

## Additional Comments on General Plan 2040 Received between June 1, 2021 and June 24, 2021, with Staff Responses

COMMENT	RESPONSE
<b>Letters Received</b>	
Note: Key points in each letter have been summarized below. These are not verbatim excerpts from each letter.	
<b>Letter from Sustainable San Rafael, 6/14/21</b>	
We appreciate the strengthening of key General Plan 2040 greenhouse gas (GHG) reduction programs in response to our 3/9/21 comments on the Draft EIR. Although we disagree with the rationales given by the EIR consultants for their conclusions regarding GHG reductions by 2040, we do understand them. However, the fact that the Final EIR continues to find the greenhouse gas (GHG) impacts of General Plan 2040 to be “significant and unavoidable” raises a major red flag that San Rafael must redouble its efforts to reduce climate change. The FEIR projects a 20% reduction of GHG by 2040, while stating that a 60% reduction by then would be required to meet state law (table 4.5-5). Contrary to the report’s suggestion, these GHG impacts are not unavoidable. The technologies needed to reach 60% local emission reductions are readily available and affordable in all the emission sectors that the FEIR lists.	All comments noted. The response to SSR’s March 9 comment letter on the EIR, which may be found in the FEIR document published on May 21, 2021, explains the rationale for the conclusion of a significant unavoidable impact. While the impacts may well be avoidable, the CCAP only runs until 2030 and there is no adopted GHG reduction plan for San Rafael covering 2030-2040 to reach the 60% target. Thus, the significant, unavoidable finding is appropriate.
By implementing low-emission building electrification, transportation, and organic waste programs early this decade, the City can and must achieve the targeted 60% reduction of GHG over the 20-year term of the Plan, for both existing and new development, placing San Rafael on a solid trajectory toward carbon neutral.	All of the programs referenced here have been strengthened in the redlined draft General Plan (see Programs C-4.1D, C-5.1A, M-3.6A, and CSI-4.17E in the May 2021 version).
we request the following addition to Section 6 (or elsewhere) of the FEIR Certification Resolution, and subsequent related resolutions: <i>‘d) That notwithstanding any finding of overriding consideration relative to GHG reductions, the City shall continue to vigorously implement all programs it considers necessary to achieve or exceed State GHG goals, including actions pursuant to its 2021-22 Climate Change Action Plan priorities to reduce emissions through building electrification, electric vehicle adoption, and mandatory organics recycling, thereby addressing the three largest sectors of San Rafael’s GHG footprint in the timeframe needed to meet such goals.’</i>	This finding is appropriate in the Statement of Overriding Considerations and will be cited there. In addition, the Planning Commission approved Resolution 2021-02 on 6/15/21 with the following additional “Whereas” clause, in recognition of this request (inserted at top of page 2):  <b><u>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; and</u></b>

**Letter from Victoria DeWitt/Hillside Neighbors, 6/15/21**

<p><b><u>Policy LU-2.6: Lot Consolidation</u></b>  <i>Encourage the consolidation of small (&lt;6,000 SF) lots zoned for higher density residential, commercial, and mixed uses in order to create more viable development sites. <u>Encourage consolidation of hillside lots which are difficult to develop because of size or slope or have difficult fire and emergency access.</u> Lot consolidation can provide greater flexibility in site planning, make it easier to meet parking and access requirements, <u>hillside development standards</u> and enable building sizes and dimensions that are more economically viable <u>and compatible with the surrounding neighborhood development pattern.</u></i></p>	<p>Policy LU-2.6 is specifically intended for land “zoned for high density residential, commercial and mixed use development.” Its purpose is to increase the feasibility of building on these lots. The consolidation of small single family lots in hillside areas is a separate issue, and it is also important. It should be covered by a separate policy rather than an edit to LU-2.6. Policy CDP-1.3 (Hillside Protection) has been strengthened to address the issues raised here. See response below.</p>
<p><b><u>Program LU-2.6A: Lot Consolidation Incentives.</u></b> <i>Continue to encourage small lot consolidation through zoning regulations. Incentives such as height and floor area bonuses and reduced parking should be considered, provided they do not result in the loss of unique or historic buildings <u>or impede emergency vehicle access.</u></i></p>	<p>A new program will be added to CDP-1.3 (Program CDP-1.3B) called “Consolidation of small hillside lots” as follows: <u>“Where feasible, consolidate small, nonconforming hillside lots in areas with slope and emergency vehicle access constraints into larger, conforming parcels. Apply hillside development standards in the event such lots are developed to ensure that construction is compatible with the neighborhood development pattern.”</u></p>
<p><b><u>Program LU-2.12D: Accessory Dwelling Units.</u></b> <i>Continue to support the conversion of underutilized residential space into accessory dwelling units (ADUs) and Junior Accessory Dwelling Units (JADUs), as well as the development of new ADUs and JADUs in residential areas <u>except where access difficulties for fire and emergency vehicles pose risks to public health and safety.</u></i></p>	<p>This change is acceptable and will be included</p>
<p><b><u>West End Neighborhood Description.</u></b> <i>The community would like increased pedestrian and bicycle safety improvements; <u>including improvements in the nearby West End Village along Second Street and at the busy crossing involving Second, Third, Fourth, West End and Marquard Streets.</u> Pedestrian pathways, stairways and trails make the neighborhood more walkable. Landscaping improvements and maintenance of medians along <u>Second Street, the Miracle Mile and West End Avenue, as well as attractive setback landscaping along all streets, increase the beauty and value of the neighborhood. Tree planting, in addition to the preservation and protection of existing trees, should be included in new development to <u>maintain and enhance this character.</u></u></i></p>	<p>Edits to sentences 1 and 3 will be made as shown. Last sentence edit: “Tree planting and preservation should be included in new development to maintain and enhance this character.”</p>
<p><b><u>West End Speaks,</u></b> recommended edits:           3. Limits to building hillside homes on steep hillsides, particularly south facing, to mitigate erosion, landslide prevention, and native tree removal. <b>QUESTION: Why just</b></p>	<p>The “south-facing” reference was included in the material submitted by Brian Walsh of the WENA Board. We will delete it.</p>

