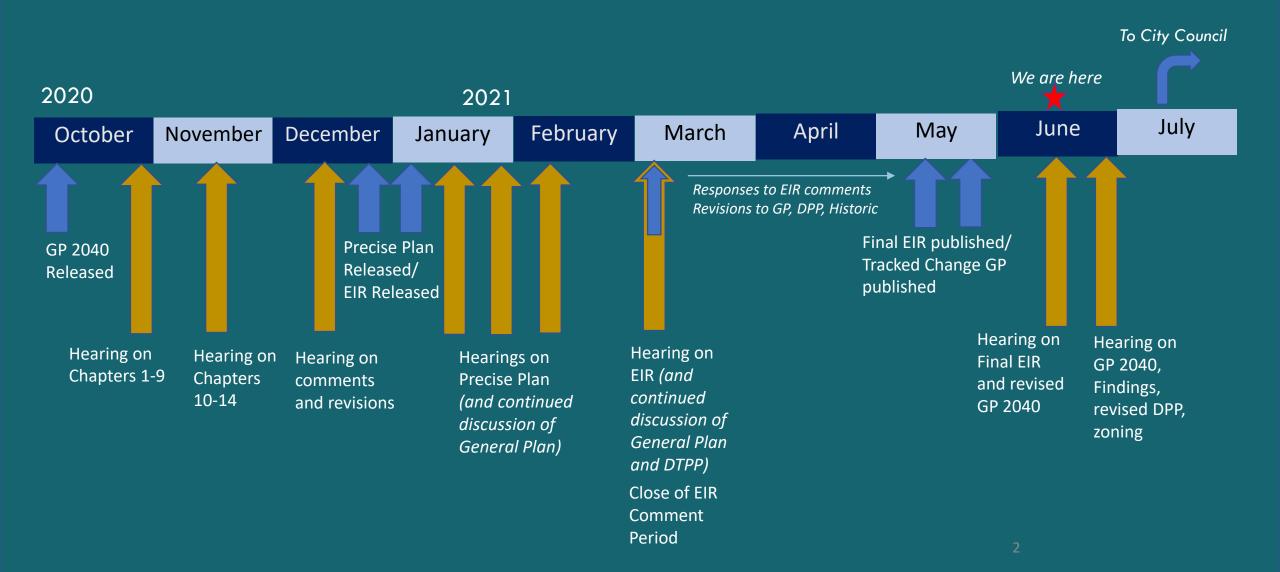


#### San Rafael General Plan 2040

San Rafael Planning Commission Public Hearing: June 15, 2021



## Planning Commission Process



## Planning Commission Actions

#### Recommend Approval of Final EIR

Commission affirms
the adequacy of the
CEQA document,
including the
responses to
comments, and
recommends its
adoption by the City
Council

(RESO 2021-02)

Recommend
Approval of
CEQA Findings
and Statement of
Overriding
Considerations

Commission recommends findings regarding the benefits of the project and its significant, unavoidable impacts

(RESO 2021-03)

Recommend Approval of General Plan 2040

Commission finds
General Plan 2040
to be in the public
interest and
recommends its
adoption by the City
Council

(RESO 2021-04)

Recommend Approval of Downtown Precise Plan

Commission finds
the Downtown
Precise Plan to be in
the public interest
and recommends its
adoption by the City
Council

(RESO 2021-05)

# Recommend<br/>Zoning<br/>Amendments

Commission recommends Council adoption of Ordinances:

- a) Eliminating certain
  Downtown zoning
  provisions
- b) Adoption of Form Based Code
- c) Misc. Code changes

(RESO 2021-06)









# City of San Rafael General Plan 2040 and Downtown Precise Plan Draft EIR

June 15, 2021



### **CEQA** Overview

- The California Environmental Quality Act (CEQA) is the State's primary environmental protection law.
- An informational document:
  - Discloses the potential environmental impacts of projects that have a *physical effect* on the environment;
  - Identifies mitigation measures;
  - Describes feasible alternatives to the proposed project.
- CEQA does not dictate project approval or denial.

