

**Summary of San Rafael General Plan 2040 Steering Committee Meeting  
Meeting #18 September 11, 2019  
6:00 – 9:00 PM at 750 Lindero St.**

**Attendance**

Members Present: *DJ Allison, Jenny Broering, Maribeth Bushey, Bill Carney, Omar Carrera, Berenice Davidson, Richard Hall, Linda Jackson, Margaret Johnston, Bonnie Marmor, Jack McGinn, Robert Miller, Drew Norton, Stephanie Plante, Kate Powers, Jeff Rhoads, Jackie Schmidt*

Alternates Seated: *Hilda Castillo, Paula Doubleday, Jed Greene*

Members Excused: *Don Blayney, Eric Holm, Roger Smith, Sparkie Spaeth, Karen Strolia, Cecilia Zamora*

Alternates Present: *Amy Likover, Judy Schriebman*

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

Sign-Ins: *Shirl Buss*

**(1/2) Call to Order/ Roll Call**

The meeting was called to order at 6:08 PM.

**(3) Approval of Minutes**

The minutes of August 14, 2019 were approved without amendment (Motion: Davidson, second: Jackson).

**(4) Public Comment**

There was no public comment.

**(5) Presentation and Discussion Items**

**A. Environmental Justice (SB 1000) General Plan Requirements**

Project Manager (PM) Miller delivered a PowerPoint presentation on Environmental Justice and SB 1000.

Following the presentation, PM Miller asked Vice Chair Carrera if he could comment on these issues from the perspective of the Canal Alliance, which represents disadvantaged communities in San Rafael. VC Carrera indicated it was good to see these issues being addressed and noted that equity had been the focus of a variety of recent documents, such as Voces del Canal.

Committee members made the following comments (*staff responses are shown in italics*):

- Is there any data showing a correlation between cancer/heart disease and/or death rates in populations that live near a freeway and/or major arterials? If we build transit oriented development in these areas, are we increasing disease risks? *We will be following air district guidelines for setbacks from freeways, as well as mitigation requirements (filtration systems, etc.). There is Census data on asthma, cancer, etc. at the*

*tract level, which allows us to determine rates in areas near freeways, but there are many other factors that influence disease rates.*

- San Rafael’s “economically disadvantaged” community is disproportionately exposed to flooding and sea level rise and this should be addressed in this Element.
- Can we get a larger copy of the map of disadvantaged communities?
- Are we correlating the maps of disease rates, etc. with data on where hazardous materials are handled and stored? Can we see where the industrial hazards are located and how that impacts adjacent uses? *Maps of hazmat locations will be in the EIR, but an epidemiology analysis which correlates health with hazmats would be beyond the scope of the General Plan.*
- Can we weave equity and social justice through all elements, as we are doing with sustainability? There should be best practices for equity in every element. The Plan should demonstrate the priority needs in each area.
- We should recognize that areas near freeways have high diesel particulate levels today—but what happens when the majority of vehicles on the road are electric?
- If we are limiting housing near areas with a lot of traffic, does that violate the state law that we can’t consider congestion in EIRs anymore? Is there a disconnect? *No—they are separate issues. One issue is not putting sensitive land uses in areas with unhealthy air and the other is related to greenhouse gas reduction.*
- State law seems to be internally inconsistent, if on the one hand they don’t want housing near freeways and on the other they are content to stop us from using Level of Service, which means more congestion on roads, which means more vehicles idling and producing carbon monoxide.
- Diesel particulates are a problem regionally, but not so much in San Rafael. This has been an issue in Richmond, Oakland, etc. It would be beneficial to understand the impacts in the North Bay.
- “Disadvantaged community” is not just the Canal. There are apartment districts throughout the city, including North San Rafael. It would be good to look at police and fire response times in these areas and compare them to the city as a whole. Also, City staff should reflect the diversity of the broader population—this is addressed in the existing Governance Element. Policies on Community Based Governance should be retained. Also, the Latino Community includes many immigrants; they may have unique safety and mental health challenges. Collaborate with District Attorney and Marin County.
- It would be interesting to see data on which communities are “under-served” by access to schools, parks, food, transit, etc. Also, the areas subject to sea level rise are also vulnerable to groundshaking and liquefaction, which is another hazard. There are also climate-related hazards such as heat and smoke.
- If this Element addresses “Justice” perhaps it also should look at our court system. Perhaps we should treat the courts in the General Plan the way we treat our schools, i.e., they are not directly in our control, but are an important part of our community. They need to be functional as they impact people’s lives and their economic status.
- Regarding environmental justice, the most vulnerable populations are the very young and the very old-- and 18% of our population is over 65. We should have good metrics and data to monitor these vulnerable groups. Further, fires affect air quality just as diesel particulates do.

- Tenant protection and anti-displacement is also an equity issue. We need to go beyond mediation requirements.
- Need to partner with schools and the medical community. They have an understanding of community needs that could be informative.
- New buildings will have much lower health hazards than old ones. Can we incentivize renovations to existing buildings to incorporate new environment health features—could this be a policy in the General Plan?

