



AGENDA

**San Rafael Planning Commission
Regular Meeting
Tuesday, January 12, 2021, 7:00 P.M.**

Virtual Meeting

**Watch on Webinar: <https://tinyurl.com/PC-2021-01-12>
Watch on YouTube: <http://www.youtube.com/cityofsanrafael>
Telephone: (669) 900-9128
Meeting ID: 872-0645-4435#**

CORONAVIRUS (COVID-19) ADVISORY NOTICE

In response to Executive Order N-29-20, the City of San Rafael will no longer offer an in-person meeting location for the public to attend. This meeting will be streamed through YouTube Live at www.youtube.com/cityofsanrafael. Comments submitted via YouTube Live must be submitted according to the directions located on the YouTube video description. The City is not responsible for any interrupted service. To ensure the Planning Commission receives your comments, submit written comments to Alicia Giudice, Planning Manager (alicia.giudice@cityofsanrafael.org), prior to the meeting. For more information regarding real-time public comments, please visit our Live Commenting Pilot page at <https://www.cityofsanrafael.org/live-commenting-pilot/>.

Want to listen to the meeting and comment in real-time over the phone? Call the telephone number listed on this agenda and dial the Meeting ID when prompted. Feel free to contact the City Clerk's office at 415-485-3066 or by email to lindsay.lara@cityofsanrafael.org if you have any questions.

Any member of the public who needs accommodations should contact the City Clerk (email lindsay.lara@cityofsanrafael.org or phone at 415-485-3066) who will use their best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

Members of the public may speak on Agenda items.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

RECORDING OF MEMBERS PRESENT AND ABSENT

APPROVAL OR REVISION OF ORDER OF AGENDA ITEMS

PUBLIC NOTIFICATION OF MEETING PROCEDURES

URGENT COMMUNICATION

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

CONSENT CALENDAR

1. **Approval of the Planning Commission Meeting Minutes of December 15, 2020**
Recommended Action – Approve as submitted

OTHER AGENDA ITEM

2. **Annual Meeting of the Planning Commission**

Annual Meeting of the Planning Commission for 2021 to include: a) election of officers; and b) review of Planning Commission “Rules and Procedures”; and c) selection of liaisons to Design Review Board meetings

Case No.: P21-01

Project Planner: Ali Giudice

Recommended Action – Elect a new Chair and Vice Chair for 2021; and Accept changes to the Planning Commission “Rules and Procedures”; and Select Planning Commission Liaisons to the Design Review Board for 2021

PUBLIC HEARING

3. **Draft Downtown San Rafael Precise Plan**

The Planning Commission will conduct its first public hearing on the Draft Downtown Precise Plan on January 12. A second hearing covering the Draft Form Based Code will take place on January 26 and a third “wrap-up” hearing will take place on February 9. The purpose of each hearing is to receive public comments on the Draft Plan and to discuss the Plan’s recommendations. Continued public comment on Draft General Plan 2040 also may occur at these meetings.

Case Nos.: GPA16-001 & P16-013

Project Planner: Barry Miller

Recommended Action – Accept report, provide comments and continue hearing to January 26, 2021 for the Form Based Code discussion

DIRECTOR’S REPORT

COMMISSION COMMUNICATION

ADJOURNMENT

Any records relating to an agenda item, received by a majority or more of the Commission less than 72 hours before the meeting, shall be available for inspection online. Sign Language interpreters may be requested by calling (415) 485-3066 (voice), emailing Lindsay.lara@cityofsanrafael.org or using the California Telecommunications Relay Service by dialing “711”, at least 72 hours in advance of the meeting. Copies of documents are available in accessible formats upon request.

The Planning Commission will take up no new business after 11:00 p.m. at regularly scheduled meetings. This shall be interpreted to mean that no agenda item or other business will be discussed or acted upon after the agenda item under consideration at 11:00 p.m. The Commission may suspend this rule to discuss and/or act upon any additional agenda item(s) deemed appropriate by a unanimous vote of the members present. Appeal rights: any person may file an appeal of the Planning Commission’s action on agenda items within five business days (normally 5:00 p.m. on the following Tuesday) and within 10 calendar days of an action

on a subdivision. An appeal letter shall be filed with the City Clerk, along with an appeal fee of \$350 (for non-applicants) or a \$4,476 deposit (for applicants) made payable to the City of San Rafael, and shall set forth the basis for appeal. There is a \$50.00 additional charge for request for continuation of an appeal by appellant.



MINUTES
San Rafael Planning Commission
Regular Meeting
Tuesday, December 15, 2020, 7:00 P.M.

Virtual Meeting

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Telephone: (669) 900-9128

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Present: Chair Mercado
Commissioner Davidson (joined at 7:35 p.m.)
Commissioner Hill
Commissioner Lubamersky
Commissioner Previtali
Commissioner Samudzi
Commissioner Saude

Absent: None

Also Present: Alicia Giudice, Principal Planner
Michele Ginn, Permit Services Coordinator
Steve Stafford, Senior Planner
Barry Miller, Project Planner
Paul Jensen, Community Development Director

CALL TO ORDER

Chair Mercado called the meeting to order at 7:06 p.m. and invited Principal Planner Alicia Giudice to call the roll. All commissioners were present, except for Commissioner Davidson.