## Program-Level EIR

- Program-level environmental review documents are appropriate when a project consists of a series of actions related to the issuance of rules, regulations, and other planning criteria (CEQA Guidelines Section 15168).
- Does not evaluate impacts of future construction-level projects that are consistent with the General Plan
- Does allow the subsequent project-level environmental review for future development to tier off the Program EIR
- Streamlines future environmental review procedures

## Addressing Environmental Impacts

- Where significant environmental impacts are identified, CEQA requires the impact be:
  - avoided
  - minimized
  - rectified
  - reduced or eliminated
  - compensated
- CEQA permits the General Plan to incorporate mitigation measures as goals, policies, and actions that are designed to protect, preserve and enhance environmental resources

### Environmental Topics Evaluated in the EIR

- Aesthetics
- Agriculture & Forestry Resources
- Air Quality
- Biological Resources
- Cultural & Tribal Cultural Resources
- Energy
- Geology & Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials

- Hydrology & Water Quality
- Land Use & Planning
- Mineral Resources
- Noise
- Population & Housing
- Public Services
- Parks & Recreation
- Transportation
- Utilities & Service Systems
- Wildfire

### Statement of Overriding Considerations

- The City may approve the project with the known significant and unavoidable impacts by issuing a "Statement of Overriding Considerations" that identifies how the benefits of the project outweigh the potential adverse environmental effects.
- The "Statement of Overriding Considerations" must be included in the record of project approval.

## Air Quality

Impact AIR-2.2: Operational activities associated with potential future development could cumulatively contribute to the non-attainment designations of the San Francisco Bay Area Air Basin.

Impact AIR-3.2: Operational activities associated with potential future development could expose sensitive receptors to substantial toxic air contaminant concentrations from non-permitted sources

#### Cultural and Tribal Cultural Resources

Impact CULT-1: Future development in San Rafael on sites that contain a historic resource may cause the demolition, destruction, or alteration of a historic resource such that the significance of the resource is "materially impaired." Such adverse changes or potential adverse changes in the significance of a CEQA-defined historic resource would constitute a significant impact.

Impact CULT-5: Implementation of the proposed project would cause impacts that are cumulatively considerable when viewed in connection with the effects of past, present, and reasonably foreseeable projects.

#### Greenhouse Gas Emissions

**Impact GHG-1:** Implementation of the proposed project may not meet the long-term GHG reduction goal under Executive Order S-03-05.

#### Transportation

Impact TRAN-1a: Implementation of the proposed project would result in a significant land use VMT impact for total VMT and work VMT due to forecast land use growth through 2040, based on a comparison of the VMT rate increment for total VMT per service population and work VMT per employee to the corresponding average baseline rates for the full nine-county Bay Area.

**Impact TRAN-1b:** Implementation of the propose project would result in a significant road network VMT impact due to the planned capacity of the roadway system.

**Impact TRAN-6:** Implementation of the proposed project could cumulatively contribute to regional VMT.

#### Resolution 2021-02 finds that:

- The EIR has been prepared in accordance with CEQA
- The EIR follows appropriate format, content, technical analysis, and consideration of alternatives, and followed all noticing requirements
- The EIR information is current and correct
- No new information has been added that would result in new impacts or increased severity of impacts
- The Commission has considered public comments
- Mitigation measures have been included to lessen, eliminate, or avoid impacts
- FEIR is an informational document and will be reviewed when future actions are taken
- Findings will be made to support Statement of Overriding Considerations

#### Response to Sustainable San Rafael (SSR)Comment

- SSR requested an additional finding that despite significant, unavoidable greenhouse gas impacts, the City will vigorously implement programs to reduce GHG emissions
- Staff will add this finding to Resolution 2012-03 on the Statement of Overriding Considerations
- We also propose the following additional "Whereas" clause to the top of page 3 of the Resolution:

"WHEREAS, the City is committed to vigorous implementation of all programs it considers necessary to lessen impacts found to be significant and unavoidable, including implementation of its Climate Change Action Plan to reduce greenhouse gas emissions in order to achieve or exceed State climate goals"

