



AGENDA

**SAN RAFAEL PLANNING COMMISSION
REGULAR MEETING
TUESDAY, February 11, 2020, 7:00 P.M.
COUNCIL CHAMBERS, CITY HALL, 1400 FIFTH AVENUE
SAN RAFAEL, CALIFORNIA**

**CALL TO ORDER
PLEDGE OF ALLEGIANCE
RECORDING OF MEMBERS PRESENT AND ABSENT
APPROVAL OR REVISION OF ORDER OF AGENDA ITEMS
PUBLIC NOTIFICATION OF MEETING PROCEDURES**

URGENT COMMUNICATION

Anyone with an urgent communication on a topic not on the agenda may address the Commission at this time. Please notify the Community Development Director in advance.

CONSENT CALENDAR

1. Minutes, January 28, 2020

CONTINUED PUBLIC HEARING

2. **190 Mill Street**– Request for General Plan (GP) and Zoning Map Amendment and Use Permit (UP) and Initial Study/Mitigated Negative Declaration. The site currently has a light industrial (LI/O-GP & CCI/O zoning) classification. The amendments would extend the existing High Density Residential (HDR) GP Land Use Classification and High Density Residential (HDR1) Zoning district boundary to include this site. The project also includes construction of a 24,042 square foot building to accommodate expansion of the existing emergency shelter to allow 60-beds and add 32 permanent supportive housing units. APN: 014-192-12; Core Canal Industrial/Office (CCI/O) District; Homeward Bound owners/applicant; File No(s): GPA19-001/ZC19-001/UP19-001
(This item is being continued to a date certain of February 25, 2020 – staff initiated)

PUBLIC HEARING

3. **Preliminary Consideration of General Plan 2040** Land Use Map, Including Proposed Amendments – Review of the Preliminary General Plan 2040 Land Use Map, including proposed amendments in response to new land use categories, staff initiated changes, and property owner requests. File No(s). GPA16-001 & P16-13. Project Planner: Barry Miller
4. **Annual Meeting of Planning Commission** for 2020 to include final review of changes to Planning Commission “Rules and Procedures”.

DIRECTOR’S REPORT COMMISSION COMMUNICATION ADJOURNMENT

- I. Next Meeting: February 25, 2020.
- II. I, Anne Derrick, hereby certify that on Friday, February 7 2020, I posted a notice of the February 11, 2020 Planning Commission meeting on the City of San Rafael Agenda Board.

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| <ul style="list-style-type: none">• Any records relating to an Agenda Item, received by a majority or more of the board or commission less than 72 hours before the meeting, shall be available for inspection in the CDD Dept, at 1400 Fifth Ave, Third Floor, San Rafael, CA• Sign Language and interpretation and assistive listening devices may be requested by calling (415) 485-3066 (voice), emailing Lindsay.lara@cityofsanrafael.org, or using the California Telecommunications Relay Service by dialing “711” at least 72 hours in advance. Copies of documents are available in accessible formats upon request.• Public transportation to City Hall is available through Golden Gate Transit, Line 22 or 23. Para-transit is available by calling Whistlestop Wheels at (415) 454-0964.• To allow individuals with environmental illness or multiple chemical sensitivity to attend the meeting/hearing, individuals are requested to refrain from wearing scented products. To allow individuals with environmental illness or multiple chemical sensitivity to attend the meeting/hearing, individuals are requested to refrain from wearing scented products. |
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THE PLANNING COMMISSION WILL TAKE UP NO NEW BUSINESS AFTER 11:00 P.M. AT REGULARLY SCHEDULED MEETINGS. THIS SHALL BE INTERPRETED TO MEAN THAT NO AGENDA ITEM OR OTHER BUSINESS WILL BE DISCUSSED OR ACTED UPON AFTER THE AGENDA ITEM UNDER CONSIDERATION AT 11:00 P.M. THE COMMISSION MAY SUSPEND THIS RULE TO DISCUSS AND/OR ACT UPON ANY ADDITIONAL AGENDA ITEM(S) DEEMED APPROPRIATE BY A UNANIMOUS VOTE OF THE MEMBERS PRESENT. APPEAL RIGHTS: ANY PERSON MAY FILE AN APPEAL OF THE PLANNING COMMISSION'S ACTION ON AGENDA ITEMS WITHIN FIVE BUSINESS DAYS (NORMALLY 5:00 P.M. ON THE FOLLOWING TUESDAY) AND WITHIN 10 CALENDAR DAYS OF AN ACTION ON A SUBDIVISION. AN APPEAL LETTER SHALL BE FILED WITH THE CITY CLERK, ALONG WITH AN APPEAL FEE OF \$350 (FOR NON-APPLICANTS) OR A \$4,476 DEPOSIT (FOR APPLICANTS) MADE PAYABLE TO THE CITY OF SAN RAFAEL, AND SHALL SET FORTH THE BASIS FOR APPEAL. THERE IS A \$50.00 ADDITIONAL CHARGE FOR REQUEST FOR CONTINUATION OF AN APPEAL BY APPELLANT.

In the Council Chambers of the City of San Rafael, January 28, 2020



**Regular Meeting
San Rafael Planning Commission Minutes**

For a complete video of this meeting, go to <http://www.cityofsanrafael.org/meetings>

CALL TO ORDER

Present: Shingai Samudzi
Sarah Loughran
Jeff Schoppert
Mark Lubamerksy
Berenice Davidson

Absent: Barrett Schaefer
Aldo Mercado

Also Present: Raffi Boloyan, Planning Manager
Sean Kennings, Contract Planner

PLEDGE OF ALLEGIANCE

RECORDING OF MEMBERS PRESENT AND ABSENT

APPROVAL OR REVISION OF ORDER OF AGENDA ITEMS

The Commission moved Agenda Item #3 (190 Mill Street) to Agenda Item #2
Mark Lubamerksy moved and Berenice Davidson seconded to Continue Item to the Planning
Commission Meeting of 2/11/20. The vote is as follows:

AYES: Shingai Samudzi, Sarah Loughran, Jeff Schoppert, Mark Lubamerksy, Berenice
Davidson
NOES: None
ABSTAIN: None
ABSENT: Barrett Schaefer, Aldo Mercado

PUBLIC NOTIFICATION OF MEETING PROCEDURES

URGENT COMMUNICATION

CONSENT CALENDAR

1. Minutes, January 14, 2020

Mark Lubamerksy moved and Sarah Loughran seconded to approve Minutes as presented. The vote is
as follows:

AYES: Shingai Samudzi, Sarah Loughran, Jeff Schoppert, Mark Lubamerksy, Berenice
Davidson
NOES: None
ABSTAIN: None
ABSENT: Barrett Schaefer, Aldo Mercado

PUBLIC HEARING

2. 999 3rd Street (BioMarin R&D buildings / Whistlestop Senior Center / Senior Housing) – Request for General Plan Amendment, Planned Development (PD) Rezoning, Environmental and Design Review Permit , Master Use Permit and Sign Program amendment for the development of two 72-foot tall, four-story Research and Development buildings on a 3.05-acre parcel, currently developed as a vacant lot, and a 67-unit, 70-foot tall, six-story senior center and affordable senior housing building on a 15,000 sq. ft. portion of the northwestern corner of the parcel; APN's: (APN's: 011-265-01, 013-012-38 and -39 and 013-021-50, -51, -52 -53, -54, -55) ; Second/ Third Mixed Use (2/3 MUE) & Planned Development (PD1936) Districts; Shar Zamanpour, Applicant; BioMarin / CCCA, LLC, Owner; Downtown Activity Center neighborhood area; GPA18-001/, ZO18-003/ZC18-002/ ED18-087/UP18-034/SP18-006/IS18-001/DA19-001. Project Planner: Sean Kennings

Staff Report

Mark Lubamerksy moved and Berenice Davidson seconded to adopt resolution certifying the FEIR with changed to address Mitigation Measure Trans 1. The vote is as follows:

AYES: Shingai Samudzi, Sarah Loughran, Jeff Schoppert, Mark Lubamerksy, Berenice Davidson
NOES: None
ABSTAIN: None
ABSENT: Barrett Schaefer, Aldo Mercado

Shingai Samudzi moved and Mark Lubamerksy seconded to adopt resolution 2.b (Findings of Fact/Statement of Overriding Considerations/Approving MMRP with changes to address Mitigation Measure Trans 1. The changes are:

- 1) add a "Whereas" to state that the PC was making a change to Mitigation Measure Trans-1 to clarify that the 15% reduction is required in perpetuity and that the annual reporting can be reduced to every three years, after 3 consecutive years of demonstration that they have achieved the reduction.
- 2) Update #7 on page 2b - 28 and
- 3) Update Exhibit 2b Attachment 8

The vote is as follows:

AYES: Shingai Samudzi, Sarah Loughran, Jeff Schoppert, Mark Lubamerksy, Berenice Davidson
NOES: None
ABSTAIN: None
ABSENT: Barrett Schaefer, Aldo Mercado

Mark Lubamerksy moved and Shingai Samudzi seconded to adopt resolution #2c approving the General Plan Amendment as presented. The vote is as follows:

AYES: Shingai Samudzi, Sarah Loughran, Jeff Schoppert, Mark Lubamerksy, Berenice Davidson
NOES: None
ABSTAIN: None
ABSENT: Barrett Schaefer, Aldo Mercado

Sarah Loughran moved and Berenice Davidson seconded to adopt resolution #2d - Zoning Ordinance Text Amendment as presented. The vote is as follows:

AYES: Shingai Samudzi, Sarah Loughran, Jeff Schoppert, Mark Lubamerksy, Berenice Davidson
NOES: None
ABSTAIN: None
ABSENT: Barrett Schaefer, Aldo Mercado

Berenice Davidson moved and Shingai Samudzi seconded to adopt Resolution #2f - Development Agreement - with deletion of item #2 under the city obligations that proposed to eliminate the previous requirement to install a path on the backside of the 788 Lincoln Ave parking garage to create a new public connection from Lincoln Ave to Second Street

AYES: Shingai Samudzi, Sarah Loughran, Jeff Schoppert, Mark Lubamerksy, Berenice Davidson
NOES: None
ABSTAIN: None
ABSENT: Barrett Schaefer, Aldo Mercado

Berenice Davidson moved and Mark Lubamerksy seconded to adopt resolution #2G - Design Review, Use permit for Small Subdivision and Sign Program Amendment with change to Use Permit condition #13 to clarify that the 15% reduction in perpetuity and that the annual reporting can be reduced to every three years, after 3 consecutive years of demonstration that they have achieved the reduction. The vote is as follows:

AYES: Shingai Samudzi, Sarah Loughran, Jeff Schoppert, Mark Lubamerksy, Berenice Davidson
NOES: None
ABSTAIN: None
ABSENT: Barrett Schaefer, Aldo Mercado

3. 190 Mill Street– Request for General Plan (GP) and Zoning Map Amendment and Use Permit (UP) and Initial Study/Mitigated Negative Declaration. The site currently has a light industrial (LI/O-GP & CCI/O zoning) classification. The amendments would extend the existing High Density Residential (HDR) GP Land Use Classification and High Density Residential (HDR1) Zoning district boundary to include this site. The project also includes construction of a 24,042 square foot building to accommodate expansion of the existing emergency shelter to allow 60-beds and add 32 permanent supportive housing units. APN: 014-192-12;Core Canal Industrial/Office (CCI/O) District; Homeward Bound owners/applicant; File No(s).: GPA19-001/ZC19-001/UP19-001 (THIS ITEM IS CONTINUED TO A DATE CERTAIN OF FEBRUARY 11, 2020)

DIRECTOR'S REPORT
COMMISSION COMMUNICATION
ADJOURNMENT

ANNE DERRICK, Administrative Assistant III

APPROVED THIS ____ DAY OF _____, 2020

Jeff Schoppert, Chair



SAN RAFAEL

THE CITY WITH A MISSION

Community Development Department – Planning Division

Meeting Date: February 11, 2020

Agenda Item:

Case Numbers: GPA16-001 & P16-13

Project Planner: Barry Miller, Consulting Project Manager (415) 485-3423

REPORT TO PLANNING COMMISSION

SUBJECT: Preliminary Consideration of General Plan 2040 Land Use Map, Including Proposed Amendments – Review of the Preliminary General Plan 2040 Land Use Map, including proposed amendments in response to new land use categories, staff-initiated changes, and property owner requests. File No(s). GPA16-001 & P16-13

EXECUTIVE SUMMARY

This staff report is divided into four sections:

- Part 1 provides background information on the 2040 General Plan Update and the General Plan Map
- Part 2 provides a summary of proposed changes to General Plan Map categories
- Part 3 discusses amendments to the Map that are proposed by staff
- Part 4 discusses amendments to the Map that have been requested by property owners, including a staff recommendation for each request

The Planning Commission will be asked for general direction on the General Plan Map during its meeting on February 11. A formal recommendation on the proposed amendments is not requested at this time. Staff will return to the Planning Commission with a Public Review Draft General Plan later in 2020. Action on the Plan (including the Map) will be requested at that time.

RECOMMENDATION

It is recommended that the Planning Commission take the following actions:

1. Receive a presentation on the General Plan Map
2. Provide comments on staff-initiated amendments
3. Provide comments on property owner-initiated amendments
4. Consider public comments and testimony

PROJECT BACKGROUND

General Plan 2040 Overview:

Every city and county in California is required to develop a General Plan for its future development. San Rafael's current General Plan was adopted in 2004. The Plan has been amended several times since its adoption in response to specific issues, new State laws, and related plans. The Housing Element of the General Plan was comprehensively updated in 2014 to cover 2015-2023, as required by state law.

The General Plan Update was launched in late 2017 with the objective of moving the Plan's time horizon from 2020 to 2040. While the update is primarily a "refresh" of the existing plan rather than a brand new plan, changes are needed to address the evolving state of the city and region, and to cover global issues

such as climate change and transportation technology. Staff has spent the last two years gathering and analyzing data on these issues, auditing each goal, policy, and action in the existing General Plan, drafting new and updated policies, and working with the community to identify issues and vet potential new policies.

State law requires the General Plan to cover eight mandatory “elements.” These are land use, transportation, housing, conservation, open space, safety, noise, and environmental justice. San Rafael’s Plan also includes “optional” elements, addressing such topics as infrastructure, community design, economic vitality, and parks and recreation. The City’s Plan also includes a Neighborhoods Element with narrative and policies addressing 30 distinct subareas of the city.

Community Engagement:

A 24-member Steering Committee was appointed by the City Council in December 2017 to guide this process. The City Council also appointed 22 alternates to backfill Committee positions in the event of an absence. Commissioner Davidson represents the Planning Commission on the Committee, and Commissioner Schoppert is her Alternate. The Steering Committee has met 21 times to date and is expected to wrap up its work in May 2020. The Committee serves as a sounding board for staff on draft policies and programs and is responsible for reviewing and commenting on draft materials and serving as a liaison to the community. Meetings occur on the second Wednesday of each month from 6 to 9 PM.

Staff has also convened community workshops on the General Plan, including formal meetings at community centers and informal “pop-up” workshops at Farmers Markets and the Downtown Art Walk. The outreach program also has included storefront exhibits, youth participation exercises, and attendance at numerous meetings of neighborhood associations, civic organizations, and City boards and commissions. The City maintains two websites for the project — one at www.sanrafael2040.org, and the other at <https://neighborland.com/cities/san-rafael>. Both websites offer opportunities for the public to weigh in on key issues and download information about the project. Staff has also solicited input from other public agencies, such as the County, the School Districts, the Transportation Authority of Marin, and other cities.

Downtown Precise Plan:

In May 2018, the City received a grant to prepare a “Precise Plan” for Downtown San Rafael. The Precise Plan is a critical part of the General Plan Update, as roughly half of the City’s future housing growth is expected to occur Downtown. The Plan covers a 265-acre area extending from the Miracle Mile on the west to Montecito Plaza on the east, with Mission Street on the north and 1st Street/ Albert Park on the south. The Plan will update the 1993 “Our Vision” document and incorporate key recommendations of the 2012 Station Area Plan, as well as the Parking and Wayfinding Study and other recent plans covering Downtown. The Precise Plan will address urban design, placemaking, historic preservation, transportation, parking, economic development, affordable housing, and anti-displacement strategies.

The Downtown Precise Plan will include a Form Based Code that will replace existing zoning regulations for Downtown San Rafael. The Code will focus on the design and form of new construction, rather than the specific activities and uses that may occur in each structure. The intent of the Code is to create a more walkable, attractive Downtown that better integrates public and private space. The Code is also intended to reduce regulatory barriers to Downtown housing development.

Environmental Impact Report (EIR):

The General Plan is considered a “project” under the California Environmental Quality Act (CEQA). The City has determined that an EIR is required and has initiated this process. A scoping session with the Planning Commission was held on April 23, 2019. The EIR will cover both the General Plan and the Downtown Precise Plan.

Timeline:

Staff anticipates publication of a Draft General Plan, Precise Plan, and EIR in May 2020. The documents will be considered in public hearings before the Planning Commission during late Spring and early Summer before being forwarded to the City Council for adoption.

OVERVIEW OF THE GENERAL PLAN MAP

Purpose of the Map:

The General Plan Map (also referred to as the Land Use Map) has been a core part of the San Rafael General Plan since the early 1960s. All California cities are required to include such a map in their plans, illustrating the proposed distribution, location, and extent of housing, business, industry, open space, recreation, education, and public buildings in the Plan’s horizon year. Cities are given considerable flexibility in how this information is displayed.

State law also requires that the Land Use Element of the General Plan define the “standards of population density and building intensity recommended for the various districts and other territory covered by the Plan.” (Gov Code Sec 65302(a)) This means that multiple residential categories are shown on the map, each differentiated by the number of housing units allowed per acre (density). Commercial and industrial categories usually include with a metric (such as floor area ratio) that can be used to determine the allowable size of buildings.

The General Plan Map is an expression of the pattern of uses envisioned in the horizon year of the Plan (e.g., 2040). In stable and mature communities such as San Rafael, this pattern matches existing land uses in most locations. However, the designations may allow different uses or more intense uses in locations where change is desired in the next 20 years.

Existing General Plan 2020 Map Categories:

The existing General Plan uses 28 categories to distinguish allowable land uses. This is a large number of categories compared to other general plans for Bay Area cities. For example, the recently completed Novato General Plan includes 20 categories, while the relatively recent Santa Rosa, Hayward, and Richmond General Plans each have 19 categories. One reason for San Rafael’s large number of categories is that the current map incorporates the 1993 Downtown Vision Plan designations, with six separate categories just for the Downtown area.

SUMMARY OF PROPOSED CHANGES TO GENERAL PLAN MAP CATEGORIES

Changes to the General Plan Map categories are summarized below. The intent of these changes is to improve consistency between the General Plan and zoning regulations and to streamline the existing categories. The outcome will be a General Plan Map that is easier to use and administer. Zoning Maps will retain the finer-grained detail that is now shown on the General Plan Map.

Change 1: Residential Categories are Shifting from Gross Density to Net Density

There are two ways to express residential density. Both use “units per acre”—but with a different denominator in the equation:

- Gross density is the total number of units per acre in a given area, including internal streets, easements, common open space, and undevelopable areas.
- Net density is the total number of units per acre in a given area, excluding streets, easements, open space, and undevelopable areas. In other words, net density only considers the portion of a site on which buildings may be constructed.

A “gross” density standard is appropriate in cities that are growing outward through the addition of large single-family subdivision tracts, with new public streets and areas set aside for public parks, schools, and amenities. Cities that are “built out” typically use a net density standard, recognizing that development will occur on infill parcels that already have street access. Most Bay Area cities have shifted their General Plan maps from a gross density standard to a net density standard in the last 20 years, reflecting their focus on infill development. The shift allows the General Plan and Zoning Ordinance to use the same standards for density, making it easier to demonstrate consistency and providing more certainty for property owners, developers, and other stakeholders.

Net density is typically 20 to 30 percent higher than gross density. However, the shift from gross to net density does not increase the allowable number of units on a given site. In fact, the two metrics are roughly equivalent in terms of the number of units that may be built. Net density is simply more predictable, and more appropriate given San Rafael’s developed character.

A comparison of net and gross densities for each residential category is provided below:

Land Use Category	Gross Density (units per acre)	Net Density (units per acre)	Corresponding zones
Hillside Resource Residential	0.1 to 0.5	Less than 0.5	R2a
Hillside Residential	0.5 to 2.0	0.5 to 2.2	R1a, R20
Large Lot Residential	0.5 to 2.0	0.5 to 2.2	R1a, R20
Low Density Residential	2.0 to 6.5	2.2 to 8.7	R10, R7.5, R5
Medium Density Residential	6.5 to 15	8.7 to 21.8	MR5, MR3, MR2.5, MR2
High Density Residential	15 to 32	21.8 to 43.6	HR1.8, HR1.5, HR1

Change 2: Consolidation of Downtown Categories

The six General Plan categories corresponding to Downtown San Rafael are being consolidated into a single category called “Downtown Mixed Use” (DMU). The allowable uses and intensities in DMU will be established by the Precise Plan, which will be adopted concurrently with the General Plan. A single color is used to show this area on the map, in lieu of the six colors that now apply. A small residential neighborhood in the vicinity of Latham Street within the Downtown boundary will retain its existing residential designation.

