of the seven study sites, the table summarizes expected average monthly rents generated by each of twelve unique prototypes representing different combinations of unit mixes (in each row) and affordability mixes (in each column).

Unit mixes include the following scenarios:

- all units are studios,
- development contains an even mix of studios, one and two-bedroom units,<sup>3</sup>
- development contains an even mix of studios, one, two and three-bedroom units, and
- all units in the development are three-bedroom units.

Affordability mixes include the following scenarios:

- all units are available at the very-low income earning threshold
- studios and one-bedroom units are available at the low-income earning threshold while 2- and 3-bedroom units are available at the very-low income threshold,
- studios and one-bedroom units are available at the very low-income earning threshold while 2- and 3-bedroom units are available at the low-income threshold, and
- all units are available at the low-income earning threshold

The analysis assumes in all cases that studios require 455 net residential square feet per unit, one-bedroom units require 640 net residential square feet per unit, two-bedroom units require 900 net residential square feet per unit, and three-bedroom units require 1000 net residential square feet per unit. Similarly, the analysis assumes a standard rent for each unit type at each affordability level for all study sites, illustrated by the following table. These rents represent 30% of monthly incomes at each income threshold for Marin County Area Median Income (AMI):

	<b>Studio</b>	<b>One-bedroom</b>	<b>Two-bedroom</b>	<b>Three-bedroom</b>
<b>Very Low-Income (31-50% AMI)</b>	\$996	\$1,133	\$1,269	\$1,395
<b>Low-Income (51-80% AMI)</b>	\$1,201	\$1,370	\$1,530	\$1,691

*Table 1: Monthly rents by unit type and affordability threshold*

Results are meant to inform affordable housing developers of:

- a) how many units could feasibly be developed on each site based on a range of plausible unit mixes and their respective square footage requirements, and
- b) approximately how much income per month would each site generate given standard rent levels for the different unit types at the low and very low-income thresholds for Marin County.

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<sup>3</sup> In cases where the study sites yield an odd number of maximum allowed units, units with higher bedroom counts are omitted first to obtain as even a mix as possible with an odd number of allowable units.

## Limitations

As is the case with almost any pro forma analysis, there is an almost infinite range of variable values against which the model can be tested. It is impossible to avoid using simplifying assumptions. This study, for example, only considers development prototypes with combinations of studio, one-bedroom, two-bedroom, and three-bedroom apartments. It does not consider development prototypes that might include four or five-bedroom units, or mixed-use developments. It also only considers four different combinations of unit mixes, though many other combinations are possible. The same limitation applies to the two income limits used (low- and very low-income): extremely low-income, moderate-income and above moderate income-limits are not tested. Despite these limitations, the results are meant to give an approximate distribution of how many units and how much rent each site could generate per month, given each affordability mix, income thresholds, and regulatory characteristics of the parcels. While they are not comprehensive financial feasibility studies, the results represent a meaningful initial step in determining the feasibility of awarding air rights to these sites for affordable housing development.

## Sites Under Study



Figure 1: Sites under study

1. Public surface parking lot at Fifth Avenue and Lootens Place
2. Public surface parking lot at Third Street and Cijos Street
3. Public surface parking lot at Second Street between D Street and E Street

4. Western portion of public surface parking lot at Fifth Avenue and Garden Lane<sup>4</sup>
5. Eastern portion of a public surface parking lot at Fifth Avenue and Garden Lane
6. Menzies parking lot: the front half of which is used for time-restricted, non-metered public parking and the back half of which is used for permitted parking only for City employees
7. Current location of Temporary Fire Station 52, consisting of a portable building on top of a paved lot

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<sup>4</sup> Study sites 4 and 5 are separate parcels, both owned by the City. Some data (e.g. zoning) were available for each site individually and other data (e.g. from the Downtown parking and wayfinding study) were available for the two sites combined. Where separate descriptive data is available, this report treats the sites separately. The pro forma analysis treats them as a single site to mimic the most likely outcome that they would be developed as a single site.

## Summary Tables

The following tables describe summary characteristics of each site, grouped into the following categories: general parcel characteristics, Environmental conditions, land use/zoning/regulatory conditions, and existing parking lot characteristics. In many cases, these data are also depicted spatially; see Figures 14-26 in Appendix B.

*Table 2: Summary Parcel Characteristics<sup>5</sup>*

<b>Lot</b>	<b>APN</b>	<b>Description</b>	<b>Parcel Acres</b>	<b>Address</b>	<b>Parcel Square Feet</b>	<b>Miles to SMART (Euclidean)</b>
<b>1</b>	011-221-07	5 <sup>th</sup> Avenue at Lootens Place	.271	914 fifth avenue	1,1804.76	0.3*
<b>2</b>	011-273-17	3 <sup>rd</sup> and Cijos St.	.462	900 Cijos St	20,124.72	0.2*
<b>3</b>	011-252-10	2 <sup>nd</sup> Street between D & E	.172	1412 Second St.	7,492.32	0.6
<b>4</b>	011-224-05	5 <sup>th</sup> and Garden Lane (lot 1)	.128	813 Fifth Ave.	5,575.68	0.2*
<b>5</b>	011-224-06	5 <sup>th</sup> and Garden Lane (lot 2)	.136	809 Fifth Ave.	5,924.16	0.2*
<b>6</b>	011-162-17	Menzies lot (Mission Ave. and E Street)	.767	1428 Mission Ave.	33,410.52	0.7
<b>7</b>	014-123-06	Temporary Fire Station 52	.304	519 4 <sup>th</sup> St.	13,242.24	0.2*

\*Indicates within Priority Development Area (PDA), defined according to the Metropolitan Transportation Commission's (MTC's) Plan Bay Area. PDAs are areas targeted by local governments for future growth and development. MTC provides specific grants to local governments for projects that encourage growth in areas designated as PDAs. The City of San Rafael has designated the area within a half-mile radius of the Sonoma-Marin Area Rail Transit (SMART) station as a PDA.<sup>6</sup>

<sup>5</sup> From the Marin County Assessor

<sup>6</sup> See San Rafael City Council Agenda Report for Agenda Item 7.a on February 20, 2018

The two smallest parcels are on 5<sup>th</sup> Avenue and Garden Lane. In subsequent sections of the report, these are treated as one parcel because they are adjacent, both owned by the City, and are both contiguously used as a public parking lot. The combined acreage of the two parcels together is .264 acres, making them the second smallest parcel after lot number three on 2<sup>nd</sup> Street between D and E Streets. The largest parcel is the Menzies lot, at .767 acres.

*Table 3: Environmental Conditions<sup>7</sup>*

Lot	% Slope	Geology	Soil Type	In 100-yr flood plain?	In Wildlife Urban Interface?	Archeological Sensitivity
1	10.4	Franciscan complex, melange	Urban Land-Xerorthents Complex	yes	no	medium
2	1.33	Franciscan complex, melange	Urban Land-Xerorthents Complex	Yes	no	medium
3	5.83	Franciscan complex, melange	Urban Land-Xerorthents Complex	Yes	no	medium
4	3.14	Franciscan complex, melange	Urban Land-Xerorthents Complex	Yes	no	low
5	2.12	Franciscan complex, melange	Urban Land-Xerorthents Complex	Yes	no	low
6	7.73	Franciscan complex, melange	Urban Land-Xerorthents Complex	Yes	yes	high
7	0.06	artificial fill over Bay mud (historic)	Tocaloma-McMullin-Urban Land Complex	yes	no	high

Notably, lot number one at Fifth Avenue and Lootens Place has the steepest slope, followed by lot number six—the Menzies parking lot—which is also the only lot within the Wildlife Urban Interface (WUI) zone. The WUI denotes the transitional boundary between human developments and wild undeveloped land.<sup>8</sup> Parcels in the WUI zone are at higher risk of exposure to wildfire. In addition to being in the WUI, the Menzies lot is also in an area with high archeological sensitivity. These two features both have the potential to cause delays and increase costs associated with

<sup>7</sup> Data provided by the City of San Rafael and Marin Map Geohub: <http://gisopendata.marincounty.org/>

<sup>8</sup> See <https://www.firesafemarin.org/wui>

development on the Menzies lot. Lot number seven, Temporary Fire Station 52, on 4<sup>th</sup> Street, is also in an area with high archeological sensitivity, but is not located in the WUI, and has the flattest slopes. All lots are in a 100-year flood plain.

*Table 4: Land use, zoning, and regulatory conditions*

Lot	Zoning	Allowed Density (min lot area/unit)	Allowed Height (ft)	HOA	In Downtown zoning district?*
1	5/MR/O	1,000	42	None	yes
2	2/3MUE	600	54	Downtown BID	yes
3	2/3MUW	1,000	36-42	None	yes
4	5/MR/O	1,000	42	Downtown BID	yes
5	5/MR/O	1,000	42	Downtown BID	yes
6	P/QP	1,800	36	None	no
7	C/O	1,000	36	Montecito Area	no

\*Parking requirements are less stringent in downtown zoning districts, see section 14.18.040 of San Rafael Municipal Code

Except for the Menzies lot, all the study sites are categorized as in “Commercial and Office Districts,” for which regulations are codified in Chapter 14.05 of San Rafael’s Municipal Code. The Menzies Lot is in the Public/Quasi Public (P/QP) zoning district, for which regulations are codified in Chapter 14.09 of the City’s Municipal Code.

Three of the seven lots—all the sites located on Fifth Avenue— are in the 5<sup>th</sup> Ave./Mission Ave. Residential/Office District (5/MR/O). Lot numbers two and three, at Third and Cijos Streets and at 2<sup>nd</sup> Street between D & E respectively, are in the 2<sup>nd</sup> St./3<sup>rd</sup> St./ Mixed-Use District. Lot number two at 3<sup>rd</sup> and Cijos is in the Second/Third Mixed-Use East district (2/3MUE) and lot number 3 is in the Second/Third Mixed Use West district (2/3MUW). Lot number seven, Temporary Fire Station 52, is in the Commercial/Office (C/O) zoning district. For all these zoning districts, maximum residential intensity is “based on the minimum lot area required per dwelling unit standard for the zoning district,” outlined in section 14.16.150 of the Municipal Code and summarized in the second column of Table 4 above. Out of all the study sites, Lot number two at 3<sup>rd</sup> and Cijos Streets allows both the highest densities and tallest heights. See Appendix A for more detailed descriptions of land use regulations as well as zoning rights and restrictions for relevant each zoning district in the study.

Table 5: Parking Lot Characteristics<sup>10</sup>

Lot	Lot Type	Off-Street Facility ID	Spaces	Parking Meters	Weekday Peak Occupancy (1-3PM)	Saturday Peak Occupancy (1-3PM)	Practical Capacity? <sup>9</sup>	EV charging?	In parking district?
1	Long and short term	154	26	1 kiosk	23 (88%)	17 (65%)	yes	yes	yes
2	Short-term	95	47	2 kiosks	41 (87%)	46 (98%)	yes	yes	yes
3	Short-term	124	18	2 meters	9 (50%)	7 (39%)	no	no	no
4	Short-term			18					
5	Short-term	50	23	meters	20 (87%)	14 (61%)	yes	no	yes
6	Short-term	179 (permit-only) 153 time restricted	31 permitted 26 time limit	0	21 permitted (68%) 13 time limit (50%)	9 permitted (29%) 13 time limit (50%)	no	no	no
7*	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	no

\* Temporary Fire Station 52 is the only study site not currently used as public parking.

Lot number two at 3<sup>rd</sup> and Cijos Streets has the highest occupancy rates of the seven study sites, with 87% weekday peak occupancy and 98% Saturday peak occupancy. It also has the most parking space out of the seven study sites. Site number three, on 2<sup>nd</sup> Street between D and E streets, has the lowest occupancy rates, with 50% weekday peak occupancy and 39% Saturday peak occupancy.

The following sections describe each study site in more detail and provide raw result tables from the pro forma analyses. The result tables in these sections describe the range of potential monthly rents generated by each affordable housing development prototype for each study site. The analysis also yielded estimates of square footage needed to accommodate housing prototypes, including rentable square feet, circulation square feet, and parking. These results can be found in Appendix C.

<sup>9</sup> The practical capacity for parking is defined as 85 percent to 90 percent utilization of parking spaces. Keeping about 10 percent to 15 percent of the spaces vacant provides a cushion in excess of necessary parking spaces to allow for the dynamics of parking (i.e., people circulating in search of a space, and moving in and out of parking spaces). When occupancy exceeds the practical capacity, drivers will experience delays and frustration while searching for a parking space, as well as contribute to area traffic congestion while circling the block looking for parking (from the Parking and Wayfinding Study)

<sup>10</sup> From the San Rafael Downtown Parking and Wayfinding Study, 2017. <https://www.cityofsanrafael.org/downtown-parking-wayfinding-study/>