### Overview of Revisions to General Plan 2040

## Changes to General Plan 2040 Reflect:

- Letters and emails received since September 2020
- Oral testimony at Planning Commission hearings
- Comments and feedback from Commissioners at Public Hearings
- Conforming changes related to Downtown Precise Plan edits
- Changes in response to Draft EIR comment letters
- Integration of EIR Mitigation Measures
- Staff edits, corrections, and clarifications

### Comments on General Plan 2040

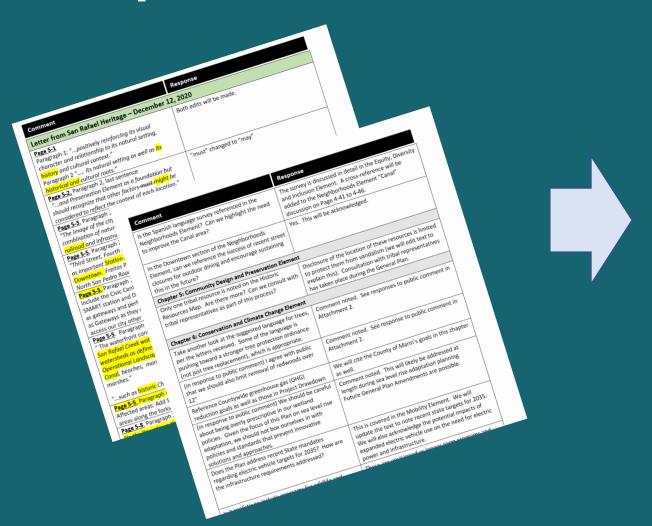
- Zoom/ YouTube Live Testimony on Oct 27, Nov 12, and Dec 15
- Initial Letters / emails
  - Tree Preservation
  - Shirley Fischer
  - San Rafael Heritage
  - Responsible Growth in Marin (RGM) (on land use and neighborhoods)
  - RGM (on transportation)
  - Hillside Neighbors
  - Marin Audubon
  - Terra Linda Homeowners
  - Sierra Club
  - Marin Conservation League

- Subsequent letters/ emails
  - Canalways owners
  - RGM on Economic Vitality Element
  - San Rafael Heritage (on Resources Survey)
  - Hillside Neighbors
  - West End Neighborhood Association
  - Merlone Geier
- EIR Comments Relating to GP
  - CDFW
  - Caltrans
  - TAM
  - GGBHTD
  - Sustainable San Rafael
  - Marin Audubon
  - Rock Quarry

## **Prior Planning Commission Review**

- Informational report and discussion on Sept 15, 2020
- Chapter-by-chapter review and discussion (Chaps 1-9) on 10/27/20
- Chapter-by-chapter review and discussion (Chaps 10-14) on 11/12
- Review of responses to comments and resolution of issues on 12/15
- Continued discussion at Jan, Feb, Mar hearings
- Commission comments were anotated and responses were prepared