Change 3: Consolidation of Office Categories

The existing General Plan Map includes three separate categories for “Office,” “Office-Retail,” and “Office-Residential.” These categories are being consolidated into a single category called “Office Mixed Use” (OMU). The definition of OMU states that it includes multiple zoning districts, and that the existing O, R/O, C/O zones should continue to be used on the Zoning Map to distinguish the mix of uses that are appropriate in a given OMU area. Thus, consolidation of these categories on the General Plan Map does not require any changes to the zoning map.

Change 4: Consolidation of Park and Open Space Categories

The existing General Plan includes a “parks” category and an “open space” category. As a result, areas with the same physical characteristics often have different designations. For example, China Camp State Park is designated “park” while the adjacent San Pedro Mountain and Henry Barbier open spaces are designated as “open space.”

The proposed General Plan Map combines parks and open space into a single category. Both categories already have the same zoning designation (P/OS) so no rezoning is required. This

designation applies to roughly 7,000 acres in the San Rafael Planning Area, making it the single largest category on the General Plan Map.

A separate map in the Parks, Recreation, and Open Space Element of the General Plan identifies the different types of open space in the city. These include neighborhood parks, community parks, region-serving parks, and open space resource areas, among others.

Change 5: Merging Lindaro Mixed Use into Light Industrial-Office

The 2020 General Plan Map included a separate land use designation for a 13-acre light industrial area along Lindaro and Jordan Streets (Lindaro Mixed Use). Lindaro Mixed Use essentially allows the same uses allowed in the “Light Industrial-Office” (LI/O category, except that live-work development is permitted, whereas live work is not permitted in the other industrial designations (LI/O or Industrial (I) zones.

In General Plan 2040, the two categories have been merged. The definition of Light Industrial-Office states that it includes multiple zoning districts, including one intended for the Jordan and Lindaro areas, where live work is permitted. No rezoning will be required since this distinction is codified in the Plan.

Proposed Categories:

Definitions of the proposed General Plan categories are included in Attachment B. The categories include:

- Six residential categories, carrying forward the six categories used in General Plan 2020 but shifting the density measurement from “gross” to “net”
- Five mixed use categories (reduced from 14), including Downtown, Community Commercial, Neighborhood Commercial, Marine, and Office
- Two industrial categories (General and Light Industrial-Office), the same as General Plan 2020
- Six other categories (Public/Quasi-Public, Mineral Resources, Parks and Open Space, Conservation, Airport/Recreation, and Water)

The Map also includes “undesigned” land, which includes public street rights-of-way, including I-580 and US 101.

The proposed General Plan 2040 land use map also includes a “Sea Level Rise Adaptation Overlay”. The overlay appears on the Map as a solid line showing the extent of the area that would be inundated during a 100-year flood, on top of the Bay Wave forecast of sea level in 2050. Policies in the General Plan will provide direction on ways to mitigate future flood hazards in the overlay area.

MAP AMENDMENTS PROPOSED BY STAFF

Attachment C lists the Map amendments proposed by staff. The Appendix indicates the existing designation, the proposed designation, and the reason for the change. Assessor Parcel Numbers are provided where appropriate.

The changes have been grouped into several categories for discussion below.

Category 1: Correction of Scriveners Errors:

A “Scriveners Error” is a map designation that is incorrect. These changes are minor and likely occurred when the Map was transferred from paper files to a digital format. For example, 999 Las Pavadas and 40 Elena Circle are existing single-family homes that have a General Plan designation of “Parks.” This unintended designation was applied because each of these homes is adjacent to a small city pocket park

in the Freitas Parkway right-of-way. The sites are being changed to Low Density Residential, consistent with their actual use.

Category 2: Expanded Mapping of “Public/Quasi-Public” Land Uses:

General Plan 2020 and General Plan 2040 both have a “Public/Quasi-Public” (P/QP) land use category. The category includes government or quasi-public buildings and facilities, utilities, and similar facilities owned by public and non-profit agencies. Examples include Dominican University, Marin Academy, City Hall, and the Marin Civic Center Complex.

A number of public or quasi-public properties were not mapped as P/QP in General Plan 2020 but will be mapped as such in General Plan 2040. These include:

- All San Rafael City School and Miller Creek School campuses. Most of the campuses were mapped as Low Density Residential in General Plan 2020. Potentially, this provided greater flexibility to reuse these sites for housing in the event they were sold. However, mapping public schools as P/QP is common practice in most General Plans. It identifies these facilities as community assets and recognizes that they are distinct from the land uses around them.
- Several City and County buildings, including the County Sheriff’s Office (1600 Los Gamos), the City Public Works Department (111 Morphew), and Fire Station 53 (30 Joseph Ct)
- All parcels owned by Marin Academy (some, but not all, of Marin Academy’s parcels were previously designated P/QP).
- Marin Tennis Club (similar facilities like the Peacock Gap Golf Course and San Rafael Racquet Club are already shown with the P/QP designation)
- Caltrans properties that are outside the US 101 right-of-way, including properties along the east side of Brookdale Drive in the Lincoln Hill neighborhood and the Smith Ranch Park-And-Ride lot.
- A Marin Municipal Water District reservoir (and adjacent MMWD parcels) near the corner of Ridgewood and Oakwood Drives (Sun Valley area)

Category 3: Expanded Mapping of “Park and Open Space” Land Uses:

Park and permanent open space acreage in San Rafael has expanded since General Plan 2020. There are also a few existing parks and permanent open spaces that were shown with other designations in General Plan 2020. The proposed amendments are summarized below:

- Formerly private properties that are now owned and managed as open space by the County of Marin or the Marinwood Community Services District are being re-designated as “Park and Open Space.” Most of these areas were shown as Hillside Residential or Hillside Resource Residential in General Plan 2020. The affected parcels include the recently acquired Bucks Landing (32 acres) and Heron Hill (16 acres) open spaces east of Santa Venetia, a 12.8-acre site on the west side of Highway 101 in Marinwood (end of Limestone Grade), and the 69.9-acre portion of the “Daphne” property (Marinwood) that was dedicated as open space when the remainder of the site was subdivided. These properties are all in the unincorporated area.
- The 46-acre open space preserve above Loch Lomond Highlands is being mapped as Parks and Open Space (it is currently shown as Hillside Resource Residential).
- Two parcels at the end of Greenwood Avenue (Makin Grade) in the Oakwood Unit 2 subdivision (Upper Gerstle Park) have recently been dedicated as permanent open space. They are being shown as such, instead of Hillside Residential.

- Recently developed parks that did not exist when General Plan was adopted are being shown as Parks and Open Space. These include the “marina green” and playground areas at the Loch Lomond Marina development.
- The 10-acre Lagoon Park (east of the Civic Center) is being shown as a park rather than as “Public/Quasi-Public.” Likewise, the upper (hillside) part of the Falkirk Mansion site is being shown as parkland, similar to the designation at nearby Boyd Park.
- Two cemeteries (Mt Olivet and Mt Tamalpais) are being shown as Open Space in General Plan 2040 (they were shown as Public/Quasi Public in General Plan 2020)

Category 4: Adjustments to Reflect Actual Uses and Densities:

The changes in Category 4 are essentially “housekeeping” amendments that align the Plan with existing conditions.

There are a few recent development areas where the General Plan shows a different land use or density than what now exists. The designation in the 2020 Plan is not inconsistent but may not be the “best fit” for the use. For example, the new 33 North apartment complex (33 San Pablo Ave) near the Civic Center was a residential project built on a parcel designated “Office” (the parcel was formerly an office building) The development did not require a General Plan Amendment, because high density housing is allowed on sites with an Office designation. The General Plan Update provides an opportunity to apply a designation more reflective of the current and future use, which is High Density Residential.

Another example is the Maria B Freitas Senior Housing development at 455 Freitas Parkway. The site is designated as “Low Density Residential” on the existing General Plan. There are 61 apartments on a 2.7-acre site, resulting in a density of 22.5 units per acre. This suggests the site should actually be designated “High Density Residential,” which is what is recommended by General Plan 2040.

A similar situation exists on a site in Santa Venetia (outside the city limits). The Turina House affordable apartments were developed at 33 units per acre on a site at North San Pedro and LaBrea with a “Low Density Residential” designation. The site is proposed for re-designation as High Density Residential in the 2040 Plan to match what was actually built. Just west of this site, the Adrian Terrace subdivision was developed at a density of 11 units per acre on a site designated “High Density Residential.” The site is being re-designated “Medium Density Residential” to match what was actually built.

There are also two cases where clustered housing on relatively small lots is designated “Hillside Residential,” when the correct designation should be “Low Density Residential.” These areas are on Vista Marin Drive near the Civic Center, and on Partridge Drive in Peacock Gap. While “Hillside Residential” was the appropriate designation when these sites were undeveloped, they now consist of permanent common open space areas (shown as Open Space on the Map) and graded areas that have been developed at 6-8 units per net acre. The developed areas should not be Hillside Residential, since that designation is intended for steep hillside lots larger than 20,000 square feet.

Category 5: Fine-Grained Adjustments to reflect Zoning and Parcel Patterns:

Staff recommends minor Map amendments for a few areas along the “seam” where different designations abut each other. The amendments allow the General Plan Map to more accurately reflect existing uses, parcel patterns, and zoning. The changes are summarized below:

- 257 Glen Park is a multi-unit building (zoned for duplexes) on the edge of a medium density area. It is being changed from Low Density to Medium Density to reflect existing land use and zoning.
- One parcel in the Montecito area (between Ridge and Union), and a handful of adjacent parcels on Roberts Avenue block in the Picnic Valley area, are being shifted from “Medium” to “Low” density. The proposed General Plan designations will match existing uses and zoning.

- Toyota of Marin (445 East Francisco) currently has a split General Plan designation, with the area along the San Rafael Canal classified as “Marine-Related Commercial.” The proposed 2040 Plan puts the entire site in the “Community Commercial Mixed Use” designation, which provides greater flexibility for its future use.

Category 6: Changing “Low Density Residential” Parcels to “Hillside Residential”:

There are two parcels proposed for a change from “Low Density Residential” to “Hillside Residential.” One is located at 54 Elda Drive (Terra Linda) and the other is at 38 Sirard Lane. The Elda Drive parcel is a 5.05-acre lot with an existing single family home and is hemmed in by adjacent low-density development on all sides. The average slope on the site is over 40 percent. The property is currently zoned R-20, which is consistent with a Hillside Residential designation. The Sirard Lane parcel is 1.41 acres, has limited access, and an average slope of 25 percent. It is in a Planned Development (PD) zoning district.

Category 7: Civic Station Area Plan Changes:

Two parcels are recommended for a change from “Light Industrial/Office” to “Office Mixed Use,” consistent with the 2012 Civic Center Station Area Plan. One of the parcels is Northgate Security Storage (401 Merrydale) and the other is Public Storage (380 Merrydale). The former site is 0.9 acres and the latter is about 2.0 acres.¹ Both are developed with self-storage facilities. The Office Mixed Use designation would allow office construction and range of commercial uses compatible with office development. High-density residential use is permitted on sites with this designation. Both sites are immediately adjacent to the Civic Center SMART station.

Category 8: Formalizing Previously Approved Changes on the Map:

Several General Plan Map Amendments were adopted through City Council resolutions between 2004 and 2019. Some of the changes already appear on the City’s official General Plan Map and some do not. The 2040 Plan provides an opportunity to correctly show all previously approved amendments. These include:

- Re-designation of 1540 4th (Marin Academy) from 5th/Mission Residential/Office to Public/Quasi Public (Dec 2004)
- Current designations for the Loch Lomond Marina development (which was mostly mapped as “Neighborhood Commercial” and “Marine-Related Commercial” in Aug 2007)
- 226 Magnolia (Dominican University Admissions Office) changed from Large Lot Residential to Public/Quasi-Public
- Several parcels owned by SMART were re-designated as Public/ Quasi Public (2016)
- A “Water” designation was added to the Map (2016)
- 1820 Pt San Pedro Road was re-designated from “Open Space to “Low Density Residential” (2016)

AMENDMENTS REQUESTED BY PROPERTY OWNERS

Process:

The General Plan Update provides an opportunity for property owners to petition the City for changes to their current General Plan Map designations. On April 22, 2019, the City of San Rafael issued a “Call for Amendments” Notice. In addition to sending the Notice to a list of property owners who had previously expressed interest in this opportunity, the City prepared a pamphlet and press release advertising the opportunity. Application materials were posted to the project website. A 10-week deadline was provided for amendment submittals.

¹ 380 Merrydale is technically two parcels, but one is a “sliver” that is less than 5,000 SF.

Four formal Map amendment requests were received. The City also received proposed text changes from the owners of two large sites that are specifically addressed by policies in the General Plan Neighborhoods Element. Staff communicated with the applicants following the June 30, 2019 deadline to discuss each request.

Submitted Applications:

Application 1: 3301 Kerner Boulevard

3301 Kerner is a three-story 25,200 square foot office building constructed in 1983. The parcel is 0.91 acres and is located at the corner of Kerner and Bellam Boulevards. The existing General Plan designation is Light Industrial-Office. The applicant has requested a change to Community Commercial Mixed Use. Office buildings are permitted in both designations, and there would be no change to the status of the existing use if the Amendment is accepted. The zoning for the site could be rezoned to General Commercial (from Core Canal Industrial Office) concurrently with the adoption of the new General Plan.

Staff Recommendation: Staff recommends incorporating this request in General Plan 2040. Community Commercial is more consistent with the character of the Bellam corridor than Light Industrial. The corridor is characterized by retail shops, restaurants, and customer-facing services. Properties across Bellam Boulevard from the site, and across Belvedere Street to the south, already have commercial designations. The new designation would provide the flexibility to convert the site to housing in the future, which would be a desirable use at this location.

Staff further recommends adding 150 Bellam Boulevard (immediately across Bellam from the Kerner site) to this request. The 0.97-acre parcel currently includes a restaurant, a travel agency, a recording studio, and several small office tenants. Like 3301 Kerner, it is designated Light Industrial-Office but would be better defined as Community Commercial. The change would complete the corridor of commercially-designated properties along both sides of Bellam between the freeway and Kerner Boulevard.

Application 2: Caltrans

Caltrans has requested that the General Plan Map include land use designations on several undesignated slivers of State property that are now being leased for private use. The areas in question are located along the elevated section of US 101 near 2nd and 3rd Streets and on both sides of the Andersen underpass on the east side of Andersen Drive. The sites are used for parking and outdoor storage by nearby businesses. The requested designations would match the designations on adjacent properties, clarifying the allowable uses on these sites.

Staff Recommendation: Staff recommends leaving the Caltrans properties “undesignated” and adding clarifying language to the General Plan that regarding the appropriate uses of undesignated property. The definition of land use categories (see Appendix B) states that “undesignated” properties include Caltrans freeway right-of-way. The text notes that in the event such properties are leased, the uses should be compatible with those on adjacent properties.

Staff does not believe it is appropriate to designate a few isolated Caltrans properties while leaving the remainder undesignated. Staff has reviewed the General Plans of the other 11 cities in the US 101 corridor extending from San Francisco to Santa Rosa. All of the cities treat the freeway right-of-way as undesignated land on their General Plan Maps.

Application 3: 86 Culloden Park Road

The 1.89-acre property at 86 Culloden Park Road in the Fair Hills neighborhood has a split General Plan designation. The property consists of two legal parcels with the same owner; the larger 1.19-acre parcel has a Low-Density Residential designation and the smaller 0.70-acre parcel has a Hillside Resource

Residential designation. The property is in two zoning districts (R-20 and PD 1729). The owner has requested that the smaller parcel be re-designated to Low Density Residential to match the larger one, giving the site a single General Plan Map designation.

Staff Recommendation: Staff recommends incorporating this request in General Plan 2040. In this case, the split General Plan designation is not necessary, as both parcels have similar physical characteristics and function as a single homesite.

Application 4: 435 DuBois Street (Jackson's Hardware)

The owner of Jackson's Hardware at 435 DuBois Street has requested that the General Plan Map designate the site as "Community Commercial Mixed Use" (CCMU) instead of "Industrial." The existing hardware store is consistent with both designations. However, the CCMU designation would allow the reuse of this property for housing in the future, either in an entirely residential project or a mixed use project. The site is 2.66 acres and the store is approximately 50,000 square feet. The application notes that the area immediately across Woodland Avenue from the site is already a high-density residential district, and the CCMU designation represents a logical transition.

There is no specific proposal to change the existing use of the site at this time. The application merely recognizes that the General Plan has a 20-year horizon, and that other uses of the site may be viable during that timeframe. The project applicant has cited a number of policies and actions in General Plan 2020 that support additional housing and has noted that this amendment could help the City address its housing needs.

Staff Recommendation: Staff recommends retaining the existing "Industrial" designation on this site. Changing one site alone while leaving the rest of the block in industrial use could result in land use compatibility issues and adversely impact adjacent industrial and heavy commercial businesses. Changing the entire block, or even just the Woodland frontage, would render a large number of uses non-conforming. The site is adjoined on the west by Woodland Center, which includes auto body repair, furniture repair, auto supply, and other industrial businesses. Other adjacent uses include equipment rental (to the north) and window and door glass sales (to the east). The Shamrock materials concrete batch plant and storage yard is about 500 feet to the north.

Staff notes that the site is roughly 4,000 feet (0.75 miles) to the SMART station and transit center, which is beyond the half-mile radius commonly used to identify priority sites for transit-oriented development. It is also designated "Industrial," rather than "Light Industrial-Office", which is the more common designation in the City's business districts. The City has a very limited supply of purely "Industrial" land. General Plan policies support retaining these areas for the essential industrial services that underpin the city's economic base and reduce the need to travel long distances for these services.

Status of Other Key Sites:

Three other sites merit mention in this report and are discussed below.

San Rafael Rock Quarry

The 300-acre Rock Quarry and McNear Brickworks is one of the largest privately held properties in the San Rafael Planning Area. The property is outside the City limits, but within its sphere of influence. Most of the site was designated as "Mineral Resources" in General Plan 2020, with low-lying areas and wetlands designated as "Conservation." No changes to this designation are proposed in General Plan 2040.

The future of the Quarry is addressed in the Neighborhoods Element of the General Plan. The existing 2020 Plan provides general policies about Quarry operations as well as factors to consider in the event the Quarry ceases operation during the planning period. The proposed 2040 Plan will include similar language. The Quarry operators recently applied to the County of Marin to the extend the termination date

of their surface mining agreement by 20 years. This would extend the agreement to 2044, which is beyond the horizon year of General Plan 2040.

Suggested revisions to the Neighborhoods Element text have been proposed by the Quarry operators and by the Peacock Gap Homeowners Association (at the City's request). Staff is evaluating the proposed language from both parties and drafting revisions accordingly.

Canalways

Canalways was the subject of considerable discussion in General Plan 2020. Most of the site was designated for "Conservation" in that Plan, with a "Light Industrial-Office" designation applied to about 10 acres in the southern part of the site. The 2020 Plan also called for an extension of Kerner Boulevard through the site. General Plan 2040 carries the existing Map designations forward, and likewise supports the Kerner extension. The owners of Canalways have submitted proposed revisions to the Neighborhoods Element text for the site. These revisions are under consideration by staff. Updated policy language will be included in the Draft General Plan.

Los Gamos Apartments (Behind 1401 Los Gamos Rd)

As the Planning Commission is aware, the owners of 11 acres behind 1401 Los Gamos Road have submitted conceptual plans for a 180-unit apartment development. The project would require a General Plan Amendment from Hillside Resource Residential to either "Medium" or "High" Density Residential. This project is not included in General Plan 2040 and the amendment is being pursued on a separate track. The current General Plan 2040 Map retains the Hillside Resource Residential designation for this site.

CONCLUSIONS/NEXT STEPS

The Planning Commission will be asked to comment on the amendments proposed by staff and applicants at its February 11 meeting. Staff will consider these comments as it refines the Draft Plan and develops Draft General Plan 2040. Staff anticipates returning to the Planning Commission again *before* the Draft Plan is published to address some of the other issues covered in General Plan 2040, such as climate change adaptation. The Commission also will be briefed on the Downtown Precise Plan.

Once the Draft General Plan, Draft Downtown Precise Plan, and Draft Environmental Impact Report are formally published, the Planning Commission will convene one or more public hearings to receive testimony and provide comments. Following a 45-day public review period, the Commission will be provided with a Draft Resolution recommending approval of these documents (inclusive of any changes made through public review) by the City Council. Once the Commission approves the Resolution, the documents will be forwarded to the City Council for adoption. This process is scheduled to occur during Summer 2020.