## Site 1: Fifth Avenue at Lootens Place

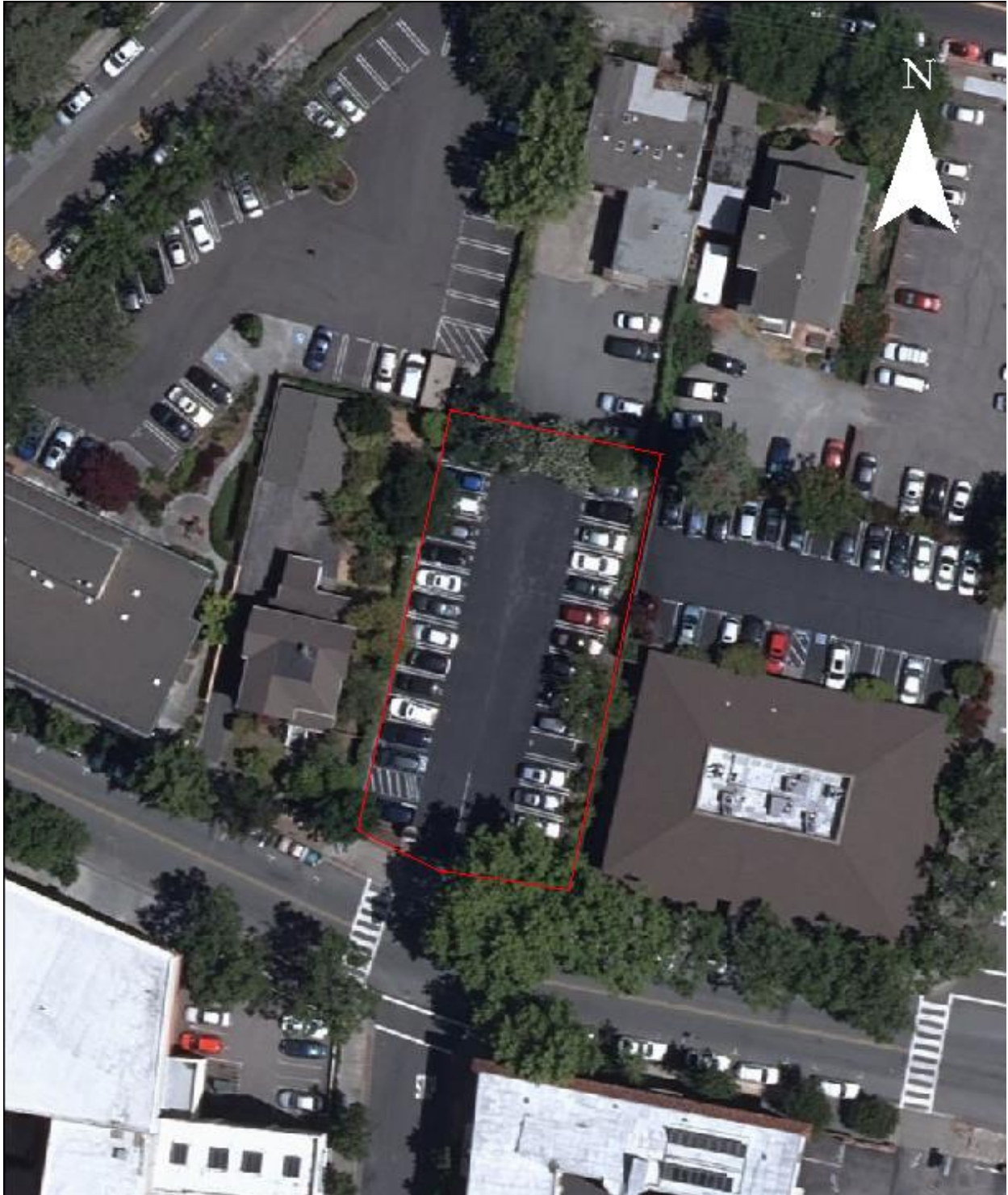


Figure 2: Aerial image of Fifth and Lootens site. Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Figure 3: Google Streetview image of Fifth and Lootens facing north from Fifth Avenue at Lootens Place



### Fifth and Lootens Site Visit Characteristics

The site at Fifth and Lootens is .271 acres or 11,804.76 square feet. It is within the San Rafael downtown parking district and within a half-mile of the SMART station. The site contains 5-6 small to medium-sized street trees. See appendix E for site visit photos.

Surrounding uses include:

- Offices and private parking bordering the easterly side,
- A parking lot behind a medical office building bordering the northerly side,
- A single-family residence bordering the westerly side, and
- The lot entrance at Fifth Street and Lootens Place on the southerly side

Table 6: Fifth and Lootens Zoning Summary

Zone	5/MR/O
Lot Acres	0.271
Lot sq. ft.	11,804.76
Max Lot Coverage	100% (no requirements)
Min lot area/dwelling unit (sq. ft.)	1000 (note: no minimum lot area for boarding house)
Max Units allowed on Lot (lot sq. ft./min lot area per dwell unit)	11.8
Max base height (ft)	42
Front setback (ft)	No minimum requirements, up to 15 feet
Side setback (ft)	No requirements

<i>Street Side setback (ft)</i>	No Requirements
<i>Rear setback (ft)</i>	No Requirements
<i>Usable Outdoor Area</i>	No requirements
<i>Parking Requirements</i>	In Downtown zoning district: one covered space per unit for up to two bedrooms (as long as units are less than 900 square feet)
<i>Min landscaping</i>	1 tree with significant canopy for every 4 parking spaces

Rounding down, 11 dwelling units maximum are allowed on the site. The preliminary pro forma analysis therefore assumes the following combinations of unit types:

- 11 studio units for the “all studios” mix
- 4 studios, 4 one-bedrooms, and 3 two-bedrooms for the “no 3-bedroom” mix; and
- 3 studios, 3 one-bedrooms, 3 two-bedrooms, and 2 three-bedrooms for the “Even” mix

Table 7 below displays the results of the preliminary pro forma analysis for Site Number 1 at 5<sup>th</sup> Avenue and Lootens Place. Each figure is an estimation of monthly rents generated by each prototype given the maximum number of units allowed on the lot and unit-mix assumptions:

*Table 7: Fifth and Lootens monthly rents generated with each prototype*

	<i>All very low</i>	<i>0-1 bdrm low 2-3 bdrm very low</i>	<i>0-1 bdrm very low 2-3 bdrm low</i>	<i>All low</i>
<i>All Studios</i>	\$10,961			\$13,213
<i>No 3 bdrm</i>	\$12,324	\$17,472	\$13,107	\$14,873
<i>Even Mix</i>	\$16,367	\$14,309	\$12,731	\$15,684
<i>All 3 bdrm</i>	\$15,345			\$18,601

The minimum monthly rent, generated by the “all studios,” and “all available at the very-low income threshold” prototype is \$10,961. The maximum monthly rent, generated by the “all-3 bedroom,” and “all available at the low-income threshold” prototype is \$18,601. The average of these is \$13,750. See the Discussion Section for a comparison of results across the study sites.



## Site 2: Third and Cijos Street

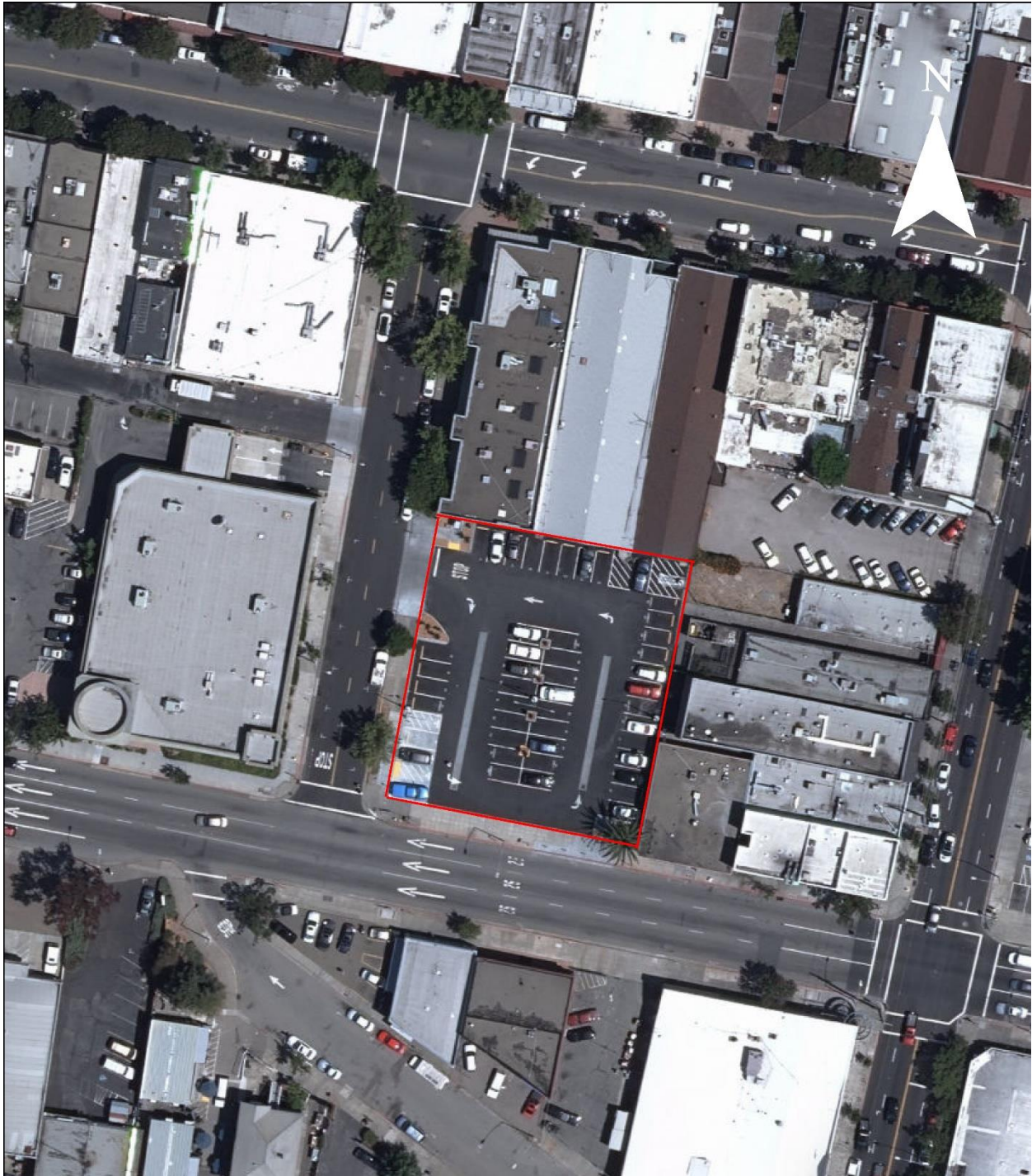


Figure 4: Aerial image of Third and Cijos site. Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Figure 5: Google Streetview Image of Third and Cijos facing north from third street



### Third and Cijos Site Visit Notes

The site at Third and Cijos is .462 acres or 20,124.72 square feet. It is within the San Rafael downtown parking district and within a half-mile of the SMART station. The site contains 3-4 small street trees. See appendix E for site visit photos.

Surrounding uses are General Commercial on all sides, including:

- The back of two commercial lots, with no significant loading docks at the northerly border,
- The front entrance to Mauna Loa barbeque restaurant and the back of two other commercial properties at the easterly border,
- Third street at the southerly side (no lot entrance), and
- Cijos Street on westerly side (includes lot entrance), with the back of Walgreens on the other side of the street.

Table 8: Third and Cijos Zoning Summary

Zone	2/3 MUE
Lot Acres	0.462
Lot sq. ft.	20,124.72
Max Lot Coverage	100% (No requirements)
Min lot area/dwelling unit (sq. ft.)	600
Max Units allowed on Lot (lot sq. ft./min lot area per dwell unit)	33.5
Max base height	54

<i>Front setback (ft)</i>	5
<i>Side setback (ft)</i>	No requirements
<i>Street Side setback (ft)</i>	No requirements
<i>Rear setback (ft)</i>	No requirements
<i>Usable Outdoor Area</i>	No requirements
<i>Parking Requirements</i>	In Downtown zoning district: one covered space per unit for up to two bedrooms (as long as units are less than 900 square feet)
<i>Min landscaping</i>	10%, plus 1 tree planted for every 4 parking spaces

Rounding down, 33 dwelling units maximum are allowed on the site. The preliminary pro forma analysis therefore assumes the following combinations of unit types:

- 33 studio units for the “all studios” mix
- 11 studios, 11 one-bedrooms, and 11 two-bedrooms for the “no 3-bedroom” mix; and
- 9 studios, 8 one-bedrooms, 8 two-bedrooms, and 8 three-bedrooms for the “Even” mix

Table 9 below displays the results of the preliminary pro forma analysis for Site Number 2 at 3<sup>rd</sup> and Cijos Streets. Each figure is an estimation of monthly rents generated by each prototype given the maximum number of units allowed on the lot and unit-mix assumptions:

*Table 9: Third and Cijos monthly rents generated with each prototype*

	<i>All very low</i>	<i>Max subsidy per SF: 0-1 bdrm low 2-3 bdrm very low</i>	<i>Min subsidy per SF: 0-1 bdrm very low 2-3 bdrm low</i>	<i>All low</i>
<i>All Studios</i>	\$32,883			\$39,640
<i>No 3 bdrm</i>	\$37,381	\$42,238	\$40,252	\$45,109
<i>Even Mix</i>	\$39,342	\$43,080	\$43,798	\$47,536
<i>All 3 bdrm</i>	\$46,035			\$55,803

The minimum monthly rent, generated by the “all studios,” and “all available at the very-low income threshold” prototype is \$32,883. The maximum monthly rent, generated by the “all-3 bedroom,” and “all available at the low-income threshold” prototype is \$55,803. The average of these is \$42,758. See the Discussion Section for a comparison of results across the study sites.



Site 3: Second Street Between D and E Streets



Figure 6: Aerial image of the site at Second Street between D and E Streets. Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Figure 7: Google Streetview image of Second Street Between D and E Streets facing North from entrance on Second Street



### Second Street Between D and E Site Visit Characteristics

The site at Second Street between D and E Streets is .172 acres or 7,492.32 square feet. It is **not** within the San Rafael downtown parking district and **not** within a half-mile of the SMART station. The site contains 8 mature palm trees. See appendix E for site visit photos.

Surrounding uses include:

- Two mixed-use developments border the easterly side. The first (on the southeasterly border) includes a social services office on the ground floor facing second street and has five residential units on the second floor and on the ground-floor facing D Street. The second (on the northeasterly border) includes a parking lot, a vacant commercial property on the first floor and two dwelling units on the second floor.
- A medical office (dialysis) and parking garage border the northerly side.
- The westerly side of the site borders a single-family residence to the northwest and a multi-unit residential structure to the southwest. The single-family residence is set back behind a fence, but the multifamily residence includes walkways and entrances facing the site, in addition to reserved tenant parking and several large trees.
- Second Street and the parking lot entrance are at the southerly border of the site.

Table 10: Second Street Between D and E Zoning Summary

Zone	2/3 MUW
Lot Acres	0.172
Lot sq. ft.	7,492.32
Max Lot Coverage	No requirements
Min lot area/dwelling unit (sq. ft.)	6000



Max Units allowed on Lot (lot sq. ft./min lot area per dwell unit)	7.5
Max base height	36-42
Front setback (ft)	5 (plus min landscaping requirements, see below)
Side setback (ft)	No requirements
Street Side setback (ft)	No requirements
Rear setback (ft)	No requirements
Usable Outdoor Area	No requirements
Parking Requirements	In Downtown zoning district: one covered space per unit for up to two bedrooms (as long as units are less than 900 square feet)
Min landscaping	In the Second/Third mixed use districts, the front yard must be landscaped, or a minimum five feet (5') must be landscaped between the sidewalk and street. Plus one tree with significant canopy for every four parking spaces (totaling 3 trees given max units allowed)

Rounding down, 7 dwelling units maximum are allowed on the site. The preliminary pro forma analysis therefore assumes the following combinations of unit types:

- 7 studio units for the “all studios” mix
- 3 studios, 2 one-bedrooms, and 2 two-bedrooms for the “no 3-bedroom” mix; and
- 2 studios, 2 one-bedrooms, 1 two-bedrooms, and 1 three-bedrooms for the “Even” mix

Table 11 below displays the results of the preliminary pro forma analysis for Site Number 3 on 2<sup>nd</sup> Street between D and E Streets. Each figure is an estimation of monthly rents generated by each prototype given the maximum number of units allowed on the lot and unit-mix assumptions:

*Table 11: Second Street Between D and E monthly rents generated with each prototype*

	All very low	Max subsidy per SF: 0-1 bdrm low 2-3 bdrm very low	Min subsidy per SF: 0-1 bdrm very low 2-3 bdrm low	All low
All Studios	\$6,975			\$8,408
No 3 bdrm	\$7,793	\$8,881	\$8,315	\$9,403
Even Mix	\$8,192	\$9,075	\$10,079	\$9,893
All 3 bdrm	\$9,765			\$11,837

The minimum monthly rent, generated by the “all studios,” and “all available at the very-low income threshold” prototype is \$6,975. The maximum monthly rent, generated by the “all-3 bedroom,” and “all available at the low-income threshold” prototype is \$11,837. The average of these is \$9,051. See the Discussion Section for a comparison of results across the study sites.

