

## REPORT TO GENERAL PLAN 2040 STEERING COMMITTEE

**Subject: Land Use Element Policies on Neighborhoods**

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### EXECUTIVE SUMMARY

The current (2020) San Rafael General Plan includes a Land Use Element and a Neighborhoods Element. However, the 2020 Neighborhoods Element also includes policies that address citywide land use issues such as parking, the compatibility of infill development, neighborhood character, and neighborhood commercial uses. These policies are being moved to the Land Use Element, so that the Neighborhoods Element can focus exclusively on providing guidance for subareas of San Rafael. Staff has revised and updated the neighborhood land use policies for General Plan 2040 and seeks feedback from the Steering Committee before the new Land Use Element is drafted. The proposed policies are attached to this Memo.

### REPORT

#### Background

The Neighborhoods Element of the General Plan begins with a goal (Distinctive Neighborhoods), followed by 14 policies that address shared by many San Rafael neighborhoods. The goal and its associated policies are being moved to the Land Use Element in General Plan 2040, as most of the policies address land use issues. A few of the policies (e.g., those that relate to bicycle and pedestrian safety) are being moved to the Mobility Element.

The policies address some of the most important land use issues in the city, including residential parking management, the compatibility of infill development with surrounding uses, the effects of commercial and institutional uses on neighboring residential properties, and the future of the City's neighborhood shopping centers. The Steering Committee previously reviewed a staff "audit" of these policies, with a number of Committee members submitting written comments. However, the Committee has not had a discussion of the policies, or the issues addressed therein, at a prior meeting. Staff has incorporated the Committee's written feedback into an updated set of policies and programs. The policies and programs also reflect input from the community at large, based on meetings that have been held through 2018 and 2019 on neighborhood-level land use issues.

## Policies

The goal of “distinctive neighborhoods” has been carried forward with minor edits. The 14 policies in the 2020 Element have been reorganized into 12 policies, with several policies moved elsewhere or deleted and several new policies introduced. The bulleted list below summarizes the changes:

- The policy on neighborhood planning has been expanded to note that the City should focus its effort on areas with unique local issues or significant potential for change. An action program suggests that the Northgate area and the Canal area both require future plans and public processes to address planning and development issues.
- The list of factors to be considered as new infill development occurs has been modified to reflect current concerns.
- The policy to build more owner-occupied housing in areas with “a predominance of rental units” has been replaced with a policy to encourage a diverse mix of housing types, consistent with the General Plan Land Use Map.
- Policies on code enforcement, community standards, and neighborhood identity have been largely carried forward.
- Policies on landscaping of parking lots have been refocused to emphasize buffering between residential and non-residential uses. Landscaping of parking lots continues to be expressed as a priority (through an action program).
- A new policy on neighborhood parking is added.
- Action programs on neighborhood parking have been updated and edited.
- A program to strengthen prohibitions on the residential use of vehicles (e.g., people living in their cars) has been modified to reflect the fact that the City adopted an ordinance on this topic in 2016. The program now calls for more housing and homelessness prevention programs so that fewer people have to live in their cars.
- Policies continue to promote the retention of neighborhood-oriented shopping centers, but recognize that a broader range of uses (including multi-family housing) should be considered at these centers to keep them viable.
- A policy calling for partnerships and communication with local schools, churches, etc. has been modified to focus on compatibility issues (parking, traffic, noise, privacy. etc.)
- A program to promote neighborhood events on the City’s website has been replaced with a program to provide links to neighborhood websites on the City’s website.

## Attachments

Two attachments follow this report:

- (A) The first attachment presents the “clean” set of proposed neighborhood-oriented Land Use Element policies and actions to be included in General Plan 2040.
- (B) The second attachment presents the proposed policies side by side with the 2020 General Plan policies. This facilitates a comparison of how the proposed policies are changing, and what content is new vs being carried forward. The second attachment also includes a column where Steering Committee members may comment. A Word version will be provided.

## **GOAL LU-3: DISTINCTIVE NEIGHBORHOODS**

### **Sustain neighborhoods of integrity and distinctive character.**

*San Rafael is Marin's hometown. It is a city of great neighborhoods that support each other and provide a network of parks, gathering places and services. The unique identity, distinctive design, and upkeep of each neighborhood will continue to be a source of pride.*

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#### **POLICY LU-3.1: AREA PLANS**

Encourage the preparation of plans for areas of San Rafael with unique local issues or significant potential for future change. The purpose of such plans is to provide more specific and detailed direction on long-range planning, zoning, and site-specific development issues than can be provided by the General Plan.

