



SAN RAFAEL

THE CITY WITH A MISSION

Community Development Department – Planning Division

Meeting Date: December 15, 2020
Agenda Item: 2
Case Numbers: UP20-011 and ED20-021
Project Planner: Steve Stafford/ 415-458-5048

REPORT TO PLANNING COMMISSION

SUBJECT: 1215 2ND Street – Request for a Use Permit and an Environmental and Design Review Permit to allow 1) The increase in the height of the existing office building ('lift-and-fill') to accommodate a new ground floor residence; 2) The construction of a new third floor office space to the existing office building; 3) The addition of a new staircase and elevator tower to the rear of the existing office building; and 4) The construction of a new detached building with two new residential units above garage parking on a 5,000 sq. ft. Downtown parcel; APN: 012-075-03; Second/Third Mixed Use West (2/3 MUW) Zoning District; A. Blanco, Owner; Heidi Richardson, Richardson Pribuss Architects, Applicant; Downtown Neighborhood.

EXECUTIVE SUMMARY

The project site is among three existing Craftsmen-style buildings located along 2nd Street., one of the City's busiest arterial corridors, and directly across from the 815 B Street project, a transformational four (4)-story, 41-unit mixed-use project in the Downtown. The project proposes to preserve and enhance the existing craftsmen-style building along the street front while adding three (3) new residential 'rental' units to the Downtown inventory of housing stock.

Staff finds the project generally complies with all applicable General Plan policies, development standards in the 2/3 MUW District, the review criteria for Environmental and Design Review Permits, San Rafael Design Guidelines, the Downtown Vision, the 'Good Design' Principles, and the findings necessary to approve the requested Use Permit (residential units in a commercial zoning district) and Environmental and Design Review Permit (additions and modifications to the existing building and a new residential building).

The Design Review Board subcommittee (Board) reviewed the site and building design proposed by the project on two (2) occasions: once as a conceptual project and once as a formal project. On October 21, 2020, the Board unanimously recommended approval of the proposed site and building design, subject to recommendations listed in staff's report further below.

RECOMMENDATION

It is recommended that the Planning Commission adopt the Draft Resolution approving the requested Use Permit and Environmental and Design Review Permit for the project (Exhibit 2).

PROPERTY FACTS

Address/Location:	1215 Second St.	Parcel Number(s):	012-075-03
Property Size:	5,000 sf	Neighborhood:	Downtown

Site Characteristics			
	General Plan Designation	Zoning Designation	Existing Land-Use
Project Site:	2/3 MU (2nd/3rd Mixed Use)	2/3 MUW (2nd/3rd Mixed Use West)	Office
North:	2/3 MU	2/3 MUW	Mixed-Use
South:	RET/O (Retail/Office)	C/O (Commercial/Office)	Office
East:	2/3 MU	2/3 MUW	Residential
West:	2/3 MU	2/3 MUW	Commercial Retail

BACKGROUND

Site Description/Setting:

The project site is a relatively flat (2.1% average cross-slope; north-to-south trending), 5,000 sq. ft. Downtown parcel located along Second St., one of two east-west arterial corridors which carry traffic through the Downtown. It is located outside the Downtown parking district. It is currently developed with one-story, 1,240 sq. ft. office building. The existing building was originally constructed in the early 1900's as a single-family residence and was officially deemed to be a commercial use by the City of San Rafael in 2001.

The '815 B St. Project', a four (4)-story, 41-unit mixed-use development is currently under construction immediately north of the project site, across Second St. Offices are located immediately south of the site, commercial retail is located immediately west of the site and single-family residential is located immediately east of the site.

PROJECT DESCRIPTION

Use:

The project proposes to modify the existing office building located at the front of the site by raising the building to create a new residential unit on the ground floor and adding a new third floor to create additional office space. The project also proposes to construct a new residential building located at the rear of the site with two (2) new units above covered parking.

Site Plan:

The project proposes to raise ('lift-and-fill') the existing office building on the site to allow the creation of a new two (2)-bedroom residential unit on the ground-floor while also constructing a new 1,094 sq. ft. third floor to provide additional office space. The project also proposes to construct a new second, three (3)-story building at the rear of the site with two (2) residential units (one, 1-bedroom unit and one, 2-bedroom unit) above garage parking which is currently used as an uncovered parking area for the existing office building. Vehicular access to the site is proposed to continue using the existing curb cut and driveway located along the east property line. Vehicular access to the garage area of the new rear residential building will use this existing driveway. Primary pedestrian access to the existing office building will continue directly from the Second St. frontage though the entry staircase will be redesigned. Pedestrian access to the new ground-floor residential unit is proposed along the west property line. Primary pedestrian access to the new third floor and secondary access to the second floor office space will be provided by a new stair/elevator tower located at the back of the existing office building. Pedestrian access to the upper-story residential units in the new rear building will be along the existing driveway. The project proposes to create three (3) covered parking spaces; one (1) new garage parking space in the existing office building at the front of the site and two (2) new garage parking spaces underneath the new residential building at the rear of the site.

The project also proposes to create two (2) new uncovered parallel parking spaces located along the existing driveway.

Architecture:

The existing 'modified craftsmen' design of the office structure, located at the front of the site, will continue with the proposed raising of the structure to allow for the creation of a new ground-floor residential unit and the proposed construction of the new third floor office space. The design of the new residential structure, located at the rear of the site, is proposed to match that of the existing front structure. The exterior materials for both structures are primarily horizontal ship-lap siding in a cream yellow color with bright white trim (windows, doors, eaves, gutters and railings) and dark asphalt composition roof shingles.

Material and Color Boards have been prepared by the applicant and submitted; a photo of the Material and Color Board is included in staff's report as Exhibit 5.

Parking:

The project proposes five (5) on-site parking spaces; one (1) covered garage parking space in the existing front office structure, two (2) covered garage parking spaces in the new rear residential structure and two (2) uncovered parking spaces located along the driveway.

Landscaping:

The project proposes 12% or 604 sq. ft. of site landscaping where a minimum of 10% (500 sq. ft.) is required. Landscaped areas will be located along the west and north property lines. The project proposes to retain the existing 42"-diameter palm tree which is located along the 2nd Street frontage. Additionally, the landscape plan proposes a combination of shrubs, grasses and groundcover to be planted along the 2nd Street frontage and along the western property line.

Grading/Drainage:

The project will require 315 CY of net new fill, including 10 CY of cut and 325 CY of 'fill'.

Planning Applications:

The project requires the following Planning entitlements:

- An Environmental and Design Review Permit. The project qualifies as a Major Physical Improvement pursuant to San Rafael Municipal Code Section 14.25.040 - *Improvements subject to review* because it entails construction of 3 residential units and an additions and alterations to existing nonresidential structures where the addition is greater than forty percent (40%). Major Physical improvements require Planning Commission consideration.
- An Administrative Use Permit. The project requires and administrative use permit to allow the proposed new residential uses on the commercial zoned site. Administrative Use Permits typically require staff level review. However, pursuant to San Rafael Municipal Code Section 14.21.040 - *Referral to planning commission*, projects that are not considered routine matters may be referred to the Planning Commission for consideration. It is standard practice to refer administrative actions to the Planning Commission when the Planning Commission has review authority over one or more other entitlement request as is the case here.

ANALYSIS

San Rafael General Plan 2020 Consistency:

There are numerous General Plan policies applicable to this project. The General Plan contains many competing policies that need to be weighed and considered. Consistency with a General Plan is determined by reviewing and weighing the goals and polices of *all* elements of the San Rafael General

Plan 2020. Overall, the project would be consistent with most of the applicable San Rafael General Plan 2020 policies.

The General Plan land use designation for the project site is Second/Third Street Mixed-Use (2/3 MU). The 2/3 MU designation allows office, limited retail and residential uses.

The project is in accordance with Land Use Policy LU-9 (*Intensity of Nonresidential Development*) with a proposed FAR (Floor Area Ratio) of 0.52 (2,620 sq. ft.), where a maximum allowable FAR of 0.50 (2,500 sq. ft.); the project is eligible for a one-time FAR bonus of up to 750 sq. ft. due to its Downtown location for which the project seeks a 120 sq. ft. FAR bonus. The project also is in accordance with Land Use Policy LU-12 (*Building Height*) with a proposed building height of 33'-8" (front building; rear building has an overall height of 29' 8" height), which represents an increase of 15'-6" over the existing height though below the maximum allowable building height of 36'.

A complete analysis of the pertinent policies and programs is presented in the attached *General Plan Consistency Table* (Exhibit 3).

Zoning Ordinance Consistency:

The project has been reviewed for consistency with the San Rafael Zoning Ordinance. A complete analysis of the pertinent regulations (standards and criteria) is presented in the attached *Zoning Ordinance Consistency Table* (Exhibit 4). Overall, the project is consistent with all applicable regulations of the Zoning Ordinance.

Chapter 5 – Commercial and Office Districts

The project site is located within the Second/Third Street Mixed-Use West (2/3 MUW) District, a Downtown zoning district. The proposed project requires consistency with the property development standards for the 2/3 MUW District, including maximum density (5 residential units), minimum setbacks (5' front), building height (36') and minimum landscaping (10%). As currently designed, the project will be consistent with all applicable development standards (maximum density, height and landscaping, and minimum setbacks) for the 2/3 MUW District.

Chapter 16 – Site and Use Regulations

Floor Area Ratio (FAR)

Under both the City's General Plan (Land Use Policy LU-9; *Intensity of Nonresidential Development*) and Section 14.16.150 (A) of the Zoning Ordinance (*Floor Area Ratios and Densities Applicable to Nonresidential and Mixed-Use Development*), the maximum allowable intensity of nonresidential development on the project site is 0.50 FAR (Floor Area Ratio), or 2,500 sq. ft. (based on the 5,000 sq. ft. lot area for the site). The project proposes 0.52 FAR or 2,620 sq. ft. of nonresidential development. Due to its Downtown location, the site is eligible for a FAR bonus of up to 750 sq. ft. and is requesting a FAR bonus of 120 sq. ft.

Sight Distance

Pursuant to Section 14.16.295 (*Sight Distance*) of the Zoning Ordinance, driveways on the project site, and those existing on an immediately adjacent site, shall provide a sight distance triangle of 15' from the curb return, or as determined by the City Engineer. The proposed project has been reviewed by the City Engineer and determined to be generally consistent with the required sight distance triangle.

Chapter 18 – Parking Standards

Parking Requirement

Pursuant to Section 14.18.040 (*Parking Standards; Parking Requirements*) of the Zoning Ordinance, the proposed project requires four (4) on-site parking spaces to meet the parking demand for the three (3) new residential units. The project proposes a total of five (5) on-site parking spaces; one (1) covered garage parking space in the existing front office structure, two (2) covered garage parking spaces in the new rear residential structure and two (2) uncovered parking spaces located along the driveway. The site is located within the boundaries of the Downtown Parking District, where the off-street parking requirement is waived for up to a maximum of 1.0 FAR of nonresidential development. The project proposes 0.52 FAR so no additional on-site parking is required for the project (both existing and proposed expanded office space).

Guest Parking

Also pursuant to SRMC Section 14.18.040, the project is not required to provide guest parking due to the site's Downtown location.

Clean Air Vehicle Parking

Pursuant to Section 14.18.045 (*Parking Standards; Designated Parking for Clean Air Vehicles*) of the Zoning Ordinance, the proposed project is not required to provide pre-wired clean air vehicle/EV parking spaces, which are required for projects providing 10 or greater nonresidential parking spaces. The project is required to provide four (4) off-street parking spaces for the three (3) new residential units only (Five off-street parking spaces are proposed). The parking demand for the nonresidential FAR on the site is waived due to the site's location within the Downtown Parking District.

Loading/Off-Loading Space

Pursuant to Section 14.18.050 (*Parking Standards; Off-Street Loading and Unloading*) of the Zoning Ordinance, the project is required to provide one (1) off-street loading/unloading space, 10' x 35' x 14' in dimensions. This off-street loading/unloading space may be located within the existing driveway, given that; the site is less than 10,000 sq. ft. and located within the Downtown Parking District.

Bicycle Parking

Pursuant to Section 14.18.090 (*Parking Standards; Bicycle Parking*) of the Zoning Ordinance, the proposed project is required to provide short-term bicycle parking equal to 5% of the required parking with a minimum of one (1) two-bike capacity rack. The project proposes one (1) two-bike capacity rack located between the existing office structure and the Second St. frontage.

Parking Dimensions and Design

Pursuant to Section 14.18.130 (*Parking Standards; Parking Dimensions and Design*) of the Zoning Ordinance, the proposed project is required to provide off-street parking spaces with minimum dimensions of 8' 6" x 18' and backups a minimum of 26'. The project proposes parking space dimensions of 8'6" x 19' and backups of 30'. The project plans include Vehicle Turning Exhibits (see Exhibit 9; Sheets 1A and 1B) which have been reviewed and recommended for approval by the City's Traffic Engineer.

Driveway Widths

Pursuant to Section 14.18.140 (*Parking Standards; Driveway Widths*) of the Zoning Ordinance, the project is required to provide a driveway width of 10' based on the number of proposed new residential units requiring off-street parking spaces. The project proposes a 16' 9 1/2" driveway width.

Chapter 22 – Use Permits

Pursuant to Sections 14.05.022 (*Land Use Regulations; 2/3 MUW District*) and 14.17.100 (*Residential in Commercial Districts*) of the Zoning Ordinance, the new residential units proposed by the project require Use Permit approval.

Chapter 25 – Environmental and Design Review Permits

The project requires Environmental and Design Review Permit approval by the Planning Commission (Commission), based on the level of proposed additions to the existing office building and the construction of three (3) new residential units on the site. The pertinent review criteria for Environmental and Design Review Permits, pursuant to Section 14.25.050 (*Review Criteria; Environmental and Design Review Permits*), are as follows:

- *Site Design. There should be a harmonious relationship between structures within the development and between the structures and the site. Proposed structures and site development should relate to the existing development in the vicinity. Major views of ridgelines should be preserved and enhanced from public streets and public vantage points. Development should respect site features and recognize site constraints by minimizing grading, erosion and removal of natural vegetation. Sensitive areas such as highly visible hillsides, steep, unstable or hazardous slopes, creeks and drainageways, and wildlife habitat should be preserved and respected.*
- *Architecture. The project architecture should be harmoniously integrated in relation to the architecture in the vicinity in terms of colors and materials, scale and building design. The design should be sensitive to and compatible with historic and architecturally significant buildings in the vicinity. Design elements and approaches which are encouraged include: a) creation of interest in the building elevation; b) pedestrian-oriented design in appropriate locations; c) energy-efficient design; d) provision of a sense of entry; e) variation in building placement and height; and f) equal attention to design given to all facades in sensitive location.*
- *Materials and colors. Exterior finishes should be consistent with the context of the surrounding area. Color selection shall coordinate with the predominant colors and values of the surrounding landscape and architecture. High-quality building materials are required. In hillside areas, natural materials and colors in the earth tone and wood tone range are generally preferred. Concrete surfaces should be colored, textured, sculptured, and/or patterned to serve design as well as a structural function.*
- *Walls, Fences and Screening. Walls, fences and screening shall be used to screen parking and loading areas, refuse collection areas and mechanical equipment from view. Screening of mechanical equipment shall be designed as an integrated architectural component of the building and the landscape. Utility meters and transformers shall be incorporated into the overall project design.*
- *Landscape Design. The natural landscape should be preserved in its natural state, as much as practical, by minimizing grading and tree and rock removal. The landscaping shall be designed as an integral enhancement of the site, sensitive to natural site features. Water-conserving landscape design shall be required. Smaller scale, seasonal color street trees should be proposed along pedestrian-oriented streets while high-canopy, traffic-tolerant trees and landscape setbacks should be proposed for primary vehicular circulation streets.*

The review criteria for Environmental and Design Review Permits requires that the proposed design (architecture, form, scale, materials and color, etc.) of all new development 'relate' to the predominant design or 'character-defining' design elements existing in the vicinity.

Site Design

The project proposes, essentially, to raise or 'lift-and-fill' the existing office structure, located at the front of the site, and to construct a new residential building at the rear of the site which is currently an uncovered parking area. Vehicular access is proposed to continue from Second Street, along an existing 16' 9 ½"-

wide driveway located along the east property boundary. Primary pedestrian access to the existing office structure is proposed to continue directly from the 2nd Street frontage, though the design of the entry staircase is proposed to change with the raising of the building. Secondary pedestrian access to the existing office structure is proposed from a new staircase tower addition located at the rear of the office structure. Pedestrian access to the new ground-floor residential unit in the existing front office structure is proposed through a landscaped walkway along the west property boundary. Pedestrian access to new residential structure is proposed along the existing driveway.

Architecture

The existing 'modified craftsmen' design of the office structure, located at the front of the site, will continue with the proposed raising of the structure to allow for the creation of a new ground-floor residential unit and the proposed construction of the new third floor office space. The design of the new residential structure, located at the rear of the site, is proposed to match that of the existing front structure. The scale of the project is proposed to increase from two (2) stories to three (3) stories. The current scale of existing buildings in the vicinity of the site is generally two (2) stories. An existing mature Canary Island date palm tree, located at the front of the site, also helps to frame the proposed three (3) story scale proposed by the project.

Colors and Materials

The exterior materials for both structures are primarily horizontal ship-lap siding in a cream yellow color with bright white trim (windows, doors, eaves, gutters and railings) and dark asphalt composition roof shingles. At the urging of the Design Review Board Subcommittee, red brick accents are proposed along the base of existing front office structure which complement the red brick courtyard fencing along the 2nd Street frontage.

Material and Color Boards were prepared by the applicant and submitted with the formal project; photos of the Material and Color Boards are included in staff's report as Exhibit 5.

Walls, Fences and Screening

The project design includes three (3) separate refuse enclosures, all of which will be screened from public view; one trash enclosure is proposed to be located underneath the new redesigned entry staircase to the existing office structure at the front of the site, a second trash enclosure is proposed to be located adjacent to the new stair tower at rear of the existing office structure and a third trash enclosure is proposed within the garage in the new rear residential structure. Ground-mounted and building-mounted HVAC units are proposed among both structures within the project, which will be screened from view at all times.

Landscape Design

The project proposes 12% or 604 sq. ft. of site landscaping where a minimum of 10% (500 sq. ft.) is required. Landscaped areas will be located along the west and north property lines. The project proposes to retain the existing 42"-diameter Canary Island date palm tree located along the 2nd Street frontage. Additionally, the landscape plan proposes a combination of shrubs, grasses and groundcover to be planted along the 2nd Street frontage and along the western property line.

On October 21, 2020, the Design Review Board subcommittee unanimously recommended approval of the proposed site and building design, determining that it adequately met the applicable design criteria for Environmental and Design Review Permits, to the recommended listed below.

San Rafael Design Guidelines:

The [San Rafael Design Guidelines](#) have been developed as interim criteria that implement design-related General Plan Policies. The site is located within the *Second/Third Corridor and Environs*.

Second/Third Corridor and Environs

Second and Third Streets are to be attractive, landscaped major transportation corridors. While increased pedestrian safety and comfort is desired on Second and Third Streets, greater pedestrian use of the cross streets is encouraged. The project site is located within the boundaries of the *Second/Third Street Corridor and Environs* area of the Downtown, where the following specific design guidelines apply:

- *To provide visual interest, long and monotonous walls should be avoided;*
- *Building walls should be articulated;*
- *To create a boulevard effect along Second and Third Streets, varied, landscaped setbacks are appropriate;*
- *Additional street trees are strongly encouraged;*
- *Entries to residential buildings should be well defined and oriented to the street rather than to a parking lot; and*
- *Driveway cuts and widths should be minimized to prevent vehicular conflicts.*

On October 21, 2020, the Design Review Board subcommittee unanimously recommended approval of the proposed site and building design, determining that it adequately met the applicable [San Rafael Design Guidelines](#), subject to the recommended listed below.

Downtown Vision:

The proposed project is located with the Downtown and should be consistent with as many of the applicable policies in the adopted *Our Vision of Downtown San Rafael; Second / Third Corridor Design Principles*, including:

- Make Second and Third Streets more attractive and safer for pedestrians by: 1) Planning more street trees; 2) Creating a visual buffer between pedestrians and the street; and 3) Reducing the number of driveways which interrupt sidewalks;
- Vary building heights and densities, concentrating the most intense development towards the east, closest to the freeway and Transportation Center, including: building heights of two to five stories and higher densities east of B Street and heights of one to three stories and lower densities west of B Street; and
- Encourage attractive, creative and varied architecture, with: 1) Design details on all sides of buildings visible to the street or pedestrians; 2) Sensitivity to the special design characteristics of some areas, such as the historic character of B Street and the Victorian character of E Street; and Careful maintenance of existing historic buildings, especially on B Street.

On October 21, 2020, the Design Review Board subcommittee unanimously recommended approval of the proposed site and building design, determining that it adequately met the applicable design principles of the [Downtown Vision](#), subject to the recommendations listed below.

“Good Design” Guidelines:

On August 14, 2017, an Ad Hoc City Council Sub-Committee convened to discuss “Community Design,” with a primary focus on Downtown development. The Ad Hoc Sub-Committee included former Mayor Phillips, former Council Member Andrew McCullough, two members of the Design Review Board (former Board Member Spielman and Board Member Summers) and two members of the Planning Commission (former Commissioners Paul and Robertson). The initial purpose of the meeting was to determine if there

are adequate tools and resources to facilitate and achieve good design in development in San Rafael. The Sub-Committee was provided with an inventory of our current resources (all referenced in this report), which are abundant and comprehensive. The inventory of documents and regulations include the following:

- ✓ Downtown San Rafael Vision – 1993
- ✓ General Plan 2020 Policies & Programs for Downtown – 2004
- ✓ San Rafael Design Guidelines (Interim) – 2004
- ✓ Zoning Regulations for Downtown – 2004
- ✓ Downtown San Rafael Station Area Plan – 2012

Former Mayor Phillips assigned former Commissioner/now Board Member Paul the task of forming a working group to review these resources and to develop a more concise and consolidated list of key criteria. The goal was to develop an informational handout (“City of San Rafael Expectations for Good Design”) that can be provided to developers/applicants. Former Commissioner Paul formed a small Working Group of local design professionals and residents to review the above planning documents and regulations and consolidate them into more concise criteria. This working group presented their findings and a [“Good Design Guidelines for Downtown”](#) slideshow to the Council at their February 5, 2018.

There are next steps, which include creating a checklist of these good design principles and adopting them; however, staff is providing the applicable criteria from this presentation as Exhibit 6.

On October 21, 2020, the Design Review Board subcommittee unanimously recommended approval of the proposed site and building design, determining that it adequately met the applicable criteria of [“Good Design” Guidelines for the Downtown](#), subject to the recommendations listed below.

DESIGN REVIEW BOARD RECOMMENDATION

On October 21, 2020, the Design Review Board subcommittee (Board Members Summer and Kent) reviewed the proposed project and unanimously (2-0 vote) recommended approval of the site and building design, subject to the following consensus comments:

- Applicant is encouraged to explore relocating the bicycle rack to allow for additional site landscaping; and
- Applicant is encouraged to explore alternative landscaping to the Grasscrete patio located between Unit #1 and the 2nd St frontage.

These recommendations by the Board have been incorporated as conditions of approval (Exhibit 2; Condition 2; ED20-021). Please note that, due to a Policy Statement adopted by the City Manager on April 1, 2020 (Exhibit 7), Board meetings are currently held as a smaller, 2-member subcommittee without notice or public comments and no video of the October 21, 2020 Board meeting is available.

ENVIRONMENTAL DETERMINATION

Pursuant to CEQA (California Environmental Quality Act) Guidelines Section 15061, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15332 (In-Fill Development Projects), Class 32 the project is an in-fill development project that meets the criteria listed below:

- a) The project is consistent with all applicable General Plan and policies and Zoning Ordinance regulations as documented by the attached consistency tables (see Exhibits 4 and 5, respectively);
- b) The proposed development is located within the city limits on a project site no more than five (5) acres substantially surrounded by urban uses given that the project site is 18,737 sq. ft. (0.43 acre) in area. The project site is located within the jurisdictional boundaries of the City of San Rafael and is surrounded by urban development;
- c) The project site has no value as habitat for endangered, are or threatened species given that the project site, and all of Downtown, is not identified in the General Plan (Conservation Element; Exhibit 38, "Threatened and Endangered Species" map) as containing suitable or critical habitat to sustain threatened and endangered species;
- d) Approval of the project would not result in any significant impacts to traffic, noise, air quality or water quality given that appropriate studies were conducted, submitted and reviewed by the appropriate city departments. The results are that no significant impacts would result from the project which cannot be mitigated with standard conditions of approvals
- e) The project site can be adequately served by all required utilities and public services given that the site is currently served, and will continue to be served, by City services and non-city agency service providers and the applicable service providers have indicated, through design or conditions, support for the project

NEIGHBORHOOD MEETING / CORRESPONDENCE

On November 21, 2020, the property owner voluntarily held an informational 'open house' to present the proposed project, answer questions and obtain comments from the immediate surrounding neighbors. With the assistance of Planning staff, who provided a list of mailing addresses for property owners and occupants of neighboring properties, invitations (Exhibit 7) were sent out to 70+ neighboring addresses. No one from the public attended the 'open house'.

Pursuant to a recent Policy Statement adopted by the City Manager on April 1, 2020 (Exhibit 8), no notice was required or provided for the Board meeting. Notice of the Planning Commission hearing was conducted in accordance with noticing requirements contained in Chapter 29 of the Zoning Ordinance. A Notice of Public Meeting was mailed to all property owners, residents, businesses and occupants within a 300-foot radius of the project site, the appropriate neighborhood groups (the Downtown Business Improvement District, the Gerstle Park Neighborhood Association and the Federation of San Rafael Neighborhoods) and all other interested parties, at least 15 calendar days prior to the Planning Commission hearing date. Additionally, notice was posted on the project site, along both the Second St. frontages, at least 15 calendar days prior to the date of this hearing.

At the time of printing and distributing staff's report to the Planning Commission, staff received no public comments as a result of noticing this Planning Commission hearing. Any comments received after distribution of the staff report will be forwarded to the Commission under separate cover.

CONCLUSION

The project site is among three Craftsmen-style buildings located along 2nd Street., directly across from the 815 B Street project, a transformational four (4)-story mixed-use project for the Downtown. The project proposes to preserve and enhance the existing craftsmen-style building along the street front while adding

three (3) new residential 'rental' units in the Downtown. Staff finds the project generally complies with all applicable General Plan policies, development standards in the 2/3 MUW District, the review criteria for Environmental and Design Review Permits, San Rafael Design Guidelines, the Downtown Vision, the 'Good Design' Principles, and the findings necessary to approve the requested Use Permit (residential units in a commercial zoning district) and Environmental and Design Review Permit (additions and modifications to the existing building and a new residential building). On October 21, 2020, the Design Review Board subcommittee reviewed the proposed project and unanimously recommended approval of the site and building design, subject to recommendations which are incorporated into the draft conditions of approval (Condition No. 2, ED20-021). The Planning Commission is requested to review and taking final action on the project.

