



SAN RAFAEL

THE CITY WITH A MISSION

Community Development Department – Planning Division

Meeting Date: October 27, 2020
Agenda Item: 2
Case Numbers: GPA16-001 & P16-13
Project Planner: Barry Miller, Consulting Project Manager (415) 485-3423

REPORT TO PLANNING COMMISSION

SUBJECT: Public Hearing on Chapters 1-9 of Draft San Rafael General Plan 2040

The Planning Commission will conduct its first public hearing on the Draft General Plan 2040 on October 27. The October 27 hearing will cover Chapters 1-9 of the Draft Plan (now available for review at www.sanrafael2040.org). A subsequent hearing on Chapters 10-14 will take place on November 12. The purpose of each hearing is to receive initial public comments on the Draft Plan chapters. Opportunities for public comment will continue at future hearings to be convened in December 2020 and early 2021, concurrently with review of the Downtown Precise Plan and a Draft Environmental Impact Report covering both projects. The Commission is tentatively scheduled to take action on the 2040 General Plan in March 2021. Case Nos.: GPA16-001 & P16-013.

EXECUTIVE SUMMARY

The City is initiating the public hearing process for General Plan 2040, the state-mandated document that guides San Rafael's long-term growth and development. General Plan 2040 will update and replace General Plan 2020, which was adopted in 2004. Work on the General Plan Update began approximately three years ago. The City has prepared an Environmental Impact Report (EIR) for General Plan 2040, to be released in mid-November. A Downtown Precise Plan, also scheduled for release as a public review draft in mid-November, has been prepared concurrently with the General Plan and is also covered by the EIR. The October 27 hearing will only cover Chapters 1-9 of General Plan 2040. On November 12, the public hearing will be continued to review Chapters 10-14. Subsequent public hearing on the EIR, and the Downtown Precise Plan will occur later in 2020 and in early 2021. Public comments on Chapters 1-9 may continue be made at these hearings.

Chapters 1-9 of the General Plan include two chapters that provide the context for the General Plan (Introduction and Framework), five elements that are mandated by State law (Land Use, Conservation, Safety, Open Space, Noise) and two elements that are considered "optional" under State law (Neighborhoods, Community Design and Preservation). Staff will provide a short overview of each chapter at the hearing, focusing on changes between General Plan 2020 and General Plan 2040. These changes have been vetted through a 24-member Steering Committee that met 25 times from 2018-2020.

Following staff's presentation and an opportunity for clarifying questions from Commissioners, members of the public will have an opportunity to address the Commission. The Commission will then have an opportunity to discuss Chapters 1-9 individually, addressing any specific issues or questions with each chapter. At the conclusion of the meeting, the public hearing will be continued to November 12, 2020, at which time the Commission will review Chapters 10-14. Staff will then return with a follow-up of the entire Draft Plan on December 15, 2020, to provide any updates, responses to questions or other follow up requested by the Commission. The Commission will consider the Draft Plan, including the EIR and the Downtown Precise Plan for final review and recommendation in March 2021.

The Planning Commission is reminded that General Plan 2040 is not a “brand new plan,” but rather an update of General Plan 2020. A considerable number of policies and programs have been carried forward from the existing Plan. As needed, these policies and programs have been edited and updated to reflect current conditions and priorities. New policies and programs have been added to address trends, emerging issues, new State laws, and Steering Committee input.

RECOMMENDATION

It is recommended that the Planning Commission take the following actions, following the staff presentation on General Plan 2040:

1. Open the public hearing on Draft General Plan 2040
2. Receive public comments and testimony
3. Discuss Draft Chapters 1-9
4. Accept report, provide feedback to staff and continue hearing to Thursday, November 12, 2020 for further public testimony and discussion on Chapters 10-14

PROJECT BACKGROUND

General Plan 2040 Overview:

On September 15, 2020, Staff provided an overview of the General Plan Update program to the Planning Commission. That report may be reviewed [here](#). The presentation delivered to the Planning Commission may be reviewed at this [link](#) and begins 1 hour and 17 minutes into the broadcast. Please review the prior report (or presentation) for an overview of the planning process, including topics such as community engagement, the EIR, and the Downtown Precise Plan.

