

## ORDINANCE NO. 1983

### **AN ORDINANCE OF THE CITY OF SAN RAFAEL AMENDING THE ZONING MAP OF THE SAN RAFAEL MUNICIPAL CODE TO CHANGE THE EXISTING CANAL CORE INDUSTRIAL/OFFICE (CCI/O) ZONING CLASSIFICATION TO THE HIGH-DENSITY RESIDENTIAL ZONING (HR1) ZONING CLASSIFICATION FOR PROPERTY LOCATED AT 190 MILL STREET (APN 014-192-12)**

**WHEREAS**, on April 26, 2019, Homeward Bound of Marin, the owner of property at 190 Mill Street, submitted applications for a General Plan Amendment (GPA19-001) to change the existing LI/O land Use designation to High-Density Residential (HDR) Land Use Designation, Zoning Map Amendment (ZO19-001) to change the existing Canal Core Industrial/Office (CCI/O) zoning classification to the high-density residential zoning (HR1) zoning classification, and Use Permit (UP19-014) for a new emergency shelter to replace the existing shelter on the property, and these applications are being processed concurrently; and

**WHEREAS**, the 190 Mill Street site is located within the Core Canal Industrial Office (CCI/O) Zoning District which does not allow residential development; and

**WHEREAS**, following the initial filing of the Homeward Bound of Marin applications for 190 Mill Street, the City commenced with environmental review of the project. Consistent with the California Environmental Quality Act (CEQA) Guidelines and the City of San Rafael Environmental Assessment Procedures Manual, the appropriate steps were followed to complete environmental review of the project, which included the preparation and publication of an Initial Study and Mitigated Negative Declaration (IS/MND) and publication of a Notice of Public Review and Intent to Adopt a Mitigated Negative Declaration on January 2, 2020; and

**WHEREAS**, the IS/MND assesses the environmental impacts of the proposed amendment to change the existing Canal Core Industrial/Office (CCI/O) Zoning Classification to the High-Density Residential Zoning (HR1) Zoning Classification. The IS/MND finds that the proposed Zoning Map amendment will not result in significant impacts; and

**WHEREAS**, on February 25, 2020, the Planning Commission, through the adoption of separate resolutions, recommended to the City Council adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, approval of General Plan Map Amendment (GPA19-001), adoption of a Zoning Ordinance Map Amendment (ZO19-001), and approval of Use Permit (UP19-001); and

**WHEREAS**, on April 6, 2020, the City Council held a duly noticed public hearing on the proposed project, accepting and considering all oral and written

public testimony and the written report of the Department of Community Development; and

**WHEREAS**, on April 6, 2020, by adoption of a separate resolutions, the City Council adopted the IS/MND, approved a Mitigation Monitoring and Reporting Program (MMRP), and approved a General Plan Map Amendment (GPA19-001); and

**WHEREAS**, the custodian of documents which constitute the record of proceedings upon which this decision is based, is the Community Development Department; and

**WHEREAS**, as required by San Rafael Municipal Code Section 14.27.060, the City Council makes the following findings in support of an ordinance to amend the Zoning Map to change the existing Canal Core Industrial/Office (CCI/O) Zoning Classification to the High-Density Residential (HR1) Zoning Classification for the property located at 190 Mill Street, which would extend the HR1 Zoning District on properties to the north and east such that it would encompass the 190 Mill Street property, as shown on the map contained in Exhibit "A" and further described in in Exhibit "B":