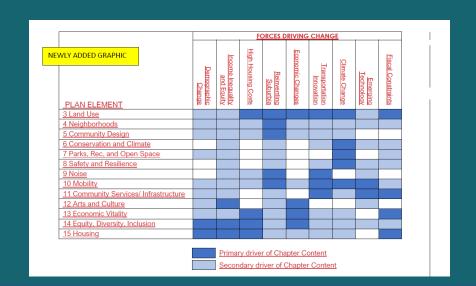
## Response to Comments Documents

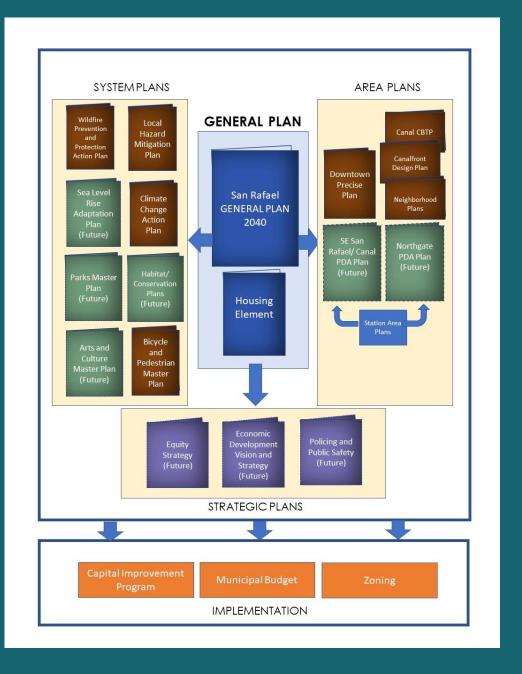


	10.00		-	Sheet1 Sorted (+)	<u>l-1 0 1 1 7 1 1 7 7 1 1 7 7 1 1 1 1 1 1 1 </u>							
327					stated.							
			De	Fire Code turning radius for emergency vehicles. See earlier do not need to be restated in the Plan. The for on "ensuring adequate emergency access", as								
			DeWitt	time criteria and the second requiring conformance with CA	References to mandatory State and National Codes							
			‡	requiring all Fire/EMS services to meet NFPA 1710 response	will consult with Fire Dept for futher edits.							
	10-25	233	<del>, , ,</del>	Mobility Element p 10-25, please add 2 programs, the first	See proposed edit to Program CSI-3.2B below. Staff	Staff						
326	_				spine of Downtown.							
			RG	zone along 4 <sup>th</sup> Street?	etc.) and other pilot pedestrian projects may be considered, but 4 <sup>th</sup> remains the primary transit							
			3GM-11-	transit route along 4 <sup>th</sup> Street" Why not consider a pedestrian	Continued temporary closures (for street dining,							
	10-23	275		ME, p. 10-23, Table 10-1, 2E: " while maintaining high quality	This is addressed in detail by the Precise Plan.							
325	-				General Plan's highest priorities.							
			20		Rafael and SE/Canal Area Plans are among the							
			3GM-11-	Rafael improvements in the event the PDA is not funded.	designation is important to demonstrate the need							
	10-23	262	1-12	Table 10-1: Suggest adding alternate approaches for North San Citing these measures as dependent on the								
324				copy of the report.		_						
			RGM-11-	the City's traffic impact fee program." We would appreciate a	·							
				contained in a separate report that provides the foundation for								
723	10-22	265	12									
323			RGM-11	operations, etc.)	of the analysis							
			1-11	Engineer may develop recommendations to improve	discretionary action that depends on the outcome							
	10-22	261		Program M-2.5C: change "may" to "shall" (The City Traffic	"May" is the more appropriate term since this is a							
322			_		comments will be considered in the revision.							
			RGM-11	Guidelines.	rewritten to call for periodic updates. The RGM							
				impacts will be identified in the City's Traffic Impact Study	General Plan is adopted, so this program will be							
321	10-21	274		Program M-2.5A: Edit to note how projects that cause negative	The guidelines will likely be finished before the	-						
321			RGM-11-	evaluating roads below accepted LOS)								
			‡	instances. (preparing TIS guidelines and including metrics for	included.							
	10-21	260	-12	P 10-21, paragraph 3. Change the "should" to "shall" in both	Both of these changes are acceptable and will be							
320			8 8		not subject to this requirement.	nis was a major area of SP 2040 Steering sjor take-away was that there discussion on this issue as ree being prioritized.  appropriate term in this e may be Downtown projects is street closures, etc.) that are requirement.  ges are acceptable and will be some acceptable and will be prepried, so this program will be prepried to updates. The RGM considered in the revision.  appropriate term since this is a in that depends on the outcome will be prepried to updates. The RGM considered in the revision.  appropriate term since this is a in that depends on the outcome will be considered in the revision.  The results of the revision of t						
			RGM-11-		(bike lanes, plazas, street closures, etc.) that are	es, etc.) that are table and will be shed before the program will be lates. The RGM the revision.						
	10-20	259		Policy M-2.5, Clause (d): change "may" to "shall"	"May" is the more appropriate term in this instance since there may be Downtown projects							
319	10-20	250	2	D. I. 2005 Cl	capital projects were being prioritized.	_						
240			~		should be public discussion on this issue as							
			3GM-11		Committee—the major take-away was that there							
			-11	qualitative discussion since benefits are hard to quantify.	discussion by the GP 2040 Steering							
	10-14	255	-12	Program M-2.3A: Ultimately, cost benefit analysis will be a	Comment noted. This was a major area of							
318			RG		sentence.							
			RGM-11	handicap accessibility.	to the description of Complete Streets in this sentence.							
	10-13	282		ME, p. 10-13: Last sentence in blue section should also mention	n Access for persons with disabilities will be added to the description of Complete Streets in this							
	10-13	282	12	ME n 10-13: Last sentence in blue section should also montion	Access for persons with disabilities will be added							