As noted in the prior report, the General Plan is organized into “elements” or topical chapters. Eight elements are required by state law, but San Rafael’s existing Plan also includes “optional” elements on topics of local importance. A comparison of the elements in General Plan 2020 and the new General Plan 2040 is provided below. Elements shown in **blue** will be discussed on October 27, while elements shown in **brown** will be discussed on November 12:

General Plan 2020	General Plan 2040
Land Use (*)	Land Use (*)
Neighborhoods	Neighborhoods
Community Design	Community Design and Preservation
Conservation (*)	Conservation and Climate Change (*)
Air and Water Quality	
Sustainability	
Parks and Recreation	Parks, Recreation and Open Space (*)
Open Space (*)	
Safety (*)	Safety (*)
Noise (*)	Noise (*)
Circulation (*)	Mobility (*)
Infrastructure	Community Services and Infrastructure
Culture and Arts	Arts and Culture
Economic Vitality	Economic Vitality
Governance	Equity, Diversity, and Inclusion (*)
Housing (*)	Housing (*) –

(*) mandatory element

Steering Committee and Prior Public Review of Goals, Policies and Programs:

In December 2017, the City Council appointed a General Plan 2040 Steering Committee, comprised of a diverse cross-section of the community. Steering Committee members represent City boards and commissions, neighborhoods, stakeholder and advocacy groups, and the community at large. The Committee was convened 25 times between January 2018 and June 2020. Each meeting was three hours long and included a robust discussion of draft policies and programs. One of the benefits of the Steering Committee process is that the Draft General Plan 2040 policies and programs have already been vetted and heavily edited to incorporate input from the Steering Committee. The purpose of the Steering Committee was to serve as a sounding board, representing the wide-ranging interests in our community with the goal of making sure that all viewpoints are heard and considered, while drafting policy. The Steering Committee was not charged to vote or make a recommendation on the Draft Plan. The Draft Plan represents a balance of competing interests

At the outset, the Steering Committee was advised that General Plan 2040 was intended to be an update of General Plan 2020, and not a brand new Plan. As such, General Plan 2020 was used as a “baseline” on which the updated Plan was developed.

The Steering Committee was initially presented with an “audit” of the existing policies in General Plan 2020, with staff suggestions for edits. Staff’s suggested edits reflected changed conditions, new or updated data, best practices, incorporation of recent plans, and other factors. The audit took place over a 9-month period in 2018-19, with one or more elements discussed at each Steering Committee meeting. Committee members provided feedback at the meetings, and were given “homework” assignments to provide feedback in writing using matrices listing the policies and proposed edits.

Staff incorporated Steering Committee comments into a revised set of goals, policies, and programs that were presented to the Committee one element at a time at their meetings in 2019 and early 2020. Committee members were asked to provide written comments on the proposed new goals, policies, and programs during a 30-day window following each meeting. Comments were received and integrated, resulting in a complete set of proposed 2040 goals, policies, and programs in May 2020. A “compendium” of these goals, policies, and programs was presented to the Steering Committee and posted to the project website at the end of May 2020.

Between May and July 2020, Committee members had another opportunity to comment on the goals, policies, and programs. The public was also invited to comment, and several individuals and organizations did so. These comments are incorporated in the Draft Plan.

Neighborhood Input:

The Neighborhoods Element of the Draft General Plan was updated through direct input from community organizations and neighborhood residents. Staff developed an on-line survey specifically tailored to HOAs and neighborhood associations, and subsequently reached out to these organizations with a request to complete the survey. Direct phone calls, attendance at the regular meetings of these organizations, and other follow-up actions ensured a high participation rate. Some of the neighborhood associations even undertook their own surveys (or held their own workshops and committee meetings) to complete the City survey. Ultimately, the City received direct input (completed surveys) from 19 neighborhood associations in Terra Linda, Mont Marin/ San Rafael Park, Rafael Meadows, Los Ranchitos, West End, Sun Valley, California Park, Fairhills, Lincoln/ San Rafael Hill, Gerstle Park, Bret Harte, Picnic Valley, Montecito, Loch Lomond, Glenwood, Peacock Gap, Canal, Spinnaker/ Bay Point, and the East San Rafael Working Group. This allows the Neighborhoods Element to be highly reflective of community input.

Land Use Map:

As the Commission is aware, the General Plan Land Use Map has been updated as part of General Plan 2040. The Commission conducted a public hearing on the update on February 11, 2020. A link to the staff report for that meeting is provided [here](#). The primary Map changes relate to the consolidation of several land use categories, rather than substantive changes that will change development entitlements in San Rafael. For the most part, the Land Use Map carries forward existing designations. No further changes have been made to the General Plan Map since the February 2020 Planning Commission meeting.

Programs:

Each element of the General Plan is comprised of goals, policies and programs. Programs are the mechanism through which the Plan's policies are implemented over the 20-year timeframe of the Plan. Programs identify 1) the steps that will be taken to implement a specific policy, 2) which Department(s) is (are) responsible for implementation, 3) the timeline for implementation (short, medium, long term, or on-going); and 4) the resources available for carrying out the program, such as staff time, grants, fees, etc. Implementation of the General Plan is dependent on the City budget and availability of funds to take on certain tasks.