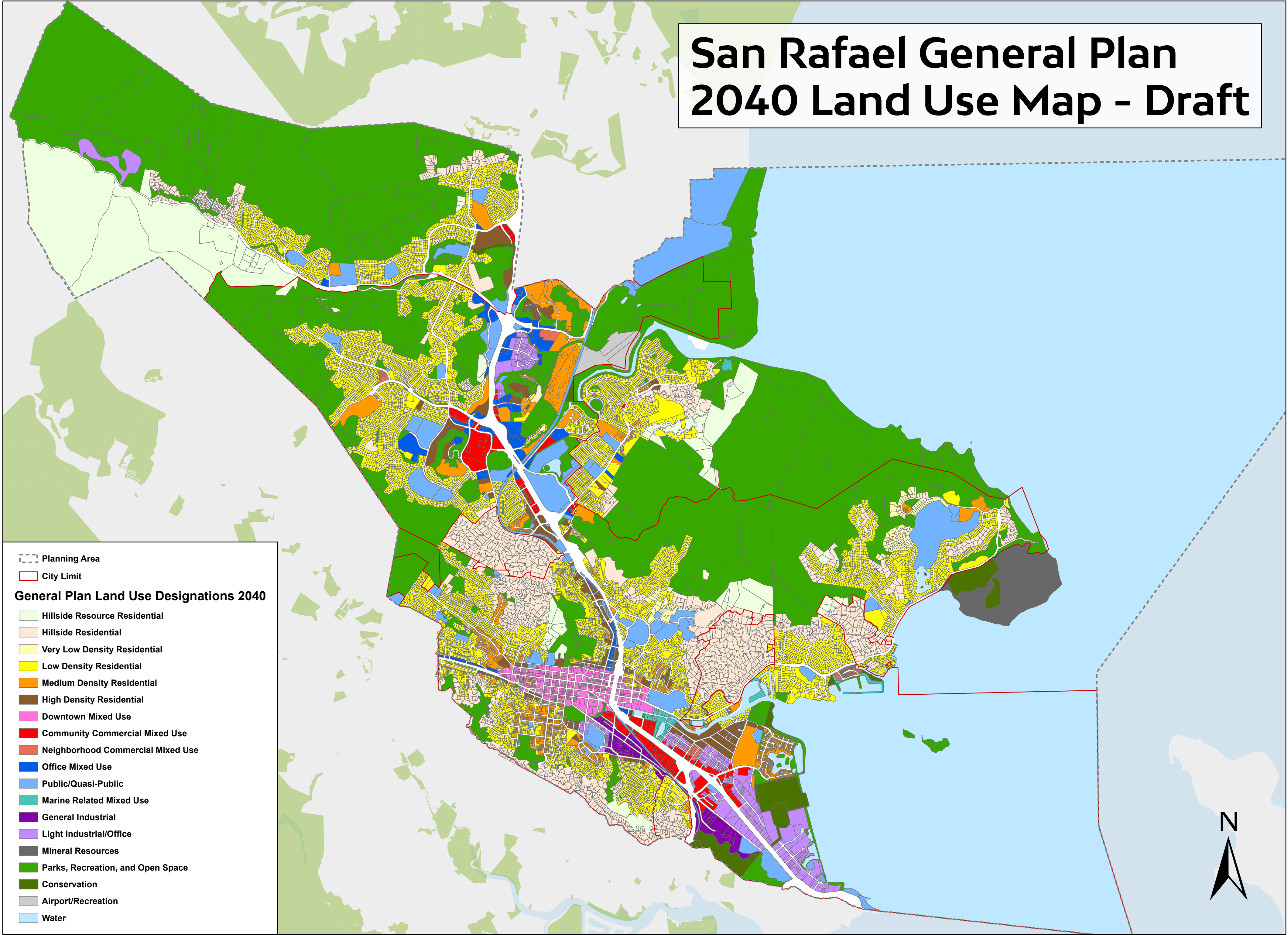
CORRESPONDENCE

No correspondence has been received on this Staff Report.

ATTACHMENTS

- A. Draft General Plan 2040 Map (PDF file designed for large format printing)
- B. Land Use Categories
- C. Summary of Staff-Initiated Changes
- D. Summary of Amendment Requests

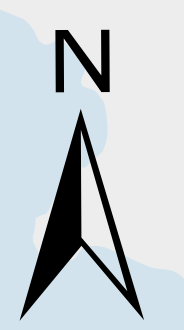
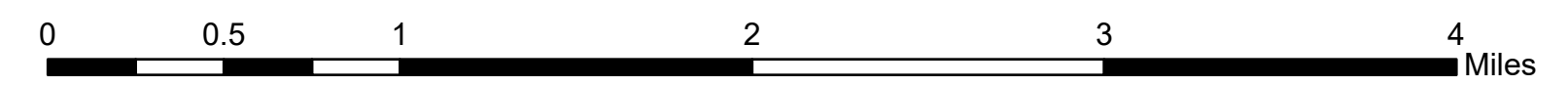
San Rafael General Plan 2040 Land Use Map - Draft



--- Planning Area
--- City Limit

General Plan Land Use Designations 2040

- Hillside Resource Residential
- Hillside Residential
- Very Low Density Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Downtown Mixed Use
- Community Commercial Mixed Use
- Neighborhood Commercial Mixed Use
- Office Mixed Use
- Public/Quasi-Public
- Marine Related Mixed Use
- General Industrial
- Light Industrial/Office
- Mineral Resources
- Parks, Recreation, and Open Space
- Conservation
- Airport/Recreation
- Water



ATTACHMENT B: DRAFT GENERAL PLAN 2040 LAND USE CATEGORIES

RESIDENTIAL CATEGORIES

There are six residential designations used on the General Plan Map. Five of these correspond to traditional residential neighborhoods while the sixth is applied to constrained, mostly undeveloped lands with very limited development potential. In all residential areas, the following general conditions apply:

1. Some of the categories on the General Plan Map have multiple corresponding zoning districts. The designation of an area with a particular category does not mean that the most intense zoning district consistent with that category is automatically permitted.
2. The maximum density stated in each case is subject to State density bonus laws. These laws allow a 35 percent increase in the number of permitted units for projects meeting specific criteria with respect to the inclusion of affordable housing units.
3. Pursuant to state law, accessory dwelling units may not be counted as a dwelling unit when calculating the number of units permitted on a property under the General Plan.
4. Other compatible uses, such as schools, child care centers, parks, and religious facilities, may also locate in areas with this designation, subject to a Floor Area Ratio limit of 1.0.

Hillside Resource Residential (Maximum 0.5 units per net acre)

This designation is intended for privately owned land, typically with geologic or seismic constraints that limit development potential. Such areas are often located on steep hillsides that are visually significant and have been identified as having very limited potential through prior development proposals. Hillside Resource Residential Areas include single family homes on very large acreage tracts, as well as undeveloped properties.

Hillside Residential (0.5 to 2.2 units per net acre)

Hillside Residential areas are residential neighborhoods characterized by moderate to steep slopes, with lots that generally exceed 20,000 square feet. These areas may have geologic and seismic constraints, local visual significance, and access constraints that limit their suitability for development at greater densities. Many of these areas are in unincorporated Marin County, within the San Rafael sphere of influence. Examples include the Country Club and Los Ranchitos neighborhoods.

Very Low Density Residential (0.5 to 2.2 units per net acre)

These areas are similar in density to Hillside Residential areas, but are on flat or gently sloping terrain. Lots are generally larger than 20,000 square feet and are developed with single family detached homes. Subdivision potential is limited. Land with this designation is concentrated in the Dominican area and Peacock Gap.

Low Density Residential (2.2 to 8.7 units/net acre)

This designation permits detached single family homes and is characterized by lots of 5,000 to 20,000 square feet. This is the predominant residential development type in San Rafael and includes most of the city's single family neighborhoods. Multiple zoning districts apply within Low Density Residential areas, distinguishing areas with different minimum lot sizes.

Medium Density Residential (8.7-21.8 units/net acre)

This designation applies to patio home and small lot subdivisions, townhomes, mobile home parks, duplexes, triplexes, fourplexes, attached units in planned developments, and areas characterized by a mix of single family homes and small multi-unit buildings. A variety of lot sizes may be present, but overall net densities may not exceed one unit per 2,000 square feet of lot area (21.8 units/acre). Many areas with this designation possess the qualities of single family neighborhoods, including landscaped yards, off-street parking, and low building heights.

High Density Residential (21.8-43.6 units/net acre)

This is the highest density category that applies in residential areas. Densities above this range may be permitted in the Downtown Mixed Use area only, or where otherwise allowed as a result of density bonuses. The designation applies to multi-family residential areas and includes a mix of housing types, including apartments, flats, condominiums, and townhomes. Overall net densities may not exceed one unit per 1,000 square feet of lot area (43.6 units per acre). On larger parcels with this designation, amenities such as swimming pools, community rooms, and common open space are often included.

MIXED USE CATEGORIES

There are five mixed use categories on the map. Each category allows a mix of residential and non-residential uses, although the primary intent is to support employment and revenue generating activities. Residential uses in these areas may be subject to specific requirements or findings related to compatibility with adjacent commercial uses and the City's desire to sustain retail, service, office, and similar economically-productive uses. Multiple zoning districts may be used in each category to differentiate the intensity or mix of activities allowed. The most intense zoning district deemed consistent with a given category is not automatically permitted. As in residential areas, projects incorporating affordable housing are subject to a State density bonus allowance of up to 35 percent. Other compatible uses, such as schools, child care centers, parks, and religious facilities, may locate in each designation, subject to specific requirements codified through zoning.

Downtown Mixed Use (Maximum FAR 2.0)

This category corresponds to properties in Downtown San Rafael. It includes the highest development densities and intensities in the city, and contains a mix of housing, office, retail, service, and public land uses. Development in this area is guided by the Downtown San Rafael Precise Plan, which includes further detail on building form, development intensity, and allowable uses. The maximum FAR of 2.0 applies only where shown in the Downtown Precise Plan; lower FAR and density limits apply on most parcels within the Precise Plan boundaries. There is no residential density limit in the Downtown Mixed Use area; however, height and FAR limits define the maximum building envelope on each site with this designation. Moreover, the total number of net new residential units added within the Downtown Precise Plan boundary between 2020 and 2040 shall not exceed 2,200.

Community Commercial Mixed Use (21.8-43.6 units/net acre; maximum non-residential FAR 0.30)

This category corresponds to general retail and service uses, restaurants, automobile sales and service uses, hotels/ motels, and other commercial activities. Offices are also permitted, subject to General Plan policies regarding priority uses in specific areas. Housing is also permitted, ideally as ancillary to commercial uses and other activities generating sales tax, jobs, and local service opportunities. Mixed use projects that combine housing and commercial uses are encouraged. Residential development is subject to a maximum net density of 43.6 units per acre, as well as General Plan policies that may

further guide the use of key opportunity sites or corridors. The FAR limit of 0.3 applies to non-residential square footage only, and excludes square footage associated with housing in mixed use projects. Lower FAR limits may apply on some parcels, as indicated on Figures # and # (Floor Area Ratio maps). Areas with this designation include the Northgate Town Center, Merrydale Road area, and portions of Francisco Boulevard East and West.

Neighborhood Commercial Mixed Use (8.7 to 24.2 units/net acre; maximum non-residential FAR 0.32)

This category corresponds to neighborhood-serving retail and service uses such as pharmacies, supermarkets, and dry cleaners. Residential and ancillary office uses are allowed, subject to policies in the General Plan and zoning standards establishing the conditions for these uses. A maximum net density of 24.2 units per acre applies to projects that include residential uses. The FAR limit of 0.32 applies to non-residential square footage only, and excludes square footage associated with housing in mixed use projects. Lower FAR limits may apply on some parcels, as indicated on Figures # and # (Floor Area Ratio maps). Areas with this designation include small neighborhood shopping centers, and pockets of local retailers, the Regency Theater, and the B Street corridor south of Downtown.

Office Mixed Use (21.8-43.6 units/net acre; maximum non-residential FAR 0.40)

This category corresponds to areas where office is the prevailing land use. Typical activities include general offices, medical and professional offices, and administrative or headquarters offices. Different zoning districts have been developed to reflect the specific combinations of uses that are desired in each area. These include office-residential areas and office-retail areas, as well as a general office district. Residential uses are allowed in all of these areas, subject to specific zoning standards and permitting requirements as well as policies in the General Plan. A maximum net density of 43.6 units per acre applies to projects that include residential uses. The non-residential portion of such properties is subject to an FAR limit of 0.4. Lower FAR limits may apply on some parcels, as indicated on Figures # and # (Floor Area Ratio maps).

Marine Related Mixed Use (8.7 to 21.8 units/net acre; maximum non-residential FAR 0.32)

This category includes water dependent businesses such as boat building; boat repair, sales and service uses; and boat charter services. Other uses that draw people to the waterfront are allowed, including shopping centers, restaurants, hotels/ motels; retail and parks. Residential use and non-marine related office is allowed on the second floor and above. Where residential uses are included, they are subject to a maximum density of 21.8 units per net acre. The non-residential square footage on any given site is subject to a FAR limit of 0.32. Lower FAR limits may apply on some parcels, as indicated on Figures # and # (Floor Area Ratio maps).

INDUSTRIAL CATEGORIES

There are two industrial categories on the General Plan Map. Residential uses are generally not permitted in these areas, so a density standard is not included.

General Industrial (Maximum FAR 0.33)

This is the broader of the two industrial categories, with a variety of production, distribution, and repair uses allowed. These areas play an essential role in the Marin County economy, create local jobs, and provide a high volume of tax revenue for San Rafael. General Industrial areas include activities such as manufacturing, storage and warehouse facilities, motor vehicle service and repair, contractor uses and yards, wholesalers, sand and gravel plants, solid waste management and recycling facilities, and trucking

yards or terminals. Uses that are incidental or ancillary to these activities also may occur, including offices related to the primary use and employee-oriented retail uses. Given the potentially impactful nature of these uses, buffering and screening may be required to enhance public rights of way and ensure land use compatibility. A maximum FAR of 0.33 applies, although lower limits may apply on some parcels as indicated on Figures # and # (Floor Area Ratio maps).

Light Industrial/Office (Maximum FAR 0.38)

Like the General Industrial areas, the Light Industrial/ Office (LI/O) areas are characterized by a variety of production, distribution, and repair activities. However, the range of industrial uses is more limited than in General Industrial areas, reflecting the design of these areas as business parks or their proximity to more sensitive uses such as housing. Typical uses include repair and servicing, “maker” activities (woodworking and carpentry shops, creative businesses, etc.), research and development, e-commerce activities, light manufacturing, and tech-related activities. On sites larger than 10 acres with this designation, and in buildings of 50,000 square feet or greater, region-serving specialty retail uses (including “big box” type uses) may be appropriate. Other specialty retail uses may be allowed to occupy minor portions of the LI/O districts provided that intensity and traffic standards are met and the integrity of the district is not threatened. LI/O districts are subject to a maximum FAR of 0.38, although lower limits may apply on some parcels as indicated on Figures # and # (Floor Area Ratio maps). Multiple zoning districts apply within LI/O areas. At least one of these districts, mapped in the Lindaro Street/ Jordan Road area, includes allowances for live-work development.

PUBLIC, OPEN SPACE, AND MISCELLANEOUS CATEGORIES

Public/ Quasi Public (Maximum FAR 1.0)

This designation denotes public schools, libraries, post offices, churches, public hospitals, and institutional facilities such as Dominican University and Marin Academy. It also is applied to major utility properties and public facilities. The maximum FAR is 1.0, although this level of intensity is not appropriate in all instances. Additionally, exemptions from development standards may be granted if findings are made that a higher FAR is necessary for public health or safety purposes. While housing is not envisioned on land with this designation, it may be acceptable in circumstances prescribed by the General Plan or zoning regulations. In such instances, net densities should be compatible with prevailing allowable densities in the vicinity and existing improved open space should be retained for public use.

Mineral Resources (Maximum FAR 0.02)

This designation applies to quarry and brick yard uses which utilize mineral resources of regional significance. It applies only to the San Rafael Rock Quarry and McNear Brick and Block properties on the San Pedro Peninsula. Future activities on these lands are subject to further policy guidance as provided by the General Plan.

Parks, Recreation, and Open Space

This designation denotes land which is used for parks, recreation, and open space (PROS), including City parks, County and State Parks, common open space within private development, cemeteries, and areas acquired for resource conservation, hazard reduction, and passive recreation such as hiking. Permitted uses include athletic fields, sports facilities, civic buildings with a primarily recreational or social function, and leisure-oriented uses such as picnic areas, boat slips, and tot lots. Land with this designation is further classified in the PROS Element of the General Plan as “improved” or “natural.”

Conservation

This designation denotes land which is to remain undeveloped due to high environmental sensitivity, exceptional visual resource value, or hazards such as wildfire, slope instability, and flooding, including inundation related to sea level rise. Areas with this designation include a combination of privately owned properties and areas owned by utilities and conservation groups. On private properties, this designation is generally applied to the portion of the site that has been determined to be undevelopable due to the factors listed above. The primary objective in Conservation areas is to manage and restore natural resources, and to minimize environmental hazards and associated threats to life and property. Where appropriate, compatible activities such as agriculture and recreation may be considered.

Airport/Recreation

This designation applies to the San Rafael Airport. Land uses are governed by a covenant agreed to by the City, Marin County, and the property owner. The agreement recognizes the unique and valuable recreational and environmental characteristics of the airport site and identifies a limited range of uses including airport and ancillary airport services, light industry, utilities, and private and public recreation.

Water

This designation applies to the navigable waters of San Francisco and San Pablo Bays, the San Rafael Canal, and associated marinas along the San Rafael shoreline. The designation provides an opportunity for a limited number of water dependent uses which require water access as a central element of their function and which contribute to the maritime character of the area.

Undesignated Areas

“Undesignated” areas include street rights-of-way and State property associated with US Highway 101 and Interstate 580. In the event that such land is leased or otherwise used for purposes other than transportation, the activities should be consistent with the General Plan designations on adjoining private properties.

ATTACHMENT C: SUMMARY OF STAFF-INITIATED GENERAL PLAN 2040 MAP CHANGES

ID	Location	2020 Plan	2040 Plan	Discussion
CATEGORY 1: SCRIVENER'S ERRORS				
1	999 Las Pavadas (APN 175-171-01)	Park	Low Density Res	Hillview Park was digitized on wrong parcel
2	40 Elena Circle (APN 175-311-24)	Park	Low Density Res	Arbor Park was digitized on wrong parcel
3	Vacant lot at end of Meadow Dr in uninc. Santa Venetia (APN 180-131-10)	High Density Res	Park/OpenSpace	Unimproved lot at the entrance to Santa Margarita Island preserve. Publicly owned open space and part of the park.
4	15 Harbor St (APN 014-182-10)	2/3 MU	Marine-Related Mixed Use	This is a waterfront restaurant and bar (Pier 15) in the Canal Area that was incorrectly digitized with one of the Downtown land use categories.
5	635 Adrian Way (APN 180-053-23)	Park	Public/ Quasi-Public	The parcel contains the Korean Presbyterian Church and is incorrectly shown as "Park" (the site is between two mini-parks in Santa Venetia)
6	Cresta Dr (Deer Valley) APN 155-280-09	Undesignated	High Density Residential	This is a small parcel in the Deer Valley area developed with multi-family housing that has no designation.
CATEGORY 2: EXPANDED PUBLIC/QUASI-PUBLIC DESIGNATIONS				
7	All San Rafael City Schools All Miller Creek Schools	Mostly Low Density Residential	Public/ Quasi Public	Properties owned by San Rafael City Schools and the Miller Creek School District are being mapped as Public/ Quasi-Public to reflect their ownership and use.
8	Marin County Sheriff's Office at 1600 Los Gamos (APN 165-220-11 and 165-220-10)	Office	Public/ Quasi Public	The 1600 Los Gamos building is owned and operated by the County of Marin for law enforcement, fire protection, and public safety services.
9	San Rafael Public Works Center. 111 Morphew (APN 009-430-01)	Light Industrial/Office	Public/ Quasi Public	Property is owned and operated by the City of San Rafael as the Public Works Center.
10	Fire Station 53 – 30 Joseph Ct (APN 151-081-088)	Light Industrial/Office	Public/ Quasi Public	Other fire stations are similarly designated Public/ Quasi-Public
11	1618 Fifth Av: Marin Academy (APN 011-154-01)	Medium Density Residential	Public/ Quasi Public	Other Marin Academy parcels are designated PQP. This parcel was acquired and developed with academic facilities.
12	925 Belle Av - Marin Tennis Club (APN 015-101-10)	Low Density Residential	Public/ Quasi Public	Similar facilities (such as the San Rafael Raquet Club and Peacock Gap Golf Course) have a PQP designation.

ID	Location	2020 Plan	2040 Plan	Discussion
13	Smith Ranch Rd Park and Ride Lot (APN 155-121-01)	Undesignated	Public/ Quasi Public	Large surface park and ride lot, separate and distinct from the Highway corridor properties
14	Fifteen Caltrans-owned parcels on the east side of Brookdale Ave (APNs 011-075-05 to -08 and 011-094-01 to -11)	Medium Density Residential	Public/ Quasi Public	This strip of formerly residentially-designated lots facing Brookdale Avenue is now owned by Caltrans. It is separated from US 101 by the SMART right-of-way.
15	NW corner of Lucas Valley Road and US 101 (APN 164-270-04)	Hillside Residential	Public/ Quasi Public	9.36 acre parcel created when the Daphne property was subdivided. This portion was deeded to Caltrans.
16	Water tank and adjacent public open space at Ridgewood Dr and Oakwood Dr (Sun Valley) (APNs 010-011-02, 010-081-07, 0100081-25, 010-081-26)	Hillside Residential	Public/ Quasi Public	Four parcels owned by MMWD, including a large water storage tank.
CATEGORY 3: EXPANDED PARK AND OPEN SPACE DESIGNATIONS				
17	Lagoon Park (APN 179-270-12) – Civic Center area	Public/ Quasi-Public	Parks and Open Space	This 10-acre area at the Civic Center, including the lake, island, lawns, paths, playground, fishing pier, and picnic areas, is classified as a park by Marin County Parks.
18	Upper elevations of the Falkirk Mansion tract (APN 011-131-05) – Fairhills area	Public/ Quasi-Public	Parks and Open Space	The Mansion and grounds retain their P/QP designation, However, the undeveloped upper portion of the site is re-designated as Parks and Open Space, similar to Boyd Park.
19	End of Limestone Grade (Marinwood) (APN 164-211-04)	Hillside Resource Residential	Parks and Open Space	12.85 acre parcel in the northern part of Marinwood; now owned by Marinwood CSD and managed as open space.
20	Former Daphne Property (APN 164-270-04) (Marinwood)	Hillside Residential	Parks and Open Space	69.9 acre parcel, formerly part of the Daphne property northwest of the 101/ Lucas Valley interchange in unincorporated Marinwood. Now dedicated as open space.
21	Heron Hill (APN 180-231-05, -06, -07, -09, and 180-291-04) – east of Santa Venetia	Hillside Residential	Parks and Open Space	This 16-acre area on North San Pedro Road was recently acquired by Marin County Parks.
22	Bucks Landing (APN 180-171011, 186-010-20) – east of Santa Venetia	Hillside Resource Residential	Parks and Open Space	This 32.1-acre area at the gateway to China Camp State Park was recently acquired by Marin County Parks.