APPROVAL OR REVISION OF ORDER OF AGENDA ITEMS

None

PUBLIC NOTIFICATION OF MEETING PROCEDURES

Chair Mercado invited Principal Planner Alicia Giudice who informed the community the meeting would be streamed live to YouTube and members of the public would provide public comment either on the telephone or through YouTube live chat. She explained the process for community participation through the telephone and on YouTube.

Chair Mercado reviewed the procedures for the meeting.

URGENT COMMUNICATION

None

CONSENT CALENDAR

Commissioner Lubamersky moved and Commissioner Hill seconded to approve the Consent Calendar.

Chair Mercado invited public comment; however, there was none.

1. Approval of the Planning Commission Meeting Minutes of November 12, 2020 and November 17, 2020

Approved as submitted

AYES: Commissioners: Hill, Lubamersky, Previtali, Samudzi, Saude & Chair Mercado

NOES: Commissioners: None

ABSENT: Commissioners: Davidson

ABSTAIN: Commissioners: None

Motion carried 6-0

OTHER AGENDA ITEM

2. 1215 Second Street

Request for a Use Permit and an Environmental and Design Review Permit to allow 1) the increase in the height of the existing structure on the site to accommodate a new ground floor residence; 2) the construction of a new third floor office area; 3) the addition of a new staircase and elevator tower at the rear of the existing structure; and 4) the construction of a new detached structure at the rear of the site 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 for Richardson Pribuss Architects, Applicant; Case No.: UP20-011 and ED20-021. Project Planner: Steve Stafford

Steve Stafford, Senior Planner presented the staff report.

Staff responded to questions from the Commissioners.

Applicant Heidi Richardson, Richardson Pribuss Architects gave a presentation.

Applicant Heidi Richardson and Owner Adrian Blanco responded to questions from the Commissioners.

Chair Mercado invited public comment; however, there was none.

Commissioners provided comments.

Commissioner Previtali moved and Commissioner Hill seconded to adopt the resolution approving project.

AYES: Commissioners: Hill, Lubamersky, Previtali, Samudzi, Saude & Chair Mercado

NOES: Commissioners: None

ABSENT: Commissioners: Davidson

ABSTAIN: Commissioners: None

Motion carried 6-0

Resolution 20-23 – 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)

Commissioner Davidson joined the meeting at 7:35 p.m.

PUBLIC HEARING

3. Public Hearing on Chapters 10-14 of Draft San Rafael General Plan 2040 (Continued from 10/27/20)

The Planning Commission will conduct its third public hearing on the Draft General Plan 2040, as a follow up to the comments and questions raised during the first two hearings on review of the Draft Plan (October 27 and November 12, 2020). The Draft Plan is available for review at www.sanrafael2040.org. Prior hearings on the General Plan 2040 took place on October 27 and November 12, 2020. The purpose of each hearing is to receive initial public comments on the Draft Plan. Opportunities for public comment will continue at future hearings to be properly noticed convened in early 2021, concurrently with review of the Downtown Precise Plan and a Draft Environmental Impact Report covering both projects. The Commission is tentatively scheduled to take action on the 2040 General Plan in March 2021.

Case Nos.: GPA16-001 and P16-013.

Project Planner: Barry Miller

Barry Miller, Project Planner presented the staff report.

Staff responded to questions and comments from the Commissioners.

Chair Mercado declared the public hearing opened.

Speakers: Alexander Gladish

Commissioners responded to public comment.

Staff responded to questions and comments from the Commissioners.

Commissioner Samudzi moved and Commissioner Davidson seconded to accept the report.

AYES: Commissioners: Davidson, Hill, Lubamersky, Previtali, Samudzi, Saude & Chair
Mercado

NOES: Commissioners: None

ABSENT: Commissioners: None

ABSTAIN: Commissioners: None

Motion carried 7-0

Accepted report

DIRECTOR'S REPORT

Principal Planner Alicia Giudice reported:

- Downtown Precise Plan will be on the agenda at the next Planning Commission meeting on January 12, 2021
- A new Chair, new Vice Chair and a 2021 schedule will be established at first meeting of the new year on January 12, 2021
- Approved projects throughout 2020

COMMISSION COMMUNICATION

Chair Mercado encouraged the Commissioners to review the policies and procedures document prior to next meeting to provide comments and possible suggestions.

