

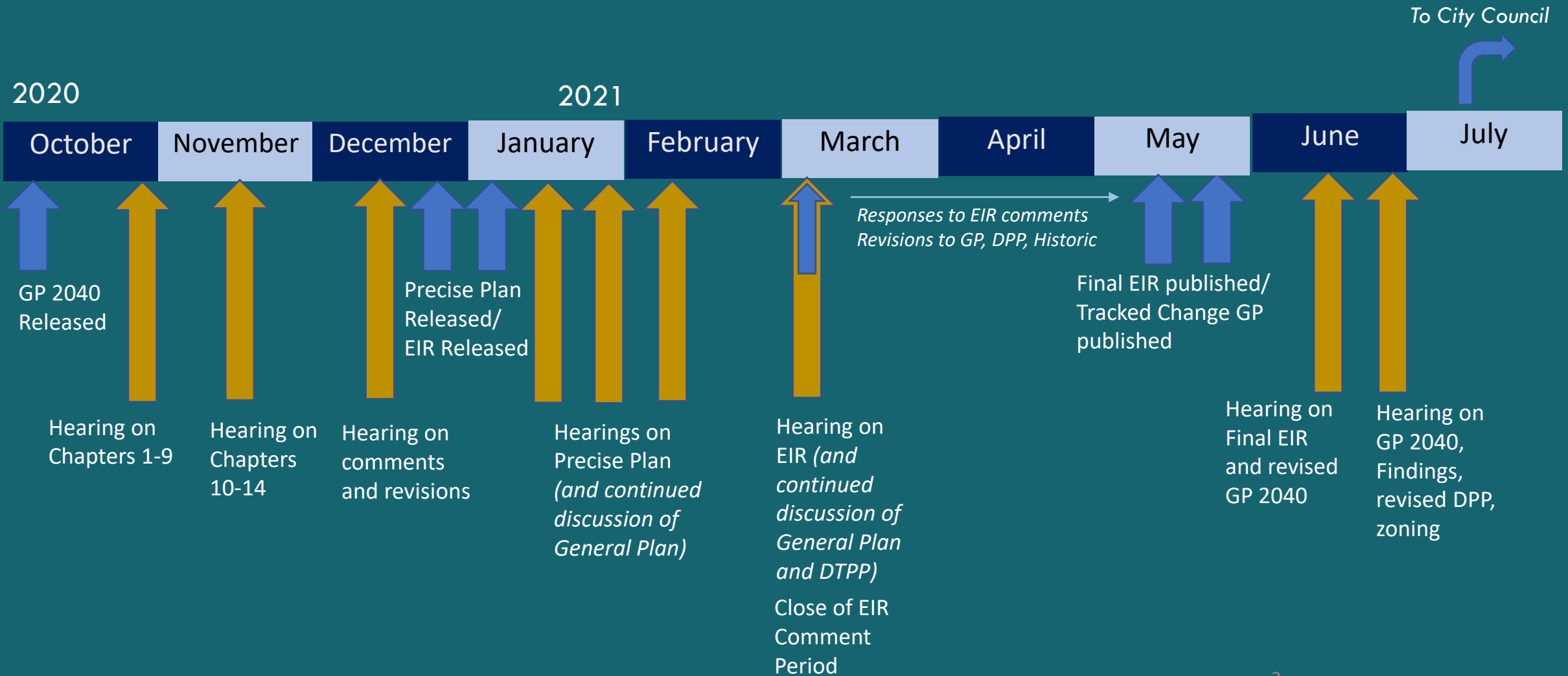


# San Rafael General Plan 2040

San Rafael Planning Commission Public Hearing: June 29, 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)*

JULY 15

## 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)*

JUNE 29

## 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 Zoning Amendments

*Commission recommends Council adoption of Ordinances:*

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

*(RESO 2021-06)*

# Resolution 2021-03

## CEQA Findings of Fact and Statement of Overriding Considerations

- Project EIR identified “significant unavoidable impacts” on air quality, cultural resources, greenhouse gases, and transportation
- Other impacts were mitigatable to less than significant levels
- Approving a project with significant unavoidable impacts requires findings reciting the conclusions of the EIR and alternatives analysis and “Statement of Overriding Considerations”