1. The proposed amendment to the Zoning Map would be generally consistent with the elements, goals, policies or programs of the San Rafael General Plan 2020 as a whole in that:
  - a. This action would be consistent with and implement San Rafael General Plan 2020 Governance Element Policy G-2 (*Variety of Housing*), which supports the creation and retention of a wide variety of housing types serving people of all economic levels.
  - b. This action would be consistent with and implement San Rafael General Plan 2020 Governance Element Policies G-3 (*Housing Agencies*), G-18 (*Support for Special Needs Groups*), and G-18a (*Collaboration with Local Agencies*) which encourage collaboration and support of housing agencies, non-profits and other organizations that provide shelter, housing, and related services to very low-, low-, and moderate-income households as well as emergency shelter and supportive housing for the homeless and those with special needs.
  - c. This action would be consistent with and implement San Rafael General Plan 2020 Governance Element Policy G-18c (*Zoning Allowance*), which encourages zoning allowance for group homes, transitional housing and treatment facilities, and recognizes the use of SB 2 funds in support of transitional and supportive housing projects.
2. The public interest would be served by the adoption of the proposed amendment to change the existing Canal Core Industrial/Office (CCI/O) Zoning Classification to the High-Density Residential (HR1) Zoning Classification for the property in that:

- a. This action would be consistent with and implement San Rafael General Plan 2020 Housing Element Policy H-9 (*Special Needs*) which supports the added affordable housing in the very-low and low-income categories including housing that supports the homeless population.
- b. This action would be consistent with and implement San Rafael General Plan 2020 Housing Element Policy H-9d (*Housing for Extremely Low Income Households*), which supports funding opportunities that support the development of housing affordable to extremely low-income households including funding for projects that will facilitate the construction of multifamily and supportive housing.
- c. This action would be consistent with and implement San Rafael General Plan 2020 Housing Element Policy H-10 (*Innovative Housing Approaches*) and H-10c (*Single Room Occupancy (SRO) Units*) in that these policies support opportunities for innovative housing approaches that increase the availability of low- and moderate-income housing and promote construction of SRO apartments by eliminating SRO's from density limits, allowing a reduction in parking standards and encourage linkages to social services for this type of housing.
- d. This action would be consistent with and implement San Rafael General Plan 2020 Housing Element Policy H-12 (*Residential Care Facilities and Emergency Shelters*) which encourages a dispersion of residential care facilities and emergency shelters, and discourages an over concentration of residential care facilities and shelters for the homeless in any given area. This policy also recognizes the value of eliminating governmental constraints in the operation or construction of transitional, supportive, and emergency housing, consistent with State law.
- e. This action would accommodate the construction of a new, permanent emergency shelter to replace the existing emergency shelter that is need of upgrading.
- f. This action would provide the opportunity for residential uses that are compatible with the adjacent residential and light industrial uses.
- g. This action would not be growth inducing as the property is already served by all necessary utilities and no expansion of infrastructure would be required for uses permitted under the HR1 Zoning District.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL DOES HEREBY ORDAIN AS FOLLOWS:**

**DIVISION 1. Findings**

The City Council of the City of San Rafael hereby determines and finds that all of the facts and statements contained in the recitals herein and the finding of

Planning Commission Resolution 20-10, adopted February 25, 2020, recommending to the City Council adoption of this Ordinance are true and correct.

**DIVISION 2. Approval**


The City Council of the City of San Rafael hereby approves and adopts the amendment to SRMC Title 14 Zoning Map as presented in Exhibit A attached hereto and incorporated herein by reference.

**DIVISION 3. Publication**

A summary of this Ordinance shall be published and a certified copy of the full text of this Ordinance shall be posted in the office of the City Clerk at least five (5) days prior to the Council meeting at which it is adopted.

This Ordinance shall be in full force and effect thirty (30) days after its final passage, and the summary of this Ordinance shall be published within fifteen (15) days after the adoption, together with the names of those Councilmembers voting for or against same, in the Marin Independent Journal, a newspaper of general circulation published and circulated in the City of San Rafael, Marin County, State of California.


Within fifteen (15) days after adoption, the City Clerk shall also post in the office of the City Clerk a certified copy of the full text of this Ordinance, along with the names of those Councilmembers voting for or against the Ordinance.