ADJOURNMENT

Chair Mercado adjourned the meeting at 8:55 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2020

ALDO MERCADO, Chair



SAN RAFAEL

THE CITY WITH A MISSION

Community Development Department – Planning Division

Meeting Date: January 12, 2021
Agenda Item: 2.
Case Numbers: P21-01
Project Planner: Ali Giudice (415) 485-3092

REPORT TO PLANNING COMMISSION

SUBJECT: Annual Meeting of Planning Commission for 2021 to include: a) election of officers; and b) review of Planning Commission “Rules and Procedures”; and c) selection of liaisons to DRB meetings

EXECUTIVE SUMMARY

The Annual Meeting of the Planning Commission is required to elect the Chair and Vice Chair officers for the calendar year. The Annual Meeting also provides the Commission an opportunity to review and consider adoption of revisions to the Planning Commission’s “Rules and Procedures.” The Rules and Procedures were last amended by the Commission at the February 2020 annual meeting. This year, there are a couple changes to the Rules and Procedures related to virtual meetings that the Planning Commission should consider. Staff has prepared some redlined edits. However, the Commissioners may have additional edits.

RECOMMENDATION

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

- a) Elect a new Chair and Vice Chair for 2021; and
- b) Accept changes to the Planning Commission “Rules and Procedures;” and
- c) Select Planning Commission liaisons to the DRB for 2021

BACKGROUND AND ANALYSIS

Election of Officers:

Section II.E of the Planning Commission “Rules and Procedures” requires that the Planning Commission conduct an annual meeting to select officers (Chair and Vice Chair) for the calendar year. The Annual Meeting is defined as the “first meeting of the calendar year,” which for this year is January 12, 2021.

The office of the Chair and Vice Chair is rotational, with selection based on seniority or tenure of service. Per the Rules and Procedures, generally, a Commissioner shall not serve as a Chair more than once in seven consecutive years. See attached Exhibit 1, which lists the appointment dates and past service as chair by each of the Commission members.

Chair

Based on the rotation criteria, Commissioner Samudzi is next-in-line to serve as Chair, as he served as Vice Chair for 2020.

Vice Chair

In order to determine the next Vice Chair, the same rules and procedures for Chair apply to Vice Chair. There are three Commissioners who have not served as Chair or Vice Chair in the past 7 years (Commissioners Saudi, Previtali, and Hill). Commissioners Saudi and Previtali were both

appointed on July 2020. The rules and procedures dictate that in the event the years of service are identical, tenure will be determined in alphabetical order. Therefore, Commissioner Previtali would be the next in line to serve as Vice Chair.

RECOMMENDATION: Based on the rules and procedures, it is recommended that Commission Samudzi be elected to serve as Chair and Commission Previtali be elected to serve as Vice Chair.

Consideration of Revisions to Planning Commission “Rules and Procedures”:

The Rules and Procedures are reviewed by the Commission. Given the ongoing shelter in place order due to Covid-19, modifications to the Planning Commission public meeting format has been adjusted to a virtual meeting format. Staff has included some recommended changes to the Rules and Procedures to account for this change. The Planning Commission is asked to review and provided feedback on the recommended changes.

Selection of Commissioners for DRB Liaison:

The annual meeting also provides an opportunity to select Commissioners to serve as a liaison at the Design Review Board meetings for the calendar year. Commissioners (with the exception of the new Chair) are requested to serve as liaison in two month increments, which involve attendance at up to four, regular DRB meetings during the two selected months of service. It is unclear if the Design Review Board will begin meeting in a regular schedule for the 2021 year. However, staff is asking that the Commission, except for the new Chair, select a two month block to serve as liaison. A schedule of dates is included as Exhibit 3.

OPTIONS

Regarding the “Rules and Procedures,” the Planning Commission has the following options:

1. Modify the Rules and Procedures as recommended in the staff report;
2. Modify the “Rules and Procedures” for review and direct staff to return with revised document for consideration at a future meeting;
3. Identify additional areas for further study and direct staff to return with recommended revisions to the “Rules and Procedures” for action at a future meeting;
4. Continue this upcoming year with the current “Rules and Procedures” as adopted on February 2020.

EXHIBITS

1. Table Listing Planning Commissioners, Tenure and Chairpersonship
2. Draft revised Planning Commission “Rules and Procedures,” dated January 14, 2020
3. Planning Commission liaison assignment to DRB meetings-2021

EXHIBIT 1

San Rafael Planning Commission History of Tenure and Chairpersonship

Commissioner	First Appointed to Commission	Years Served as Chairperson	Years Served as Vice Chair
Mark Lubamersky	10/2012	2016	Vice Chair 2015
Berenice Davidson	6/2015	2018	Vice Chair 2017 partial
Aldo Mercado	07/2018	2020 partial	2020 partial
Shingai Samudzi	07/2019	None	2020 partial
Jon Previtali	07/2020	None	None
Samina Saude	07/2020	None	None
Elias Hill	08/2020	None	None

PLANNING COMMISSION RULES AND PROCEDURES

CITY OF SAN RAFAEL

Revisions Adopted at Annual Planning Commission Meeting of January 12, 2021

I. Organization and Officers

A. Organization

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

B. Officers

1. Selection

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

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

2. Responsibilities

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

a. Chair

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

b. Vice-Chair

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

C. Duties and Powers

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

D. Rules of Order

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

II. **Meetings**

A. Public Meetings

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

B. Regular Meetings

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

C. Adjourned Meetings

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

D. Special Meetings

Special meetings of the Planning Commission may be held at any time upon the call of the Chair or by a majority of the voting members of the Commission or upon

request of the City Council following at least 24 hours notice to each member of the Commission and to the press. The time and place of the special meeting shall be determined by the convening authority. At least 24 hours prior to the scheduled special meeting, the Community Development staff shall post a notice of the meeting on the City of San Rafael public hearing board, the City website and at the prescribed location of the meeting.