# Statement of Overriding Considerations

- Part of the record of approval for the project
- Adopt after hearing public testimony on all matters related to the project
- Explains how benefits of project outweigh the environmental impacts

## ECONOMIC

- Business attraction and retention
- Economic diversification
- Job growth
- Industrial land protection
- Workforce housing
- Workforce development
- Downtown growth
- Arts expansion
- Productive use of land

## ENVIRONMENTAL

- Expanded focus on climate change
- Amplifies CCAP programs
- Strategies to reduce VMT
- Focuses growth in urban areas (TOD)
- Air and water quality pols
- Energy and water conservation pols
- Open space protection

## SOCIAL

- Promotes equity, diversity, and inclusion
- Applies equity lens to programs/projects
- Environmental justice pols
- Expanded housing opportunities
- Anti-displacement strategy
- Enhances public space/arts
- Transportation choice

*Sustainable San Rafael comments incorporated into Resolution*

# Resolution 2021-04

- Recommends Council adoption of General Plan 2040
- Resolution 2021-04 recites project history and work products
- Documents community engagement
- Finds that public interest will be served by adoption of the GP (each element's contribution is reviewed)
- Finds that Plan retains basic urban/ open space framework and is consistent with regional plans/ service provider plans
- Finds that Plan advances the guiding principles and vision for 2040

# Highlights of Changes to GP 2040

- 600+ comments
- Responses to public comments from written and oral testimony
- Responses to Planning Commission discussion
- Incorporation of EIR Mitigation measures and response to EIR comments
- Misc. staff clarifications and corrections
- Completion of appendices

PLAN IMPLEMENTATION MATRIX				Guiding Principles							
ID #	Program Description	Timeline	Responsible Departments or Agencies (lead in bold)	Resources	Strengthening our Foundation	Adapting to the Future	Economic Vitality	Equity	Opportunity for All	Healthy and Growing Community	Mobility
<b>LAND USE ELEMENT</b>											
LU-1.1A	Evaluate General Plan at least once every 5 years	OO	<b>CD, PC, CC</b>	GP Impl Fee	✓	✓	✓	✓	✓	✓	✓
LU-1.2A	Use Development Review to ensure adequacy of infrastructure.	OO	<b>CD, DFW, other agencies</b>	Staff Time, Fees	✓						✓
LU-1.3A	Quantify and Monitor the Benefits of Transit-Oriented Development	MT	<b>CD, CM, DFW</b>	Staff Time, Grants, (transp), other		✓					✓
LU-1.3B	Ensure that zoning allows reasonable interim uses of property.	OO	<b>CD, ED</b>	Staff Time	✓	✓	✓	✓	✓	✓	✓
<b>CONSERVATION AND CLIMATE CHANGE ELEMENT</b>											
species in the San Rafael Planning Area. <u>CNDDDB data should be supplemented with more specific local data wherever possible.</u>											
<b>Program C-1.13B: Surveys.</b> Require that sites be surveyed for the presence or absence of special status species prior to development approval. Such surveys must occur prior to development-related vegetation removal.											
<b>Program C-1.13BC: Mitigating Impacts on Special Status Species.</b> Avoid and protect special status species and require that consultation with resource agencies be performed in conformance with federal and State regulations. Require that potential unavoidable impacts to special status species are minimized through design, construction, and project operations. If such measures cannot adequately mitigate impacts, require measures such as on-site set asides, off-site acquisitions (conservation easements, deed restrictions, etc.), and specific restoration efforts that benefit the listed species being impacted.											
<b>Program C-1.13CD: Steelhead Habitat.</b> Support efforts to restore, preserve or enhance Central California Coast Steelhead habitat in Miller Creek and other creeks.											
<b>Program C-1.13D: Bird Safe Design.</b> Develop and adopt a Bird-Safe Design Ordinance to provide specific criteria and best management practices to be used in design review for taller											

## COMMUNITY SERVICES AND INFRASTRUCTURE

**Policy CSI-2.2: Branch Libraries**  
Expand community-based library services in East and North San Rafael accessible to everyone in the community.

**Program CSI-2.2A: Pickleweed and Northgate Libraries.** Make Pickleweed and Northgate Libraries so they are adequately equ needed in the surrounding communities.