ID	Location	2020 Plan	2040 Plan	Discussion
23	Sterling Way (155-050-53) – end of Professional Center Parkway	Public/ Quasi-Public	Parks and Open Space	When Professional Center Parkway was extended (as Sterling Way), this parcel had a PQP designation. The portion of the parcel not occupied by the street is now permanent open space.
24	Loch Lomond Highlands Open Space (APN 186-520-19)	Hillside Resource Residential	Parks and Open Space	This is a 45.73-acre open space preserve owned and managed by the Loch Lomond Highlands HOA.
25	Loch Lomond “Marina Green” (fragment of APNs 016-070-09 and 016-070-018)	Marine Related Commercial	Parks and Open Space	This designation applies only to the portions of the Loch Lomond Marina development that have been developed as parkland, including the Marina Green and playground areas.
26	Oakwood Unit 2 (APN 012-320-09 and -10) – end of Greenwood Ave (Gerstle Pk)	Hillside Residential	Parks and Open Space	Reflects recent dedication of two parcels as open space
27	Mt Olivet Cemetery (APN 175-250-15)	Public/ Quasi-Public	Parks and Open Space	Cemeteries function as an extension of the open space network
28	Mt Tam Cemetery (APN 177-240-03)	Public/ Quasi-Public	Parks and Open Space	Cemeteries function as an extension of the open space network
CATEGORY 4: AMENDMENTS TO REFLECT EXISTING OR RECENTLY APPROVED USES				
29	“33 North” (APN 179-511-01) apartments at 33 San Pablo Av (Civic Center area)	Office	High Density Residential	This is a multi-family apartment building on a former office building site. Although the use is permitted under the Office designation, High Density Residential is a better fit.
30	Anise Turina House Apartments (APN 180-1467-31) – 28 apartments on a 0.85 acre site on N. San Pedro Road at LaBrea in unincorporated Santa Venetia	Low Density Residential	High Density Residential	Although the County Plan showed this as a multi-family site, the City’s plan shows it as a low density site. It has been developed with apartments and is being corrected here.
31	Adrian Terrace (APNs 180-530-01 through -22, and 180-530-24 through -33) – 32 small lot single family homes	High Density Residential	Medium Density Residential	The actual use of the site is a small lot single family home development at 11 units per acre. This is located in unincorporated Santa Venetia on North San Pedro Road.

ID	Location	2020 Plan	2040 Plan	Discussion
32	Maria B Freitas Senior Housing (APN 175-181-28) at 455 Freitas Parkway	Low Density Residential	High Density Residential	Change reflects existing use, which is a high-density apartment complex serving lower income seniors
33	Partridge Drive/Partridge Court subdivision in the Peacock Gap area (APNs 186-540-01 to -51)	Hillside Residential	Low Density Residential	Change reflects existing density, which is 6 units per net acre. The current designation allows a maximum density of 2 units per acre. The common area is designated as Open Space.
34	Vista Marin Drive (APN 180-540-01 to -21 and 180-550-01 to -28) - single family homes	Hillside Residential	Low Density Residential	Change reflects existing density, which is 8.4 units per net acre. The current designation allows a maximum density of 2 units per acre. The common area is designated as Open Space.
35	The Oaks (APN 164-270-05) - Approved 126 unit assisted living facility in unincorporated Marinwood	Hillside Residential	High Density Residential	Site approved for assisted living by the County of Marin. The designation only applies to the parcel where the facility will be built—the adjacent land is re-designated open space (see #20).
36	Homeward Bound/ 190 Mill St (APN 014-192-12 and -13) in the Canal area	Light Industrial-Office	High Density Residential	Change accommodates the proposed development of 32 units of supportive housing and counseling/ admin services
CATEGORY 5: FINE-TUNING OF EDGES				
37	257 Glen Park (APN 015-021-34) in Dominican Area. Zoned duplex res.	Low Density Residential	Medium Density Residential	Fine tunes the boundary between Low and Medium Density Residential to acknowledge existing multi-unit RD zoned bldg.
38	235 Union (APN 014-024-15) in Montecito – rear portion of lot only	Medium Density Residential	Low Density Residential	Splits the GP designation on a through-lot between Union and Ridge so that the Ridge frontage stays Low Density, consistent with the other lots on Ridge Av. Matches existing zoning.
39	445 Francisco Blvd E (APN 014-133-12 and 014-152-18) – Toyota of Marin	Marine-Related Commercial	General Commercial	Change reflects existing use and longer-term opportunity for a broader range of uses of this site
40	#20, 30, 34, 44 Roberts Av; #10 Glen Av, #211 Picnic in the Picnic Valley area (APNs 013-101-09, 013-122-07 to -10, 013-122-02)	Medium Density Residential	Low Density Residential	Splits the GP designation on the block to match existing zoning and land uses and retain the Roberts Av frontage as Low Density Residential. Multi-family uses on Picnic Av are not impacted.

ID	Location	2020 Plan	2040 Plan	Discussion
CATEGORY 6: REDUCTIONS IN ALLOWABLE DENSITY				
41	54 Elda Drive (APN 175-082-21) in Terra Linda	Low Density Residential	Hillside Residential	Constrained 5.05-acre hillside parcel developed with a single family home, currently zoned R-20, with average slope of 40%. Better suited as Hillside Residential.
42	28 Sirard Lane (APN 010-052-01) in Sun Valley	Low Density Residential	Hillside Residential	Constrained 1.41-acre hillside parcel developed with a single family home, zoned PD, with an average slope of 30%. Better suited as Hillside Residential.
CATEGORY 7: CIVIC CENTER STATION AREA PLAN				
43	380 Merrydale and 401 Merrydale, near Civic Center SMART station (APNs 179-041-05, 179-041-22 and -26)	Light Industrial-Office	Office Mixed Use	Public Storage (1.95 ac) and Northgate Security Storage (0.9 ac) self-storage facilities; identified as office/ potential residential sites in the 2012 Station Area Plan.
CATEGORY 8: PRIOR COUNCIL RESOLUTIONS				
44	Resolution 11682 (2004) changed 1540 5 th Avenue (APN 011-195-03) to reflect Marin Academy ownership	Fifth/ Mission Residential Office	Public/ Quasi Public	Parcel no longer exists and is now part of APN 011-195-06. This change already appears on the City's official Map.
45	Resolution 12331 (2007) shows the approved General Plan designations for the Loch Lomond Marina development	Neighborhood Com, Marine Com, Conservation	Neighborhood Com, Marine Com, Conservation	No change. This merely formalizes the previously approved designations.
46	Resolution 12557 (2008) – 226 Magnolia Ave (Dominican Admissions Office)	Large Lot Residential	Public/ Quasi Public	No change. This formalizes the previously approved designation.
47	Resolution 14242 (2016) –Portions of SMART Right of Way and several City/County owned properties	Miscellaneous	Public/ Quasi Public and Parks/ Open Space	This 2016 Resolution acknowledged SMART's ownership of several properties along the rail line, and noted several City and County owned properties as PQP or Open Space.
48	Resolution 14242 (2016) – 1820 Pt San Pedro Road	Open Space	Low Density Residential	Change approved by Council in 2016 to acknowledge that a privately held parcel that had been designated open space.

ATTACHMENT D:

MAP AMENDMENT REQUESTS

APPLICATIONS AND SUPPORTING MATERIALS

1. 3301 Kerner
2. Caltrans (misc. properties)
3. 86 Culloden Park
4. 435 Dubois

Map Amendment Request Application 1:

3301 Kerner Boulevard

Supporting Materials



Application Form

www.sanrafael2040.org

Amendment Name (please create a name for your proposed Amendment):

Kerner Trust

Site Address (if applicable): 3301 Kerner

Parcel Number(s) (if applicable): 008-082-46

Acres or Square Feet of lot area: 39,758; 0.912 Ac.

Existing General Plan designation: Light Industrial/Office Existing Zoning: LC1/O

Proposed General Plan designation (*): General Commercial

CONTACT INFORMATION

Applicant: Dennis Gilardi

Company Name (if applicable): _____

Mailing Address: _____

City: Marlborough

State: CA

ZIP: 93939

Phone: 415-_____

E-mail: _____

AUTHORIZED AGENT

The undersigned hereby certifies that all information submitted with this application is complete and correct to the best of my knowledge:

Print Name: Dennis A. Gilardi Date: 6/30/20

Signature: Dennis A. Gilardi (owner)

SUBMITTAL STANDARDS

Application materials must be submitted in PDF format, with four separate PDFs corresponding to the components identified in the submittal instructions on page 4. Include "General Plan 2040 Map Amendment Application" in the subject line and send to raffi.boloyan@cityofsanrafael.org.

(*) Please click [here](#) to review a list of the proposed General Plan 2040 designations. Choose from the list provided.

DESCRIPTION OF PROPOSED AMENDMENT

Please prepare a brief supplemental report that provides responses to the questions below:

1. Briefly describe the site/ sites under consideration, the current use(s), and the rationale for the General Plan Map change. *Office bldg for up to 160 workers, 80 off street parking spaces. Repurposing bldg would help General Plan goals.*
2. Is there a specific development project anticipated for the site at this time? (If so, a conceptual drawing may be required) *NO*
3. What type of development or activity is ultimately envisioned for the area proposed for the amendment? *remodel interior for housing + programs affordable*
4. Describe the suitability of the area for the proposed designation, considering adjacent land uses, site features and access, and the surrounding development pattern. *Services + programs, including health are in the immediate area - MCC; Ritter*
5. How does your amendment support the policies of the existing General Plan 2020? *Opportunity to provide housing for low income residents*
6. How will your amendment support the Guiding Principles of General Plan 2040? *Housing for low income residents*
7. Please describe, in general terms, the potential impacts of your proposal on:
 - a. The natural environment? *NO change*
 - b. Adjacent properties? *NO change*
 - c. Businesses, residents, or property owners in the vicinity? *NO negative impacts*
8. Describe the availability of infrastructure and public services to serve the type and intensity of uses allowed by the proposed designation. *Existing tr*
9. Are you aware of any opposition to (or support for) your proposed amendment? (please describe)? *NO opposition. Strong support from St. Vincent's, Ritter, Homeward Bound by providing housing*
10. If your proposal has been previously considered, what circumstances have changed to make the proposed amendment appropriate now? *N/A*

If you need assistance responding to the questions above, contact Barry Miller at barry.miller@cityofsanrafael.org

EVALUATION CRITERIA

Each amendment request will be generally evaluated based on:

- The level and diversity of community support
- Compatibility with adjacent uses

Map Amendment Request Application 2:

Caltrans – Misc. Properties

Supporting Materials

DEPARTMENT OF TRANSPORTATION

DISTRICT 4
P.O. BOX 23660, MS 1A
OAKLAND, CA 94623-0660
PHONE (510) 286-5900
FAX (510) 286-6301
TTY 711
www.dot.ca.gov



*Making Conservation
a California Way of Life.*

June 28, 2019

Mr. Raffi Boloyan
Planning Manager
City of San Rafael Community Development
1400 Fifth Avenue
San Rafael, CA 94901

Dear Mr. Boloyan:

On behalf of the State of California Department of Transportation, I support the request to have properties listed in attached application included in the City of San Rafael General Plan 2040.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie McDaniel", with a long horizontal flourish extending to the right.

JULIE MCDANIEL
District Office Chief
R/W Airspace, Utilities and Local Programs

Application Form

Amendment Name (please create a reference name for your amendment):

CALTRANS DIST. 4 Freeway Lease Area (FLA) Parcels

Site Address (if applicable): Numerous-State parcels do not have addresses but locations are indicated on attached list.

Parcel Number(s) (if applicable): N/A (State owned parcels; numbered as FLA numbers as shown on attached list)

Acres or Square Feet of lot area: Various (see attached list)

Existing General Plan designation: None

Existing Zoning: None

Proposed General Plan designation: (see note below) See attached list.

CONTACT INFORMATION

Applicant: Leslie C. Wong, Right of Way Agent

Company Name (if applicable): State of California Department of Transportation (CALTRANS)

Mailing Address: PO Box 23440

City: Oakland State: CA

Zip: 94623-0440

Phone: (510) XXXXXXXXXX

AUTHORIZED AGENT

The undersigned hereby certifies that all information submitted with this application is complete and correct to the best of my knowledge:

Print Name: Julie McDaniel, Dist. Office Chief

Caltrans District 4 Right of Way Airspace, Utilities and Local Programs

Date: 6/28/19

Signature: 

2040 General Plan Map Amendment Request-City of San Rafael

	Area (square feet)	State Assigned Freeway Lease Area (FLA) #	Current use	Proposed use
(DOWNTOWN AREA):				
Under 101 between 3rd & 4th Streets		MRN-101-1A (MRN-101-28)		Downtown San Rafael- Retail Office
Strip providing access alongside P&R to backside of adjoining business		MRN-101-02	unzoned	Community Commercial Mixed Use
2nd/Irwin		MRN-101-16 A&B	unzoned	Downtown San Rafael- Heatheron or Retail Office
(NEAR ANDERSON DR. & BELLUM AVE.):				
Bellum at Anderson Drive	24,532 s.f.	MRN-101-06	unzoned	General commercial
Gary Place/Anderson Drive	68,448 s.f.	MRN-101-15	unzoned	General commercial
Old offramp adjacent to Gary Place/Anderson Drive	~22,000 s.f.	(No FLA assigned; adjacent to MRN-101-15)	unzoned	General commercial

Supplemental Questions

Please prepare a brief supplemental report that provides responses to the questions below:

1. Briefly describe the site/ sites under consideration, the current use(s), and the rationale for the General Plan Map change..

Currently the State of California Department of Transportation (CALTRANS) parcels listed are undeveloped (at the most, paved and lit with potentially minimum impact to surrounding areas) and are not in the City General Map plan. The State leases the areas short-term. Temporary uses compatible with these lots are: parking, storage, adjacent commercial business support and other uses that would be compatible with properties nearby. The six parcels identified for which we are requesting inclusion in the General Plan are grouped in two groups: 1) Downtown San Rafael (MRN-101-02, MRN-101-16 A&B, and MRN-101-28); and 2) Areas in and around Anderson Drive and Bellum Avenue (MRN-101-06, MRN-101-15, and a parcel that was the old offramp that adjoins MRN-101-15 to the West).

Current uses are:

MRN-101-02: access to rear of adjoining business

MRN-101-16 A&B: parking for office building

MRN-101-28: parking for French Quarter Property businesses that adjoin lot

MRN-101-06: JR AutoBody-this is the only improved parcel of all listed. Houses an autobody repair/painting business.

Adjacent to 101-06: currently not leased; prior use has been for construction storage and staging for nearby highway or other public projects.

MRN-101-15: staging and storage of construction equipment.

State properties are currently not zoned. This has caused problems in potential tenants not being able to obtain

concurrence from the City on any proposed use to occupy and lease this site.

Including State property in the General Plan will benefit the City of San Rafael in many ways. Specifically:

-provide a tangible reference for the City to use as guidance in determining approvable uses of the parcels

-offer flexibility to the City and prospective tenant in planning use of State sites

-allow for quicker, easier use/occupancy of the site which in turn would help keep the property from becoming blighted

2. Is there a specific development project anticipated for the site at this time? (If so, a conceptual drawing may be required)

The State does not allow development of airspace sites; thus, no specific development project anticipated at the sites at this time.

3. What type of development or activity is ultimately envisioned for the area proposed for the amendment?

The State uses these sites for the public highway system. Per 23 CFR 710.403 (b), the Department must assure that all real property within the boundaries of a federally-aided facility is devoted exclusively to the purposes of that facility and is preserved free of all other public or private alternative uses, unless such alternative uses are permitted by Federal law (including regulations) or the FHWA. An alternative use, whether temporary or permanent, must be in the public interest, consistent with the continued safety, operation and maintenance of the facility, and such use must not impair the highway or interfere with the free and safe flow of traffic.

Streets and Highways (S&H) Code 104.12, "Leasing of Airspace," authorizes the Department of Transportation (Department) to lease airspace above, below and adjacent to State highways to public agencies and private entities in accordance with prescribed CTC procedures.

We may only lease these “airspace” or “Freeway Lease Areas” (FLA) short term and for temporary uses. Uses most compatible have been parking for adjoining businesses or (in the case of the parcels located south of the downtown area), for storage supporting contractors and perhaps card dealerships. At the most, “development” is limited to paving, striping and addition of lighting-all subject to case-by-case evaluation and approval within Caltrans departments. Ultimately, the State envisions the parcels included in the City of San Rafael General Plan with uses congruent with what the City desires, but within the parameters of our leasing abilities.

4. Describe the suitability of the area for the proposed designation, considering adjacent land uses, site features and access, and the surrounding development pattern. ***The State is requesting that the approved uses are in agreement with what the City designations are, considering adjacent land uses and surrounding development pattern, as long as it follows what the State/Federal guidelines allow. The State would like the zoning to compliment City designated uses.***

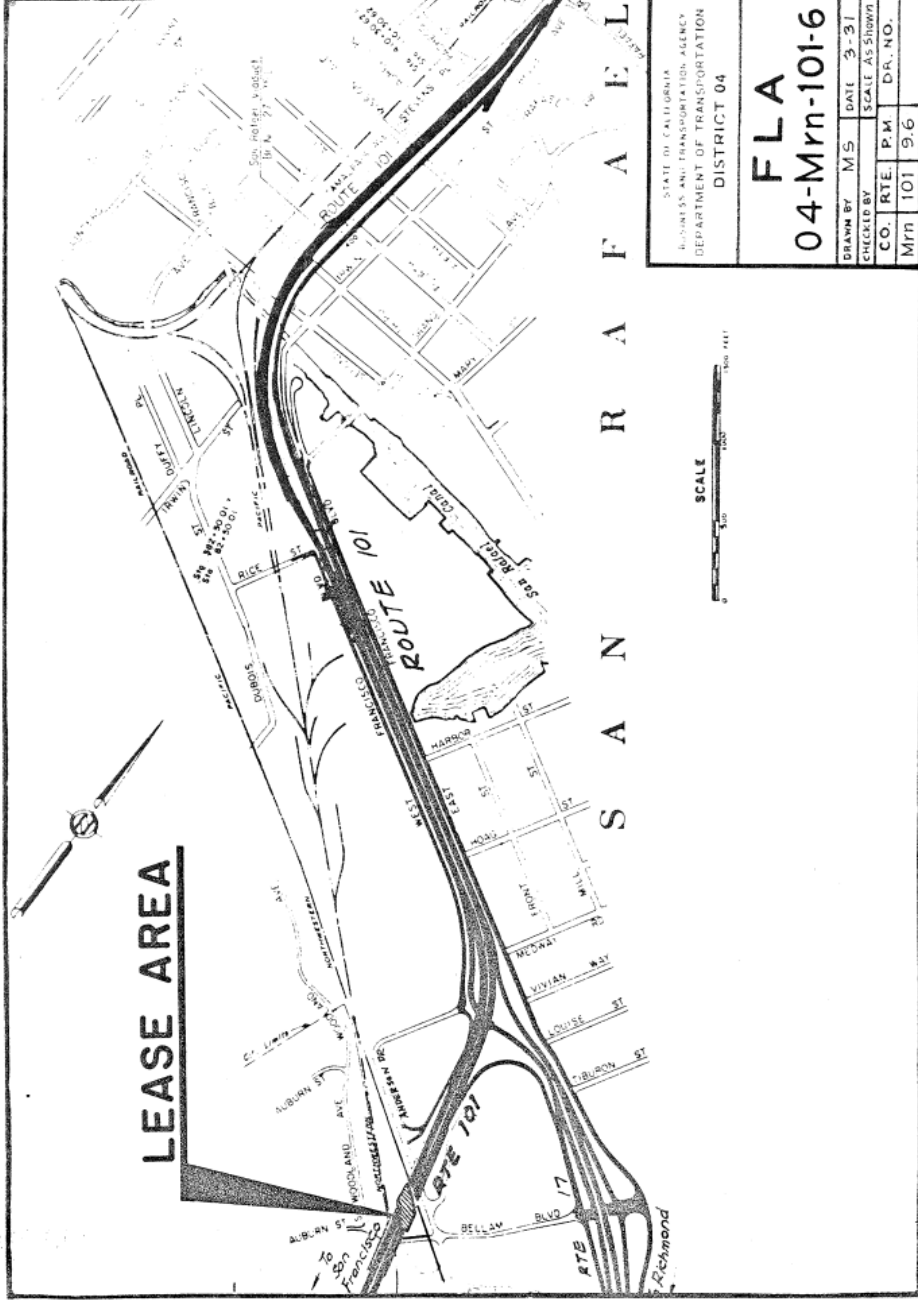
5. How does your amendment support the policies of the existing General Plan 2020 ***The goal of the State is to have the parcels included as part of the General Plan in a matter compatible with existing uses; therefore, the request supports the policies of the existing General Plan as it would allow for better planning for use of the parcels.***