E. Annual Meeting

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

F. Study Sessions/Workshops/Informational Presentations

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

G. Notification

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

H. Agenda

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

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

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

I. Order of Meetings

1. The Order of business shall be as follows:

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

2. Presentation or Hearing of Proposals

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

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

The order of speaking shall be as follows:

1. The Chair shall call for commissioners to make ex parte disclosures and potential conflict of interest disclosures with respect to the proposed project.
2. Staff provides a report on the project and summarizes its compliance with San Rafael's General Plan, compliance with State laws and the City Code, the status of environmental review, and the staff recommendation for action(s) by the Commission.
3. The public hearing is opened.
4. The applicant makes a presentation to the Commission.
5. The public speaks to the Commission.
6. The Commission may ask questions or obtain facts or clarification from staff, the applicant or the public after each segment of the agenda.
7. The public hearing is closed.
8. The matter is returned to the Commission for discussion and action.

d. Rules of Testimony

The rules of testimony shall be as follows:

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

e. Applicant Presentations

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

J. Motions

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

K. Voting

1. Voting Requirements

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

2. Roll Call Vote

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

For virtual meetings a roll call vote shall be required.

3. Recording of Votes

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

4. Disqualification from Voting

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

III. Review and Amendments Procedure

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

(Approved May 9, 2000. Revised February 26, 2002, December 14, 2004, May 29, 2007, January 27, 2009, January 9, 2018, February 11, 2020, and January 12, 2021)

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**- DESIGN REVIEW BOARD MEETINGS –
2021 PLANNING COMMISSION LIAISON**

Months	Commission Liaison
January 5 & 20 (Wednesday)	
February 2 & 17 (Wednesday)	
March 2 & 16	
April 6 & 20	
May 4 & 18	
June 8 & 22	

Notes:

- Chair does not serve as liaison
- All DRB meetings are the 1st and 3rd Tuesday of each month, starting with the first full week (a week includes a Monday).
- All dates above are Tuesday's except as noted. If there is a holiday on Monday, the DRB meeting gets pushed to Wednesday for that week.



SAN RAFAEL

THE CITY WITH A MISSION

Community Development Department – Planning Division

Meeting Date: January 12, 2021

Agenda Item: 3

Case Numbers: GPA16-001 & P16-13

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

REPORT TO PLANNING COMMISSION

SUBJECT: Public Hearing on Draft Downtown San Rafael Precise Plan

The Planning Commission will conduct its first public hearing on the Draft Downtown Precise Plan on January 12. A second hearing covering the Draft Form Based Code will take place on January 26 and a third “wrap-up” hearing will take place on February 9. The purpose of each hearing is to receive public comments on the Draft Plan and to discuss the Plan’s recommendations. Continued public comment on Draft General Plan 2040 also may occur at these meetings. Case Nos.: GPA16-001 & P16-013.

EXECUTIVE SUMMARY

The City has prepared a “Precise Plan” for Downtown San Rafael concurrently with the General Plan 2040. The Plan replaces “Our Vision of Downtown San Rafael” (1993) which has served as the guiding policy document for Downtown for the last 27 years. The Precise Plan provides a design vision for Downtown, direction on land use and building heights, and new standards and guidelines for historic preservation, transportation, affordable housing, and economic development. The Plan anticipates 2,200 housing units and approximately 2,000 additional jobs in Downtown San Rafael during the next 20 years.

The Downtown Precise Plan includes a Form Based Code (FBC), which will replace the current zoning regulations for Downtown San Rafael. While traditional zoning focuses on allowable land uses and densities, the FBC focuses on the physical form of new development. The FBC emphasizes context-sensitive design, compatibility of building scale and mass, pedestrian-orientation, and integration of private development with adjacent public spaces such as streets and sidewalks.

The January 12 hearing will cover Chapters 1-8 of the Precise Plan and will include a presentation by Opticos Design, Inc. on the new Plan. The January 26 hearing will cover Chapter 9, which is the FBC. On February 9, the Commission will hold a “wrap up” hearing on the Downtown Precise Plan and General Plan 2040. Following that hearing, staff will prepare revisions that respond to public comments. A hearing on the just released [Draft Environmental Impact Report \(DEIR\)](#) for General Plan 2040 and the Downtown Precise Plan is scheduled for March 9. A subsequent hearing in April will provide further opportunity for revisions before the Plan is forwarded to the City Council for action.

RECOMMENDATION

It is recommended that the Planning Commission take the following actions, following the presentation on the Downtown Precise Plan:

1. Open the public hearing on the Downtown Precise Plan
2. Receive public comments and testimony
3. Discuss Draft Chapters 1-8 of the Precise Plan
4. Continue the hearing to January 26, 2020 for further public testimony and discussion of Chapter 9.

