

4 Housing Opportunity Sites and Resources

4.1 Introduction

This chapter provides a summary of housing opportunity sites in San Rafael, as well as an overview of the methodology used to identify sites and calculate their housing capacity. The findings are supported by detailed spreadsheets and maps in Appendix B (Housing Opportunity Site inventory).

The summary demonstrates that there are sufficient sites with appropriate zoning to meet the City's Regional Housing Needs Allocation (RHNA) for the eight-year planning period. Because many of the sites are not currently vacant, this chapter also provides substantial evidence to demonstrate that the sites are viable and realistic for housing in the next eight years. This chapter also provides an overview of financial resources for housing, including funding sources for housing production and housing-related services in San Rafael. As required by State law, this chapter also addresses programs to reduce household energy costs.

As noted in Chapter 1, ABAG has allocated 3,220 units of the Bay Area's housing need to San Rafael. The prior (2015-2023) Housing Element identified opportunities for 2,415 housing units. Many of the sites tallied in 2015 are still available and can be carried forward, but additional sites need to be identified to meet the RHNA assignment. There are also new requirements for previously counted sites that compel the City to identify housing opportunities that have not been identified before. These opportunities exist in San Rafael, largely because of a recently updated General Plan and Downtown Precise Plan that substantially increased the capacity for housing.

The analysis of housing sites is intended to be comprehensive and realistic. It includes properties zoned for residential uses, as well as properties that are zoned to allow both residential and commercial uses. It includes sites that are vacant as well as non-vacant sites that are underutilized. It includes public land that could potentially be surplus and developed with housing. It also includes sites in the development "pipeline"—in other words, sites where projects have been entitled for construction but are not yet developed, and projects that are in the application or pre-application phases. Assumptions for accessory dwelling units (ADUs), which are an essential part of the affordable housing supply, also are included.

Housing sites have been identified using guidelines developed by the California Department of Housing and Community Development (HCD), along with input from property owners and the community at large. Among the factors considered are physical features (slope, hazards, vegetation), transportation access and infrastructure, size, existing use, ownership, zoning, proximity to services and transit, and the value and extent of improvements on each site. The 2015-2023 site inventory provided the starting point for the analysis, but the inventory has been significantly expanded to reflect the larger RHNA assignment.

Consistent with the other elements of the San Rafael General Plan and with Plan Bay Area 2050, the City is directing most of its housing growth to infill sites and sites in walkable, transit-served commercial areas that are already urbanized. This allows the Housing Element to advance complementary objectives related to climate change, equity, transportation, public safety, and economic vitality.

4.2 State Requirements for the Site Inventory

The State of California has adopted requirements and guidelines for identifying housing opportunity sites. Some of these requirements were in effect when the 2015 Housing Element was prepared, but most have been adopted in the last five years. State requirements are summarized below.

4.2.1 Default Densities

In accordance with AB 2348, sites deemed suitable for lower income households must be zoned at densities of at least 30 units per acre. This is referred to as the “default density.”¹

In San Rafael, sites meeting the eligibility criteria for lower income housing include sites in the highest density residential district (HR-1), most of the commercial districts (general commercial, office, commercial/office, residential office, and Francisco Boulevard West), and all properties in the Downtown Mixed Use area. Sites in the Public/Quasi-Public zone may also meet the requirements based on General Plan policies.

4.2.2 Realistic Capacity

Jurisdictions are required to estimate the capacity of housing sites based on “realistic” capacity rather than “theoretical capacity.” A one-acre site may be zoned for 43 units per acre, but that does not mean 43 units will be constructed on the property. A smaller number of units may be proposed due to topographical and physical features such as steep slopes and creeks. There may also be limitations on lot coverage, height and other attributes of development that make it difficult to achieve maximum density. Another aspect of realistic capacity is that cities may not count the potential for density bonuses in their estimates, even when such bonus units are routinely included in most projects.

Recent development provides a helpful metric for estimating “realistic capacity” on local housing sites, as well as a benchmark for demonstrating that smaller sites are viable. In San Rafael’s case, data for recently built and approved projects indicates that many projects are being developed at densities that exceed what is allowed by zoning (due to density bonuses). This is addressed in a later section of this chapter.

¹ The default density is 20 units per acre in suburban cities with populations of 25,000 or less and 30 units per acre in suburban cities with more than 25,000 residents.

4.2.3 Carry-Over Sites

AB 1397 (2017) introduced new requirements for re-counting housing sites that were identified in previous Housing Elements. This responded to concerns that cities were simply carrying the same sites forward from cycle to cycle, without creating incentives for their development or providing evidence that these sites were viable. The new requirements are intended to provide further incentives to encourage the development of these sites.

Under State law, “carry over” sites must be zoned no less than three years into the planning period (January 31, 2026) with a designation that allows “by right” approval for projects in which at least 20 percent of the units are affordable to lower income households. “By right” approval means that the City cannot require a Planned Development permit, Conditional Use Permit, or other form of local discretionary review. The City can still require design review (including public hearings) as long as objective standards are applied. The City has already established a by-right approval process for Downtown San Rafael and is in the process of doing so for multi-family development elsewhere in San Rafael.

4.2.4 Special Requirements for Sites Designated to meet Lower Income Needs

Changes made through the legislature and HCD since 2015 have established further requirements for sites designated as suitable to meet a community’s lower income needs. More specifically, Government Code 65583.2(h) now requires that each site designated for lower-income housing has the capacity for at least 16 units. This is because the economics of affordable housing usually require larger unit counts for such a project to be viable.

The State has also ruled that smaller than 0.5 acres and larger than 10 acres are generally not considered viable for lower income housing. These limitations do not prohibit the designation of such sites in a city’s inventory, but they do require jurisdictions to prove that they can be developed with affordable housing based on past trends and actual projects. For example, the Vivalon project now under construction in Downtown San Rafael and the recently completed Mill Street Homeward Bound project are both examples of affordable housing development on small sites. The former is a 0.34-acre site and the latter is a 0.31-acre site.

4.2.5 Non-Vacant Sites and the “Substantial Evidence” Requirement

Cities that rely on non-vacant sites to meet 50% or more of their lower income RHNA are subject to a requirement to provide “substantial evidence” that the sites are realistic and developable. Examples of substantial evidence include expiring leases, buildings in poor condition, uses with extremely low improvement values (such as parking lots), and property owner interest in developing the parcel. Another aspect of substantial evidence is whether nearby parcels with the same physical characteristics have recently developed (or been approved for development) at the presumed densities.

San Rafael is subject to the “substantial evidence” requirement, since more than half of the identified lower-income potential is on previously developed sites. While many of these sites have low value land uses such as parking lots or storage, others have active businesses. State law requires that these uses be considered “constraints.” Cities can mitigate such

constraints by providing incentives for residential uses (such as more height and floor area) and working with property owners to make housing more feasible.

4.2.6 Reporting of Sites by Income Category

Jurisdictions are required to identify sites by income category. For reporting purposes, low- and very low-income sites may be added together and described as “lower income” sites. Individual sites may be assigned to multiple income categories. For instance, larger sites that are subject to the City’s inclusionary housing ordinance could include “above moderate income” units, with 10 percent of the units presumed to be “lower” income. Some higher density market-rate rental housing could also be “affordable by design” to moderate income households (for example, studio apartments). Some of the larger sites have been presumed to developed as mixed income sites, with a mix of low, moderate, and above moderate-income housing.

4.2.7 Buffer and No Net Loss Requirements

SB 166 requires that cities include a “buffer” of additional sites in case some of the sites listed in this Housing Element become unavailable before 2031. HCD requires the buffer to be at least 15 percent, although higher buffers are encouraged. In general, the more a community relies on non-vacant sites to meet its RHNA, the higher the buffer should be. San Rafael has provided a 20 percent buffer for lower income sites in its inventory. With the addition of projected ADUs, this buffer increases to 25 percent.

SB 166 also introduced what is commonly known as the “no net loss” requirement. The legislation requires that cities must be able to demonstrate that they have adequate sites to meet their RHNA *at all times* during the planning period. If a project is proposed on a housing site with a smaller number of lower income units than was presumed in this Housing Element, the City must find that it still has adequate capacity on the remaining opportunity sites to meet the RHNA. If the City is no longer able to meet its RHNA, it must identify a developable “replacement” site to make up the lost capacity. In some cities, this could require rezoning.

4.2.8 Affirmatively Furthering Fair Housing Requirements

The sites inventory is subject to the Affirmatively Furthering Fair Housing (AFFH) requirements of AB 686. This requires that the lower income sites be geographically distributed in ways that foster integration and create affordable housing opportunities throughout high resource areas. Most of San Rafael is designated as being a moderate resource area, with a notable exception in the Canal neighborhood, which is an area of segregation and concentrated poverty. Meeting the AFFH requirement means that lower income sites must be identified in higher resource areas, and not further clustered in the Canal. The Element also encourages affordable housing opportunities in single family neighborhoods, for example, through Accessory Dwellings and through duplexes and lot splits.

4.3 Methodology

The methodology for identifying housing sites is described below:

- 1) *Account for approved development projects.* This includes projects that were approved and were either under construction or not yet built as of July 1, 2022. In San Rafael, this includes 785 housing units. Appendix B, Spreadsheet “A” lists these projects.
- 2) *Account for proposed development projects.* In addition to projects that are fully entitled, there are a significant number of projects in the pre-application or application stages. The largest of these projects is Northgate Mall, which includes a first phase of 907 units. In total, there were 10 “proposed” projects identified, representing another 1,204 housing units.

Taken together, categories 1 and 2 include 1,989 units, or 62% of the RHNA. However, these projects are not evenly distributed across all income categories. When completed, they will have met 94% of the moderate and above moderate RHNA but only 24% of the lower income RHNA. This suggests that much of the emphasis in the sites inventory should be on properties where lower income units are possible.

- 3) *Determine the likely number of Accessory Dwelling Units (ADUs) and Junior ADUs to be produced over the next eight years by income category.* Staff is projecting that San Rafael will produce 25 ADUs a year between 2023 and 2031, or a total of 200 units. Based on data from ABAG, it is estimated that 35 percent of these ADUs (70 units) will be affordable to lower income households, 50 percent (100 units) will be affordable to moderate income households, and 15 percent (30 units) will serve above moderate income households. This is further addressed in Section 4.6 of this chapter.
- 4) *Determine which sites in the existing 2015-2023 inventory can be carried forward.* The 2015-2023 inventory identified 44 opportunity sites with the capacity for 2,183 housing units. Staff has determined that 19 of these sites remain viable and has carried them forward to the 2023-2031 period. Their estimated capacity is 628 units, excluding Northgate Mall which is included in methodology step (2). The remaining sites in the 2015-2023 inventory were dropped from the inventory, either because they have already been developed, are proposed for development, or are no longer considered viable (see discussion later in this in Chapter).
- 5) *Determine the potential number of units on vacant residentially zoned land.* The City updated its inventory of vacant residentially zoned land as part of General Plan 2040. This data was used to estimate housing potential on vacant sites above and beyond what had been inventoried in the previous Housing Element.
- 6) *Calculate the potential on underutilized residential land.* The potential for additional units on previously developed residential sites was evaluated using indicators such as parcel size, property dimensions, average slope, land to improvement value, ownership, and field observations. Examples of such sites are single family homes in multi-family zoning districts, large lot single family homes in areas zoned at suburban densities (2-8 units per acre), and multi-family properties with the potential for additional units. In general, the City did not rely

heavily on underutilized residentially developed land because of the potential for displacement of existing housing on these sites. Owner interest in redevelopment is also more difficult to estimate on these sites.

- 7) *Calculate the potential on commercial and mixed use sites outside of Downtown.* This required a comprehensive analysis of all 1,051 properties in San Rafael with existing commercial land uses. Parcels were analyzed based on factors such as improvement to land value ratio, parcel size and ownership, slope and physical constraints, vacancy status, proximity to transit, and floor area ratio. Properties already covered in Steps (1) through (4) were excluded.
- 8) *Calculate the potential in the Downtown San Rafael Precise Plan area.* The Downtown Precise Plan (adopted in August 2021) included an estimate of development potential within the 265-acre plan area. The Plan identifies locations for approximately 2,200 housing units. Some of these sites are already counted in the earlier steps or are unlikely to be available until after 2031. Approximately 1,560 units of capacity are identified Downtown, excluding already approved projects.
- 9) *Calculate the potential on public, institutional, and nonprofit-owned land.* This includes housing potential on City-owned property, County-owned property, and State-owned property. It also includes properties owned by SMART, various utility districts, Dominican University, and the school districts serving San Rafael.

Steps 6, 7, and 8 in the above methodology require the use of specific metrics to determine if a site is viable. This data (parcel size, land value, improvement value, building area, building age) is generally available through the Marin County Assessor's Office parcel data base. Parcels were also field checked to observe building condition, vacancy status, and whether the building was for sale or lease. In addition, sites were selected to advance the State AFFH mandate and ensure that affordable housing opportunities were being created in the city's high-resource areas.

Capacity estimates for housing opportunity sites are based on a combination of zoning, site-specific characteristics, and the densities of recent development in San Rafael on similar sites. Each of these attributes is discussed in this chapter.