6. How will your amendment support the Guiding Principles of General Plan 2040? ***See #5 above***

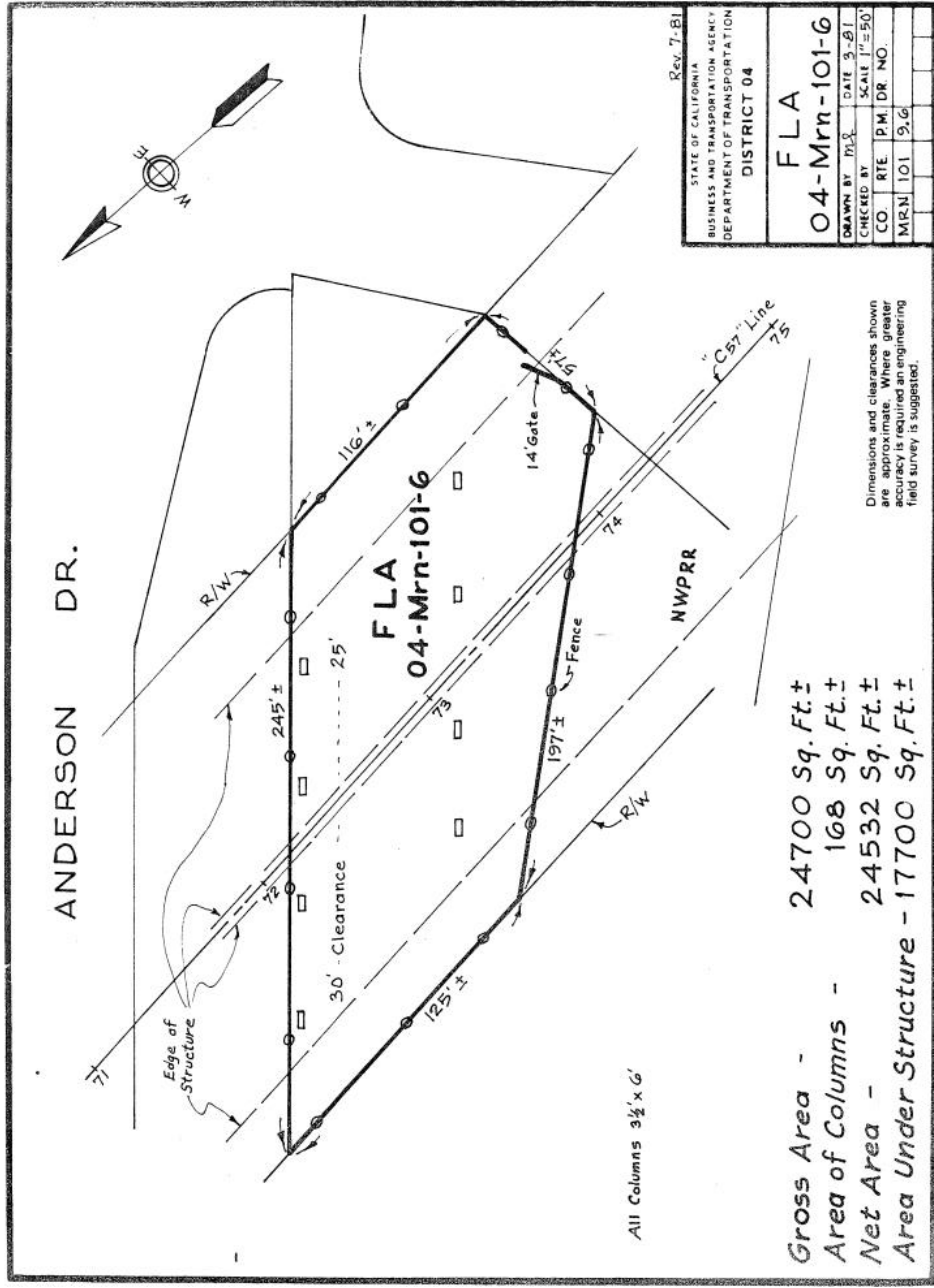
7. Please describe, in general terms, the potential impacts of your proposal on:
 - a. The natural environment? ***N/A***
 - b. Adjacent properties? ***Creating spaces that may be used for additional parking or commercial storage helps to provide acceptable uses compatible with the surrounding area. This would allow the parcels to be occupied which, in turn,***

reduces public dumping and encroachments that can result in blight.

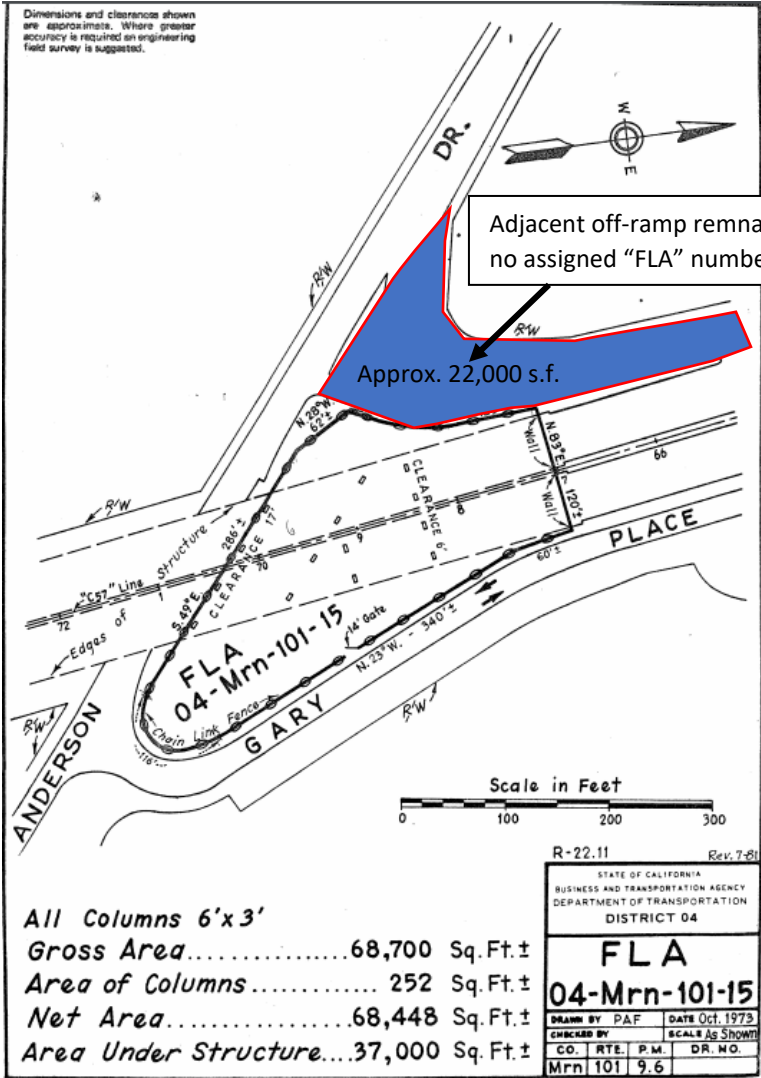
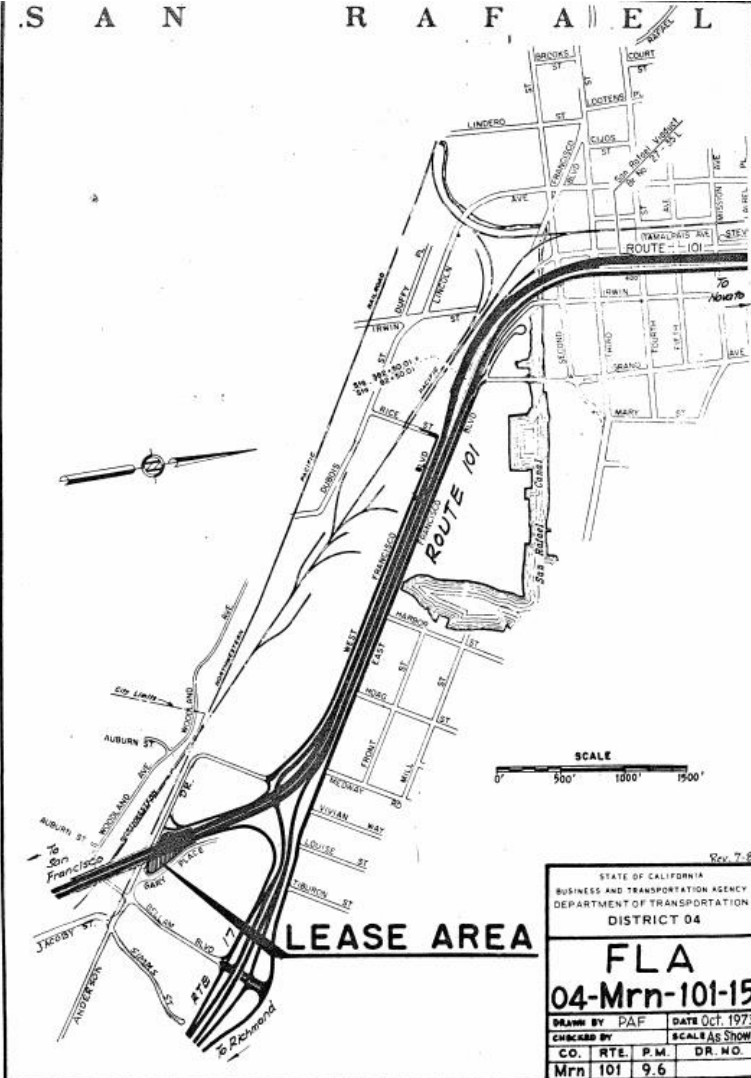
- C. Businesses, residents, or property owners in the vicinity?
Provide extra resources for storage or parking which benefits businesses.
8. Describe the availability of infrastructure and public services to serve the type and intensity of uses allowed by the proposed designation. ***All should be compatible with City desires and State constraints so the State would rely on the City to determine which use is most compatible/complimentary.***
9. Are you aware of any opposition to (or support for) your proposed amendment? (please describe) ? ***In general, support for having the State parcels identified on the General Plan would be from parties who have inquired and wish to utilize or otherwise understand what uses would be acceptable. Existing businesses and entrepreneurs support having information available to them regarding acceptable uses for the area by the City of San Rafael.***
10. If your proposal has been previously considered, what circumstances have changed to make the proposed amendment appropriate now? ***N/A***

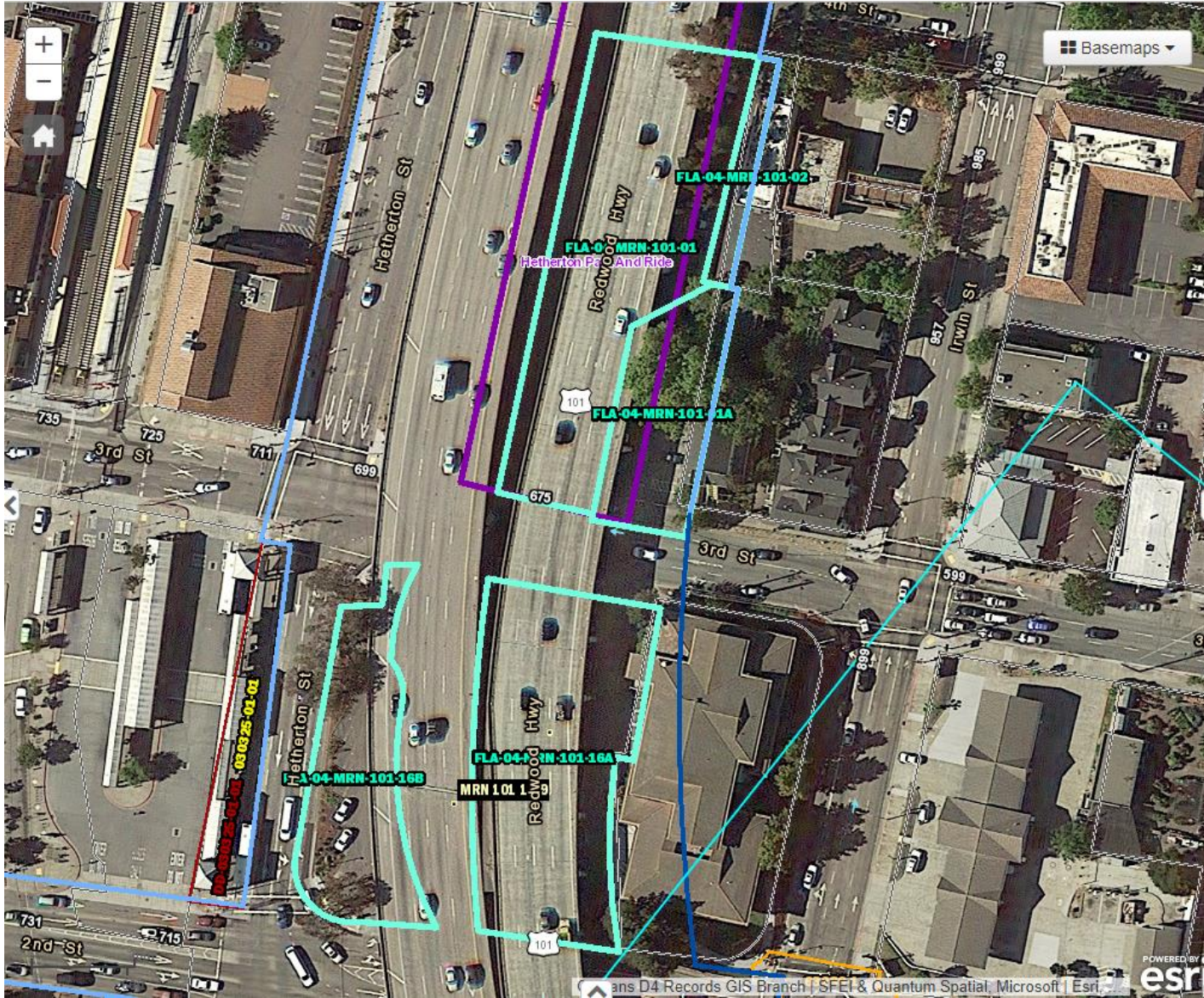


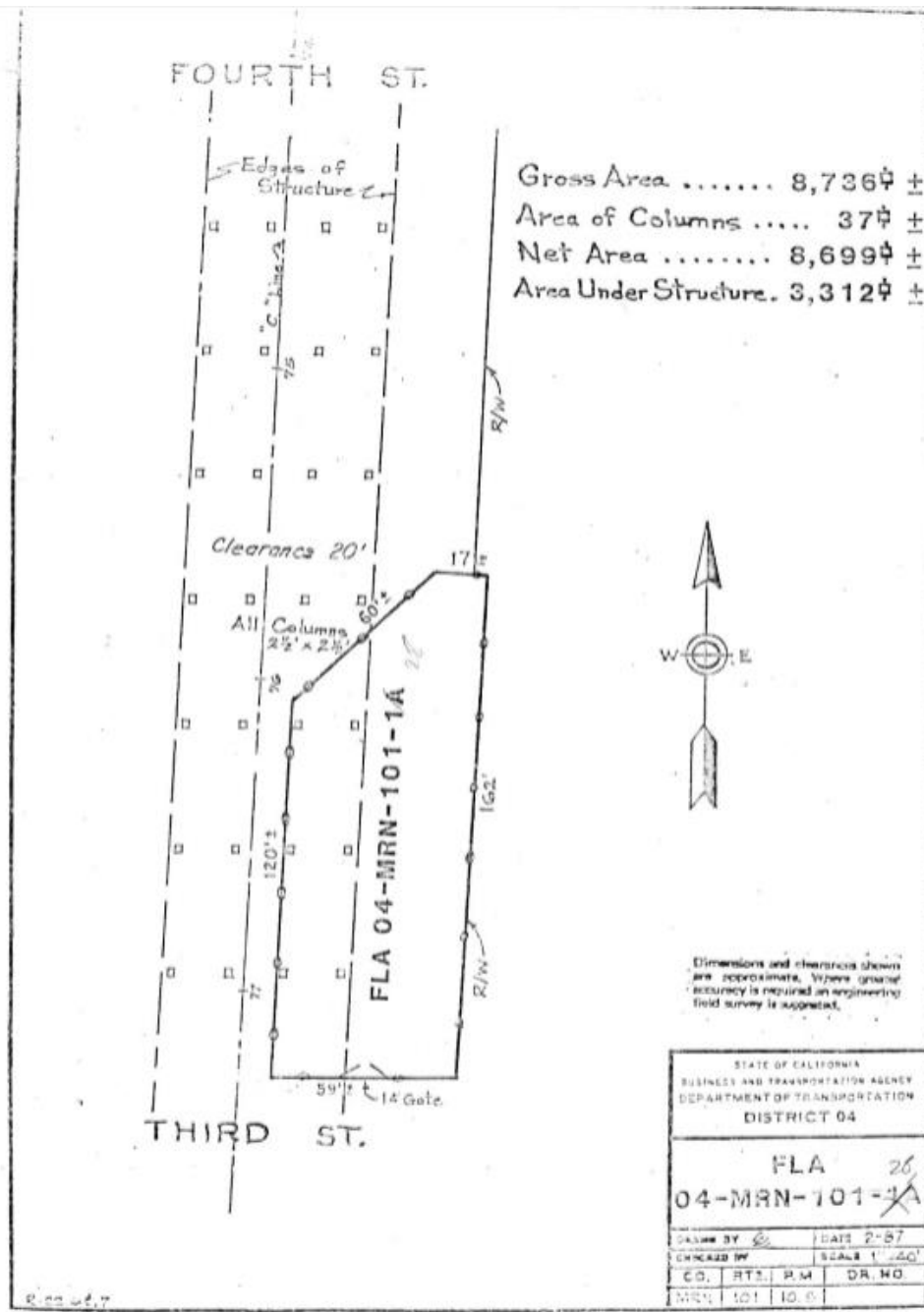
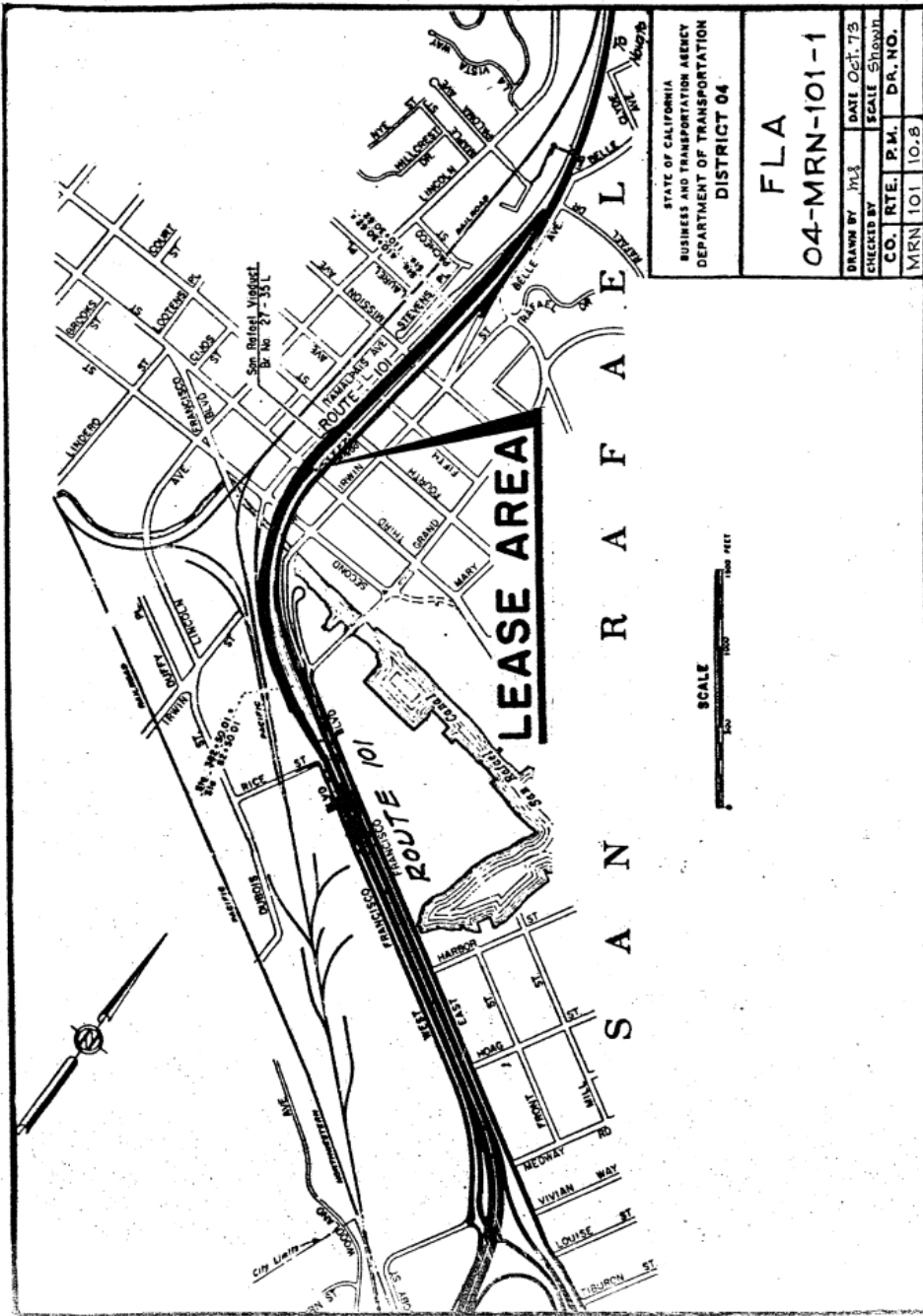
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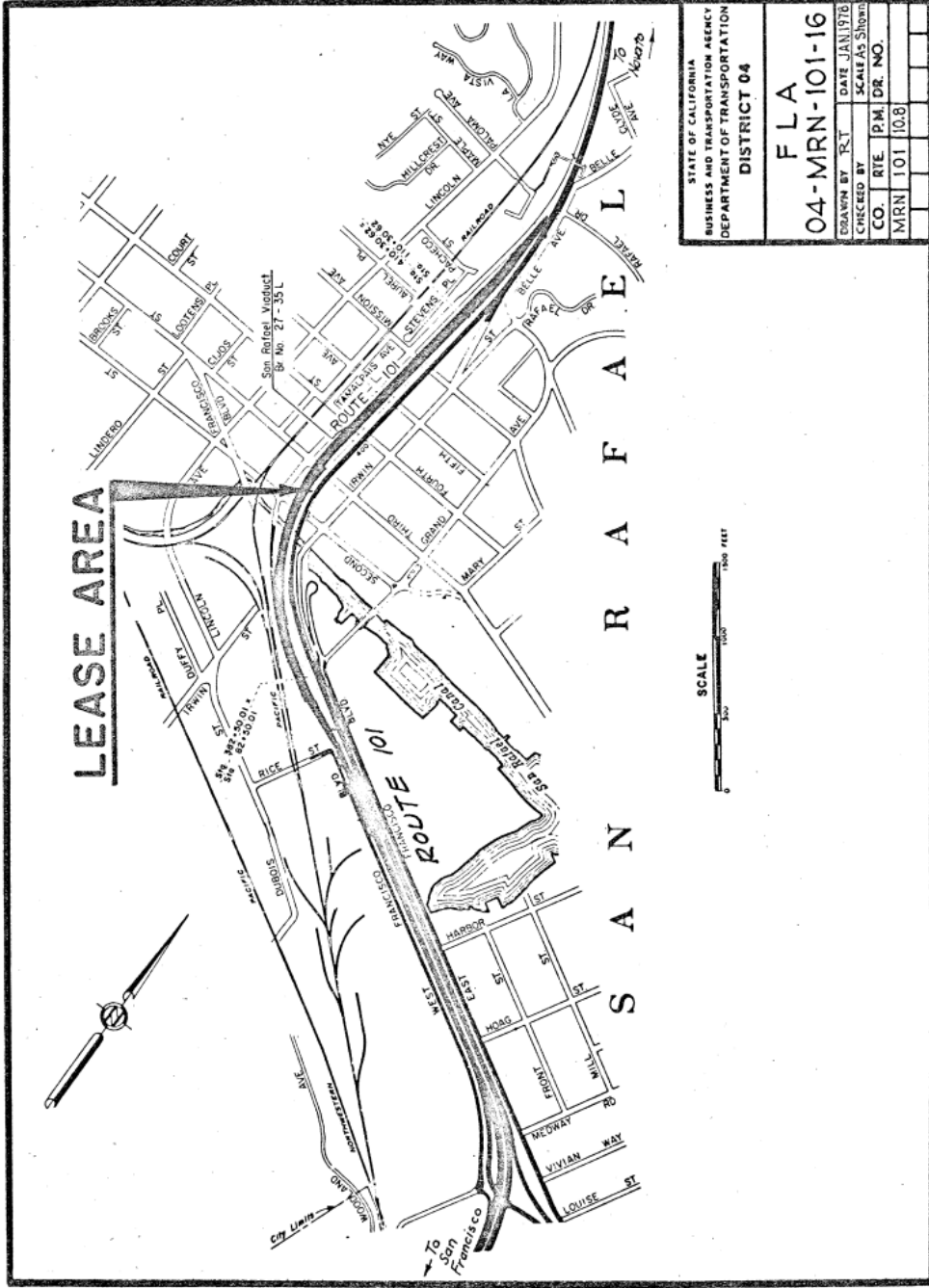


