

**Summary of San Rafael General Plan 2040 Steering Committee Meeting
Meeting #20 November 13, 2019
6:00 – 9:00 PM at 750 Lindero St.**

Attendance

Members Present: *DJ Allison, Don Blayney, Jenny Broering, Maribeth Bushey, Bill Carney, Eric Holm, Linda Jackson, Margaret Johnston, Jeff Jones, Bonnie Marmor, Robert Miller, Stephanie Plante, Kate Powers, Jeff Rhoads, Jackie Schmidt, Roger Smith, Sparkie Spaeth, Karen Strolia*

Alternates Seated: *Brad Honsberger, Sara Matson, Samantha Sargent, Jeff Schoppert*

Members Excused: *Omar Carrera, Berenice Davidson, Richard Hall, Drew Norton, Cecilia Zamora*

Alternates Present: *Paula Doubleday, Jim Geraghty, Judy Schriebman, Leslie Simons*

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

Sign-Ins: *Shirl Buss, Ken Dickinson (others attended and did not sign in)*

(1/2) CALL TO ORDER/ROLL CALL

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

(3) APPROVAL OF MINUTES

The minutes of October 9, 2019 were approved without amendment (Motion: Powers, second: Strolia).

(4) PUBLIC COMMENT

Shirley Fischer addressed the Committee regarding the need for a Specific Plan or Precise Plan for the Northgate area. She expressed support for proposed Land Use Policy LU-3.1, which calls for a follow-up plan for Northgate, and urged funding for such a plan by the City. The Plan should address circulation constraints and housing needs and respect the area's suburban residential context. It should establish priorities to avoid piecemeal development and should be done as soon as possible, since there are many projects in the pipeline. She noted that the discussion of North San Rafael neighborhoods in the Neighborhoods Element should be aggregated and treated holistically rather than dispersed throughout the chapter. Project Manager (PM) Miller indicated this could be agendaized for discussion in early 2020.

(5) PRESENTATION AND DISCUSSION ITEMS

A. Noise Policies – Presentation and Discussion of Noise Policies:

PM Miller gave a presentation on the Draft 2040 Noise Element. The following comments were made by the Committee (*Staff responses provided during the meeting are in italics*).

- A Committee member asked about the discrepancy between the State noise standard for bedrooms vs the standard in the 2020 General Plan (they are different). If the General Plan noise standard is different, do we amend the General Plan or amend the Building Code? Isn't the General Plan supposed to prevail? *Staff responded that Building Codes are set by the State; although local governments have the discretion to adopt higher standards, this is rare for noise limits unless there is a unique local issue.*

- The bar chart showing allowable noise levels includes some overlapping bars for certain uses. For example, under “Playgrounds, Neighborhoods and Parks,” there is overlap—why is this? *PM Miller explained that this gives local governments some additional discretion. However, he agreed it is confusing and suggested the next version could eliminate the overlaps.*
- We may want a policy in the General Plan that provides direction as to how to interpret the noise bar chart. For example, an office building may be OK in a higher noise area like Downtown. Also, how would uses like sports arenas be handled? *PM Miller responded that under no condition would a sports arena be allowed without an acoustical study. He explained that there is a policy in the Noise Element that indicated if you are in the “yellow” (e.g., acceptable) noise level you do not have to do a noise study and if you are in the “orange” range (e.g., conditionally acceptable) you do have to do a noise study. Further, if a development pushed an area from the “yellow” noise level into the “orange,” a noise study would likely be required.*
- Consider the effects of the 101 freeway on ambient noise levels—what are the implications for acceptable land uses? *Staff replied that it depends on factors such as sound walls, topography, and vegetation.*
- Do we really need four categories for each land use in the bar chart? Can we put “normally unacceptable” and “conditionally acceptable” in the same category, since they both require mitigation but don’t preclude a project? *PM Miller noted that the current General Plan only used three categories and we could retain three categories in the new Plan if the Committee was OK with that.*
- How does this impact projects like the new soccer facility in North San Rafael? Are there follow up noise studies done after the project is built? *Planning Director (PD) Boloyan responded that the project’s use permit indicates acceptable noise levels, hours of operation, etc.. The City also has a Noise Ordinance that specifies acceptable daily noise levels.*
- What happens if a use is permitted at a certain decibel level and then noise around it rises over time? Does the City regulate this? *PD Boloyan noted the difference between short term noise, which is temporary, and long-term, “ambient” noise. Both are regulated. For conditional uses, the City can adjust hours of operation based on changing noise conditions.*
- How do you consider the “cumulative” impacts on noise when multiple projects are being proposed in the same area? *PD Boloyan noted that the General Plan is mostly concerned with setting thresholds for acceptable land uses based on existing noise levels. He noted that ongoing operational noise for any given use can be regulated as a condition of approval for the project. PM Miller noted that the General Plan is specifically required to calculate the cumulative impacts of noise from multiple projects based on projections for 2040, as well as additional traffic over the next 20 years. He noted that there will be a map in the General Plan showing expected 2040 noise levels that reflected the calculations.*
- How is noise regulated in open space? *The standards are intended for parks, playgrounds, etc.*
- How does the noise ordinance affect small businesses? If there is existing empty space and a new tenant moves in, would a noise study be required? If so, this is an extraordinary cost and hindrance to the business. *PD Boloyan remarked that it depends on the specific use and if a use permit is required. A Committee member noted that Program N-2A indicates when an acoustical study is required. However, the proposed wording is problematic because it sounds like an Acoustical Study could be required of everyone and they are rather expensive. It was suggested that N-2A be reworded so acoustical studies were only required in areas that didn’t meet noise compatibility standards. It was further suggested that the words “where appropriate” be added back into N-3A to allow for more flexibility.*