4.4 Summary of Sites to Meet RHNA

Table 4.1 provides a summary of housing site potential for the 2023-2031 Housing Element by site type and income level. Total capacity is estimated at 4,858 units, which exceeds the 3,220-unit RHNA assignment. Sites entitled or under construction include 785 units, including 200 lower income units. Another 1,204 units are associated with active projects that are proposed but not yet entitled. There are also 605 potential units on residentially zoned opportunity sites, and 2,064 potential units on sites zoned for commercial or mixed use development. Most of these sites are located in Downtown San Rafael. There are also 200 projected accessory dwelling units and junior accessory dwelling units (ADUs and JADUs)

As summarized in Table 4.1, sites and projects have been identified that are suitable to accommodate 1,683 units affordable to lower-income households, 744 units affordable to moderate-income households, and 2,431 units affordable to above moderate-income households. This represents a 25 percent buffer above the RHNA assignment for lower income households, in the event some of the sites become unavailable during the planning period. Significantly higher buffers have been provided for the moderate- and above moderate-income sites.

Table 4.1: Summary of Housing Site Potential for 2023-2031 by Income

Site Type	Income Category			Total
	Lower	Moderate	Above Moderate	
Development “Pipeline” (see Section 4.5)				
Approved Projects	200	3	582	785
Proposed Projects	115	135	954	1,204
Accessory Dwelling Units (see Section 4.6)				
ADUs/ JADUs	70	100	30	200
Opportunity Sites (see Section 4.7)				
Low-Medium Density Residential	3	88	56	147
High-Density (30+ DU/Ac) Residential	335	81	42	458
Mixed Use (Non- Downtown)	373	57	74	504
Mixed Use (Downtown)	587	280	693	1,560
TOTAL POTENTIAL	1,683	744	2,431	4,858
RHNA	1,349	521	1,349	3,220
Buffer (% units over capacity)	25%	43%	N/A	N/A

4.5 Development Pipeline

The “development pipeline” includes two components:

- (1) Residential and mixed use projects that were under construction as of July 1, 2022 or that were fully entitled but not yet built as of July 1, 2022.
- (2) Residential and mixed use projects that are in the pre-application stages or that have active applications under consideration for approval.

Each of these is discussed below.

4.5.1 Residential Projects with Entitlements or Under Construction

There are 785 housing units in San Rafael that were either under construction as of July 1, 2022, or that had been approved but not constructed.² These projects are presumed to be completed during the planning period and may be “credited” toward the RHNA. Individual single family homes and accessory dwelling units are excluded from the table, as they represent a relatively small share of total housing production.

Table 4.2 provides a list of projects, including the income groups that will be served by the units. Units identified as affordable to lower income households include those created through inclusionary housing requirements and those in projects being constructed by non-profit affordable housing developers. These units are subject to deed restrictions ensuring their long-term affordability.

The table indicates a total of 200 lower-income units, 3 moderate-income units, and 582 above moderate-income units. There are 15 projects listed, ranging in size from two units to 192 units at the Los Gamos Apartments. Geographically, the largest share of units are in North San Rafael (47 percent), Downtown San Rafael (28 percent), and the Canal/ Southeast area (19 percent). Most of the projects are apartments and townhomes.

Table 4.2 includes a number of new housing opportunities for extremely low and very low income households. These include the 67-unit Vivalon affordable senior housing development, the 32-unit Mill Street development by Homeward Bound (completed in August 2022), and a 44-unit adaptive reuse project (office to housing conversion) at 3301 Kerner, made possible through funding by the City of San Rafael and Project Homekey.

The projects listed in Table 4.2 represent 24 percent of the City’s RHNA. However, the units are not evenly distributed across income categories. They will meet 43 percent of the above moderate-income assignment, but only 15 percent of the lower income assignment.

² The “RHNA projection period” and the “planning period” are slightly different. While the planning period is January 31, 2023 through January 31, 2023, the RHNA projection period is June 30, 2022 to December 15, 2030.

Table 4.2: Projects Under Construction or Entitled as of July 1, 2022(*)

Project Name or Address	Status	Zoning	Total Units	Income Category			Comments
				Lower	Moderate	Above Moderate	
Los Gamos Apartments	Approved	NC	192	23		169	Apartments
703 Third St	Approved	T5MS 70/90	138	9	3	126	Downtown multi-family housing
999 Third St (Vivalon)	Under Construction	T5N 50/70	67	67			Affordable senior housing
3301 Kerner Blvd	Approved	CCIO	44	44			HomeKey—apts for extremely low income
190 Mill St (Homeward Bound)	Completed in Aug 22	HR-1	32	32			Homeward Bound – apts for extremely low income households
88 Vivian St	Approved	NC	70	7		63	Townhomes on former bowling alley
350 Merrydale Av	Approved	GC	45	2		43	Townhomes
Northgate Walk	Approved	HR-1	136	14		122	Adjoins Four Points Sheraton Hotel
Loch Lomond Ph II	Under Construction	PD	35			35	30 SF homes, and 5 mixed use units
800 Mission Av	Approved	T4N 40/50	NA				103 Assisted Living suites. Units do not count toward RHNA.
104 Shaver St	Approved	T4N 40/50	7	1		6	Townhomes—appeal denied in 2020
1309 Second St	Approved	T4N 40/50	2			2	Demo 1 unit and add 3 (net gain 2)
1215 Second St	Approved	T4N 40/50	3			3	Add a residence plus 2-unit apartment
Brookdale Apts (1552 Lincoln)	Approved	HR-1	10	1		9	Approved in 2022
10 E. Crescent	Approved	HR-1.8	4			4	Bldg permits issued in June 2022
TOTAL			785	200	3	582	

Source: City of San Rafael, 2022

(*) See Appendix B for additional information on each site, including Assessor Parcel Numbers, acreage, etc.

4.5.2 Residential Projects in Application and Pre-Application Stages

Table 4.3 lists residential and mixed use development projects that are in the pre-application stage or that have active planning applications currently under consideration. There are 1,206 housing units in this category, including 115 lower-income units, 137 moderate-income units, and 954 above moderate-income units. All of these projects are presumed to be approved early in the 2023-2031 planning period and constructed prior to 2031. Completion of these projects, plus the approved projects listed in Table 4.2, would result in 1,989 housing units—or 62 percent of the RHNA. However, the units are distributed evenly across income categories. Based on the estimated income mix of approved and proposed units, the City will reach 113 percent of its above moderate-income allocation but only 23 percent of its lower-income allocation from these projects.

There are nine projects listed in Table 4.3. The largest is Northgate Town Square, with 907 units expected by 2031. Other large projects include 1515 Fourth Street, 1610 Fourth Street, and 420 Fourth Street, all located in Downtown San Rafael. Pending approvals also include 14 independent senior apartments on the edge of Downtown (Aldersly), a 20-unit office to housing conversion in the Northgate Business Park, a 9-unit office to housing conversion on Lincoln Avenue, and two smaller residential projects in and adjacent to Downtown. A profile of several of the largest projects is included below, as they illustrate the trends that will reshape San Rafael's housing market in the coming years.

Northgate Town Square

This is the largest development site in San Rafael, encompassing almost 45 acres. It is emblematic of the changing housing market in the city, which is focused on higher density infill projects on previously developed sites. The site is currently developed with Northgate Mall, a 775,000 square foot regional shopping mall developed in 1964. The owners of the Mall have submitted plans to redevelop the site as a “town center” with housing, commercial, and civic uses. The project reduces the existing retail space to 225,000 square feet and adds 1,422 residences by 2040. The phasing plan calls for 907 units to be constructed between 2023 and 2028. The remaining units will be constructed after 2029 and are presumed to come on-line during future Housing Element cycles.

As a large-scale development with a 20-year phasing plan, the City is undertaking an extensive planning, community engagement, and environmental review process for the project. Plans were initially submitted in Spring 2021. Several community workshops and Planning Commission study sessions have been convened, and preparation of an Environmental Impact Report is underway. The project includes a 50,000 square foot Town Square, and a mix of housing types that includes for-sale townhomes, multi-family apartments ranging from five to seven stories in height, and 96 units of affordable housing to be developed by EAH Housing. Additional affordable housing will be included in later phases of the project.

Table 4.3: Projects in the Pre-Application or Application Stages as of July 1, 2022(*)

Project Name or Address	Status	Zoning	Total Units	Income Category			Comments
				Lower	Moderate (*)	Moderate Above	
Northgate Town Square	EIR being prepared, phasing plan developed	CC	907	96	100	711	Redevelopment of regional mall as 1,422-unit mixed use town center
1515 Fourth St (Westamerica Bank)	SB 330 app.; awaiting completeness determination	T4MS 50/70	191	14	17	160	.89-acre former Bank site, 7-story multi-family
420 Fourth St/ 1010 Grand	SB 35 app.	T4N 40/50	35	3		32	35 units on former house/commercial
1610 Fourth St	Application received 6/22	T4MS 40/50	24	2		22	Application received in June 2022, 24 units on used car sales lot.
326 Mission Av (Aldersly expansion)	Planning Commission	PD	14			14	14 independent living infill units for seniors
160 Mitchell Blvd	Planning Commission	O	18		18		Application to convert 10,644 SF office building to 20 micro units with co-working space
1380 Lincoln	Application deemed complete 9/22	R/O	9			9	Office to housing conversion on Lincoln Av
711 D Street	Application received 6/22	T4N 40/50	4			4	4 Townhomes on vac site
Ross St Terrace	Under review by staff	R-7.5	2			2	2 SF homes adj 47 Clayton on vac site
TOTAL			1,204	115	135	954	

Source: City of San Rafael, 2022

(*) Units in this column are expected to be "affordable by design" based on market-rate rents in San Rafael and the income limits for moderate income households in Marin County (\$159,350 for a 2-person household, or housing costs equivalent to \$3,988 a month). Roughly 10 percent of the units at Northgate and 1515 4th are presumed to be in this category. The project at 160 Mitchell consists primarily of 350-450 SF studio units that are intended to be affordable by design.

Active Downtown Mixed Use Projects

Four of the projects in Table 4.3 are in Downtown San Rafael. These projects were facilitated by the Downtown Precise Plan, which incentivizes higher density mixed use projects near transit. The Downtown Precise Plan resulted in the rezoning of an approximately 265-acre area with form-based zoning districts, eliminating density and floor-area ratio (FAR) standards and using height limits and setback/stepback standards as the primary tools for regulating building mass. The Code also provides one- to two-story height bonuses for projects meeting the City's inclusionary zoning requirements on-site. Projects may also apply for State density bonuses, in lieu of the City's height bonuses (one or the other may be used, but not both).

As a result of the form-based code, densities for the proposed Downtown projects are substantially higher than what would have been possible under the prior zoning. The prior zoning capped densities at 72 units per acre. By contrast, the proposed development at 1515 Fourth Street is equivalent to 214 units per acre, while the proposed development at 420 Fourth is 121 units per acre.

The largest projects are profiled below:

- 1515 Fourth will consist of 191 multi-family residential units in a seven-story building at the southwest corner of 4th and E Street in Downtown San Rafael. Fourteen of the units will be affordable to very low-income households. The site is in a zoning district that allows building heights up to 70 feet for projects providing affordable housing. The property was formerly the location of a single story bank building, and associated surface parking. The project includes three ground floor commercial storefronts totaling 4,000 square feet. It will also include 164 parking spaces, 255 bicycle parking space, as well as amenities for the public and for residents. This project is using the State density bonus program, rather than the City's local height bonus.
- 420 Fourth will consist of 35 units in a five-story building with a roof terrace comprising half of the fifth floor. Three of the units will be affordable to lower-income households, meeting the City's inclusionary requirements. The project is being processed through an SB 35 application. The site is 0.26 acres and currently includes three contiguous lots that are being merged. These lots currently include a vacant house, a vacant commercial building, and a formerly owner-occupied house. This project is using the State density bonus program, rather than the City's local height bonus.
- 1610 Fourth will consist of 24 units in a four-story building. The site is 0.17 acres, so the effective density is 141 units per acre. The site is currently a used car lot. The proposed project includes six studios, 14 one-bedroom units, and four two-bedroom units. Fifteen parking spaces are included on the ground floor, with lifts used to maximize efficiency.

160 Mitchell Boulevard and 1380 Lincoln

The applications for 160 Mitchell and 1380 Lincoln are notable because they are converting underutilized office buildings into housing through adaptive reuse. A similar conversion is already underway at 3301 Kerner, resulting in 44 units of housing for extremely low-income households. The Mitchell and Lincoln projects are both market-rate, but the Mitchell project is

primarily comprised of studio apartments intended to be affordable by design. These projects provide an important precedent and demonstrate the viability of office sites for housing.

4.6 Accessory Dwelling Unit (ADU) Forecasts

Government Code Section 65583.1(a) allows a city or county to account for ADUs in its calculation of housing opportunities. In the four years from the start of 2018 through the end of 2021, San Rafael issued building permits for 78 ADUs, or 19.5 ADUs per year. The City has included an ADU outreach and education program in this Housing Element, intended to increase ADU production and recognize the ability of ADUs to make San Rafael a more equitable and sustainable community. As a result of these measures, the City is projecting a modest increase in ADU production to 25 units a year, resulting in 200 additional ADUs by 2031.