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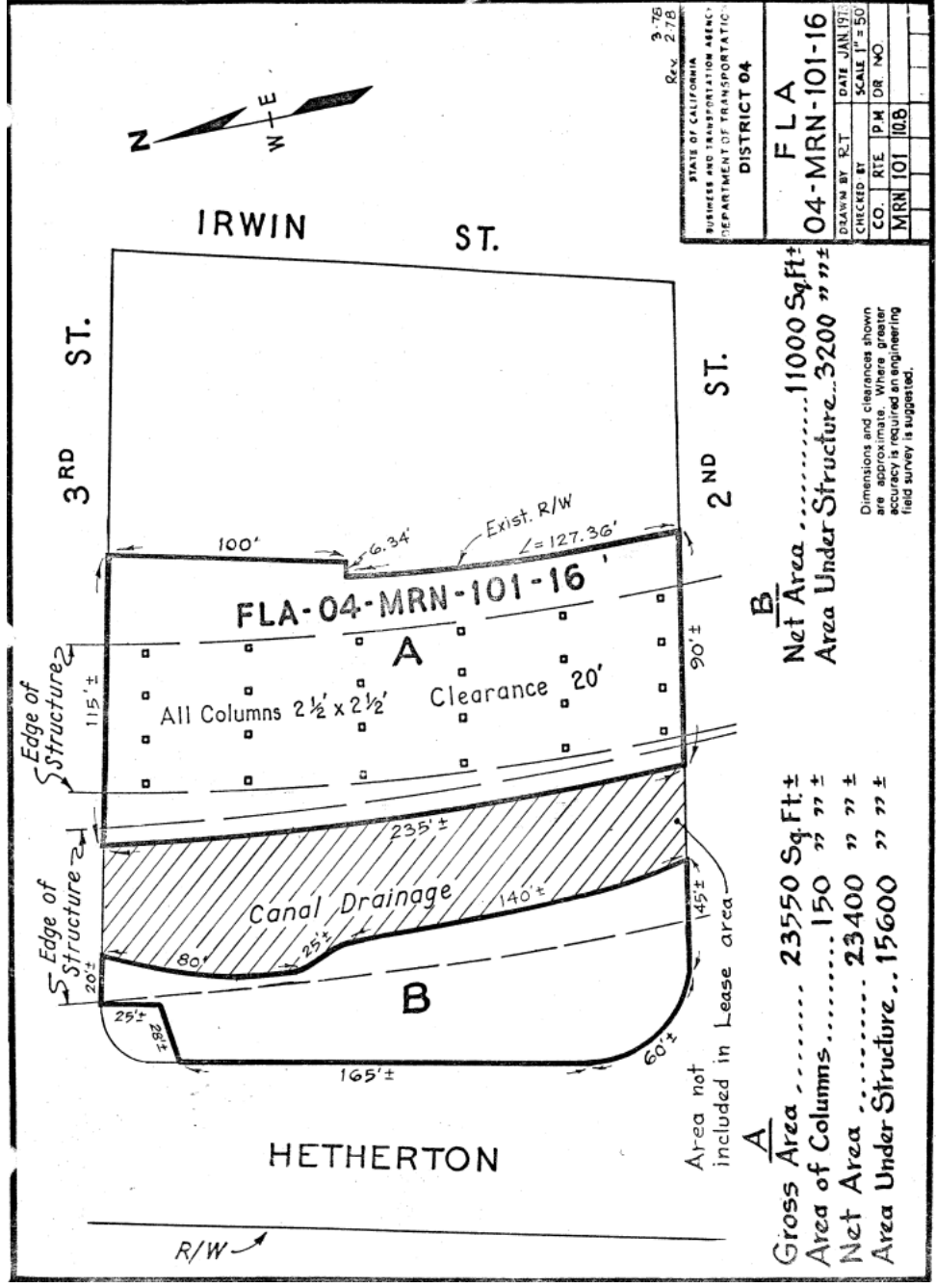








STATE OF CALIFORNIA BUSINESS AND TRANSPORTATION AGENCY DEPARTMENT OF TRANSPORTATION DISTRICT 04	
FLA 04-MRN-101-16	
DRAWN BY R.T.	DATE JAN 1978
CHECKED BY	SCALE AS SHOWN
CO. RTE.	P.M. DR. NO.
MRN 101	10.8



STATE OF CALIFORNIA BUSINESS AND TRANSPORTATION AGENCY DEPARTMENT OF TRANSPORTATION DISTRICT 04	
FLA 04-MRN-101-16	
DRAWN BY R.T.	DATE JAN 1978
CHECKED BY	SCALE 1" = 50'
CO. RTE.	P.M. DR. NO.
MRN 101	10.8

A
 Gross Area 23550 Sq. Ft.±
 Area of Columns 150 " 77 ±
 Net Area 23400 " 77 ±
 Area Under Structure.. 15600 " 77 ±

B
 Net Area 11000 Sq. Ft.±
 Area Under Structure.. 3200 " 77 ±

Dimensions and clearances shown are approximate. Where greater accuracy is required an engineering field survey is suggested.

Map Amendment Request Application 3:

86 Culloden Park

Supporting Materials

June 21, 2019

Mr. Raffi Boloyan
Planning Manager
1400 Fifth Avenue
San Rafael, CA 94901

Dear Mr. Boloyan,

As the owners of several parcels known collectively as 86 Culloden Park Road, San Rafael, we are submitting the attached General plan 2040 Map Amendment Application. We are applying for the amendment to have our property designated under a single land use: Low Density Residential.


The Application includes:

1. The Completed Application form
2. Written narrative responding to the 10 questions accompanying the Form
3. A map of the general vicinity of 86 Culloden Park.
4. Supporting signatures of the owners of the properties, which this letter provides as both the owners have signed below.

As the only owners of these parcels, we are in support of the proposed re-designation, as attached.

Thank you for your time and attention to this matter as you move forward with the 2040 General Plan Update. Please contact us if you have any questions at (415) [REDACTED]

Sincerely,


Andrew Spiegel


Catherine D. Smith



Application Form

www.sanrafael2040.org

Amendment Name (please create a name for your proposed Amendment):

Upper Culloden Park Road Land Use Harmonization

Site Address (if applicable): adjacent to 86 Culloden Park Road

Parcel Number(s) (if applicable): 011-051-31

Acres or Square Feet of lot area: 0.692 acres

Existing General Plan designation: Hillside Residential Existing Zoning: PD 1729 Resource

Proposed General Plan designation (*): Low Density Residential

CONTACT INFORMATION

Applicant: Andrew Spiegel

Company Name (if applicable):

Mailing Address:

City: San Rafael State: CA ZIP: 94901

Phone: (415) E-mail:

AUTHORIZED AGENT

The undersigned hereby certifies that all information submitted with this application is complete and correct to the best of my knowledge:

Print Name: Andrew Spiegel Date: 6/21/19

Signature:

SUBMITTAL STANDARDS

Application materials must be submitted in PDF format, with four separate PDFs corresponding to the components identified in the submittal instructions on page 4. Include "General Plan 2040 Map Amendment Application" in the subject line and send to raffi.boloyan@cityofsanrafael.org.

(* Please click here to review a list of the proposed General Plan 2040 designations. Choose from the list provided.

Supplemental Application Questions
Proposed Land Use Map Amendment
City of San Rafael General Plan 2040
Lands of Andrew Spiegel and Catherine Smith

1. Site Description and Current Use

The site is assessor's parcel number 011-051-31, which contains approximately 0.692 acres. The parcel's land use designation under the City's current General Plan is "Hillside Residential Resource." The parcel does not abut any public or private roadway; it is nestled between the Academy Heights subdivision and homes on Culloden Park Road. The parcel currently has no structures, landscaping, or utility lines; it is wooded and, according to Marin County GIS data, has an overall slope of 24.4%, while still containing a sizable expanse of flat terrain.

The parcel exists only as a tax parcel; it is legally merged with our adjacent property at 86 Culloden Park Road, which comprises APNs 011-115-10, 011-115-28, and 011-115-30, all designated Low Density Residential. As a result, we own a property that is split down the middle between two land uses: APN 011-051-31 is, for the historical reasons outlined in Appendix A below, designated Hillside Residential Resource, despite lacking the very steep slopes or geological properties that typically warrant that designation. We propose that the city apply the Low Density Residential designation to APN 011-051-31, which is not only more appropriate, but would also unify our property under one designation.

2. Current Development Plans

There are no specific plans to develop the site at this time.

3. Eventual Development

The applicants' property, once unified under the Low Density Residential land use designation, could one day support the construction of a second single-family home by the applicant.

4. Suitability for Low Density Residential Development

The property does not have the visual prominence, very steep slopes, or geological properties that are typical of its current designation as Hillside Residential Resource. A large portion of the parcel is flat and would easily accommodate a single-family home,

which is the dominant development pattern in the neighborhood. The slope and elevation of the parcel are comparable to adjacent properties on Culloden Park Road. The parcel is not visible from surrounding properties. In short, the parcel is better suited to the Low Density Residential development pattern of Culloden Park Road than to the Hillside Residential Resource pattern of Academy Heights.

5. Alignment with the General Plan 2020

The General Plan 2020 supports creating new housing while maintaining distinct neighborhood character. When the parcel was separated from Academy Heights and attached to the applicants' existing residence on Culloden Park Road, it effectively became a part of the Culloden Park Road neighborhood, but the land use designation was never changed to reflect this. This amendment would harmonize land use policies across the Culloden Park Road neighborhood. The eventual construction of a single-family home on this parcel would be in keeping with the existing character of the neighborhood, filling a vacant parcel surrounded by (but adequately secluded from) existing homes.

6. Alignment with the General Plan 2040 Guiding Principles

This amendment would support the housing goals of the Guiding Principles by filling in a vacant lot within an existing neighborhood without detriment or disturbance to neighbors. Adding a home in this area would also promote a vibrant downtown, because it would be within walking distance of the rapidly developing West End of Fourth Street. Finally, this amendment would help to end homelessness by ending the parcel's status as a "no man's land," a status that has encouraged homeless residents of San Rafael to camp on it in the past. Removing this "no man's land" would encourage homeless residents to seek out shelters and other services rather than squatting on overgrown private land.

7. Potential Impacts

a. The Natural Environment

The impact on the environment from further development of the applicants' property would be low. There is already a sizable flat expanse suitable for building, so minimal grading would be required to build a foundation. There are no heritage trees on the property that would need to be cleared; any such trees were apparently removed decades before we acquired any property in the area. Today the parcel is wooded mostly with smaller, second-growth bay laurels.

b. Adjacent Properties

The impacts to adjacent properties would be minimal. Most of Culloden Park Road is already designated as Low Density Residential and built out with single-family homes. This proposal would not affect any of the adjacent homes on Culloden Park nor change the street's overall character in any way.

c. Adjacent Property Owners

The topography and wooded character of the parcel would shield any activity from the view of neighbors, and there are no businesses in the area. Driveway access to the property would be over the applicants' own property, and so would not disturb neighbors.

8. Availability of Infrastructure

All utility services would be provided from existing lines in Culloden Park Road. A new driveway from Culloden Park Road is feasible and would be similar in length to the driveways to adjacent properties on the eastern side of Culloden Park Road.

9. Opposition

We are not aware of any existing opposition to this amendment.

10. Previous Consideration

This proposal has not been previously considered.

Appendix A. History of Our Property

The parcel under consideration was historically part of a much larger property owned by the stone quarry that once operated on the hillside behind our home. This property was designated Hillside Residential Resource under the 2020 General Plan. Most of the quarry property was developed as part of the Academy Heights subdivision, but we acquired APN 011-051-31 from the developer in a lot line adjustment (O.R. 2001-37764) prior to the recordation of the final subdivision map (2001 R.M. 126). At the time of the lot line adjustment, we already owned APNs 011-115-10 and 011-115-28, which are not contiguous with each other, and the lot line adjustment fixed this discontinuity by transferring the intervening land to us.

At the time of the lot line adjustment, the developer should have initiated a General Plan land use amendment for the property transferred to us, to reflect that it had been removed from the Academy Heights property and attached to the Culloden Park neighborhood. The developer failed to do this. In 2004, upon adopting its 2020 General Plan, the City partially remedied this discrepancy by re-designating a small portion of the land we acquired in the lot line adjustment (namely APN 011-115-30) as “Low Density Residential” to match our primary residency and the surrounding residences on Culloden Park. But, for reasons that are unclear, a larger portion of these lands (namely APN 011-051-31) retained the “Hillside Residential Resource” designation of the old quarry, with the result that we currently own a single property that is split between two different land uses.

Map Amendment Request Application 4:

435 DuBois

Supporting Materials



June 28, 2019

Raffi Boloyan
Planning Manager, City of San Rafael
1400 5th Avenue
San Rafael, CA 94901

Re: 435 Du Bois Street
San Rafael, CA

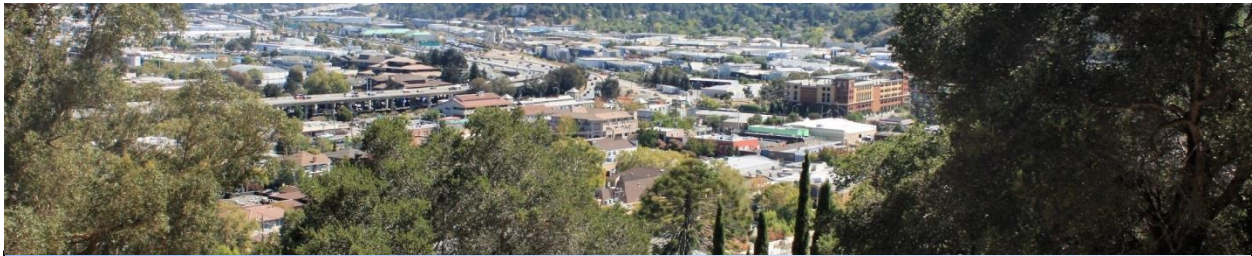
Dear Raffi,

As owner of the property at 435 DuBois Street, San Rafael, I hereby state my support of the proposed map amendment to redesignate the property at 435 DuBois Street to Community Commercial Mixed Use (21.8 - 43.6 units/net acre; maximum FAR 0.3) as detailed in the attached application materials.

Very truly yours,

A handwritten signature in blue ink that reads "Craig M. Young".

Craig M. Young
Managing Principal, Tidewater Capital



Application Form

www.sanrafael2040.org

Amendment Name (please create a name for your proposed Amendment):

DuBois Amendment

Site Address (if applicable): 435 Du Bois Street

Parcel Number(s) (if applicable): 013-094-14

Acres or Square Feet of lot area: 2.66 acres

Existing General Plan designation: Industrial Existing Zoning: Industrial

Proposed General Plan designation (*): Community Commercial Mixed Use

CONTACT INFORMATION

Applicant: TC I 435 Du Bois, LLC

Company Name (if applicable): _____

Mailing Address: [REDACTED]

City: San Francisco State: CA ZIP: 94104

Phone: 415-[REDACTED] E-mail: [REDACTED]

AUTHORIZED AGENT

The undersigned hereby certifies that all information submitted with this application is complete and correct to the best of my knowledge:

Print Name: Craig M. Young Date: 6/28/2019

Signature: *Craig M. Young*

SUBMITTAL STANDARDS

Application materials must be submitted in PDF format, with four separate PDFs corresponding to the components identified in the submittal instructions on page 4. Include "General Plan 2040 Map Amendment Application" in the subject line and send to raffi.boloyan@cityofsanrafael.org.

(*) Please click [here](#) to review a list of the proposed General Plan 2040 designations. Choose from the list provided.

**SAN RAFAEL GENERAL PLAN 2040 MAP AMENDMENT APPLICATION
SUPPLEMENTAL QUESTIONNAIRE
435 DuBois Street**

1. Briefly describe the site/ sites under consideration, the current use(s), and the rationale for the General Plan Map change.

The subject property is an approximately 2.66-acre site, developed with an approximately 50,000 square foot commercial building and surface parking. The structure houses Jackson's Hardware, a local hardware store offering power equipment, paint, outdoor furniture & more, as well as tool rentals.

The applicants are requesting a map change from Industrial to Community Commercial Mixed Use (21.8 – 43.6 units/net acre; maximum FAR 0.3) to facilitate future redevelopment of the site that could accommodate ground floor commercial with residential above. The property is encumbered by a longer-dated lease and the property owners look forward to re-envisioning a future development with Jackson's Hardware, a fixture of the San Rafael community, in mind. The proposed map amendment would allow the owners to accommodate the existing commercial use (or a similar use) at the ground floor with residential use above. Consistent with local, regional and statewide measures to build more housing, this could provide much needed housing to persons who work in the area, while continuing to generate sales tax, provide jobs and local service opportunities.