***Program LU-3.1A: Area Planning Process.*** *Engage neighborhood associations, community groups, residents, businesses, and service providers in the development of sub-area plans, including neighborhood plans. A priority should be placed on plans for the Northgate "Town Center" area and the Canal neighborhood.*

#### **POLICY LU-3.2: NEW DEVELOPMENT IN RESIDENTIAL NEIGHBORHOODS**

Preserve, enhance, and maintain the residential character of neighborhoods to keep them safe, desirable places to live. New development should:

- Enhance neighborhood image and design quality
- Incorporate sensitive transitions in height and setbacks from adjacent properties
- Preserve historic and architecturally significant structures
- Respect natural features and terrain
- Reduce exposure to hazards
- Include amenities such as sidewalks, pathways and trees
- Maintain or enhance infrastructure service levels
- Respond to expected parking needs

***Program LU-3.2A: Zoning Ordinance.*** *Periodically update the zoning ordinance to address neighborhood issues and concerns.*

#### **POLICY LU-3.3: HOUSING MIX**

Encourage a diverse mix of housing choices in terms of affordability, unit type, size, and tenure, consistent with the General Plan Land Use Map.

#### **POLICY LU-3.4: PROPERTY MAINTENANCE**

Require owners to maintain their properties in good condition and appearance and to eliminate unsafe and unhealthy conditions.

**Program LU-3.4A: Code Enforcement.** *Maintain an effective Code Enforcement program that engages with neighborhoods and business groups and works in partnerships with appropriate City staff to address nuisances and zoning code violations.*

**Program LU-3.4B: Conditions of Approval.** *Use the development review process to establish conditions of approval for construction and landscaping. Use inspection and code enforcement processes to ensure that these conditions are carried out.*

**Program LU-3.4C: Community Standards.** *Continue programs to abate illegal dumping and remove graffiti.*

### **POLICY LU-3.5: NEIGHBORHOOD IDENTITY**

Enhance neighborhood identity and placemaking by retaining and creating gateways, landscape features, and other improvements that help define neighborhood entries and focal points.

### **POLICY LU-3.6: BUFFERS**

Maintain buffers between residential and non-residential uses, including commercial and institutional uses. Homes should be appropriately screened from parking lots, loading areas, trash facilities, and similar activities associated with non-residential uses.

**Program LU-3.6A: Parking Lot Design.** *Maintain design guidelines for parking lots which ensure that they are attractively landscaped, provide adequate buffering for nearby residential uses, and are not the dominant visual feature from the street frontage.*

### **POLICY LU-3.7: NEIGHBORHOOD PARKING**

Manage neighborhood parking in a way that meets resident and business needs, reduces nuisances, addresses local concerns, and eliminates potential conflicts with emergency vehicles.

**Program LU-3.7A: Neighborhood Parking Measures.** *In neighborhoods where parking is currently not sufficient to meet demand:*

- (a) Provide incentives to the owners of non-residential properties to add off-street parking where feasible, or to allow the use of their parking lots for neighborhood parking during off-peak hours.*
- (b) Consider time limits, residential and employee permit parking programs, and other options to increase turnover and enable residents to park closer to where they live.*

**Program LU-3.7B: Parking Regulations.** *Periodically evaluate and amend parking regulations to respond to new technologies and trends in car ownership and design, while still ensuring adequate on-site parking.*

### **POLICY LU-3.8: NUISANCE VEHICLES**

Minimize the number of abandoned and non-functioning vehicles on City streets. Provide additional housing options so that fewer people use their vehicles as homes.

***Program LU-3.8A: Abandoned Vehicle Program.*** Continue the abandoned vehicle abatement program.

***Program LU-3.8B: Vehicles as Residences.*** Continue the prohibition on the overnight residential use of vehicles in the public right of way. Develop affordable housing and homelessness prevention programs to assist those who are living in vehicles.

See the General Plan Mobility Element for goals, policies, and actions related to neighborhood-level transportation issues such as traffic calming, safety, and bicycle and pedestrian movement.