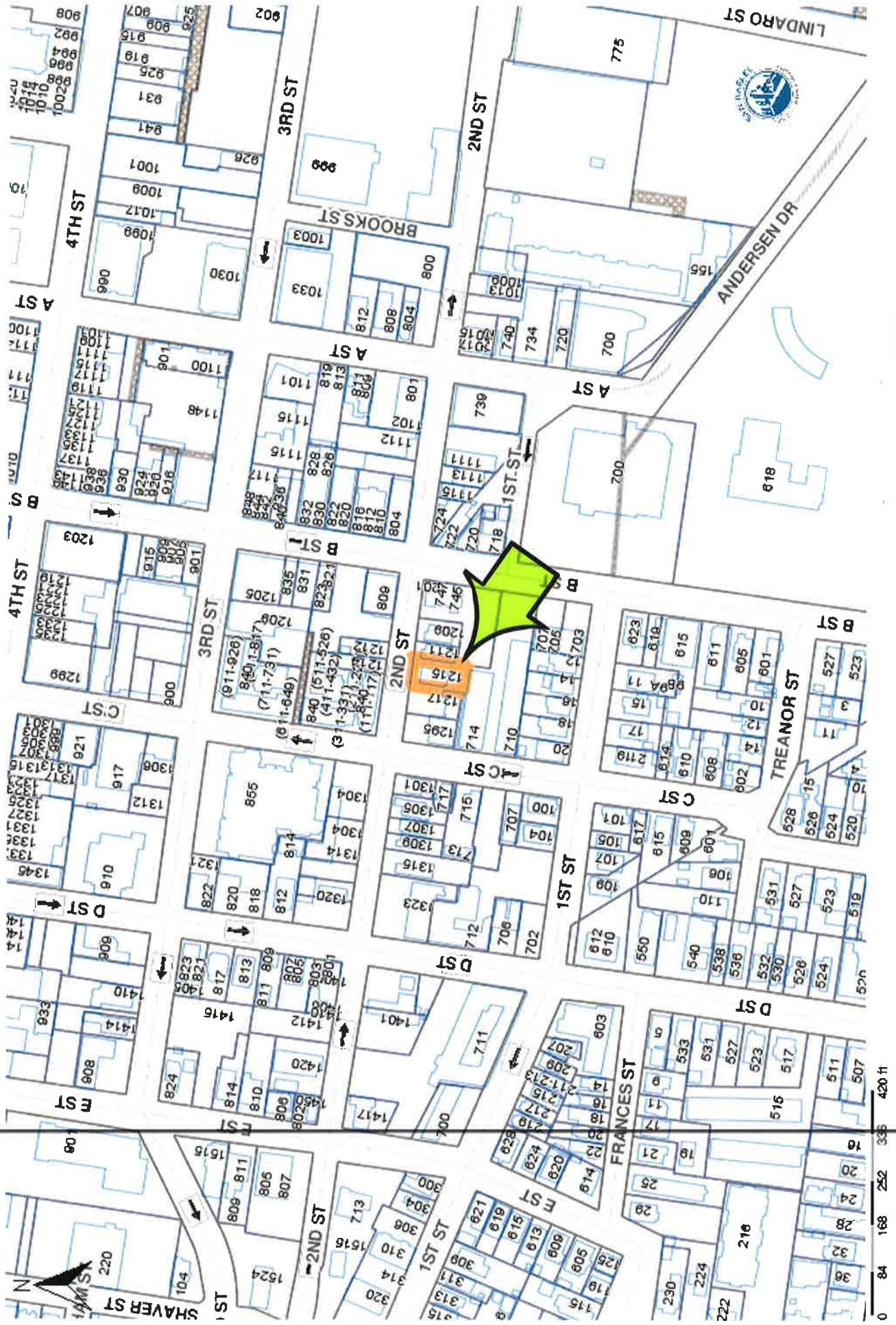
EXHIBITS

1. Vicinity/Location map
2. Draft Resolution recommending approval of the project
3. General Plan 2020 Consistency Table
4. Zoning Ordinance Consistency Table
5. Photos of Material and Color Boards
6. Summary of "Good Design Principals" for Downtown
7. Open House Invitation
8. Policy Statement
9. Project Plans



1215 2nd St.

While we strive to produce maps with good accuracy and with current accompanying data, the accuracy of the information herein cannot be guaranteed. This map was prepared using programmatic computer aided drafting techniques, and it does not represent legal boundary survey data.



RESOLUTION NO. 20-

RESOLUTION OF THE SAN RAFAEL PLANNING COMMISSION CONDITIONALLY APPROVING A USE PERMIT (UP20-011) AND AN ENVIRONMENTAL AND DESIGN REVIEW PERMIT (ED20-021) TO ALLOW: 1) THE INCREASE IN HEIGHT OF THE EXISTING OFFICE BUILDING (LIFT-AND-FILL) TO ACCOMMODATE A NEW GROUND-FLOOR RESIDENCE; 2) THE CONSTRUCTION OF NEW THIRD FLOOR OFFICE SPACE TO THE EXISTING OFFICE BUILDING; 3) THE ADDITION OF A NEW STAIRCASE AND ELEVATOR TOWER TO THE REAR OF THE EXISTING OFFICE BUILDING; AND 4) THE CONSTRUCTION OF A NEW DETACHED BUILDING WITH TWO NEW RESIDENTIAL UNITS ABOVE GARAGE PARKING ON A 5,000 SQ. FT. DOWNTOWN PARCEL LOCATED AT 1215 2ND STREET (APN: 012-075-03)

WHEREAS, on December 3, 2001, the City officially deemed the existing building on the site, at 1215 2nd Street, converted to commercial uses; and

WHEREAS, on August 22, 2019, Planning staff completed Pre-application review (PA19-007) on the proposed project, providing comments from City departments and non-city agencies; and

WHEREAS, on April 22, 2020, the Design Review Board subcommittee (Board; Saude and Kent) provided Conceptual Design Review comments on the project's proposed site and building design, including: 1) Effective use of 'lift-and-fill' and harmonious design integration of the existing structure and the new rear structure; 2) Good use of colors and materials hierarchy through applicant is encouraged to show a base material on the existing front structure which may be picked up in the revised front fence design; 3) The proposed white exterior color sections proposed on the new rear structure (see Sh. A2.3 and A2.4) should match the predominant 'cream' or yellow color proposed throughout the project; 4) Explore redesigning the front fencing by providing a 3'-tall base to match that on the front structure, increase the overall height to 5' with 2' of 'open' fencing above the solid base, setback both the front and side fencing to create 'vine-pockets', and add landscaping and lighting; 5) Applicant is encouraged to remove the existing palm tree to provide greater freedom to design site landscaping and main staircase to existing front structure. With the removal of the palm tree, the landscape plans should be re-evaluated to include another appropriate specimen tree in an appropriate location; and 6) Consider pulling the pavers away from the structure and the west property line to allow for additional plantings; 7) Consider expanding the landing from the residential unit along the 2nd St. frontage; 8) Explore redesigning the east rear staircase to include a landing; 9) Reconsider proposed creeping fescue for additional drip-irrigated plantings matching the planting palette; 10) Show the turning movements for all parking spaces; provide a copy of the project's parking study; 11) Show the refuse/recycling area(s) for the project; 12) Consult with project's civil engineers that bioswales will not be necessary due to the area of permeable pavers; 13) Provide a shade study and lighting plan; 14) Explore providing additional bicycle parking above minimum (1 bicycle rack for two bicycles); and 15) Explore providing greater eave overhang on the upper floors; and

WHEREAS, on June 18, 2020, formal project applications were submitted to the Community Development Department, Planning Division, requesting a Use Permit (UP20-011) and an Environmental and Design Review Permit (ED20-021) for the current project; and

WHEREAS, on October 21, 2020, the Board reviewed the formal project submittal for site and building design and unanimously (2-0 vote; Summer and Kent) recommended approval

of the project with the following consensus comments: 1) The applicant is encouraged to explore relocating the bicycle rack to allow for additional site landscaping; and 2) The applicant is encouraged to explore alternative landscaping to the Grasscrete patio located between Unit #1 and the 2nd St frontage; and

WHEREAS, on December 15, 2020, the San Rafael Planning Commission (Planning Commission) held a duly noticed a hearing to consider Use Permit (UP20-011) and Environmental and Design Review Permit (ED20-021) applications, accepted and considered all oral and written public testimony and the written report of Planning staff; and

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

NOW THEREFORE BE IT RESOLVED, the Planning Commission of the City of San Rafael does hereby make the following findings related to the applications for a Use Permit (UP20-011) and an Environmental and Design Review Permit (ED20-021):

**Use Permit (UP20-011)
Findings**

- A. The proposed expansion of office space and addition of new multifamily residential units, as revised and conditioned, will be in accord with the San Rafael General Plan 2020, the objectives of Title 14 of the San Rafael Municipal Code (*the Zoning Ordinance*) and the purposes of the Second/Third Mixed Use District West (2/3 MUW) District, in which the project site is located, given that;
1. As documented in the General Plan 2020 Consistency Table (Exhibit 3), the proposed project will implement and promote the goals and policies of the San Rafael General Plan 2020;
 2. As documented in the Zoning Ordinance Consistency Table (Exhibit 4), the proposed project will be consistent with the objectives of the Zoning Ordinance; and
 3. The proposed project will be consistent with the purposes of the 2/3 MUW District, given that; a) The project will continue to promote nonresidential office on the site while adding multifamily residential units, which is specifically allowed in the 2/3 MUW District; b) The project will provide a variety of 'rental' housing opportunities in terms of configuration (1-bedroom and 2-bedroom units) and sizes (568.8 sq. ft. for 1-bedroom and 935.4- 1,230.8 sq. ft. for 2-bedroom units), c) The project will help promote San Rafael's Downtown area as a viable commercial and financial center, and as an urban center with a mixture of civic, social, entertainment, cultural and residential uses due to its unique location in the Downtown (two blocks south of Fourth St.); future residents are anticipated to frequent existing and future businesses in the Downtown and help achieve the City's goal of 'alive-after-five' by helping to activate the Downtown in the evenings and on weekends; d) The project will help create an inviting appearance along the 2nd St. frontages by providing new brick/wrought iron fencing and landscaped setbacks; e) The project has been reviewed by the appropriate City department and non-city agencies and determined that adequate infrastructure exists to meet all new service demands; and f) On October 21, 2020, the Design Review Board subcommittee reviewed and recommended approval of the proposed site and building design, subject to the following recommendations: 1) The applicant is encouraged to explore relocating

the bicycle rack to allow for additional site landscaping; and 2) The applicant is encouraged to explore alternative landscaping to the Grasscrete patio located between Unit #1 and the 2nd St frontage.

- B. The proposed expansion of office space and addition of new multifamily residential units, as revised and conditioned, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, or to the general welfare of the City, given that; the project has been reviewed by appropriate City departments, non-City agencies, the appropriate surrounding neighborhood groups (Downtown Business Improvement District, Gerstle Park Neighborhood Association and the Federation of San Rafael Neighborhoods), interested parties, and the Design Review Board subcommittee (Board) on two (2) separate meetings (conceptual review on April 22, 2020 and formal project review on October 21, 2020) and conditions of approval have been included to mitigate any potential negative impacts anticipated to be generated by the proposed project;
- C. The proposed expansion of office space and addition of new multifamily residential units, as revised and conditioned, will comply with each of the applicable provisions of the Zoning Ordinance, given that; as documented in the Zoning Ordinance Consistency Table (Exhibit 4).

Environmental and Design Review Permit (ED20-021) Findings

- A. The project design, as revised and conditioned, will be in accordance with the San Rafael General Plan 2020, the objectives of Title 14 of the San Rafael Municipal Code (*the Zoning Ordinance*) and the purposes of Chapter 25 of the Zoning Ordinance (*Environmental and Design Review Permits*), given that;
 - 1. As documented in the General Plan 2020 Consistency Table (Exhibit 3), the proposed project will implement and promote the goals and policies of the San Rafael General Plan 2020;
 - 2. As documented in the Zoning Ordinance Consistency Table (Exhibit 4), the proposed project will be consistent with the objectives of the Zoning Ordinance; and
 - 3. As documented in the Zoning Ordinance Consistency Table attached to the staff report to the Planning Commission, the proposed project will be consistent with the purposes of Environmental and Design Review Permits, given that; the project will maintain and improve the quality of, and relationship between, development and the surrounding area to contribute to the attractiveness of the City, given that; the Board has reviewed and recommended approval of the project, subject to the following recommendations: 1) The applicant is encouraged to explore relocating the bicycle rack to allow for additional site landscaping; and 2) The applicant is encouraged to explore alternative landscaping to the Grasscrete patio located between Unit #1 and the 2nd St frontage.
- B. The project design, as revised and conditioned, is consistent with all applicable site, architecture and landscaping design criteria and guidelines for the Second/Third Mixed Use District West (2/3 MUW) District in which the project site is located, given that;

1. The project will be consistent with the maximum allowable density for the site, which is five (5) units based on a 5,000 sq. ft. of lot area for the site (3 new residential units proposed);
2. The project will be consistent with the minimum five-foot (5') front setback along the 2nd Street frontage (14' 9" front setback proposed);
3. The project will be consistent with the maximum 36' height allowed for the project site (33' 8" height proposed for raised front building and 29' 8" height proposed for new rear building);
4. The project will be consistent with the minimum 10% landscaping requirement (12% or 604 sq. ft of site landscaping is proposed);
5. The project will voluntarily provide private outdoor recreational area for each of the three (3) new residential units;
6. The project will be consistent with the maximum allowable Floor Area Ratio (FAR) of non-residential development (0.50 FAR or 2,500 sq. ft. allowed; 2,620 sq. ft. proposed), subject to a one-time FAR bonus of up to 10% or 750 sq. ft., whichever is larger for projects located in the Downtown;
7. The project will be consistent with the parking requirement by providing four (4) off-street parking spaces for the new residential units (no off-street parking is required for the existing and proposed FAR of nonresidential development on the site or guest parking);
8. Marin Municipal Water District (MMWD) has reviewed and approved water service for the project, subject to the purchase of additional water entitlement, the installation of separate water meters for the new residential units and review and approval of the landscape and irrigation plans prior to building permit submittal; and
9. The proposed project will be consistent with review criteria for Environmental and Design Review Permits (*Chapter 14.25 of the Zoning Ordinance*), given that; the Board reviewed the project twice and, on October 21, 2020, after determining the project adequately met the review criteria for Environmental and Design Review Permits, unanimously (2-0) recommended approval of the project design, subject to the following recommendations: 1) The applicant is encouraged to explore relocating the bicycle rack to allow for additional site landscaping; and 2) The applicant is encouraged to explore alternative landscaping to the Grasscrete patio located between Unit #1 and the 2nd St frontage.

C. The project design, as revised and conditioned, minimizes adverse environmental impacts, given that;

1. The City Engineer has reviewed the proposed project, including civil drawings showing the pre-and post-construction permeability of the site, and determined pervious area will increase from 14.2% (712 sq. ft.) to 28.8% (1,392 sq. ft.). While Marin County BASMAA (Bay Area Stormwater Management Agencies Association) manual standards do not require the installation of any stormwater treatment facilities, such as bioretention, since the new impervious area on the site will be under the minimum threshold of 5,000 sq. ft., the project voluntarily incorporates stormwater treatment measures, including increased site landscaping and erosion controls;
2. The project site is already significantly developed and disturbed and neither contains, nor is immediately contiguous to, recognizable wetlands, creeks or similarly sensitive environmental features, and it has not been identified in the San Rafael General Plan 2020 (*Exhibit 38 – Threatened and Endangered Species*) as a general location where threatened and endangered species have

been previously observed or maintain a suitable habitat for their likely presence to be found; and

3. The project is exempt from CEQA pursuant to CEQA Guidelines Section 15332 (In-Fill Development Projects), as determined by staff (see determination below).
- D. The project design, as revised and conditioned, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, or to the general welfare of the City, given that; the project has been reviewed by appropriate City departments, non-City agencies, the appropriate surrounding neighborhood groups (Downtown Business Improvement District, Gerstle park Neighborhood Association and Federation of San Rafael Neighborhoods), interested parties, and the Design Review Board subcommittee (Board) during two (2) separate meetings (conceptual review on April 22, 2020 and formal design review on October 21, 2020). On October 21, 2020, the Board unanimously recommended approval of the site and building design, subject to the following recommendations: 1) The applicant is encouraged to explore relocating the bicycle rack to allow for additional site landscaping; and 2) The applicant is encouraged to explore alternative landscaping to the Grasscrete patio located between Unit #1 and the 2nd St frontage.

California Environmental Quality Act (CEQA) Findings

Pursuant to CEQA (California Environmental Quality Act) Guidelines Section 15061, the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15332 (In-Fill Development Projects). A Class 32 categorical exemption under the CEQA Guidelines applies to this in-fill development project by meeting specific criteria listed below:

- a) The project is consistent with all applicable General Plan and policies and Zoning Ordinance regulations as documented by the attached consistency tables (see Exhibits 4 and 5, respectively);
- b) The proposed development is located within the city limits on a project site no more than five (5) acres substantially surrounded by urban uses given that the project site is 18,737 sq. ft. (0.43 acre) in area. The project site is located within the jurisdictional boundaries of the City of San Rafael and is surrounded by urban development;
- c) The project site has no value as habitat for endangered, are or threatened species given that the project site, and all of Downtown, is not identified in the General Plan (Conservation Element; Exhibit 38, "Threatened and Endangered Species" map) as containing suitable or critical habitat to sustain threatened and endangered species;
- d) Approval of the project would not result in any significant impacts to traffic, noise, air quality or water quality given that appropriate studies were conducted, submitted and reviewed by the appropriate city departments. The results are that no significant impacts would result from the project which cannot be mitigated with standard conditions of approvals
- e) The project site can be adequately served by all required utilities and public services given that the site is currently served, and will continue to be served, by City services and non-city agency service providers and the applicable service providers have indicated, through design or conditions, support for the project.

BE IT FURTHER RESOLVED, that the Planning Commission of the City of San Rafael does hereby approve the Use Permit (UP20-011) and the Environmental and Design Review

Permit (ED20-021), based on the findings of fact above and, subject to the following conditions of approval:

**Use Permit (UP20-011)
Conditions of Approval**

General and On-Going

Community Development Department, Planning Division

1. This Use Permit approves the construction and occupancy of three (3) residential 'rental' units on the site at 1215 2nd Street, a commercial zoning district.
2. This Use Permit shall run with the land and shall remain valid regardless of any change- of ownership of the project site, subject to these conditions. This Use Permit will fully vest once a building/grading permit is issued and 'substantial construction' is commenced or a time extension request is submitted to the City's Community Development Department, Planning Division, **within two (2) years** of original approval, or **by December 15, 2022** ('Substantial construction' is defined as the pouring of all required foundations and the installation of vertical components, such as exterior walls). Failure to obtain a grading/building permit and commence 'substantial construction' or submit a time extension request by the specified date will result in the expiration of this Use Permit.
3. This Use Permit shall run concurrently with the Environmental and Design Review Permit (ED20-021) approval. If the Environmental and Design Review Permit approval expires, this Use Permit approval shall also expire and become invalid.

**Environmental and Design Review Permit (ED20-021)
Conditions of Approval**

General and On-Going

Community Development Department, Planning Division

1. The building techniques, colors, materials, elevations and appearance of the project, as presented to the Planning Commission at their December 15, 2020 hearing, and on file with the Community Development Department, Planning Division, shall be the same as submitted for building permits, subject to these conditions. Minor modifications or revisions to the project shall be subject to review and approval of the Community Development Department, Planning Division. Further modifications deemed not minor by the Community Development Director, shall require review and approval by the original decision-making body, the Planning Commission and may require review and recommendation by the City's Design Review Board.
2. This Environmental and Design Review Permit generally approves: 1) The increase in the height of an existing office building ('lift-and-fill') to accommodate a new ground-floor residence; 2) The construction of a new third floor office space to the existing office building; 3) The addition of a new staircase and elevator tower to the rear of the existing office building; 4) The construction of a new detached building with two new residential units above garage parking; and 5) Associated miscellaneous site improvements, including new stormwater drainage and landscaping.

3. All delivery (or pick-up) of excavation fill, materials and grading/construction equipment shall occur during off-peak weekday hours, between 9:00 a.m. and 4:00 p.m., Monday through Friday only.
4. Consistent with the standard noise ordinance requirements for construction (SRMC Chapter 8.13), all grading and construction activities shall be limited to 7 a.m. to 6 p.m., Monday through Friday, and 9 a.m. to 6 p.m., Saturdays. All grading and construction activities are strictly prohibited on Sundays and State- or federally-recognized holidays.
5. Final landscape and irrigation plans for the project shall comply with the provisions of Marin Municipal Water District's (MMWD) most recent water conservation ordinance and graywater recycling system requirements. Construction plans submitted for issuance of building/grading permit shall be pre-approved by MMWD and stamped as approved by MMWD or include a letter from MMWD approving the final landscape and irrigation plans. Modifications to the final landscape and irrigation plans, as required by MMWD, shall be subject to review and approval of the Community Development Department, Planning Division.
6. All new landscaping shall be irrigated with an automatic drip system and maintained in a healthy and thriving condition, free of weeds and debris, at all times. Any dying or dead landscaping shall be replaced in a timely fashion.
7. All site improvements, including but not limited to, the site lighting, landscaping, bicycle rack and fencing/gates shall be maintained in good, undamaged condition at all times. Any damaged improvements shall be replaced in a timely manner.
8. The site shall be kept free of litter and garbage. Any trash, junk or damaged materials that are accumulated on the site shall be removed and disposed of in a timely manner.
9. All public streets and sidewalks and on-site streets which are privately owned that are impacted by the grading and construction operation for the project shall be kept clean and free of debris at all times. The general contractor shall sweep the nearest street and sidewalk adjacent to the site on a daily basis unless conditions require greater frequency of sweeping.
10. All submitted building permit plan sets shall include a plan sheet incorporating these conditions of approval.
11. If archaeological or cultural resources are accidentally discovered during excavation/grading activities, all work will stop within 100 feet of the resource and the qualified archaeologist will be notified immediately. The qualified archaeologist will contact Federated Indians of Graton Rancheria (FIGR) and the Planning Division and coordinate the appropriate evaluation of the find and implement any additional treatment or protection, if required. No work shall occur in the vicinity until approved by the qualified archaeologist, FIGR and Planning staff. Prehistoric resources that may be identified include, but shall not be limited to, concentrations of stone tools and manufacturing debris made of obsidian, basalt and other stone materials, milling equipment such as bedrock mortars, portable mortars and pestles and locally darkened soils (midden) that may contain dietary remains such as shell and bone, as well as human remains. Historic resources that may be identified include, but are not limited to, small cemeteries or burial plots, structural foundations, cabin pads, cans with soldered seams or tops, or bottles or fragments or clear and colored glass.

12. If human remains are encountered (or suspected) during any project-related activity, all work will halt within 100 feet of the project and the County Coroner will be contacted to evaluate the situation. If the County Coroner determines that the human remains are of Native American origin, the County Coroner shall notify FIGR within 24-hours of such identification who will work with Planning staff to determine the proper treatment of the remains. No work shall occur in the vicinity without approval from Planning staff.
13. Applicant agrees to defend, indemnify, release and hold harmless the City, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities ("indemnities"), the purpose of which is to attack, set aside, void or annul the approval of this application or the adoption of any environmental document which accompanies it. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted or incurred by any person or entity, including the applicant, third parties and the indemnities, arising out of or in connection with the approval of this application, whether or not there is concurrent, passive or active negligence on the part of the indemnities.
14. In the event that any claim, action or proceeding as described above is brought, the City shall promptly notify the applicant of any such claim, action or proceeding, and the City will cooperate fully in the defense of such claim, action, or proceeding. In the event the applicant is required to defend the City in connection with any said claim, action or proceeding, the City shall retain the right to: 1) approve the counsel to so defend the City; 2) approve all significant decisions concerning the manner in which the defense is conducted; and 3) approve any and all settlements, which approval shall not be unreasonably withheld. Nothing herein shall prohibit the City from participating in the defense of any claim, action or proceeding, provided that if the City chooses to have counsel of its own to defend any claim, action or proceeding where applicant already has retained counsel to defend the City in such matters, the fees and the expenses of the counsel selected by the City shall be paid by the City.
15. As a condition of this application, applicant agrees to be responsible for the payment of all City Attorney expenses and costs, both for City staff attorneys and outside attorney consultants retained by the City, associated with the reviewing, processing and implementing of the land use approval and related conditions of such approval. City Attorney expenses shall be based on the rates established from time to time by the City Finance Director to cover staff attorney salaries, benefits, and overhead, plus the actual fees and expenses of any attorney consultants retained by the City. Applicant shall reimburse the City for City Attorney expenses and costs within thirty (30) days following billing of same by the City.
16. This Environmental and Design Review Permit shall run with the land and shall remain valid regardless of any change of ownership of the project site, subject to these conditions. This Environmental and Design Review Permit will fully vest once a building/grading permit is issued and 'substantial construction' is commenced or a time extension request is submitted to the City's Community Development Department, Planning Division, **within two (2) years** of original approval, or **by December 15, 2022** ('Substantial construction' is defined as the pouring of all required foundations and the installation of vertical components, such as exterior walls). Failure to obtain a grading/building permit and commence 'substantial construction, or failure to obtain a time extension within the two-year period, will result in the expiration of this Environmental and Design Review Permit.

17. This Environmental and Design Review Permit shall run concurrently with the Use Permit (UP20-011) approval. If the Environmental and Design Review Permit expires, the Use Permit approval shall also expire and become invalid.

Prior to Issuance of Grading/Building Permits

Community Development Department, Planning Division

18. To reduce potential temporary construction and grading noise impacts on the project site to meet the City's 90 dBA noise limit, the applicant shall demonstrate to the satisfaction of the Community Development Department, Planning Division, that the project complies with the following:
- A. Construction contracts specify that all construction and grading equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other State-required noise attenuation devices.
 - B. Property owners and occupants located immediately adjacent to the project boundary shall be sent a notice, at least 15-days prior to commencement of construction or grading of each phase, regarding the construction or grading schedule of the project. All notices shall indicate the dates and duration of construction or grading activities, as well as provide a contact name and a telephone number where residents and business owners can inquire about the construction or grading process and register complaints.
 - C. The applicant shall demonstrate to the satisfaction of the Community Development Director (or designee) that construction and grading noise reduction methods shall be used where feasible. These reduction methods include shutting-off idling equipment, installing temporary acoustic barriers around stationary construction and grading noise sources, maximizing the distance between construction and grading staging areas and occupied residential and commercial areas, and electric air compressors and similar power tools.
 - D. Construction and excavation/grading off-haul truck routes shall be designed to avoid noise sensitive uses (e.g., residences, assisted senior living facilities, hospitals, etc.) to the greatest extent feasible.
 - E. During construction and grading, stationary equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.
19. To meet the City of San Rafael's interior noise limit requirements (45 Ldn residential) and the Cal Green Non-Residential Mandatory Measure (50dBA for commercial) the project shall comply with the following.
- A. All windows in the existing building, located at the front of the site, shall have a OITC (Indoor-Outdoor Transmission Class) rating of 25 along the 2nd Street frontage and west and east facing facades.
 - B. All windows along the rear of the existing building and the new building, located at the rear of the site, shall be a minimum double-paned design.
 - C. Since all habitable rooms will experience exterior noise exposures greater than 60 Ldn, alternative ventilation per Title 24 will be required.

- D. All HVAC equipment shall be located along the west side of the site or additional noise control measures will be necessary and the project's acoustic engineer shall be consulted. In addition, the project's acoustical assessment shall be update and resubmitted to the City for review and approval by staff.
20. Any outstanding Planning Division application processing fees shall be paid prior to grading or building permit issuance.
21. All mechanical equipment (i.e., air conditioning units, meters and transformers) and appurtenances not entirely enclosed within the building shall be fully-screened from public view. The method used to accomplish the screening shall be indicated on the building plans and approved by the Planning Division.
22. A Lighting Plan/Photometric study shall be submitted for review and approval with the Building Permit plans and shall provide the following illumination levels: a) A minimum of one (1) foot candle at ground level overlap at all exterior doorways and throughout the vehicle parking area; b) A minimum of one-half (1/2) foot candle at ground level overlap on all outdoor pedestrian walkways and common areas; and c) A maximum one (1) foot candle at ground level overlap at all property lines.
23. The applicant or owner shall inform the contractor, general contractor or site supervisor of these requirements and shall be responsible for informing subcontractors of these requirements and for implementing these measures on the site.