- A Steering Committee member disagreed with the previous speaker’s suggestion, stating that San Rafael was a very noisy City, especially for those who live Downtown and in mixed use areas. She noted that evaluating and mitigating noise was part of the cost of doing business. The previous speaker replied that we need to keep San Rafael viable for business. It is already very expensive to operate here and these requirements could make it even harder.
- Technology is making a big difference in how we deal with noise. For instance, the Rock Quarry has made great strides using paving materials that reduce truck noise on Pt San Pedro Road. In the next 20 years, perhaps additional measures will be taken to mitigate freeway noise. How do the City’s policies impact activities in the County? *PD Boloyan noted that these areas are regulated by the County, but the City’s policies were a consideration in their decisions.*
- Will the City be preparing a Noise Contour Map as part of the EIR? *PM Miller responded yes, noting that the General Plan and EIR will include contour maps for 2019 and 2040 using noise data collected in 2019 and projections of 2040 traffic volumes.*

PM Miller went over the noise policies and stated that he would be open for questions after his presentation. The following comments were made:

- Generators are an emerging noise source—how will they impact the noise ordinance? *PM Miller stated that the Council recently took action allowing generator noise during emergencies/ power outages.*
- Does Policy N7 include drones? *PM Miller responded that we would add drones.*
- Program N-3B is problematic. It indicates that “bedrooms should be placed away from freeways, rail lines and major roads”. Since we just acknowledged that new technology, vehicle types (quieter cars), paving materials, etc. may reduce noise levels, perhaps we don’t need this program? Or at least delete “major roads.”
- Another member agreed with the prior speaker. There are ways to design buildings for noise reduction without prohibiting bedrooms that face major streets. Words like “minimize” are not clear – what is the necessity and economic impact of a requirement like this? *PM Miller noted that staff would review the language—minimize suggests that this is a design consideration and not a mandate.*

B. Infrastructure Policies

PM Miller presented the Infrastructure Element. He walked the Committee through the policies. The following comments were made:

- Regarding Policy I-12, PG&E takes care of clearing vegetation on their lines but what about the lateral lines that connect individual properties to the PG&E lines? Can we add a policy requiring homeowners to maintain vegetation clearances there? *PM Miller noted that the City has adopted a Wildfire Action Plan including specific measures for vegetation clearance on individual properties, and this may not be needed in the General Plan. PD Boloyan indicated the City had a Wildland Urban Interface (WUI) zone that encompassed the more fire-prone areas, but many neighborhoods were not in this area and could still be vulnerable to fire from failing electric equipment.* There were subsequent Committee comments on tree trimming requirements for adjacent properties.
- The General Plan should endorse the concept of microgrids, particularly in this era of public safety power outages. *PM Miller responded, that yes, this will be discussed in the General Plan.*