## Front Section Major Edits

- Land Acknowledgment Statement
- Family of Plans Diagram
- Call to Action: Equitable Economic Development Strategy
- "Connecting the dots" from the Framework to the Plan Elements





#### Land Use Element Edits

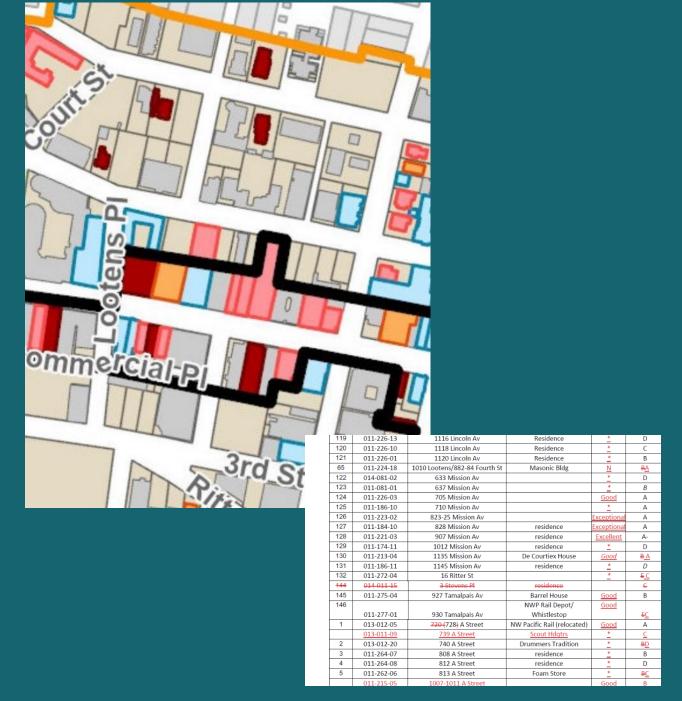
- Repurposing of vacant office/commercial space with housing
- Tension between growth and development
- Value of open space for wildlife/ habitat
- Clarification of local vs state density bonus

#### **Neighborhoods Element Edits**

- West End supplemental text
- Terra Linda supplemental text
- Canalways edits
- Northgate edits
- Quarry editorial changes

# Community Design and Preservation Edits

- Edits to maps
- Stronger tree preservation language
- New historic preservation programs
- EIR mitigation measures on archaeological and paleontological resources
- Extensive revisions to Downtown Historic Resources Survey and Summary Report



# Conservation/Climate Change Element Edits

- Revisions to wetlands policies in response to public comment
- CEQA mitigation measures
  - Wildlife surveys
  - Bird safe design
  - Nesting birds
  - Sensitive receptors and air quality
- Stronger GHG reduction measures
  - Electrification of building systems
  - Updates of CCAP

# Safety and Noise Element Edits

- Clarifications to Geotechnical requirements and hazards
- Clarifications to Noise standards and contour diagrams
- CEQA mitigation measures for development on formerly contaminated sites
- CEQA mitigation measures to reduce construction noise and vibration

### **Mobility Element Edits**

- Data added in response to public comment
- Added discussion of regional CMP (TAM comment)
- Updated text on Transportation Analysis guidelines
- CEQA mitigation measure to update Trip Reduction Ordinance
- Strengthened language on zero emission vehicles, EV charging

# Community Services and Infrastructure Element Edits

- Child Care language strengthened
- Fire protection standards recognized
- Text added on drought state of emergency
- Community composting program language strengthened