### Sites 4 and 5: Fifth Avenue and Garden Lane (East and West)



Figure 8: Aerial image of Fifth and Garden Street site. Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Figure 9: Google Streetview image of Fifth and Garden (East and West lots) facing South from Fifth Avenue at Garden Lane



### Fifth and Garden Site Visit Characteristics

The site at Fifth Street and Garden Lane is comprised of two adjacent parcels. Although technically separate parcels with different APNs, both are owned by the City and used contiguously for public parking. They are treated as one parcel for the analysis. Combined, the site at Fifth Street and Garden Lane is .264 acres or 11,499.84 square feet. It is within the San Rafael downtown parking district and within a half-mile of the SMART station. The site contains 3-4 medium trees. See appendix E for site visit photos.

Surrounding uses are all commercial and office including:

- The entrance to a small commercial courtyard with a restaurant and mattress store on the southerly border,
- The lot entrance and exit to Fifth Street at the northerly border, with offices on the other side of Fifth Street,
- A vacant commercial property and attendant parking lot at the easterly border, and
- Mike’s Bikes at the westerly border.

Table 12: Fifth and Garden Zoning Summary

Zone	5/MR/O
Lot Acres	0.264
Lot sq. ft.	11,499.84
Max Lot Coverage	No requirements
Min lot area/dwelling unit (sq. ft.)	1000 (no minimum for a boarding house)



Max Units allowed on Lot (lot sq. ft/min lot area per dwell unit)	11.5
Max base height	42
Front setback (ft)	No minimum requirements and up to 15 feet
Side setback (ft)	No requirements
Street Side setback (ft)	No requirements
Rear setback (ft)	No requirements
Usable Outdoor Area	No requirements
Parking Requirements	In Downtown zoning district: one covered space per unit for up to two bedrooms (as long as units are less than 900 square feet)
Min landscaping	1 tree with significant canopy for every 4 parking spaces

Rounding down, 11 dwelling units maximum are allowed on the site. The preliminary pro forma analysis therefore assumes the following combinations of unit types:

- 11 studio units for the “all studios” mix
- 4 studios, 4 one-bedrooms, and 3 two-bedrooms for the “no 3-bedroom” mix; and
- 3 studios, 3 one-bedrooms, 3 two-bedrooms, and 2 three-bedrooms for the “Even” mix

Table 13 below displays the results of the preliminary pro forma analysis for Site Numbers 4 and 5 at 5<sup>th</sup> Avenue and Garden Lane. Each figure is an estimation of monthly rents generated by each prototype given the maximum number of units allowed on the lot and unit-mix assumptions. Note that the results of the analysis are the same here as they are for site number one at 5<sup>th</sup> Avenue and Lootens Place, because both study sites allow a maximum of 11 dwelling units.

*Table 13: Fifth and Garden monthly rents generated with each prototype*

	All very low	Max subsidy per SF: 0-1 bdrm low 2-3 bdrm very low	Min subsidy per SF: 0-1 bdrm very low 2-3 bdrm low	All low
All Studios	\$10,961			\$13,213
No 3 bdrm	\$12,324	\$14,090	\$13,107	\$14,873
Even Mix	\$12,985	\$14,309	\$14,360	\$15,684
All 3 bdrm	\$15,345			\$18,601

The minimum monthly rent, generated by the “all studios,” and “all available at the very-low income threshold” prototype is \$10,961. The maximum monthly rent, generated by the “all-3 bedroom,” and “all

available at the low-income threshold” prototype is \$18,601. The average of these is \$13,750. See the Discussion Section for a comparison of results across the study sites.

## Site 6: Menzies Parking Lot

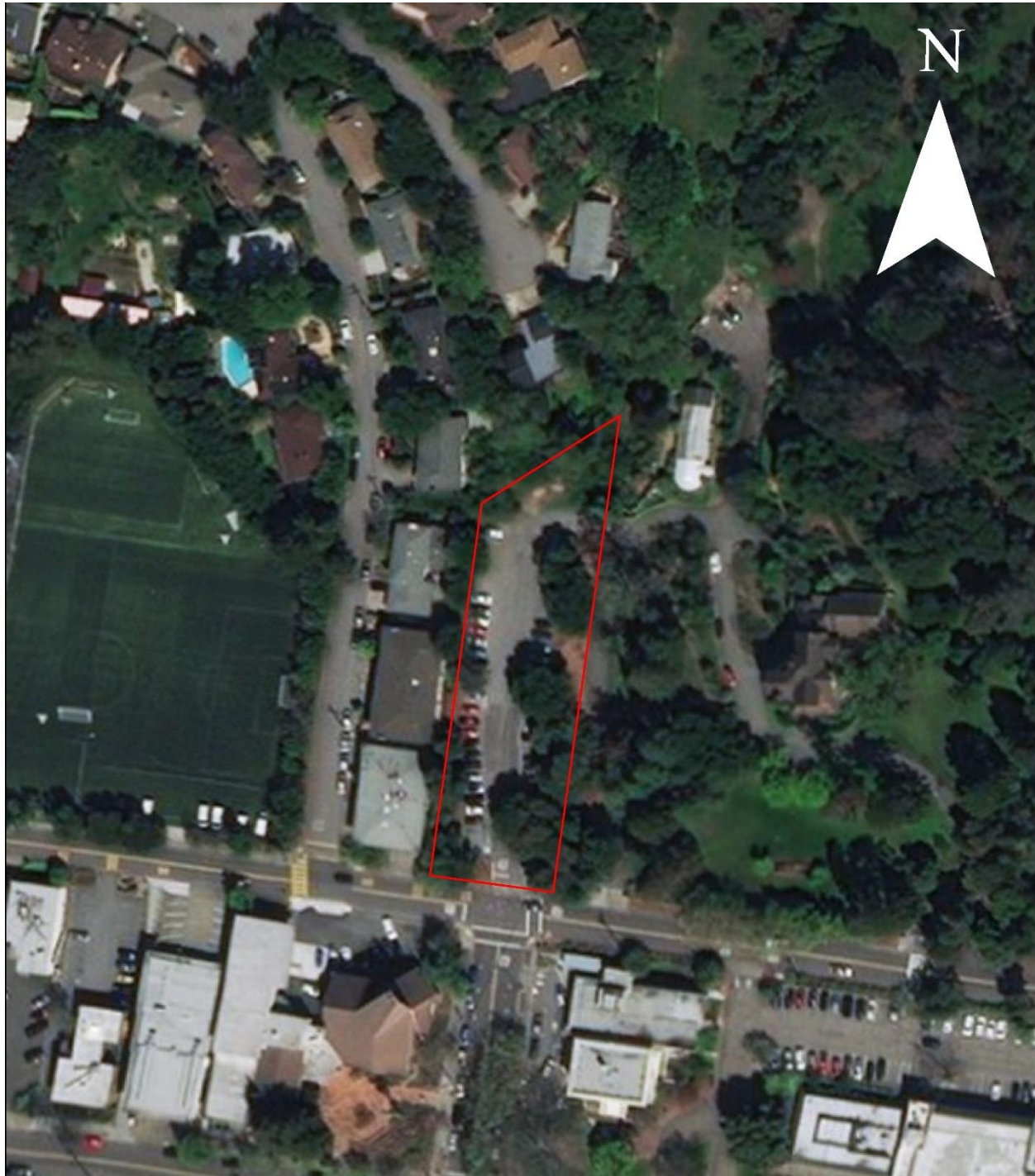


Figure 10: Aerial image of the Menzies site. Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Figure 11: Google Streetview image of the Menzies site facing North from Mission Avenue at E Street



### Menzies Site Visit Characteristics

The “Menzies Lot” site at Mission Avenue and E Street is .767 acres or 33,410.52 square feet. It is **not** within the San Rafael downtown parking district and **not** within a half-mile of the SMART station. The site contains roughly twenty trees, many of which are mature black oaks. See appendix E for site visit photos.

Surrounding uses include:

- The lot entrance and Mission Avenue at the southerly border
- Vegetated open space at the northerly border,
- Falkirk Cultural Center at the easterly border, and
- Multifamily and single-family residences at the westerly border

Table 14: Menzies Site Zoning Summary

Zone	P/QP
Lot Acres	0.767
Lot sq. ft.	33,410.52
Max Lot Coverage	100%
Min lot area/dwelling unit (sq. ft.)	1800
Max Units allowed on Lot (lot sq. ft./min lot area per dwell unit)	18.6

Max base height	36 <sup>11</sup>
Front setback (ft)	No Requirements
Side setback (ft)	No Requirements
Street Side setback (ft)	N/A
Rear setback (ft)	when the side and/or rear of the lot(s) abuts a residential district, the respective side and/or rear yard shall be ten feet (10').
Usable Outdoor Area	No requirements
Parking Requirements	not in parking district: 1-2 spaces per unit depending on unit types
Min landscaping	10% plus 1 tree with significant canopy for every 4 parking spaces

Rounding down, 18 dwelling units maximum are allowed on the site. The preliminary pro forma analysis therefore assumes the following combinations of unit types:

- 18 studio units for the “all studios” mix
- 6 studios, 6 one-bedrooms, and 6 two-bedrooms for the “no 3-bedroom” mix; and
- 5 studios, 5 one-bedrooms, 4 two-bedrooms, and 4 three-bedrooms for the “Even” mix

Table 15 below displays the results of the preliminary pro forma analysis for Site Number 6: the Menzies Parking lot. Each figure is an estimation of monthly rents generated by each prototype given the maximum number of units allowed on the lot and unit-mix assumptions:

*Table 15: Menzies Lot monthly rents generated with each prototype*

	All very low	Max subsidy per SF: 0-1 bdrm low 2-3 bdrm very low	Min subsidy per SF: 0-1 bdrm very low 2-3 bdrm low	All low
All Studios	\$17,936			\$21,622
No 3 bdrm	\$20,390	\$23,039	\$21,956	\$24,605
Even Mix	\$21,302	\$23,510	\$23,530	\$25,73
All 3 bdrm	\$25,110			\$30,438

<sup>11</sup> Exceptions: For a public or quasi-public structure, a higher height may be permitted where necessary for health or safety purposes. In addition, in all cases, nonresidential height exceptions may only be approved where scenic views are not adversely affected, and where exceptional design is provided. If the height exception is more than five feet (5'), the exception must be approved by the planning commission as part of approval of an environmental and design review permit.

The minimum monthly rent, generated by the “all studios,” and “all available at the very-low income threshold” prototype is \$17,936. The maximum monthly rent, generated by the “all-3 bedroom,” and “all available at the low-income threshold” prototype is \$30,438. The average of these is \$22,300. See the Discussion Section for a comparison of results across the study sites.



## Site 7: Temporary Fire Station 52



Figure 12: Aerial image of the Temporary Fire Station 52 site. Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Figure 13: Google Streetview image of Temporary Fire Station 52 facing Southwest from Fourth Street



### Temporary Fire Station 52 Site Visit Characteristics

Temporary Fire Station 52 on Fourth Street between Irwin Street and Grand Avenue is .304 acres or 13,242 square feet. It is **not** within the San Rafael downtown parking district but is within a half-mile of the SMART station. The site contains no significant vegetation or tree cover. See appendix E for site visit photos.

Surrounding uses include:

- A single-family residence bordering the easterly side,
- A commercial office bordering the westerly side,
- Fourth Street and the lot entrance at the northerly border, and
- A commercial parking lot at the westerly border.

Table 16: Temporary Fire Station 52 Zoning Summary

Zone	C/O
Lot Acres	0.304
Lot sq. ft.	13,242
Max Lot Coverage	No requirements
Min lot area/dwelling unit (sq. ft.)	1000
Max Units allowed on Lot (lot sq. ft./min lot area per dwell unit)	13.24
Max base height	36

<i>Front setback (ft)</i>	No requirements
<i>Side setback (ft)</i>	No requirements
<i>Street Side setback (ft)</i>	No requirements
<i>Rear setback (ft)</i>	No requirements
<i>Usable Outdoor Area</i>	No requirements
<i>Parking and Requirements</i>	not in parking district: 1-2 spaces per unit depending on unit types
<i>Min landscaping</i>	No requirements

13 dwelling units maximum are allowed on the site. The preliminary pro forma analysis assumes the following combinations of unit types:

- 13 studio units for the “all studios” mix
- 5 studios, 4 one-bedrooms, and 4 two-bedrooms for the “no 3-bedroom” mix; and
- 4 studios, 3 one-bedrooms, 3 two-bedrooms, and 3 three-bedrooms for the “Even” mix

Table 17 below displays the results of the preliminary pro forma analysis for Site Number 7: Temporary Fire Station 52. Each figure is an estimation of monthly rents generated by each prototype given the maximum number of units allowed on the lot and unit-mix assumptions:

*Table 17: Temporary Fire Station 52 monthly rents generated with each prototype*

	<i>All very low</i>	<i>Max subsidy per SF: 0-1 bdrm low 2-3 bdrm very low</i>	<i>Min subsidy per SF: 0-1 bdrm very low 2-3 bdrm low</i>	<i>All low</i>
<i>All Studios</i>	\$12,954			\$15,616
<i>No 3 bdrm</i>	\$14,589	\$16,56	\$15,633	\$17,604
<i>Even Mix</i>	\$15,376	\$16,906	\$17,047	\$18,577
<i>All 3 bdrm</i>	\$18,135			\$21,983

The minimum monthly rent, generated by the “all studios,” and “all available at the very-low income threshold” prototype is \$12,954. The maximum monthly rent, generated by the “all-3 bedroom,” and “all available at the low-income threshold” prototype is \$21,983. The average of these is \$16,244. See the Discussion Section for a comparison of results across the study sites.