**Program CSI-2.2B: School Libraries.** Consider partnerships with high school libraries available to the public.

**Policy CSI-2.3: Library Collections**  
Expand and adapt library collections to meet the changing needs of the community and respond to technological change, while preserving a core collection of materials of continuing value. This should include Spanish language materials in Spanish and other languages.

**Policy CSI-2.4: Libraries as Community Centers**  
Promote programs and events that affirm the role of the City's libraries as community gathering places and a setting for the open exchange of ideas and information. When planning for library modernization or replacement, include dedicated space for community activities and opportunities for complementary uses such as child care.



Icon: CC=City Council; L=Police; F=Fire

# Changes to GP 2040 Since June 15

- Strengthened tree protection language
- Action added to adopt tree ordinance per multiple emails, letters, public comment
- Minor editorial revisions to other sections
- Added missing figures



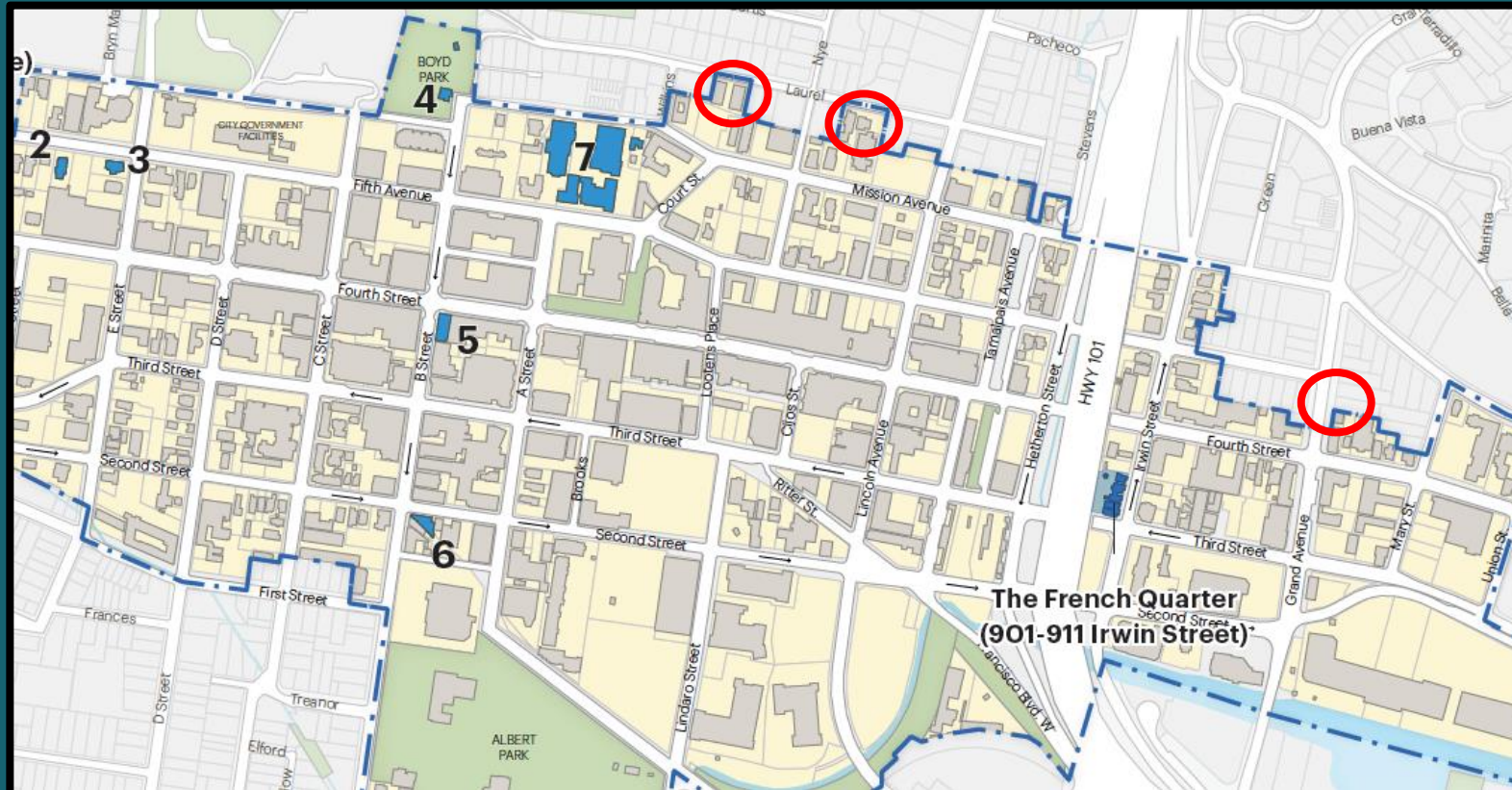


# Resolution 2021-05

- Recommends Council adoption of Downtown Precise Plan (DPP)
- Resolution 2021-05 recites project history and work products
- Documents community engagement
- Finds that the DPP is consistent with General Plan 2040 and will sustain and enhance Downtown San Rafael
- Public interest will be served by adoption of the DPP (promotes housing production, quality design, mobility improvements, etc.)
- DPP promotes development that is harmonious with area's character (historic preservation, upper story stepbacks, etc.)