In past General Plans, the responsible parties, timeline, and resources for each program have been listed in the body of the Plan itself. Under State law, this level of detail is required in the Housing Element but it is not required in the other Plan Elements. In fact, very few cities include this in the body of their general plans, since funding sources and timelines change regularly and the Plan can become quickly outdated as programs are completed or new funding sources become available. The updated General Plan moves the implementation details to an Appendix. This will allow it to be monitored and updated annually *without* a formal General Plan Amendment. It also packages the entire implementation program in a single document, rather than having it scattered throughout the Plan.

ANALYSIS

This section of the staff report highlights the contents of [General Plan Chapters 1-9](#).

Chapter 1: [Introduction](#):

Chapter 1 explains the purpose of the General Plan, explains how to use the document, describes the Plan's relationship to other City plans and programs, summarizes the Plan Update process, and provides an overview of the document's contents. The Chapter includes a special "call out" that describes how the COVID-19 pandemic impacted the Plan's preparation and some of its recommendations.

The information communicated in this chapter is similar to the information communicated in Chapter 1 (Introduction) of General Plan 2020.

Chapter 2: [Framework and Guiding Principles](#):

This is a new chapter of the General Plan that was not included in General Plan 2020. It is intended to provide the context for planning and lay the groundwork for the Guiding Principles that appear at the end of the chapter. The Guiding Principles were developed by the Steering Committee and define the major themes of the Plan. The Framework chapter provides essential background data on San Rafael (regional setting and history) and then addresses the "forces driving change" in the city. These "forces" include demographics, equity, housing, land use, economic changes, transportation innovations, climate change, technology, and fiscal constraints. This chapter also includes the household and employment forecasts that underpin the Plan.

Chapter 3: Land Use Element:

The three goals in this chapter are carried forward from Goals 1, 2, and 5 from General Plan 2020. The Element begins with a profile of existing land uses in San Rafael and a discussion of key plan concepts (Transit Oriented Development, Resilience, Growth Management, Complete Community, and Neighborhood Conservation). The Land Use Map categories are defined and the General Plan Map is presented.

Much of the policy content of General Plan 2020 has been carried forward, although policies have been renumbered and retitled, and several new programs have been added. General Plan 2040 provides a greater focus on the influence of climate change on land use patterns, including the idea of focusing future growth Downtown and in other areas that are transit-served and more easily navigated on foot or bicycle. A sea level rise overlay has been added to the Land Use Map. This Element carries forward the existing Height Map and Floor Area Ratio Map from General Plan 2020 with no changes outside of Downtown San Rafael. The Element also updates height bonuses for projects with community benefits (affordable housing, etc.). Policies for neighborhood centers have been updated to encourage multi-family housing and other new uses at these centers, recognizing flat or declining demand for retail space.

Chapter 4: Neighborhoods Element:

The Neighborhoods Element expresses local priorities and address the planning issues that are specific to each neighborhood in San Rafael. It describes the important features of each neighborhood and identifies the issues and priorities identified by residents through the General Plan's community engagement process.

In General Plan 2020, neighborhood policies were presented alphabetically by neighborhood. In General Plan 2040, they are presented geographically, organized into five subareas. These subareas are Downtown, Central San Rafael (the "ring" of neighborhoods around Downtown), Southeast San Rafael/ Canal, North San Rafael, and the San Pedro Peninsula. Policies and programs for incorporated neighborhoods are presented first for each planning area, followed by profiles of unincorporated neighborhoods. Whereas General Plan 2020 identified 30 neighborhoods, General Plan 2040 identifies 33. The total number of policies has been reduced; there were 167 policies in this Element in General Plan 2020 and there are 90 in General Plan 2040.

Chapter 5: Community Preservation and Design Element

This Element has been reorganized into five goals: (1) A Beautiful City; (2) A Sense of Place; (3) Attractive Streets and Public Spaces; (4) Quality Construction and Design; and (5) Protected Cultural Heritage. Policies in General Plan 2020 have been re-distributed among these five goals, and new policies and programs have been added to address issues raised by the Steering Committee and public. The "Protected Cultural Heritage" goal was formerly in the Arts and Culture Element but has been moved here since it deals primarily with the physical form of the city. Several new historic preservation policies and programs have been added to the document.