Counting these ADUs toward the RHNA requires assigning them to the four RHNA income categories. ABAG has developed a method for doing this that is based on actual rent survey data from 2021. Their rent survey report is based on actual rents charged for 387 ADUs in the Bay Area.³ In jurisdictions that historically have underproduced affordable housing, the survey recommended the following assumed distribution for the Sixth Cycle Housing Elements:

- Very Low Income: 5%
- Low Income: 30%
- Moderate Income: 50%
- Above Moderate Income: 15%

The ABAG survey found that the percentage of ADUs affordable to very low-income households is likely much higher than 5 percent, as a substantial number of ADUs are rented at discounts or provided at no charge to family members, elder relatives, caregivers, etc. A June 2022 ABAG report indicated that as many as 30 percent may meet very low-income guidelines. In general, ADUs tend to be more affordable than conventional apartments. They are often smaller, and their owners may be more interested in a reliable, stable tenant than maximizing profit. Further, the unit cost of constructing an ADU is typically less than the unit cost of building a multi-family apartment, as the land on which the ADU is built is already owned by the homeowner and in many cases the structure already exists. Thus, the distribution shown above is considered conservative.

Applying the ABAG percentages to the forecasted yield of 200 ADUs results in:

- Very Low Income: 10 units
- Low Income: 60 units
- Moderate Income: 100 units
- Above Moderate Income: 30 units

These projected units are shown in Table 4.1.

³ *Draft Affordability of Accessory Dwelling Units Report, ABAG Housing Technical Assistance Team, 9/8/21*

4.7 Housing Opportunity Sites

4.7.1 Overall Approach

Consistent with the methodology described in Section 4.3, this section identifies the following types of housing opportunities:

- Sites zoned for low and medium density residential development
- Sites zoned for high density residential development
- Sites zoned for mixed use development, located outside of Downtown
- Sites zoned for mixed use development, within Downtown

The inventory was created using property records data for 2022 from the Marin County Assessor. This Assessor records includes more than 60 fields of data for each parcel of record in San Rafael. Data for approximately 18,000 parcels in the city was reviewed, primarily through Excel spreadsheet sorts based on existing land use (using assessor use codes), property size, improvement to land value ratio, building area (compared to lot area), year of construction, degree of slope, and property ownership.

Other important data sources included the zoning and General Plan Maps for San Rafael, and the Downtown Precise Plan inventory of development opportunity sites. These data sources were combined with anecdotal information from the public and staff, field surveys, and aerial photos. Every potential housing site was visited to verify that it was suitable.

Parcels were initially sorted based on their existing land use. Separate spreadsheets were prepared for single family detached residential parcels, single family attached/ townhome parcels, multi-family parcels, commercial parcels, vacant commercial parcels, industrial parcels, and tax-exempt parcels. These spreadsheets were subsequently sorted to separate out vacant properties, and to identify sites larger than 0.5 acres (outside of Downtown) and sites larger than 0.25 acres (within Downtown). Additional criteria used to identify sites included the size and shape of the parcel, the condition of structures, environmental and pollution conditions, and the availability of infrastructure. The focus was on urban infill parcels where higher density development was possible.

All housing sites listed in the 2015-2023 inventory were revisited to determine if they should be carried forward. As noted earlier in this chapter, 19 of the 44 sites included in the prior inventory are included. Twenty-five previously counted sites were eliminated. As required by AB 1397, future projects on “carry-over” sites in which at least 20 percent of the units are affordable to lower income households will be permitted “by right.”

Appendix B includes a complete list of the housing opportunity sites—labeled Spreadsheets C, D, E, and F (corresponding to the four bullet points above). Detailed data is provided for each site in the spreadsheets. The text below identifies the assumptions, opportunities, and findings for each category.

Estimating the projected unit yield for housing sites required another level of analysis. As noted in Section 4.2.2, each site has a “theoretical” capacity based on zoning and a “realistic” capacity which recognizes potential constraints.

Tables 4.4 and 4.5 provide data on the “theoretical” and “actual” densities of recently constructed and approved projects in the city. This helps inform assumptions in the housing site inventory regarding the expected density of future projects. The tables indicate that most projects are being approved at or above the maximum density allowed by zoning, principally as a result of density bonuses. Several projects have included rezoning requests and/or General Plan Amendments, resulting in densities that far exceed what was allowed at the time of application.

Table 4.4 indicates that the median density of projects completed in the last five years is 142 percent higher than the density allowed by zoning (the mean is 148 percent). Of the eight projects built in San Rafael between 2017 and 2022, six exceeded the base zoning density. The other two projects were the Strand at Loch Lomond Marina, which is part of a large Planned Development, and a Downtown townhome development at 21 G / 34 Ida. Of the six projects exceeding the base density, four were located in Downtown San Rafael. The largest of these is at 815 B Street. The project received a 35 percent density bonus, as it included six affordable units (3 low, 3 very low). Similarly, the project at 107 G Street included one very low-income unit, representing 15% of the project total. This enabled a 33 percent density bonus; with rounding, that allowed 10 units on the site instead of seven.

Table 4.5 compares the “theoretical” and “actual” unit yields for projects have been approved in the last few years but are not yet constructed. Five of the projects will have densities that exceed the initial base zoning and three will have densities that are below the base zoning. In the case of the Los Gamos Apartments, the base zoning allowed only three single family homes on a roughly 11-acre site. The property was rezoned to Neighborhood Commercial through the application process (which also required a General Plan Amendment), increasing the allowable density to 24.2 units per acre. Actual density of the proposed project is 18.8 units per acre.

Three of the projects listed in Table 4.5 are in Downtown San Rafael. The number of units approved on these properties exceeds what was permitted by the base zoning in all three cases. For the 703 Third Street and 999 Third Street projects, the approved densities were roughly three times the densities allowed by zoning at the time (2018-2020). Since the time those projects were approved, the City has adopted a Downtown Precise Plan (2021) that eliminates density limits. The number of units proposed by these projects is not regulated by the zoning regulations adopted in 2021 but would be achievable in all cases under the new standards.

The only projects with approved densities below the theoretical capacity are located in North San Rafael and on Lincoln Avenue. One is a townhome project, approved at 20 units per acre where 43.5 units per acre is allowed by zoning. Another is Northgate Walk, which required subdivision of a hotel site to create new parcels that could support multi-family housing. The project density there is 34 units per acre, while 43.5 units per acre is allowed by zoning.

Table 4.4: Theoretical and Actual Densities of Recently Constructed Projects

Project	Status	Acres	Maximum Units Permitted by Zoning at time of Application	Number of Units Actually Built	% of zoned capacity actually built
524 Mission	Built 2017	0.63	13	15	115%
107 G Street	Built 2017	0.17	7	10	142%
21 G Street	Built 2019	0.24	10	8	80%
Loch Lomond (res. area only)	Built 2017-2022	9.0	N/A(*)	81	N/A
3773 Redwood Hwy (Oakmont)	Built 2020-21	1.22	52	89	171%
815 B Street	Built 2020-21	0.54	30	41	136%
1628 Fifth Av	Built 2021	0.23	6	9	150%
190 Mill	Built 2021-22	0.34	0/ 13 (**)	32	246%
Median					142%

(*) Project has a General Plan designation of Neighborhood Commercial but was processed as a PD and includes multiple uses. The net area developed with housing (including private streets) is about 9 acres, or about 9 units per acre. Site was zoned for industrial uses at time of application but rezoned to high-density residential to accommodate the project.

Table 4.5: Theoretical and Actual Densities of Projects Approved but not yet Built

Project	Zoning	Acres	Maximum Units Permitted by Zoning at time of Application	Number of Units Actually Permitted	% of zoned capacity approved
703 Third	T5MS 70/90	0.64	46(*)	138	300%
999 Third	T5N 50/70	0.34	24(*)	67	279%
Northgate Walk	HR-1	4.06	175	136	78%
88 Vivian	NC	2.43	58	70	121%
350 Merrydale	PD (GP is CC)	2.28	99	45	45%
3301 Kerner	CCIO (GP is CC)	0.94	41	44	107%
Los Gamos Apts	PD (GP is NC)	10.24	3(**)	192	6400%
104 Shaver	HR-1	0.13	5	7	140%
Brookdale Apts	HR-1	0.26	11	10	91%
Median					121%

(*) Application was approved prior to Downtown Precise Plan, under zoning allowing 72 DU/Ac

(**) Project was zoned Hillside Resource Residential and was listed in the 2015 Housing Element as having a theoretical capacity of 3 units. Application included a General Plan Amendment and rezoning to Neighborhood Commercial/ PD. Current designation allows 247 units.

4.7.2 Low- and Medium- Density Residential Sites

The City compiled an initial list of vacant residentially zoned sites, including individual vacant lots and vacant properties with the potential to be subdivided. There were 66 sites identified, with the capacity for 251 units. Many of these properties were identified as having the capacity to produce only one dwelling unit or were located in areas with topography and access constraints. These parcels are not well suited for lower-income units due to the low densities permitted, distance from services and transit, and vulnerability to hazards such as wildfire and landslides.

Sites capable of producing five units or fewer were dropped from the original list. The initial list of 66 sites was culled to a list of just six sites. The culled sites may still be developed during the 2023-2031 planning period and are likely to meet a portion of the City's "above moderate" income RHNA, but they have not been specifically listed as housing opportunity sites. As noted in Section 4.5.2, the City already has a sufficient number of approved and proposed projects to meet its RHNA allocation for above moderate-income households and is focusing its inventory on lower- and moderate-income sites.

The six remaining sites are all carry-overs from the 2015-2023 Housing Element. They include two medium-density residential sites (104 Windward Way and 225 Picnic Avenue) and four low-density sites. All of these sites are currently vacant and developable. The two medium-density sites have a combined land area of just over five acres and the capacity for roughly 35 units each.

The four low-density sites include the vacant lower portion of the Glenwood Elementary School campus, owned by the San Rafael City School District (10.75 acres, estimated capacity of 52 units) and a vacant parcel along Point San Pedro Road which has been proposed for subdivision in the past (6 acres, estimated capacity of nine units). The sites also include two clusters of contiguous vacant lots in the Fair Drive/ Coleman Drive area on Lincoln Hill. These are long-established subdivisions that are only partially developed and improved, with approximately 50 legal residential lots remaining undeveloped. A total of 16 single family detached units have been assumed for 2023-2031, all on sites that currently have street frontage.

All six of the low and medium density sites are currently vacant. Their combined capacity is estimated at 147 units. This represents about 66 percent of the "theoretical capacity" that would result if each site developed at the maximum density allowed by zoning. The lower estimate recognizes that some of these sites have topography and other attributes that may result in yields below the top of the allowable density range.

4.7.3 High-Density Residential Sites

This category includes sites designated as "High Density Residential" or "Public/ Quasi-Public" on the General Plan Map. There are 13 sites listed in the inventory (see Spreadsheet "D" in Appendix B). Most of the sites are non-vacant and have existing uses that are well below the densities or intensities allowed by zoning. Five of the sites are being carried over from the 2015-2023 Element. The carry-over sites include two motels on Lincoln Avenue, a church on Lincoln Avenue, the Elks Club, and a municipal parking lot on Mission Avenue just outside the Downtown Plan boundary.

Newly added sites in this category include the former Nazareth House on Nova Albion Drive in North San Rafael, a School District owned property at Mission and Union (adjacent to San Rafael High School and Madrone High School), and a parking lot at the northern edge of the Marin County Civic Center that adjoins the Civic Center SMART rail station. There are also a number of smaller sites that have been added just north of Downtown, and in the Merrydale area.

Based on existing zoning, the theoretical capacity of the 13 opportunity sites is 591 units. However, the City's estimate of "realistic capacity" is 77 percent of this amount, or 458 units. The realistic capacity estimates have been tailored to each site based on land use, building conditions, and past proposals for each site. For example, the estimate listed for the Elks Lodge is 67 units based on an actual proposal for this site that was submitted in 2011. The General Plan designation for this site is "High Density Residential" and the actual number of units allowed on the site is nearly double the presumed yield. Similarly, the estimate for Marin Lodge and Villa Inn is based on the number of rooms in each motel rather than the potential yield if the sites were completely redeveloped.

In general, the realistic capacity estimates are very conservative (e.g., low); per HCD guidelines, they presume no density bonuses. It is likely that development on the HR-1 zoned sites will exceed the estimates given in Appendix B, as these projects would typically use density bonuses that allow up to 80 percent more units than is allowed by the base zone. The conservative estimates recognize that not all of these sites may develop by 2031.

There is additional potential in the high-density residential zoning districts that has not been quantified. In general, the City did not include sites with multi-family zoning that are currently developed with single family homes. These sites are "underdeveloped" as existing zoning allows many more units than exist today. However, owner interest in redeveloping these sites is difficult to verify, and redevelopment could result in displacement or the loss of some of the city's more moderately priced housing stock.

4.7.4 Mixed Use Sites Outside of Downtown

Appendix B, Spreadsheet "E" identifies 20 mixed use sites outside of Downtown San Rafael that have been identified as housing opportunities. Nine of these sites have "Office" (O) General Plan designations, four have "Community Commercial" (CC) designations, five have "Neighborhood Commercial" (NC) designations, and two have "Marine Commercial" (MC) designations. The allowable densities in the O and CC areas is 43.5 units per acre. The allowable densities in the NC and MC areas are 24.2 and 21.8 units per acre, respectively.

The theoretical capacity of these 20 sites based on their current zoning is 600 units. The Housing Element is assuming that most sites develop at 80-85 percent of zoned capacity, yielding 504 units. If all 20 sites were to develop by 2031, the actual number of units produced would likely exceed 600 units based on the yields reported in Tables 4.4 and 4.5. Density bonuses are excluded from the 504-unit estimate.