### **POLICY LU-3.9: GATHERING PLACES**

Encourage places in neighborhoods where residents can shop, play, learn, worship, and interact. Such gathering places may include small shopping centers, parks, recreation and community centers, houses of worship, and similar uses that are compatible with residential areas.

### **POLICY LU-3.10: NEEDED NEIGHBORHOOD SERVING USES**

Maintain zoning regulations that prioritize neighborhood serving uses on small commercial sites in residential areas. Examples of such uses are neighborhood markets, restaurants, drug stores, local medical services, farmers markets, child care facilities, and similar activities that meet the day to day needs of local residents. Maintaining these uses near residents is an important part of the City's strategy to reduce vehicle miles traveled (VMT) and encourage walkable neighborhoods.

***Program LU-3.10A: Housing in Neighborhood Commercial Centers.*** In the event new housing is constructed on neighborhood commercial sites, encourage the integration of neighborhood-oriented commercial or service uses on the ground floor. Zoning should incentivize mixed use (including housing) when older neighborhood shopping centers and other commercial sites are redeveloped.

### **POLICY LU-11: RELATIONSHIPS WITH LOCAL INSTITUTIONS**

Support communication and partnerships between neighborhoods, schools, religious uses, and other institutions to resolve operational issues such as parking, noise, traffic, and privacy.

***Program LU-11a: Community Partnerships.*** Encourage the establishment of local committees to resolve conflicts and improve relationships between neighborhoods and local institutions.

**POLICY LU-12: NEIGHBORHOOD PRIDE**

Promote events and activities that support neighborhood pride, create a sense of community, and build connections between residents. These events and activities could include block parties, festivals, parades, picnics, concerts, and similar activities that bring residents together. City parks should include areas where such activities can be hosted, in a manner respectful of nearby residents.

***Program LU-12A: Neighborhood Websites.** Support the development of neighborhood websites and provide links to these sites on the City's website.*

## Land Use Element Additional Policies from Neighborhoods Element

Proposed 2040 Plan	Origin of statement (2020 Plan, etc.)	Steering Committee Comments
<p><b>Goal LU-3: DISTINCTIVE NEIGHBORHOODS</b></p> <p><b>Sustain neighborhoods of integrity and distinctive character.</b></p> <p><i>San Rafael is Marin’s hometown. It is a city of great neighborhoods that support each other and provide a network of parks, gathering places and services. The unique identity, distinctive design, and upkeep of each neighborhood will continue to be a source of pride.</i></p>	<p><b>GOAL 19: DISTINCTIVE NEIGHBORHOODS</b></p> <p><b>It is the goal for San Rafael to have neighborhoods of integrity and distinctive hometown character.</b></p> <p><i>San Rafael is a city of neighborhoods that support each other and provide a network of parks, gathering places and services. The unique identity, distinctive design and upkeep of each neighborhood will continue to be a source of pride.</i></p>	
<p><b>POLICY LU-3.1: Area Plans</b></p> <p>Encourage the preparation of plans for areas of San Rafael with unique local issues or significant potential for future change. The purpose of such plans is to provide more specific and detailed direction on long-range planning, zoning, and site-specific development issues than can be provided by the General Plan.</p>	<p><b>Policy NH-1: Neighborhood Planning</b></p> <p>Engage neighborhood associations in preparing neighborhood plans for their area.</p>	
<p><b>Program LU-3.1A: Area Planning Process.</b> Engage neighborhood associations, community groups, residents, businesses, and service providers in the development of sub-area plans, including neighborhood plans. A priority should be placed on plans for the Northgate “Town Center” area and the Canal neighborhood.</p>	<p><b>Program LU-NH1a: Neighborhood Planning Process.</b> Develop a neighborhood planning process where there is significant desire or need for a neighborhood plan. As of July, 2003, neighborhoods expressing a desire for a neighborhood plan are Bret Harte, Gerstle Park, Lincoln/San Rafael Hill, the Santa Margarita area in the Terra Linda neighborhood and the Canal.</p>	