- Add something to Program I-12A about providing charging stations and coffee at community facilities during power outages so residents can keep their devices charged and stay connected. The City can help residents by providing this service during outages.
- We need back up service for all cell towers and more reliable cell service during emergencies.
- Policy I-6 mentions sea level rise but should also address the impacts of rising storm intensities, which is another climate change impact.
- Hardening of infrastructure needs to include cellular service, as this is increasingly important in emergency situations. We should have a policy or program to have cell services improved as certain providers seem to have weaker coverage than others.
- Loss of cell service could have life threatening consequences for people with medical issues.
- Need to cooperate with other municipalities to make sure power is provided to critical infrastructure. For example, the SMART train was interrupted during the outages. Perhaps the City should cooperate with other municipalities and SMART so it can be functional during emergencies and evacuations. Signals and crossing gates should remain operational during a power outage.
- Need to beef up the stormwater management discussion to tie it to green infrastructure. We should focus on stormwater absorption and filtration, and the restoration of environmental processes. Look for funding for bioswales, heat island mitigation, planting, conversion of concrete ditches to natural creeks (which reduce flooding), etc. There may be an opportunity to edit Policies I-7 and I-10 to position the City to get funding for green infrastructure, focusing on water quality and environmental health benefits. *PM Miller noted that we can add cross-references to the Conservation Element from this Element, since that is where those policies reside.*
- Regarding back-up energy programs, add a corollary program to I-12A that encourages household and businesses to have a back up plan for emergencies. Also, replace the reference to “solar generators and fuel cells” with references to rooftop solar and lithium ion battery storage. An EV battery can now be used to run a refrigerator, for example.
- I-16 (Sustainability Policy 10) must reference community composting—it’s critical for GHG reduction. Also, recycling should be referenced for all dwelling units, and not just multi-family and non-residential as the current text implies. The City should play a more active role in advocating at County, State and Federal levels about producer responsibility and landfills getting filled up with waste.
- I agree with prior speaker that rooftop solar should include battery/cell storage and rather than feeding all power back to the grid.
- I concur with earlier comment on micro-grids, including shared efforts by homeowners which reduce costs and enable group rates; need to make sure microgrids benefit all residents and not just those of means.
- Need to “connect the dots” – there are policies on sea level rise and policies on pavement management, which should be linked. When doing pavement management, we need to address King Tide impacts and design to prevent flooding. When addressing sewer plant reliability, we need to address what happens when the power goes out and the pumps fail.

- Regarding Program 1B, need a more specific program to adopt a maintenance reserve fund before 2030. Also Program 1.7D (street lighting) needs to mention the positive effects of street lighting (safety, ambiance) and not focus only on the negative effects and dark sky issues.
- Consider edits to Policies 1.8 and 1.11 to identify ways to use reclaimed water. Also consider the use of underground water “bladders” and individual water storage systems to capture graywater and runoff which help property owners during times of drought.
- I concur with prior speakers on microgrids, and the idea that they should reach all neighborhoods and not just some. Look at Palo Alto. Perhaps work with County or State on this—it is tough to implement at the City level.
- State is already considering legislation on hardening of cell towers; City may not need to do this.
- Suggest amending Policy I-13 to add electric vehicle infrastructure/ charging stations along with street lighting. By the mid 2020s, most car sales will be electric. Also, Policy I-12 suggests an over-focus on undergrounding, which is very expensive and impractical. Policy I-13 should be the real priority, and should focus on “hardening” electric infrastructure (maintenance and replacement to make it more resilient), which is cheaper and more practical.
- We need to revisit this discussion periodically because we are all reacting to the recent fires and power outages. It may be premature to propose solutions until we see what happens to PG&E and what kinds of changes are enacted at the State level, etc.
- Can the General Plan be amended in the future as the situation with public safety power outages evolves? *PM Miller responded that yes, amendments are commonly made after the Plan is adopted.*

C. Neighborhoods Element On-Line Tool

PM Miller noted that Staff is working with HOAs and neighborhood groups on updating the Neighborhoods Element. Staff is inviting feedback on the language in the existing 2020 General Plan. He requested that Committee members work with their own neighborhood groups on this task. An on-line tool has been created for this purpose.