# Discussion, Conclusion and Next Steps

## Discussion and Conclusion

The following table displays the results of pro forma analyses for each study site side by side for comparison:

	5 <sup>th</sup> and Lootens Pl.	3 <sup>rd</sup> and Cijos St.	2 <sup>nd</sup> Between D & E	5 <sup>th</sup> and Garden Ln.	Menzies	Temporary Fire Station 52
<b>Acres</b>	0.271	0.462	0.172	0.264	0.767	0.304
<b>Max Units Allowed</b>	11	33	7	11	18	13
<b>Min monthly rent/unit</b>	\$10,961	\$32,883	\$6,975	\$10,961	\$17,936	\$12,954
<b>Max rent/month</b>	\$18,601	\$55,803	\$11,837	\$18,601	\$30,438	\$21,983
<b>Average rent/month</b>	\$13,750	\$42,758	\$9,051	\$13,750	\$22,300	\$16,244

While the Menzies lot is the biggest in terms of acreage, it yields the second highest number of units and average expected monthly rents. This is because, as shown previously in Table 4, the Menzies lot is the only lot in the P/QP district, which has a required minimum of 1,800 square feet per dwelling unit. Comparatively, the study site with the highest number of units and highest average rent/month resulting from the pro forma analysis is 3<sup>rd</sup> and Cijos located in the 2/3 MUE district, which requires just 600 square feet of lot area per dwelling unit. All other lots in the study have required minimums of 1,000 square feet per dwelling unit.

In addition to having the most stringent density restrictions, the Menzies lot is also located in an area with high archeological sensitivity (see table 3 and/or figure 18 in Appendix B), it is the only parcel in the WUI (see table 3 and/or figure 17 in Appendix B), and it contains a significant number of mature trees compared to the other study sites. For these reasons, it is least recommended for residential development. The site at 3<sup>rd</sup> and Cijos appears to accommodate the most units and yield the highest expected monthly rents. Additionally, the site at Third and Cijos is in the Downtown zoning district (which has less stringent parking requirements), has the highest allowable development height of the study sites at 54 feet maximum, and is among the closest sites to the SMART commuter rail system. For these reasons, it appears to be the most promising in terms of development feasibility.

## Next Steps

This study represents the first step in determining the feasibility of developing city-owned surface parking lots in Downtown San Rafael given the following conditions:

1. The air-rights to these parcels are deeded to affordable housing developers at no cost,
2. the first floor must remain dedicated to parking, and
3. the development consists of 100% affordable units

Using these assumptions, it analyzes and compares the environmental and regulatory conditions across the seven sites to determine a plausible range of maximum developable units and associated monthly rents. It concludes with a broad discussion of which sites appear best suited for residential development given the maximum number of developable units, as well as environmental and other regulatory conditions.

This report recommends that the next step in determining feasibility of residential development on the seven sites given the three conditions listed above is to conduct a more rigorous pro-forma analysis developed with input from local affordable housing developers in San Rafael. A more precise pro-forma analysis would also require a formal appraisal of the seven properties’ real market value. Since the lots are publicly owned, they are listed as exempt (or assessed at a value of \$0) in the Marin County Tax Assessor’s roll. Conducting a more fine-grained pro-forma analysis for the seven study sites—one that includes a current estimate of appraised value and is developed with input from a local affordable housing developer—would determine more precisely the percentage of project costs associated with land acquisition for these specific sites. Estimating this percentage would help inform the answer to the overarching research question: “To what extent would deeding the air rights to affordable housing developers at no cost determine the feasibility of development on these sites?”

## Appendix A: Zoning Rights and Restrictions, Land Use Regulations

### Property Development Standards for Parking Lots Under Study

Table 14.05.030, Table 14.05.032, and Table 14.09.020 in SR Zoning Code

[Additional Standards in brackets; see below. Note: different standards for each zoning category.]

Zoning Category	5/M R/O	2/3 MUE	2/3 MUW	P/QP	C/O
Parking Lots Under study with zoning category	1, 4,5	2	3	6	7
Minimum lot area (sq. ft.)	6,000	6,000	6,000	NR	2,000/building [(A), (N), (O)]
Minimum lot area/dwelling unit (sf) (Max.	1,000 [(A), (M)]	600 [(A), (M)]	1,000 [(A), (M)]	1800	1,000

residential intensity)					
Floor area ratio (Max. nonresidential intensity)	* See Section 14.16.150	* See Section 14.16.150	* See Section 14.16.150	* See Section 14.16.150	* See Section 14.16.150
Minimum lot width (ft.)	60	60	60	NR	NR
Front (ft.)	NR-15 [(B), (C), (D)]	5 [(B), (C), (D)]	5 [(B), (C), (D)]	NR [(A)]	NR [(B)]
Side (ft.)	NR [(B), (E)]	NR [(B), (E)]	NR [(B), (E)]	NR [(A)]	NR [(B)]
Street side (ft.)	NR [(B)]	NR (B)	NR (B)	N/A	NR [(B)]
Rear (ft.)	NR [(B), (E)]	NR [(B), (E)]	NR [(B), (E)]	NR [(A)]	NR [(B)]
Maximum height of structure (ft.)	42 [(F), (G), (H), (I)]	54 [(F), (G), (H), (I)]	36—42 [(F), (G), (H), (I)]	36 [(B),(C)]	36 [(C), (D), (E), (F), (G), (H)]
Maximum lot coverage	NR	NR	NR	N/A	NR [(P)]
Minimum landscaping	10% [(J), (K)]	10% [(J), (K)]	10% [(J), (K)]	10% [(D)]	NR [(I), (J), (K), (L)]
Usable outdoor area	NR [(L)]	NR [(L)]	NR [(L)]	NR	NR [(M)]
Parking	* Based on use. See Section 14.18.040	* Based on use. See Section 14.18.040	* Based on use. See Section 14.18.040	* Based on use. See Section 14.18.040	* Based on use. See Section 14.18.040

**NR:** Not required unless otherwise noted in Additional Standards.

**N/A:** Not applicable.

### **Additional Zoning Standards for 5/M R/O; 2/3 MUE; and 2/3 MUW**

(A) There is no minimum lot area requirement for a boarding house.

(B) Where the frontage of a block is partially in an R district, the front yard shall be the same as required for that R district, and when the side and/or rear of the lot(s) abuts an R district, the respective side and/or rear yard shall be ten feet (10').

(C) In the 5/M R/O district west of "E" Street, the minimum front yard setback shall be fifteen feet (15') or the average of improved lots on both sides of the street for the length of the block, whichever is less, except that on Fifth Avenue east of "E" Street there shall be no minimum front yard setback.

(D) In the Second/Third mixed use districts, the front yard must be landscaped, or a minimum five feet (5') must be landscaped between the sidewalk and street.

(E) Parking and maneuvering areas may be permitted in the required rear and side yards, per [Section 14.18.200](#) (Location of parking and maneuvering areas).

(F) See general plan downtown height map for lot-specific limits.

(G) Exceptions to the height limit may be granted, subject to the provisions of [Chapter 14.24](#) (Exceptions).

(H) Buildings existing or approved as of January 1, 1987 which are more than three (3) stories in height shall not be considered nonconforming, and are listed in [Section 14.16.040](#) (Buildings over three (3) stories).

(I) A height bonus may be granted, as provided for in [Section 14.16.190](#) (Height bonus).

(J) Where the frontage of the lot(s) is adjacent to or across from an R district, fifty percent (50%) of the front yard shall be landscaped. Where the side yard abuts an R district, minimum three feet (3') of buffer landscaping must be provided. Where the rear of the lot abuts an R district, six feet (6') of buffer landscaping must be provided.

(K) For parking lot landscaping, see [Section 14.18.160](#) (Parking lot screening and landscaping).

(L) Provision of usable outdoor area is encouraged in residential development as part of a mixed-use project.

(M) A density bonus may be granted, as provided for in [Section 14.16.030](#).

### **Additional Zoning Standards for P/QP**

(A) Where the frontage of a block is partially in a residential district, the front yard shall be the same as required for that residential district, and when the side and/or rear of the lot(s) abuts a residential district, the respective side and/or rear yard shall be ten feet (10').

(B) Exceptions may be granted for a height above thirty-six feet (36'), subject to the provisions of [Chapter 14.24](#), Exceptions.

(C) Buildings existing or approved as of January 1, 1987 which are more than three (3) stories in height shall not be considered nonconforming, and are listed in [Section 14.16.040](#), Buildings over three (3) stories.

(D) For parking lot landscaping, see [Section 14.18.160](#), Parking lot screening and landscaping.

### **Additional Zoning Standards for C/O**

(A) There is no minimum lot area requirement for a boarding house.

- (B) Where the frontage of a block is partially in an R district, the front yard shall be the same as required for that R district, and when the side and/or rear of the lot(s) abuts an R district, the respective side and/or rear yard shall be ten feet (10'). Parking or maneuvering shall be permitted within the required side and rear yards provided that a minimum six-foot (6') wide landscape buffer area, excluding curbs, is provided adjacent to the side and rear property lines.
- (C) Exceptions may be granted for a height above thirty-six feet (36'), subject to the provisions of Chapter 14.24, Exceptions.<sup>1</sup>
- (D) Hotels have a four (4) story fifty-four-foot (54') height limit. A one-story twelve-foot (12') height bonus may be approved as part of a design review permit by the planning commission if it finds that the hotel will provide a significant community benefit, and the design is consistent with this title.
- (E) Repealed 3/18/96.
- (F) Buildings existing or approved as of January 1, 1987 which are more than three (3) stories in height shall not be considered nonconforming, and are listed in Section 14.16.040, Buildings over three (3) stories.
- (G) See general plan downtown height map for lot-specific height limits.
- (H) A height bonus may be permitted in residential development as provided for in Section 14.16.190, Height bonus.
- (I) Where the frontage of the lot(s) is adjacent to or across from an R district, fifty percent (50%) of the front yard shall be landscaped. Where the side yard abuts an R district, a minimum three feet (3') of buffer landscaping must be provided. Where the rear of the lot abuts an R district, ten feet (10') of buffer landscaping must be provided.
- (J) In the GC district, a minimum fifteen feet (15') of the front setback must be landscaped. Landscaped portions of the public right-of-way may be included, subject to approval by the hearing body.
- (K) For parking lot landscaping, see Section 14.18.160, Parking lot screening and landscaping.
- (L) A landscaped amenity area for employees and the public is encouraged in office and commercial projects.
- (M) Provision of usable outdoor area is encouraged in residential development as part of a mixed-use project.
- (N) Outside of downtown, only one unit is permitted, and no additional units are permitted, on lots less than five thousand (5,000) square feet, per Section 14.16.300 (Small lots).
- (O) A density bonus may be granted, as provided for in Section 14.16.090.



- (P) The maximum lot coverage restriction established for the office (O) district shall not apply to solar panels installed over existing paved parking spaces; consistent with Section 14.16.307.

## Land Use Regulations for Parking Lots Under Study

**Table 14.05.020, Table 14.05.022, and Table 14.09.020 in SR Zoning Code**

[Additional Standards in brackets; see below. Note: different standards for each zoning category.]

P: Permitted by right; C: Conditional use permit; CZ: Conditional use permit/zoning administrator; A: Administrative use permit; Blank: Not allowed.

Zoning Category	5/M R/O	2/3 MUE	2/3 MUW	P/QP	C/O
Zoning Category Definition	Fifth/Mission Residential/Office District	2 <sup>nd</sup> /3 <sup>rd</sup> Mixed Use District East	2 <sup>nd</sup> /3 <sup>rd</sup> Mixed Use District West	Public/Quasi-Public District	Commercial/Office District: 1,000 sq. ft. per dwelling unit
Parking Lots Under study with zoning category	1, 4,5	2	3	6	7
<b>Residential Uses</b> See Chapter 14.17 standards.					
Single-family residential		C		C	
Duplex residential	P		P	C	
Multifamily residential	P (19)	A(20) (19)	A (19)	C	A(3)
Animal keeping	A	A	A	N/A	CZ (See Chapter 14.17 standards.)
Caretaker's residence	A	A(20)	A	N/A	CZ
Emergency shelters for the homeless				N/A	
Permanent				N/A	C (See Section 14.16.115.)
Temporary or rotating	C	C	C	N/A	C
Home occupations	P (22)	P (22)	P (22)	P	P (See Chapter 14.16 regulations)
Live/work quarters	A (19)	A(20) (19)	A (19)	A	A (See Chapter 14.17 standards.)
Mobile home park	N/A	N/A	N/A	N/A	

Residential care facilities for the handicapped (in dwelling unit)	(19)	(19)	(19)		
Small (0—6 residents)	P	P (20)	P	P	P
Large (7 or more residents)	P	P (20)	P	P	P
Residential care facilities, other (in dwelling unit?)	(19)	(19)	(19)		
Small (0—6 residents)	P	P(20)	P	P	P
Large (7 or more residents)	C	C(20)	C	C	C
Rooming or boarding houses	A (19)	A(20) (19)	A (19)	A	A See Chapter 14.17 standards.

### Additional Standards for C/O

- (1) Shall not be located within three hundred feet (300') away of a residential zoning district (R, DR or HR), as measured from the property lines of each parcel. If within three hundred feet (300'), then use is prohibited.
- (2) Shall not be located within six hundred feet (600') from schools (public and private), as measured from the property lines of each parcel.
- (3) See Section 14.17.100 (Residential uses in commercial districts).

### Additional Standards for 2/3 MUE; 2/3 MUW; 5M R/O

- (19) See Section 14.17.100 (Residential uses in commercial districts).
- (20) Residential use allowed if part of a mixed-use development.
- (21) Repealed April 2006.
- (22) See Section 14.16.220 (Home occupations).