Department of Public Works

24. A grading permit shall be required from the Department of Public Works (111 Morphew St.). Any grading permit submittal shall include a site-specific erosion and sediment control plan
25. The construction drawings shall show the sight distance triangle requirements for the common driveway so that the Land Development Engineer, Department of Public Works, may confirm the proposed new landscaping located between the building and the 2nd Street curb complies with the vision triangle requirements pursuant to Section 14.16.295 (*Sight Distance*) of the SRMC.
26. The trash enclosure shall include self-closing mechanisms for door hinges so that the common driveway will be kept clear at all times.
27. The project requires a Base Elevation Certificate which shall be shown on the construction drawings (Please note that the CBC references ASCE 24, which requires one (1)-foot above base flood elevation. The City of San Rafael requires the base flood elevation plus the 30-year predicted settlement.).
28. An encroachment permit shall be required from the Department of Public Works prior to any work within the Right-of-Way.
29. Areas of sidewalk to be removed and replaced are to be replaced to the nearest joint and installed per Marin County Standard Drawing #105.
30. A construction vehicle impact fee shall be required at the time of building permit issuance; which is calculated at 1% of the valuation, with the first \$10,000 of valuation exempt.

31. A traffic mitigation fee shall be required at building permit issuance. Based on the proposed plans, the project results in an increase of 7 new net peak hour (3 a.m. and 4 p.m.) traffic trips and shall pay a traffic mitigation fees of \$29,722 (currently \$4,246 x 7).

San Rafael Sanitation District (SRSD)

32. If a new or separate sewer lateral is proposed to extend to the sewer mainline, please include Civil/Utility plans with the construction drawings which comply with SRSD Standards for review and approval.
33. New sewer connection fees are required for the new residential units prior to building permit issuance.
34. Pursuant to SRSD's Specifications for Side Sewers and Laterals, the applicant/owner shall submit a utility plan prepared by a registered civil engineer showing the alignment of the proposed sanitary sewer lateral including a backflow prevention device at each building plumbing stub(s).

Community Development Department, Building Division

35. School fees will be required for the project, calculated by, and to be paid to, the San Rafael City School District, prior to issuance of a building permit (currently located at 310 Nova Albion Way, San Rafael, CA 94903). Proof of payment shall be submitted to the Building Division prior to issuance of the building permit.
36. Prior to any use or occupancy of this building or structure or any portion thereof of a "Certificate of Occupancy" must be issued by the Chief Building Official pursuant to California Building Code Section 111.1. Failure to secure a "Certificate of Occupancy" is a violation and will result in a \$500 citation per day that the violation continues.
37. The design and construction of all site alterations shall comply with the current editions of the California Building Code, Plumbing Code, Electrical Code, California Mechanical Code, California Fire Code, California Energy Code, Title 24 California Energy Efficiency Standards, California Green Building Standards Code and City of San Rafael Ordinances and Amendments.
38. A building permit is required for the proposed work. Applications shall be accompanied by four (4) complete sets of construction drawings to include:
- a) Architectural plans
 - b) Structural plans
 - c) Electrical plans
 - d) Plumbing plans
 - e) Mechanical plans
 - f) Site/civil plans (clearly identifying grade plan and height of the building)
 - g) Structural Calculations
 - h) Truss Calculations
 - i) Soils reports
 - j) Green Building documentation
 - k) Title-24 energy documentation
39. Based on the distance to the property line (and/or adjacent buildings on the same parcel), the building elements shall have a fire resistive rating not less than that specified in CBC

Table 601 and exterior walls shall have a fire resistive rating not less than that specified in CBC Table 602.

40. Cornices, eaves overhangs, exterior balconies and similar projections extending beyond the floor area shall conform to the requirements of CBC 705.2. Projections shall not extend beyond the distance determined by the following two methods, whichever results in the lesser projection:
- a) A point one-third the distance from the exterior face of the wall to the lot line where protected openings or a combination of protected openings and unprotected openings are required in the exterior wall.
 - b) A point one-half the distance from the exterior face of the wall to the lot line where all openings in the exterior wall are permitted to be unprotected or the building is equipped throughout with an automatic sprinkler system.
 - c) More than 12 inches into areas where openings are prohibited.
41. The existing building proposed for expansion will now contain different occupancy types. Individual occupancies are categorized with different levels of hazard and may need to be separated from other occupancy types for safety reasons. Under mixed-occupancy conditions the project architect has available several design methodologies (accessory occupancies, non-separated occupancies, and separated occupancies) to address the mixed-occupancy concerns.
42. The maximum area of unprotected and protected openings permitted in the exterior wall in any story of a building shall not exceed the percentages specified in CBC Table 705.8 "Maximum Area of Exterior Wall Openings Based on Fire Separation Distance and Degree of Opening Protection." To calculate the maximum area of exterior wall openings you must provide the building setback distance from the property lines and then justify the percentage of proposed wall openings and include whether the opening is unprotected or protected:
- 15% exterior wall openings (in any story) in sprinklered buildings where the openings are 3' to less than 5' from the property line or buildings on the same property.
 - 25% exterior wall openings (in any story) in sprinklered buildings where the openings are 5' to less than 10' from the property line or buildings on the same property.
 - 45% exterior wall openings (in any story) in sprinklered buildings where the openings are 10' to less than 15' from the property line or buildings on the same property
43. The new building shall have address identification placed in a position that is plainly legible and visible from the street or road fronting the property. Numbers painted on the curb do not satisfy this requirement. For new buildings, the address shall be internally-illuminated or externally-illuminated and remain illuminated at all hours of darkness. Number shall be a minimum 6 inches in height with ½ inch stroke for commercial applications. The address shall be contrasting in color to their background (SMC 12.12.20).
44. Any demolition of existing structures shall require a permit. Demolition permit submittal shall include three (3) copies of the site plan, asbestos certification and PG&E disconnect notice. All required permits from the Bay Area Air Quality Management District shall be obtained and documentation provided prior to building permit issuance and any work commencing.
45. A grading permit is required for any grading or site remediation, soils export, import and placement. Provide a detailed soils report prepared by a qualified engineer to address these procedures. In particular, the report should address the import and placement and

compaction of soils at future building pad locations and should be based on an assumed foundation design. This information should be provided to Building Division and Department of Public Works for review and comments prior to any such activities taking place.

46. Prior to building permit issuance for the construction of the new building, geotechnical and civil pad certifications are to be submitted. Building pad locations will have to be surveyed and marked prior to placement of foundations.
47. Ventilation area required, the minimum openable area to the outdoors is 4 percent of the floor area being ventilated CBC 1203.5.1 or mechanical ventilation in accordance with the California Mechanical Code.
48. Natural light, the minimum net glazed area shall not be less than 8 percent of the floor area of the room served CBC 1205.2 or shall provide artificial light in accordance with CBC 1205.3.
49. Walls separating purposed tenant space from existing neighboring tenant spaces must be a minimum of 1-hour construction.
50. All site signage as well as wall signs require a separate permit and application (excluding address numbering).
51. You must apply for a new address for this building from the Building Division.
52. In the parking garage, in areas where motor vehicles are stored, floor surfaces shall be of noncombustible, nonabsorbent materials. Floors shall drain to an approved oil separator or trap discharging to sewers in accordance with the Plumbing Code and SWIPP.
53. The parking garage ceiling height shall have a minimum vertical clearance of 8' 2" where required for accessible parking.
54. Multifamily dwelling and apartment accessible parking spaces shall be provided at a minimum rate of 2 percent of the covered multifamily dwelling units. At least one space of each type of parking facility shall be made accessible even if the total number exceeds 2%.
55. When parking is provided for multifamily dwellings and is not assigned to a resident or a group of residents, at least 5% of the parking spaces shall be accessible and provide access to grade-level entrances of multifamily dwellings and facilities (e.g. swimming pools, club houses, recreation areas and laundry rooms) that serve the dwellings. Accessible parking spaces shall be located on the shortest accessible route to an accessible building, or dwelling unit entrance.
56. Public accommodation disabled parking spaces must be provided according the following table and must be uniformly distributed throughout the site:

Total Number of Parking Spaces Provided	Minimum Required Number of H/C Spaces
1 to 25	1
26 to 50	2
51 to 75	3

76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	Two percent of total
1,001 and over	Twenty, plus one for each 100 or fraction thereof over 1,001

57. At least one (1) disabled parking space shall be van-accessible, 9' in width plus an 8'-wide off- load area or 17'-wide overall. Additionally, one in every eight required handicap spaces shall be van accessible.
58. The proposed residential units shall meet the sound attenuation requirements of CBC Chapter 12. In particular, the new residential unit facing 2nd Street may require special glazing and/or sound attenuation features to compensate for the adjacent traffic/street noise.

San Rafael Fire Department, Fire Prevention Bureau

59. The design and construction of all site alterations shall comply with the 2019 California Fire Code, current NFPA Standards and all applicable City of San Rafael Ordinances and Amendments.
60. It appears that the project meets the requirement for "substantial remodel" as defined in the San Rafael Municipal Code Chapter 4.08.120, Section 202. Therefore, fire sprinklers may be required throughout the existing building and new building. Determination for fire sprinklers will be conducted during review of the construction drawings during building permit review.
61. Deferred Submittals for the following fire protection systems shall be submitted to the Fire Prevention Bureau for approval and permitting prior to installation of the systems:
- a) Fire Sprinkler plans (Deferred Submittal to the Fire Prevention Bureau)
 - b) Fire Underground plans (Deferred Submittal to the Fire Prevention Bureau)
 - c) Fire Alarm plans (Deferred Submittal to the Fire Prevention Bureau)
62. Show the location of address numbers on the building elevation. The new building shall have address identification placed in a position that is plainly legible and visible from the street or road fronting the property. Numbers painted on the curb do not qualify as meeting this requirement. Numbers shall contrast with the background and shall be Arabic numbers or letters. Numbers shall be internally or externally illuminated in all new construction or substantial remodels. Number sizes are as follows: For residential, 4"-tall numbers with ½" stroke. For commercial, 6"-tall numbers with ½" stroke. Larger sizes may be required for the fire code official or in multiple locations for buildings served by two or more roads.
63. A Knox Box is required at the primary point of first response to the new building (A recessed mounted Knox Box # 3200 Series; surface mounted Knox Boxes are permitted at all other entry points). The Knox Box shall be clearly visible upon approach to the main entrance from the fire lane. Note the Knox Box must be installed from 72" to 78" above finish grade; show the location on the plans. See <https://www.knoxbox.com/commercial-knoxboxes/>.

64. The applicant or owner shall contact MMWD (Marin Municipal Water District) to make arrangements for the water supply serving the fire protection system.

During Construction

Marin Municipal Water District (MMWD)

65. District records indicate that the property's current annual water entitlement is insufficient to meet the water demand for the project and the purchase of additional water entitlement will be required prior to water service to the new residences and the installation of separate water meters for the new residences. Additional water entitlement will be available upon request and fulfillment of the following requirements:
- a) Complete a High-Pressure Water Service Application.
 - b) Submit a copy of the building permit.
 - c) Pay the appropriate fees and charges.
 - d) Comply with the District's rules and regulations in effect at the time service is requested, including the installation of separate meters to serve the new living units.
 - e) Comply with all indoor and outdoor requirements of District Code Title 13 – Water Conservation. Indoor plumbing fixtures shall meet specific efficiency requirements. Landscape, irrigation, grading and fixture plans shall be submitted to the District for review and approval. Any questions regarding District Code Title 13 – Water Conservation should be directed to the District's Water Conservation Department at (415) 945-1497. You may also find information on the District's water conservation requirements online at www.marinwater.org.
 - f) Comply with the backflow prevention requirements, if upon the District's review backflow protection is warranted, including installation, testing and maintenance. Questions regarding backflow requirements should be directed to the Backflow Prevention Program Coordinator at (415) 945-1558.
 - g) Comply with Ordinance No. 429 requiring the installation of gray water recycling systems when practicable for all projects required to install new water service and existing structure undergoing "substantial remodel" that necessitates an enlarged water service.

Pacific Gas & Electric

66. Electric and gas service to the project site will be provided in accordance with the applicable extension rules, which are available on PG&E's website at <http://www.pge.com/myhome/customerservice/other/newconstruction> or contact (800) PGE-5000. It is highly recommended that PG&E be contacted as soon as possible so that there is adequate time to engineer all required improvements and to schedule any site work.
67. The cost of relocating any existing PG&E facilities or conversion of existing overhead facilities to underground shall be the sole responsibility of the applicant or property owner.
68. Prior to the start excavation or construction, the general contractor shall call Underground Service Alert (USA) at (800) 227-2600 to have the location of any existing underground facilities marked in the field.

Prior to Occupancy

Community Development Department, Planning Division

69. Prior to occupancy of any of the units, a post-construction report from an acoustical engineer shall be submitted to the Planning Division verifying that the multifamily residential units comply with the interior and common outdoor area noise standards as prescribed by State Administrative Code standards, Title 25, Part 2.
70. Prior to occupancy of any of the units, a post-construction report from a lighting engineer shall be submitted to the Planning Division verifying that the lighting levels of the project comply with the City's recommended lighting levels (see SRMC Section 14.16.227).
71. Prior to occupancy, the project Geotechnical Engineer shall submit a letter to the City identifying that the project Geotechnical Engineer inspected the project during the construction and the project complied with their recommendations and that all recommendations were properly incorporated during construction of the project
72. Final inspection of the project by the Community Development Department, Planning Division, is required. The applicant shall contact the Planning Division to request a final inspection upon completion of the project. The final inspection shall require a minimum of 48-hour advance notice.
73. The landscape architect for the project shall submit a letter to the Planning Division, confirming the landscaping has been installed in compliance with the approved project plans and the irrigation is fully functioning.

After Occupancy

Community Development Department, Planning Division

74. Following the issuance of a Certificate of Occupancy, all new exterior lighting shall be subject to a 90-day lighting level review period by the City to ensure that all lighting sources provide safety for the building occupants while not creating a glare or hazard on adjacent streets or be annoying to adjacent residents. During this lighting review period, the City may require adjustments in the direction or intensity of the lighting, if necessary. All exterior lighting shall include a master photoelectric cell with an automatic timer system, where the intensity of illumination shall be turned off during daylight.
75. Following the issuance of a Certificate of Occupancy, an acoustical assessment by a licensed acoustic engineer shall monitor and confirm the project complies with both the City's adopted interior noise standards and noise limits for usable outdoor areas. This post-construction acoustical assessment shall be submitted to the City for final review and approval.

The foregoing Resolution was adopted at the regular City of San Rafael Planning Commission meeting held on the 15th day of December 2020.

Moved by Commissioner _____ and seconded by Commissioner _____.

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

SAN RAFAEL PLANNING COMMISSION

ATTEST: _____
Paul A. Jensen, Secretary

BY: _____
Aldo Mercado, Chair

Exhibit 3

TABLE ANALYZING PROJECT CONSISTENCY WITH SAN RAFAEL GENERAL PLAN 2020

LAND USE ELEMENT	
<p>LU-2. Development Timing. For health, safety and general welfare reasons, new development should only occur when adequate infrastructure is available consistent with the following findings:</p> <ol style="list-style-type: none"> Project-related traffic will not cause the level of service established in the Circulation Element to be exceeded; Any circulation improvements needed to maintain the level of service standard established in the Circulation Element have been programmed and funding has been committed; Environmental review of needed circulation improvement projects has been completed; The time frame for completion of the needed circulation improvements will not cause the level of service in the Circulation Element to be exceeded, or the findings set forth in Policy C-5 have been made; and Sewer, water, and other infrastructure improvements will be available to serve new development by the time the development is constructed 	<p><i>Consistent</i></p> <p>The project proposes to redevelop a 5,000 sq. ft., Downtown in-fill parcel, currently served by City infrastructure and services. The project proposes to raise ('lift-and-fill') the existing office building on the site to allow the creation of a new two (2)-bedroom residential unit on the ground-floor while also constructing a new 1,094 sq. ft. third floor to provide additional office space. The project also proposes to construct a new second, three (3)-story building at the rear of the site with two (2) residential units (one, 1-bedroom unit and one, 2-bedroom unit) above garage parking which is currently used as an uncovered parking area for the existing office building. The City's Engineer has reviewed the project and evaluated its impacts in the City's traffic model. As a result, the City Engineer has found that this project: 1) would generate a total of seven (7) additional peak hour vehicular trips (3 a.m. and 4 p.m.) beyond those that have historically existed on the site; and 2) would not adversely affect the LOS for the nearby intersections, based on the 7 total new a.m./p.m. peak hour vehicle trips that would be generated by the project, and conditioned on the payment of traffic mitigation fees to fund the project's fair share of local circulation improvement projects by the City. Lastly, the quasi-governmental agencies that would provide water and sewer service to the site have reviewed the proposed project and determined that there is adequate capacity to service the new project</p>
<p>LU-8. Density of Residential Development. Residential densities are shown in Exhibit 11, Land Use Categories, pages 38-40. Maximum densities are not guaranteed but minimum densities are generally required. Density of residential development on any site shall respond to the following factors: site resources and constraints, potentially hazardous conditions, traffic and access, adequacy of infrastructure, City design policies and development patterns and prevailing densities of adjacent developed areas.</p>	<p><i>Consistent</i></p> <p>See LU-2 discussion above. The site is assigned a General Plan land use designation of Second/Third Street Mixed-Use (2/3 MU). The 2/3 MU land use designation allows residential densities of between 32 and 62 units per gross acre. Based on this allowable density, the 5,000 sq. ft. project site would be allowed 3 (net) to 7 (gross) residential units. The Zoning designation for the site is Second/Third Mixed Use District West (2/3 MUW), which allows one unit per 1,000 sq. ft. of lot area or a maximum base residential density of five (5) units for the project site. The project would therefore be consistent with the allowable density range of residential development.</p>

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TABLE ANALYZING PROJECT CONSISTENCY WITH SAN RAFAEL GENERAL PLAN 2020

<p>LU-9. Intensity of Nonresidential Development. Commercial and industrial areas have been assigned floor area ratios (FAR's) to identify appropriate intensities (see Exhibits 4, 5 and 6). Maximum allowable FAR's are not guaranteed, particularly in environmentally sensitive areas. Intensity of commercial and industrial development on any site shall respond to the following factors: site resources and constraints, traffic and access, potentially hazardous conditions, adequacy of infrastructure, and City design policies.</p>	<p><i>Consistent</i> See LU-2 discussion above. According to Exhibit 6 (<i>Floor Area Ratios in Downtown and Environs</i>) of the General Plan, the maximum allowable floor area ratio (FAR) or intensity of development on the project site is 0.5 FAR or 2,500 sq. ft. of non-residential development, based on the 5,000 sq. ft. lot size. The project proposes to increase FAR on the site by raising ('lift-and-fill') the existing office building to create a new ground-floor residential unit and constructing a new, 1,094 sq. ft. third floor to provide additional office space. The project proposes to increase FAR on the site to 2,620 sq. ft., which includes 120 sq. ft. of FAR bonus. Pursuant to Section 14.16.150 (G)(b) of the Zoning Ordinance, the project is eligible for a one-time FAR bonus of up to 10% or 750 sq. ft., whichever is larger, due to its Downtown location. The project proposes FAR on the site consistent with the maximum FAR allowed by the General Plan, subject to the allowable FAR bonus.</p>
<p>LU-12. Building Heights. Citywide height limits in San Rafael are described in Exhibits 7 and 8. For Downtown height limits see Exhibit 9.</p>	<p><i>Consistent</i> According to Exhibit 9 (<i>Building Heights Limits in Downtown San Rafael</i>) of the General Plan, the maximum height limit for the project site is 36 ft. As designed, the project proposes a maximum building height of 33'-8" (front building; rear building has an overall height of 29' 8" height), which represents an increase of 15'-6" over the existing height. The building height is measured to the mid-point of the sloped roof form from finished grade. Pursuant to Section 14.16.120 of the Zoning Ordinance, architectural features, such as the new staircase and elevator tower addition proposed at the rear existing office building, is excluded from building height calculations and, instead, are reviewed as part of the overall project design through the Environmental and Design Review Permit (ED20-021).</p> <p>The General Plan defines height of a building for non-hillside as the vertical distance above a reference datum measured to the deck line of a flat roof or the mid-point of the sloped roof form. The reference datum is determined as follows: if the difference in grade between the lowest and highest-grade point is greater than 10', the reference datum is located 10' vertically from the lowest grade point. The project site is nearly flat with an average cross-slope of approximately 2% that trends north-to-south. The project design proposes to increase the existing office building on the site to a maximum building height of 33'-8" (the new residential building at the rear of the site is proposed to have an overall building height of 29' 8") above finished grade. The proposed project is therefore consistent with the maximum height limits for the site.</p>

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<p>LU-23. Land Use Map and Categories. Land use categories are generalized groupings of land uses and titles that define a predominant land use type (See Exhibit 11). All proposed projects must meet density and FAR standards (See Exhibits 4, 5 and 6) for that type of use, and other applicable development standards. Some listed uses are conditional uses in the zoning ordinance and may be allowed only in limited areas or under limited circumstances. Maintain a Land Use Map that illustrates the distribution and location of land uses as envisioned by General Plan policies. (See Exhibit 11).</p>	<p><i>Consistent</i> See LU-2, LU-8, LU-9 and LU-12 discussions above.</p>
<p>HOUSING ELEMENT</p>	
<p>H-1. Housing Distribution. Promote the distribution of new and affordable housing of quality construction throughout the city to meet local housing needs.</p>	<p><i>Consistent</i> The project proposes to construct three (3) new residential apartment units in the Downtown. The project will provide a variety of ‘rental’ housing opportunities in terms of configuration (1-bedroom and 2-bedroom units) and sizes (568.8 sq. ft. for 1-bedroom and 935.4- 1,230.8 sq. ft. for 2-bedroom units). Staff finds the project would help the City meet its RHNA (Regional Housing Needs Allocation) obligations.</p>
<p>H-2. Design That Fits into the Neighborhood Context. Design new housing, remodels and additions to be compatible in form 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.</p>	<p><i>Consistent</i> The existing ‘modified craftsmen’ design of the office structure, located at the front of the site, will continue with the proposed raising of the structure to allow for the creation of a new ground-floor residential unit and the proposed construction of the new third floor office space. The design of the new residential structure, located at the rear of the site, is proposed to match that of the existing front structure. The scale of the project is proposed to increase from two (2) stories to three (3) stories. The current scale of existing buildings in the vicinity of the site is generally two (2) stories. An existing mature Canary Island date palm tree, located at the front of the site, also helps to frame the proposed three (3) story scale proposed by the project.</p> <p>On October 21, 2020, the Design Review Board subcommittee (Board) unanimously recommended approval of the site and building design, subject to the following recommendations: 1) The applicant is encouraged to explore relocating the bicycle rack to allow for additional site landscaping; and 2) The applicant is encouraged to explore alternative landscaping to the Grasscrete patio located between Unit #1 and the 2nd St frontage.</p>

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TABLE ANALYZING PROJECT CONSISTENCY WITH SAN RAFAEL GENERAL PLAN 2020

<p>H-3. Public Information and Participation. Provide information on housing programs and related issues. Require and support public participation in the formulation and review of the City’s housing policy, including encouraging neighborhood involvement in development review. Work with community groups to advocate programs that will increase affordable housing supply and opportunities. Ensure appropriate and adequate involvement so that the design of new housing will strengthen the character and integrity of the neighborhood.</p> <p>H-3a. Neighborhood Meeting. Require neighborhood meetings, as provided for by the City Council resolution for Neighborhood Meeting Procedures, for larger housing development proposals and those that have potential to change neighborhood character. In larger projects, the City requests that developers participate in formal meetings with the community. The City facilitates outreach by helping applicants find information on the appropriate neighborhood groups to contact. City staff attends meetings as a staff resource and conducts noticing of meetings.</p>	<p><i>Consistent</i></p> <p>On November 21, 2020, the property owner voluntarily held an informational ‘open house’ to present the proposed project, answer questions and obtain comments from the immediate surrounding neighbors. With the assistance of Planning staff, who provided a list of mailing addresses for property owners and occupants of neighboring properties, invitations (Exhibit 7) were sent out to 70+ neighboring addresses. No one from the public attended the ‘open house’.</p> <p>Pursuant to a recent Policy Statement adopted by the City Manager on April 1, 2020 (Exhibit 8), no notice was required or provided for the Board meeting. Notice of the Planning Commission hearing was conducted in accordance with noticing requirements contained in Chapter 29 of the Zoning Ordinance. A Notice of Public Meeting was mailed to all property owners, residents, businesses and occupants within a 300-foot radius of the project site, the appropriate neighborhood groups (the Downtown Business Improvement District, the Gerstle Park Neighborhood Association and the Federation of San Rafael Neighborhoods) and all other interested parties, at least 15 calendar days prior to the Planning Commission hearing date. Additionally, notice was posted on the project site, along both the Second St. frontages, at least 15 calendar days prior to the date of this hearing.</p> <p>At the time of printing and distributing staff’s report to the Planning Commission, staff received no public comments as a result of noticing this Planning Commission hearing. Any comments received after distribution of the staff report will be forwarded to the Commission under separate cover.</p>
<p>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.</p> <p>H-14a. Residential and Mixed-Use Sites Inventory. Encourage residential development in areas appropriate and feasible for new housing. These areas are identified in Appendix B, Housing Element Background,</p>	<p><i>Consistent</i></p> <p>See LU-8 and H-1 discussions above. While the project site is <u>not</u> listed as a <i>Housing Opportunity Site</i> (Figure B3:3) in Appendix B of the General Plan due to size limitations, the project proposes to add three (3) new ‘rental’ residential units to the City’s housing stock. The project helps the City meet it’s projected need for 1,007 additional housing units in the City by the year 2023 (Regional Housing Needs Allocation or RHNA; Page B-5, Appendix B of General Plan).</p>

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<p>Summary of Potential Housing Sites (available for view on the City's website). Explore effective ways to share housing site information and developer and financing information to encourage development of underutilized institutional land. The City has employed different strategies to find the most effective way to deliver information about development. It is an ongoing and evolving process that has included practices such as preparing fact sheets for sites with multiple inquiries.</p>									
<p>H-18. Inclusionary Housing. The City requires residential projects to provide a percentage of affordable units on site and/or pay in-lieu of fees for the development of affordable units in another location. The City's program requires the units remain affordable for the longest feasible time, or at least 55 years. The City's primary intent is the construction of units on-site. The units should be of a similar mix and type to that of the development as a whole and dispersed throughout the development. If this is not practical or not permitted by law, the City will consider other alternatives of equal value, such as in-lieu fees, construction of units off-site, donation of a portion of the property for future non-profit housing development, etc. Allow for flexibility in providing affordable units as long as the intent of this policy is met. Specific requirements are:</p> <table><tr><td>Project Size</td><td>% Affordable Units Req'd</td></tr><tr><td>2 – 10 Housing Units*</td><td>10%</td></tr><tr><td>11 – 20 Housing Units</td><td>15%</td></tr><tr><td>21+ Housing Units</td><td>20%</td></tr></table> <p>* Exemptions for smaller projects units may be provided for in the</p> <p>Rental Units. Provide, consistent with State law, a minimum of 50% of the BMR units affordable to very low-income households at below 50% of median income, with the remainder affordable to low income households at</p>	Project Size	% Affordable Units Req'd	2 – 10 Housing Units*	10%	11 – 20 Housing Units	15%	21+ Housing Units	20%	<p><i>Consistent</i></p> <p>See LU-8, LU-9 and H-1 discussion above. Projects proposing four (4) or fewer new housing units or less than 5,000 sq. ft. of new nonresidential FAR, is exempt from the City's inclusionary housing requirements. Since the project proposes three (3) new residential units and 1,094 sq. ft. of new nonresidential FAR, it is exempt from the City's inclusionary housing requirement, including payment of affordable housing in-lieu fee.</p>
Project Size	% Affordable Units Req'd								
2 – 10 Housing Units*	10%								
11 – 20 Housing Units	15%								
21+ Housing Units	20%								