Nineteen of the 20 of the sites are considered "non-vacant" using HCD criteria. City policies and zoning regulations strongly support the redevelopment of these sites with housing, and past trends indicate that housing is both realistic and likely. Only two of the 20 sites are "carry-

overs” from the 2015-2023 Housing Element—the rest are all new sites that were not previously listed. A number of properties previously listed in the 2015-2023 Element have been dropped from the site inventory. These include four free-standing office buildings on the perimeter of Northgate Mall, the Northgate Three shopping center, the Marin Square shopping center, and the Margarita Plaza/La Plaza office park developments. Multi-family housing is still permitted on these sites and is encouraged by the City, but the properties do not meet the metrics established for 2023-2031 housing sites.

Table 4.6 indicates existing uses on the 20 sites that are listed, and the rationale for including these properties. All of the sites listed have road access and utilities, and all are relatively flat (average slope less than 10 percent) and buildable. Eight of the sites are smaller than 0.5 acres—however, seven of these are between 0.4 and 0.5 acres, which is well within the range of projects recently developed for affordable housing in San Rafael (the two most recent affordable housing developments in the city were on sites of 0.31 acres and 0.34 acres, respectively). All of the properties listed are zoned to allow multi-family housing and are in areas where housing is encouraged and supported by local plans.

During the last five-years, most of the residential development proposals in the city have occurred on sites like the ones listed in Table 4.6. These include:

- Northgate Walk (136 units on 4 acres), which is currently a hotel with under-developed areas on the parcel
- 88 Vivian (70 units on 2.4 acres), which was a former bowling alley
- 350 Merrydale (45 units on 2.3 acres), which was an under-developed office parcel
- 3301 Kerner (44 units on 0.9 acres), which was a mostly vacant office building
- 3773 Redwood (89 assisted living units on 1.2 acres), which was a furniture store

The reuse of older and underutilized commercial properties with housing is a broader trend that is reshaping communities around the Bay Area. The trend is driven by a number of factors, including declining demand for “brick and mortar” retail space and increased teleworking. Both of these trends were dramatically accelerated by the COVID-19 pandemic. These trends, coupled with very high housing demand and a shortage of available vacant residential land, have resulted in similar conversions across Marin County, the North and East Bay Areas, San Francisco, the Peninsula, and Silicon Valley.

The use of these sites for housing is further supported by their zoning. Thirteen are zoned for 43.5 units per acre. Housing is permitted by right on these sites, and the development standards support higher density housing. Several are adjacent to SMART rail or on high-quality transit corridors and may benefit from new State laws waiving minimum parking requirements.

Finally, the sites listed in Table 4.6 represent only a portion of the potential associated with commercially zoned properties outside of Downtown. The sites in the Table represent the most likely prospects based on particular metrics and the goal of affirmatively furthering fair housing, but there are similarly situated properties throughout the city. Zoning regulations for parcels zoned Office and General Commercial in particular are conducive to multi-family development and facilitate either redevelopment or adaptive reuse.

Table 4.6: Mixed Use Housing Opportunity Sites Outside of Downtown (excludes approved and proposed projects)

Address	Zoning	Acres	Projected Units	Rationale for Inclusion (*)
555 Francisco Blvd East (Harbor Center)	M	2.24	37	Carry-over from 5 th cycle. This is a 65-year old shopping center in fair condition with multiple vacancies, I/L ratio of 0.49 and FAR of 0.31. Prime waterfront site, located 0.6 miles from SMART station.
900 Las Gallinas	O	0.50	17	Vacant office building, 60 years old. I/L ratio of 0.36 and FAR of 0.22. Zoning allows 43.5 units/acre.
2114 4th St	C/O	0.58	20	Carry-over from 5 th cycle. Fast food restaurant, 52 yrs old, assessed land value is twice improvement value. FAR is only 0.15. Frontage on major thoroughfare at Downtown gateway.
East of 100 Yacht Club Dr	M	1.00	18	Vacant paved parcel, no structures. Formerly used for parking and maritime activities. Prime waterfront site, 0.5 miles from SMART.
141 Bellam	NC	0.48	10	Underutilized commercial (retail) building, most of site is parking.
145 and 155 N Redwood	O	2.05	62	Vacant office building (no tenants), currently listed for sale. Most of site is parking. Zoning allows 43.5 units/acre
30 Smith Ranch Rd	PD (Office)	1.43	50	Bank of America branch, currently closed. Existing FAR is only 0.18. Zoning allows 43.5 units/acre.
65 Vivian St	NC	0.42	10	Older car wash, adjoins approved townhomes. Existing FAR is .07 and I/L ratio is 0.07.
65 Medway	NC	0.46	10	Enterprise Rental Car. Currently a parking lot with a small office. Could potentially expand to adjacent lot in CCIO zone for larger site.
380 Merrydale	PD (Office)	1.81	62	Mini-warehouse site adjacent to Civic Center SMART station. Initially identified for housing in Civic Center Station Area Plan. Explicitly referenced as a housing site in General Plan 2040.
401 Merrydale	LI/O	0.90	32	Mini-warehouses adjacent to SMART station. Like 380 Merrydale, it is explicitly referenced as a housing site in the Civic Center Station Area Plan and General Plan. Land value is 5 times improvement value.
1908/1904 4th	C/O	0.48	16	Two adjacent commercial properties in West End/Miracle Mile, each with a small free-standing structure and parking lots. One owner. Existing FAR is 0.15. I/L ratio is 0.17 on one parcel and 0.33 on other.
1930/1924 4th	C/O	0.44	15	One parcel includes vacant retail space. Adjoining parcel has misc. offices and services, some vacancies. Built 1946-50. Opportunity to merge site and redevelop with multi-family or mixed use.
3765/ 3769 Redwood Hwy	GC	0.68	23	Two adjacent commercial sites under single ownership. Buildings date from mid-1960s. Existing FAR is 0.41.
2100 4th St	C/O	0.41	14	Strip shopping center with several vacancies, built in 1960s.
855 Francisco Bvd E	GC	0.35	20	20-room motel built in 1950, with potential for conversion to housing. Estimated yield based on number of rooms.
865 Francisco Bvd E	GC	0.44	32	32-room motel built in 1956, with potential for conversion to housing. Estimated yield based on number or rooms.
3255 Kerner Blvd	GC	0.81	28	Mixed office-retail bldg (Bahia Corners) with 10400 SF floor area (FAR .27). Much of site is parking. Assessed value of land exceeds value of building.
85 Woodland Av	NC	0.75	16	Older neighborhood market built in 1953, with large parking area. Potential for multi-family, or residential over retail.
100 El Prado Av	NC	0.55	12	Small neighborhood market, built 1951. Zoning supports multi-family or mixed use, including housing over market.
TOTAL			504	

Source: City of San Rafael, 2022

4.7.5 Downtown Mixed Use Sites

San Rafael's General Plan 2040 and Downtown Precise Plan were adopted in 2021. Both plans support and facilitate the transformation of Downtown into a denser, urban district, intended to accommodate approximately half of the City's growth during the next two decades. The Precise Plan introduced new zoning regulations that eliminate density and floor area ratio entirely. The Plan's Environmental Impact Report was intended to streamline the CEQA process for Downtown projects and make it much easier to develop housing on Downtown sites. As noted earlier in this chapter, a number of large mixed use projects have been proposed since the Precise Plan was adopted. Many more are anticipated in the coming years.

The site inventory identified 49 Downtown housing sites, making this the largest category of opportunity sites. The sites have a combined capacity of 1,560 units, or 58 percent of the capacity associated with opportunity sites (excluding approved and proposed projects). These sites are listed in Appendix B, Spreadsheet "F." Approximately 37 percent of this capacity (587 units) is estimated to be for lower income units. However, all of the sites effectively meet the 30 unit per acre default density requirement (based on their height limits, since there is no density metric). All of these sites could potentially accommodate affordable housing. It is anticipated that the area will include a combination of projects that are 100% affordable and projects that are market rate, with below-market units meeting the City's inclusionary housing requirements.

Downtown sites range in size from 0.2 acres to 2.0 acres. Twenty of the sites are larger than 0.5 acres. Another 19 are between 0.3 and 0.5 acres. While HCD generally uses 0.5 acres as the threshold for a lower-income opportunity site, many Downtown projects are occurring on smaller sites. For example, the 67-unit Vivalon project (which is 100% affordable) is being developed on a 0.34-acre site. Elsewhere in Downtown San Rafael, three of the four most recently completed projects were on sites of 0.17 acres (10 units), 0.23 acres (9 units), and 0.24 acres (8 units).

Given the highly urban, historic context of Downtown and the new zoning regulations, sites in the 0.3- to 0.5-acre range can produce more than 50 units and are viable as mixed income development sites. The Downtown sites inventory includes six municipal parking lots, plus an underutilized City-owned parcel on Fourth Street. The City has included a program in its Housing Element prioritizing the development of these sites for very low income and special needs housing.

Six of the 49 Downtown sites are "carry overs" from the Fifth Cycle Housing Element. These include an underdeveloped shopping center in the West End Village, a garden center, an AT&T facility on Shaver Street, a parking lot (formerly Salute restaurant), a bank (1030 Third), and a single-story Salvation Army donation center. The other 43 sites are newly added, based on site-specific recommendations from the Downtown Precise Plan, expressions of interest from property owners, input from the community, metrics such as improvement to land value ratio, and existing site conditions.

Table 4.7 provides a profile of all Downtown sites identified as having the capacity for 30 or more units. There are 19 sites on this list, with the capacity for roughly 1,100 units. This represents 70 percent of the Downtown total.

Table 4.7: Downtown Mixed Use Sites With Capacity for 30 Units or More (excludes approved and proposed projects)

Address	Base Height (pre-bonus)	Acres	Projected Units	Rationale for Inclusion (*)
Ritter Block	50	1.79	160	11 contiguous parcels, several of which are vacant. Improvement values are low. Downtown Plan proposes closing Ritter (a cross-block diagonal) and creating a master-planned development with residential, and office/hotel, with sub-grade parking. Site was evaluated in Downtown Plan for 200 units
Goldstone Project (924 3rd, 1001 and 1009 4 th St.	60	0.98	120	4 parcels under one owner. Currently older low-rise retail, mostly vacant. Owner has been in discussion with City for several years exploring potential public market and mixed use. Proposals by owner have exceeded 200 units, and density bonuses are likely. 120 DU estimate is very conservative.
United Market (W/side Grand b/w Second and Third (515 3rd St))	40	1.86	83	Single story supermarket built in 1955, FAR is 0.3 and much of site is surface parking. I/L ratio = 0.54. Site identified in Downtown Plan is significant mixed use opportunity (housing over grocery, with structured parking). Yield based on Downtown Plan estimate of 83 units, but will likely be higher.
5th and C NE corner (1248 5th Ave)	40	0.65	80	Owner has been in discussions with City regarding proposals for a multi-story mixed use project on this site, using density bonuses to raise height limits by 10 to 20 feet. Actual buildout will likely exceed this estimate.
Best Buy Outlet (1801 4th S: 4th and Ida, SW corner) and 1814 2nd St	40	1.55	72	Previously counted site, comprised of two parcels that could be assembled or developed individually as mixed use projects. One is a fast food restaurant (FAR 0.08 and an I/L ratio of 0.32). Other is an outlet store with FAR of 0.38 and an I/L of 0.76. Double frontage on 2 nd and 4 th .
Citibank (Hetheron/3rd NW corner)	70	0.59	60	Abuts SMART station platform and was identified as a major opportunity in Downtown Plan. Bank was built in 1978, FAR is 0.4. In tallest/most intense height district and a significant housing opportunity.
SE corner Irwin and 4th St (523-525 4th)	50	0.81	60	Early 1960s Class C office space. Recently sold. Owner has expressed interest in residential/ mixed use development. Application likely by 2031.
Safeway (700 B St)	40	1.99	50	Largest developable site in Downtown. 27,000 SF older supermarket. Opportunity for mixed use housing over new grocery. Downtown Plan presumed flats/ townhome densities here but could be significantly higher.
SE corner Irwin and Second (700 Irwin)	50	0.57	50	Vacant 26,000 SF office building, currently fenced off. Identified as a possible housing site in the Downtown Precise Plan. Waterfront site, with opportunities for shoreline amenities
Tamalpais/3rd NW corner	70	0.33	44	Known as the "Salute" site (name of restaurant located here that burned in 2005)--currently a private parking lot. Owners participated in Downtown Plan and shared illustrative plans for 44-unit apartment building.
1550 4th (north side between E and F)	40	0.99	40	0.99-acre site comprised of five adjacent parcels. Would require site aggregation. Existing uses are lower value relative to surroundings, including vehicle storage. Significantly higher yield if parcels are merged.
220 Shaver	40	0.90	40	Site was counted in 2015-2023 Element. 0.91 AT&T facility and parking area. Presumed to be 3-4 story given location.
NW corner 4th and E St (1504-1518 4th St)	50	0.84	40	0.84-acre site in single ownership at NW corner of 4th and E. Owner has expressed interest in mixed use or multi-family residential on this site. Downtown Plan assumed 40 units but actual yield will likely be much higher.
3rd and Cijos NE corner	50	0.46	36	0.46 acre municipal parking lot on 3rd Street at Cijos. Downtown Plan identified capacity for 30 units, but actual yield will likely be much higher.
NE corner 4th and Mary (350 4th)	40	1.07	35	1 acre site with Salvation Army facilities. Carry-over site. 3-4 story profile assumed, given location near lower density areas.