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GARY O. PHILLIPS, Mayor

ATTEST:



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LINDSAY LARA, City Clerk

The foregoing Ordinance No. 1983 was introduced at a regular meeting of the City Council of the City of San Rafael, held on the 6<sup>th</sup> day of April 2020 and was ordered passed to print by the following vote, to wit:

AYES: Councilmembers: Bushey, Colin, Gamblin, McCullough & Mayor Phillips

NOES: Councilmembers: None

ABSENT: Councilmembers: None

and will come up for adoption as an Ordinance of the City of San Rafael at a Regular Meeting of the Council to be held on the 20<sup>th</sup> day of April 2020.



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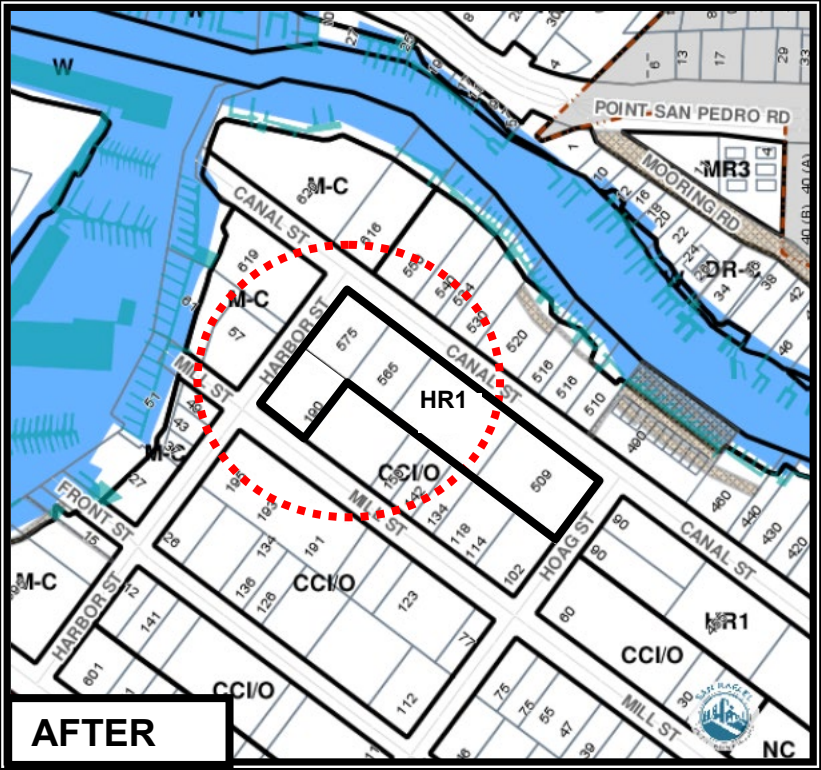
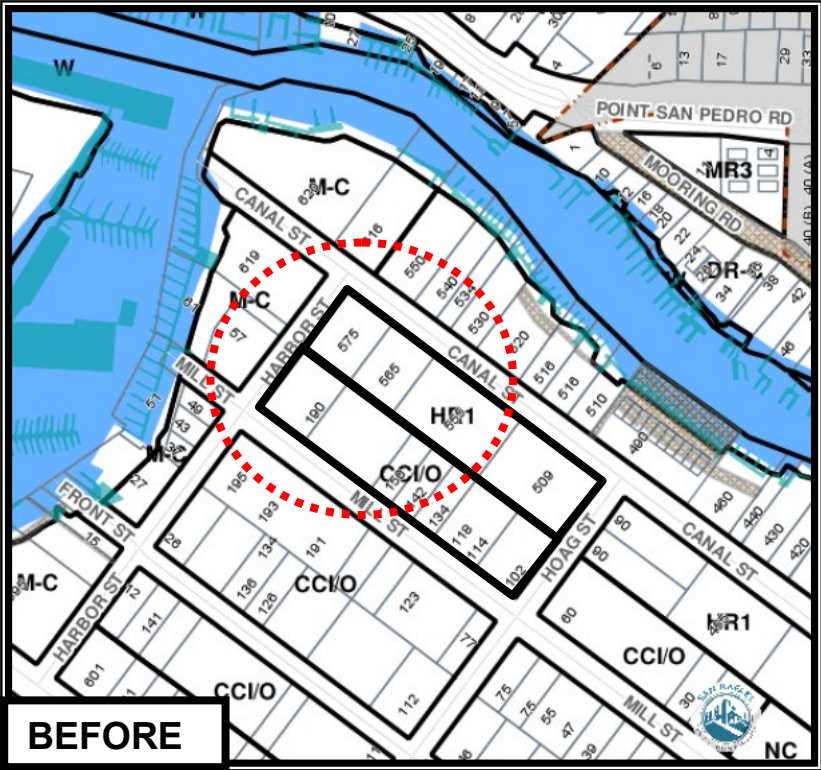
LINDSAY LARA, City Clerk