# Changes to Downtown Precise Plan

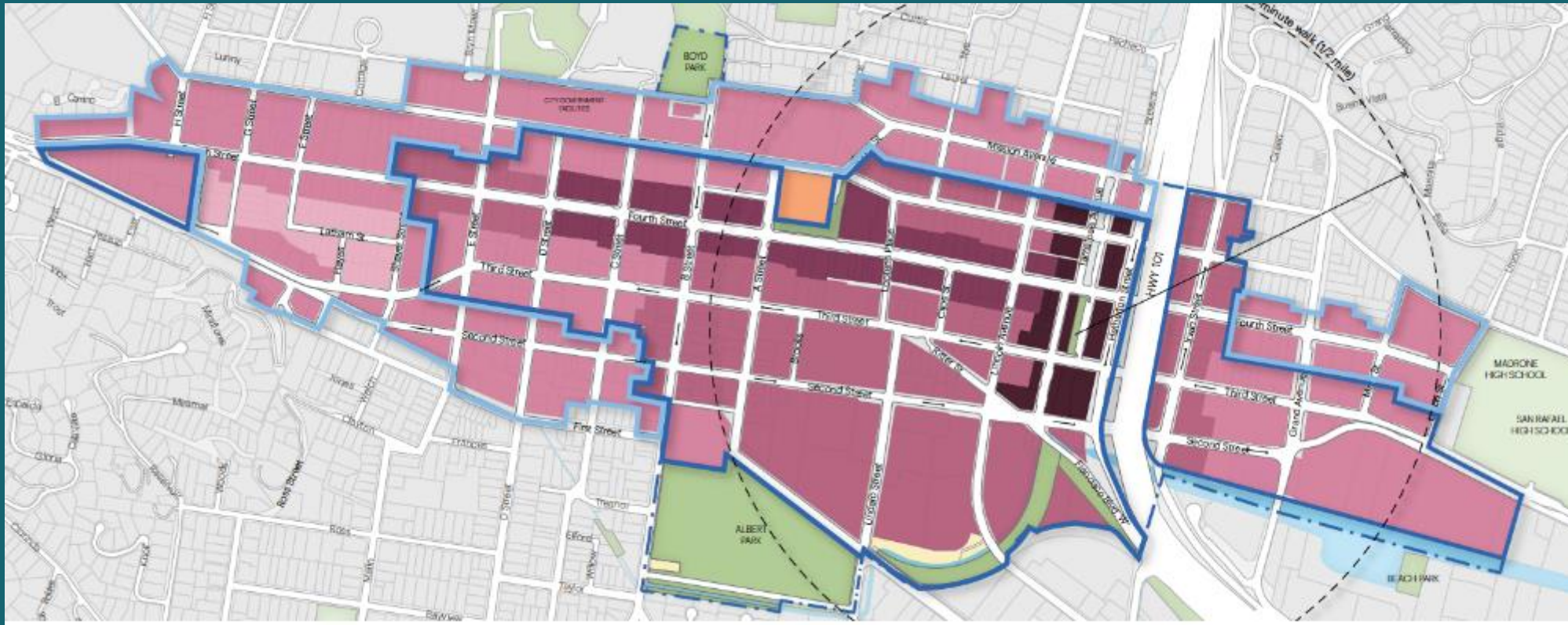
- Boundary refinements



# Clarification of Bonuses

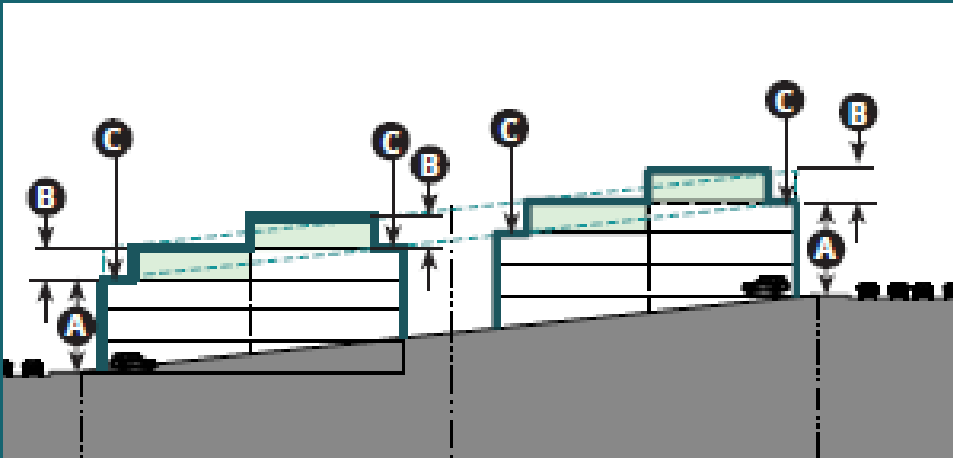
- Projects seeking to use State density bonus must calculate “base” number of units based on allowable building envelope and average unit size
- Existing density bonus ordinance rules applied to determine number of “bonus” units
- Concessions may be requested per existing density bonus rules
- Precise Plan provides another, more attractive option of a local height bonus for affordable housing
- Height bonus may be used instead of density bonus—the two may not be combined
  - *10’ for projects meeting 10% inclusionary requirement on-site*
  - *20’ for projects exceeding 10% inclusionary and in Tier 2 area*

# Tiered Height Boundaries (same as Dec draft)



- Tier 1 (10' bonus)
- Tier 2 (20' bonus)

# Calculation of Height on Sloped Sites




## Height Measurement on Sloped Sites


**Applicability.** All sites where average slope is greater than 6 percent or as determined by the Director.


Building height and height bonus is measured vertically from the existing grade to the highest top plate at any given point.

On sites with topography, additional height may be considered under SRMC Section 14.24.020.E

- A Stepback Height** as specified in the Zone Standards
- B Allowed Height Bonus** as specified in the Zone Standards
- C Upper Story Setback** as specified in the Zone Standards

 Height measurement parallel to slope

 Building profile

 **Bonus floors.** Additional height obtained through the height bonus

*Buildings on sloped sites are expected to step down across the site*