Table 4.7, continued

N/side 2nd b/w E and Shaver (805 E St/1524 2 nd)	40	0.79	34	Two adjacent parcels under common ownership (Cats Cradle and Valvolene). Identified as opportunity site in Downtown Plan.
S/side 2nd b/w Grand and Irwin (555 2nd St)	40	0.44	30	Fast food restaurant (built 1969) and surface parking lot, with frontage along San Rafael Canal. Existing FAR is 0.22. Underutilized site, opportunity for housing with ground floor waterfront commercial and related amenities
3rd/Lootens NE corner (840 3rd)	50	0.36	30	0.36-acre municipal parking lot on 3rd Street, also serves as parking for adjacent Walgreens. DTPP identified capacity for 30 units over structured municipal parking. Good opportunity for very low/ supportive housing.
1030 3rd St (3rd and A NE)	50	0.68	30	Carry-over site from 5th Cycle. Bank built in 1963 on corner site. FAR is only 0.28, most of site is parking. Identified as opportunity site in Downtown Plan.
Total		17.7	1,094 units	

Source: City of San Rafael. 2022

The capacity estimates in Table 4.7 are conservative and do not include height bonuses. The average presumed density of the 19 sites listed in the table is 62 units per acre. This is consistent with what was assumed in the previous Housing Element and with projects built in Downtown San Rafael in the 1990s and early 2000s.

Densities in more recently completed projects have been much higher than this. For instance, the recently completed 815 B Street project is 76 units per acre. The Vivalon project now under construction is 197 units per acre, and the approved development at 703 Third Street will be 215 units per acre. The average density of the three largest Downtown projects currently under consideration is 162 units per acre. All of these projects are proposing density bonuses to achieve heights above the base levels permitted by the Downtown Plan.

Thus, the actual yield of the sites listed in Table 4.7 is likely to be substantially more than 1,100 units. Moreover, Table 4.7 only includes the 19 largest Downtown sites—there are 30 more sites listed in Appendix B. Like the sites in Table 4.7, these 30 sites have the potential to develop with a significantly higher number of units than are shown in the Appendix. The Downtown Plan allows height bonuses of 20 feet on many of these sites when inclusionary housing requirements are met on-site. Consistent with HCD guidelines, these bonuses are not factored into the “realistic capacity” estimates.

4.7.6 Public and Institutional Sites

Housing potential on Public and Institutional sites is reported on Spreadsheets “C” through “F” in Appendix B. The potential was quantified through direct communication with public agencies (School Districts, County of Marin, and the City of San Rafael itself), major institutions such as Dominican University, and carry-over of several church and non-profit owned sites identified in the 2015-2023 Element. With the passage of AB 2244, these sites are more viable now than they were in the prior cycle.⁴

Spreadsheets C through F include a column indicating those sites that are owned by public or tax-exempt entities.

4.7.7 Sites Not Counted

In identifying potential housing sites, the City created a secondary list of properties that met the metrics for housing opportunity sites but had other factors that made them less viable. For example, many of the car dealerships on Francisco Boulevard are in zoning districts that allow multi-family housing. These sites have low improvement values, high land values, and are flat and easily accessed. However, they are essential revenue generators and are important to the City’s fiscal health and regional economy. For these reasons, they are not listed as Housing Opportunity Sites.

Likewise, the City has a number of industrially zoned sites that could be rezoned to allow housing. The General Plan 2040 (and previous general plans) discourage such rezoning, recognizing the importance of these properties to providing jobs, tax revenue, and essential services to residents of Marin County. Depending on future economic conditions, some of these sites could be considered during the next (2031-2039) Housing Element or later in the 2023-31 period. A few are in the Lindero Mixed Use area (near Davidson Middle School and within ½ mile of SMART Rail) and could be viable housing sites.

There are also numerous active commercial businesses and shopping centers located on large parcels where housing is allowed. An example is the Regency Theater on Smith Ranch Road, the Rice and Shamrock Shopping Centers, and many of the bank properties scattered across the city. There are also active restaurants, office buildings for lease, and other commercial businesses, that theoretically could support housing. Some of these properties could develop during the 2023-2031 horizon, but there is not substantial evidence to support that conclusion.

There are 44 sites on the “B list” that are not in the inventory. These sites were estimated to have the capacity for 1,700 units. Another 50 sites, generally consisting of vacant lots in Hillside Residential areas, were likewise removed from the site inventory during the screening process. All of these sites may still be developed with housing, but they are not well situated for low or moderate-income units, which is the type of housing that is most urgently needed.

⁴ AB 2244 allows faith institutions to remove up to 50 percent of their existing parking for the purpose of creating affordable housing on their land.

4.7.8 Spreadsheets and Maps

As indicated above, Appendix B includes the complete inventory of housing sites. Table 4.8 provides a summary of the 15 data fields included in the housing opportunity site inventory. Each site has been assigned a unique alpha-numeric identifier. The letters correspond to the six spreadsheets in Appendix B as follows:

- “A” sites are projects that are approved or under construction (see Section 4.5.1)
- “B” sites are projects that are in the planning and pre-application stages (see Section 4.5.2)
- “C” sites are vacant sites planned for low to medium-density residential development (see Section 4.7.2)
- “D” sites are designated for high-density residential development (see Section 4.7.3)
- “E” sites are mixed use development sites outside of Downtown (see Section 4.7.4)
- “F” sites are Downtown mixed use sites (see Section 4.7.5)

Other data fields correspond to variables required by HCD, including assessor parcel number, address, site acreage, general plan and zoning designations, existing land use, theoretical capacity (maximum zoning density multiplied by acreage), realistic capacity, ownership (public or private), environmental constraints, availability of infrastructure, and distribution of units by income category. The data base also indicates if the site was counted in prior Housing Element(s) and includes space for comments on each property.

Figure 4-1 identifies the location of the housing sites. For legibility, this information is presented on six sheets, with the first serving as a “key map” for the other five. The color of the site corresponds to its status, with different colors used to indicate if the site is an approved project (red), a proposed project (green), a low-medium density opportunity (yellow), a high-density opportunity (blue), or a mixed use opportunity (purple, or teal if Downtown).

Table 4.8: Key to the Housing Site Spreadsheets

Column	Title	Description
1	ID#	A unique alpha-numeric ID has been assigned to each site. The letter corresponds to the spreadsheet on which the site appears.
2	APN	Assessor Parcel Number. Some sites have multiple APNs and some sites occupy only a portion of a given APN.
3	Address/ Location	Either a street address or a narrative description of the location of each property
4	Acres	Total (gross) acres of the housing opportunity site
5	GP Des	Existing General Plan Designation
6	Zoning	Existing Zoning Designation
7	Existing Use	A narrative description of the current use of each site
8	Theoretical Capacity	The land area for each site multiplied by the maximum zoning density, inclusive of any proposed increases in allowable density. For already approved projects and for projects with pending applications, the actual number of approved or proposed units is used. Sites in the Downtown area have no density requirements, so theoretical capacity is more difficult to estimate. See discussion on next page.
9	Realistic Capacity	<p>(1) <u>For already approved projects, the actual number of approved units is used</u></p> <p>(2) <u>For sites with development constraints such as steep slopes and limited access, the estimate is generally 60-80 percent of what is allowed by zoning.</u></p> <p>(3) <u>For mixed use and commercially zoned sites, the estimate is generally 80 percent of theoretical capacity.</u></p> <p>(4) <u>In the Downtown Precise Plan area, the estimates reflect figures that were developed in 2018-19 and used in the EIR for that project.</u></p> <p>The estimate of a site's "realistic capacity" does not preclude a site from developing with more units than are shown in this column. This is intended as a conservative estimate based on guidance provided by the State Department of Housing and Community Development.</p>
10	Pub/Private	Indicates whether the site is publicly or privately owned. PR = private. PU = public
11	Constraints	Indicates development constraints on each site, with an emphasis on environmental constraints. Typical constraints include steep slopes, sea level rise, fire hazards, historic resources, noise, and air quality.
12	Infrastruc- ture	Indicates the improvements that would be required for site development, including road access and internal streets and utilities. Sites with utilities available in the street right-of-way abutting the site are considered to have infrastructure. Sites without adjacent water, sewer, or dry utilities are noted as needing infrastructure.
13 A, B, C	Income Category (Low, Mod, Above Mod)	Indicates whether the site is expected to serve above moderate, moderate, or lower (low + very low) income households. The designation of a site as "lower income" does not mandate that it be developed with lower income housing. However, if it is developed with another use, the City must find that it still has capacity to meet its lower income assignment in the remaining sites (or identify additional opportunity sites to make up the deficit).
14	Counted before?	Indicates if the site was counted in the 2015-2023 Housing Element site inventory
15	Comments	Provides additional remarks and comments about each site, including background information and context for why it is listed as a housing opportunity. Red font is used where a follow-up zoning action is required.