## **B. Draft Sea Level Rise Adaptation Policies and Programs.**

Director Jensen gave a presentation on this topic.

Committee members made the following comments (*staff responses are shown in italics*):

- Is there a Map that shows the areas in San Rafael which are susceptible to sea level rise and flooding? Is there a Map showing what areas are most appropriate for retreat, armoring, living shorelines, etc? Will such a map affect insurance rates if it is formally adopted by the City? *Such maps exist, but they are not intended to be like FEMA maps, which affect insurance.*
- 2050 is an OK horizon year for private properties, but should we hold public properties to a higher standard? For instance, if a new school is built, would it make sense to plan for Year 2100 sea level? *This is a good idea and we could consider it, although we don't know a lot about what's going to happen beyond 2050 so it is very speculative.*
- Are the 2050 projections the most recent ones available? When were they done? *Director Jensen responded that the predictions are using Bay Wave as a benchmark for consistency with the County of Marin's efforts. Those studies were done in 2015. However, the program calls for updating the data every five years. Perhaps we should update the standard as new data becomes available, but in any case, not less than once every five years.*
- Once every five years may not be enough, especially given the consequences of melting polar ice caps, etc.
- Our policy should allow hazard zones to be drawn so that areas are removed if there are levee improvements that eliminate the risk. This is similar to what FEMA does after flood control projects are completed. Also, we should not mandate cluster development--that eliminates flexibility in design and planning. Each site needs to be planned based on its unique characteristics. *Director Jensen remarked that we have had a cluster development policy in the current General Plan which has been in place for over 30 years. Clustering is a common tool for creating environmentally sensitive development. Perhaps the City could consider edits to the policy language to "recommend" clustering instead of 'requiring' it.*
- Would a published map of sea level rise areas affect resale potential? Would disclosure of this hazard be required to prospective buyers? Would this have a chilling effect on property values and sales in this zone?
- How would Adaptation improvements be financed? They would be very expensive. *Director Jensen responded that Adaptation would be done in pieces, rather than as one big project. A combination of sources would be needed, including grants and possibly an assessment district.*
- Could dredge spoils from the Canal be used to build the levees, or is the sediment too toxic?

- We are exploring different financing approaches—Mello Roos, Community Financing District, etc. But it helps to get developers to pay too, so we should create development opportunities that could generate revenue for improvements.
- San Rafael is especially vulnerable to sea level rise impacts on infrastructure and roads. Can the City make it a priority to fund adaptation projects that protect public facilities and transportation routes so that mobility and utilities are ensured after a flood?
- The forecasts if the ice caps melt are apocalyptic. How do we deal with the worst case scenario? Can we capture the value of waterfront development to help residents who are there now and avoid mass dislocation?
- In the past, we included a program to do ongoing measurement and monitoring of sea level along the San Rafael bayfront. Has that been happening, and what does the data show? Perhaps do a focus group on sea level rise, as you are doing for environmental justice.
- It is very hard to tell people they have to spend more money to build something today in order to mitigate a hazard that will not arrive for 30 years. We need to do what makes financial sense for owners as well as the City. We also need to think not just about raising houses by 3 feet, but also raising roads, sewer, water, etc.
- The concept of “managed retreat” across large areas of the waterfront continues to be troubling and would be very impactful. *Staff noted that this could apply to places like Tiscornia Marsh, the Rock Quarry “pit”, etc. but not developed areas. Levee improvements are needed in other places.*

Director Jensen noted that the City would be including an Adaptation Report as an appendix to the General Plan, and would prepare a detailed Adaptation Plan in the future.

### **C. Soliciting Input on North San Rafael Issues**

PM Miller indicated that various Committee members and members of the public had expressed an interest in seeking more input from the North San Rafael community.

- There should be a longer discussion on North San Rafael in this process. The Vision was developed over 20 years ago, and there has been little progress implementing it. In fact, some of the development that is being proposed is at odds with the Vision. Getting more input is not really the issue—the issue is that the City doesn’t follow the Plan as it makes decisions. This creates a feeling that we give input for naught—nothing happens and the City doesn’t listen.
- The real question is what will the City do with the input it receives?
- Discussion of Northgate Mall in the General Plan should be separated from discussion of Northgate Business Park. Northgate Mall is more integral to Terra Linda.
- We need to think about what we can do to improve the North San Rafael community for families and youth. There is still no promenade, the creeks are still in poor shape, and we are talking about putting in a 28-pump gas island at the Mall, which runs counter to being greener. We should be looking for opportunities for green infrastructure and creek protection.

- North San Rafael should get the same conversations that are happening Downtown about what could be—and how do we translate the Vision into meaningful zoning?
- North San Rafael is very different from Central San Rafael. It is not reasonable to expect a mode shift away from cars, as it is a bedroom community. Moreover, people cannot ride bikes to shop at Costco. We need decision making that reflects the views of residents, which is not happening now. Better outreach is needed to articulate our values and views.