Proposed 2040 Plan	Origin of statement (2020 Plan, etc.)	Comments
<p><b>Policy LU-3.2: New Development in Residential Neighborhoods</b></p> <p>Preserve, enhance, and maintain the residential character of neighborhoods to keep them safe, desirable places to live. New development should:</p> <ul style="list-style-type: none"> <li>• Enhance neighborhood image and design quality</li> <li>• Incorporate sensitive transitions in height and setbacks from adjacent properties</li> <li>• Preserve historic and architecturally significant structures</li> <li>• Respect natural features and terrain</li> <li>• Reduce exposure to hazards</li> <li>• Include amenities such as sidewalks, pathways and trees</li> <li>• Maintain or enhance infrastructure service levels</li> <li>• Respond to expected parking needs</li> </ul>	<p><b>Policy NH-2: New Development in Residential Neighborhoods</b></p> <p>Preserve, enhance and maintain the residential character of neighborhoods to make them desirable places to live. New development should:</p> <ul style="list-style-type: none"> <li>• Enhance neighborhood image and quality of life</li> <li>• Incorporate sensitive transitions in height and setbacks from adjacent properties to respect adjacent development character and privacy,</li> <li>• Preserve historic and architecturally significant structures,</li> <li>• Respect existing landforms and natural features,</li> <li>• Maintain or enhance infrastructure service levels, and</li> <li>• Provide adequate parking.</li> </ul>	
<p><b>Program LU-3.2A: Zoning Ordinance.</b> Periodically update the zoning ordinance to address neighborhood issues and concerns.</p>	<p><b>Program NH-2a: Zoning Ordinance.</b> Continue to implement and update the Zoning Ordinance as needed to include the criteria listed above.</p>	
<p><b>Policy LU-3.3: Housing Mix</b></p> <p>Encourage a diverse mix of housing choices in terms of affordability, unit type, size, and tenure, consistent with the General Plan Map.</p>	<p><b>Policy NH-3: Housing Mix</b></p> <p>Encourage a housing mix with a broad range of affordability, character, and sizes. In areas with a predominance of rental housing, encourage ownership units to increase the variety of housing types.</p>	
<p><b>Policy LU-3.4: Property Maintenance</b></p> <p>Require owners to maintain their properties in good condition and appearance and to eliminate unsafe and unhealthy conditions.</p>	<p><b>Policy NH-4: Improve Property Maintenance</b></p> <p>Require owners to maintain their properties in good condition and appearance and to eliminate unsafe and unhealthy conditions.</p>	
<p><b>Program LU-3.4A: Code Enforcement.</b> Maintain an effective Code Enforcement program that engages with neighborhoods and business groups and works in partnerships with appropriate City staff to address nuisances and zoning code violations.</p>	<p><b>Program NH-4a: Code Enforcement.</b> Maintain an effective Code Enforcement program that engages with neighborhoods and business groups and works in partnerships with appropriate City staff to address nuisances and zoning code violations.</p>	



Proposed 2040 Plan	Origin of statement (2020 Plan, etc.)	Comments
<i><b>Program LU-3.4B: Conditions of Approval.</b> Use the development review process to establish conditions of approval for construction and landscaping. Use inspection and code enforcement processes to ensure that these conditions are carried out.</i>	<i><b>Program NH-4b: Design Review Conditions of Approval.</b> Through development review, require that design review approval include language whereby owners maintain landscaping in good condition.</i>	
<i><b>Program LU-3.4C: Community Standards.</b> Continue programs to abate illegal dumping and remove graffiti.</i>	<i><b>Program NH-4c: Property Maintenance Standards Ordinance.</b> Consider adoption of a property maintenance standards ordinance to maintain minimum standards of the appearance of property, and to sustain property values in a neighborhood.</i>	Former NH-4c has been deleted. The proposed action is its replacement.
<i>See the General Plan Mobility Element for goals, policies, +and actions related to neighborhood-level transportation issues such as traffic calming, safety, and bicycle and pedestrian movement.</i>		<i>Policy NH-5 (Safe Streets) and Policy NH-6 (Bicycle and Pedestrian Friendly Streets) have been deleted. The cross reference at left has been inserted in their place. Program NH-6a (Narrow Streets) has been moved to the Mobility Element.</i>
<b>Policy LU-3.5: Neighborhood Identity</b> Enhance neighborhood identity and placemaking by retaining and creating gateways, landscape features, and other improvements that help define neighborhood entries and focal points.	<b>Policy NH-7: Neighborhood Identity and Landmarks</b> Enhance neighborhood identity and sense of community by retaining and creating gateways, landmarks, and landscape improvements that help to define neighborhood entries and focal points.	
<b>Policy LU-3.6: Buffers</b> Maintain buffers between residential and non-residential uses, including commercial and institutional uses. Homes should be appropriately screened from parking lots, loading areas, trash facilities, and similar activities associated with non-residential uses.	<b>Policy NH-8: Parking</b> Maintain well-landscaped parking lots and front setbacks in commercial and institutional properties that are located in or adjacent to residential neighborhoods. Promote ways to encourage parking opportunities that are consistent with the design guidelines.	
<i><b>Program LU-3.6A: Parking Lot Design.</b> Maintain design guidelines for parking lots which ensure that they are attractively landscaped, provide adequate buffering for nearby residential uses, and are not the dominant visual feature from the street frontage.</i>		New