Figure 4-1: Housing Opportunity Sites

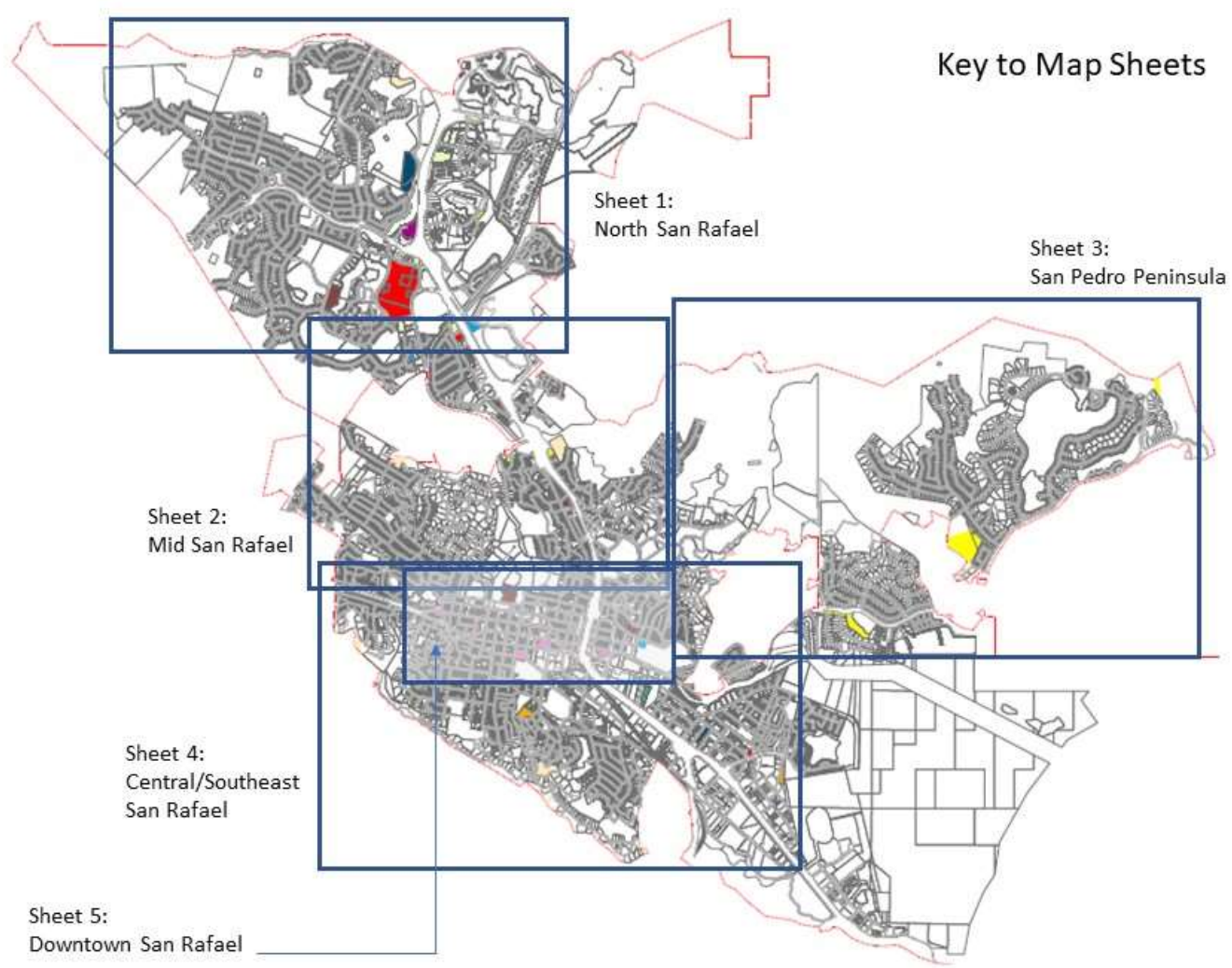


Figure 4-1, continued

Sheet 1: North San Rafael

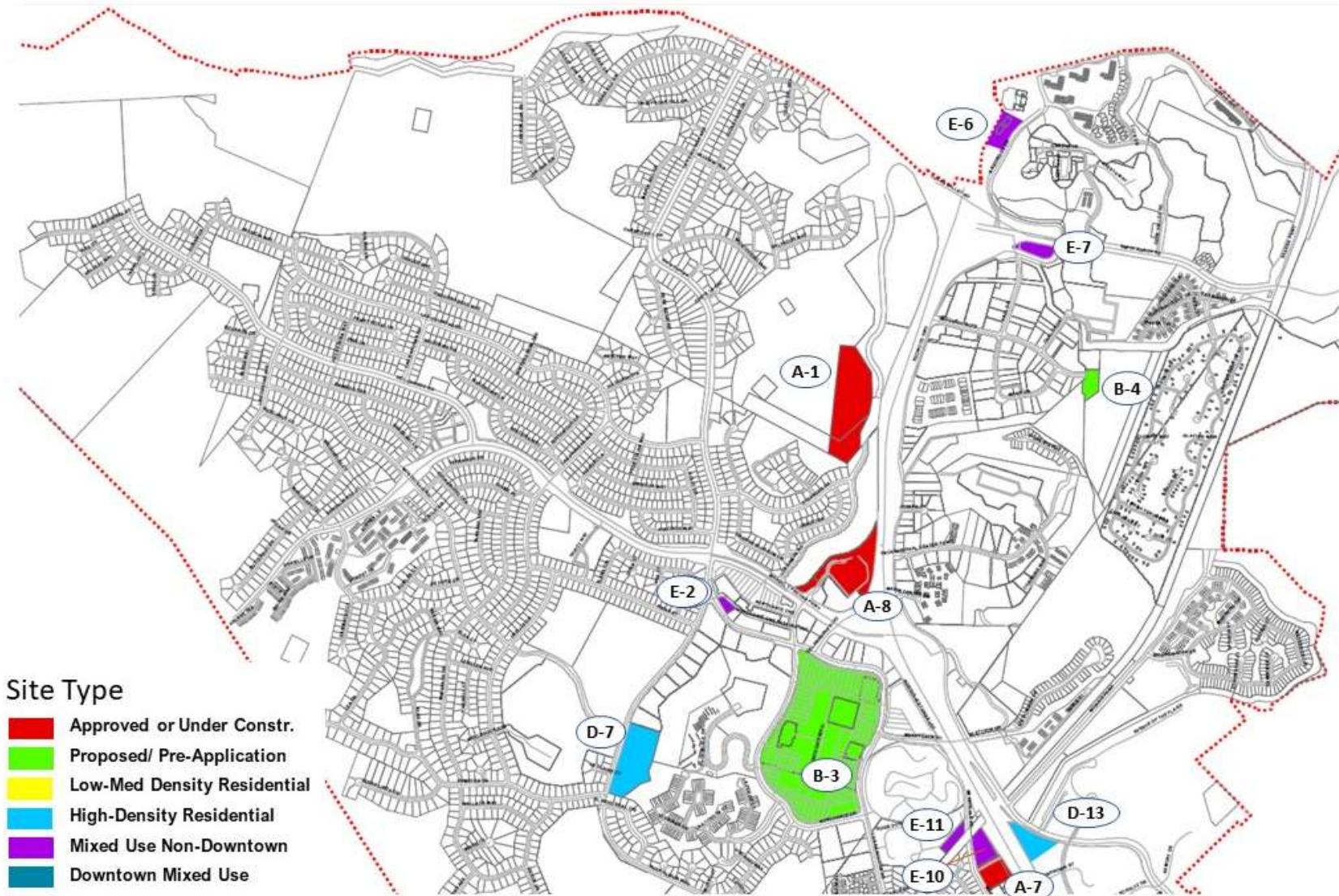


Figure 4-1, continued

Sheet 2: Mid San Rafael

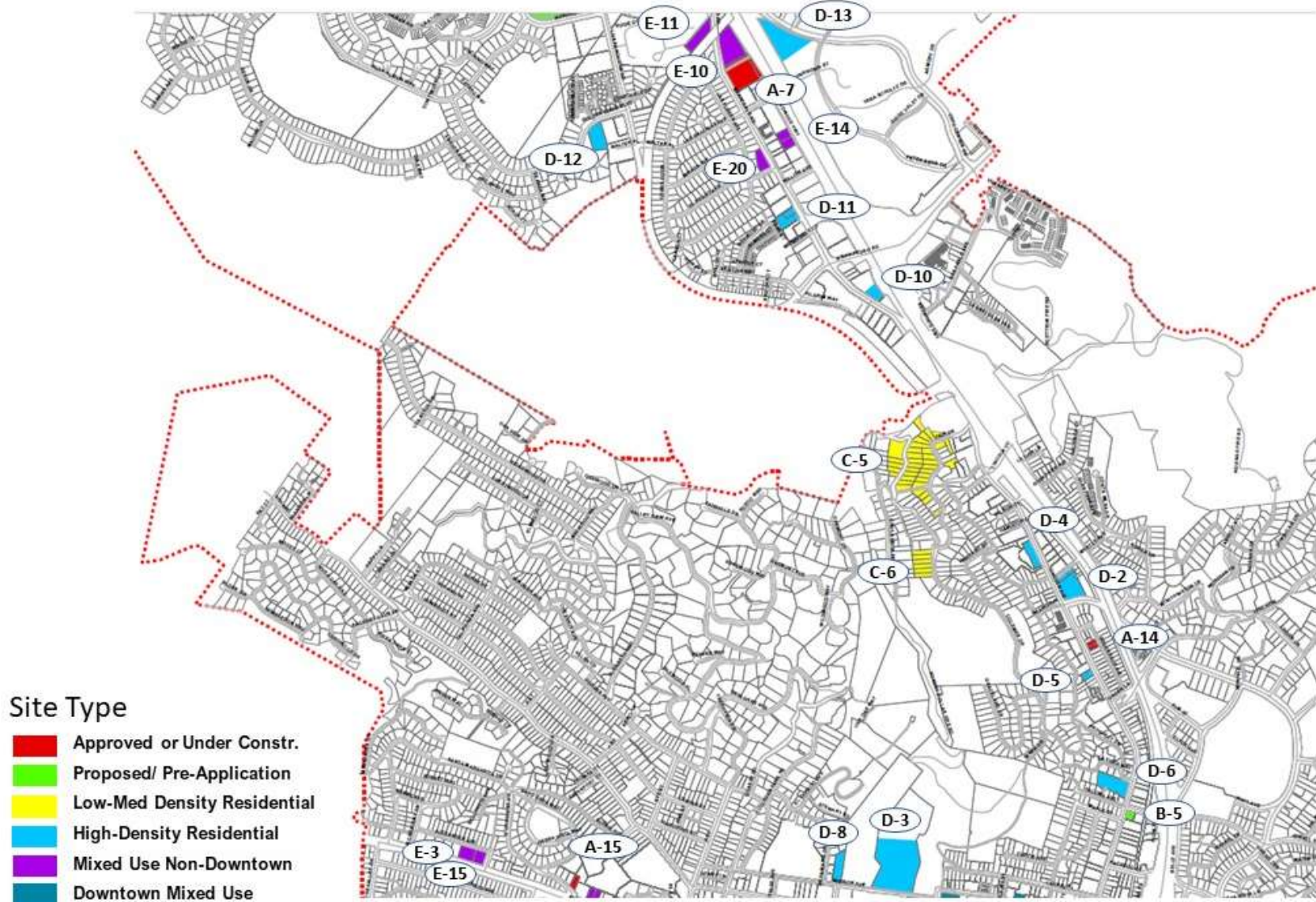


Figure 4-1, continued

Sheet 3: San Pedro Peninsula

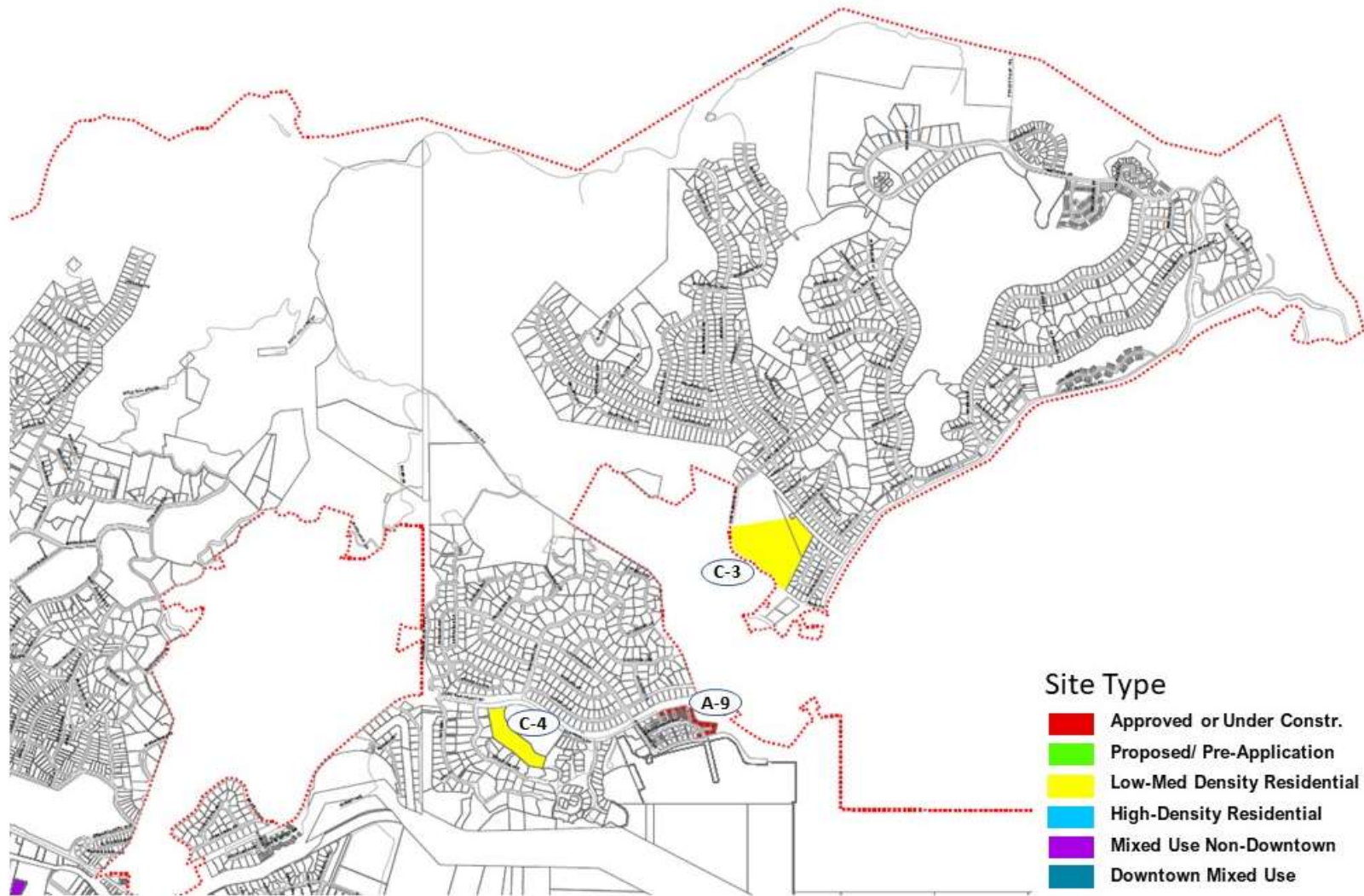


Figure 4-1, continued

Sheet 4: Central and Southeast San Rafael

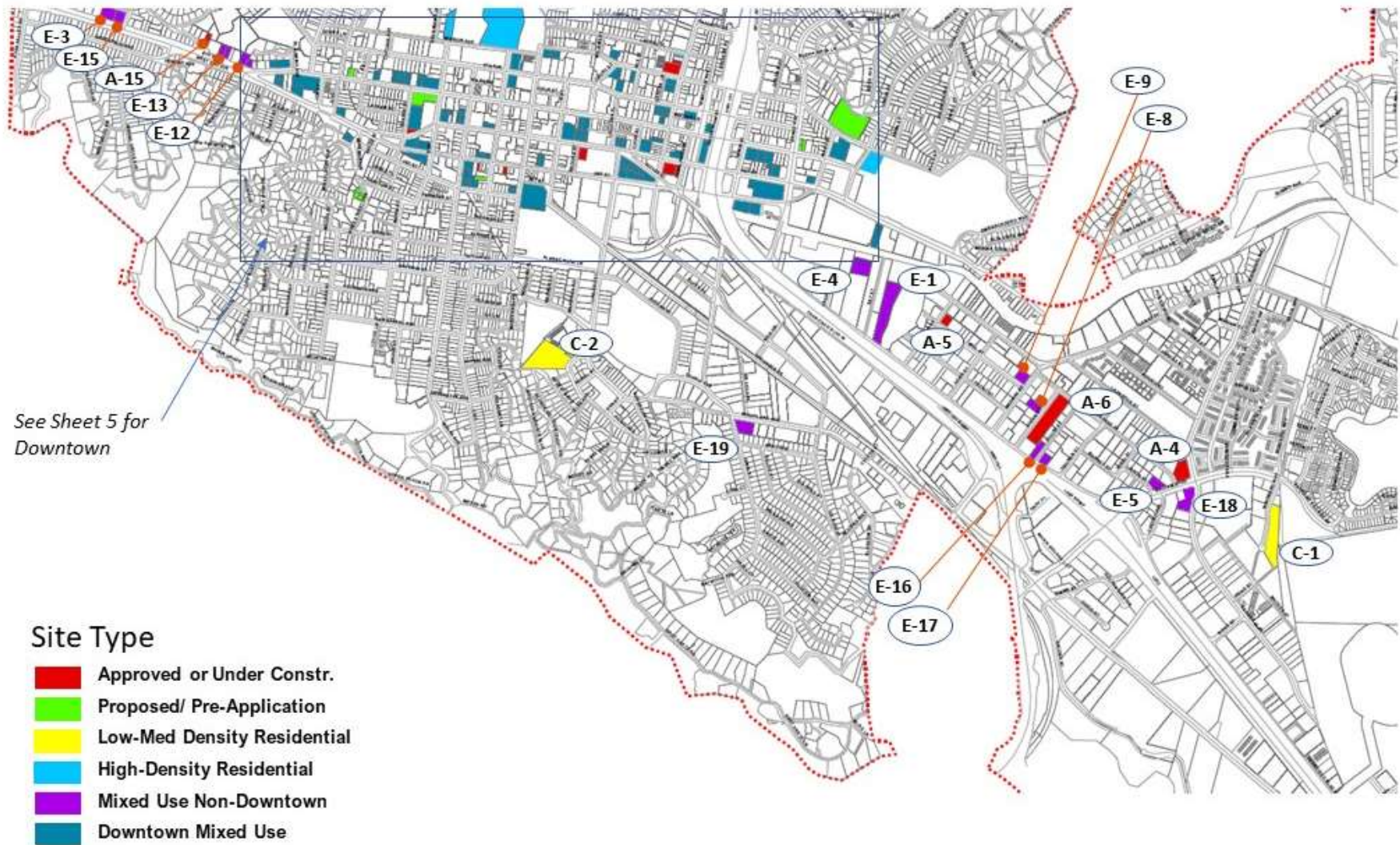


Figure 4-1, continued

Sheet 5: Downtown San Rafael



Site Type

- Approved or Under Constr.
- Proposed/ Pre-Application
- Low-Med Density Residential
- High-Density Residential
- Mixed Use Non-Downtown
- Downtown Mixed Use

4.7.9 Conclusions

As summarized in Table 4.1, San Rafael has provided a sufficient number of housing sites to meet its Regional Housing Needs Allocation by income category. The City has 785 approved units (including 200 lower income units) and another 1,204 units in the 2023-2031 pipeline (including 114 lower income units). It anticipates 200 ADUs, approximately 70 of which are projected to be “affordable by design” to lower income households. The City has identified opportunity sites capable of accommodating another 2,669 units. That is a conservative estimate in that it presumes densities below the maximums allowed by zoning and only includes sites identified meeting certain criteria. Higher density housing will likely occur on other sites in San Rafael, as it is supported and encouraged by the City’s commercial zoning regulations.