There was a discussion of on-line polls that had been developed and administered on Nextdoor.com by Committee Member Hall. The polls showed support for Costco, despite the vocal opposition that has been expressed. The poll also showed relatively little support for housing at the Mall. There were opposing views that Nextdoor was not a good platform for polling and represented a limited audience. However, there was general agreement that additional outreach was needed. Committee Member Jackson noted that a lot of planning had occurred in the 1990s and is embedded in the existing General Plan. Others noted that it was an inherent problem in all plans that only a small percentage of the community participated, and the silent majority only got involved when they were opposed to large projects.

Other committee members noted that there was less focus on North San Rafael because the PDA designation had been rescinded, and there was not funding available to do detailed plans, as there was downtown. The focus on Downtown is because growth is planned there, thus planning is imperative. Any polling that is done should be statistically valid and not represent the views of one subset of the community. A participant in the 1990s North San Rafael Vision process indicated that more than 2,000 comments were received when the Plan was done, and it was not simply based on polls. A committee member added that regardless of how input was solicited, the end result of the process would be a set of regulations—we should make sure that zoning reflected the uses that were desired. If a proposal that meets the requirements comes in, it must be approved, even if the public doesn't agree with it.

## **BREAK**

The Committee took a 10-minute break.

## **D. Discussion of Draft Open Space and Conservation Element Policies.**

Following the break, the Committee was divided into four small groups of 5-6 people each. The groups were:

- Team Open Space
- Team Conservation
- Team Air and Water Quality
- Team Sustainability

Each team was tasked with reviewing the draft policies and programs for their topic area in a small group discussion, and then reporting out to the full Committee. The teams met for 50 minutes. Each group selected a spokesperson who highlighted their conclusions. The report-outs are presented below.

### **Team Open Space**

- Need to flesh out illegal encampment issues
- Eliminate language on food production in open space—what does that really mean or imply? What about the use of pesticides? Keep food policy in JEDI Element
- Policies on community gardens are OK

- One Committee member expressed her view that some of the City’s open space should be considered for housing, given the housing crisis. She characterized this as an environmental justice issue.

### **Team Conservation**

- The group was not in agreement on some of the policies---some supported, some did not.
- The wetlands policies are complicated and seem to repeat federal law.
- Policy 2.3 (sea level rise) seems redundant and is already covered by 2.2—delete? Why only mention horizontal levees as a sea level rise mitigation?
- Policy 2.4—encourage mitigation banking on parcels inside the City.
- Policy 2.6--definition of diked bayland is needed—do we even need a policy on this? Is it just intended to discourage development on Canalways? Management needs to be consistent with adaptation plans.
- Need to map the drainageways as well as creeks. Will the EIR show them?
- Policy 2.10, conflicting opinions within the group—required vs where feasible—who decides?
- “Preserve” hillsides vs “manage” hillsides? Some Team members wanted to retain the aesthetic value of the trees and protecting the habitat; some were concerned about fire danger and fuel loads.

### **Team Air and Water Quality**

- Perhaps flip the language in a few places to focus on what we want to promote rather than discourage? Deal with encouragement rather than mitigation?
- Some disagreement within group about how proactive the City should be on this topic. Are state/federal standards enough, or does San Rafael need to go further?
- At least one Team member wanted more proactive language to go beyond LEED requirements and require buildings to help clean the air.
- Avoid language that penalizes development; recognize that air and water quality are much better today than they used to be. Look at this through the lens of health and wellness.
- Pesticide management policy needs to avoid wiggly words like “feasible” and “adequate.”
- Stormwater and urban runoff have adequate regional policies in place. Focus on water reuse, non-potable reclaimed water, etc.
- A lot of the water policies are set by MMWD. Can we create incentives for reclaimed water that they can incorporate?

### **Team Sustainability**

- Structural issues with the two goals—one is energy/water conservation and one is climate change, but the policies all impact climate, and there also are important climate initiatives in other parts of the Plan (transportation), which makes this section feel disjointed; need to restructure so these are all under the broader umbrella of climate change. The energy conservation policies belong under Goal 5, not Goal 4.
- Group is not sure if climate policies really fit in the “Open Space and Conservation” Element; perhaps a “Zero Energy and Emissions” Element—the focus of the element should be on saving the planet, rather than open space. The title doesn’t capture the content.
- Explore more mandatory language—“require” vs “promote.” Think boldly.
- Beef up the funding language.
- Promoting clean energy = greenhouse gas reduction

## **6. COMMITTEE ALTERNATE COMMENTS**

There were no comments from Alternates.

## **7. GENERAL BUSINESS ITEMS**

PM Miller announced that the next meeting would be October 9, 2019. He also noted that Opticos would be presenting the Downtown Options Report to the City Council in a study session on October 7.

A committee member announced that Costco was holding open houses in Northgate Mall on September 25 and September 26.

## **8/9. PUBLIC COMMENTS/ ADJOURNMENT**

There were no additional public comments. The meeting was adjourned at 8.59 PM.