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<p>50-80% of median income.</p> <p>Sale/Ownership Units. Provide a minimum of 50% of the BMR units affordable to low income households at 50-80% of median income, with the remainder affordable to moderate income households at 80-120% of median income.</p> <p>Calculation of In-lieu Fee. Continue to provide a calculation for in-lieu fees for affordable housing. For fractions of affordable units, if 0.5 or more of a unit, the developer shall construct the next higher whole number of affordable units, and if less than 0.5 of a unit, the developer shall provide an in-lieu fee.</p>	
NEIGHBORHOODS ELEMENT	
<p>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.</p>	<p><i>Consistent</i></p> <p>See H-1 discussion above. The project will provide variety of ‘rental’ housing opportunities in terms of configuration (1-bedroom and 2-bedroom units) and sizes (568.8 sq. ft. for 1-bedroom and 935.4- 1,230.8 sq. ft. for 2-bedroom units).</p>
<p>NH-15. Downtown Vision. Continue to implement Our Vision of Downtown San Rafael.</p>	<p><i>Consistent</i></p> <p>See LU-12 discussion above. The site is located in the 2/3 MUW District, a Downtown zoning district. The project should be consistent with as many of the applicable policies in the adopted <i>Our Vision of Downtown San Rafael; Second/Third Corridor Vision</i>, including:</p> <ul style="list-style-type: none"> • <i>Establish a vital, varied and compatible mix of office, retail and residential uses that utilizes the special strengths give to this District by the high traffic volumes and visibility of Second and Third Streets.</i> • <i>Recognize the major opportunity for residential development through the District, especially on the cross streets, west of B Street. Both mixed-use and multifamily development could work well in this District.</i> • <i>Create an inviting appearance which declares that Downtown is worth visiting to those who travel Second and Third Streets.</i> • <i>Make Second and Third Street more attractive and safer for pedestrians by: A) Planting for street trees; B) creating a visual buffer between pedestrians and the street; and C) Reducing the number of driveways which interrupt sidewalks.</i>

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	<ul style="list-style-type: none"> <i>Vary building heights and densities, concentrating the most intense development towards the east, closest to the freeway and Transportation Center, including building heights of two to five stories and higher densities east of B Street and heights of one to three stories and lower densities west of B Street.</i> <p>The project would be consistent with the applicable policies in the Downtown Vision by incorporating the following attributes: 1) Providing new multifamily housing opportunities in close proximity to the Downtown, 2) Enhancing the streetscape by preserving and enhancing the existing ‘modified craftsmen’ building on the site while adding a new residential building at the rear of the site which matches in design; 3) Improving the landscape character on the site by providing a landscaped setback along the 2nd Street frontage with a comprehensive mix of shrubs, grasses and groundcovers to help create a pedestrian scale while preserving the existing mature Canary Island date palm tree located along the frontage; and 4) Proposing a three-story building height where a maximum three-story building height is envisioned.</p>
NH-16. Economic Success. Substantially expand Downtown’s economic success and increase opportunities for retail, office and residential development	<p><i>Consistent</i></p> <p>See LU-8 and LU-9 discussions above. The project proposes to increase the FAR of nonresidential office space on the site and construct a total of three (3) new residential ‘rental’ units in the Downtown, Future new office tenants and residents are anticipated to frequent existing and future businesses in the Downtown and help achieve the City’s goal of ‘alive-after-five’ by activating the Downtown in the evenings and on weekends.</p>
NH-22. Housing Downtown. Create a popular and attractive residential environment that contributes to the activity and sense of community Downtown. This includes: <ul style="list-style-type: none"> a. Preserving and upgrading existing units, b. Providing incentives to encourage new private sector construction of housing, particularly affordable housing, live/work units, and single room occupancy (SRO) units, c. Designing units that take advantage of Downtown's views, proximity to shopping and services, and transit, and d. Implementing zoning standards that reflect Downtown’s urban character. 	<p><i>Consistent</i></p> <p>See LU-8, H-1 and NH-16 discussions above. The project proposes to construct a total of three (3) new residential ‘rental’ units in the Downtown, in a variety of configurations (1-bedroom and 2-bedroom) and sizes (568.8 sq. ft. for 1-bedroom and 935.4- 1,230.8 sq. ft. for 2-bedroom units). The proposed new units would help contribute to the City’s long-standing efforts to create a sense of active presence Downtown after dark (‘Alive-after-five’).</p>
NH-29. Downtown Design. New and remodeled buildings	<i>Consistent</i>

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<p>must contribute to Downtown’s hometown feel. Design elements that enhance Downtown’s identity and complement the existing attractive environment are encouraged and may be required for locations with high visibility or for compatibility with historic structures. Design considerations include:</p> <ul style="list-style-type: none"> • Varied and distinctive building designs, • Sensitive treatment of historic resources, • Generous landscaping to accent buildings, • Appropriate materials and construction, and • Site design and streetscape continuity. <p>NH-29a. Implement Downtown Design Guidelines. Implement the Downtown Design Guidelines through the design review process.</p>	<p>See H-2 and NH-15 discussions above. The project site is located within the “Second/Third Corridor and Environs” of Downtown where the following San Rafael Downtown Design Guidelines apply:</p> <p><i>Second and Third Streets are to be attractive, landscaped major transportation corridors. While increased pedestrian safety and comfort is desired on Second and Third, greater pedestrian use of the cross streets is encouraged. The project site is located within the boundaries of the Second/Third and Environs area of the Downtown, where the following specific design guidelines apply:</i></p> <ul style="list-style-type: none"> • <i>To provide visual interest, long and monotonous walls should be avoided.</i> • <i>Building walls should be articulated;</i> • <i>To create a boulevard effect along Second and Third Streets, varied landscape setbacks are appropriate;</i> • <i>Additional high-canopy, traffic-tolerant street trees are strongly encouraged;</i> • <i>Where possible, residential buildings in this area should orient to the more pedestrian-friendly side street; and</i> • <i>Driveway cuts and widths should be minimized to prevent vehicular conflicts.</i> <p>On October 21, 2020, the Design Review Board subcommittee (Board) unanimously recommended approval of the site and building design, subject to the following recommendations: 1) The applicant is encouraged to explore relocating the bicycle rack to allow for additional site landscaping; and 2) The applicant is encouraged to explore alternative landscaping to the Grasscrete patio located between Unit #1 and the 2nd St frontage.</p>
<p>NH-31. Ground Floor Designed for Pedestrians. Ensure that all buildings, regardless of height, are comfortable for people at the street level. This includes:</p> <ul style="list-style-type: none"> • Relating wall and window heights to the height of people, • Use of architectural elements to create visual interest, • Adding landscaping and insets and alcoves for pedestrian interest, and, • Stepping upper stories back as building height increases. 	<p><i>Consistent</i></p> <p>See NH-15 discussion above. The project design would preserve pedestrian scale on the site by incorporating the following attributes: 1) The design of the brick courtyard fencing along the 2nd Street frontage is limited to 3’ of solid brick wall (with 5’-tall brick columns) topped with 2’ of ‘view through’ black wrought iron; 2) The proposed ‘lift-and-fill’ of the existing office building will create a new ground-floor residential unit which will include windows to meet California Building Code requirements for light, ventilation and secondary exiting; 3) The proposed ‘lift-and-fill’ of the existing office building will preserve the existing ‘modified craftsmen’ design characteristics including inset covered entries, horizontal shiplap siding, hipped roof form and window trim detailing; 4) The project will improve the landscape character on the site by providing a landscaped setback along the 2nd Street frontage with a comprehensive mix of shrubs, grasses and groundcovers to help create a pedestrian scale while preserving the existing mature Canary Island date palm tree located along the frontage; and 5) Stepping back the proposed new third floor office space in the existing building three feet (3’) along the 2nd Street frontage and two feet (2’) along the east and west elevations.</p>

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<p>NH-40. Second/Third Mixed-Use District.</p> <p>a. Auto-oriented uses. Allow a vital, varied and compatible mix of offices, retail uses, and residential uses, where appropriate. Uses usually accessed by car should be concentrated along the west end of Second Street to take advantage of the high traffic volumes.</p> <p>b. Enhance pedestrian character. Enhance the pedestrian character of the A and B cross streets by encouraging a variety of uses, including neighborhood serving and specialty retail uses, and residential uses.</p> <p>c. PG&E office building site. This site offers a major redevelopment opportunity as an infill site that could accommodate a mix of land uses, including residential if feasible, that would take advantage of the site's high visibility from Second and Third Streets, extend the uses on the San Rafael Corporate Center, or provide patrons for the Fourth Street Retail Core.</p> <p>d. Transportation Corridor. Make Second and Third Streets a very attractive, safe and efficient transportation corridor that allows smooth travel through Downtown, provides easy access to the Fourth Street Core via the cross streets and is safe to walk along and cross. Substantially improve Second and Third Streets through:</p> <ul style="list-style-type: none">• Screening pedestrians from the perception of traffic noise and encouraging pedestrian use of other streets,• Improving pedestrian connections to Fourth Street,• Providing safe crosswalks at all intersections,• Reducing the number of driveways that interrupt sidewalks, and• Managing traffic flow for efficiency, not speed. <p>e. Improved parking. Develop attractive, screened and easy-to-find public and private parking areas serving both the Fourth Street Retail Core and the Second/Third Street Corridor.</p>	<p><i>Consistent</i></p> <p>See NH-15 and NH-31 discussions above.</p>
<p>NH-41. Second/Third Mixed Use District Design</p>	<p><i>Consistent</i></p>

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<p>Considerations.</p> <p>a. An inviting appearance. Create an inviting appearance to people traveling Second and Third Streets. Encourage attractive, creative and varied architecture on Second and Third Streets, with design detail on all sides of buildings visible to the street or pedestrians.</p> <p>b. Unique character of cross streets. A, B, C and D Streets are important links from Fourth Street to neighborhoods south of Downtown. Strengthen the unique character of these cross streets by giving special treatment to:</p> <ul style="list-style-type: none"> • A Street as an important visual and pedestrian connection between Mission San Rafael Arcangel and Albert Park and Andersen Drive, • B Street as an area of strong historic character, and • B, C and D Streets as major pedestrian connections between the Gerstle Park Neighborhood and the Fourth Street Retail Core. <p>c. Height. Individual building heights will vary and typically range from two to four stories east of B Street, and from one to three stories generally west of B Street.</p>	<p>See H-2, NH-15 and NH-31 discussions above. On October 21, 2020, the Design Review Board subcommittee (Board) unanimously recommended approval of the site and building design, subject to the following recommendations: 1) The applicant is encouraged to explore relocating the bicycle rack to allow for additional site landscaping; and 2) The applicant is encouraged to explore alternative landscaping to the Grasscrete patio located between Unit #1 and the 2nd St frontage.</p>
<p>COMMUNITY DESIGN ELEMENT</p>	
<p>CD-1. City Image. Reinforce the City's positive and distinctive image by recognizing the natural features of the City, protecting historic resources, and by strengthening the positive qualities of the City's focal points, gateways, corridors and neighborhoods.</p> <p>CD-1d. Landscape Improvement. Recognize that landscaping is a critical design component. Encourage maximum use of available landscape area to create visual interest and foster sense of the natural environment in new and existing developments. Encourage the use of a variety of site appropriate plant materials.</p>	<p><i>Consistent</i></p> <p>See NH-15 and NH-31 discussions above. The project proposes 12% or 604 sq. ft. of site landscaping where a minimum of 10% (500 sq. ft.) is required. Landscaped areas will be located along the west and north property lines. The project proposes to retain the existing 42"-diameter Canary Island date palm tree located along the 2nd Street frontage. Additionally, the landscape plan proposes a combination of shrubs, grasses and groundcover to be planted along the 2nd Street frontage and along the western property line.</p> <p>On October 21, 2020, the Design Review Board subcommittee (Board) unanimously recommended approval of the site and building design, subject to the following recommendations: 1) The applicant is encouraged to explore relocating the bicycle rack to allow for additional site landscaping; and 2) The applicant is encouraged to explore alternative landscaping to the Grasscrete patio located between Unit #1 and the 2nd St frontage.</p>

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<p>CD-2. Neighborhood Identity. Recognize and promote the unique character and integrity of the city's residential neighborhoods and Downtown. Strengthen the "hometown" image of San Rafael by:</p> <ul style="list-style-type: none"> • Maintaining the urban, historic, and pedestrian character of the Downtown; • Preserving and enhancing the scale and landscaped character of the City's residential neighborhoods; • Improving the appearance and function of commercial areas; and • Allowing limited commercial uses in residential neighborhoods that serve local residents and create neighborhood-gathering places. 	<p><i>Consistent</i> See CD-1, NH-15, NH-16, NH-22 and NH-31 discussions above.</p>
<p>CD-3. Neighborhoods. Recognize, preserve and enhance the positive qualities that give neighborhoods their unique identities, while also allowing flexibility for innovative design. Develop programs to encourage and respect the context and scale of existing neighborhoods.</p>	<p><i>Consistent</i> See CD-1, NH-15, NH-16, NH-22 and NH-31 discussions above.</p>
<p>CD-5. Views. Respect and enhance to the greatest extent possible, views of the Bay and its islands, Bay wetlands, St. Raphael's church bell tower, Canalfront, marinas, Mt. Tamalpais, Marin Civic Center and hills and ridgelines from public streets, parks and publicly accessible pathways.</p>	<p><i>Consistent</i> The project would <u>not</u> create view impacts of the Bay and its islands, Bay wetlands, St. Raphael's church bell tower, Canalfront, marinas, Mt. Tamalpais, the Marin Civic Center or hills and ridgelines from public streets, parks and publicly accessible pathways.</p>
<p>CD-9. Transportation Corridors. Provide and maintain distinctive gateways to identify City entryways.</p>	<p><i>Consistent</i> See CD-1 discussion above. The project would enhance the landscape character along the 2nd Street frontage, an arterial corridor.</p>
<p>CD-10. Nonresidential Design Guidelines. Recognize, preserve and enhance the design elements that contribute to the economic vitality of commercial areas. Develop design guidelines to ensure that new nonresidential and</p>	<p><i>Consistent</i> See CD-1, NH-15, NH-16, NH-22 and NH-31 discussions above.</p>

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<p>mixed-use development fits within and improves the immediate neighborhood and the community as a whole.</p>	
<p>CD-14. Recreational Areas. In multifamily development, require private outdoor areas and on-site common spaces for low and medium densities. In high density and mixed-use development, private and/or common outdoor spaces are encouraged. Common spaces may include recreation facilities, gathering spaces, and site amenities such as picnicking and play areas.</p>	<p><i>Consistent</i></p> <p>The project proposes usable outdoor recreation area in the form of private decks, balconies and patios for all three (3) proposed new residential units on the site. The new ground-floor residential unit in the existing office building (Unit #1) will have available a landscaped courtyard and entryway area along the 2nd Street frontage and west property line. Both units in the proposed new residential building at the rear of the site will have small balcony projections (Unit #2) or insets (Unit #3) along the front the units while Unit #3 also includes a larger, 145.4 sq. ft. covered deck area.</p> <p>On October 21, 2020, the Board unanimously recommended approval of the site and building design, including the proposed usable outdoor recreation area, subject to the following recommendations: 1) The applicant is encouraged to explore relocating the bicycle rack to allow for additional site landscaping; and 2) The applicant is encouraged to explore alternative landscaping to the Grasscrete patio located between Unit #1 and the 2nd St frontage.</p>
<p>CD-15. Participation in Project Review. Provide for public involvement in the review of new development, renovations, and public projects with the following</p> <ul style="list-style-type: none"> • Design guidelines and other information relevant to the project as described in the Community Design Element that would be used by residents, designers, project developers, City staff, and City decision makers; • Distribution of the procedures of the development process that include the following: submittal information, timelines for public review, and public notice requirements; • Standardized thresholds that state when design review of projects is required (e.g. residential conversions, second-story additions); and • Effective public participation in the review process. 	<p><i>Consistent</i></p> <p>See H-3 discussion above.</p>
<p>CD-18. Landscaping. Recognize the unique contribution provided by landscaping and make it a significant component of all site design.</p>	<p><i>Consistent</i></p> <p>See CD-1 discussion above.</p>

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<p>CD-19. Lighting. Allow adequate site lighting for safety purposes while controlling excessive light spillover and glare.</p>	<p><i>Consistent with Conditions</i></p> <p>The project currently does not propose exterior lighting; however, it is reasonable to assume its scope (i.e., raising the existing office building to create a new ground-floor residential unit, constructing a new third floor to the existing office building to create additional office space, and constructing a new, 2-unit, 3-story residential building at the rear of the site) will include lighting. A condition of approval (Condition #22; ED20-021) is included requiring submittal of a lighting plan/photometric study with the building permit for the project for review and approval by staff to confirm lighting for the project complies with adopted minimum/maximum illumination levels. In addition, a condition of approval (Condition #74; ED20-021) is included establishing a 90-day lighting review period at final inspection/occupancy where adjustments in lighting may be required by staff to reduce off-site glare, if necessary.</p>
<p>CIRCULATION ELEMENT</p>	
<p>C-5. Traffic Level of Service Standards.</p> <p>a. Intersection LOS. In order to ensure an effective roadway network, maintain adequate traffic levels of service (LOS) consistent with standards for signalized intersections in the A.M. and P.M. peak hours as shown below, except as provided for under (B) Arterial LOS.</p>	<p><i>Consistent with conditions</i></p> <p>The City's Traffic Engineer has reviewed the project and evaluated its traffic impacts against the City's level of service standards and determined the project would result in a total of 7 net new peak hour trips (3 a.m. new peak hour trips between 7- 9am weekdays and 4 p.m. new peak hour trips between 4-6pm weekdays). The City Traffic Engineer has determined the surrounding intersections and arterials would continue to operate (existing plus project volumes) acceptably per the City's LOS (Level of Service) standards in the General Plan. Staff finds the proposed density (3 new residential units) would result in negligible traffic impacts which are off-set by the payment of traffic mitigation fees on the 7-net new peak hour trips anticipated to result from the project. The payment of traffic mitigation fees is a condition of approval (Condition #31; ED20-021) and is intended to help fund the project's fair share of local circulation improvement projects by the City.</p>
<p>C-7. Circulation Improvement Funding.</p> <p>Take a strong advocacy role in securing funding for planned circulation improvements. Continue to seek comprehensive funding that includes Federal, State, County, and Redevelopment funding, Local Traffic Mitigation Fees, and Assessment Districts. The local development projects' share of responsibility to fund improvements is based on:</p> <p>C-7a. Traffic Mitigation Fees. Continue to implement and periodically update the City's Traffic Mitigation Program.</p>	<p><i>Consistent with conditions</i></p> <p>See C-5 discussion above.</p>

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<p>C-7b. Circulation Improvements. Seek funding for and construct circulation improvements needed for safety, to improve circulation, or to maintain traffic level of service.</p>	
<p>INFRASTRUCTURE ELEMENT</p>	
<p>I-2. Adequacy of City Infrastructure and Services. Assure that development can be adequately served by the City's infrastructure and that new facilities are well planned and well designed.</p>	<p><i>Consistent</i> All service providers, including PG&E, Marin Sanitary Service, Marin Municipal Water District, San Rafael Sanitation District, Central Marin Sanitation Agency, and the City Engineer, have reviewed the project and indicated that adequate infrastructure capacity exists for the project.</p>
<p>SUSTAINABILITY ELEMENT</p>	
<p>SU-5. Reduce Use of Non-renewable Resources Reduce dependency on non-renewable resources.</p> <hr/> <p>SU-5d Water Efficiency Programs. Develop and implement water efficiency and conservation programs to achieve a 30% reduction in water use by 2020, including water efficient landscape regulations, PACE financing, water audits, upgrades upon resale, education and outreach. Make available to property managers, designers and homeowners' information about water-conserving landscaping and water-recycling methods and resources.</p>	<p><i>Consistent with conditions</i> The project is subject to a condition of approval (Condition #65; ED20-021) requiring compliance with the most recent water conservation ordinance adopted by Marin Municipal Water District (MMWD). Prior to the building permit issuance, MMWD is required to review and approve the proposed landscape and irrigation plans and provide the applicant with a letter of approval or an approved-stamped plan set either of which shall be submitted with the building permit.</p>
<p>SU-7. New and Existing Trees. Plant new and retain existing trees to maximize energy conservation and carbon sequestration benefits.</p>	<p><i>Consistent</i> See CD-1 discussion above. The project proposes to remove one (1) existing, ornamental (Fig) mature tree, located along the rear property line, while preserving the existing mature Canary Island date palm tree along the 2nd Street frontage. The Landscape Plan also proposes 12% or 604 sq. ft. of site landscaping, where a minimum of 10% (500 sq. ft.) is required, in a combination of new shrubs, grasses and groundcovers along the 2nd Street frontage and along the west property boundary.</p>

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CULTURE AND ARTS ELEMENT	
<p>CA-15. Protection of Archaeological Resources. Recognize the importance of protecting significant archaeological resources by:</p> <ul style="list-style-type: none"> Identifying, when possible, archaeological resources and potential impacts on such resources. Providing information and direction to property owners in order to make them aware of these resources. Implementing measures to preserve and protect archaeological resources. <p>CA-15a. Archeological Resources Ordinance. Continue to implement the existing Archeological Resources Ordinance.</p>	<p><i>Consistent with conditions</i></p> <p>The project site is identified as having a “medium” archaeological sensitivity rating, pursuant to the City’s adoptive City of San Rafael Archaeological Sensitivity map. City Council Ordinance No. 1772 and Resolution No. 10980 prescribes recommendations as required conditions for discretionary permits on site with “medium” archaeological sensitivity rating. These requirements have been incorporated as a condition of approval (Conditions #11 and #12; ED20-021).</p>
SAFETY ELEMENT	
<p>S-1. Location of Future Development. Permit development only in those areas where potential danger to the health, safety and welfare of the residents of the community can be adequately mitigated.</p>	<p><i>Consistent</i></p> <p>Geoseismic analysis have been evaluated through the City’s Geotechnical Review process and found that the project would not pose potential danger to the health, safety and welfare of the community.</p>
<p>S-4. Geotechnical Review. Continue to require geotechnical investigations for development proposals as set forth in the City’s Geotechnical Review Matrix (Appendix F). Such studies should determine the actual extent of geotechnical hazards, optimum design for structures, the advisability of special structural requirements, and the feasibility and desirability of a proposed facility in a specified location.</p>	<p><i>Consistent</i></p> <p>A Geotechnical Investigation Report was prepared and submitted with the project application. After review by the City Engineer and Chief Building Official, it was found to meet the requirements set forth in the Geotechnical Review Matrix and consistent with the City’s safety policies and standard engineering practices.</p>
<p>S-6. Seismic Safety of New Buildings. Design and</p>	<p><i>Consistent with conditions</i></p>

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construct all new buildings to resist stresses produced by earthquakes. The minimum level of seismic design shall be in accordance with the most recently adopted building code as required by State law.	The project would entail all new construction and would be constructed in accordance with the most current building and seismic codes as required by the City's Municipal Code.
S-25. Regional Water Quality Control Board (RWQCB) Requirements. Continue to work through the Marin County Stormwater Pollution Prevention Program (MCSTPPP) to implement appropriate Watershed Management plans as dictated in the RWQCB general National Pollutant Discharge Elimination System permit for Marin County and the local stormwater plan.	<i>Consistent</i> The City Engineer has reviewed the proposed project, including civil drawings showing the pre-and post-construction permeability of the site, and determined pervious area will increase from 14.2% (712 sq. ft.) to 28.8% (1,392 sq. ft.). While Marin County BASMAA (Bay Area Stormwater Management Agencies Association) manual standards do not require the installation of any stormwater treatment facilities, such as bioretention, since the new impervious area on the site will be under the minimum threshold of 5,000 sq. ft., the project voluntarily incorporates stormwater treatment measures, including increased site landscaping and erosion controls.
S-32. Safety Review of Development Projects. Require crime prevention and fire prevention techniques in new development, including adequate access for emergency vehicles.	<i>Consistent</i> The San Rafael Fire Department, Fire Prevention Bureau, and the San Rafael Police Department have both reviewed and recommended approval of the project.
NOISE ELEMENT	
N-1. Noise Impacts on New Development. Protect people in new development from excessive noise by applying noise standards in land use decisions. Apply the Land Use Compatibility Standards (see Exhibit 31) to the siting of new uses in existing noise environments. These standards identify the acceptability of a project based on noise exposure. If a project exceeds the standards in Exhibit 31, an acoustical analysis shall be required to identify noise impacts and potential noise mitigations. Mitigation should include the research and use of state-of-the-art abating materials and technology. N-1a. Acoustical Studies. Require acoustical studies for all new residential projects within the projected Ldn 60 dB noise contours (see Exhibit 31) so that noise mitigation measures can be incorporated into project design. Acoustical studies shall identify noise sources	<i>Consistent with conditions</i> Per Exhibit 22 (<i>San Rafael Roadways and Arterials</i>) of the General Plan, the project site is located on an existing arterial, 2 nd Street. The project submittals included an Acoustical Assessment (Wilson Ihrig, dated December 17, 2019) which determined the existing ambient noise from the arterial will require sound-rated windows and doors of 25 OITC (Outdoor-Indoor Transmission Class) in the new ground-floor residence underneath the existing office building at the front of the site, facing the 2 nd Street frontage and along the east and west property boundaries. Conditions of approval (Condition #18 and #19; ED20-021) have been included to encapsulate the recommendations from the projects' Acoustical Assessment for both window/door ratings and to help mitigate construction/grading noise impacts.

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and contain a discussion of the existing and future noise exposure and the mitigation measures that may be used to achieve the appropriate outdoor and indoor noise standards.	
N-5. Traffic Noise from New Development. Minimize noise impacts of increased off-site traffic caused by new development. Where the exterior L_{dn} is 65 dB or greater at a residential building or outdoor use area and a plan, program, or project increases traffic noise levels by more than L_{dn} 3 dB, reasonable noise mitigation measures shall be included in the plan, program or project.	<i>Consistent with conditions</i> See N-1 discussion above.
AIR AND WATER QUALITY ELEMENT	
AW-1. State and Federal Standards. Continue to comply and strive to exceed state and federal standards for air quality for the benefit of the Bay Area.	<i>Consistent</i> The project is not anticipated to generate any permanent air quality impacts and would be consistent with the Bay Area Air Quality District requirements; project impacts to air quality would be limited as temporary during the construction and grading periods only. Furthermore, the project is within the relative intensity of development and maximum density of development assumed under the San Rafael General Plan 2020 and, therefore, cumulative impacts have been analyzed and found to be acceptable.
AW-7. Local, State and Federal Standards. Continue to comply with local, state and federal standards for water quality.	<i>Consistent</i> See S-25 discussion above.
AW-8. Reduce Pollution from Urban Runoff. Address non-point source pollution and protect receiving waters from pollutants discharged to the storm drain system by requiring Best Management Practices quality. <ul style="list-style-type: none">• Support alternatives to impervious surfaces in new development, redevelopment or public improvement projects to reduce urban runoff into storm drain system, creeks and the Bay.• Require that site designs work with the natural	<i>Consistent</i> See S-25 discussion above.