As introduced in Section 4.2.1, State law establishes that sites are considered to be suitable for lower income housing development when they are zoned at densities of 30 units per acre or greater. As indicated in Table 4.9, approximately 82 percent of the housing capacity identified in Appendix B is on sites zoned at these densities. Any of these sites could develop with lower income development. The City has assumed a more balanced income distribution, including a mix of low, moderate, and above moderate units that completely meets the RHNA.

Table 4.9: Opportunity Sites by Density

Site Type	Site capacity <u>under</u> 30 units/acre	Site capacity <u>over</u> 30 units/acre	TOTAL
Low/Medium Density Residential	147	0	147
High Density Residential	226	232	458
Non-Downtown Mixed Use	113	391	504
Downtown Mixed Use	0	1,560	1,560
Total	486	2,183	2,669

Source: City of San Rafael, 2022

Note: Table excludes projects that are already approved and projects in the application or pre-application stages. These are uncommitted sites only.

4.8 Other Considerations

The Government Code requires consideration of environmental constraints and infrastructure as part of the Opportunity Site analysis. Data for each site is provided in Appendix B and is summarized below. This section also considers the ability of the housing sites to affirmatively further fair housing (AFFH). A more in-depth evaluation of AFFH and housing sites appears in Appendix A.

4.8.1 Environmental Constraints

For the last 50 years, San Rafael's General Plan has focused the city's development in existing urban areas. The City's policies and development regulations have protected wetlands, hillsides, ridgelines, and riparian areas, while limiting development in areas prone to natural hazards such as landslides and flooding. The City adopted an updated General Plan in 2021, with an expanded policy focus on climate resilience, wildfire prevention, sea level rise, and the reduction of greenhouse gas emissions. This includes greater acknowledgment that higher-density housing and compact growth are essential to growing more sustainably. It also includes a commitment to address past inequities that have resulted in lower income populations living in the most vulnerable parts of the city.

Each of the housing opportunity sites was evaluated based on environmental and natural hazard conditions. While these conditions do not preclude development, they could result in additional development costs or reduce the number of units that could potentially be accommodated. A summary of findings follows.

- **Steep slopes and hillsides.** San Rafael's initial list of opportunity sites included a large number of vacant properties on steep slopes and hillsides, accessed by narrow streets. Most of these sites were zoned for low-density residential uses. With only a few exceptions, these sites were removed from the inventory due to their location and their poor suitability for lower income units. The sites identified for lower income housing generally have slopes that are less than 10 percent. This reduces development costs and makes affordable housing more viable.
- **Geologic hazards.** All of San Rafael is potentially subject to violent groundshaking in an earthquake. The City is close to a number of active fault lines capable of causing significant damage. This is a universal hazard that affects all housing sites in the Bay Area. It is mitigated through building codes, geotechnical study requirements, and construction requirements. Several of the housing sites are in high liquefaction zones, particularly those in the eastern part of Downtown and along the San Rafael Canal. Development on these sites requires construction methods that ensure structural integrity.
- **Flooding.** Portions of San Rafael are subject to flooding, including extensive areas vulnerable to sea level rise. The City's General Plan created a Sea Level Rise Overlay Zone that encompasses parcels potentially subject to tidal flooding by 2050. It calls for adaptation studies and plans to reinforce levees and develop long-term strategies to reduce the potential for damage and threats to life and property. Several housing sites in the vicinity of the San Rafael Transit Center and Downtown SMART station are within this boundary, as are

sites in the Canal area (Sites C1, E1, E5, E8, E9, E16, E17, and E18). There may be additional development costs on these properties associated with raising habitable floor elevations, designing buildings to reduce flood hazards, and improving roads and utilities to address flood risks.

- **Wildfire hazards.** CALFIRE has mapped areas across California based on their wildfire hazard severity levels. None of the housing sites in San Rafael are located in “very high” fire hazard severity zones. Several of the lower density sites are in the Wildland-Urban Interface area (WUI). For example, the Fair Drive/Coleman area includes narrow streets where emergency vehicle access may be an issue. All of the sites identified as suitable for lower income households are urban infill properties with sufficient ingress and egress and lower fire risks. The City of San Rafael continues to implement (and update) a Wildfire Action Plan to support vegetation management, hardening of residential properties to increase their resistance to wildfire, and design of buildings and landscapes that are more resilient to fire.
- **Biological resources.** Sensitive biological resources include riparian corridors, wetlands, redwood groves, and oak woodlands, as well as areas with potential habitat for special status species. Sites with potential biological resources may be subject to requirements for plant and animal surveys, and mitigation measures relating to tie timing and method of grading and construction. Housing sites are largely urbanized properties that have already been developed. Biological resources on these sites are usually limited to non-native species or species that have adapted to urban conditions.
- **Air quality and noise.** These two factors are combined here as they are both associated with proximity to transportation facilities. Sites adjacent to freeways may have higher levels of particulates, diesel fumes, and carbon monoxide, as well as noise levels that exceed land use compatibility guidelines. Because the Housing Element focuses new development near transit stations and corridors (which are adjacent to the 101 Freeway), a relatively large number of the housing sites are in areas with ambient noise levels exceeding 65 dB. Likewise, many of the sites are less than 500 feet from the US 101 or I-580 freeways. This is particularly true in Downtown San Rafael, where at least four sites are within one block of the freeway. The General Plan EIR establishes air quality and noise mitigation measures that would apply to these sites. Sites along other high-volume streets, such as Second and Third Street, Fourth Street (Miracle Mile), and Francisco Boulevard East may also be subject to noise-reduction and air quality measures based on traffic volumes.
- **Hazardous materials.** Some of the housing sites currently support automotive businesses, dry cleaners, car washes, marine-related uses, and other activities that may involve (or previously involved) the handling of hazardous materials. This includes sites with leaking underground storage tanks. The General Plan EIR included an evaluation of these sites and identified requirements for pre-development studies based on prior uses where applicable.

4.8.2 Availability of Infrastructure to Serve Housing Sites

All of the sites identified as having the potential for low- or moderate-income housing have street frontage with water, sewer, and drainage lines at the curb, as well as “dry” utilities such as natural gas, cable and electricity. Most of the sites are non-vacant and already are fully served. In some cases, on-site improvements could be required to reflect the increased demand associated with a high-density mixed use or multi-family residential project relative to the prior use. A few of the low-density sites (Fair Drive/Coleman) do not currently have infrastructure and are shown in the site inventory as “above moderate income” to reflect those costs.

Water

Marin Municipal Water District (MMWD), a public utility governed by an elected board, provides water service to eastern Marin County south of Novato. Approximately 27 percent of MMWD’s customers are within San Rafael. MMWD’s water supplies presently come from a combination of local surface water supplies, imported water from the Sonoma County Water Agency (SCWA), and recycled water. Local surface water is stored in seven local, rain-fed reservoirs, all located outside the San Rafael Planning Area.

MMWD considers San Rafael’s long-range growth plans in its Urban Water Management Plan, which is updated every five years. Their most recent Plan estimates an 8.3 percent increase in demand in the service area between 2015 and 2040, largely due to population and employment growth. This is within the system’s capacity, even during periods of dry years. However, Marin County is currently in a drought state of emergency and must consider the potential for more sustained dry years in the future. Future measures could include mandatory water restrictions, additional conservation measures, desalination, and moratoria suspending new water hookups.

Wastewater

Wastewater collection and treatment in San Rafael is provided by three entities: Las Gallinas Valley Sanitary District (LGVSD), San Rafael Sanitary District (SRSD), and Central Marin Sanitation Agency (CMSA). LGVSD operates both a collection system and a wastewater treatment plant. SRSD operates a collection system that delivers wastewater to a treatment plant operated by CMSA. LGVSD’s service area includes North San Rafael and neighboring parts of unincorporated Marin County. The treatment facility is located at the east end of Smith Ranch Road. SRSD collects wastewater in the area south of Puerto Suelo Hill, including San Rafael, San Quentin, and adjacent unincorporated areas. The treatment plant is located near Point San Quentin, with treated wastewater discharged to Central San Francisco Bay via a two-mile outfall pipe.

The Sanitary Districts/Agency maintain capital improvement and preventive maintenance plans that address capacity, storage, structural, and other issues, as well needs associated with growth and technology. Capacity assessments are periodically performed. The collection and treatment facilities have adequate capacity to meet San Rafael’s long-term needs. However, capital projects are necessary to respond to regulatory changes, operational needs, and climate change impacts, including sea level rise. LGVSD is in the process of a multi-year, multi-million dollar plant upgrade. CMSA has prepared a Facilities Master Plan which identifies 26 projects that respond to future needs.

Water and Sewer Priority

Government Code §65589.7 requires each public agency or private entity providing water or sewer services to grant a priority for the provision of these services to proposed developments that include lower income housing units. The City of San Rafael has not previously denied, applied conditions, or reduced the amount of sewer service for a development that includes housing affordable to lower-income households consistent with State law. As part of Housing Element implementation, the City will grant priority for sewer hook-ups and service to developments that help San Rafael meet its share of the regional need for lower-income housing

Government Code §65589.7 also requires adopted housing elements to be immediately delivered to all public agencies or private entities that provide water or sewer services for municipal and industrial uses, including residential. The City will provide the adopted Housing Element to MMWD and the three sanitation/sanitary districts immediately upon adoption.

Dry Utilities

Dry utilities include energy facilities and telecommunication services. Marin Clean Energy (MCE) provides electricity to all communities in Marin County, including San Rafael. MCE is a Community Choice Aggregation Program run by representatives from participating communities. It provides electricity that is primarily generated from renewable sources such as solar and wind power. The electric energy provided by MCE is conveyed to customers using infrastructure owned and operated by PG&E. PG&E maintains the transmission grid, distribution lines, transformers, and substations. PG&E also provides natural gas service to San Rafael customers. Telecommunication services include traditional landline telephone services, cable and satellite television services, and mobile telephone services, as well as fiber/broadband and other internet services. These services are offered by multiple providers and are regulated to varying degrees by the California Public Utilities Commission and Federal Communications Commission.

Dry utilities are available on all of the sites identified as suitable for providing lower income housing. As most of these sites are non-vacant, they already have electric, gas, and telecommunication services. Localized improvements may be required as properties are converted from commercial to residential use, and as new construction occurs.

4.8.3 Contribution of the Housing Sites toward Affirmatively Furthering Fair Housing

Pursuant to AB 686, housing sites must be identified throughout the community in a manner that affirmatively furthers fair housing (AFFH) (Government Code Section 65583(c)(10)). This means that sites identified to accommodate the lower income need should not be concentrated in “low resource” areas as defined by HCD and the California Tax Credit Allocation Committee (TCAC). Low resource areas are neighborhoods with low-performing schools, poor environmental health indicators, and less access to jobs and economic opportunity. The State’s AFFH mandate also means that housing opportunities should be geographically distributed so that no single neighborhood is overly impacted.

Appendix A includes the TCAC Opportunity Map for San Rafael. The map is used by the State to determine how tax credits for lower income housing are allocated. Lower-income housing projects in “high resource” areas are rated more favorably for financing than those in “low resource” areas, in order to create more affordable housing in high-cost locations. The TCAC map is also a useful tool for evaluating the distribution of housing sites by income.

One of the shortcomings of the TCAC maps is that they are prepared at the Census Tract level. In San Rafael, several census tracts include a mix of both high- and low-income households. As a result, the tract that includes the Dominican, Country Club, and Montecito areas is identified on the map as a “Low Resource” area even though it includes some of the City’s most affluent neighborhoods. Similarly, the tract including Baypoint Lagoons and Spinnaker Point in Southeast San Rafael is shown as a “Low Resource” area. The Core Canal neighborhood is considered an “Area of High Segregation and Poverty.”