<p><b>south-facing hillsides? We have north-facing hillsides that are subject to the same problems.</b></p> <p>5. Complete <del>ion</del> of the Grove Hill Estates pathway established in 1983, a trail connecting 5<sup>th</sup> Avenue and Tamal Vista Drive, as designated on City maps.</p>	<p>Reword as:</p> <p>5. Complete the Grove Hill Estates path connecting 5<sup>th</sup> Avenue...etc. (reference to 1983 is already covered on this page, to the immediate left of the text box)</p>
<p><b>Program CDP-3.6A: Mitigation for Tree Removal.</b> Continue to implement mitigation requirements for tree removal in new development. When necessary, this could include planting of trees in locations other than the project site, planting native trees in lieu of non-natives, or reducing the footprint of proposed development. <u>To calculate the replacement requirements of trees removed, the number and type of trees planted</u> <del>Free replacement value should be based on a value that is equal to or greater than the carbon footprint and ecological benefits of the trees being removed. Ecological benefits include water conservation, absorption of runoff, reduction of air pollution, energy reduction from shade and cooling effects, soil retention, and slope stabilization, and wildlife support. In addition, being</del> <u>designated as a “Tree City,” we must consider the aesthetic beauty that a single mature tree or grove of trees provide by softening the surrounding hardscape and bringing joy to residents.</u></p>	<p>Please note that as a result of these comments we are moving Policy CDP-3.6 and program CDP-3A out of the CDP Element entirely and locating it in the Conservation and Climate Change Element along with the tree policies that deal with private property. Program CDP-3.6B will become CDP-3.5E since it deals with public right-of-way (sidewalks).</p> <p>Tree replacement <u>requirements</u> should be based on a value....</p> <p>Will make this point in the text box on p 5-18. It is editorial, and fits better in the narrative rather than a program. Add to second para. <u>“As a Tree City, San Rafael must consider the aesthetic beauty that a single mature tree or grove of trees provides.”</u></p>
<p>a.) Question: What “tree regulations” are you proposing to “revise”; please refer to SRMC or an ordinance number? Proposed paragraph to replace existing wording:</p> <p><b>Program C-1.16C. Tree Preservation.</b> <b><u>Adopt a tree ordinance to define protected and heritage trees, limit the removal of trees of a certain size, require equivalent replacement when trees must be removed, and establish permit requirements and procedures for tree removal and protection. Define California redwoods (Sequoia sempervirens) as a protected species, along with other native trees.</u></b></p>	<p>The intent was to revise Chapter 11.12 of the Muni Code (Trees) but since that primarily addresses street trees, we will amend as follows:</p> <p><i>Revise Chapter 11.12 of the Municipal Code (Trees) or add a new Code section that defines protected and heritage trees and establishes permit requirements and procedures for tree protection, removal, and replacement. The regulations should strongly support the protection of California redwoods (Sequoia sempervirens) and other native trees.</i></p> <p>The definition of protected species, tree sizes that require permits, findings for removal, and replacement standards would be determined through the Ordinance process. Public input will be required.</p>
<p><b>Polcy C-1.17: Tree Management:</b> Add new sentence: <i>Strongly encourage the preservation of healthy, mature trees when development and/or construction is proposed. Site plans should indicate the location of existing trees and include measures to protect them where feasible. <u>Require a tree management plan prepared by a licensed arborist using published standards and practices for protecting and monitoring the health of the existing trees both during and post construction.</u></i></p>	<p>The suggested sentence would be an implementing program, not a policy. See new Program C-1.17A below.</p> <p>Program C-1.17A: Tree Management Plan: Require that development applications with the potential to remove or substantial impact trees prepare a tree management plan prior to approval. The Plan should be prepared by a licensed arborist using published standards and</p>

