
From: Responsible Growth Marin <info@rgmarin.org>

Sent: Monday, December 20, 2021 12:33 PM

To: Eli Hill <Eli.Hill@cityofsanrafael.org>; Maika Llorens Gulati <Maika@cityofsanrafael.org>; Maribeth Bushey <Maribeth.Bushey@cityofsanrafael.org>; Rachel Kertz <Rachel.Kertz@cityofsanrafael.org>; Mayor Kate <Kate.Colin@cityofsanrafael.org>

Cc: Alicia Giudice <Alicia.Giudice@cityofsanrafael.org>; Lindsay Lara <Lindsay.Lara@cityofsanrafael.org>; Jacob Noonan <Jacob.Noonan@cityofsanrafael.org>; Barry Miller <Barry.Miller@cityofsanrafael.org>; Leslie Mendez <Leslie.Mendez@cityofsanrafael.org>; Shirley Fischer

[REDACTED] David Smith [REDACTED] >; Laura Silverman
[REDACTED]; Susan Coleman [REDACTED]; Claire Halenbeck
[REDACTED]; Pam Reaves [REDACTED]; Byron Kuth [REDACTED]
[REDACTED] Scott Frerich

Subject: City Council Meeting 12/20/21 - For PUBLIC COMMENT

Honorable Mayor Colin and City Council Members,

Re: Ministerial Review of two-unit residential developments and urban lot splits pursuant to Senate Bill 9

The proposed objective standards and review procedures for two-unit developments and lot splits under SB9 do not mention or include the Overlay Districts Regulations in the SR Municipal Code (Division III--hillside development, wetland, canalfront, and Eichler & Alliance Homes [SRMC, Title 14-12-15])

We ask for clarification of how these overlay districts in the City's existing zoning code relate to the standards and review procedures for residential projects and lot splits qualifying under SB9. Will these overlay zoning regulations still apply for these projects and lot splits?

Specifically, will the Eichler/Alliance Overlay District [SRMC, 14.14], which was designed "to preserve and maintain the predominantly single-story and unique design character of neighborhoods composed exclusively of Eichler and Alliance homes" still be applied to new developments in those neighborhoods? This ordinance was developed to maintain the character of the neighborhoods and prohibit second stories on the existing housing stock.

If future buildings approved under SB9 within this overlay district would be exempt from this ordinance, it would cause substantial property ownership inequities, where

original Eichlers/Alliance homes would be required to remain one-story but the new building(s) (minimum footprint of 800 square feet) could be multi-story. Also there would be inequities between street setbacks required for existing properties and those permitted for new SB9 properties.

Please clarify how these inequities would be addressed.

We also respectfully request that the City consider other recommendations regarding building fees and affordable housing deed restrictions for developments qualifying under SB9, as suggested in RGM's previous letter of November 12 (attached).

Thank you for your thoughtful consideration of these matters.

Sincerely,
Grace Geraghty, Executive Director
Responsible Growth in Marin

cc: City Staff
RGM Team Leaders



Responsible Growth in Marin

November 12, 2021

San Rafael City Council, Planning Commission and Design Review Board Members
1400 Fifth Ave., Rm.209
San Rafael, Ca. 94901

Re: URGENCY ORDINANCE to address SB9 effects

Honorable Mayor Kate Colin, City Council Members, Planning Commissioners and Design Review Board Members,

Several RGM members attended the recent COST-facilitated, Spotswood-moderated panel with Sen. Mike McGuire, Assembly member Marc Levine, Susan Kirsch, and Pat Eklund regarding SB9 and its effect on the County of Marin and cities therein.

As we all know, SB9 authorizes a property owner to split a single-family lot in two and place up to two units on each newly created lot – resulting in up to four units on properties currently limited to single family homes. In general, RGM is opposed to top-down, Sacramento bills that take away local control of our land use policies and fail to provide funding for the actual cost of the legislative decisions.

During the session and in a follow-up article by Dick Spotswood in the October 31 Marin IJ, we learned that local cities and counties may enact SB9 implementation ordinances and guidelines prior to January 1, 2022. Following are three comments and recommendations regarding SB 9 “Urgency Ordinances” that RGM strongly requests that San Rafael consider:

1. Please review the Eichler and Alliance 1 story overlay district* of North San Rafael. It is critical that this stays in effect so that the unique design character of these neighborhoods composed exclusively of single-story mid-century modern homes is preserved. We believe this already enacted “objective” design standard should remain in effect even given the wording of SB9.
2. We urge the City to consider its costs of the extra housing possibly created by this law. San Rafael should increase building permit fees commensurate with increased costs to support the additional infrastructure costs to police/fire/schools/water/sewer/transportation and any other infrastructure costs that the City will have to bear when additional units are created.
3. We recommend that the City create an ordinance to impose a 30-year deed restriction on some percentage of the new units to designate occupancy only by those with a low or moderate

income or pay in-lieu fees as paid by other developments. RGM is concerned that SB9 will encourage speculative development and do nothing to address the affordable housing crisis. It will encourage corporate ownership of the units and create market rate rental housing that minimizes home ownership and further challenges the workforce community seeking financial security and the American dream of working hard and owning a home. This will further the City's stated goal of integrating affordable with market-rate housing.

As stated, these issues must be considered and enacted by January 1, 2022. We urge the City Council and Planning Commission to act quickly to create an urgency ordinance to address these issues before the deadline.

Respectfully,

Grace Geraghty, Executive Director

Responsible Growth Marin

info@rgmarin.org

cc: Alicia Giudice, Community Development Director

Lindsay Lara, City Clerk

Leslie Mendez, Planning Manager

Barry Miller, San Rafael Home Element Consulting Project manager

Jacob Noonan, Housing Manager

Kim Schutz, City Manager

RGM Team Leaders

*14.14.010 – Specific purposes – Ord. 1819 – 1 (part), 2004)

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