The subject property is unusually large (the minimum lot size in the Industrial zoning district is 6,000 square feet; the subject property is 2.66 acres, or approximately 115,870 square feet, more than 19 times the minimum lot size), and as such affords great opportunity for redevelopment. The proposed map amendment would facilitate mixed use development on this site, providing a transition from the existing high-density residential development across Woodland Avenue to the surrounding commercial and industrial uses.

2. Is there a specific development project anticipated for the site at this time? (If so, a conceptual drawing may be required).

There is not a specific development project anticipated for the site at this time.

3. What type of development or activity is ultimately envisioned for the area proposed for the amendment?

The property owners envision future use of the property to be a mixed-use development, likely incorporating commercial development on the ground level, with residential use above.

4. Describe the suitability of the area for the proposed designation, considering adjacent land uses, site features and access, and the surrounding development pattern.

The subject property is bound by streets on three sides: Andersen Drive to the north, Woodland Avenue to the south and DuBois Street to the east. The property is transitional in nature, in that it has multi-family residential development located immediately south of it across Woodland Avenue and commercial and industrial uses located to the north, east and west. As such, it provides the perfect opportunity for mixed development, providing a mix of residential and commercial uses to provide a planned transition from residential to commercial and industrial properties.

The unusually large parcel is flat and easily accessed from each of the three streets that border it. It is surrounded by multi-modal transportation opportunities, including pedestrian and bicycle routes as well as its proximity to the nearby Transit Depot and SMART station. All utilities necessary to serve the parcel already exist at this infill location.

5. How does your amendment support the policies of the existing General Plan 2020?

The opening line of San Rafael General Plan 2020 states: *“San Rafael has a long history of city planning...The result is a city in a lovely natural setting, complete with a thriving Downtown and many diverse neighborhoods, each with its own identity and character.”*

The introduction continues: *“Planning is about change: What kind of city will the people who come after us live in? How can San Rafael become a better place? Since the 1960s, three General Plans have guided growth and change in San Rafael. This document replaces these earlier plans and provides guidance towards a horizon year of 2020.”*

As mandated by State law, general plans provide the “blueprint” for how a city will develop. Towards this end, General Plan 2020 identifies seven themes, including the following:

- *Keep San Rafael’s ‘hometown’ character – San Rafael is a place unlike any other, mixing the old and new while retaining a sense of history, providing a comfortable sense of belonging to a special place.*

The proposed land use map amendment would preserve the hometown character of the site by continuing commercial use at the ground floor, while providing housing above. This mimics historic San Rafael where the shopkeeper lived above his ground floor shop. The land is encumbered by a longer-dated lease and the property owners look forward to a future development with Jackson’s Hardware, a fixture of the San Rafael “hometown” community, in mind.

- *Improve the appearance of the neighborhoods – San Rafael is a city of neighborhoods both residential and commercial, and new, attractive and graceful buildings that complement and enhance existing neighborhoods.*

The proposed land use map amendment would provide the opportunity to create new, attractive and graceful development that would complement and enhance the existing surrounding neighborhood. The area is in need of an upgrade, and changing the land use to accommodate housing would provide the incentive to redevelop the aging site.

- *Sustain the diversity of the local economy – The strength of San Rafael’s local economy is its central location as a full service city with a wide range of goods, services, jobs and housing opportunities.*

The proposed land use map amendment would allow continued retail at the ground floor, providing a range of goods, services and jobs and housing above, the perfect solution to sustaining the diversity of San Rafael’s economy.

- *Increase the housing supply – New homes add to the vitality of San Rafael, retain diversity, provide housing for people who work here, reduce traffic, and can best be provided in mixed use commercial and infill areas.*

The proposed land use map amendment will not only facilitate much-needed housing, it will add vitality to the area, providing housing for people who work here and thereby reducing traffic. Incorporating residential uses on this site would be consistent with local, regional and statewide efforts to create more housing.

The following discussion cites specific goals and policies from General Plan 2020, that highlight how the proposed land use map amendment is consistent with General Plan 2020:

GOAL 3: HOUSING NEEDS

It is the goal of San Rafael to have a strong sense of community and responsibility in meeting housing needs. Historically, San Rafael has provided housing of all types to meet the varied needs of its population in settings that enhance the feeling of community.

The proposed land use map amendment will facilitate the development of housing on a mixed-use site. Providing jobs and housing at the same location would enhance the feeling of community.

H-1. Housing Distribution.

Promote the distribution of new and affordable housing of quality construction throughout the city to meet local housing needs.

The proposed land use map amendment would allow the development of work-force housing in an area of the City that is job-rich, but lacks new and affordable housing of quality construction.

H-2. Design That Fits into the Neighborhood Context.

Recognize that construction of new housing and improvements on existing properties can add to the appearance and value of the neighborhood if they fit into the established character of the area. Design new housing, remodels, and additions to be compatible to the surrounding neighborhood. Incorporate transitions in height and setbacks from adjacent properties to respect adjacent development character and privacy. Respect existing landforms and minimize effects on adjacent properties.

The proposed land use map amendment would allow mixed-use development on this unusually large site, retaining the ground floor commercial and introducing residential above. Through the Design Review process, the City would be ensured quality development that compliments and enhances the surrounding neighborhood.

H-6. Funding for Affordable Housing.

Given the loss of Redevelopment funds, combined with reductions in federal housing funding, the City's ability to directly finance affordable housing is significantly diminished. San Rafael's primary tool to support the development of affordable housing is through its Affordable Housing Ordinance, which produces both affordable units and generates in-lieu fees. The City will continue to actively pursue outside funding sources to leverage local funds and maximize assistance. In addition to applying for those funds directly available to municipalities, the City plays an important role in supporting developers to secure outside funds.

Pursuant to the City's Affordable Housing Ordinance, any residential development on the site would be required to provide affordable housing.

GOAL 4: A DIVERSE HOUSING SUPPLY

It is the goal of San Rafael to have an adequate housing supply and mix that matches the needs of people of all ages, income levels, and special requirements. San Rafael has a wide range of housing types. People who work in San Rafael should be able to live here and there should be adequate housing for seniors and very low-income households.

The proposed land use map amendment would facilitate the development of housing that could serve the needs of persons working in the area. This particular area of San Rafael tends to be job-rich but housing poor. Designating the site to allow residential development would be an effort to correct the disparity, which would have the added benefit of alleviating automobile traffic in the area, eliminating commutes for nearby workers.

H-10. Innovative Housing Approaches.

d. Live/Work Housing. This type of housing is intended for a resident and their business, typically on different floors of the same unit, and well suited to San Rafael's downtown.

The proposed land use map amendment would facilitate the development of housing above the ground floor commercial, mimicking how the City first developed, where the shopkeeper lived above his ground-floor shop. There is a definite lack of this type of housing in San Rafael. This unusually large site, surrounded by an efficient street system, including streets on three sides of the parcel and in close proximity to multiple transit options, makes it an ideal location for housing.

H-14. Adequate Sites.

Maintain an adequate supply of land designated for all types of residential development to meet the housing needs of all economic segments in San Rafael. Within this total, the City shall also maintain a sufficient supply of land for multifamily housing to meet the quantified housing need of very low, low, and moderate income housing units. Encourage development of residential uses in commercial areas where the vitality of the area will not be adversely affected and the site or area will be enhanced by linking workers to jobs, and by providing shared use of the site or area.

The proposed land use map amendment would facilitate the development of work-force housing in a commercial area that currently lacks adequate housing. The new development will revitalize the area, while linking workers to housing and reducing traffic volumes accordingly.

H-14a. Residential and Mixed Use Sites Inventory.

Encourage residential development in areas appropriate and feasible for new housing.

The proposed land use map amendment would facilitate the provision of residential development above ground floor commercial. This mixed use development would bridge the surrounding commercial uses with the high density residential development across Woodland Avenue. The size of the site and its proximity to transit options makes it ideal for residential development.

H-14c. Continue to Implement Zoning Provisions to Encourage Mixed Use.

San Rafael has been effective in integrating both vertical mixed use and higher density residential development within its Downtown. As a means of further encouraging mixed use in commercial areas outside the Downtown, General Plan 2020 now allows site development capacities to encompass the aggregate of the maximum residential density PLUS the maximum FAR for the site, thereby increasing development potential on mixed use sites. The City will continue to review development standards to facilitate mixed use, including:

- a. Encourage adaptive reuse of vacant buildings and underutilized sites with residential and mixed use development on retail, office, and appropriate industrial sites.*
- b. Explore zoning regulation incentives to encourage lot consolidation where needed to facilitate housing.*
- c. Review zoning requirements for retail in a mixed use building or site, and amend the zoning ordinance as necessary to allow for residential-only buildings in appropriate mixed-use zoning districts.*

The proposed land use map amendment would facilitate adaptive reuse of the underutilized site by retaining commercial uses on the ground floor, while providing housing on upper floors.

H-14d. Air Rights Development. Take an active role in evaluating the feasibility of air rights development and consider possible zoning incentives for such development. Encourage developers of affordable housing to utilize air rights, such as above public parking lots or commercial uses Downtown.

The proposed land use map amendment would essentially enable air rights development of housing without sacrificing the ground floor commercial. Jackson's Hardware has been a fixture of the San Rafael community for many years and the property owners look forward to envisioning future development of the site with Jackson's Hardware.

H-15. Infill Near Transit.

The existing site, home of Jackson's Hardware is an infill site that is located on Andersen Drive, a major arterial serving the West Francisco Boulevard area. Multiple transit options are available, including bus service on Andersen Drive, bike and pedestrian walkways on Andersen Drive and the nearby San Rafael Transit Center and SMART train station. Allowing mixed use development on this site would provide the perfect solution to accommodating residential uses on an infill site near transit.

Neighborhood Elements

Goal 5: Distinctive Neighborhoods

It is the goal for San Rafael to have neighborhoods of integrity and distinctive hometown character. 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.

The proposed land use map amendment would facilitate mixed use development on this existing commercial site. The opportunity to redevelop the site to include residential use would be a golden opportunity to update and upgrade this fatigued site, encouraging similar upgrades on surrounding sites. The addition of residential use to this site would be an appropriate upgrade to the neighborhood, linking the high density residential across Woodland Avenue with the surrounding commercial uses. This unique opportunity would reflect San Rafael's distinctive historic hometown character, providing housing and jobs in the same neighborhood. Jackson's Hardware has been a fixture of the San Rafael community for many years and the property owners look forward to envisioning future development of the site with Jackson's Hardware.

NH-3. Housing Mix.

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.

The proposed land use map amendment would open the door to residential use on the site. The unusually large site could accommodate a housing mix with a broad range of affordability, character and sizes, which varies from the existing high-density rental apartments located just across Woodland Avenue.

NH-10. Neighborhood Centers.

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.

The proposed land use amendment would accommodate mixed-use development, allowing residential uses on this commercial site. Allowing a mix of uses would encourage neighborhood vitality, both on the subject site and in the surrounding neighborhood. Adding residential units puts life into the neighborhood in the evenings and on weekends, when this neighborhood typically is very quiet.

NH-102. Industrial Area and Design Improvement

Upgrade building design and landscaping as redevelopment or remodeling occurs. Evaluate the design of projects considering views from the Bret Harte neighborhood, the proposed rail transitway, and Andersen Drive, with particular attention paid to rooftop design and screening of mechanical equipment. New building facades facing Andersen Drive and the proposed rail transitway should be given design attention equal to that of any front façade.

The proposed land use map amendment would provide the incentive to redevelop this site, upgrading building design and landscaping and providing the opportunity to screen existing rooftop equipment. Andersen Drive is a major arterial, and the opportunity for new building facades and landscaping provides the ability to provide an exciting street frontage and welcoming entryway to the City.

NH-106. Land Uses Near Residential Areas.

Design new or redeveloped properties facing Woodland Avenue to create a transition between residential uses west of Woodland and heavier industrial uses in the area. Encourage light industrial uses that minimize adverse impacts. Give special attention to landscape screening of buildings and outdoor storage and to screening rooftop equipment given rooftop visibility from higher elevations.

The proposed land use map amendment would provide the incentive needed to redevelop this key property along Andersen Drive and Woodland Avenue. This site is key to creating a transition between the residential uses west of Woodland Avenue and heavier industrial uses in the area. Allowing mixed use development on this site would allow commercial use on the ground floor and housing above, providing the link between residential uses and heavier industrial uses in the area.

Neighborhood Circulation

NH-108. Entries into Bret Harte Neighborhood.

Encourage better landscaping, pedestrian sidewalks and building façade upgrades on major streets leading into the Bret Harte neighborhood, including Woodland Avenue, Irwin Street, Lovell Avenue, Lindaro Avenue and DuBois Street.

The proposed land use amendment would facilitate the opportunity to redevelop this unattractive site with attractive building facades, landscaping and pedestrian circulation on Woodland Avenue, DuBois Street and Andersen Drive. The subject property is located such that it is a key entry into the Bret Harte neighborhood as well as Downtown San Rafael.

Circulation

San Rafael's key circulation improvement strategy is to create a safe and well-managed transportation network that provides greater choice for the traveler and limits, or even reduces, congestion on our roads. Various roadway improvements, improved regional and local transit, expanded bicycle and pedestrian networks, and improved connections between the different modes will help to lessen reliance on the single occupancy vehicle and reduce emissions. Additionally, Land Use and Housing policies supporting mixed-use development, higher densities around transit hubs, and retention of neighborhood retail and services will further promote transit use and help reduce new trips.

General Plan 2020 includes numerous goals and policies that promote mixed use development. The proposed land use map amendment would facilitate mixed use development of the existing site, promoting circulation policies that would allow residents to live near their jobs, eliminating the need to commute in from distant areas. The subject property is surrounded by a transportation network that provides efficient access to pedestrian and bicycle networks, the Transit Depot and SMART station.

The Circulation Element of the General Plan is closely tied to the Land Use Element. The Circulation element ensures that the transportation network – including roads, transit, and bicycle and pedestrian facilities are designed to accommodate the City into the future. The focus of this element is on managing the City's infrastructure, expanding transportation options for San Rafael citizens, and allowing patterns of development that support walking, bicycling and transit use as alternatives to driving.

The subject site is surrounded by a transportation network, including roads, bus and train transit and bicycle and pedestrian facilities. This network provides the ideal setting for mixed use development, introducing residents to an area that supports walking, bicycling and transit as alternatives to driving.

GOAL 14: A safe and efficient street system.

The subject property is surrounded by an efficient street system, including Andersen Drive, DuBois Street and Woodland Avenue, making it ideal for mixed use redevelopment.

Goal 15: Connections between neighborhoods.

It is the goal of San Rafael to have convenient connections between neighborhoods. Our neighborhoods are conveniently and directly connected to one another and to activity centers. The daily life of our residents is enhanced because they are more easily able to reach workplaces, schools, shopping, and recreation areas by foot, bike or transit.

The proposed land use map amendment would facilitate mixed-use development on the site, linking commercial and residential development, not only on the subject site, but in the surrounding area. The addition of housing to this site will enhance the daily lives of residents as areas by foot, bike and transit.

6. How will your amendment support the Guiding Principles of General Plan 2040?

The theme of General Plan 2040 is *A Thriving City*. This is based on a foundation of open space preservation, great neighborhoods, revitalized downtown, sense of community, historic legacy and quality public services. The proposed land use map amendment supports this foundation in that it would promote mixed use development in an aging neighborhood, preserving the historic commercial use while adding residential use. The result will be a great neighborhood, that is preserving historic legacy while creating a sense of community.

General Plan 2040 identifies five areas of guiding principles that will shape the future of our City: *adapting to the future, economic vitality, opportunity for all, housing our growing community and mobility*. With regard to *adapting to the future*, the proposed map amendment will put life back into an aging neighborhood by retaining the existing commercial use at the ground floor while providing housing above, thereby accommodating change, adapting to economic shifts and embracing innovation.

With regard to *economic vitality*, the proposed amendment would offer the opportunity for those who work locally to live locally. City business leaders have identified the top challenge in their businesses as the inability to hire and retain employees. This is especially obvious in lower paying jobs where employees cannot afford to live locally. Because there are opportunities in similar positions closer to their homes, eliminating the time and cost associated with commuting, employees often quit shortly after being hired. The proposed map amendment would accommodate commercial on the ground floor with the opportunity to create housing above, allowing workers to live in the same neighborhood where they work.

The guiding principle of *opportunity for all* would be met by the proposed map amendment in that it could provide housing opportunities for persons of various income levels, including those that are currently homeless. Eliminating long commutes would also promote health and wellness in the community.

The proposed map amendment would further the guiding principle of *housing our growing community* in that it would create opportunities to build more housing, increase housing choices for the local

workforce, potentially meet special housing needs and improve housing affordability. This would all be accommodated on an in-fill site, where infrastructure is already in place to support the development.

Finally, with regard to the guiding principle of *mobility*, the proposed map amendment would allow mixed use development, providing housing and commercial uses to co-exist, effectively reducing congestion by providing housing close to jobs, potentially improving bicycle and pedestrian modes while putting residents close to existing public transit, and reducing neighborhood conflicts.

7. Please describe, in general terms, the potential impacts of your proposal on:

a. The natural environment?

Because the subject property is already developed and surrounded by developed parcels, the proposed land use map amendment would accommodate residential development with no impact on the natural environment.

b. Adjacent properties?

The proposed land use plan amendment would facilitate redevelopment of the site, linking existing residential development on Woodland Avenue with surrounding commercial uses. The mixed use would promote somewhat of a bridge between the two uses. The land use plan amendment would encourage new building facades, landscaping and hardscaping elements that would improve this dated site and be a benefit to adjacent properties. Often redevelopment of one property encourages upgrades on adjacent properties.

c. Businesses, residents, or property owners in the vicinity?

Businesses, residents and property owners in the vicinity would all benefit from the proposed land use plan amendment, as it would facilitate redevelopment of this tired site. Additionally, allowing residential use on the site would provide housing for workers in the area, thereby reducing traffic volumes associated with commuting.

8. Describe the availability of infrastructure and public services to serve the type and intensity of uses allowed by the proposed designation.

The proposed land use map amendment would allow mixed use redevelopment of an existing site that is surrounded by residential and commercial uses. Because the redevelopment would be infill development, all utilities, infrastructure and public services needed to serve the site are already present.

9. Are you aware of any opposition to (or support for) your proposed amendment? (please describe)?

We are unaware of any opposition to or support for our proposed amendment.

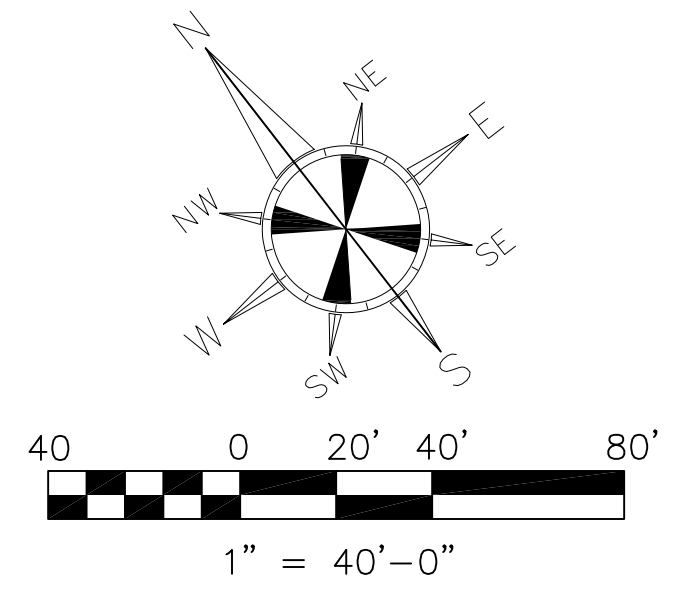
10. If your proposal has been previously considered, what circumstances have changed to make the proposed amendment appropriate now?

Our proposal has not been previously considered.