This chapter carries over many of the General Plan 2020 policies, including those dealing with views, gateways, corridors, landscaping, street furnishings, and protection of hillsides and natural features. It adds new policies on waterfront identity, plazas and public spaces, street trees and tree replacement, wayfinding and directional signage, architectural innovation, and scale transitions between buildings. Policies from the 2020 Plan on public engagement in design review have been carried forward.

Chapter 6: Conservation and Climate Change Element

The 2020 Conservation Element covered wetlands, creeks, and habitat protection. Policies relating to these topics have been carried forward and expanded in General Plan 2040, with new implementing programs added. The 2040 Plan substantially expands the scope of the Conservation Element to address topics that were formerly covered by the 2020 Air and Water Quality Element and the 2020

Sustainability Element. Air and water quality policies have been transferred into this element under a new air quality goal and a new water quality goal. These policies have been strengthened and expanded based on input from the Steering Committee and incorporation of best practices.

As the title of this element implies, this Element includes a greater focus on Climate Change. It adds new policies derived from San Rafael's 2019 Climate Change Action Plan, as well as the former Sustainability Element. Goal 4 of the Conservation Element deals specifically with energy conservation and renewable energy, as well as sustainable construction and design. Goal 5 deals specifically with greenhouse gas reduction and expresses the City's commitment to maintain and update a climate action. It includes a Climate Change "crosswalk" that explains how other elements of the General Plan support GHG reduction targets.

Chapter 7: Parks, Recreation, and Open Space Element

The 2020 General Plan included a separate Parks and Recreation Element and Open Space Element. Because most of San Rafael's open space is publicly owned and defined as parkland, these are combined in a single element in General Plan 2040. This creates a stronger and more integrated policy platform for managing and maintaining San Rafael's parks and open spaces.

While many of the policies in this element are derived from General Plan 2020, there are some important changes and new additions. This includes a park classification system, an increase in the City's park acreage service standard from 3 acres per 1,000 residents to 4 acres per 1,000 residents, and a stronger focus on equity as a factor in guiding park improvements and investment. The Element also includes a stronger focus on joint use of school properties for recreation, leveraging private investment for public benefit, and encouraging sustainable park operations. A new goal has been added for recreational programming, with policies added to create inclusive programs that meet the diverse needs of San Rafael's residents. The open space policies from General Plan 2020 are generally carried forward, but there is a stronger emphasis on managing existing open space rather than acquiring new open space. Issues such as wildfire prevention, habitat management, illegal encampments, and environmental education are among the open space management issues that are covered.

Chapter 8: Safety and Resilience:

Almost all of the content of the General Plan 2020 Safety Element has been carried forward to General Plan 2040. However, the Element has been reorganized and expanded. General Plan 2020 had a single goal (A Safe Community) followed by 40 policies covering a variety of topics. General Plan 2040 has six separate goals, each followed by topical policies (with 38 policies in total). General Plan 2040 integrates policies from several initiatives over the last five years, including the 2017 Local Hazard Mitigation Plan, the 2019/20 Wildfire Prevention and Protection Action Plan, and the BayWAVE evaluation of sea level rise hazards. Relative to prior plans, General Plan 2040 includes an expanded focus on climate-related hazards, particularly sea level rise and wildfire.

The five goals in this element are (1) A Safer, More Resilient City; (2) Resilience to Geologic Hazards; (3) Resilience to Flooding and Sea Level Rise; (4) A Fire-Safe Community; (5) Protection from Hazardous Materials; and (6) Emergency Preparedness. The first goal includes a new policy addressing public health emergencies and pandemic response, as well as a carry-over of existing policies and adoption of the Local Hazard Mitigation Plan. The second goal carries over existing policies (including the geotechnical study requirements) but adds a new program on soft-story building retrofits. The third goal introduces new policies and programs focused on sea level rise adaptation, including a recommendation to prepare an Adaptation Plan following General Plan adoption. Two new sea level rise analysis reports are included as appendices to the General Plan.

Some of the policies that were formerly in this Element (those dealing with police and fire services) have been moved to the Community Services and Infrastructure Element of the General Plan (Chapter 11).

Chapter 9: [Noise](#)

Most of the content of this chapter is carried forward from General Plan 2020. The primary change is that the Noise Compatibility Guidelines in the prior plan have been replaced with new guidelines based on the State Office of Planning and Research's 2017 General Plan Guidelines. There are also a number of new or modified programs addressing specific sources of noise, such as a "quiet zone" policy for train horns.

CORRESPONDENCE

Correspondence included from Shirley Fischer dated 10/21/2020

ATTACHMENTS

While there are no attachments to this Staff report, General Plan 2040 is available for review on line at www.sanrafael2040.org. (click on the "General Plan Documents" tab when the site opens).