### No additional Standards for P/QP

# Appendix B: Spatial Data

Figure 14: Soils

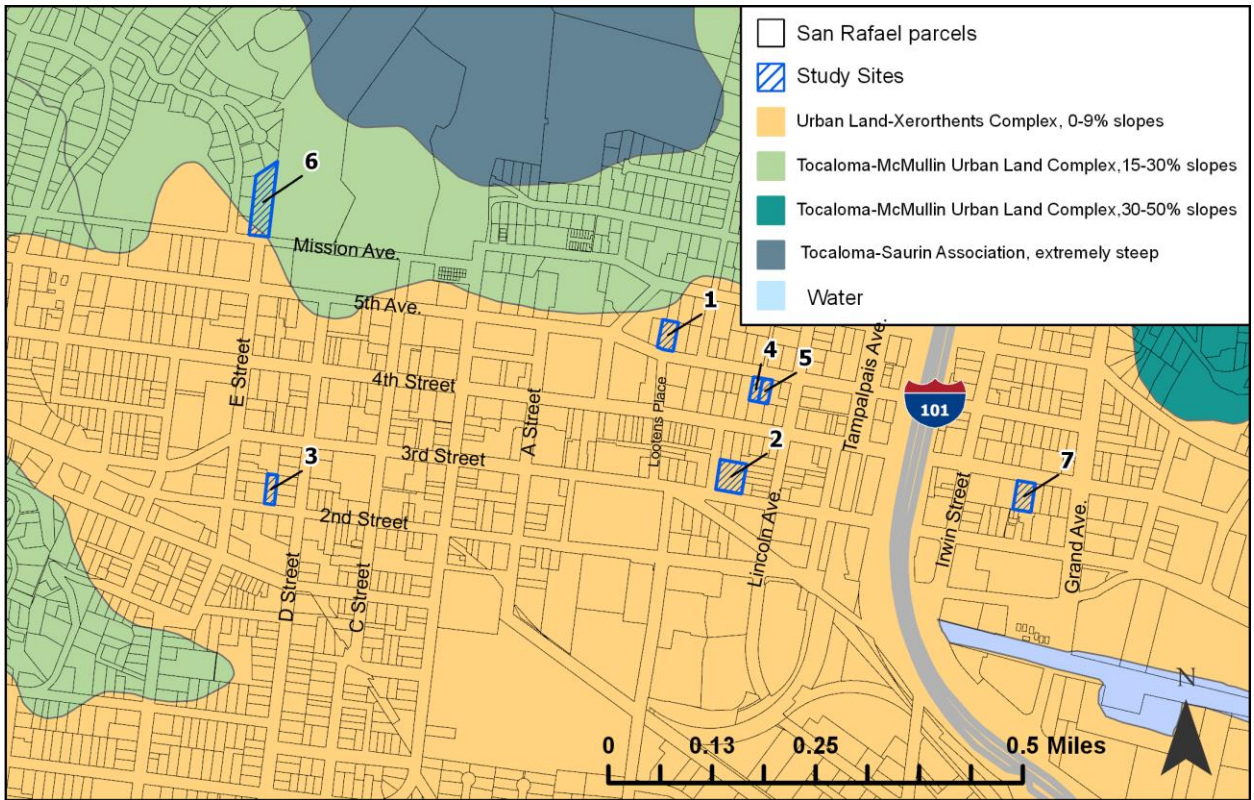


Figure 15: Expansive Soils

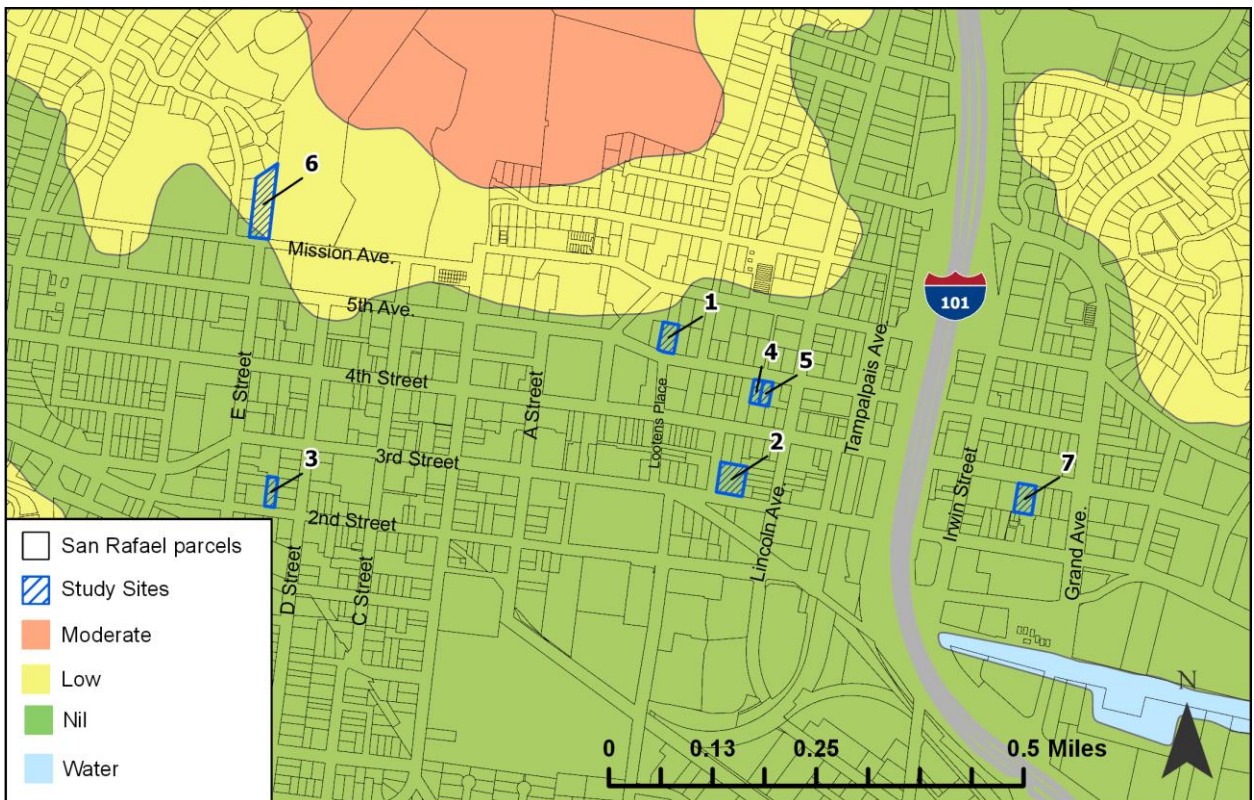




Figure 16: Geology

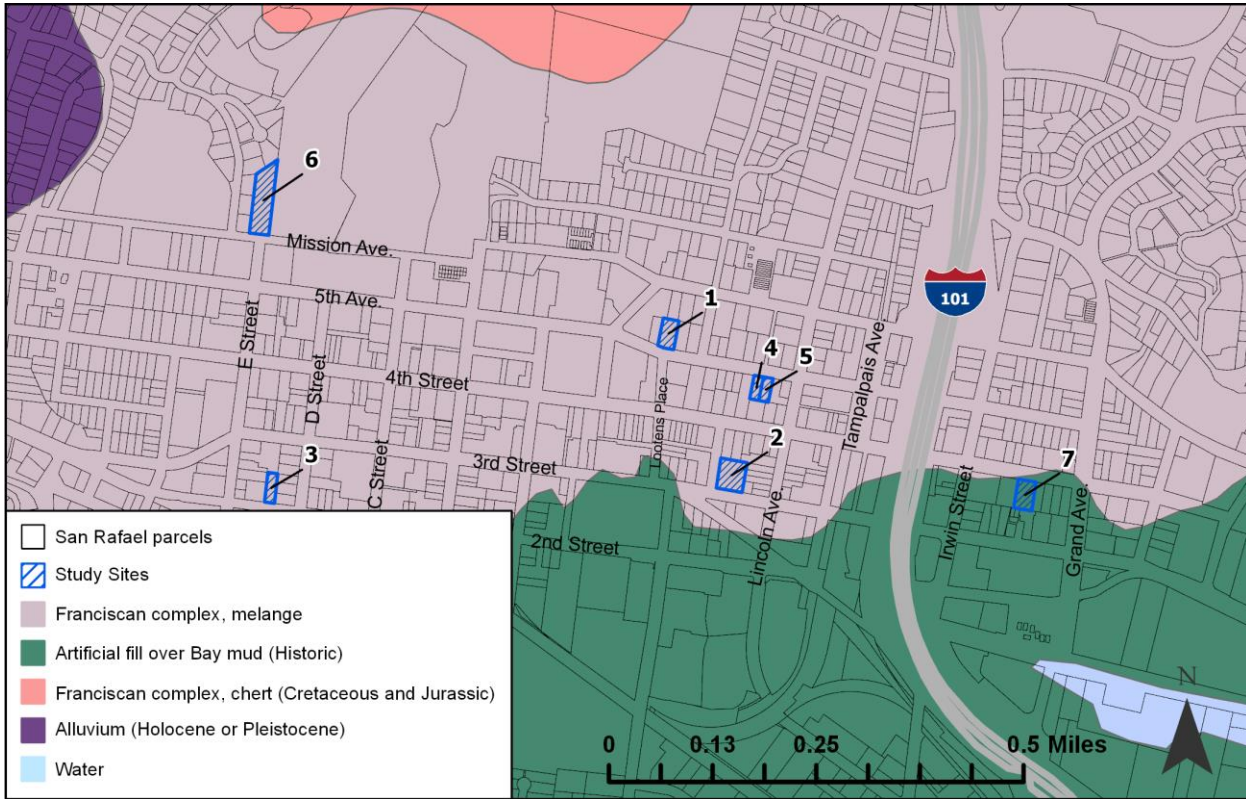


Figure 17: Environmental Hazards

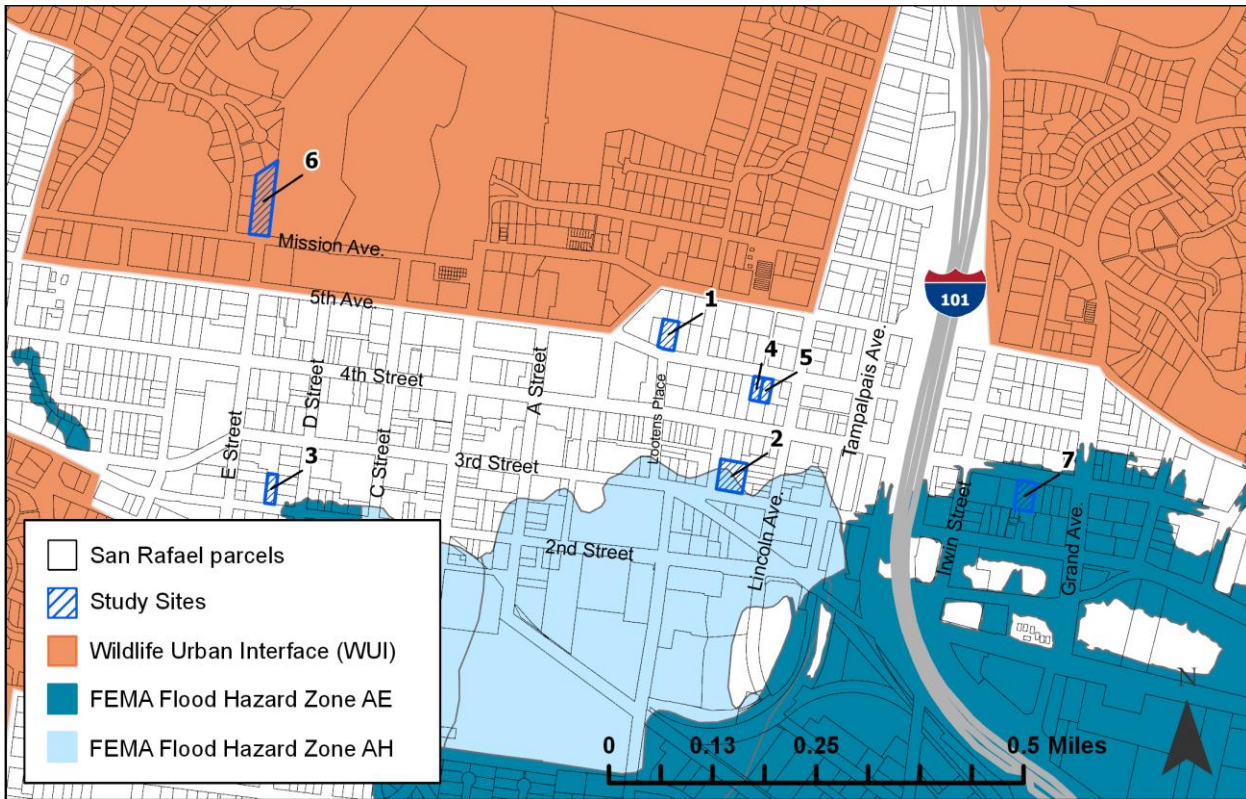


Figure 18: Archeological Sensitivity

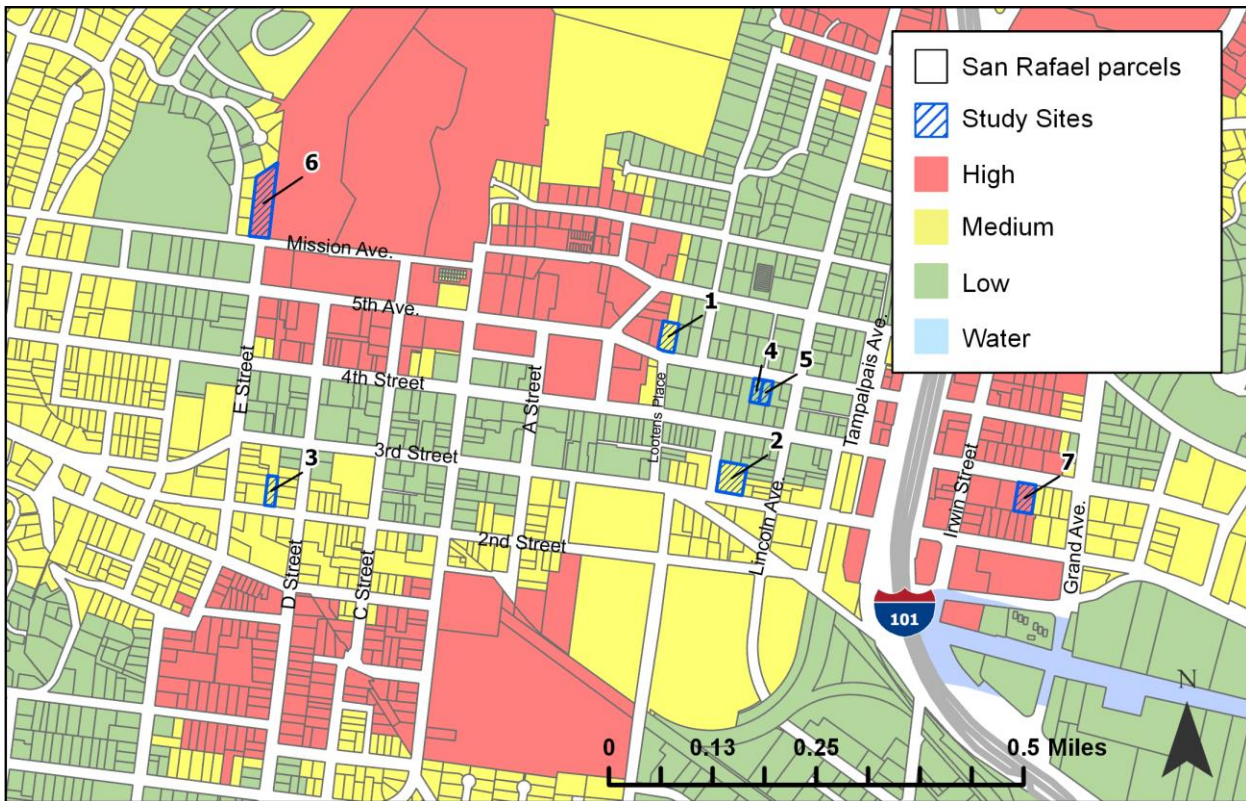




Figure 19: Regulatory Boundaries

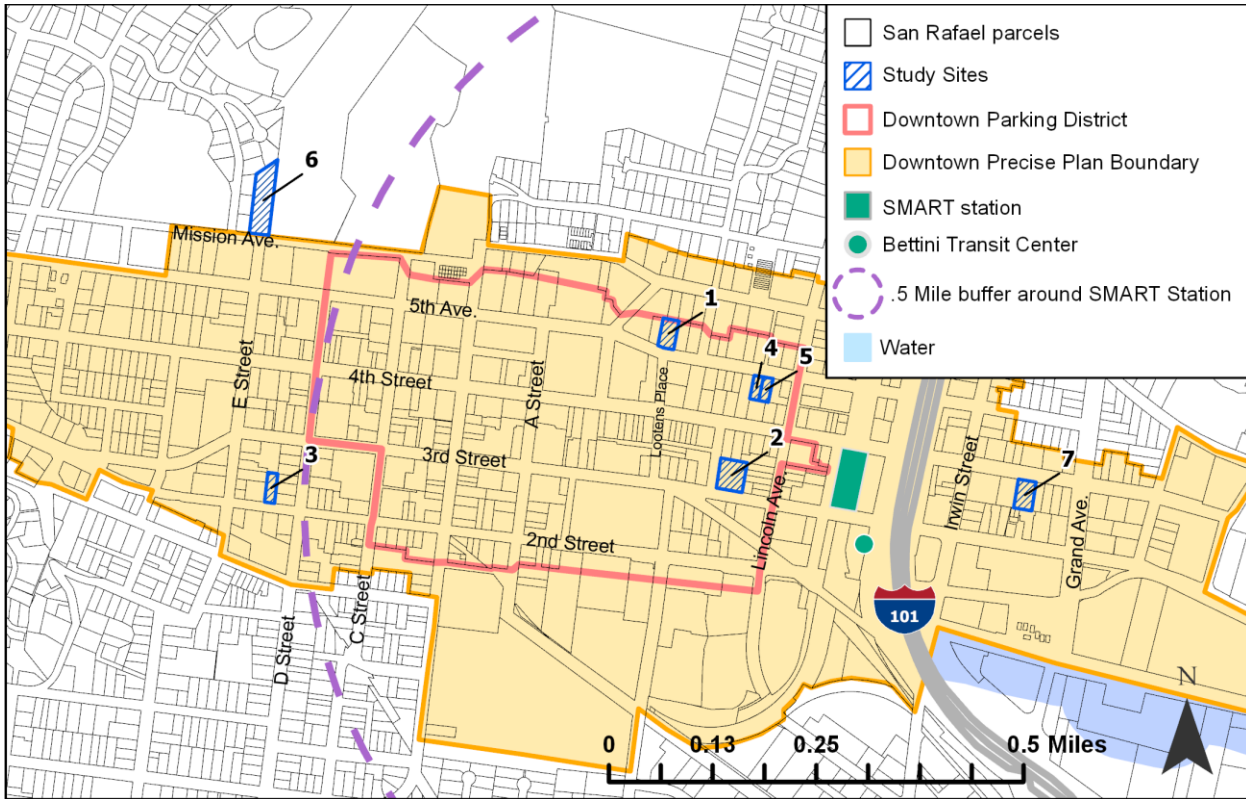


Figure 20: Current Land Uses

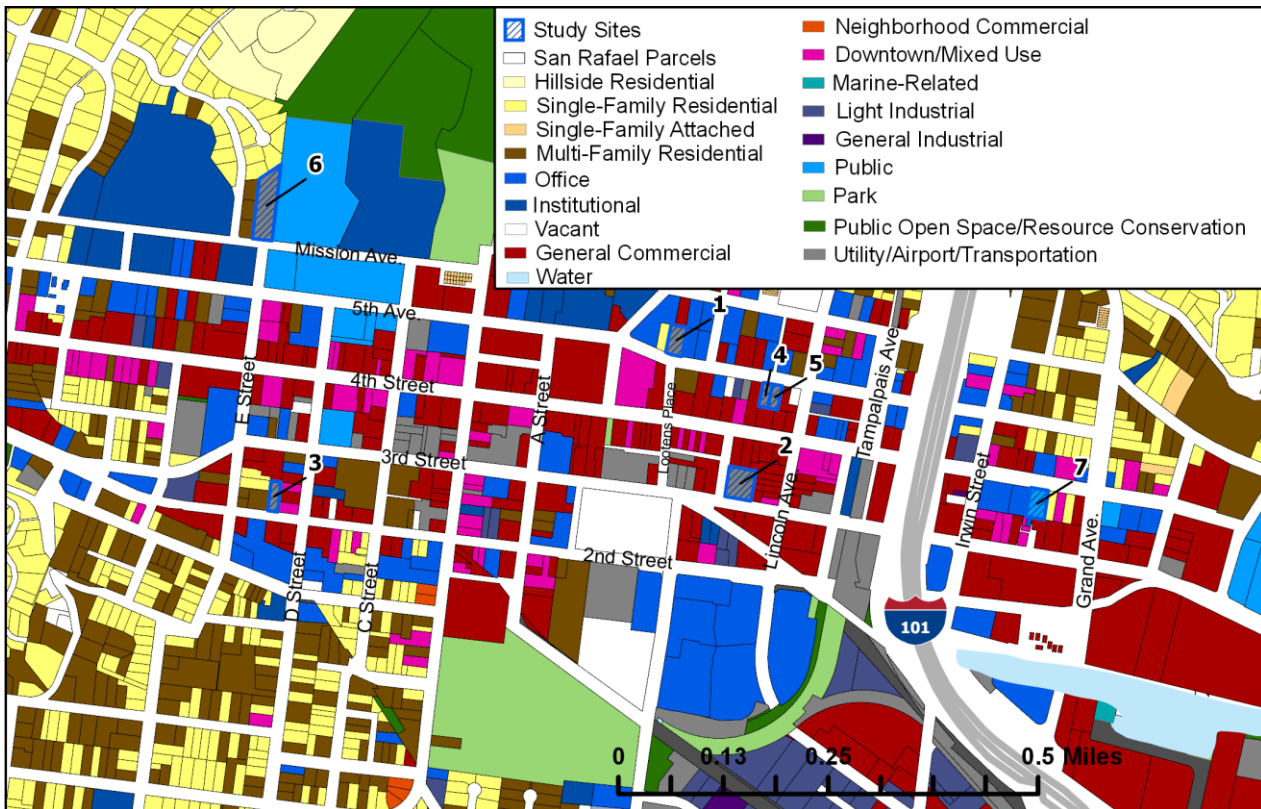


Figure 21: Downtown Zoning Districts

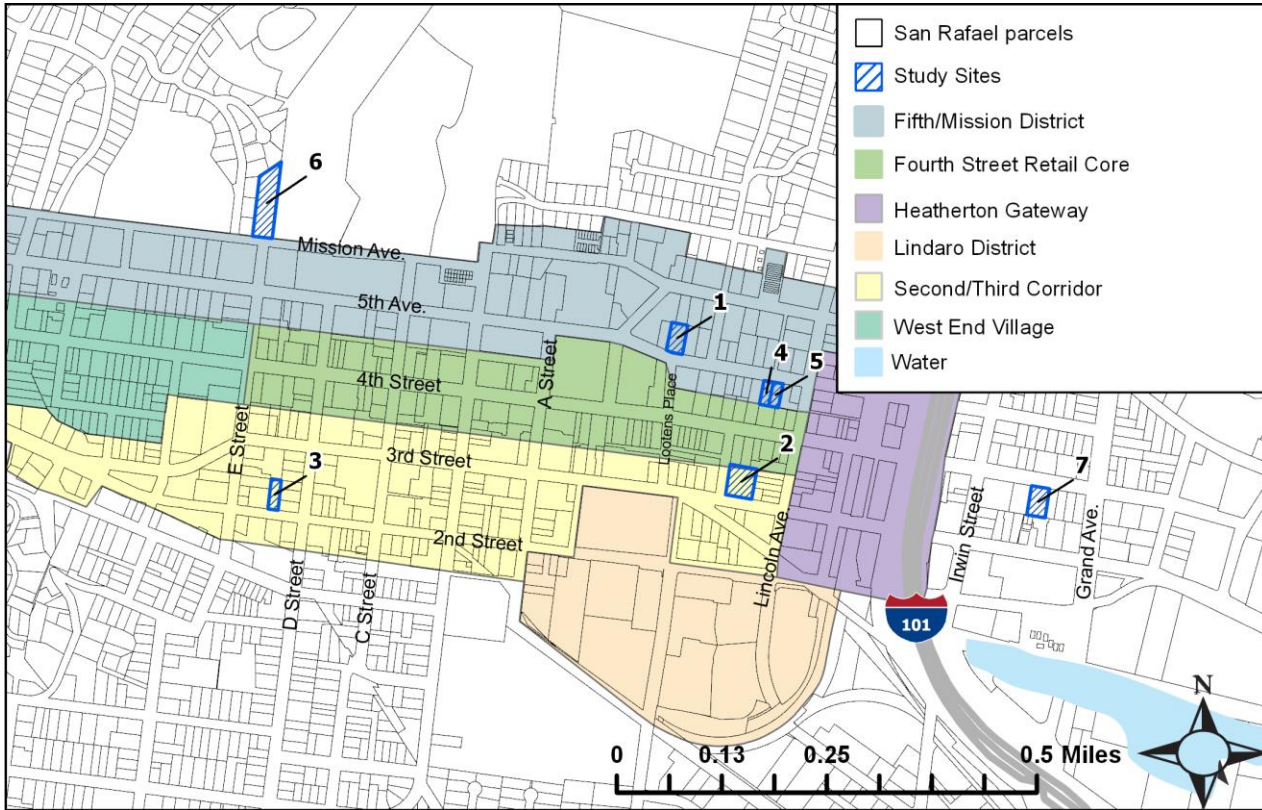


Figure 22: Downtown Building Heights

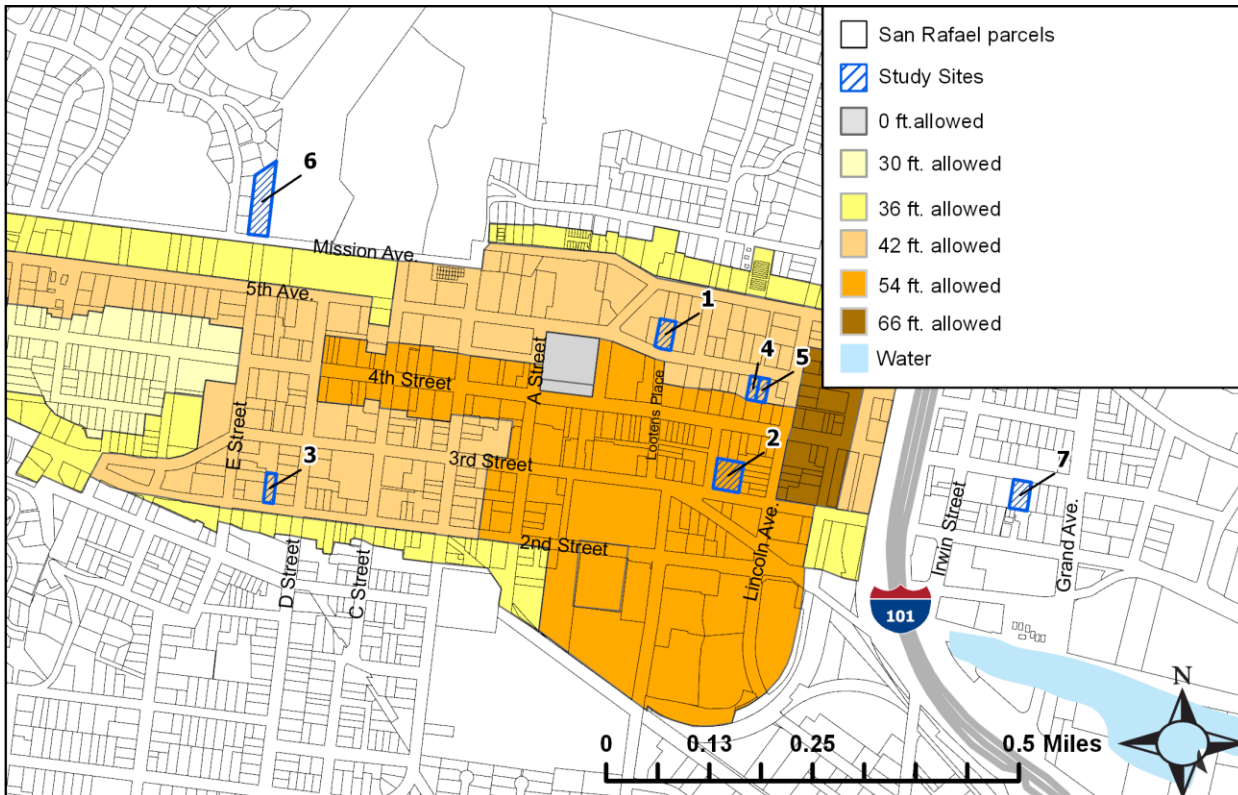




Figure 23: Easements and Encroachment Permits

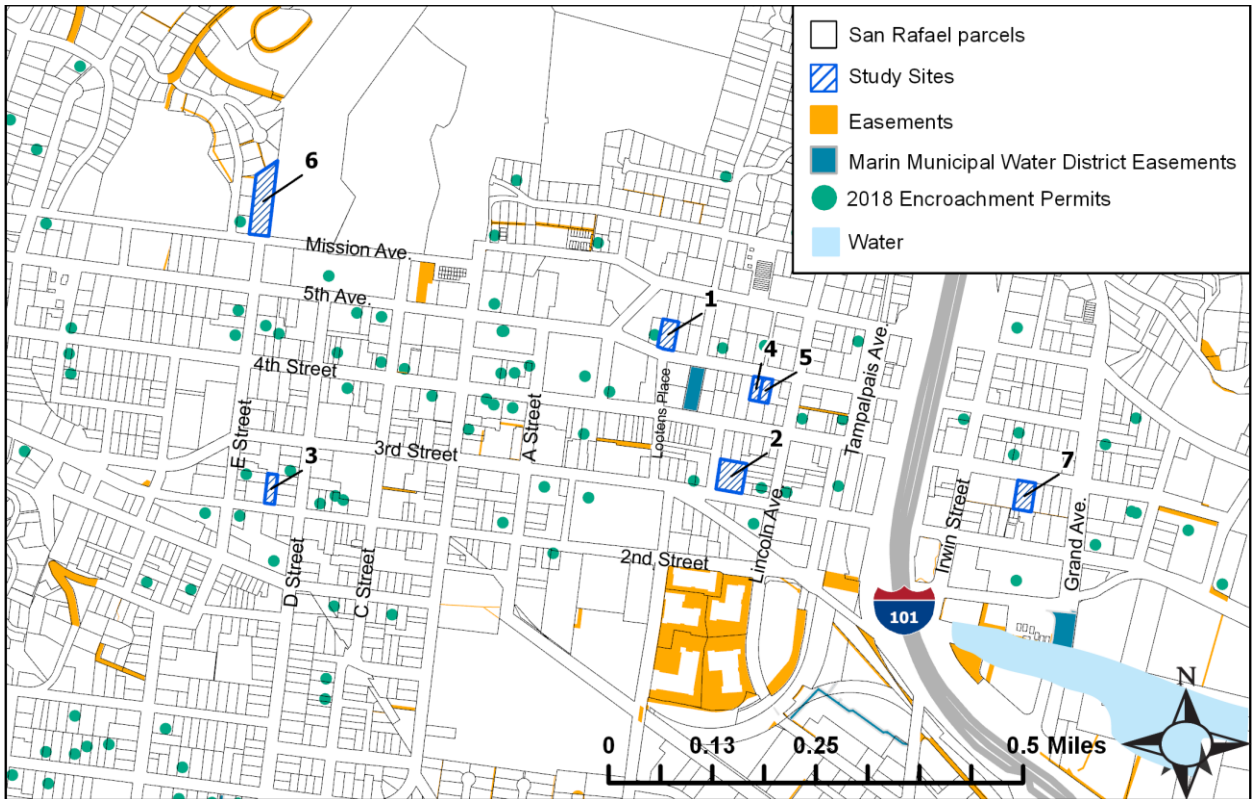


Figure 24: Stormwater Utility Infrastructure

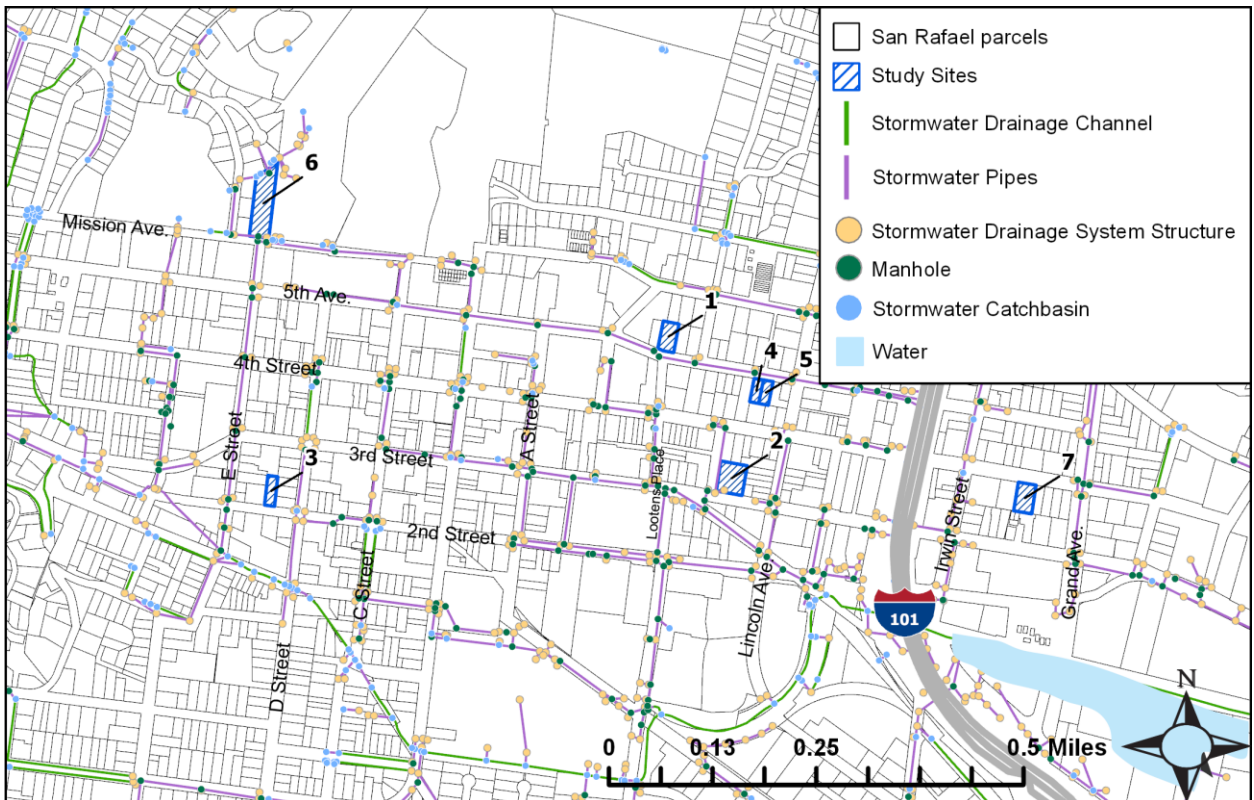


Figure 25: Gas, Water, and Electric Utility Infrastructure

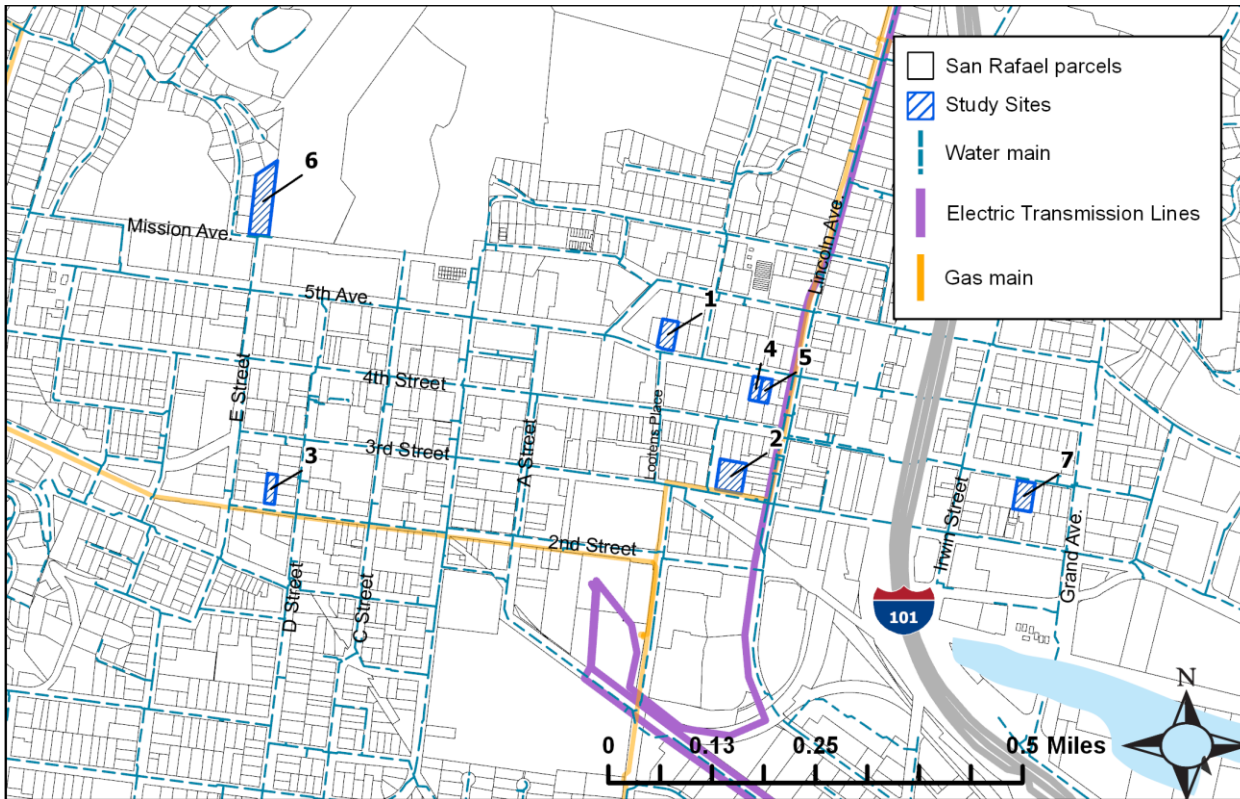


Figure 26: Sanitary and Sewer Utility Infrastructure