# Historic Resource Inventory and Standards

- Historic Resources Survey Report and ratings revised based on San Rafael Heritage (SRH) input
- Eligible District boundaries adjusted based on SRH input and third-party review
- Standards revised based on SRH input (Redwood City benchmark)
- Some of the initial standards were retained but apply to a more limited number of properties



119	011-226-13	1116 Lincoln Av	Residence	*	D
120	011-226-10	1118 Lincoln Av	Residence	*	C
121	011-226-01	1120 Lincoln Av	Residence	*	B
65	011-224-18	1010 Lootens/882-84 Fourth St	Masonic Bldg	N	B/A
122	014-081-02	633 Mission Av		*	D
123	011-081-01	637 Mission Av		*	B
124	011-226-03	705 Mission Av		Good	A
125	011-186-10	710 Mission Av		*	A
126	011-223-02	823-25 Mission Av		Exceptional	A
127	011-184-10	828 Mission Av	residence	Exceptional	A
128	011-221-03	907 Mission Av	residence	Excellent	A-
129	011-174-11	1012 Mission Av	residence	*	D
130	011-213-04	1135 Mission Av	De Courtiex House	Good	B/A
131	011-186-11	1145 Mission Av	residence	*	D
132	011-272-04	16 Ritter St		*	C
144	014-011-15	3 Stevens Pl	residence	*	C
145	011-275-04	927 Tamalpais Av	Barrel House	Good	B
146		930 Tamalpais Av	NWP Rail Depot/ Whistlestop	Good	C
1	013-012-05	720 (728) A Street	NW Pacific Rail (relocated)	Good	A
	013-011-09	739 A Street	Scout Hdqtrs	*	C
2	013-012-20	740 A Street	Drummers Tradition	*	B/D
3	011-264-07	808 A Street	residence	*	B
4	011-264-08	812 A Street	residence	*	D
5	011-262-06	813 A Street	Foam Store	*	B/C
	011-215-05	1007-1011 A Street		Good	B