Most of San Rafael is designated as a “Moderate” Resource Area. The “Highest” Resource Areas are limited to the northern part of Terra Linda and Sun Valley.

Following AFFH principles, the City should avoid further concentration of lower income housing the Core Canal area and create lower income opportunities in all parts of the city. However, input received during the Housing Element process indicated an urgent need for affordable housing in all neighborhoods, including the Canal. There are also concerns that additional market-rate development in the Canal could cause gentrification and displacement of long-time residents.

The City has assigned its housing sites by income in a way that avoids the concentration of lower income housing in any one particular area. Opportunities for lower income and higher-density units have been provided in Terra Linda, Northgate, the Civic Center/Merrydale area, Lincoln Hill, along the Miracle Mile in the West End, and in Southeast San Rafael. The greatest concentration of opportunities are in Downtown, which is expected to absorb roughly half of the City’s housing growth over the next 20 years.

There continue to be parts of the City where new housing opportunities remain limited due to the absence of suitable development sites, limited access, or high hazards. In these areas, the focus will be on supporting and encouraging accessory dwelling units and recognizing the potential for lot splits and other changes that incrementally accommodate additional households.

A more comprehensive evaluation of AFFH is included in Appendix A.

4.9 Energy Resources

Government Code 65583(a)(7) requires that the Housing Element include “an analysis of opportunities for energy conservation with respect to residential development.” State guidelines recommend that this analysis identify measures to incorporate energy-saving features, materials, and design in residential development. These measures indirectly reduce housing costs since they reduce monthly utility bills. They also provide the collateral benefit of reducing greenhouse gas emissions and creating a more sustainable community.

The link between energy conservation and housing includes the transportation sector. Transportation is the single greatest consumer of energy in California, and the largest source of greenhouse gas emissions. Much of the regional planning focus over the last decade has been on reducing vehicle miles traveled (VMT) by making it easier to live closer to work or travel shorter distances for shopping and services. Housing Elements can contribute to that goal by supporting more compact growth that makes walking, bicycling, and transit use more viable. Most of the housing opportunity sites identified in this Housing Element are infill, mixed use sites located near SMART stations or major bus lines.

San Rafael also has had a history of promoting sustainability at the local level. It was one of the first cities in the Bay Area to adopt a mandatory Green Building Ordinance in 2007. The ordinance has been updated over the last 15 years in response to countywide initiatives such as Marin Green BERST (Building, Energy, Retrofit, and Solar Transformation) and State adoption of CalGreen building standards. The City currently implements State residential building standards establishing energy performance criteria for new residential and commercial buildings (Title 24 of the California Administrative Code). It also participates in the County’s Housing Rehabilitation Loan Program, which includes funding for energy efficiency improvements. San Rafael is also a member of the Marin County Climate and Energy Partnership, which includes representatives from the County and each of Marin’s cities working to promote energy conservation and efficiency.

San Rafael’s energy is currently provided by Marin Clean Energy (MCE), Pacific Gas and Electric (PG&E), and several smaller energy providers. MCE is the largest electricity provider and has helped the city pivot toward renewable power by relying a largely renewable portfolio. MCE currently serves more than 540,000 customers representing more than one million residents and businesses in 37 member communities. PG&E provides natural gas and operates the power grid that delivers electricity to individual households.

4.9.1 Climate Action Plan

In April 2009, the City of San Rafael adopted its first Climate Change Action Plan (CCAP). The CCAP included policies and programs to reduce greenhouse gases (GHGs) citywide by 25 percent between 2005 and 2020. Forty of the 48 measures listed in the Plan have either been completed or operationalized, helping the City achieve and exceed its targets for 2020. In 2016, the State adopted the target of reducing GHGs to 40 percent of 1990 levels by 2030. The City conducted an update to its CCAP, which was adopted in 2019. The updated CCAP established

new local programs to meet the State target, and set the City on a course for meeting an earlier statewide goal of reducing GHGs by 80 percent by 2050.

The new CAP continues the activities from the original CCAP, many of which relate to residential energy and reducing transportation costs. It also includes a focus on social equity, including an evaluation of each measure to ensure that it does not have unintended negative consequences on lower income households. The 2030 CAP anticipates that 32 percent of the reduction in GHG emissions will result from renewable energy, 18 percent due to energy conservation, and 38 percent due to low-carbon transportation.

The energy efficiency measures include conservation and reducing the use of natural gas, which is a significant contributor to methane emissions. The CCAP includes measures encouraging residents to replace old furnaces, water heaters, stoves, and heating systems with electric versions. Current requirements may be expanded in the future to cover smaller remodels as well as major construction projects. While these requirements would provide long-term benefits through reduced energy costs, they could result in increased construction and remodeling costs. To offset such impacts, Measure EE-C1 calls for expanded participation in residential energy efficiency programs such as Marin Energy Watch, the Bay Area Regional Network (BayREN), Resilient Neighborhoods, and the Marin Climate and Energy Partnership. It also promotes utility, state, and federal rebate and incentive programs, as well as financing and loan programs that assist lower income households.

CCAP measures affecting residential energy use include:

- EE-C2, which recommends energy audits for residential buildings prior to point of sale, including cost savings from energy efficiency measures
- EE-C3, which recommends “cool” pavement and roofs to reduce energy costs
- EE-C4, which suggests that the City consider a Green Building “Reach” Code that requires energy-efficiency measures beyond those required by State building codes. This includes encouraging “all-electric” building systems as an option
- EE-C5, which recommends streamlining the permitting process and providing technical assistance to help residents and contractors implement green building requirements

The 2019 CAP includes expanded measures supporting renewable energy use. San Rafael is particularly well-suited for solar energy given its abundant sunshine. The CCAP anticipates that 24 percent of the City’s energy can come from locally produced solar energy by 2030, up from about 4 percent currently. Where solar is not an option, the CCAP recommends the purchase of 100 percent renewable energy from MCE and PG&E. Both entities have a high percentage of renewable energy in their portfolios, and MCE has made a commitment to use 100 percent renewable energy to all customers by 2025. Changes in technology and energy storage systems are making electrification of residential buildings more viable during the time horizon of this Housing Element.

CCAP action measures relating to renewable energy that may impact housing include:

- RE-C1, which encourages residential solar and renewable energy installations, battery storage installations for renewable systems, reduction of renewable energy fees, and amendments to building codes to facilitate solar installations. It also promotes

participation in low-cost financing programs to reduce financial burdens on homeowners and renters.

- RE-C2, which encourages residents to switch to GHG-free electricity, including MCE's "Deep Green" program.
- RE-C3, which promotes electrification of building systems and appliances that currently use natural gas
- RE-C4, which supports innovative technologies such as micro-grids, battery storage, and demand-response programs that will improve the electric grid's resiliency.

Some of the CCAP measures relate to land use and transportation. These align with the 2040 General Plan, which emphasizes denser land uses around transit and improvements to encourage walking, bicycling, and public transportation. The 2023-2031 Housing Element advances one of the CCAP's major initiatives, which is to make it easier to travel around San Rafael without a car. Reducing auto dependency can lead to lower transportation costs, creating more disposable income for housing.

4.9.2 Building Codes

San Rafael enforces California Energy Commission Title 24, which includes energy standards for new construction and renovation. These standards apply to wall and ceiling insulation, thermal mass, and window to floor area ratio, and are designed to reduce heat loss and energy consumption. The City has also adopted a water-efficient landscaping ordinance and actively supports water conservation practices. In addition to local codes, State and federal appliance standards also now require manufacturers to produce and sell appliances according to specified energy-consumption performance criteria.

The next set of Title 24 standards will take effect at the State level on January 1, 2023. The new requirements encourage efficient electric heat pumps, establish electric-ready requirements for new homes, expand solar photovoltaic and battery storage standards, and strengthen ventilation standards.

4.9.3 Programs to Reduce Residential Energy Costs

A range of programs have been developed to reduce energy costs for residents of San Rafael and surrounding communities. Some of these programs are administered by Pacific Gas and Electric (PG&E), some are administered by Marin Clean Energy (MCE), and some are administered by energy-related agencies or non-profit organizations. An overview of these programs is provided below.

Energy Management and Assistance Programs

- **Bay Area Regional Energy Network (BayREN)** provides energy efficiency rebates, no-cost energy consulting to Bay Area residents. Single family homeowners can receive rebates up to \$5,000. BayREN also offers a program for multifamily property owners to receive \$750

per unit for improvements that reduce their building's energy use by 15 percent. These savings can provide housing cost benefits to tenants through lower utility bills.

- **Property Assessed Clean Energy (PACE)** is a financing tool that allows property owners to borrow money to pay for renewable energy systems, energy efficient improvements, seismic retrofits, and more by spreading the cost of the upgrade over a period of time. Payments are made through a special assessment on the property tax bill.
- **Resilient Neighborhoods** is a program encouraging energy conservation at the neighborhood level across Marin County. It promotes awareness of the importance of conservation and efficiency to achieve broader climate-related goals, including toolkits to assist residents with energy conservation in their own homes.
- **MCE Clean Energy's Home Energy Savings Program** provides no-cost home energy upgrades, a home energy assessment, and a gift box with energy-saving products for homeowners and renters. Home energy upgrade measures include heat pumps, water heaters, attic insulation, gas furnaces, duct sealing and pipe insulation. Eligibility is determined by income and a home assessment.
- **Energy Upgrade California** is a statewide initiative committed to helping Californians be more energy efficient and use more sustainable natural resources. Planning assistance and cash rebates are available to single family property owners and to multi-family properties that undertake energy and green upgrades. The program also includes workshops and events for residents to learn about rebates and connect with energy efficiency contractors.
- **Energy audits** are intended to identify sources of energy loss in private homes, with follow-up recommendations to address deficiencies. A typical audit includes a review of home appliances, furnaces, air conditioning systems, ductwork, insulation, and other building systems. In some instances, rebates are available for residents who implement energy efficiency recommendations.
- **GoGreen Home Energy Financing** is a State program that administers financing loans for central heating and air conditioning, windows and appliances, cool roofs, and other home improvements. GoGreen is operated through the California Hub for Energy Efficiency Financing (CHEEF), a public-private partnership between state agencies and investor-owned utilities to increase private investment in energy retrofits. The GoGreen Affordable Multi-Family Energy Financing Program (GoGreen Multifamily) is designed to leverage other efforts to finance multi-family energy retrofits and encourage growth in private market energy efficiency lending.
- **Federal Housing Administration Energy Efficient Mortgage Program (EEM)** is designed to help families save money on their utility bills by enabling them to finance energy efficient improvements with their FHA-insured mortgage.
- **Balanced Payment Plan (BPP)** is designed to eliminate big swings in home and business payments by averaging energy costs over the year. PG&E averages the customer's energy costs in the previous 12 months to arrive at a monthly balanced payment amount.

Programs for Lower Income Residents and Residents with Special Needs

- **Relief for Energy Assistance through Community Help (REACH)** is a one-time energy-assistance program sponsored by PG&E and administered through non-profit organizations like the Salvation Army. Those who have experienced an uncontrollable or unforeseen hardship may receive an energy credit of up to \$300. Generally, recipients can receive REACH assistance only once within a 12-month period, but exceptions can be made for seniors, the physically challenged, and the terminally ill.
- **Energy Watch Partnership Program** is administered by PG&E and provides free education and weatherization services to income-qualified households. The program offers a free home energy audit and can include services such as attic insulation, weather stripping, and minor home repairs (in some cases free replacement and installation of appliances).
- **California Alternate Rates for Energy (CARE)** reduces monthly energy bills for qualified households by about 30 percent (for electricity; 20 percent for natural gas). Eligibility is based on whether any person living in the home participates in a list of public assistance programs or meets certain household income guidelines.
- **Family Electric Rate Assistance Program (FERA)** is a rate reduction program for large households of three or more people with low- to middle-income. Qualifications are based on household income. FERA generally provides an 18 percent discount on electricity.
- **Low-Income Home Energy Assistance Program (LIHEAP):** LIHEAP is a federally funded program that helps low-income households pay their energy bills. The program offers a variety of services, including HEAP, which provides one-time financial assistance; LIWP, which provides weatherization services; and the Energy Crisis Intervention Program (ECIP), which assists low-income households that are in a crisis situation. Qualifying customers receive up to \$1,000 in assistance. In Marin County, the program is administered by Community Action Marin. Eligibility and assistance level are based on household size, income, and program priorities.
- **Low Income Weatherization Program** is a State (Department of Community Services and Development) program that provides photovoltaic (solar) energy systems and energy efficiency upgrades at no cost to residents. It focuses exclusively on solar energy and includes a multi-family housing component.
- **Medical Baseline Program:** Residential customers can get additional quantities of energy at the lowest (baseline) price. To qualify for Medical Baseline a full-time resident in the home must have a qualifying medical condition and/or require the use of a qualifying medical device to treat ongoing medical conditions.
- **California Public Utilities Commission Energy Savings Assistance Program (ESA)** provides no-cost weatherization services to low-income households who meet specified income guidelines. Services provided include attic insulation, energy efficient refrigerators, energy efficient furnaces, weatherstripping, caulking, low-flow showerheads, water heater blankets, and door and building envelope repairs which reduce air infiltration.

4.10 Financial Resources

Text to be added by 11/7