PROJECT BACKGROUND

Downtown San Rafael has been the focus of planning studies for the last three decades. In 1993, the City adopted “Our Vision of Downtown San Rafael.” The Vision included a land use plan that provided the framework for new zoning districts that remain in effect today. In 2009, Downtown was designated a Priority Development Area (PDA) by the City Council, recognizing its potential for sustainable, transit-oriented growth and making it eligible for planning grants and transportation investments.

Following the PDA designation, a number of studies and plans were completed, including the SMART Station Area Plan (2012), “Good Design Guidelines” recommendations (2017), and the Downtown Parking and Wayfinding Study (2018). There are also Downtown-focused recommendations in the Bicycle and Pedestrian Master Plan (2018), the Housing Element (2014), the Climate Change Action Plan (2019), and the Third Street Rehabilitation and Safety Studies (2019-20). Collectively, these plans and studies point to the need for a higher-level framework that updates the 1993 Plan and synthesizes policies for Downtown into a single, cohesive document.

During the early phases of the 2040 General Plan Update, the City of San Rafael pursued and secured a \$500,000 grant through ABAG’s One Bay Area Grant (OBAG) program to update the Downtown Plan. There were “economies of scale” associated with doing this work concurrently with General Plan 2040, including a combined EIR addressing the impacts of both projects and a coordinated public outreach effort.

The City determined that a “Precise Plan” was the best plan format for communicating an updated vision for Downtown. A Precise Plan is an accepted, multi-purpose planning tool used in many California cities to express policy recommendations and development standards for smaller areas within the jurisdiction. Like General Plan 2040, the Precise Plan has a 20-year planning horizon. Since it covers a smaller geographic area than the citywide Plan, its focus is more granular. The area covered by the Precise Plan is 265 acres, extending from the 2nd/ 4th Street intersection on the west to Montecito Plaza on the east, and from Mission Avenue on the north to First Street/ Albert Park on the south. Much of this area falls within the designated PDA (e.g., a one-half mile radius from the SMART Station). However, the Precise Plan includes the West End Village, which is outside the PDA.

Following a request for proposals and interview process in Fall 2018, the City selected Opticos Design, Inc. of Berkeley to develop the Precise Plan. Opticos is nationally known for its pioneering work on Form-Based Codes as well as planning for “missing middle” (moderate density/ moderate income) housing types in American cities. Work on the Precise Plan began in January 2019. The City Council expanded the scope of the General Plan 2040 Steering Committee to include vetting of the Precise Plan. Several introductory meetings with the Steering Committee were held to identify Downtown’s strengths and weaknesses and develop a forward-looking vision. Existing conditions data was collected on Downtown land uses, design features, transportation, housing, demographics, economics, business trends, and natural features. An in-depth survey of historic properties was also launched.

On May 8-11, 2019, the City convened a design charrette to solicit input on the Plan. The charrette included focus groups, a walking tour, an opening presentation and workshop, storefront design exhibits, brown bag lectures on Downtown topics, interactive design and feedback exercises, and a closing workshop. More than 100 people participated. Later in 2019, the City convened a Downtown “pop-up” workshop at the Thursday night Farmers Market and another “pop-up” at the Friday Downtown Art Walk. Presentations were made to the Planning Commission, the Citizens Advisory Committee for Affordable Housing and Economic Development, and the General Plan 2040 Steering Committee.

The planning process included field surveys, which helped identify development opportunity sites and informed estimates of development capacity. Opportunity sites include vacant lots, surface parking lots, and underutilized sites. Through this process, a “buildout” estimate of 2,200 new housing units and 700,000 square feet of non-residential space was developed for Downtown. This includes projects that are under construction and projects that are approved but not yet built, as well as potential future projects. The buildout estimate provided the basis for the EIR analysis for Downtown and effectively represents a “cap” for Downtown development over the next 20 years.

Following the existing conditions studies, the planning team considered different options for Downtown’s future. This information was communicated in an Options Report ([Part 1](#) and [Part 2](#)) published in September 2019. The Options report identified Downtown subareas and included illustrative plans showing different building and public space configurations. It also explored different ways to complete the Downtown bicycle and pedestrian network, alternatives for addressing sea level rise and hazards, and potential capital improvements. In general, the Plan focuses more heavily on housing than prior Downtown plans, recognizing market demand, the evolving nature of retail and office uses, and the benefits of meeting the City’s housing needs on underused sites near transit rather than in established lower-density neighborhoods.

Opticos completed an Administrative Draft of the Precise Plan in April 2020. Given the size and breadth of the document, evolving economic conditions related to the COVID-19 pandemic, and the introduction of the Form Based Code, staff determined that additional vetting was needed before releasing the document as a Public Review Draft. A six-person sub-committee of the General Plan Steering Committee was created, and additional meetings were convened in July and August to revise the document. Among the key issues addressed were building heights and bonuses, historic preservation requirements, market feasibility, and parking. Further economic analysis of the Plan also was conducted, including pro-formas for three prototypical developments. The analysis found that San Rafael faced obstacles shared by cities throughout the Bay Area, including land, labor, material, and construction costs that made it difficult for projects to “pencil out.”