- Can the link to the on-line tool be made more prominent on the website? It is difficult to find. *PM Miller replied that the website placement was intentional because the City was focusing participation on an invited list of 60 established neighborhood and community organizations. However, it is open to receiving comments from individuals as well and will consider all input. Miller noted that the Neighborland website had been set up for broader participation.*
- How has the response been on “Neighborland”? *Miller responded that there are about 300 subscribers; participation is not as robust as we would like but we have not posted recent content for discussion.*

The Committee took a 10-minute break after Item 5(C).

D. Neighborhood Land Use Policies

PM Miller provided an overview of the citywide Land Use policies that currently reside in the Neighborhoods Element of General Plan 2020. These policies will be moved to the Land Use Element in General Plan 2040. The following comments were made:

- Regarding follow-up plans to be done after the General Plan is adopted (e.g., Northgate and Canal areas), please also include the shoreline and watershed resilience plan. *PM Miller noted that the Shoreline Resilience plan was referenced in the Safety Element as an Adaptation Plan, whereas the Land Use Element focused on plans dealing primarily with land use, transportation, and zoning.*
- How do these policies address the increased densities that will result from new State laws encouraging accessory dwelling units (ADUs)? *PD Boloyan responded that ADUs are handled differently if they are within the footprint of the existing house or are new construction. He also noted that the State does not consider an ADU a dwelling unit for the purposes of calculating density, although they do impact water, sewer, etc.*
- A committee member noted that ADUs don't necessarily increase utility demand (e.g., empty nesters converting existing space) and are an important source of affordable housing. Another Committee member commented that state legislation was pre-empting local control over this issue, resulting in a de facto upzoning of all single family neighborhoods.
- Policy LU-3.3 sounds outdated and somewhat prejudicial as we should now be past the point of discouraging renters in a neighborhood – can we delete it? Maintenance standards should be similar and not looked at differently for owners vs renters.
- The language for residential neighborhoods sounds pretty conservative and does not allow for changing styles and needs. Can we look at language that allows for more neighborhood change? Also I disagree with staff's suggested changes to the policy about people living in their cars (LU-3.8)—this should be prohibited. The proposed edits to the policy on buffering (LU-3.6) are problematic. The language is too restrictive in spirit. The old language was better, as our neighborhood centers need to be able to change and evolve. And Policy 3-10 ignores the reality of retail and the fact that many of our neighborhood centers are no longer viable and are not needed anymore. The Terra Linda Shopping Center is very difficult to tenant. We need to allow for more flexibility and innovation and permit new uses at these centers. I also disagree with the edits to Policy LU-11, as collaboration is still important.
- The Draft text calls out Northgate Town Center and the Canal as areas needing future plans—perhaps we should generalize and just indicate future plans are needed in North San Rafael and East San Rafael?
- Why isn't Downtown listed as one of the neighborhoods? *PM Miller responded that detailed guidance for Downtown will be provided by the Precise Plan.*
- Re: Policy 3.8, perhaps expand the program on people living in their cars to include language about triage and providing safe places to live off the street.
- Re: Policy 3.7, we may need a parking plan for the Civic Center Station. If the station gets more use after the Larkspur extension opens there may be spillover into the Merrydale area. How will this be mitigated?
- The changes to Program 3.7-A don't capture the intent of the original issue, which is that some areas that are primarily residential don't have enough parking. The revision focuses on non-residential spillover, which is a separate issue. Both issues should be covered. Also, Program 3.7-B (permit parking) was not really intended to increase turnover, it was intended to increase the supply of parking available for

residents in the neighborhood. Don't lose the intent of the original. Also, Policy 3.9 and 3.12 should be merged. The new policy 3.9 loses the old one, which was about retaining places like Scotty's Market, Andy's Market, etc. and other community institutions. These places are important and should be kept viable. *PM Miller stated that the only reason the language was taken out is because there is already an earlier policy in this same chapter that addresses the importance of neighborhood markets. It can be cross-referenced here. PM Miller also noted that there is still a question as to whether these Centers are still viable due to the change in demand for certain services. He noted that there is a program under an earlier goal a look more seriously at housing on these sites.*

- Given this conversation, we should edit Program 3-10.A and raise the density allowed at neighborhood centers. 15 units per acre is too low if we seriously want to encourage the reuse of these properties. Another committee member suggested that the Policy should clarify that the intent is to encourage only the transition of “non-viable” neighborhood centers into housing.
- Regarding the neighborhood centers, it would be useful to have an inventory of all the neighborhood retail centers. *PM Miller stated that this inventory is in the economic profile report on the project website. There is a map with circles of different diameter showing the sales volume at every shopping center in the city.*

PM Miller noted that all of the policies were editable at this point. However, he pointed out that the comments expressed thusfar were pulling in opposing directions and would be hard to reconcile. A Committee member expressed that the nature of this process made it hard to have a meaningful discussion about the varied ideas and perspectives in the room. The discussion continued.