Proposed 2040 Plan	Origin of statement (2020 Plan, etc.)	Comments
<p><b>Policy LU-3.7: Neighborhood Parking</b></p> <p>Manage neighborhood parking in a way that meets resident and business needs, reduces nuisances, addresses local concerns, and eliminates potential conflicts with emergency vehicles.</p>		New
		Program NH-8a (Restore parking spaces being used for storage) has been deleted.
<p><b>Program LU-3.7A: Neighborhood Parking Measures.</b> In neighborhoods where parking is currently not sufficient to meet demand:</p> <p>(a) Provide incentives to the owners of non-residential properties to add off-street parking where feasible, or to allow the use of their parking lots for neighborhood parking during off-peak hours.</p> <p>(b) Consider time limits, residential and employee permit parking programs, and other options to increase turnover and enable residents to park closer to where they live.</p>	<p><b>Program NH-8b: Additional On-Site Parking.</b> In neighborhoods with excessive on-street parking, work with property owners to add on-site parking where feasible as part of review of expansion or remodels.</p> <p><b>Program NH-8c: Permit Parking.</b> In neighborhoods with excessive on-street parking, evaluate the benefits and drawbacks of a Permit Parking Program (i.e. to limit cars per unit and/or to limit nonresidential cars) where supported by a significant majority of neighborhood residents.</p>	
<p><b>Program LU-3.7B: Parking Regulations.</b> Periodically evaluate and amend parking regulations to respond to new technologies and trends in car ownership and design, while still ensuring adequate on-site parking.</p>	<p><b>Program NH-8d: Zoning Ordinance Review.</b> Evaluate and amend as necessary zoning regulations to ensure adequate on-site parking, and sufficient screening of parking areas adjacent to residences.</p>	
<p><b>Policy LU-3.8: Nuisance Vehicles</b></p> <p>Minimize the number of abandoned and non-functioning vehicles on City streets. Provide additional housing options so that fewer people use their vehicles as homes.</p>	<p><b>Policy NH-9: Nuisance Vehicles</b></p> <p>Minimize the number of abandoned vehicles, excessive signs on vehicles and vehicles being used as homes, on streets and private property.</p>	
<p><b>Program LU-3.8A: Abandoned Vehicle Program.</b> Continue the abandoned vehicle abatement program.</p>	<p><b>Program NH-9a: Abandoned Vehicle Program.</b> Continue the abandoned vehicle abatement program.</p>	