The Public Review Draft Precise Plan was published on December 23, 2020. Notification of the Plan’s availability and the January-February Planning Commission meetings were sent to a mailing list of approximately 380 recipients.

ANALYSIS

The Draft Downtown Precise Plan provides the following functions:

- It is a policy document guiding a 20-year vision for Downtown.
- It is a regulatory document for reviewing and permitting future development and changes to existing buildings. It replaces many regulations and provisions of the San Rafael Municipal Code Title 14 – Zoning.
- It incorporates design guidelines, which are typically a separate document and an advisory tool.
- It incorporates specific recommendations for improvements to streets and public spaces.
- It creates a predictable development review process to facilitate project streamlining.
- It helps the City meet its future housing needs by providing substantial capacity for new residential development.

The following pages highlights the contents of Downtown Precise Plan Chapter 1-8. Hyperlinks to each chapter are included. Chapter 9 (Form Based Code) will be covered in the January 26 staff report.

[Vision Summary](#): This is a short high-level summary of the Plan, explaining what the Precise Plan is and highlighting its key areas of focus.

Chapter 1: Introduction and Community Engagement. This chapter explains the purpose of the Plan, its legal foundation, and its relationship to the General Plan and zoning regulations. Past plans for Downtown are described to provide the context for the document. The chapter also describes the community engagement program and highlights key milestones in the planning process.

Chapter 2: Existing Conditions. This chapter provides background data on the Downtown Precise Plan area, including its location, demographics, and market conditions. It provides a historical timeline for Downtown, tracking its evolution over the last 200 years. Maps and narrative text describe the area's built form (building heights, lot sizes, frontages, community institutions, etc.). The chapter provides an overview of the circulation system, including traffic counts, commute data, and a summary of the bicycle, pedestrian, and transit networks. It includes an overview of natural hazards, including sea level rise and wildfire. The chapter culminates with six key challenges for Downtown and three key opportunities.

Chapter 3: Design Principles and Guiding Policies. Chapter 3 lays out the following eight overarching principles to guide Downtown's future:

1. Strengthen Downtown's identity and sense of arrival by focusing development at key nodes and gateways.
2. Coordinate placemaking improvements to make Downtown interesting, safe, and inviting for everyone.
3. Provide a safe, well-connected transportation network for all modes, supported by a progressive parking strategy.
4. Establish a network of attractive and welcoming streets and civic spaces.
5. Enable mixed-use development in Downtown to increase housing, strengthen local businesses, and diversify the economy.
6. Reinforce Downtown's eclectic character with historic preservation and new context-sensitive development.
7. Develop growth and adaptation strategies to increase Downtown's resilience to climate change.
8. Promote housing access at all income levels and establish strategies to prevent homelessness, gentrification, and displacement.

A set of guiding policies is included under each principle; these are similar to General Plan policies. To better express the intent of the policies, a list of expected outcomes is provided for each principle listed above.

Chapter 4: Design Vision. The design vision includes two major sections. The first half of the chapter provides areawide guidance for land use, building height, transitions between uses, and public realm improvements. This includes the "Regulating Plan" for Downtown, which effectively serves as the new Downtown zoning map. An illustrative diagram showing development footprints on potential opportunity sites also is included. While the diagram is hypothetical, it provides a useful tool for visualizing how Downtown might grow and change in the next 20 years. The second half of the chapter provides guidance for four subareas—Downtown Gateway, Downtown Core, West End Village, and Montecito Commercial area.

Key recommendations are summarized below:

- The framework for the Form-Based Zoning Code is provided, including four new zoning districts. These districts reflect different levels of development intensity, and a distinction between "Main Street" areas such as Fourth Street and "Neighborhood" areas such as Fifth Avenue. Building types are broadly classified as "house form" or "block form," with different standards applying to each.