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<p>topography and drainages to the extent practicable to reduce the amount of grading necessary and limit disturbance to natural water bodies and natural drainage systems.</p> <p>Where feasible, use vegetation to absorb and filter fertilizers, pesticides and other pollutants.</p>	
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Exhibit 4

TABLE ANALYZING PROJECT COMPLIANCE WITH SAN RAFAEL ZONING ORDINANCE (TITLE 14)

CHAPTER 5 – COMMERCIAL AND OFFICE DISTRICTS; SECOND/THIRD MIXED USE WEST (2/3MUW)	
<p>14.05.010 - Specific Purposes. In addition to the general purposes listed in Section 14.01.030, the specific purposes of the residential zoning districts include the following:</p> <p>A. To promote specialized commercial environments which provide appropriately located areas for retail, service and office development, and provide the city with a wide range of neighborhood, local and regional serving uses;</p> <p>B. To promote appropriately located businesses which provide local employment opportunities and/or generate tax revenue for the city;</p> <p>-----</p> <p>F. To promote San Rafael's downtown area as a viable commercial and financial center, and as an urban center with a mixture of civic, social, entertainment, cultural and residential uses;</p> <p>-----</p> <p>K. To provide housing opportunities by encouraging a variety of housing in mixed-use districts. The additional purposes of each commercial district follow:</p> <p>-----</p> <p>S. Second/Third Mixed Use District West (2/3 MUW).</p> <p>-----</p> <p>2. Allowed Uses. The Second/Third mixed use district west is to become more attractive, efficient and better utilized with a mix of compatible uses serving local, community and regional needs. Uses which benefit from the high visibility along Second and Third Streets and which do not require heavy pedestrian traffic, such as office and office-support retail and service uses, retail usually accessed by car (i.e., daily needs retail such as grocery and drug stores, etc.), and limited auto-serving and large item retail are allowed. Housing is encouraged throughout the district.</p>	<p><i>Consistent</i></p> <p>The project proposes to redevelop a 5,000 sq. ft., Downtown in-fill parcel, currently served by City infrastructure and services. The project proposes to raise ('lift-and-fill') the existing office building on the site to allow the creation of a new two (2)-bedroom residential unit on the ground-floor while also constructing a new 1,094 sq. ft. third floor to provide additional office space. The project also proposes to construct a new second, three (3)-story building at the rear of the site with two (2) residential units (one, 1-bedroom unit and one, 2-bedroom unit) above garage parking which is currently used as an uncovered parking area for the existing office building.</p> <p>The new residents, business(es) and their patrons and guests are anticipated to contribute to the City's long-standing economic policy ("Alive-after-five") seeking to approve land uses and businesses that will 'activate' or create activity in the Downtown after 5 p.m. with economic opportunities. The new residents and business(es) are anticipated to contribute to the City's economic base.</p> <p>The project is anticipated to 're-activate' both the site and B Street, which is the primary pedestrian connection between the Gerstle Park neighborhood and the Fourth Street Retail Core (4SRC) zoning district.</p> <p>The proposed expanded office and new residential uses are both encouraged and specifically permitted on the site and within the 2/3 MUW District.</p> <p>The project proposes a three (3)-story scale. The maximum height limit for the project site is 36 ft. As designed, the project proposes a maximum building height of 33'-8" (front building; rear building has an overall height of 29' 8" height), which represents an increase of 15'-6" over the existing height. The building height is measured to the mid-point of the sloped roof form from finished grade. Pursuant to Section 14.16.120 of the Zoning Ordinance, architectural features, such as the new staircase and elevator tower addition proposed at the rear existing office building, is excluded from building height calculations and, instead, are reviewed as part of the overall project design through the Environmental</p>

Exhibit 4

TABLE ANALYZING PROJECT COMPLIANCE WITH SAN RAFAEL ZONING ORDINANCE (TITLE 14)

<p>3. Design Intent. Development will help create a more inviting appearance to the district. Parking areas should be attractive, screened and easy-to-find. Because of the high volume of traffic, the street front design should give special attention to pedestrian safety and comfort through setbacks and landscaping. Each cross street should have a pleasant walking environment as well as an individual and unique identity. Building heights are three (3) stories, and intensities transition from a higher FAR close to Fourth Street to a lower FAR south of Second Street near the neighborhood.</p>	<p>and Design Review Permit (ED20-021).</p> <p>The project preserves pedestrian scale on the site by incorporating the following design attributes: 1) The design of the brick courtyard fencing along the 2nd Street frontage is limited to 3' of solid brick wall (with 5'-tall brick columns) topped with 2' of 'view through' black wrought iron; 2) The proposed 'lift-and-fill' of the existing office building will create a new ground-floor residential unit which will include windows to meet California Building Code requirements for light, ventilation and secondary exiting; 3) The proposed 'lift-and-fill' of the existing office building will preserve the existing 'modified craftsmen' design characteristics including inset covered entries, horizontal shiplap siding, hipped roof form and window trim detailing; 4) The project will improve the landscape character on the site by providing a landscaped setback along the 2nd Street frontage with a comprehensive mix of shrubs, grasses and groundcovers to help create a pedestrian scale while preserving the existing mature Canary Island date palm tree located along the frontage; and 5) Stepping back the proposed new third floor office space in the existing building three feet (3') along the 2nd Street frontage and two feet (2') along the east and west elevation.</p>
<p>14.05.032 - Property Development Regulations</p> <ul style="list-style-type: none"> • Maximum density: 1,000 sq. ft. of lot area/unit • Minimum yards: 5' front (2nd St. Frontage) • Maximum height: 36' • Minimum usable outdoor area: voluntary in mixed-use projects • Minimum landscaping: 10% or 500 sq. ft. 	<p><i>Consistent</i></p> <p>As designed, the project is consistent with all of the applicable property development standards including density, setbacks, height and landscaping:</p> <ul style="list-style-type: none"> • The project proposes three (3) new residential 'rental' units where the maximum allowable density for the site, which is five (5) units based on the 5,000 sq. ft. of lot area of the parcel. • The project proposes a 14' 9" front yard setback where a minimum of 5' is required (2nd St. frontage). • The project proposes a 33'-8" building height (front building; 29' 8" height proposed for new rear building) , where a maximum height is 36'. • The project proposes an unknown total amount of usable outdoor area in the form of private decks, balconies and patios for all three (3) new residential units on the site, where useable outdoor area is voluntary though encouraged. The new ground-floor residential unit in the existing office building (Unit #1) will have available a landscaped courtyard and entryway area along the 2nd Street frontage and west property line. Both units in the proposed new residential building at the rear of the site will have small balcony projections (Unit #2) or insets (Unit #3) along the front the

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	<p>units while Unit #3 also includes a larger, 145.4 sq. ft. covered deck area.</p> <ul style="list-style-type: none">• The project proposes 12% or 604 sq. ft. of site landscaping, where a minimum of 10% (500 sq. ft.) is required, in a combination of new shrubs, grasses and groundcovers along the 2nd Street frontage and along the west property boundary.
CHAPTER 16 – SITE DEVELOPMENT STANDARDS	
<p>14.16.030 - Affordable Housing Requirement. Any new residential, nonresidential and mixed-use development and redevelopment projects shall provide affordable housing units to very low, low- and moderate-income households in perpetuity unless, in its sole discretion and upon a finding of need pursuant to subsection E of this section, the city council reduces the time frame to not less than forty (40) years.</p> <p>The following shall be exempt from the provisions of this section:</p> <ul style="list-style-type: none">• Any project of four (4) or fewer units where the square footage of the floor area of each unit, exclusive of garage, is less than one thousand eight hundred (1,800) square feet; and• Any project involving new nonresidential construction under five thousand (5,000) square feet.	<p><i>Consistent</i></p> <p>The proposed project is exempt for the City’s inclusionary housing requirement, given that;</p> <ul style="list-style-type: none">• The project proposes three (3) new residential units on the site; and• The project proposes 1,094 sq. ft. of new nonresidential development or FAR on the site.
<p>14.16.150 - Floor Area Ratio (FAR).</p> <p>A.</p> <ol style="list-style-type: none">1. The intensity and density of development in nonresidential and mixed-use districts is identified by floor area ratio (FAR) and by the number of units allowed per one thousand (1,000) square feet of lot area for the location and zoning district in which a site is located. The FAR is the total building square footage (gross floor area) divided by the lot area excluding public streets. Total building square footage excludes parking areas or garages (covered and uncovered), residential components of a mixed-use project, hotels, and non-leasable covered atriums. Floor area for permanent child care facilities in nonresidential structures may be excluded in the	<p><i>Consistent</i></p> <p>The maximum floor area ratio (FAR) for non-residential development on the subject site is 0.50 FAR or 2,500 sq. ft. of office development, based on a lot area of 5,000 sq. ft. The project proposes to increase FAR on the site to 2,620 sq. ft., which includes 120 sq. ft. of FAR bonus. Pursuant to Section 14.16.150 (G)(b) of the Zoning Ordinance, the project is eligible for a one-time FAR bonus of up to 10% or 750 sq. ft., whichever is larger, due to its Downtown location. The project proposes FAR on the site consistent with the maximum FAR allowed by the General Plan, subject to the allowable FAR bonus.</p>

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<p>FAR, subject to the provisions of Chapter 14.22, Use Permits.</p> <p>2. See subsection G, floor area ratio limit maps for FAR limits in non-residential zoning districts. The maximum allowable FAR is not guaranteed, and shall be determined by the following factors: site constraints, infrastructure capacity, hazardous conditions and design policies</p> <p>B. Mixed-Use Development.</p> <p>1. Commercial or Office with Residential. FAR limits apply only to the non-residential component of a development. The number of residential units allowed on a lot is based on the minimum lot area required per dwelling unit standard for the zoning district.</p>	
<p>14.16.170 - Geotechnical Review</p> <p>Development applications require geotechnical reports consistent with the geotechnical matrix in the general plan appendices to assess such hazards as potential seismic hazards, liquefaction, landsliding, mudsliding, erosion, sedimentation and settlement and hazardous soils conditions to determine the optimum location for structures, to advise of special structural requirements and to evaluate the feasibility and desirability of a proposed facility in a specific location</p>	<p><i>Consistent with conditions</i></p> <p>The project was reviewed consistent with the City's Geotechnical review matrix contained as an appendix to the General Plan 2020. A Geotechnical Investigation Report was prepared for this project. In conclusion, the investigation found that the project would be consistent with the geotechnical policies of the General Plan and that the project would be feasible from a geotechnical engineering standpoint. The report included recommendations that would have to be incorporated during preparation of the construction plans and construction of the project. The City Engineer reviewed the project submittals, including the Geotechnical Investigation Report, and recommended approval subject to conditions, which have been incorporated into conditions of approval.</p>
<p>14.16.227 – Light and Glare</p> <p>Colors, materials and lighting shall be designed to avoid creating undue off-site light and glare impacts. New or amended building or site colors, materials and lighting shall comply with the following standards, subject to review and recommendation by the police department, public works department, and community development department:</p> <p>A. Glossy finishes and reflective glass such as glazed or mirrored surfaces are discouraged, and prohibited where it would create an adverse impact on pedestrian or automotive traffic or on adjacent structures;</p>	<p><i>Consistent with conditions</i></p> <p>The project proposes new lighting throughout the site, including within the rear garage which is open to the driveway. A condition of approval (Condition #22; ED20-021) has been included requiring the submittal of a Photometric Study for review and approval with the Building Permit plans, which complies with the City's adopted lighting standards: a) A minimum of one (1) foot candle at ground level overlap at all exterior doorways and throughout the vehicle parking area; b) A minimum of one-half (1/2) foot candle at ground level overlap on all outdoor pedestrian walkways and common areas; and c) Less than one (1) foot candle at ground level overlap at all property lines. A condition of approval (Condition #74; ED20-021) has also been included which requires a 90-day lighting level review period by the City to ensure that all lighting sources provide safety for the building</p>

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<p>particularly within the downtown environs and in commercial, industrial and hillside areas.</p> <p>B. Lighting fixtures shall be appropriately designed and/or shielded to conceal light sources from view off-site and avoid spillover onto adjacent properties.</p> <p>C. The foot-candle intensity of lighting should be the minimum amount necessary to provide a sense of security at building entryways, walkways and parking lots. In general terms, acceptable lighting levels would provide one (1) foot-candle ground level overlap at doorways, one-half (½) foot-candle overlap at walkways and parking lots, and fall below one (1) foot-candle at the property line.</p> <p>D. Lighting shall be reviewed for compatibility with on-site and off-site light sources. This shall include review of lighting intensity, overlap and type of illumination (e.g., high-pressure sodium, LED, etc.). This may include a review by the city to assure that lighting installed on private property would not cause conflicts with public street lighting.</p> <p>E. Installation of new lighting fixtures or changes in lighting intensity on mixed use and non-residential properties shall be subject to environmental and design review permit review as required by Chapter 14.25 (Design Review).</p> <p>F. Maximum wattage of lamps shall be specified on the plans submitted for electrical permits.</p> <p>G. All new lighting shall be subject to a 90-day post installation inspection to allow for adjustment and assure compliance with this section</p>	<p>occupants while not creating a glare or hazard on adjacent streets or be annoying to adjacent residents.</p>
<p>14.16.260 - Noise Standards</p> <p>A. Residential Development. The following standards apply to residential development:</p> <ol style="list-style-type: none">1. Acoustical studies shall be required for all new residential development within projected sixty (60) dBA (Ldn) noise contours so that noise mitigation measures can be incorporated	<p><i>Consistent with conditions</i></p> <p>the project site is located on an existing arterial, 2nd Street. The project submittals included an Acoustical Assessment (Wilson Ihrig, dated December 17, 2019) which determined the existing ambient noise from the arterial will require sound-rated windows and doors of 25 OITC (Outdoor-Indoor Transmission Class) in the new ground-floor residence underneath the existing office building at the front of the site, facing the 2nd Street frontage and along the east and west property boundaries. Conditions of approval (Condition #18 and #19; ED20-021) have been included to encapsulate the recommendations from the projects'</p>

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<p>into project designs.</p> <ol style="list-style-type: none">Usable outdoor area in low and medium density districts shall be sixty (60) dBA (Ldn) or less.In high density and downtown residential districts residential interior standards shall be met, and common usable outdoor areas shall be designed to minimize noise impacts. Where possible, a 60 dBA (Ldn) standard shall be applied to usable outdoor areasInterior noise standards for new single-family residential and residential health care development shall be 40 dBA (Ldn) for bedrooms and 45 dBA (Ldn) for other rooms. New hotels and motels shall meet a 45 dBA (Ldn) standard. For new multifamily development, hotels and motels, interior noise standards shall be described by State Administrative Code standards, Title 25, Part 2. -----Post-construction monitoring and approval by an acoustical engineer shall be required in residential development near high noise sources to ensure that city standards have been met. ----- <p>C. Development Adjacent to Commercial, Mixed Use and Industrial Districts. New nonresidential development shall not increase noise levels in a commercial area by more than five (5) dBA (Ldn), or create noise impacts which would increase noise levels to more than sixty-five (65) dBA (Ldn) for office, retail or mixed use districts, or seventy (70) dBA (Ldn) for industrial districts, at the property line of the noise receiving use, whichever is the more restrictive standard. This standard may be waived by the planning director if, as determined by a noise analysis, there are mitigating circumstances (such as higher existing noise levels), and no uses would be adversely affected.</p> <p>D. Traffic Noise Mitigation. A sixty-five (65) dBA (Ldn) level is considered an acceptable upper limit for existing residences constructed before July, 1988. Where exterior levels are sixty-five (65) dBA (Ldn) or greater at the face of a residential building, and traffic noise level increases of more than three (3) dBA (Ldn) affecting residential areas will be created</p>	<p>Acoustical Assessment for both window/door ratings and to help mitigate construction/grading noise impacts. A condition of approval (Condition #75; ED20-021) has also been included requiring a post-construction acoustical assessment to confirm the project complies with the City's adopted interior noise standards and noise limits for usable outdoor areas.</p>
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by a program or development, reasonable noise mitigation measures shall be included in the program or development which is creating the increase.	
14.16.70- Water – Efficient Landscape All new development projects providing 500 sq. ft. or greater of landscaping shall be reviewed and obtain approval by the Marin Municipal Water District (MMWD) prior to building permit issuance. MMWD shall review all project landscaping, irrigation and grading plans for compliance with the most recently adopted MMWD water-conservation ordinance.	<i>Consistent with conditions.</i> The project proposes 12% or 604 sq. ft. of site landscaping where a minimum of 10% (500 sq. ft.) is required. Landscaped areas will be located along the west and north property lines. The project proposes to retain the existing 42”-diameter Canary Island date palm tree located along the 2 nd Street frontage. Additionally, the landscape plan proposes a combination of shrubs, grasses and groundcover to be planted along the 2 nd Street frontage and along the western property line. The project will exceed the 500 sq. ft. new landscaping threshold from MMWD and require MMWD review and approval prior to building permit issuance. A condition of approval (Condition #5; ED20-021) has been included requiring MMWD review and approval of the project landscaping prior to building permit issuance.
CHAPTER 17 – PERFORMANCE STANDARDS	
14.17.100 – Residential Uses in Commercial Districts Applicability. Performance standards for residential uses in commercial districts shall be applied through an administrative use permit in the 4SRC, HO, 2/3 MUE and MUW, CSMU, WEV, GC, FBWC, C/O, and M districts or through a use permit in the NC district. Standards: <ol style="list-style-type: none">1. Location. In the 4SRC and WEV districts, residential units may be located above the ground floor, and on rear portions of the ground. Location of residential units in the 2/3 MUE and MUW, GC, FBWC, HO, C/O, CSMU, M and NC districts shall be determined through project review.2. .Access. Residential units shall have a separate and secured entrance and exit.3. Parking. Residential parking shall comply with Chapter 14.18, Parking Standards, of this title.4. .Noise. Residential units shall meet the residential noise standards in Section 14.16.260, Noise standards, of this title.	<i>Consistent with conditions.</i> The project will comply with the standards to allow residential uses in commercial districts, subject to conditions requiring the submittal of a lighting plan/photometric study (Condition #22; ED20-021) and a post-construction acoustical assessment (Condition #75; ED20-021).

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<p>5. Lighting. All exterior lighting shall be sufficient to establish a sense of well-being to the pedestrian and one that is sufficient to facilitate recognition of persons at a reasonable distance. Type and placement of lighting shall be to the satisfaction of the police department. The minimum of one foot-candle at ground level shall be provided in all exterior doorways and vehicle parking areas.</p> <p>6. Refuse Storage and Location. An adequate refuse storage area shall be provided for the residential use.</p> <p>7. Location of new residential units shall consider existing surrounding uses in order to minimize impacts from existing uses.</p>	
CHAPTER 18 – PARKING STANDARDS	
<p>14.18.040 - Parking Requirements</p> <p>Off-street parking shall be provided in accord with the following chart:</p> <ul style="list-style-type: none">• New, two-bedroom units, 900 sq. ft. or greater, located within the Downtown and the Downtown Parking District are required to provide 1.5 spaces;• New, two-bedroom units, less than 900 sq. ft., located within the Downtown and the Downtown Parking District are required to provide 1 space;• New, one-bedroom units, located within the Downtown and the Downtown Parking District are required to provide 1 space; and• No guest parking is required within the Downtown.• Office (Administrative or general) in the Downtown is required to provide 1 space per 300 gross building sq. ft.	<p><i>Consistent</i></p> <p>The project proposes to raise ('lift-and-fill') the existing office building on the site to allow the creation of a new two (2)-bedroom residential unit on the ground-floor while also constructing a new 1,094 sq. ft. third floor to provide additional office space. The project also proposes to construct a new second, three (3)-story building at the rear of the site with two (2) residential units (one, 1-bedroom unit and one, 2-bedroom unit) above garage parking which is currently used as an uncovered parking area for the existing office building. The proposed project requires four (4) on-site parking spaces to meet the parking demand for the three (3) new residential units. The project proposes a total of five (5) on-site parking spaces; one (1) covered garage parking space in the existing front office structure, two (2) covered garage parking spaces in the new rear residential structure and two (2) uncovered parking spaces located along the driveway. The site is located within the boundaries of the Downtown Parking District, where the off-street parking requirement is waived for up to a maximum of 1.0 FAR of nonresidential development. The project proposes 0.52 FAR so no additional on-site parking is required for the project (both existing and proposed expanded office space).</p>
<p>14.18.045 – Designated Parking for Clean Air Vehicles</p> <p>A. Applicability. Parking spaces serving new nonresidential buildings shall be designated for any combination of low-emitting, fuel-efficient, and carpool/van pool vehicles, as defined by Section 5.102 of the</p>	<p><i>Consistent</i></p> <p>The project is not required to provide pre-wired clean air vehicle/EV parking spaces, which are required for projects providing 10 or greater nonresidential parking spaces. The project is required to provide four (4) off-street parking spaces for the three (3) new residential</p>

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<p>California Green Building Standards Code, California Code of Regulations, Part 11 of Title 24.</p> <p>B. Number of Short-Term Spaces Required. Parking spaces for clean air vehicles shall be required on projects with a minimum of 10 nonresidential parking spaces.</p>	<p>units only (Five off-street parking spaces are proposed). The parking demand for the nonresidential FAR on the site is waived due to the site's location within the Downtown Parking District</p>
<p>14.18.050 – Off-Street Loading and Unloading New retail and service development projects shall provide one (1) off-street loading and unloading space with minimum dimensions of ten feet (10') in width by thirty-five feet (35') in length, with a fourteen-foot (14') height clearance.</p>	<p><i>Consistent</i> The project is required to provide one (1) off-street loading/unloading space, 10' x 35' x 14' in dimensions. This off-street loading/unloading space may be located within the existing driveway, given that; the site is less than 10,000 sq. ft. and located within the Downtown Parking District.</p>
<p>14.18.060 – Downtown Parking Assessment District Parking for up to 1.0 FAR (floor area ratio) of nonresidential uses in the Downtown Parking Assessment District shall be provided by existing public parking garages, structures and surface lots in the Downtown.</p>	<p><i>Consistent</i> The parking demand for up to 5,000 sq. ft. of nonresidential development is provided by existing public garage structures and surface lots. The site is currently developed with 1,239 sq. ft. of office and the project proposes to expand office space on the site by an additional 1,094 sq. ft. for total of 2,333 sq. ft. of nonresidential development. Therefore, the project is not required and does not propose any on-site parking for the nonresidential portion of the new mixed-use building.</p>
<p>14.18.090 - Bicycle Parking A. Applicability. Bicycle parking shall be required for all new nonresidential buildings and in major renovations of nonresidential buildings having thirty (30) or more parking spaces, and for all public/quasi-public uses.</p> <p>B. Number of Short-Term Spaces Required.</p> <p>1. Commercial, office, industrial, and multi-family residential uses: five percent (5%) of the requirement for automobile parking spaces, with a minimum of one two-bike capacity rack.</p>	<p><i>Consistent</i> The project is required to provide short-term bicycle parking equal to 5% of the required parking with a minimum of one (1) two-bike capacity rack. The project proposes one (1) two-bike capacity rack located between the existing office structure and the Second St. frontage.</p>
<p>14.18.120 –Parking Space Dimensions A. Standard size parking spaces shall be nine feet (9') by nineteen feet (19') in dimension, except that in downtown, the standard size parking</p>	<p><i>Consistent</i> The project proposes that all required (4) off-street parking spaces will be 8' 6" x 19" in dimensions and, therefore, will comply with the minimum dimensions for Downtown</p>

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space shall be eight and one-half feet (8.5') by eighteen feet (18') in dimensions.	parking spaces.
14.18.130 - Parking Facility Dimensions and Design A. Minimum Standards. 90 ⁰ , two-way Downtown parking spaces require minimum dimensions to be 8.5' wide by 18' deep with a minimum backup aisle between the parking spaces of 26'. ----- B. Parking Stall Access. Use of a required parking space shall not require more than two (2) vehicle maneuvers. At the end of a parking facility with four (4) or more parking spaces, an aisle or driveway providing access to the end parking space shall extend at least two feet (2') beyond the required width of the parking space in order to provide adequate on-site area for turnaround purposes.	<i>Consistent</i> The project proposes a 30' backup where a minimum of 26' is required. The project plans include Vehicle Turning Exhibits (see Exhibit 9; Sheets 1A and 1B) which have been reviewed and recommended for approval by the City's Traffic Engineer.
14.18.140 - Access to Public Right-of-Way Driveway Widths. The minimum curb cut for driveways at the face of the curb, for residential uses serving 6 or fewer spaces, shall have a minimum inside depressed width of 10'.	<i>Consistent</i> The project proposes to provide vehicular access to the site by preserving the existing 16' 9"-wide driveway along the 2 nd Street frontage.
CHAPTER 22 – USE PERMIT	
14.22.080 – Findings The Zoning Administrator or the Planning Commission may issue a Use Permit if the following findings can be made: A. That the proposed use is in accord with the general plan, the objectives of the zoning ordinance, and the purposes of the district in which the site is located; B. That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, or to the general welfare of the city; and	<i>Consistent with conditions</i> A. The proposed expansion of office space and addition of new multifamily residential units, as revised and conditioned, will be in accord with the San Rafael General Plan 2020, the objectives of Title 14 of the San Rafael Municipal Code (<i>the Zoning Ordinance</i>) and the purposes of the Second/Third Mixed Use District West (2/3 MUW), in which the project site is located, given that: 1. As documented in the General Plan 2020 Consistency Table (Exhibit 3), the proposed project will implement and promote the goals and policies of the San Rafael General Plan 2020, 2. As documented in the Zoning Ordinance Consistency Table (Exhibit 4), the

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<p>C. That the proposed use complies with each of the applicable provisions of the zoning ordinance.</p>	<p>proposed project will be consistent with the objectives of the Zoning Ordinance; and</p> <p>3. The proposed project will be consistent with the purposes of the 2/3 MUW District, given that; a) The project will continue to promote nonresidential office on the site while adding multifamily residential units, which is specifically allowed in the 2/3 MUW District; b) The project will provide a variety of 'rental' housing opportunities in terms of configuration (1-bedroom and 2-bedroom units) and sizes (568.8 sq. ft. for 1-bedroom and 935.4- 1,230.8 sq. ft. for 2-bedroom units), c) The project will help promote San Rafael's Downtown area as a viable commercial and financial center, and as an urban center with a mixture of civic, social, entertainment, cultural and residential uses due to its unique location in the Downtown (two blocks south of Fourth St.); future residents are anticipated to frequent existing and future businesses in the Downtown and help achieve the City's goal of 'alive-after-five' by helping to activate the Downtown in the evenings and on weekends; d) The project will help create an inviting appearance along the 2nd St. frontages by providing new brick/wrought iron fencing and landscaped setbacks; e) The project has been reviewed by the appropriate City department and non-city agencies and determined that adequate infrastructure exists to meet all new service demands; and f) On October 21, 2020, the Design Review Board subcommittee reviewed and recommended approval of the proposed site and building design, subject to the following recommendations: 1) The applicant is encouraged to explore relocating the bicycle rack to allow for additional site landscaping; and 2) The applicant is encouraged to explore alternative landscaping to the Grasscrete patio located between Unit #1 and the 2nd St frontage.</p> <p>B. The proposed expansion of office space and addition of new multifamily residential units, as revised and conditioned, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, or to the general welfare of the City, given that; the project has been reviewed by appropriate City departments, non-City agencies, the appropriate surrounding neighborhood groups (Downtown Business Improvement District, Gerstle Park Neighborhood Association and the Federation of San Rafael Neighborhoods), interested parties, and the Design Review Board subcommittee (Board) on two (2) separate meetings (conceptual review on April 22, 2020 and formal project review on October 21, 2020)</p>
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<p>and conditions of approval have been included to mitigate any potential negative impacts anticipated to be generated by the proposed project;</p> <p>C. The proposed expansion of office space and addition of new multifamily residential units, as revised and conditioned, will comply with each of the applicable provisions of the Zoning Ordinance, given that; as documented in the Zoning Ordinance Consistency Table (Exhibit 4).</p>	
CHAPTER 25 – ENVIRONMENTAL AND DESIGN REVIEW PERMIT	
<p>14.25.010 – Specific Purposes</p> <p>Environmental and design review implements general plan policies concerning the environment and design by guiding the location, functions and appearance of development. The key environmental and design goal of the city is to respect and protect the natural environment and assure that development is harmoniously integrated with the existing qualities of the city. The purposes of environmental and design review are to:</p> <p>A. First and foremost, maintain a proper balance between development and the natural environment;</p> <p>B. Ensure that the location, design and materials and colors of development blends with and enhances the natural settings;</p> <p>C. Maintain and improve the quality of, and relationship between, development and the surrounding area to contribute to the attractiveness of the city;</p> <p>D. Preserve balance and harmony within neighborhoods.</p> <p>E. Promote design excellence by encouraging creative design and the innovative use of materials and methods and techniques;</p> <p>F. Preserve and enhance views from other buildings and public property; and</p> <p>G. Ensure the right to make residential additions and modifications which minimize the impact on adjacent residences and which are designed to be compatible with the existing residence and neighborhood.</p>	<p><i>Consistent</i></p> <p>The existing ‘modified craftsmen’ design of the office structure, located at the front of the site, will continue with the proposed raising of the structure to allow for the creation of a new ground-floor residential unit and the proposed construction of the new third floor office space. The design of the new residential structure, located at the rear of the site, is proposed to match that of the existing front structure. Common design features include inset covered entries, horizontal shiplap siding (cream in color), hipped roof forms and window trim detailing (white in color). The scale of the project is proposed to increase from two (2) stories to three (3) stories. The current scale of existing buildings in the vicinity of the site is generally two (2) stories. An existing mature Canary Island date palm tree, located at the front of the site, also helps to frame the proposed three (3) story scale proposed by the project.</p>