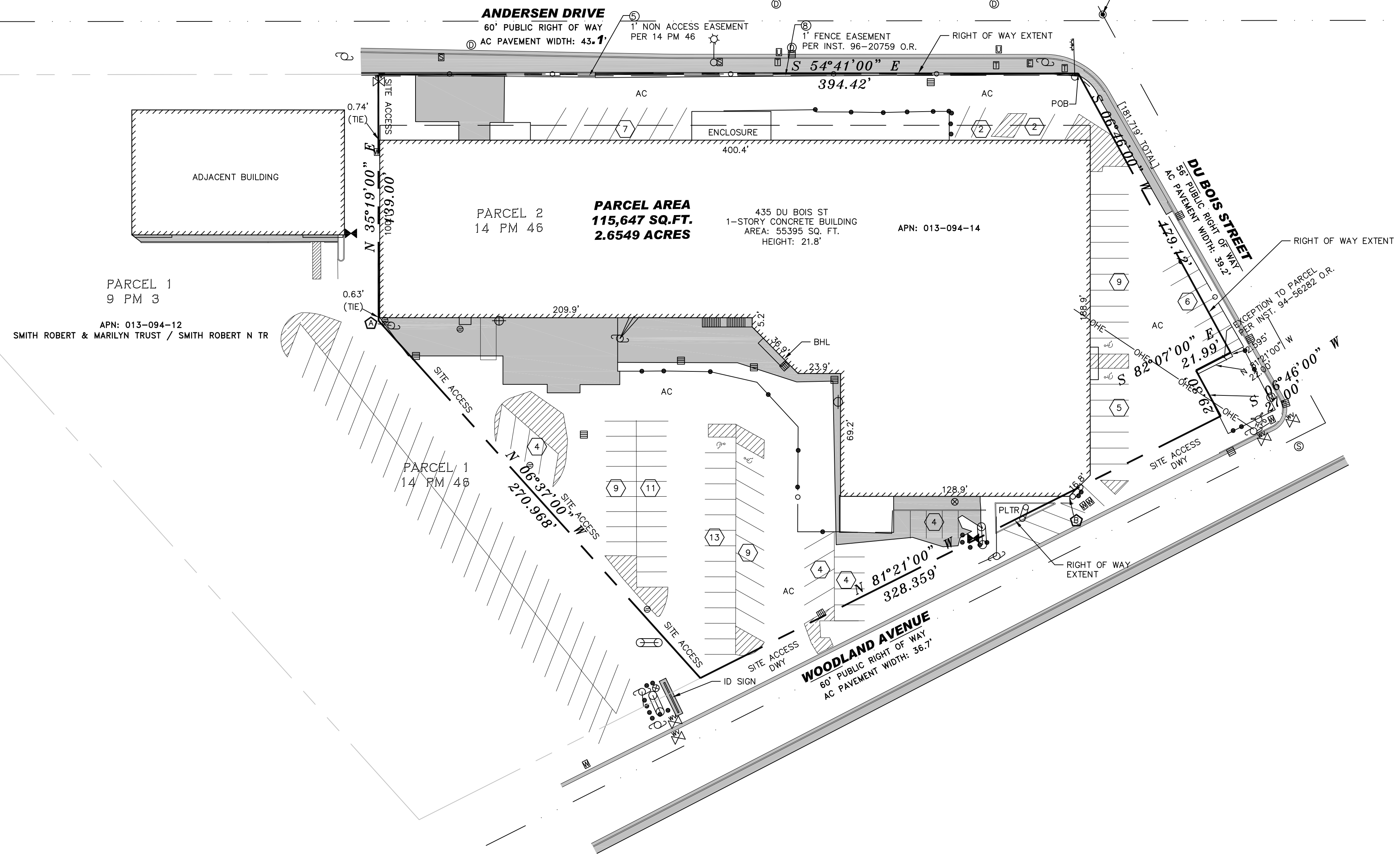
FOUND STANDARD CITY MONUMENT
PER 14 PM 46

DU BOIS STREET

BASIS OF BEARINGS
N48°00'00"



FOUND STANDARD CITY MONUMENT
PER 14 PM 46



AC	ASPHALT	PIV	POST INDICATOR VALVE
APN	ASSESSOR PARCEL NUMBER	PLTR	PLANTER
BFP	BACK FLOW PREVENTOR	PM	PARKING METER
BHL	BUILDING HEIGHT LOCATION	PP	POWER POLE
BOL	BOLLARD	PL	PROPERTY LINE
BLDG	BUILDING	PUE	PUBLIC UTILITY EASEMENT
BSL	BUILDING SETBACK LINE	SQ. FT.	SQUARE FEET
CB	CATCH BASIN	SL	STREET LIGHT
CL	CENTERLINE	SLB	STREET LIGHT BOX
CONC	CONCRETE	SDMH	STORM DRAIN MANHOLE
DCV	DOUBLE CHECK VALVE	SSCD	SANITARY SEWER CLEANOUT
DWY	DRIVEWAY	SSMH	SANITARY SEWER MANHOLE
EB	ELECTRICAL BOX	TE	TRASH ENCLOSURE
EC	ELECTRICAL CABINET	TEL	TELEPHONE BOX
EM	ELECTRICAL METER	TMH	TELEPHONE MANHOLE
EMH	ELECTRICAL MANHOLE	TVT	TELEPHONE VAULT
EY	ELECTRICAL VAULT	TRANS	TRANSFORMER
FC	FACE OF CURB	TS	TRAFFIC SIGNAL
FDC	FIRE DEPARTMENT CONNECTION	TSB	TRAFFIC SIGNAL BOX
FH	FIRE HYDRANT	UB	UTILITY BOX
GP	GATE POST	UV	UTILITY VAULT
GMH	GAS MANHOLE	WM	WATER METER
GM	GAS METER	WV	WATER VALVE
GV	GAS VALVE	YL	YARD LIGHT
MH	MANHOLE	ENC	DENOTES ENCROACHMENTS
MW	MONITORING WELL	SCH	CORRESPONDS TO SCHEDULE B
MON	FOUND MONUMENT	P	CORRESPONDS TO PARKING COUNT

LEGEND



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SAN RAFAEL

THE CITY WITH A MISSION

Community Development Department – Planning Division

Meeting Date: February 11, 2020

Agenda Item:

Case Numbers: P19-12

Project Planner: Ali Giudice (415) 485-3092

REPORT TO PLANNING COMMISSION

SUBJECT: Annual Meeting of Planning Commission for 2020 Follow-up Discussion on Planning Commission “Rules and Procedures”

EXECUTIVE SUMMARY

On January 14, 2020, the Planning Commission held the Annual Meeting of the Planning Commission for the 2020 planning period. At this meeting, the Commission elected officers, assigned DRB liasons, and considered changes to the Rules and Procedures related to ex parte communications and to the convening of Planning Commission meetings on non-action items. The Planning Commission agreed to add language related to convening of meetings for non-action items but felt that additional guidance from the City Attorney was needed on the topic of ex parte communications. Subsequent to the meeting, staff consulted with the City Attorney. The City Attorney provided input related to ex parte communications, but also provided additional input on the topic related to the convening of meetings with non-action items. Based on input from the City Attorney staff has the following recommended changes:

1. Ex parte Communications – The Commission discussed the proposed changes to the Order of Speaking portion of the Commission rules governing the conduct of public hearings on quasi-judicial agenda items as they relate to disclosure of Ex parte Communications. The Commission discussed the level of detail needed in these disclosures and felt that this topic needed input from the City Attorney. Subsequent to the meeting, staff received the requested input from the City Attorney. The Rules and Procedures document has been revised accordingly to add the following language under Section I.2.c.1.:

The Chair shall call for commissioners to make ex parte disclosures and potential conflict of interest disclosures with respect to the proposed project. Ex parte contacts are substantive oral or individual written communications concerning quasi-judicial matters that occur outside of noticed public hearings.

2. Quorum for Informational Presentations - Last year we had an instance where the Planning Commission was to receive an informational presentation on the status of the Downtown Precise Plan, however, staff realized that there was not a quorum of the Commission. Because the item was an information item with no action to be taken, staff recommended that the Commission proceed with the meeting. However, there is nothing in the Rules and Procedures that discusses how to handle this type of situation. On January 14, 2020, the Planning Commission considered changes to the Rules and Procedures to address convening of meetings that involved non-action items and agreed to changes with some modifications. However, subsequent to the Planning Commission meeting, the City Attorney provided input on staff’s recommended changes (as modified by the Commission) and had concerns about the Planning Commission convening a meeting without a quorum. For that reason staff is now recommending the following changes to Section II(F):

F. Study Sessions/Workshops/Informational Presentations

1. The Commission may be convened ~~as a whole or as a committee of the whole~~ in the same manner as prescribed for the calling of a special meeting for the purpose of holding a study

session, or for presentations of informational items, provided that no official action shall be taken. ~~and no quorum shall be required.~~

RECOMMENDATION

It is recommended that the Planning Commission take the following action:

- Accept changes to the Planning Commission “Rules and Procedures;”

OPTIONS

The Planning Commission has the following options:

1. Modify the Rules and Procedures as recommended in the staff report;
2. Modify the “Rules and Procedures” for review and direct staff to return with revised document for consideration at a future meeting;
3. Identify additional areas for further study and direct staff to return with recommended revisions to the “Rules and Procedures” for action at a future meeting;
4. Continue this upcoming year with the current “Rules and Procedures” as adopted on January 9, 2018

EXHIBITS

1. Draft revised Planning Commission “Rules and Procedures,” dated February 11, 2020

PLANNING COMMISSION RULES AND PROCEDURES

CITY OF SAN RAFAEL

Revisions Adopted at Annual Planning Commission Meeting of ~~January 9, 2018~~ February 11, 2020

I. Organization and Officers

A. Organization

1. The Planning Commission shall consist of seven regular members appointed by the Mayor with the approval of the City Council and shall be organized and exercise such powers as prescribed by the City Charter and by the San Rafael Municipal Code (City Code).
2. The term of the Commission members is four years with a staggered expiration schedule.
3. Vacancies on the Commission for other than expiration will be filled by appointment for the un-expired portion of the term.
4. If any Commissioner should have three consecutive, unexplained absences from regular meetings of the Planning Commission as shown in the roll call of the official minutes, the Chair may recommend to the City Council that the seat be relinquished.
5. If any Commissioner wishes to request a leave of absence for three to six consecutive meetings, the request shall be made to and approved by the Chair. A request for a leave of absence for more than six consecutive meetings shall be made to and approved by the City Council.

B. Officers

1. Selection

- a. A Chair and Vice-Chair shall be elected from among the Commission's membership at the Annual Meeting held the first meeting of the calendar year, to serve for a one year period. It is intended that the Chair and Vice-Chair be rotated among the Commissioners based on tenure, as defined by total years of service. In the event the years of service are identical, tenure will be determined in alphabetical order. It is the general rule that a Commissioner shall not serve as Chair more than once in seven consecutive years. However, in the event that: 1) a position is vacated; 2) a Commissioner is not interested in serving as an officer; or 3) there is limited tenure among the other Commissioners, then a Commissioner can be appointed as an officer more than once in seven years.
- b. The Vice-Chair shall serve as Chair in the following year.

- c. The Chair and Vice-Chair may not succeed themselves. However, in the event that the current Chair or Vice-Chair has served less than a year, the Commission may choose to re-elect her/him for an additional term.
- d. The Vice-Chair shall succeed the Chair if he/she vacates the office, and shall serve the un-expired term of the Chair. The Commission shall elect a new Vice-Chair to serve the un-expired term of that office. Selection shall be based on seniority.
- e. In the absence of the Chair and Vice-Chair, the member of the Commission with the longest tenure, as defined by total years of service, shall preside over the meeting. In the event that the years of service are identical, seniority will be determined by alphabetical order.

2. Responsibilities

The responsibilities and powers of the officers of the Planning Commission shall be as follows:

a. Chair

- Preside at all meetings of the Commission.
- Call special meetings of the Commission in accordance with legal requirements and the Rules of Procedure.
- Sign documents of the Commission.
- See that all actions of the Commission are properly taken.
- Assist staff in determining agenda items.
- The Chair shall be an ex officio member of all committees with voice but not vote.

b. Vice-Chair

During the absence, disability or disqualification of the Chair, the Vice-Chair shall exercise or perform all the duties and be subject to all the responsibilities of the Chair.

C. Duties and Powers

1. The Planning Commission shall have the power to recommend to the City Council, after conducting a public hearing, the adoption, the amendment or the repeal of a General Plan, a Neighborhood or Specific Plan, the Zoning Ordinance of the City Code, or a site-specific master plan for a Planned Development (PD) District, or any part thereof, for the physical development of the City.
2. The Planning Commission shall exercise such functions with respect to environmental review, land subdivisions, land use and planning, design review, and zoning, as may be prescribed by City Code, City resolution, and State law.
3. The Commission shall advise the City Council on those matters falling within its charged responsibilities in a manner reflecting concern for the overall development and environment of the City as a setting for human activities.

D. Rules of Order

Except as otherwise provided in these Rules of Procedure, "Roberts Rules of Order, Newly Revised" shall be used as a guide to the conduct of the meetings of the Planning Commission, provided, however, that a failure of the Commission to conform to said rules of order shall not, in any instance, be deemed to invalidate the action taken.

II. **Meetings**

A. Public Meetings

All meetings shall be held in full compliance with the provisions of state law, ordinances of the City and these Rules of Procedure.

B. Regular Meetings

1. Regular meetings shall be held on the second and fourth Tuesdays following the first Monday in each month, at 7:00 p.m. in the Council Chambers of the City Hall, unless otherwise determined by the Commission. All regular meetings must be held within the city limits of San Rafael.
2. Whenever a regular meeting falls on a public holiday, no regular meeting shall be held on that day. Such regular meeting may be rescheduled to another business day, or canceled by motion adopted by the Planning Commission. All meetings must be held within the city limits of San Rafael.
3. A meeting of the Commission may be canceled by the Chair for lack of a quorum, no pending business, or any other valid reason. Such cancellation may be made at any time prior to the scheduled meeting. All efforts shall be made by the Community Development Department staff to notify those involved at the earliest possible time. Prior to the scheduled meeting, the Community Development staff shall post a cancellation notice on the City of San Rafael public hearing board, the City website and at the prescribed location of the meeting.

C. Adjourned Meetings

In the event it is the wish of the Planning Commission to adjourn its meeting to a certain hour on another day, a specified date, time, and place must be set by a majority vote of the Commissioners present, prior to the regular motion to adjourn.

D. Special Meetings

Special meetings of the Planning Commission may be held at any time upon the call of the Chair or by a majority of the voting members of the Commission or upon request of the City Council following at least 24 hours notice to each member of the Commission and to the press. The time and place of the special meeting shall be determined by the convening authority. At least 24 hours prior to the scheduled

special meeting, the Community Development staff shall post a notice of the meeting on the City of San Rafael public hearing board, the City website and at the prescribed location of the meeting.

E. Annual Meeting

The Annual Meeting of the Planning Commission will be held at the first meeting of the calendar year. The meeting will be devoted to the election of a Chair and Vice-Chair for the ensuing year and any other business scheduled by the Commission.

F. Study Sessions/Workshops/Informational Presentations

1. The Commission may be convened ~~as a whole or as a committee of the whole~~ in the same manner as prescribed for the calling of a special meeting for the purpose of holding a study session, or for presentations of informational items, provided that no official action shall be taken ~~and no quorum shall be required~~.
2. Such meetings shall be open to the public.

G. Notification

Public Hearings and Discussion Items - Notice of the time, place/ items to be considered and action pending shall be given in accordance with the requirements of the City Code and State Law.

H. Agenda

1. An agenda for each meeting of the Commission shall be prepared by the Community Development Director or staff in consultation with the Chair.
2. A staff report shall be prepared for each item and distributed to the Planning Commission and made available to the public a minimum of 72 hours prior to a regular meeting.
3. A copy of the agenda shall be posted in City Hall 72 hours before a regular meeting.
4. Items not appearing on the agenda cannot be acted upon or discussed by the Commission. However, the Commission may take action under the following circumstances:
 - a. If the Commission finds, by majority vote, that an emergency situation must be addressed. An "emergency situation" is limited to work stoppages and crippling disasters;
 - b. If by a two-thirds vote (or a unanimous vote if two-thirds of the members are not present), there is a need to take immediate action and the need for action came to the attention of the Commission and staff after the agenda was posted.

Prior to discussing such items, the Commission shall publicly identify the item and shall provide the public an opportunity to provide comment on the item.

5. Members of the public may address the Commission on any agenda item, and may, at the beginning of the meeting, address the Commission on any issue that is not listed on the agenda, provided that the issue is within the jurisdiction and powers of the Planning Commission.

I. Order of Meetings

1. The Order of business shall be as follows:
 - a. The Chair shall take the chair at the hour appointed for the meeting and shall immediately call the meeting to order.
 - b. The Chair shall lead a pledge of allegiance.
 - c. Members present and absent shall be recorded.
 - d. The order of the agenda shall be approved as submitted or revised by a majority vote of the Commissioners present.
 - e. The public shall be advised of the procedures to be followed in the meeting including the protocol and time frames for public comment.
 - f. Any member of the audience may comment on any matter which is not listed on the agenda.
 - g. The minutes of any preceding meeting shall be submitted for review and approval by a majority vote of the Commissioners present at that preceding meeting.
 - h. The Commission shall then hear and act upon those proposals scheduled for consideration or public hearing.
 - i. Director's Report.
 - j. Commission Communications.
 - k. Adjournment.

2. Presentation or Hearing of Proposals

The following shall be the order of procedure for hearings/discussion items concerning planning and zoning matters:

- a. The Chair shall announce the subject of the public hearing/discussion item, as noticed.
- b. If a request is made for continuance, a motion may be made and voted upon to continue the public hearing to a definite time and date (noticing not required) or a time and date to be determined (re-noticing required).
- c. Order of Speaking.

The order of speaking shall be as follows:

1. The Chair shall call for commissioners to make ex parte disclosures and potential conflict of interest disclosures with respect to the proposed project. Ex parte contacts are substantive oral or individual written

[communications concerning quasi-judicial matters that occur outside of noticed public hearings.](#)

2. Staff provides a report on the project and summarizes its compliance with San Rafael's General Plan, compliance with State laws and the City Code, the status of environmental review, and the staff recommendation for action(s) by the Commission.
23. The public hearing is opened.
34. The applicant makes a presentation to the Commission.
45. The public speaks to the Commission.
56. The Commission may ask questions or obtain facts or clarification from staff, the applicant or the public after each segment of the agenda.
67. The public hearing is closed.
78. The matter is returned to the Commission for discussion and action.

d. Rules of Testimony

The rules of testimony shall be as follows:

1. Upon opening the public hearing, the Chair shall invite the public to speak by inviting each speaker (one-at-a-time) to approach the podium. On large or controversial projects where many people wish to provide public testimony, the Chair may request that speaker cards be filled-out and submitted.
2. Persons presenting testimony to the Commission are requested to identify themselves by name and place of residence.
3. Persons presenting testimony to the Commission shall be limited to three (3) minutes for their presentation. An extension of this time limit may be granted at the Chair's discretion.
4. If there are numerous people in the audience who wish to participate on the issue and it is known that all represent the same opinion, a spokesperson should be selected to speak for the entire group. At the Chair's discretion, the spokesperson may be granted additional time beyond the three (3) minute limit for his or her presentation.
5. To avoid unnecessary repetitive evidence, the Chair may limit the number of speakers or the time on a particular issue.
6. Irrelevant, defamatory, or disruptive comments will be ruled out of order.
7. No person shall address the Commission without first securing the permission of the Chair.
8. All comments shall be addressed to the Commission. All questions shall be made or directed through the Chair.

e. Applicant Presentations

Applicant presentations shall comply with the guidelines developed by the Planning Commission. Applicants shall be limited to a maximum of ten (10) minutes for their presentation, inclusive of all members of the applicant's team (if applicable). An extension of this time limit may be granted at the Chair's discretion.

J. Motions

1. A motion to adjourn shall always be in order except during roll call.
2. The Chair of the Commission, or other presiding officer, may make and second motions and debate from the Chair subject only to such limitations of debate as are imposed on all members of the Commission.

K. Voting

1. Voting Requirements

- a. A quorum shall consist of four members.
- b. The affirmative vote of a majority of the quorum present is necessary for the Commission to take action on all matters other than those listed under Section c below.
- c. Certain votes of the Commission require a majority vote of the entire Commission (4 votes) to carry. These are:
 - Adoption or amendment of a General Plan or any part thereof.
 - Adoption or amendment to any Neighborhood or Specific Plan or any part thereof.
 - Adoption or amendment to the Zoning Ordinance of the City Code or amendment thereto.
 - Adoption or amendment to a site-specific master plan for a Planned Development (PD) District.
 - Other actions as required under federal or state law. (These will be dealt with as they arise.)
- d. When a member of the Commission abstains from voting on any matter before it because of a potential conflict of interest, because the Commissioner does not believe he/she can be objective, or because the Commissioner was absent at any previous hearing on an item, said vote shall not constitute nor be considered as either a vote in favor of or opposition to the matter being considered. Abstentions shall not be allowed for any other reason.
- e. A tie vote shall be recorded as a failure of action to pass. A tie vote on a motion defeats the motion.

2. Roll Call Vote

Any Commissioner, the applicant or an appellant can request a roll call vote.

3. Recording of Votes

The minutes of the Commission's proceedings shall show the vote of each member, including whether they were absent, abstained from voting, or failed to vote on a matter considered.

4. Disqualification from Voting

A member shall disqualify himself/herself from voting in accordance with the State Political Reform Act and other applicable state law. When a member is disqualified, he/she shall state, prior to the considerations of such matter by the Commission that the member is disqualifying himself/herself due to a possible conflict of interest and shall then leave the voting area.

III. Review and Amendments Procedure

- A. These Rules of Procedure shall be reviewed at the Annual Meeting of each year. On an ad hoc basis, the chair may appoint a subcommittee to review these rules prior to the meeting. The review subcommittee shall present their recommendations for amending or not amending these rules. Minor changes may be brought forward by staff for the Commission's consideration.
- B. In addition, these Rules of Procedure may be amended at any meeting of the Planning Commission by a majority of the membership of the Commission provided that notice of the proposed amendment is received by each Commissioner not less than 5 days prior to said meeting.

(Approved May 9, 2000. Revised February 26, 2002, December 14, 2004, May 29, 2007, January 27, 2009 and January 9, 2018)

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