- A new height map is adopted for Downtown. The map identifies maximum “base heights” ranging from 30 to 70 feet, as well as potential height bonuses for projects incorporating affordable housing or providing community benefits. The bonuses range from 10 to 20 feet and vary by area. State law provides more generous bonuses for housing development near the SMART station if 100% of the units are affordable.
- Density and Floor Area Ratio (FAR) limits will no longer apply in Downtown. Development intensity is guided by the height map, setback and parking requirements, and the design standards of the Plan itself.
- The chapter emphasizes the importance of public space (including streets) to the quality and success of Downtown. Opportunities for specific improvements are highlighted, including a transit plaza adjacent to the SMART station, improvements to Fourth Street (especially between A Street and Court Street), enhancement of Downtown alleys, a West End Village pocket park (on Fourth St), a promenade along the Canal, and an “urban wetland” that facilitates sea level rise adaptation in the area south of Second Street near Francisco Boulevard West. More generally, the Plan encourages small pocket parks and urban plazas as components of new private development.
- For each of the four Downtown subareas, the Plan provides a summary of existing conditions, a statement of design intent, a description of the area’s character and uses, a buildout estimate, a summary of public realm improvements (including streets and civic space), a summary of historic resources, and additional recommendations.
- In general, growth is concentrated in the Downtown Gateway and Downtown Core areas. New buildings in this area will typically range from four to eight stories, with lower scale development adjacent to historic resources. Lower scale development (generally three to four stories) is envisioned in the West End Village and Montecito commercial areas.
- The Plan recognizes uncertainties associated with relocation of the Bettini Transit Center. The three site options now under consideration are described, and potential outcomes related to each choice are discussed. The Plan provides the flexibility for any of these three sites to be selected but acknowledges that this decision may impact buildout capacity and future circulation needs.
- The Montecito Shopping Plaza is presumed to remain for the duration of the planning period. However, the Plan supports the idea of eventually redeveloping the shopping center as a mixed-use development. Such a development would feature ground floor commercial uses, upper floor housing, reconfigured streets and blocks, a waterfront promenade, and various design features responding to anticipated sea level rise.

Chapter 5: [Historic Resources](#). This chapter describes the history of Downtown San Rafael, identifies existing historic preservation regulations, and summarizes the findings of a 2019-20 field survey of Downtown historic resources. The field survey covered 572 properties within the Downtown Plan area boundaries—roughly 70 percent were determined to have no visible potential as historic resources. The remaining 159 properties were further evaluated, and about 100 were determined to meet eligibility criteria as historic resources. This includes structures that are already designated as historic landmarks, structures that were identified as potential historic resources in the City’s 1977 and 1986 surveys, and approximately 35 structures that had not been previously identified as potentially historic. In addition, the survey identified two areas as eligible for consideration as historic “districts” under the California Environmental Quality Act. The Precise Plan itself does not create new historic districts but recommends modified development standards in the eligible areas to protect the integrity of historic resources.

Chapter 5 includes specific recommendations for strengthening the City's Historic Preservation Ordinance, including aligning designation criteria with State and federal standards. Incentives for historic preservation are described. The Plan recommends a more formalized process for evaluating applications for alterations to historic structures. While a Historic Preservation Commission is listed as an option, the Plan recognizes that other options--such as a standing committee or on-call architectural historian—are more feasible.

Procedures for altering or demolishing potential historic resources, based on Secretary of the Interior standards, are included in the chapter. This is followed by a series of flow charts indicating the level of review required for various projects, as well as standards for development on or adjacent to eligible historic resources. In many cases, exceptions to the standards may be considered based on the recommendations of a qualified architectural historian and a decision by the Planning Commission.

Chapter 6: [Transportation and Parking](#). Chapter 6 begins by recognizing the multi-modal nature of Downtown's circulation system--- in other words, its layered network of roads, transit, bicycle routes, sidewalks, paths, and crosswalks. A "modal priority" map is presented, identifying priority routes for pedestrians, bicycles, transit users, and motorists. Design standards for each street vary depending on the travel modes they support. The Plan provides a menu of improvements for each mode. It also proposes a number of specific projects, including:

- Pedestrian and bicycle path improvements along Tamalpais Avenue, connecting the Puerto Suello Hill path to the Mahon Creek path.
- Fourth Street streetscape improvements, including enhanced crosswalks, lighting, and signage. The possibility of redesigning parts of Fourth Street as a "shared street" for vehicles, pedestrians, and bicycles (including occasional closures for special events) is discussed.
- Alley improvements to Walter Lane, Julia Street, and Commercial Street.
- Pedestrian improvements along east-west streets under the Highway 101 viaduct.
- Safety improvements along Second and Third Streets, consistent with the Third Street improvement studies.
- Bicycle improvements consistent with the Bicycle and Pedestrian Master Plan. The Precise Plan recognizes the possibility of east-west bike lanes on Fifth Avenue, but its focus is on improving bicycle safety along Fourth Street, developing bike lanes on Second Street in the West End Village and along A Street in the Downtown Core, and improving First Street as a bicycle boulevard.
- Converting B Street from one-way to two-way traffic (C and D have already been converted).
- Operational improvements to US 101 on- and off-ramps.
- Realigning the Second/Fourth/Marquard intersection in the West End to improve safety and reduce pedestrian crossing lengths.
- Converting Francisco Boulevard West (south of Second Street) from two-way to one-way (southbound).
- Considering a Downtown shuttle connecting the transit station area to the West End Village and Montecito Commercial areas.

- Adjusting traffic signals to establish transit vehicle priority along key streets.

The Downtown Plan includes illustrative cross-sections to show how certain streets may be redesigned over time to more safely and efficiently accommodate all travel modes. Cross-sections are included for Fourth Street, Tamalpais Avenue, B Street, and D Street.