## Appendix C: Pro Forma Square Footage Analysis Results

<b>Fifth and Lootens</b>	<b>All Studios</b>	<b>No 3 bdrm</b>	<b>Even Mix</b>	<b>All 3 bdrm</b>
net rentable square feet needed	5,005	7,080	6,890	11,000
circulation	22%			
Sq. ft. needed including circulation?	6,106	8,638	8,406	13,420
Parking sq. ft. needed @ 153 SF/stall	1683			
Retail SF	0			
<b>Gross Square Footage Needed</b>	<b>7,789</b>	<b>10,321</b>	<b>10,089</b>	<b>15,103</b>

<b>Third and Cijos</b>	<b>All Studios</b>	<b>No 3 bdrm</b>	<b>Even Mix</b>	<b>All 3 bdrm</b>
net rentable square feet needed	15015	21945	24415	33000
circulation	22%			
Sq. ft. needed including circulation?	18318.3	26772.9	29786.3	40260
Parking sq. ft. needed @ 153 SF/stall	5049			
Retail SF	0			
<b>Gross Square Footage Needed</b>	<b>23367.3</b>	<b>31821.9</b>	<b>34835.3</b>	<b>45309</b>



<b>Second Street between D and E</b>	<b>All Studios</b>	<b>No 3 bdrm</b>	<b>Even Mix</b>	<b>All 3 bdrm</b>
net rentable square feet needed	3185	4445	4990	7000
circulation	22%			
Sq. ft. needed including circulation?	3885.7	5422.9	6087.8	8540
Parking sq. ft. needed @ 153 SF/stall	1071			
Retail SF	0			