- The issue of neighborhood centers is only partly about retail—it is also about housing, transportation, and having places in neighborhoods that serve as gathering places and locations where the community goes for services and activities. We should think about what these places might be like in 20 years.
- The importance of these neighborhood centers was demonstrated during the power failure—they stayed open while the big chains were closed.
- Don't forget that larger shopping centers like Montecito also serve neighborhoods, even if they also serve the entire community. I strongly support Program LU-3.10A—we need these services. United Market was extremely helpful during the blackout. Also, Program LU-3.7A is not clear and needs to be rewritten. The City already has a residential parking ordinance and it needs to be updated. We need to make permit parking more viable.
- Add disaster preparedness to Policy LU-12. Better communication brings the community together.
- Add public private partnerships to the policy on working with institutions? We should encourage such partnerships for the benefit of the community. *PM Miller noted that the General Plan 2020 policy (re: working with institutions) did not directly state its intent, which was to allow for temporary homeless shelters in churches. A committee member asked if we could use more positive language, focusing on partnerships rather than land use conflicts.*
- Consider a program to use public private partnerships to facilitate microgrids.
- Why was Program LU-3.4C eliminated? We should work with HOAs to deal with property maintenance standards. *PM Miller noted that several Committee members commented in their written worksheets that this language should be removed. PD Boloyan noted that the previous program would be hard to enforce because of limited staffing.*

Chair Plante asked Committee Member (CM) Strolia (Committee member representing homeless issues) to comment on the issue of people living their cars. CM Strolia remarked that the focus of homelessness prevention is “housing first”. There is a population of persons living in their cars due to a variety of health, employment, and substance abuse reasons. Many people are suffering, particularly in the winter. Vehicles are safer than living on the streets. Strolia noted that Sonoma County has provided parking lots for people living in their vehicles, but there are liability and public health issues. At best, it is a band-aid solution.

Committee comments followed:

- San Rafael shoulders a lot of the homelessness burden in the county, relative to other Marin cities. In addition, Downtown property owners and businesses are disproportionately impacted.
- There are many older women (in their 70s) on Social Security who are vulnerable to becoming homeless; it is a sad statement about our community when older women are living in cars because they have been priced out of their homes.
- Can we designate places where people can live in vehicles (RVs) until we can provide housing for all? Other communities have done this—even though they are just a band-aid solution.
- It is offensive that we prohibit people from living in RVs in a country settled by people in covered wagons.
- What about making it easier to live in tiny homes/ housing on wheels?
- The perspective is different on the Canalways site, where illegal camping is an ongoing issue.

(6) GENERAL BUSINESS ITEMS

PM Miller noted that Paul Jensen will be giving a presentation on affordable housing financing at City Hall on November 14. PM Miller also announced a few recent meetings, including a General Plan presentation/discussion at the annual meeting of the Point San Pedro Road Coalition (November 2) and the Downtown Plan presentation/discussion to the Citizens Advisory Committee (November 7). Also, there will be a progress report on the General Plan to the City Council on December 2 covering staff recommendations on the measurement of traffic impacts.

PM Miller announced that the December 11 meeting was cancelled, and the next Committee meeting will be January 8, 2020.

Linda Jackson noted that “Not in Our Town” was convening an event featuring the voices of San Rafael youth at an event at San Rafael High School, November 19, 5-8 PM. Chair Plante announced that Community Development Director Jensen will be presenting to the East San Rafael Working Group (on sea level rise adaptation) on December 5.

(7) COMMITTEE ALTERNATE COMMENTS

Judy Schriebman thanked the Committee members for an insightful discussion and noted she would provide infrastructure policy comments related to the Las Gallinas Sanitary District. She also indicated she would provide information on individual responsibility as it relates to plastic pollution in water.

(8/9) PUBLIC COMMENTS/ ADJOURNMENT

There were no additional public comments. The meeting was adjourned at 8.47 PM.