Exhibit 4

TABLE ANALYZING PROJECT COMPLIANCE WITH SAN RAFAEL ZONING ORDINANCE (TITLE 14)

<p>14.25.050 - Review Criteria</p> <p>Projects must meet the following design review criteria:</p> <ul style="list-style-type: none">• Consistency with General Plan design policies.• Consistency with Specific Plans• Design criteria must meet the objectives of Chapter 25 (Design Review), which include ensuring that the design blends with the natural setting, maintains and improves the quality of and relationship between the development and the surrounding area, preserve the balance and harmony within a neighborhood, promotes excellence in design, and preserves and enhances views.• Site design is harmonious amongst structures within the development and existing development in the vicinity, natural site features should be protected and preserved, safe access and adequate parking should be provided, drainage should be designed to be ensure proper surface drainage	<p><i>Consistent Site Design</i></p> <p>The project proposes, essentially, to raise or ‘lift-and-fill’ the existing office structure, located at the front of the site, and to construct a new residential building at the rear of the site which is currently an uncovered parking area. Vehicular access is proposed to continue from Second Street, along an existing 16’ 9 ½”-wide driveway located along the east property boundary. Primary pedestrian access to the existing office structure is proposed to continue directly from the 2nd Street frontage, though the design of the entry staircase is proposed to change with the raising of the building. Secondary pedestrian access to the existing office structure is proposed from a new staircase tower addition located at the rear of the office structure. Pedestrian access to the new ground-floor residential unit in the existing front office structure is proposed through a landscaped walkway along the west property boundary. Pedestrian access to new residential structure is proposed along the existing driveway.</p> <p><i>Architecture</i></p> <p>The existing ‘modified craftsmen’ design of the office structure, located at the front of the site, will continue with the proposed raising of the structure to allow for the creation of a new ground-floor residential unit and the proposed construction of the new third floor office space. The design of the new residential structure, located at the rear of the site, is proposed to match that of the existing front structure. The scale of the project is proposed to increase from two (2) stories to three (3) stories. The current scale of existing buildings in the vicinity of the site is generally two (2) stories. An existing mature Canary Island date palm tree, located at the front of the site, also helps to frame the proposed three (3) story scale proposed by the project.</p> <p><i>Colors and Materials</i></p> <p>The exterior materials for both structures are primarily horizontal ship-lap siding in a cream yellow color with bright white trim (windows, doors, eaves, gutters and railings) and dark asphalt composition roof shingles. At the urging of the Design Review Board Subcommittee, red brick accents are proposed along the base of existing front office structure which complement the red brick courtyard fencing along the 2nd Street frontage.</p> <p>Material and Color Boards were prepared by the applicant and submitted with the formal project; photos of the Material and Color Boards are included in staff’s report as Exhibit 5.</p>
---	---

Exhibit 4

TABLE ANALYZING PROJECT COMPLIANCE WITH SAN RAFAEL ZONING ORDINANCE (TITLE 14)

	<p><u><i>Walls, Fences and Screening</i></u></p> <p>The project design includes three (3) separate refuse enclosures, all of which will be screened from public view; one trash enclosure is proposed to be located underneath the new redesigned entry staircase to the existing office structure at the front of the site, a second trash enclosure is proposed to be located adjacent to the new stair tower at rear of the existing office structure and a third trash enclosure is proposed within the garage in the new rear residential structure. Ground-mounted and building-mounted HVAC units are proposed among both structures within the project, which will be screened from view at all times.</p> <p><u><i>Landscape Design</i></u></p> <p>The project proposes 12% or 604 sq. ft. of site landscaping where a minimum of 10% (500 sq. ft.) is required. Landscaped areas will be located along the west and north property lines. The project proposes to retain the existing 42"-diameter Canary Island date palm tree located along the 2nd Street frontage. Additionally, the landscape plan proposes a combination of shrubs, grasses and groundcover to be planted along the 2nd Street frontage and along the western property line.</p> <p>On October 21, 2020, the Design Review Board subcommittee unanimously recommended approval of the proposed site and building design, determining that it adequately met the applicable <u>design criteria</u> for Environmental and Design Review Permits, subject to the following recommendations: 1) The applicant is encouraged to explore relocating the bicycle rack to allow for additional site landscaping; and 2) The applicant is encouraged to explore alternative landscaping to the Grasscrete patio located between Unit #1 and the 2nd St frontage.</p>
<p>14.25.090 - Findings</p> <p>The following findings must be made to approve a Design Review Permit</p> <ul style="list-style-type: none">• Project design is in accord with the general plan, the objectives of the zoning ordinance and the purposes of this chapter;• Project design is consistent with all applicable site, architecture and landscaping design criteria and guidelines for the district in which the site is located• Project design minimizes adverse environmental impacts• Project design will not be detrimental to the public health, safety or	<p><u><i>Consistent</i></u></p> <p>A The project design is in accord with the General Plan, the objectives of the Zoning Ordinance, and the purposes of Chapter 14.25 of the Zoning Ordinance; in that:</p> <ol style="list-style-type: none">1. As documented in the General Plan 2020 Consistency Table (Exhibit 3), the proposed project will implement and promote the goals and policies of the San Rafael General Plan 2020;2. As documented in the Zoning Ordinance Consistency Table (Exhibit 4), the proposed project will be consistent with the objectives of the Zoning Ordinance,

Exhibit 4

TABLE ANALYZING PROJECT COMPLIANCE WITH SAN RAFAEL ZONING ORDINANCE (TITLE 14)

<p>welfare nor materially injurious to properties or improvements in the vicinity.</p>	<p>which is to promote and protect the public health safety, peace, comfort and general welfare;</p> <p>3. As documented in the Zoning Ordinance Consistency Table attached to the staff report to the Planning Commission, the proposed project will be consistent with the purposes of Environmental and Design Review Permits, given that; the project will maintain and improve the quality of, and relationship between, development and the surrounding area to contribute to the attractiveness of the City, given that; the Board has reviewed and recommended approval of the project, subject to the following recommendations: 1) The applicant is encouraged to explore relocating the bicycle rack to allow for additional site landscaping; and 2) The applicant is encouraged to explore alternative landscaping to the Grasscrete patio located between Unit #1 and the 2nd St frontage.</p> <p>B The project design, as revised and conditioned, is consistent with all applicable site, architecture and landscaping design criteria and guidelines for the 2/3 MUW District in which the project site is located, given that;</p> <p>1. The project will be consistent with the maximum allowable density for the site, which is five (5) units based on a 5,000 sq. ft. of lot area for the site (3 new residential units proposed);</p> <p>2. The project will be consistent with the minimum five-foot (5') front setback along the 2nd Street frontage (14' 9" front setback proposed);</p> <p>3. The project will be consistent with the maximum 36' height allowed for the project site (33' 8" height proposed for raised front building and 29' 8" height proposed for new rear building);</p> <p>4. The project will be consistent with the minimum 10% landscaping requirement (12% or 604 sq. ft of site landscaping is proposed);</p> <p>5. The project will voluntarily provide private outdoor recreational area for each of the three (3) new residential units.</p> <p>6. The project will be consistent with the maximum allowable Floor Area Ratio</p>
--	---

Exhibit 4

TABLE ANALYZING PROJECT COMPLIANCE WITH SAN RAFAEL ZONING ORDINANCE (TITLE 14)

	<p>(FAR) of non-residential development (0.50 FAR or 2,500 sq. ft. allowed; 2,620 sq. ft. proposed), subject to a one-time FAR bonus of up to 10% or 750 sq. ft., whichever is larger for projects located in the Downtown;</p> <p>7. The project will be consistent with the parking requirement by providing four (4) off-street parking spaces for the new residential units (no off-street parking is required for the existing and proposed FAR of nonresidential development on the site or guest parking).</p> <p>8. Marin Municipal Water District (MMWD) has reviewed and approved water service for the project, subject to the purchase of additional water entitlement, the installation of separate water meters for the new residential units and review and approval of the landscape and irrigation plans prior to building permit submittal</p> <p>9. The proposed project will be consistent with review criteria for Environmental and Design Review Permits (<i>Chapter 14.25 of the Zoning Ordinance</i>), given that; the Board reviewed the project twice and, on October 21, 2020, after determining the project adequately met the review criteria for Environmental and Design Review Permits, unanimously (2-0) recommended approval of the project design, subject to the following recommendations: 1) The applicant is encouraged to explore relocating the bicycle rack to allow for additional site landscaping; and 2) The applicant is encouraged to explore alternative landscaping to the Grasscrete patio located between Unit #1 and the 2nd St frontage.</p> <p>C. The project design, as revised and conditioned, minimizes adverse environmental impacts, given that;</p> <p>1. The City Engineer has reviewed the proposed project, including civil drawings showing the pre-and post-construction permeability of the site, and determined pervious area will increase from 14.2% (712 sq. ft.) to 28.8% (1,392 sq. ft.). While Marin County BASMAA (Bay Area Stormwater Management Agencies Association) manual standards do not require the installation of any stormwater treatment facilities, such as bioretention, since the new impervious area on the site will be under the minimum threshold of 5,000 sq. ft., the project voluntarily incorporates stormwater treatment measures, including increased site landscaping and erosion controls;</p>
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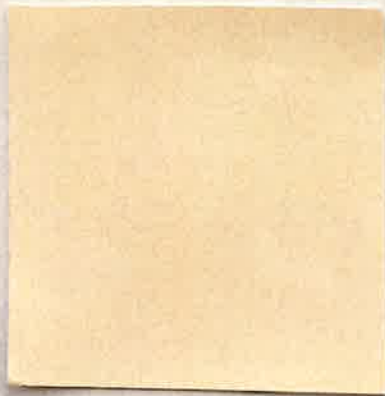
Exhibit 4

TABLE ANALYZING PROJECT COMPLIANCE WITH SAN RAFAEL ZONING ORDINANCE (TITLE 14)

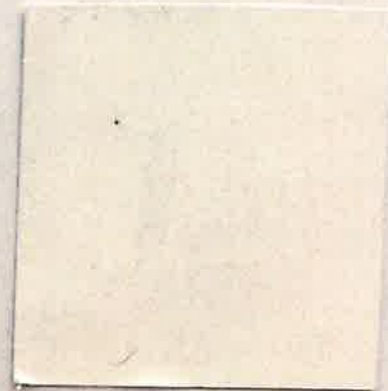
	<p>2. The project site neither contains, nor is immediately contiguous to, recognizable wetlands, creeks or similarly sensitive environmental features, and it has not been identified in the San Rafael General Plan 2020 (<i>Exhibit 38 – Threatened and Endangered Species</i>) as a general location where threatened and endangered species have been previously observed or maintain a suitable habitat for their likely presence to be found.</p> <p>3. The project is exempt from CEQA pursuant to CEQA Guidelines Section 15332 (In-Fill Development Projects), as determined by staff.</p> <p>D. The project design, as revised and conditioned, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, or to the general welfare of the City, given that; the project has been reviewed by appropriate City departments, non-City agencies, the appropriate surrounding neighborhood groups (Downtown Business Improvement District, Gerstle park Neighborhood Association and Federation of San Rafael Neighborhoods), interested parties, and the Design Review Board subcommittee (Board) during two (2) separate meetings (conceptual review on April 22, 2020 and formal design review on October 21, 2020). On October 21, 2020, the Board unanimously recommended approval of the site and building design, subject to the following recommendations: 1) The applicant is encouraged to explore relocating the bicycle rack to allow for additional site landscaping; and 2) The applicant is encouraged to explore alternative landscaping to the Grasscrete patio located between Unit #1 and the 2nd St frontage.</p>
--	--

1215 2nd St.
SAN RAFAEL, CA 94901

MATERIALS BOARD | JANUARY 2020



BENJAMIN MOORE "CREAM"
(2159-60)
PAINTED WOOD SIDING



BENJAMIN MOORE "SUPER WHITE"
(1-02)
PAINTED EXTERIOR WOOD TRIM,
FACIAS, RAILING, SIDING,
FRONT YARD FENCE



LIGHT COLORED CONCRETE
PREVIOUS PAVERS, CONCRETE PAVERS



ASPHALT SHINGLES "COLONIAL SLATE"
ROOFING, TYPICAL

EXHIBIT 5



RICHARDSON
PRIBUSS
ARCHITECTS

2000 CALIFORNIA STREET, SUITE 200
SAN FRANCISCO, CA 94109

1215 2nd St.
SAN FRANCISCO, CA 94103

MATERIALS BOARD 2 | OCTOBER 2020



BEVELLED BOARD, WOOD, BEING PAINTED WHITE
ENTIRE COLORED AT FRONT LOWER UNIT



BEVELLED BOARD, WOOD, BEING PAINTED WHITE
ENTIRE COLORED AT FRONT LOWER UNIT



BECK STRATFORD SERIES
FRONT PRICK NIGHT BUILDING TAG



PAINTED FENCE PICKET, BLACK
AT FRONT PRICK



GRASSCREE
GRASSCREE AT FRONT PRICK

“Good Design” Criteria for Downtown San Rafael
****Summary of Applicable Criteria****

General

- Each project should have an internally consistent design vocabulary
- Forms and materials should express the building's design intent and context
- Design strategies such as “base middle and top” are encouraged but not the sole design alternative
- Height and bulk can be mitigated by step backs, articulation, use of different materials
- Projections over public right of ways shall be limited to bay windows, balconies and marquees *
- Provide architectural interest such as strategic placement of forms and applied features and special treatment at corners especially at intersecting streets
- Concentrate premium materials at points of maximum enjoyment:
 - At street level
 - At building entrances
 - On highly visible architectural forms and elements • Maintain pedestrian scale, especially at the
 - lower floors
- Buildings should relate to established streetscape elements such as cornice lines, fenestration or other shared elements
- New building design may include high quality contemporary architecture
- Use landscape to humanize and frame the built environment
- Use durable, reusable, flexible, permeable and repairable pavement materials
- All mechanical equipment shall be screened and shall not project above its enclosure
- Exceptional design is encouraged and may be allowed to deviate from the design guidelines. However:
 - Projects must be exemplary
 - They must make a significant contribution to their surroundings
 - They must contribute public benefit beyond great design
- Projects should conform with General Downtown Design Guidelines and District Design Guidelines
- Different districts of Downtown have different design priorities

Gateway District:

- Provide active street fronts along Tamalpais
- Articulate elevations to avoid a “building as wall” parallel to the freeway
- Create a sense of arrival with welcoming gateway elements such as:
 - Distinctive building form massing and detailing
 - Public plazas

Gateway – Transit District:

- Enhance the Tamalpais greenway from 2nd to Mission as a complete street
- Anchor the district with a high-quality transit center

2nd /3rd Corridor & Lindero:

- Reduce building mass along the boulevards with 3rd or 4th floor setbacks and at ground level corner entrances
- Use distinctive forms and detailing at corners particularly those facing oncoming traffic
- Locate retail at intersections and along pedestrian N - S streets
- Enhance the boulevard, by providing continuous curbside planting strips and/or ample tree pockets with grates
- Consider increasing the 5' setback requirement along 2nd and 3rd Street
- Varied setback depths are encouraged particularly on NS streets for pedestrian amenities and landscaping Place back flow preventers, transformers, and other utilities out of site or in undersidewalk vaults

Blanco Architecture Inc

09 November 2020

VIA USPS

[REDACTED]

1211 Second Street
San Rafael CA, 94901

Re: **1215 Second Street, San Rafael CA, 94901**

Subj: **Building Remodel and Addition**

Dear [REDACTED]

As one of my immediate neighbors, I am writing you to extend an invitation for our open house to introduce my proposed improvement project at 1215 Second Street, San Rafael CA 94901, which is currently in the planning stage. The open house will be held on Saturday November 21 from 11:00 am to 1:00 pm at the building, in our architecture office. I will have a set of architectural drawings available to look at and discuss with you. Alternatively, if you cannot make it to the open house and are still interested in learning about the project I am planning, I will also make myself available at other times. I can be reached at (415) 250-6293 and at adrian@blancoarchitecture.com

As the owner and occupant of the building, I am excited about the opportunity to improve the property while maintaining the existing Craftsman Style charm and character of the 100 plus year old building. My proposed plans include raising the existing building to create adequate ceiling height on the ground-floor in order to allow the construction of a 2-bedroom residential unit, which will include a one car garage space within the footprint of the building. The existing main floor office will remain as my architecture office, and I propose to add a smaller upper-story office expansion, which will be set back from the existing footprint of the building.

At the rear of the building, I propose to construct a detached garage with ground-floor parking for two vehicles. Above the garage will be two new residential units. The first unit, at the end of the driveway, is designed as a single level 1-bedroom Carriage House above the garage. The second attached unit above the garage is a 2-bedroom two level unit, which is located at the south-west corner of the lot.

Blanco Architecture Inc. • Building Envelope Consultants
1215 Second Street, San Rafael, CA 94901 • O 415 766 2406 • F 415 785 3540
BlancoArchitecture.com • California • Hawaii

EXHIBIT 7

[REDACTED]
09 November 2020

Page 2

If you are interested and can make it to the open house, I look forward to meeting you on November 21 between 11:00 am and 1:00 pm at the building. In the meantime, if you have any questions, please feel free to call or email.

Sincerely,

Blanco Architecture Inc

A handwritten signature in black ink, appearing to read 'Adrian Blanco', with a stylized, flowing script.

Adrian N Blanco, AIA



SAN RAFAEL
THE CITY WITH A MISSION

**Community Development Department – Planning Division
ORDINANCE INTERPRETATIONS AND POLICY
STATEMENTS**

Check One of the Following:

- ☐ Ordinance Interpretation*
- ☒ Policy Statement**

Preparer:

Staff

Subject (Cite Code Section if Zoning Ordinance Interpretation):

DRB Subcommittee Use During COVID-19 Shelter-In-Place Order

Interpretation/Policy Statement:

Consistent with Executive Orders No.-25-20 and No. N-29-20 from the Executive Department of the State of California and the Marin County March 16, 2020 Shelter-in-Place Order, superseded by the Marin County March 31, 2020 Shelter-in-Place Order, the San Rafael Design Review Board (DRB) shall no longer physically meet, as an open public meeting, to provide site and building design review and recommendations on projects requiring Planning Commission action or other design matters referred to the DRB by the Community Development Director, Planning Commission or City Council.

Until the Shelter-in-Place Order is lifted, all site and building design review and recommendations shall be carried by a Design Review Board Subcommittee consisting of one (1) licensed architect and one (1) licensed landscape architect, both chosen by staff (DRB Staff Liaison) from the current membership of the DRB. This subcommittee shall meet as needed through conference call with staff and project architects only. No public notice is required for the subcommittee to provide input on design matters. Staff will provide the DRB Subcommittee with reduced (11" x 17") color plans and a staff report for each project under review on the Friday before their meeting. Staff shall distribute a summary of the DRB Subcommittee's recommendations to each project architect after each meeting. In the event that the DRB Subcommittee is unable to reach consensus on any project under review, staff shall temporarily participate as an alternate member of the DRB Subcommittee and provide review and recommendations on design matters.

Analysis:

Pursuant to Section 14.25.070 of the San Rafael Municipal Code (SRMC), the Design Review Board (DRB) is an advisory body to the City, reviewing and providing recommendations on design matters, and without any approval authority. The DRB Subcommittee would allow the DRB to continue to function during the mandatory Shelter-In-Place Order by reviewing and providing recommendations on site and building design with the City. The DRB Subcommittee would allow the DRB to continue as an interim advisory body reviewing and providing recommendations on design matters, while complying with Executive Orders No.-25-20 and No. N-29-20 from the Executive Department of the State of California and the Marin County March 16, 2020 Shelter-in-Place Order.

Approved by:

April 1, 2020

Jim Schutz, City Manager

Date

April 1, 2020

Paul Jensen, Community Development Director

Date

*Zoning Ordinance Interpretation: Copy on Blue Paper

**Policy Statement: Copy on Green Paper

SCALE	As Noted
PLAT DATE	07/20
DRAWN BY	JH



BLANCO OFFICE AND RESIDENCES
1215 SECOND STREET
SAN RAFAEL, CA 94901
PROJECT RENDERINGS

RICHARDSON
ARCHITECTS
P-1
DATE 10/20
DESIGN REVIEW

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LAWRENCE
DOYLE
LAND SURVEYOR
CIVIL ENGINEER
100 HILLMAN AVE.
MILL VALLEY, CA 94569
A.C. 115000-00000000

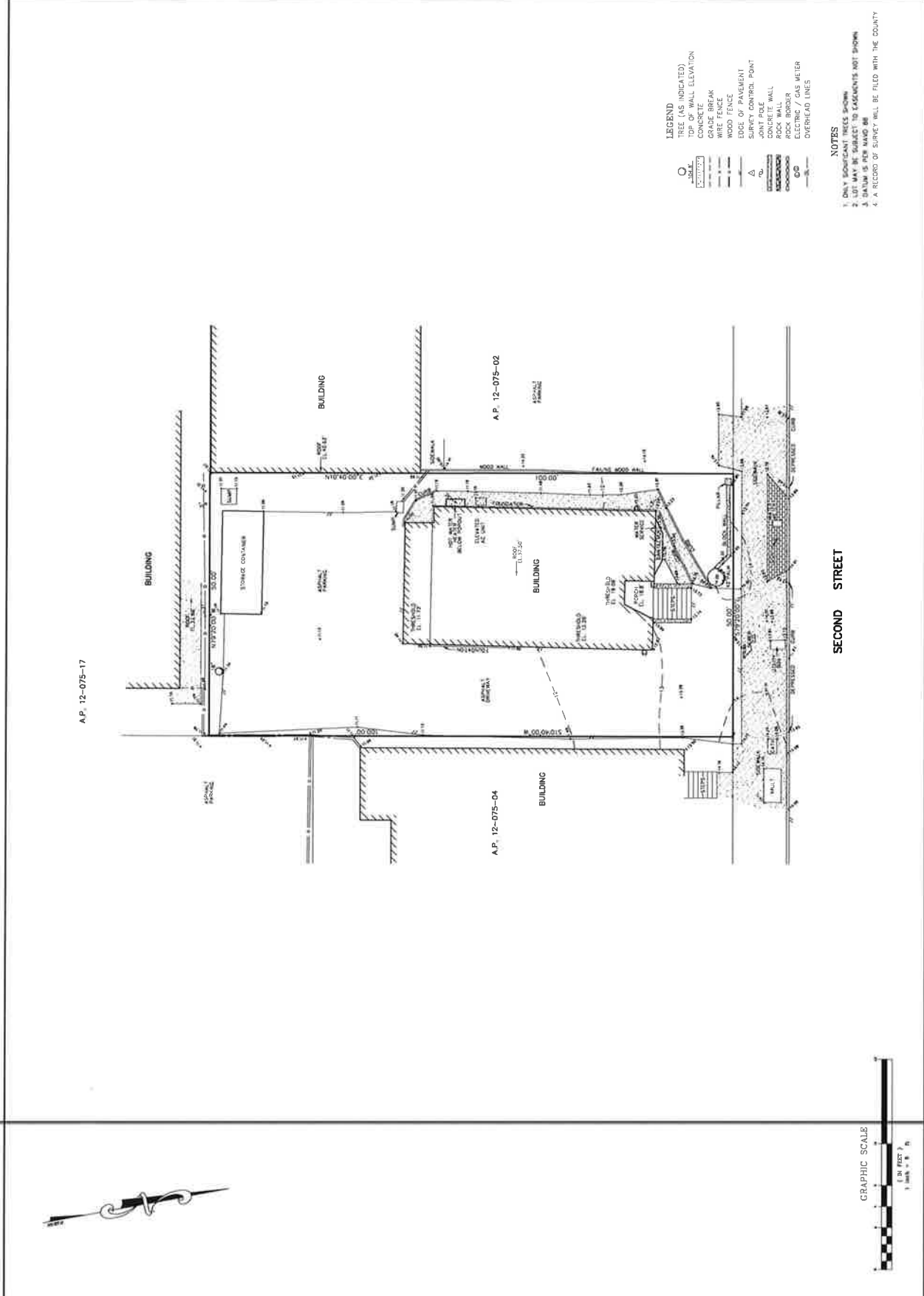
THE STATE OF
CALIFORNIA
COUNTY OF ALAMEDA
LAND SURVEYOR
CIVIL ENGINEER
100 HILLMAN AVE.
MILL VALLEY, CA 94569
A.C. 115000-00000000

1215 SECOND STREET
SAN RAFAEL, CALIFORNIA
A.P. 021-075-03

TOPOGRAPHIC
SURVEY

DATE	ISSUE
1/1/20	1
	2
	3
	4
	5
	6
	7
	8
	9
	10

A0.2
GRAPHIC SCALE
1" = 100'