	practices for protecting and monitoring tree health during and after construction
<p>c.) Add the following program:</p> <p><i>Program C-1.17A. Tree replacement policy. Adopt a tree replacement policy that reduces our carbon footprint and aligns with the City’s policies for Climate Change. Rather than require tree replacement of 3:1, without regard to size, and frequently settling for a noncompliance fee, require tree replacement based on a calculation of energy costs savings, runoff absorption, wildlife support, carbon absorption, fire hazard mitigation, and beauty that is equal to or greater than the trees that are removed.</i></p>	This is covered by Program CDP-3.6A. Per the response above, we are moving Policy CDP-3.6 and Program CDP-3.6A to the Conservation Element so all the tree policies are in one place.
<p><b>Policy S-2.2: Minimize the Potential Effects of Landslides.</b>  Minor edit, change “a” to “the”:  Development proposed in areas with existing or potential landslides (as identified by a Certified Engineering Geologist, or Registered Geotechnical Engineer, or the LHMP) shall not be endangered by, or contribute to, hazardous conditions on <del>a</del> <b>the</b> site or adjoining properties.</p>	This change will be made.
<p><b>Program M-6.3A: Implementation of Pathway Improvements.:</b> add the following bulleted item:</p> <ul style="list-style-type: none"> <li>Complete Grove Hill Estates public pedestrian path along the easement adopted in 1983 to connect Tamal Vista Drive to the Sun Valley neighborhood.</li> </ul>	No change. This is a localized improvement and it is already addressed in the Neighborhoods Element (multiple times). The bulleted list focuses on citywide improvements.
<p><b>Policy M-7.3: Parking Technology,</b> pg 10-47  Use technology to improve parking efficiency and reduce the land area required to meet parking needs, <u>where feasible.</u></p>	See prior response to this request.
<p><b>Policy CSI-3.2: Mitigating Development Impacts</b>  Engage the Police and Fire Departments in the review of proposed development and building applications to ensure that public health and safety, fire prevention, and emergency access and response <u>times meet current industry standards.</u>  <del>needs are considered and effectively addressed.</del></p>	This change will be made.
<p><b>Appendix F: Geotechnical Review Matrix,</b> Exhibit HH, Pg. F-11:   Add to the bottom, under NOTE:  <u>For Hillside lots with an average slope greater than 25%, refer to the Hillside Residential Guidelines Manual, Appendix C for Geotechnical/Hazardous soils review</u></p>	This change will be made.
<b>Stacy Clement, 6/15/21</b>	
<p>Hi Barry, I would like to submit the attached comments, which were prepared by Victoria DeWitt and which I am in agreement with. Thanks (the comment letter from Victoria, responded to above, is attached.</p>	See responses above

<b>Steve Thomson, 6/15/21</b>	
Supports Victoria DeWitt's comment letter re: trees	Comment noted. See responses to Victoria's letter above.
Tree management is critical to preserve the quality of life---residents have made substantial investments in their properties and earned the right to full enjoyment without obtrusive non-sensible interference that could result from city politics.	The General Plan text supports this position.
The management of trees from Marquard Ave. to the end of Fremont Rd has particular impact on me, as the very last home on the end of Fremont Rd. Towering Redwood groves provide a canopy that cannot be replaced, and should not, as they are intrinsic to the quality of life we pay for. It's my understanding that the largest Redwoods are considered "heritage trees", and preserved for protection under State Laws. There are other Redwoods that might not meet the required height/girth, but are extremely strategic to the overall neighborhood -- including many of the points in Victoria's letter. These too should be preserved at all cost, and if anyone should determine at some point to cut one of these giants down, particularly in the right of way, Public Notice must be posted on the tree for public viewing for no less than 30-days. This effectively gives all homeowners the right to have their voices heard, with the possibility of altering decisions on removing any Redwood tree.	The revised General Plan 2040 includes a program to prepare a tree ordinance that addresses the issues in this comment and the one below it. It is beyond the scope of the General Plan to specify the trees that will be covered, the diameter of trees protected, and the protocol for public noticing. This would be determined through a public process following Plan adoption.
Other species of large trees in our neighborhood, perhaps don't require the same level of scrutiny, but still should be earmarked for public view --most notably Bay Trees that obstruct views and tend to require thinning / trimming frequently.	See response above.