# Other Revisions

- Greater focus on 4<sup>th</sup> Street as a pedestrian space
- Requirements for solar access studies added for taller buildings (with exceptions for affordable housing projects using local height bonus)
- Minor amendments to Use Tables
- Misc. urban design improvements added
- Historic preservation incentives
- Electric vehicle charging infrastructure



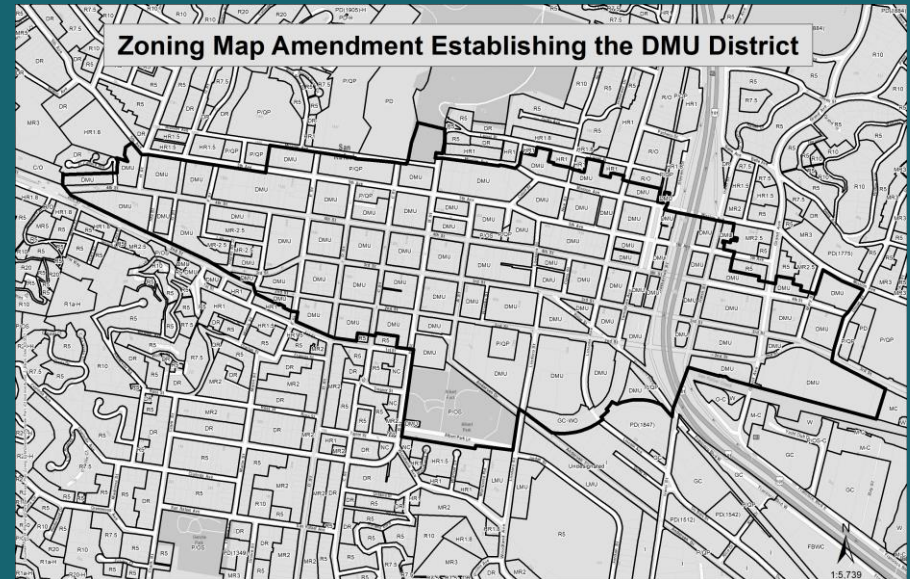
# Resolution 2021-06: Code Amendments

- Resolution recommends Council adoption of Ordinances as follows:
  - Ordinance 2021-#: Amendments to San Rafael Municipal Code
    - A. Rescind references to Downtown Zones (to avoid internal conflicts, redundancy)
    - B. Adopt new DMU zone and Map
    - C. Adopt other Code changes to implement State law and local initiatives
  - Ordinance 2021-#: Adoption of Form Based Code



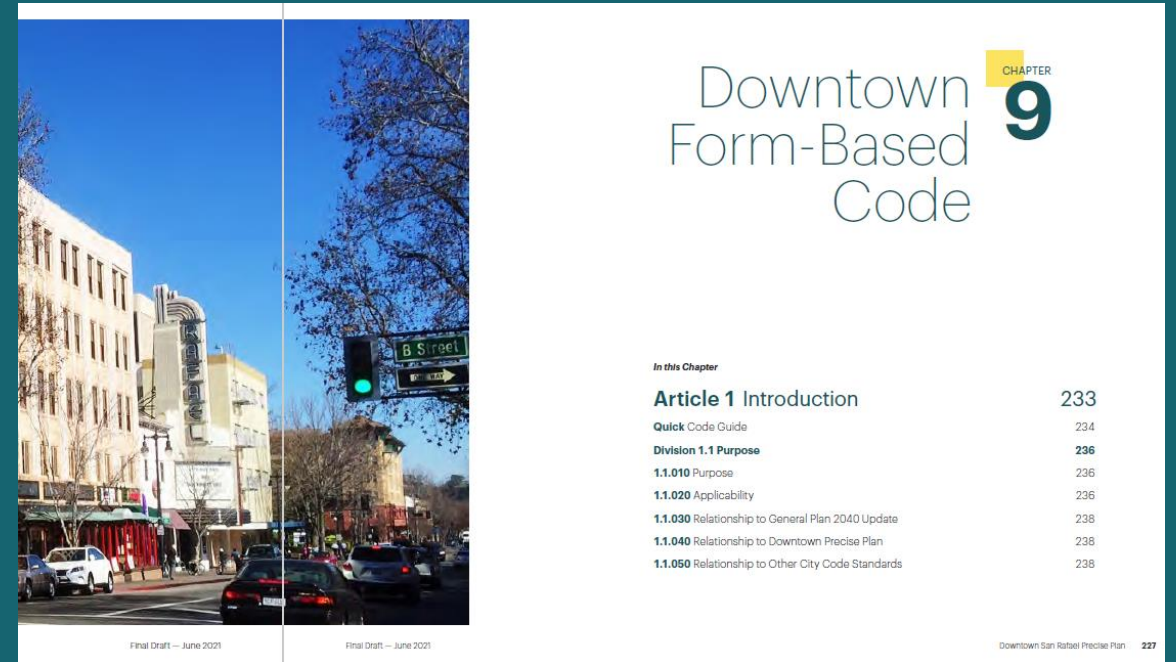
# Rescinding References to Downtown Zones