A1.0

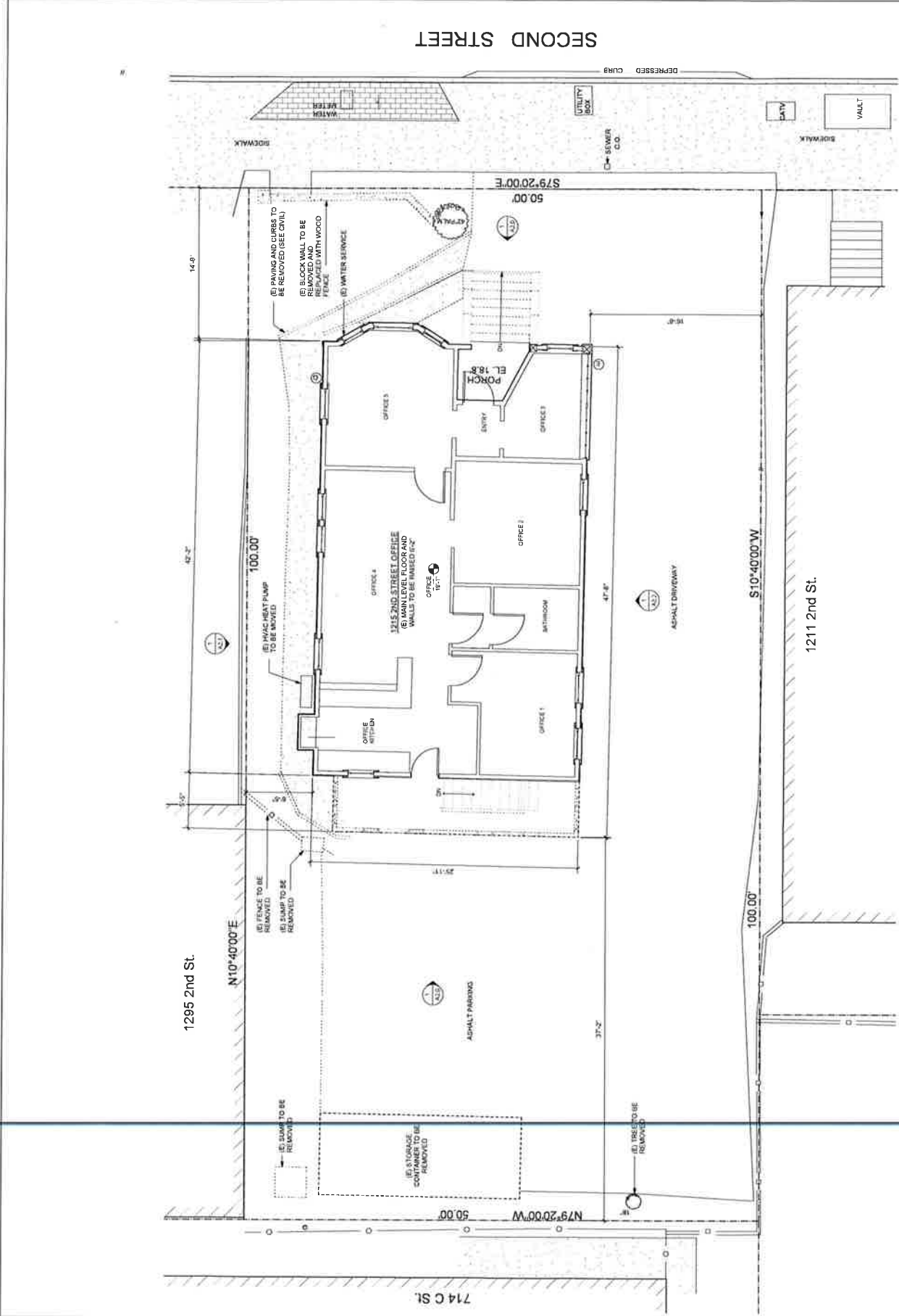


BLANCO OFFICE AND RESIDENCES
1216 SECOND STREET
SAN RAFAEL, CA 94901
EXISTING SITE PLAN / MAIN
LEVEL PLAN

RICHARDSON
P. RIBUSS
ARCHITECTS
100 WILSON AVENUE, SUITE 2
SAN RAFAEL, CA 94901
WWW.RICHARDSONP.COM

NO. DATE: P-1 10/20/20
PROJECT: DESIGN REVIEW
Client: [Redacted]
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Existing Site / Main Level Plan
Scale: 1/8" = 1'-0"



A1.1

DRAWN BY: JA
PLST DATE: 01/2021
SCALE: AS SHOWN



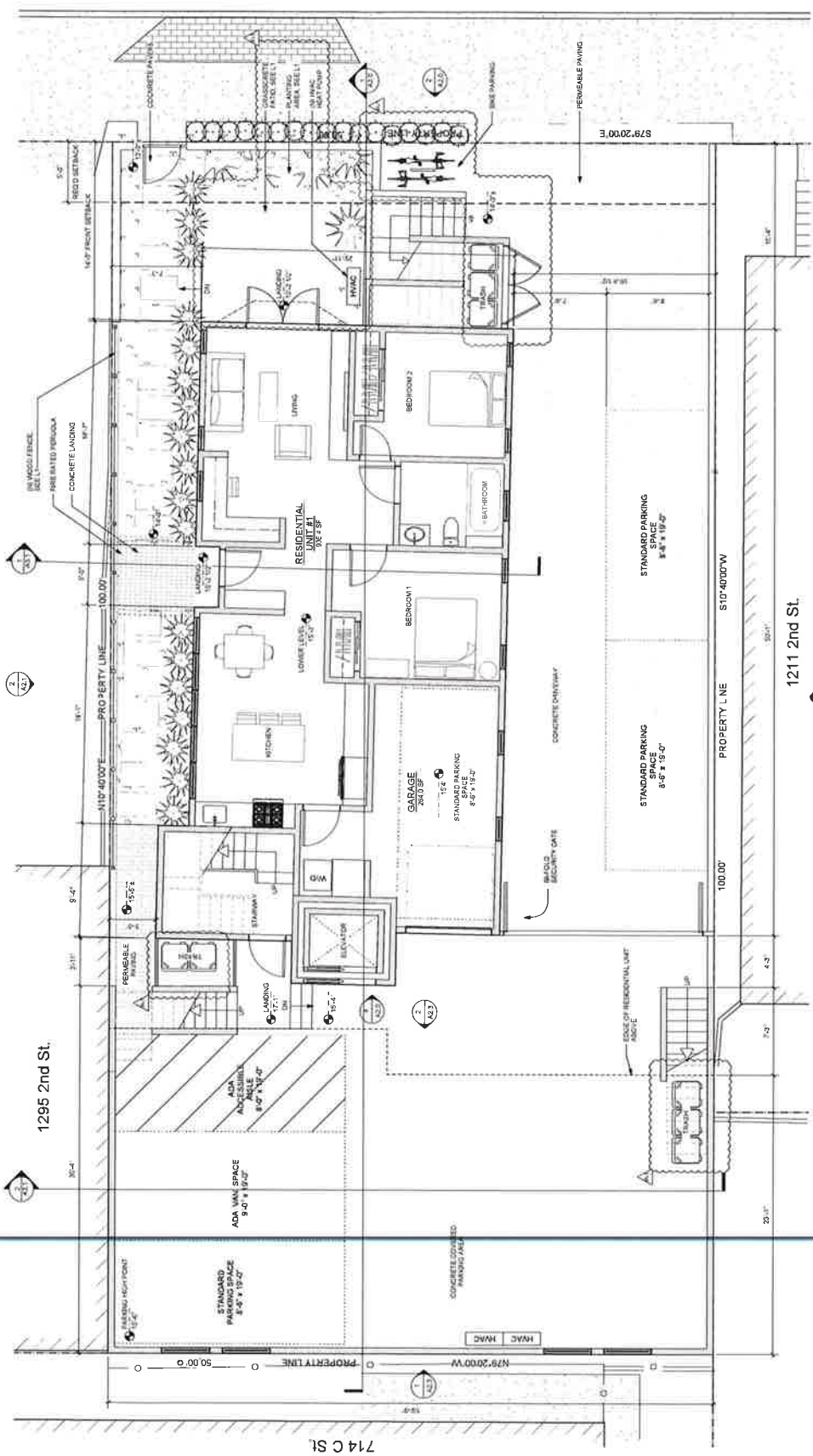
BLANCO OFFICE AND RESIDENCES
1215 SECOND STREET
SAN RAFAEL, CA 94901
APN # 021107503
PROPOSED SITE PLAN /
LOWER LEVEL PLAN /
ARCHITECTS
RICHARDSON
P. RIBUSS
445 WILSON AVENUE, SUITE 200
SAN RAFAEL, CA 94901-1129

NO DATE: 01/2020
NOTE: DESIGN REVIEW

Owner: Blum & Company
These drawings are prepared and submitted for review of the project. The drawings are not to be used for any other purpose without the written consent of the architect. The architect is not responsible for the construction of the project. The architect is not responsible for the construction of the project. The architect is not responsible for the construction of the project.

Proposed Site Plan
Scale: 1/8" = 1'-0"

SECOND STREET



714 C St.

A1.2

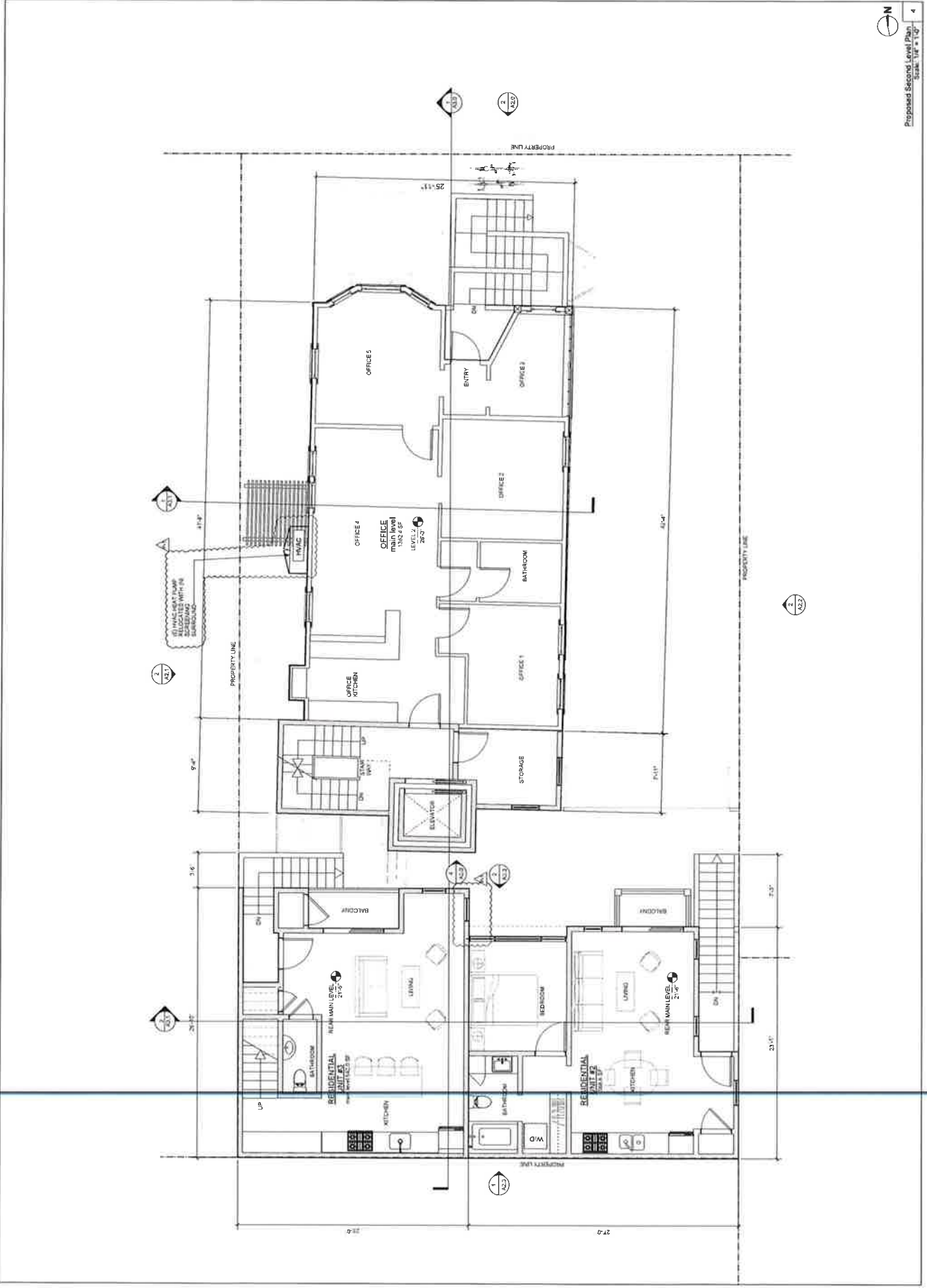
Proposed Second Level Plan
Scale: 1/8" = 1'-0"



BLANCO OFFICE AND RESIDENCES
1215 SECOND STREET
SAN RAFAEL, CA 94901
APN #021-075-03
PROPOSED SECOND LEVEL
PLAN

RICHARDSON
ARCHITECTS
P.R.B.U.S.S.
945 WILKIE AVENUE, SUITE 200
SAN RAFAEL, CA 94901
TEL: (415) 456-1111
WWW.RICHARDSONARCHITECTS.COM

NO. DATE NOTE
P-1 10/2/20 DESIGN REVIEW
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The architect shall be responsible for the accuracy of the information provided.
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A1.3

SCALE: As Noted

PLOT DATE: 04/2020

DRAWN BY: JA

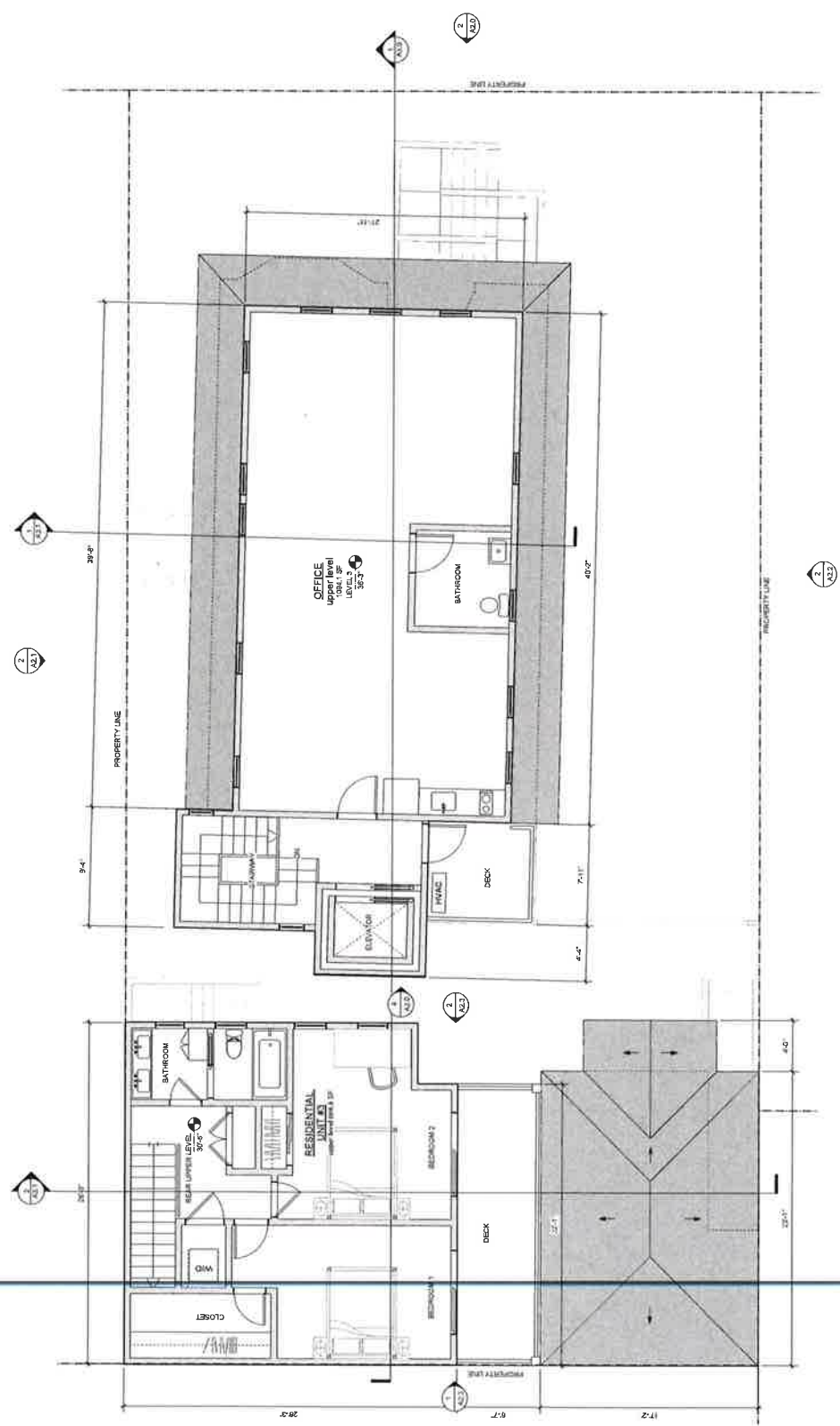


BLANCO OFFICE AND RESIDENCES
1215 SECOND STREET
SAN RAFAEL, CA 94901
APN # 021-075-03
PROPOSED THIRD LEVEL PLAN

RICHARDSON
ARCHITECTS
P.RIBUSS
400 CALIFORNIA STREET, SUITE 200
SAN RAFAEL, CA 94901
TEL: (415) 456-1234 FAX: (415) 456-1235

DATE: 10/20/20 DESIGN REVIEW: M

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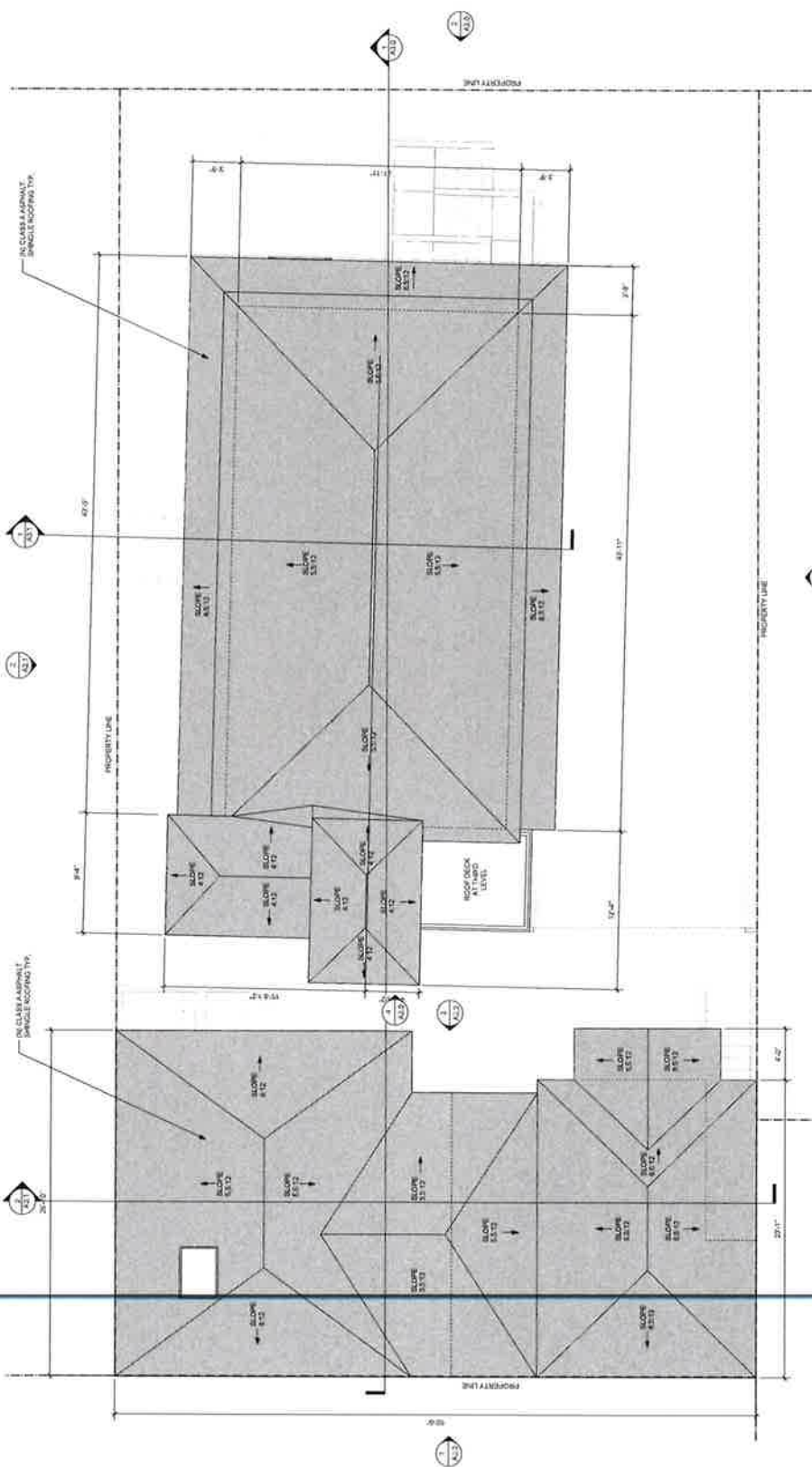


BLANCO OFFICE AND RESIDENCES
1215 SECOND STREET
SAN RAFAEL, CA 94901
APR 18 10:17 AM '93

**RICHARDSON
PRIBUS
ARCHITECTS**
1001 W. 12th St., Suite 200
Seattle, WA 98101
Tel: 206/462-1234

NO	DATE	NOTE
10/5/20	10/5/20	DESIGN REVIEW

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A1.6

SCALE: A4 1/8" = 1'-0"

PLOT DATE: 07/2020

DESIGN BY: JH



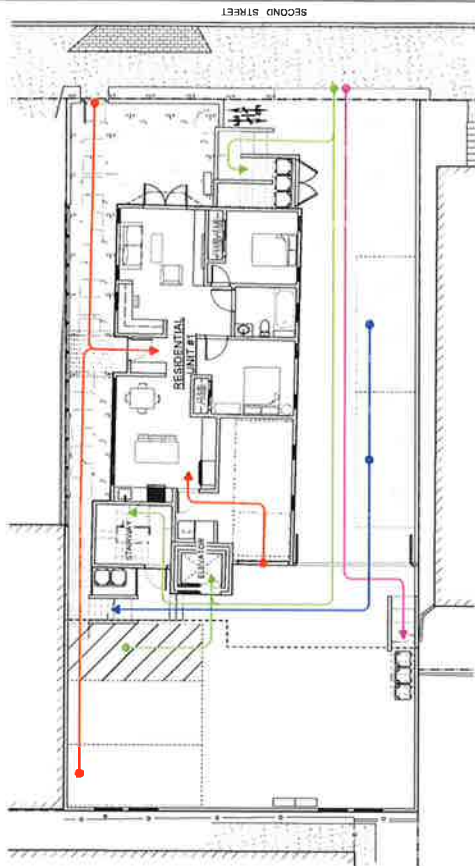
BLANCO OFFICE AND RESIDENCES
1215 SECOND STREET
SAN RAFAEL, CA 94901
APN # 03147703
CIRCULATION DIAGRAM

RICHARDSON
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481 MILLER AVENUE, SUITE 200
SAN RAFAEL, CA 94901
TEL: 415.477.1000 FAX: 415.477.1001
WWW.RICHARDSONPRIBUSS.COM

NO. DATE: 07/2020
NOTE: DESIGN REVIEW

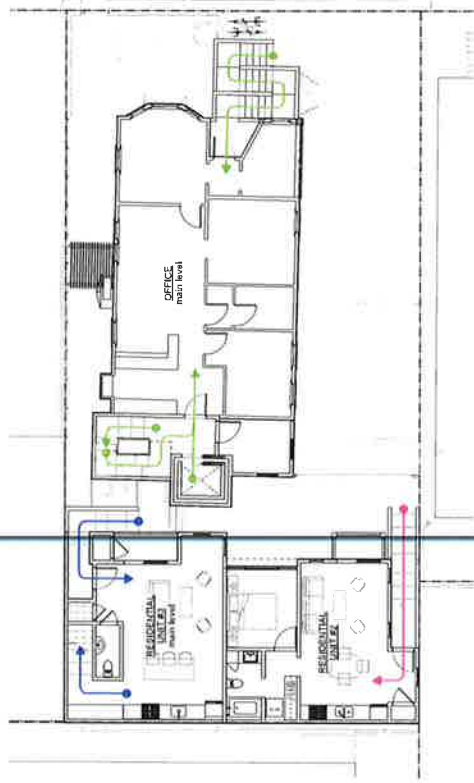
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All dimensions and elevations are to be checked on site.
All dimensions and elevations are to be checked on site.