Proposed 2040 Plan	Origin of statement (2020 Plan, etc.)	Comments
<p><b>Program LU-3.8B: Vehicles as Residences.</b> Continue the prohibition on the overnight residential use of vehicles in the public right of way. Develop affordable housing and homelessness prevention programs to assist those who are living in vehicles.</p>	<p><b>Program NH-9b: Vehicles as Residences.</b> Continue to implement, and strengthen as necessary, City ordinances that prohibit overnight residential use of vehicles within the public right-of-way on public property, and on private property.</p>	
<p><b>Policy LU-3.9: Gathering Places</b> Encourage places in neighborhoods where residents can shop, play, learn, worship, and interact. Such gathering places may include small shopping centers, parks, recreation and community centers, houses of worship, and similar uses that are compatible with residential areas.</p>	<p><b>Policy NH-10: Neighborhood Centers</b> Support the vitality of attractive, viable neighborhood centers by using incentives to encourage desired mixed-use, local-services and to create areas for the community to gather. Assist these centers to adapt to changing community needs. Retain existing neighborhood centers unless it can be clearly demonstrated that local-serving uses are not economically feasible.</p>	<p><i>Note: former Policy NH-10 (from the 2020 Plan, shown at left) has been merged with an almost identical policy in the Land Use Element (LU-15). A replacement policy has been included</i></p>
<p><b>Policy LU-3.10: Needed Neighborhood Serving Uses</b> Maintain zoning regulations that prioritize neighborhood serving uses on small commercial sites in residential areas. Examples of such uses are neighborhood markets, restaurants, drug stores, local medical services, farmers markets, child care facilities, and similar activities that meet the day to day needs of local residents. Maintaining these uses near residents is an important part of the City's strategy to reduce vehicle miles traveled (VMT) and encourage walkable neighborhoods.</p>	<p><b>Policy NH-11: Needed Neighborhood Serving Uses</b> Give priority to "needed neighborhood serving uses". Examples of needed neighborhood serving uses are: supermarkets; craft stores; cafes; restaurants; drug stores; neighborhood shopping centers which include uses such as dry cleaners, delis and markets, video stores, etc.; health and medical facilities and services; as well as improved public uses and services such as parks, schools, child care, and police services. Other similar uses that serve primarily neighborhood residents and/or employees and receive broad neighborhood support may also qualify.</p>	
<p><b>Program LU-3.10A: Housing in Neighborhood Commercial Centers.</b> In the event new housing is constructed on neighborhood commercial sites, encourage the integration of neighborhood-oriented commercial or service uses on the ground floor. Zoning should incentivize mixed use (including housing) when older neighborhood shopping centers and other commercial sites are redeveloped.</p>		
		<p><i>POLICY NH-12 from General Plan 2020 has been merged with an almost identical policy in the Land Use Element (LU-11) regarding school site reuse.</i></p>

Proposed 2040 Plan	Origin of statement (2020 Plan, etc.)	Comments
<p><b>Policy LU-11: Relationships with Local Institutions</b> Support communication and partnerships between neighborhoods, schools, religious uses, and other institutions to resolve operational issues such as parking, noise, traffic, and privacy.</p>	<p><b>Policy NH-13: Religious Institutions, Educational Facilities, and other Community Organizations</b> Support community partnerships and communication between neighborhoods and schools, religious and other institutions to enhance mutual understanding and the benefits of collaboration.</p>	
<p><i><b>Program LU-11a: Community Partnerships.</b> Encourage the establishment of local committees to resolve conflicts and improve relationships between neighborhoods and local institutions.</i></p>	<p><i><b>Program NH-13a: Community Partnerships.</b> Through the development review process, encourage or require the establishment of committees which include both neighborhood and institutional representatives to address potential impacts and foster better communications.</i></p>	
<p><b>Policy LU-12: Neighborhood Pride</b> Promote events and activities that support neighborhood pride, create a sense of community, and build connections between residents. These events and activities could include block parties, festivals, parades, picnics, concerts, and similar activities that bring residents together. City parks should include areas where such activities can be hosted, in a manner respectful of nearby residents.</p>	<p><b>Policy NH-14. Gathering Places and Events.</b> To spark social interaction and create a greater sense of community, encourage both daytime and nighttime gathering places and events in appropriate locations, such as cafes, restaurants, outdoor eating places, bookstores, shopping facilities, libraries, schools, churches, parks, recreation facilities, community gardens, farmers' markets, transit stops, parks, recreation facilities, commercial facilities, cultural facilities, teen facilities, and City-sanctioned street closures for festivals, parades, and block parties. Improve parks and their facilities to include active recreation and passive social interaction areas, and, where appropriate, incorporate areas that can accommodate group activities such as social events, picnics and concerts in a manner respectful of nearby residents.</p>	<p><i>Some of this language has been moved to the new Policy LU-3.9. The focus of the reduced policy is building neighborhood pride through events, etc.</i></p>
<p><b>Program LU-12A: Neighborhood Websites.</b> Support the development of neighborhood websites and provide links to these sites on the City's website.</p>		<p><i>Programs NH-14a (promoting community events on the City's website) and Program NH-14b (Gathering Spaces) from the 2020 Plan as they are covered elsewhere.</i></p>