- Eliminate descriptions of 4SRC, HO, CSMU, 2/3MUE, 2/3MUW, WEV, 5/M R/O
- Rescind development standards and use tables for zones that will no longer exist
- Rescind height bonuses for “skywalks”
- Rescind Downtown height maps and bonus discussions
- Other editorial/ clerical changes to maintain internal consistency
- Add cross-references to DPP and new DMU zone (with map)



# Adopt Form-Based Code

- Chapter 9 of DPP is adopted as the zoning ordinance for Downtown
- Includes:
  1. Introduction and Purpose
  2. Creation of Zones (T4N, T5N, T4MS, T5MS) and all related standards
  3. Supplemental Standards (sites, massing, facades, frontages, etc.)
  4. Definitions



# Code Amendments Unrelated to Precise Plan

## 14.17.040: LARGE FAMILY DAY CARE

- Regulated by State Dept of Social Services
- Small facilities (less than 8 children) allowed by right
- Large facilities (8-14 children) could previously be regulated by Use Permit (with limits)
- SB 234 (2019) applies same standard for small facilities to large facilities
- City may no longer require Use Permit
- City has been complying in practice, but informally

# Code Amendments Unrelated to Precise Plan

## TIME LIMITS FOR ZONING PERMITS

- SRMC Title 14 specifies zoning permits (Variance, Use Permit, etc.) are valid for one year
- Building permit must be issued in this time
- Not always feasible, so City's practice has been to grant two-year zoning permits
- Amendment formalizes two-year term for zoning permits
- Provides for consistency and easier tracking
- Avoids need for extension requests

# Code Amendments Unrelated to Precise Plan

## CANNABIS

- City has adopted zoning and permit processes for cannabis-based businesses, per State law. Includes cannabis testing, delivery, distribution, and “cannabis-infused products”
- State has created additional cannabis license types since 2016 and City regs need to be amended to reflect these changes
- City will change “Cannabis Infused Products” to “Cannabis Manufacturing” and allow in industrial zones only
- Infusion of pre-extracted Cannabis (oils, etc.) into products will continue to be permitted in C/O zones (but not cannabis manufacturing)
- No existing businesses will be impacted by this change

# Written Comments Received 6/28 and 6/29

- Sustainable San Rafael – remain vigilant in implementation of CCAP to reduce greenhouse gases
- Victoria DeWitt – minor edits to Conservation/Climate Element, link to article on carbon sequestration value of trees (previous emails supported tree preservation)
- Pt San Pedro Coalition – minor edits to Neighborhoods Element re: Rock Quarry
- San Rafael Heritage – allow local landmarking of projects that are locally important even if they don't meet Secretary of Interior standards; create incentives to upgrade lesser-rated older buildings

# Tonight's Hearing

- Clarifying Questions
- Accept Public Comments on GP 2040, Precise Plan, Code Revisions
  - Including written correspondence
- Commission Discussion
- Action on Resolutions 2021-03, -04, -05, and -06
- Item moves to City Council for consideration on July 19



**Thank You!**  
All documents are on-line at  
[www.sanrafael2040.org](http://www.sanrafael2040.org)