The Plan also includes recommendations for parking, wayfinding, curbside management, and trip reduction. The parking recommendations (include reduced and consolidated parking standards for residential and non-residential uses) are drawn from the Downtown Parking and Wayfinding Study and include expansion of the Downtown Parking District to E Street on the west and Hetheron on the east, additional shared parking agreements, new bikeshare opportunities, inclusion of public parking in new private development, using technology to improve space utilization and efficiency, encouraging mechanical parking, and using more flexible off-street parking standards in new development.

Chapter 7: [Affordable Housing and Anti-Displacement](#). One of the requirements of the OBAG Grant was that the Precise Plan include an Affordable Housing and Anti-Displacement strategy. This recognizes the potential opportunities for affordable housing in the Downtown area as well as the potential for new development to cause direct and indirect displacement of low-income residents. Chapter 7 provides a profile of existing housing resources and needs, a summary of development projects in the pipeline, an overview of City housing programs, and implementation strategies.

Affordable housing production strategies include incentives (such as allowing additional building height for projects with affordable housing), elimination of residential density standards, reduced parking requirements, and streamlined development review procedures. The Plan also identifies opportunities for land write-downs (particularly on municipal parking sites), grants, multi-family acquisition and rehabilitation programs, and community land trusts.

Anti-displacement strategies are focused on tenant protection. These include relocation assistance requirements, no net loss requirements for rental units, and preservation of existing affordable housing.

Chapter 8: [Implementation](#). The Implementation chapter includes tables identifying specific projects and improvements to be made following Plan adoption. These are generally categorized as street/transportation improvements and civic space improvements. Implementation is intended to be long-term, with projects carried out over a 20-year period. Potential financing strategies and funding sources are described, including grants, fees, and a potential Enhanced Infrastructure Financing District (EIFD).

The Implementation chapter also includes an Economic Development Strategy, including 30 potential actions that can be taken following Plan adoption to strengthen Downtown's economic position. These include such items as using City-owned sites for infill projects, building on the Cultural Arts District designation, promoting San Rafael as a visitor destination, improving outdoor dining options, encouraging parcel assembly, and providing technical assistance to local businesses. This chapter further reports out on a pro-forma analysis of three hypothetical Downtown developments.

A summary of actions related to historic preservation and affordable housing is also included in Chapter 8, reiterating recommendations in Chapters 5 and 7. The Chapter also includes an evaluation of Downtown infrastructure (water, sewer, drainage), a discussion of sea level rise adaptation, and provisions for Plan monitoring and enforcement.

Chapter 9: Form-Based Code (FBC) – The FBC will be covered at the January 26 Planning Commission meeting.

Staff and Opticos are currently testing how several recently built or approved projects would fare under the proposed new regulations. The findings of this study will be provided at the meeting on January 26. Staff and Opticos are also working on a short video that explains the format and function of the draft FBC, and how it would be administered. As a reminder, the Planning Commission is encouraged to review the [videos prepared by Opticos](#) last summer providing more detail on Form Based Codes.

[Appendices](#) and [Historic Resources Summary](#): A glossary and eight appendices accompany the Precise Plan. The appendices include background materials prepared over the course of the project, including the Downtown Profile Report and Downtown Options Report, a summary of community engagement activities, the Affordable Housing and Anti-Displacement Strategy Working Paper, pro-forma results, and background information on transportation and parking. The appendices also include a Historic Resources Summary that describes the field survey methodology and includes “Fact Sheets” and findings for 159 individual properties in Downtown San Rafael.

CORRESPONDENCE

A letter from San Rafael Heritage was received on January 6, 2021 and is included as part of the agenda packet.

ATTACHMENTS

While there are no attachments to this Staff report, the Draft Downtown Precise Plan is available for review online at www.sanrafael2040.org.

SAN RAFAEL HERITAGE

P.O. BOX 150665, SAN RAFAEL, CA 94915-0665



January 6, 2021

Barry Miller, General Plan 2040, Consulting Planner
San Rafael Community Development Department
barry.miller@cityofsanrafael.org

Via Email

RE: Draft DOWNTOWN PRECISE PLAN – Initial Comments

Dear Barry,

Thank you for the opportunity to register our concerns regarding the DTPP Draft document. While our San Rafael Heritage DTPP subcommittee will continue to analyze the entire draft, we feel it is important to weigh in at the beginning of the public hearing process. First, we applaud the work that was done by the DTPP consulting team and are grateful for the inclusion of Chapter 5 with a comprehensive look at our City's historic resources.

What jumps out at us at first perusal are the "Key Issues" (Chapter 5.2, page 108). The 6th bullet specifies considering the Secretary of the Interior and State CEQA guidelines. We maintain that a historic building important to the local community may be protected as a local landmark, whether or not it qualifies for the Secretary of the Interior guidelines and the state's CEQA requirements. Additionally, we believe an 8th bullet should address establishing a clear application process for local landmark status, and include a sliding scale fee.

Meanwhile, we will continue our review and look forward to voicing our findings at future opportunities.

Yours truly,



Linzy Klumpp, President
San Rafael Heritage
sanrafaelheritage@gmail.com

cc: SRH 2040 Subcommittee: C. Landecker, J. Rhoads, L. Simons, A. Likover