Exhibits:

A. Rezoning Map

B. Legal Property Description

Exhibit A  
San Rafael Zoning Map



**Exhibit B**

**Legal Property Description**

**Real Property is described as: Lots 1 and 2,  
Block 6, Map of East San Rafael;  
RM Blk. 2, Page 109.  
APN: 014-192-12**

**SUMMARY OF ORDINANCE NO. 1983**

**AN ORDINANCE OF THE CITY OF SAN RAFAEL AMENDING THE ZONING MAP OF THE SAN RAFAEL MUNICIPAL CODE TO MODIFY THE EXISTING CANAL CORE INDUSTRIAL/OFFICE (CCI/O) ZONING DISTRICT TO THE HIGH-DENSITY RESIDENTIAL ZONING (HR1) ZONING DISTRICT FOR THE PROPERTY LOCATED AT 190 MILL STREET (APN 014-192-12)**

This Summary concerns a proposed ordinance of the City of San Rafael, designated as Ordinance No. 1983, which will amend the Zoning Maps in Title 14 of the San Rafael Municipal Code. Ordinance No. 1983 is scheduled for adoption by the San Rafael City Council at its regular meeting of April 20, 2020. The City Clerk has been directed to publish this Summary pursuant to City Charter and California Government Code section 36933(c)(1).

**SUMMARY OF AMENDMENT TO MUNICIPAL CODE**

The Ordinance will amend Title 14 (Zoning) of the San Rafael Municipal Code to change the zoning district boundary line for the property located at 190 Mill Street from Canal Core Industrial/Office (CCI/O) Zoning District to the High-Density Residential (HR1) Zoning District, which will allow development of the site with an 60 bed emergency shelter and 32-unit affordable supportive housing project.

Copies of Ordinance No. 1983 will be available for public review as of Wednesday, April 15, 2020, on the City's website: <https://www.cityofsanrafael.org>. You may also contact the City Clerk at (415) 485-3066 or the Planning Department at (415) 485-3085 for information.

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LINDSAY LARA  
San Rafael City Clerk  
Dated: 4/13/2020



**Associated Constituent****Daniel Fost**

C-1071050, added on April 26th, 2019 at 4:06 PM

**Phone Numbers:** [REDACTED]**Email Addresses:** [REDACTED]**Locations:** None**Conversation:****First Name:** Daniel**Last Name:** Fost  
[REDACTED]**Subject:** In support of Homeward Bound plan for 190 Mill Street**Message:** I am writing in support of Homeward Bound's plan for supportive housing and emergency shelter at 190 Mill Street. I believe San Rafael is doing a great job in confronting the homeless problem, and we clearly need to do more. Homeward Bound is a fantastic agency and we are so lucky to have them willing to step up and serve our community. Homelessness is the shame of America. We can and must do better. The Mill Street location has already been serving our neediest, making it an ideal site. Please support this plan.

Inbound form submission from Daniel Fost to Contact the City Council on April 5th, 2020 at 10:56 AM

Hello, On behalf of the Mayor and City Council, thank you for your comments. If your message requires a response, City staff will follow up with you accordingly. If you have additional questions, comments, or concerns, please contact the City Manager's Office at (415) 485-3070. Thank you. City of San Rafael

Automated message sent to Daniel Fost via City Manager's Office on April 5th, 2020 at 10:56 AM