October 21, 2020

San Rafael Planning Commission
1400 Fifth Avenue
San Rafael, CA 94901

Re: Draft General Plan 2040 Conservation Element

Dear Planning Commissioners,

The Conservation and Climate Change Element of General Plan 2040 is a very welcome expansion of the Conservation Element in General Plan 2020. This element recognizes the array of wildlife that live in San Rafael and the ecosystems that support them, demonstrating San Rafael's understanding of the balance of human and wildlife habitats that enhances our quality of life and is a unique part of San Rafael's identity.

The Conservation Element sets goals of protecting and restoring the natural environment, but it lacks detail on how this can be accomplished, particularly as human population and pressures to expand the built environment increase. Without specific plans on how to preserve this balance of human habitat and wildlife habitat, this unique partnership will diminish as San Rafael grows and as the climate changes. San Rafael has been a leader in many other areas of City planning. It is now time for the City to show leadership in identifying and planning to accommodate the needs of its wildlife residents.

I would like to offer the following comments support the following additions to General Plan 2040.

Goal C-1: Supporting Our Natural Communities Protect, restore, and enhance San Rafael's environment and natural communities (p. 6-6, pdf 202)

- a. **Add a policy and program items to create a Wildlife and Ecosystem Master Plan in collaboration with County, State, private landowners, and other stakeholders.** This Master Plan should include an analysis of the habitat and wildlife corridor needs of each of the major species identified in the San Rafael Planning Area, identification of priorities for conserving and enhancing necessary habitat and corridors and mitigating wildlife-human conflicts, and action items for implementing these priorities.
The Plan should include consideration of flora, insects, reptiles, and amphibians as well mammals. Some of these creatures also have direct impacts on human residents. It has been reported that we have much less Lyme disease here as compared to New England because of the larger number of fence lizards and large predators that live here. *
- b. **Add a policy and program items for managing the Wildlife-Human Interface.** This policy will recognize how wildlife literally live in our backyards and identify measures for coexistence and reducing conflicts. Programs can include private and public education programs about characteristics of animals living around us and ways to coexist (for example, the successful "Co-existing with Coyotes" series) and also about the need to modify some human behavior (for example, keeping pets out of sensitive habits and protecting predators by not using rodenticides).
- c. **Urban Development and Ornamental Landscaping (p. 6-3, pdf 199 and p. 6-5, pdf 201)**
Table 6-1 lumps together "Urban" and "Barren" in the same "Vegetative Cover/Habitat Type" category. This is unfortunate and erroneous. Suburban areas, particularly those close to open space or parks such as much of Terra Linda, host many wild animals beyond those such as deer, racoon, skunk, and coyote that have adapted to living with humans. At the bottom of this letter

are photos of a few other wild animals that have passed through my backyard or close to my neighborhood. The presence of these animals among us may be due to expanding animal populations, disruption of natural habitats, necessary movement corridors, or other causes. Finding out why these animals and other wildlife are in our communities and what is needed to maintain their populations would be a major focus of the **Wildlife and Ecosystem Master Plan**. Developing a **plan to manage the Human-Wildlife Interface** is needed to decrease potential conflicts and protect both wildlife and humans.

- 1) **The description of areas of urban development in this section needs to acknowledge the existent of a larger variety of wildlife living in or passing through urban areas.**
- 2) **The “Urban” category in Table 6-1 needs to be changed, perhaps to “Urban/Other”.**

d. **Wetlands (p. 6-6, pdf 202)** This Element needs to acknowledge **the importance of adjacent upland habitat** in the descriptions of Wetlands habitat and accompanying policies and program items. During storms and high tides, creatures that live in wetlands seek refuge in adjacent upland areas when their wetland homes are flooded. Preservation of adjacent dry upland areas is a critical part of wetland preservation. These areas must not be converted to built spaces, parking lots, or other uses that render them unusable by sensitive species and other wetland creatures. This need to be considered in **Wetlands Protection and Mitigation policies** (p. 6-7, pdf 203) and also in planning for individual developments, such as **Canalways** (p. 4-48, pdf 129)

Thank you for consideration of these recommendations.

Sincerely,

Shirley Fischer

San Rafael, CA 94903

**Bay Nature, Spring 2020, p. 29-33.*



Gray foxes 2014



Great Blue Heron 2015



Cooper's Hawk 2017



Bobcat 2020



Wild turkeys 2019



Mountain lion on Loma Alta ridge between Terra Linda and Lucas Valley (small figure in middle on ridge on the horizon) 2012