Gross Square Footage Needed	4956.7	6493.9	7158.8	9611

<b>5<sup>th</sup> and Garden Lane</b>	<b>All Studios</b>	<b>No 3 bdrm</b>	<b>Even Mix</b>	<b>All 3 bdrm</b>
net rentable square feet needed	5005	7080	6890	11000
circulation	22%			
Sq. ft. needed including circulation?	6106.1	8637.6	8405.8	13420
Parking sq. ft. needed @ 153 SF/stall	1683			
Retail SF	0			
Gross Square Footage Needed	7789.1	10320.6	10088.8	15103

<b>Menzies</b>	<b>All Studios</b>	<b>No 3 bdrm</b>	<b>Even Mix</b>	<b>All 3 bdrm</b>
net rentable square feet needed	8190	11970	13075	18000
circulation	22%			
Sq. ft. needed including circulation?	9991.8	14603.4	15951.5	21960
Parking sq. ft. needed @ 153 SF/stall	2754			
Retail SF	0			
Gross Square Footage Needed	12745.8	17357.4	18705.5	24714

<b>Temporary Fire Station 52</b>	<b>All Studios</b>	<b>No 3 bdrm</b>	<b>Even Mix</b>	<b>All 3 bdrm</b>
net rentable square feet needed	5915	8435	9440	13000
circulation	22%			
Sq. ft. needed including circulation?	7216.3	10290.7	11516.8	15860
Parking sq. ft. needed @ 153 SF/stall	1989			
Retail SF	0			
Gross Square Footage Needed	9205.3	12279.7	13505.8	17849