# Economic Vitality Element Edits

- Purpose of Element reiterated and limitations acknowledged
- Additional data added in response to public comment
- Urgency of economic development strategy acknowledged to align City's fiscal stability, equity, and economic goals
- Text related to pandemic impacts updated and moderated

# **Equity, Diversity, Inclusion Element Edits**

- Additional text added emphasizing local diversity, racial and social justice movement
- LGBTQ community recognized
- Need for sanctioned space for public expression recognized
- Need for mental health services discussed
- Text addresses better connecting Canal area to rest of city

### **Appendices**

- A. Plan Implementation Matrix
- B. Housing Element Technical Report
- C. Transportation Data
- D. Flood Risk and Sea Level Rise Adaptation Study
- E. San Rafael Sea-level Rise Adaptation Technical Guidance Study
- F. Geotechnical Review Requirements
- G. Recreation Facilities to Retain Through Naylor Legislation
- H. Potential Open Space Sites for Public Acquisition
- I. Noise Contour Diagrams
- J. Glossary of Terms

## Appendix A: Implementation Matrix

PLAN I	MPLEMENTATION MATRIX		Guiding Principles							
ID#	Program Description	Timeframe	Responsible Departments or Agencies (lead in bold)	Resources	Strengthening our Foundation	Adapting to the Future	Economic Vitality	Opportunity for All/ Equity	Housing our Growing Community	Mobility
LAND US	SE ELEMENT									
LU-1.1A	Evaluate General Plan at least once every 5 years	OG	CD, PC, CC	GP Impl Fee	√	√	1	√	1	1
LU-1.2A	Use Development Review to ensure adequacy of infrastructure.		-9	Staff Time, Fees	1					√
LU-1.3A	Quantify and Monitor the Benefits of Transit-Oriented Development	MT		Staff Time, Grants, Partnerships		√			√	√
LU-1.3B	Ensure that zoning allows reasonable interim uses of property	OG	,	Staff Time		√	√	√		
LU-1.6A	Encourage LAFCO to adopt urban service and annexation policies consistent with the General Plan	OG	(000)	Staff Time	√		√		√	
LU-1.7A	Review applications for development adjacent to San Rafael	OG	CD, CC, CM, other (County)	r Staff Time	√	√	√		√	√
LU-1.8A	Implement zoning consistent with General Plan densities	ST		Staff Time	√		√		√	
LU-1.8B	Maintain minimum densities	OG	CD	Staff Time				√	1	
LU-1.8C	Amend 14.16.300 to allow more than one unit per lot on lots under 5,000 SF in multi-family areas		,,	Staff Time				√	√	
LU-1.10A	Implement General Plan FAR limits in zoning	ST	CD, PC, CC	Staff Time	1		√		√	
LU-1.12A	Explore TDR to address sea level rise and fire hazards	MT	CD, DPW, ED, other	Staff Time, Grants		√	√		√	
LU-1.15A	Maintain Planned Development (PD) zoning	OG	CD	Staff Time	1	√			√	
LU-1.16A	Implement school site reuse through zoning and development review	OG	CD, PC, CC, other	Staff Time, private funds	√			√	√	
LU-2.1B	Revise subdivision ordinance for consistency with General Plan	ST	CD, DPW	GP Impl Fee	√	√				

- Timeframe
- Responsible Dept/Agency
- Resources
- Link to Guiding Principles

### Downtown Precise Plan Revisions

- Clarification of how to calculate height on Sloped Sites
- Clarification of how to calculate density bonuses
- Relationship between Local (Plan) density bonus and State density bonus
- Fourth Street public space and improvements as pedestrian space
- Shadows and solar studies
- Updated historic buildings inventory
- Updated eligible historic districts designation
- Updated standards for historic properties and adjacent properties
- Minor map edits
- Use table revisions

Municipal Code Amendments needed to rescind existing zones, adopt new FBC, and modify text for internal consistency

## Tonight's Hearing

- Clarifying Questions
- Accept Public Comments on FEIR and GP 2040 Revisions
  - Including written correspondence
- Commission Discussion
- Action on Resolution 2021-02 (FEIR)
- Continue hearing to June 29