LOWER LEVEL CIRCULATION DIAGRAM
Scale: 1/8" = 1'-0"

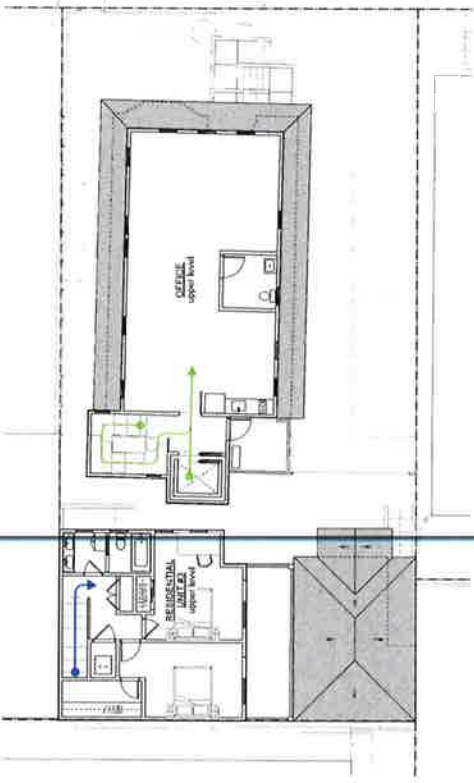


CIRCULATION DIAGRAM LEGEND	
	PATH TO RESIDENTIAL UNIT #1
	PATH TO RESIDENTIAL UNIT #2
	PATH TO RESIDENTIAL UNIT #3
	PATH TO OFFICE

MAIN LEVEL CIRCULATION DIAGRAM
Scale: 1/8" = 1'-0"



UPPER LEVEL CIRCULATION DIAGRAM
Scale: 1/8" = 1'-0"



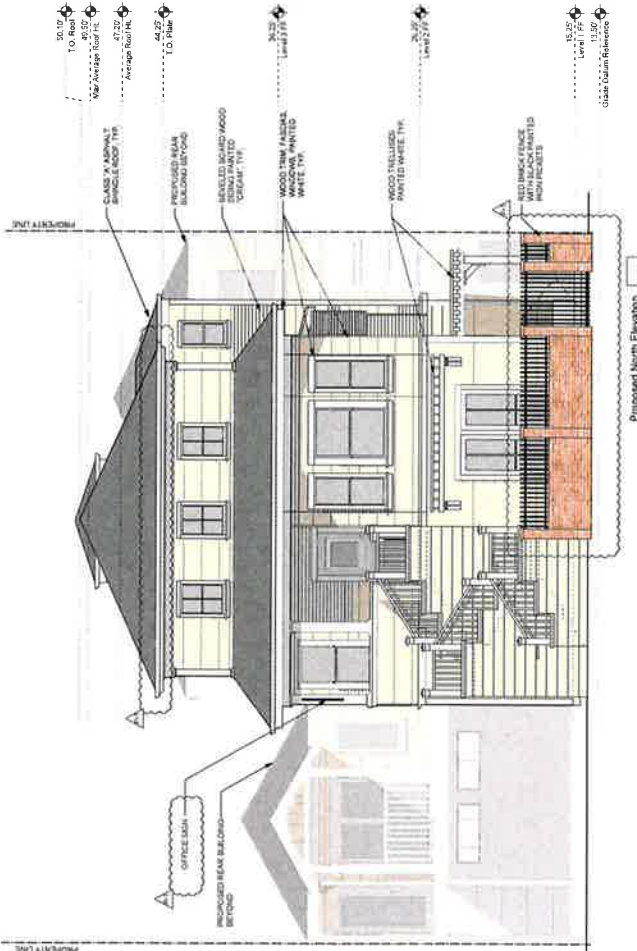
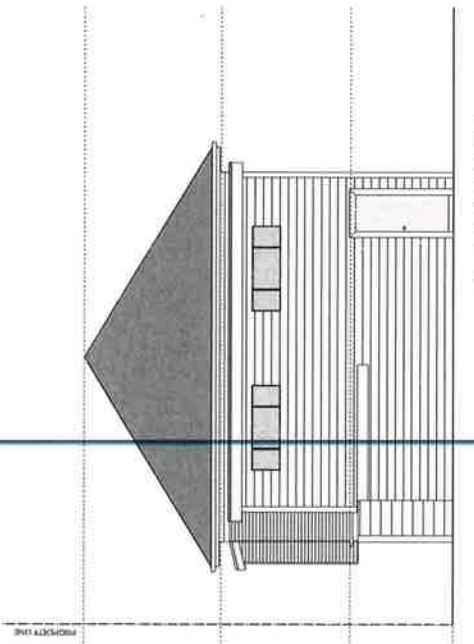
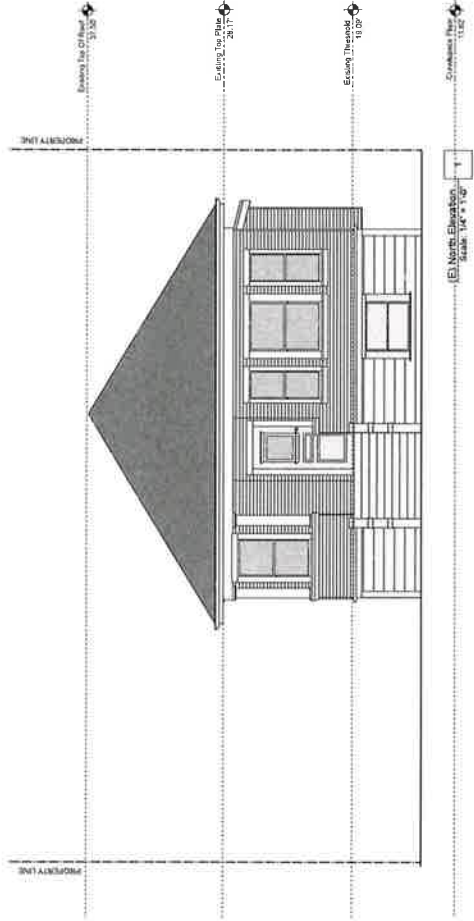


BLANCO OFFICE AND RESIDENCES
1215 SECOND STREET
SAN RAFAEL, CA 94901
NORTH AND SOUTH
ELEVATIONS
APN # 021-075-03

RICHARDSON
P. RIBUSS
ARCHITECTS
1015 WILSON AVENUE, SUITE 200
SAN RAFAEL, CA 94901
TEL: 415.456.1234 FAX: 415.456.1235

DATE: 10/20/20
DESIGN REVIEW: P-1

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A2.1

DATE: 08/20/20
SCALE: As Noted
DRAWN BY: JH

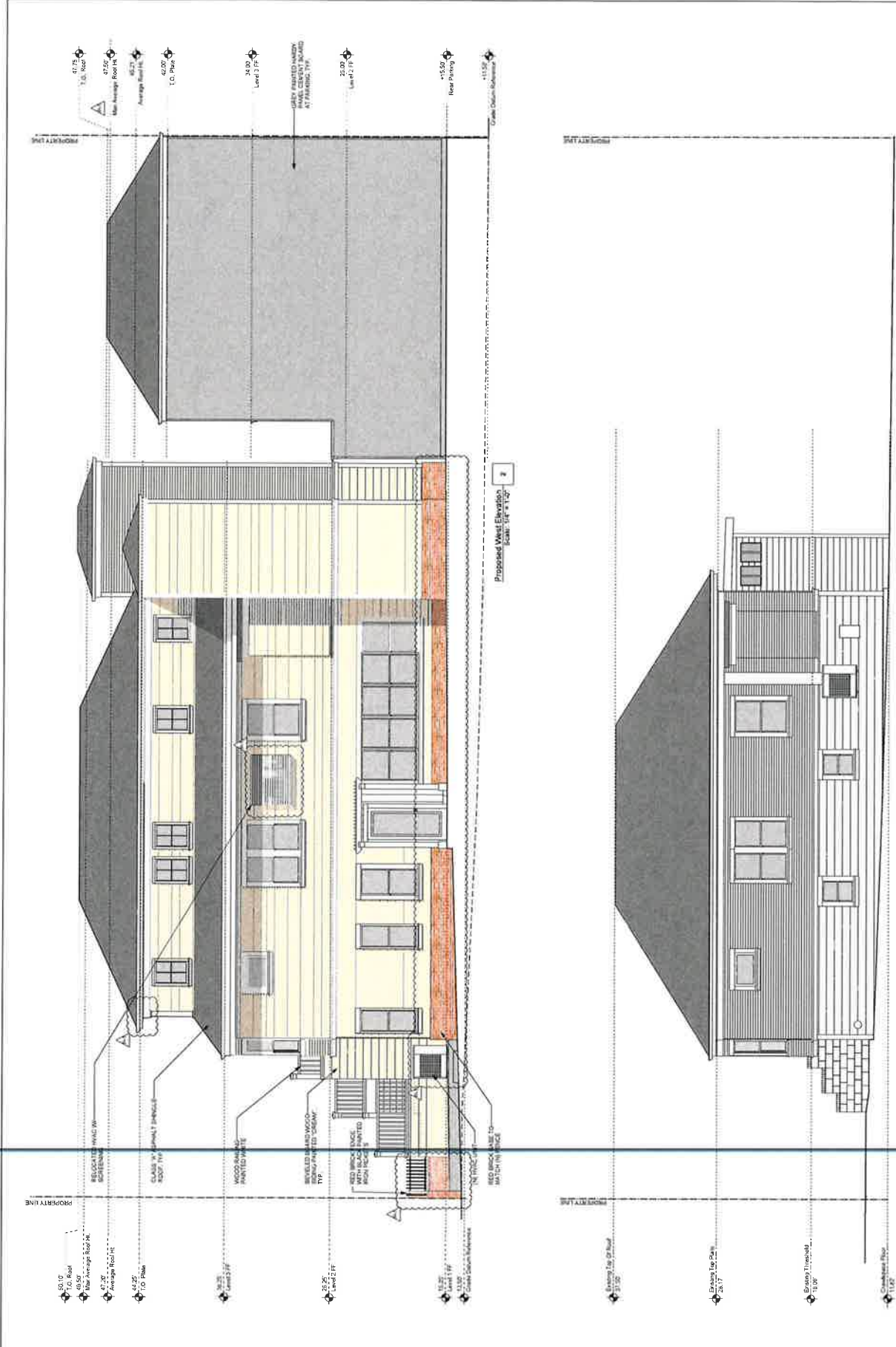


BLANCO OFFICE AND RESIDENCES
1215 SECOND STREET
SAN RAFAEL, CA 94901
WEST ELEVATION

RICHARDSON
P. RIBUSS
ARCHITECTS
447 MARKET STREET, SUITE 201
SAN RAFAEL, CA 94901
WWW.RICHARDSONP.RIBUSS.COM

NO. DATE: 08/20/20
P.1.10/20
DESIGN REVIEW

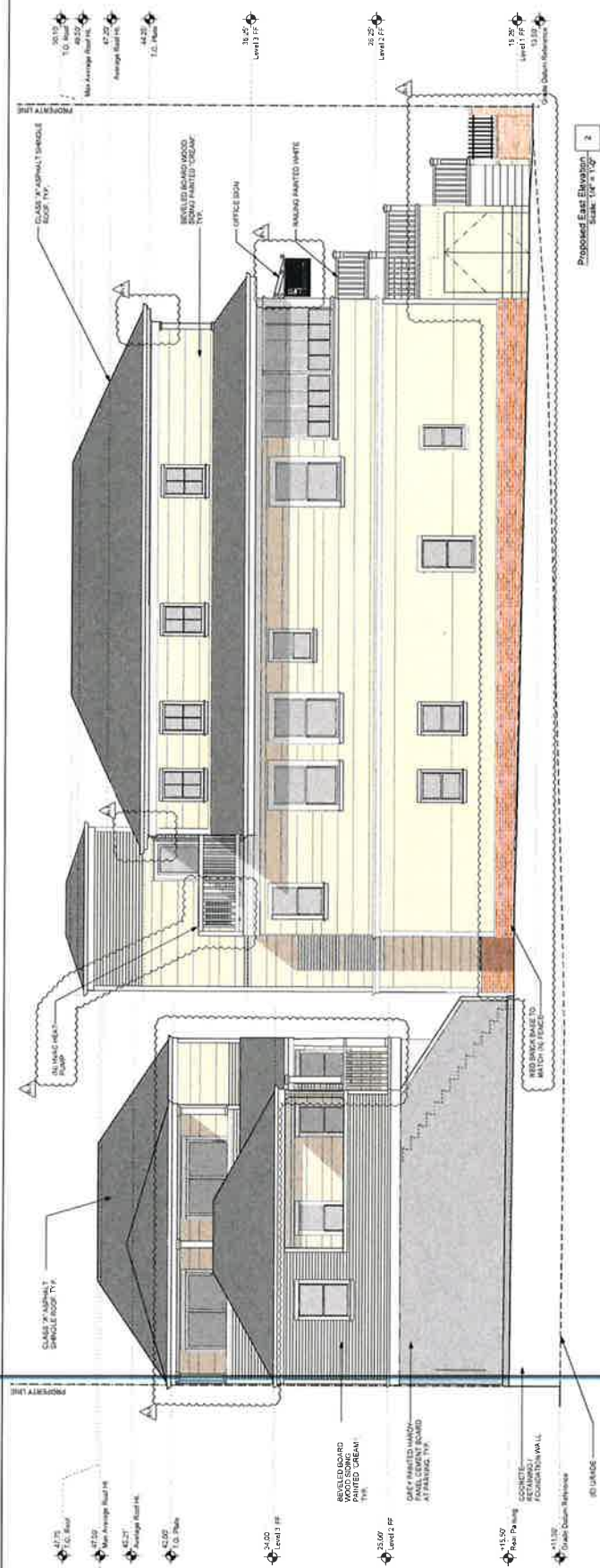
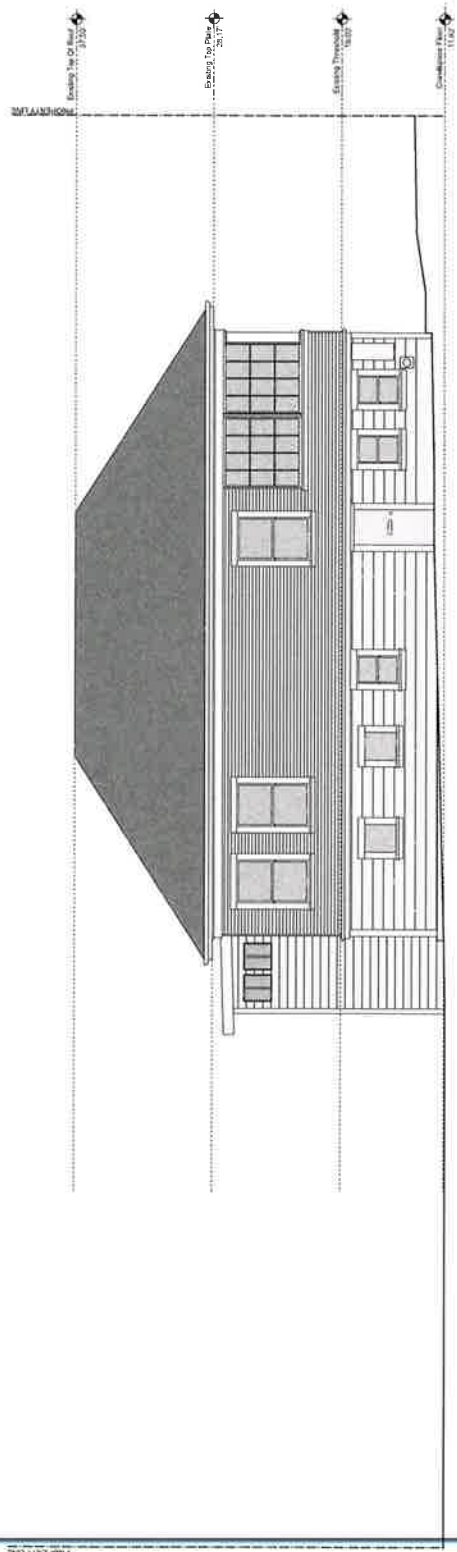
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APN # 02107303
SAN RAFAEL, CA 94901
1216 SECOND STREET
BLANCO OFFICE AND RESIDENCES

EAST ELEVATION
RICHARDSON
P R B U S S
ARCHITECTS
1011 WILSON AVENUE, SUITE 200
SAN RAFAEL, CA 94901
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NO. DATE NOTE
P-1 10/5/20 DESIGN REVIEW
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A3.0

DRAWN BY: J.A.
PLOT DATE: 07/17/20
SCALE: 1/8" = 1'-0"

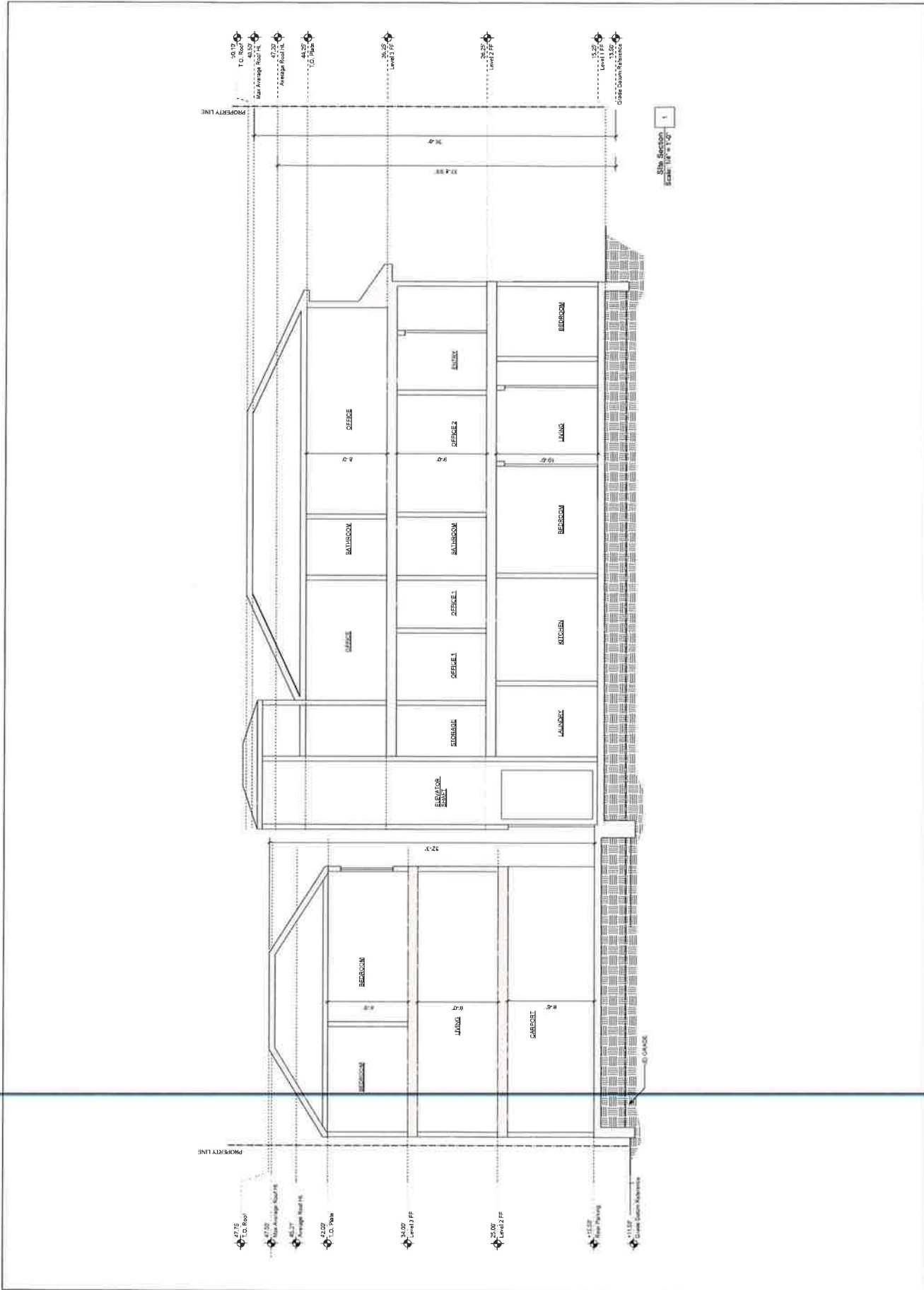


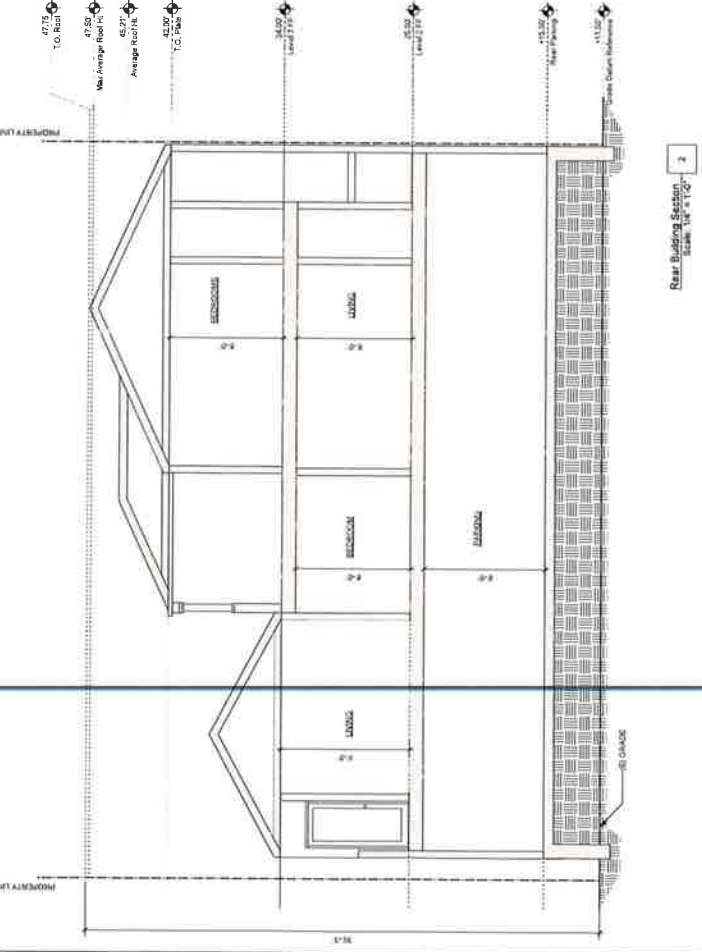
BLANCO OFFICE AND RESIDENCES
1215 SECOND STREET
SAN RAFAEL, CA 94901
APN # 021-0175-03
SITE SECTION

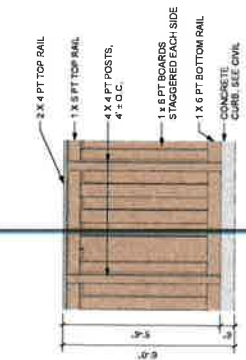
RICHARDSON
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1875 SULLY AVENUE, SUITE 200
SAN RAFAEL, CA 94901
TEL: (415) 452-1234 FAX: (415) 452-1235
WWW.RICHARDSONARCHITECTS.COM

NO. DATE DATE
P-1 10/10/20 DESIGN REVIEW

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All dimensions and elevations are to be reported in feet and inches, rounded to the nearest 1/8 inch.
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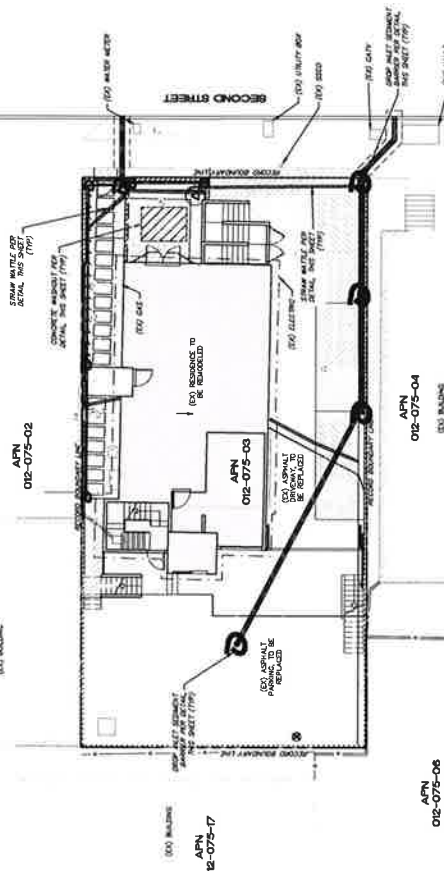


NOTES:

1. THE GEOTECHNICAL ENGINEER MUST MONITOR EROSION OF THE EROSION CONTROL MEASURES DURING THE CONSTRUCTION PERIOD. MONTHLY MONITORING REPORTS FROM THE EROSION CONTROL MEASURES SHALL BE SUBMITTED AT THE JOB SITE AT ALL TIMES.
2. EROSION AND SEDIMENT CONTROL MEASURES MUST BE PLACED ON ERODED AREAS WHEN RAIN IS WITHIN A 10 DAY FORECAST.

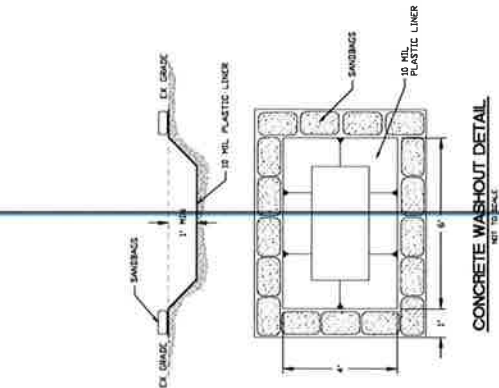
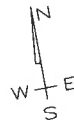
LEGEND

	STRAW WATTLE
	DROP INLET SEDIMENT BARRIER



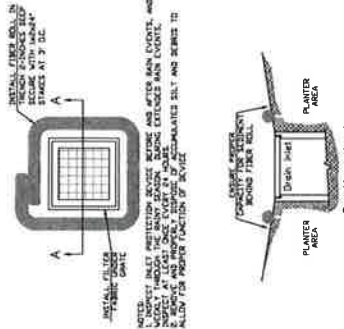
EROSION CONTROL PLAN

SCALE: 1" = 30'
GRAPHIC SCALE IN FEET



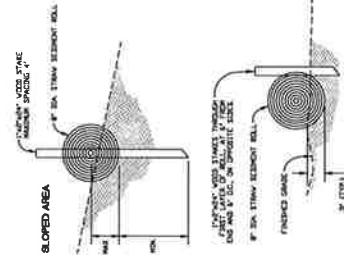
CONCRETE WASHOUT DETAIL

NOT TO SCALE



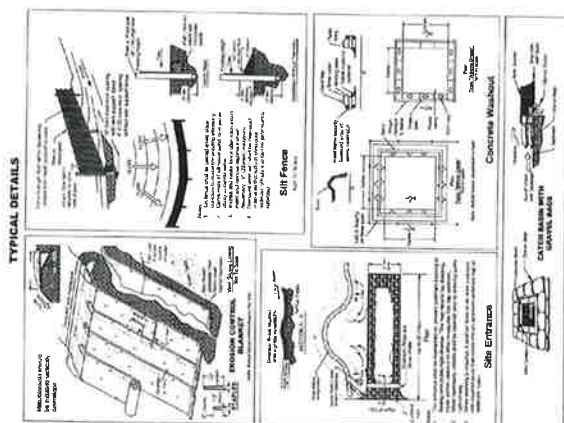
DROP INLET SEDIMENT BARRIER

NOT TO SCALE



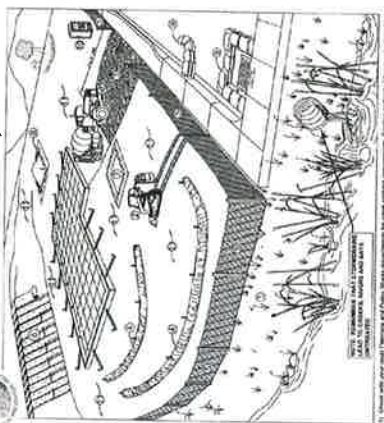
STRAW WATTLE DETAIL

NOT TO SCALE



TYPICAL DETAILS

Minimum Erosion/Sediment Control Measures For Small Construction Projects

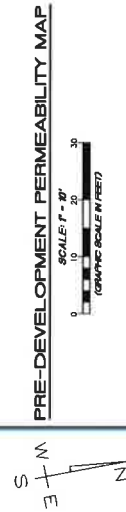


1. EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY EROSION OCCURRING ON THE SITE.
2. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
3. EROSION CONTROL MEASURES SHALL BE REMOVED UPON COMPLETION OF THE PROJECT.
4. EROSION CONTROL MEASURES SHALL BE REPLACED IF THEY BECOME DAMAGED OR INEFFECTIVE.
5. EROSION CONTROL MEASURES SHALL BE INSTALLED IN ALL AREAS OF THE SITE WHERE EROSION IS LIKELY TO OCCUR.
6. EROSION CONTROL MEASURES SHALL BE INSTALLED IN ALL AREAS OF THE SITE WHERE SEDIMENT IS LIKELY TO ACCUMULATE.
7. EROSION CONTROL MEASURES SHALL BE INSTALLED IN ALL AREAS OF THE SITE WHERE SILT IS LIKELY TO ACCUMULATE.
8. EROSION CONTROL MEASURES SHALL BE INSTALLED IN ALL AREAS OF THE SITE WHERE CLAY IS LIKELY TO ACCUMULATE.
9. EROSION CONTROL MEASURES SHALL BE INSTALLED IN ALL AREAS OF THE SITE WHERE SAND IS LIKELY TO ACCUMULATE.
10. EROSION CONTROL MEASURES SHALL BE INSTALLED IN ALL AREAS OF THE SITE WHERE GRAVEL IS LIKELY TO ACCUMULATE.

1. FOR COPIES OF MANUAL REQUIREMENTS, THE PROJECT IS TO COMPLY WITH THE BASMA PRE-CONSTRUCTION MANUAL. THE MANUAL DOES NOT REQUIRE ANY SPECIAL MEASURES ON THE INSTALLATION OF THE BASMA SYSTEMS (E.G. PROTECTING THE EXISTING INFRASTRUCTURE OR SIGNIFICATION) BECAUSE THE NEW IMPROVED AREA IS WITHIN THE MANUAL'S THEORETICAL AREA OF IMPROVEMENT.

2. ALTHOUGH NOT SPECIFICALLY REQUIRED BY BASMA, THE PROJECT DESIGN DOES INCORPORATE THE FOLLOWING BASMA MEASURES:

- MINIMIZE IMPROVED SURFACES (Paved)
- REDUCE IMPACT
- PROTECT EXISTING NATURAL AREAS OF THE SITE
- PROTECT SPLASHES AGAINST DROPPED (DROPPED IN CONTROL)

[illegible]

POST-DEVELOPMENT PERMEABILITY MAP

JUNE 17, 2020
JOB NO. 34-19
SHEET NO. H1
OF 5 SHEETS

OF 5 SHEETS

DVC GROUP INC.
PLANNING • ENGINEERING • CM
605 CENTER STREET
HEALDSBURG, CA 95448
(707) 368-0868



[Signature]

DANIEL JOHN HUGHES DATE

MOE WOLFE