# Appendix D: Highlighted Parcel Maps

Figure 27: Fifth and Lootens Parcel Map

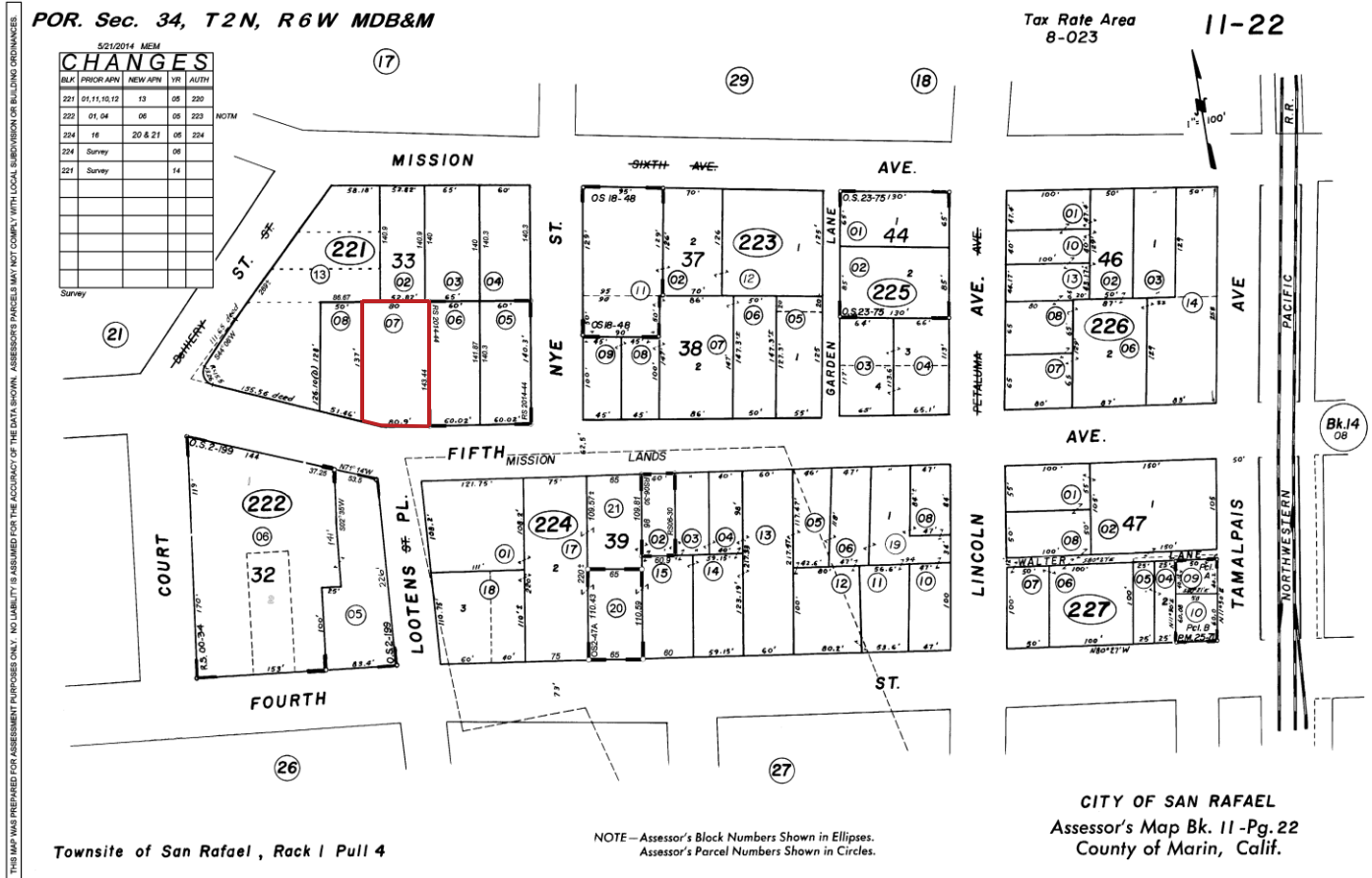


Figure 28: Third and Cijos Parcel Map

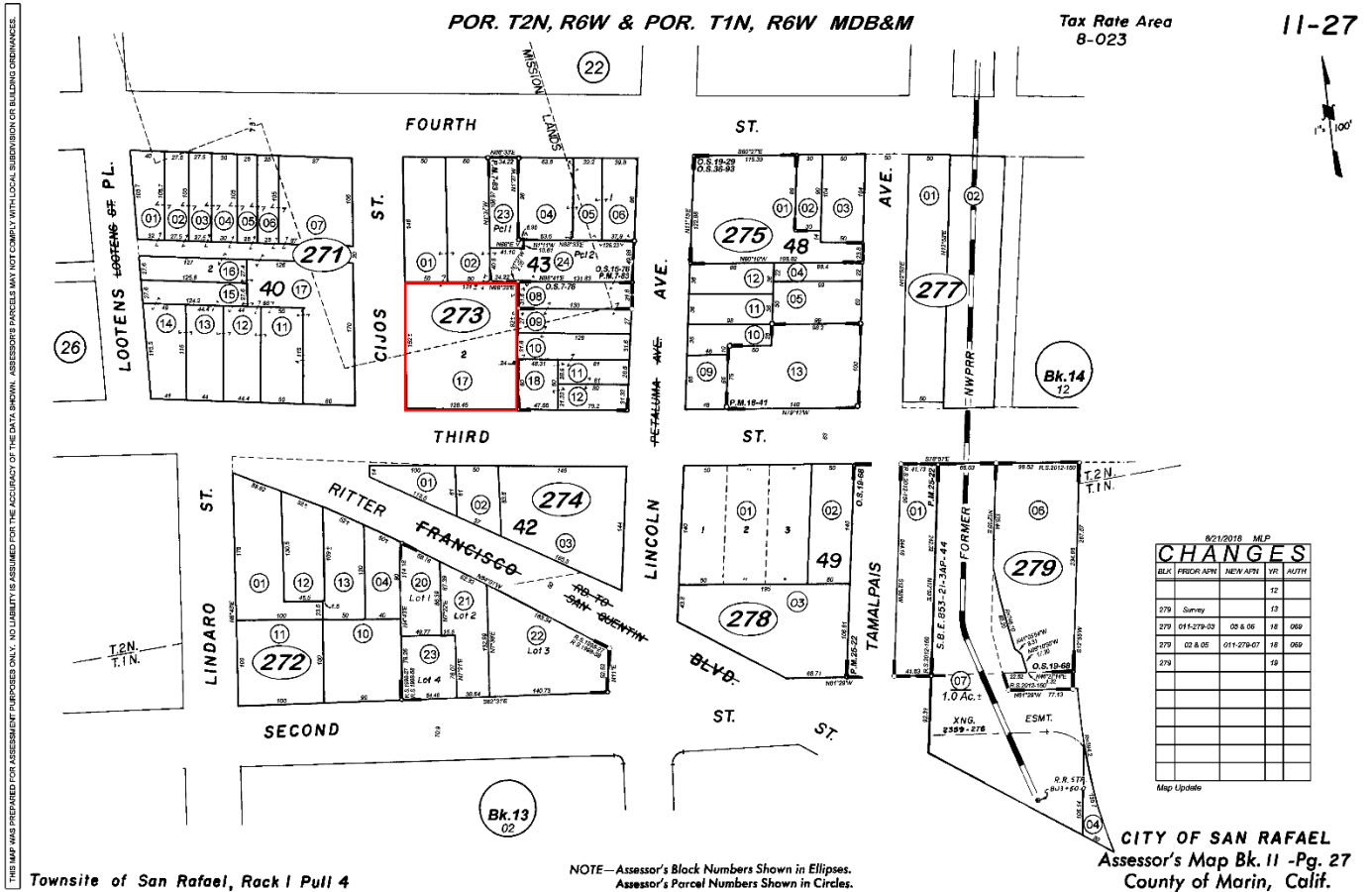


Figure 29: Second Street Between D and E Parcel Map

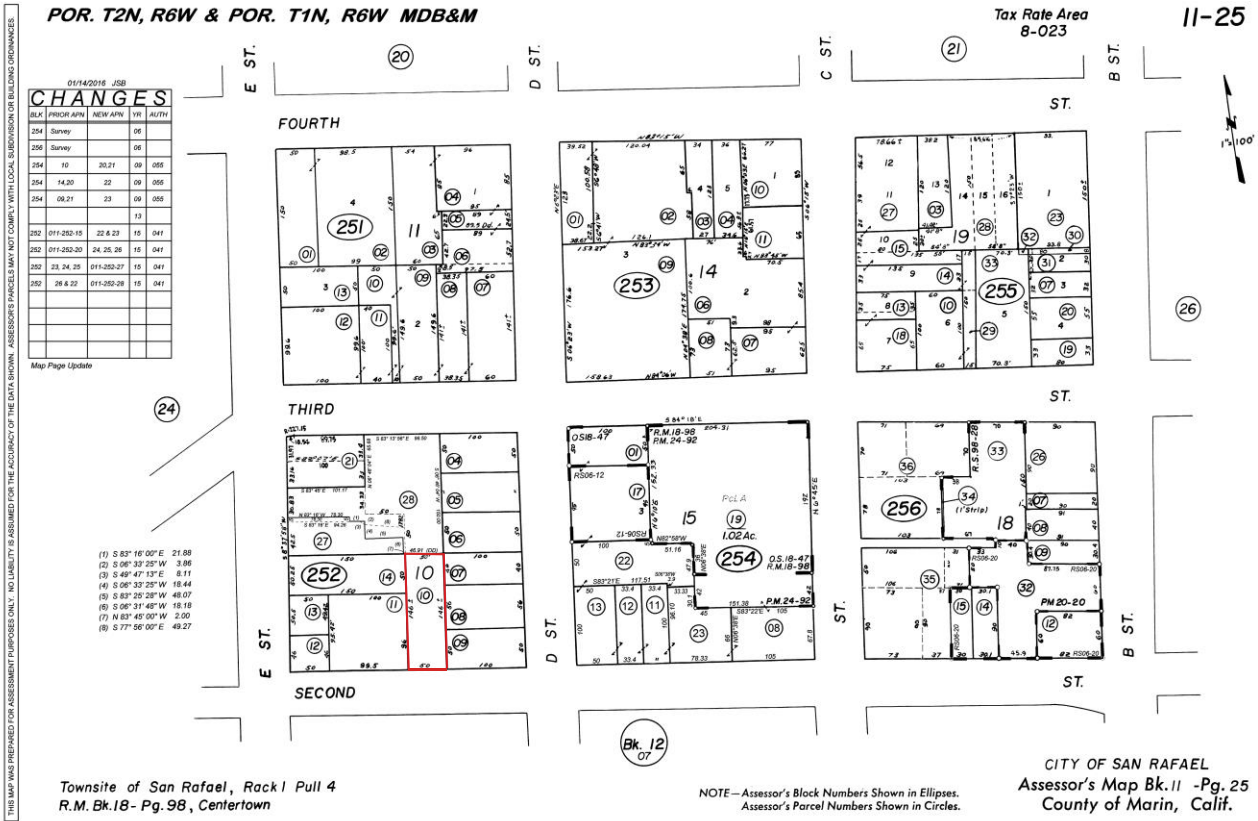


Figure 30: Fifth Avenue and Garden Lane Parcel Map

POR. Sec. 34, T2N, R6W MDB&M

Tax Rate Area 8-023 11-22

5/21/2014 MEM

CHANGES				
BLK	PROR APRN	NEW APRN	YR	AUTH
221	01.11.10.12	13	08	230
222	01.04	08	08	224
224	10	20 & 21	08	224
224	Survey		08	
221	Survey		14	



Townsite of San Rafael, Rack 1 Pull 4

NOTE - Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.

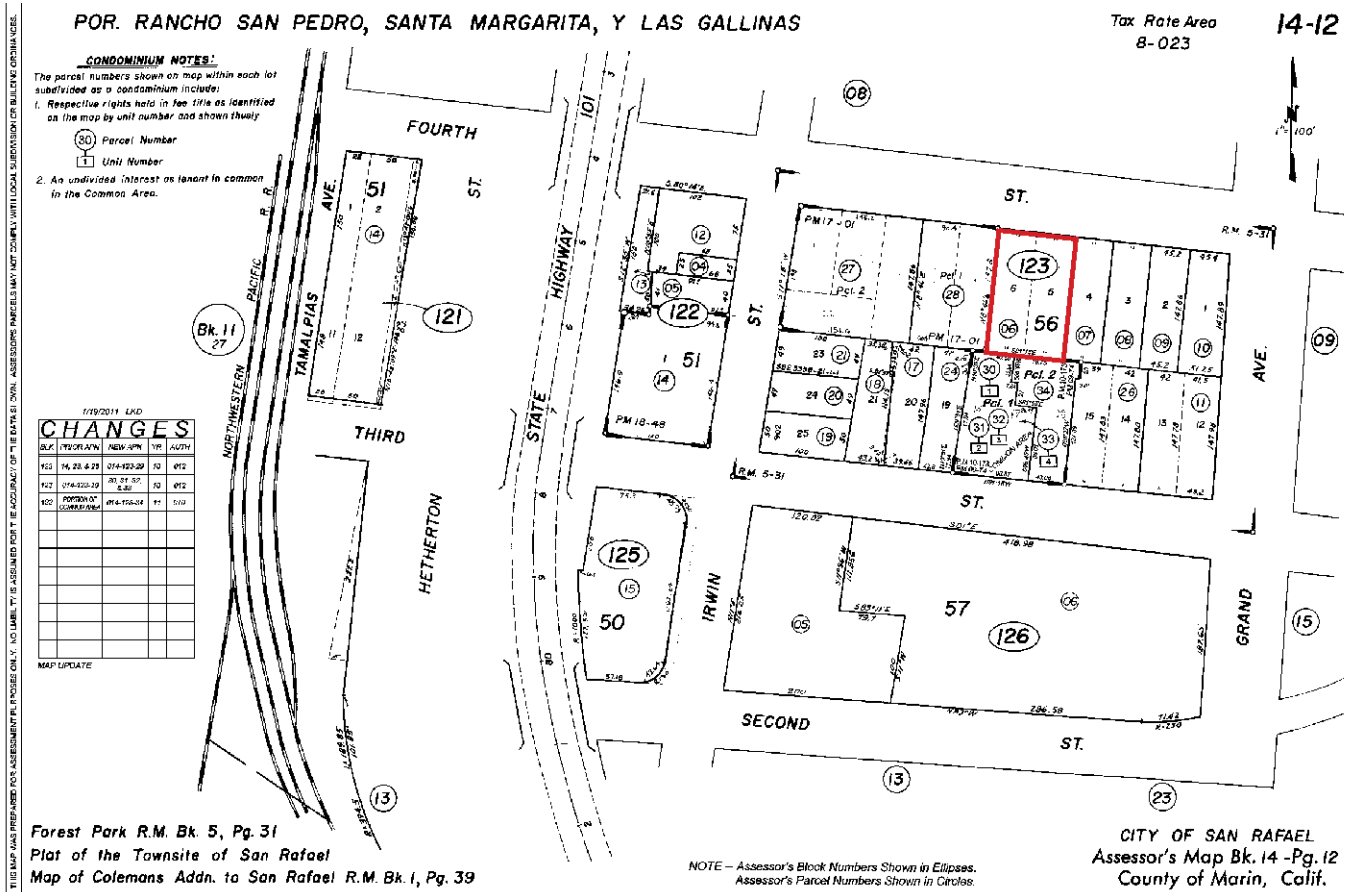
CITY OF SAN RAFAEL  
Assessor's Map Bk. 11 -Pg. 22  
County of Marin, Calif.

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCELS MAY NOT CORRELATE WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.





Figure 32: Temporary Fire Station 52 Parcel Map



# Appendix E: Site Visit Photos

Site #1: Fifth and Lootens





Clockwise from top left: Facing northeast, Facing Northeast, Facing Northwest, Facing West, and Facing West

Site #2: Third and Cijos



Clockwise from top left: Facing east, facing west, facing north, and facing south across the street



Site #3: Second Between D and E



Clockwise from left: Facing northeast, facing north, facing northeast, facing south, facing east, facing west



Sites #4 and #5: Fifth and Garden Lane





Clockwise from left: Facing north, facing northeast, facing southwest, facing east, facing south, and facing south.

Site #6: Menzies



Clockwise from top left: Facing north, facing south, facing southwest, facing west, and facing north



Site #7: Temporary Fire Station 52



Clockwise from top left: Facing southeast, facing southwest, facing west, and facing southeast