

December 2, 2022  
San Rafael City Council  
1400 Fifth Avenue  
San Rafael, CA 94901

Re: San Rafael Draft Housing Element—FOR PUBLIC RECORD

Dear Mayor Kate and Councilmembers,

San Rafael's Draft Housing Element has been sent to you by the Planning Commission for approval and forwarding to the State Department of Housing and Community Development for their initial review.

I fully understand the importance of San Rafael receiving prompt approval from the State to avoid potential consequences of application of the "Builder's Remedy" under California's Housing Accountability Act (Government Code Section 65589.5), which allows "by right" construction of certain housing projects with minimal local input.

However, there are two issues which deserve your consideration before submitting the Draft Housing Element to the State:

1) Potential inconsistency between the DHE and other elements of San Rafael General Plan 2040.

The Neighborhoods Element of GP 2040 states: *"San Rafael is a city of neighborhoods. Surrounded by great natural beauty, the city's neighborhoods form a quilt of homes, shops, schools, and open spaces that collectively define San Rafael's overall character.... The Neighborhoods Element recognizes that although San Rafael is one city, it is comprised of smaller communities with distinct landscapes, issues, and opportunities.... The City of San Rafael has had a long-standing commitment to working with its neighborhoods to protect and conserve their best qualities. ... The livability of San Rafael depends on the collective vitality and success of all of its neighborhoods."* (GP2040 4-1)

This commitment to preserving the essential quality of San Rafael's diverse neighborhoods seems to conflict with the Draft Housing Element's Policy H-4.1 *"Encourage the creation of affordable housing opportunities in all parts of the city, including areas where such housing does not exist today. Work to reduce concentrated poverty by expanding housing choices in all neighborhoods."*

While this policy is commendable, implementation can be ambiguous. The policy's intent could be interpreted as a desire to homogenize all the neighborhoods of San Rafael. It can be seen as a goal to intentionally add large amounts high density housing to suburban neighborhoods so that they no longer have their essential characteristics of outdoor space, privacy and harmony with nature but rather take on the characteristic of dense urban communities where people live in close proximity and natural habitat is minimal. Some people view single family residence (SFR) communities as inherently discriminatory due to historic redlining and racist covenants and advocate eliminating SFR neighborhoods<sup>1</sup>. I think this is a misguided goal and one that I hope San Rafael, as a city, does not endorse. One does not reduce concentrated poverty by transferring inequitable conditions, particularly high-density segregated housing, to other neighborhoods, but rather by respecting and promoting the qualities that provide better quality of life for all residents, balance with the natural environment, and creation of intergenerational wealth.

I respectfully request that the Draft Housing Element be amended to clarify support for the objective of integrating new housing into existing neighborhoods in ways that preserve the essential characteristics

of the neighborhoods, both low density suburban communities and higher density urban neighborhoods. For example, the policy could state: “Work to reduce concentrated poverty by expanding housing choices in neighborhoods where sites exist and where that expansion can be accomplished consistent with the existing neighborhood character.”

I would like to remind the Council that the suburban community of North San Rafael (Terra Linda) was developed as post-WWII affordable housing and that CCRs in the neighborhoods did not contain racial restrictions. San Rafael should be proud of the heritage of Joe Eichler, who was one of the leaders in integrating his developments (in 1954 being among the first to sell homes to African-Americans and subsequently participating in creation of State and Federal fair housing laws). San Rafael should also be proud that Terra Linda residents in the 1970s taxed themselves to purchase, together with City and County funds, the hills around the Las Gallinas Valley, creating open space to provide homes for neighboring wildlife in proximity to human homes.

2) Lack of consideration of wildlife and natural habitat and wildlife corridors needed by the non-human residents of suburban areas.

Similarly, the Housing Element needs to give recognition to the need for preserving habitat and movement corridors for our resident wildlife as well as housing for our resident humans.

GP2040 states: *“Open space defines neighborhood edges, provides a necessary complement to the built environment, and adds beauty to the city. It provides vital recreational amenities and sustains plant and animal life. It is intrinsically valuable for mental health and contributes to the spiritual wellness of the city’s residents. Open space is celebrated as one of San Rafael’s greatest assets and is a visible reminder of the efforts of multiple generations to conserve and protect the environment.”* (GP2040 7-1)

The Draft Housing Element should reference GP2040 Goals and Policies PROS-3.1-3.6, ensuring that *“Whenever possible, the natural terrain and vegetation of the community should be preserved, maintained, and enhanced”*. Consideration should be given to *“Wildlife resource value (wetlands, creeks and riparian areas, wildlife habitat and movement corridors, and habitat for special status species).”*

And recognition should also be given to the role of suburban neighborhoods in providing habitat and movement corridors for wildlife residing in the surrounding open space. Anecdotally, wildlife such deer, foxes, bobcats, jackrabbits, coyotes, raccoons, opossums, hawks, owls, turkeys, songbirds live nearby or pass by my home. This critical role of low-density suburban development in maintaining balance of human development and the natural environment needs to be acknowledged and preserved.

Thank you for consideration of these issues.

Sincerely,

Shirley Fischer



cc: Lindsay Lara, San Rafael City Clerk

Barry Miller, Consulting Project Manager

**From:** Becky Rosales <[brosales@millercreeksd.org](mailto:brosales@millercreeksd.org)>  
**Sent:** Monday, November 28, 2022 6:30 PM  
**To:** Housing <[housing@cityofsanrafael.org](mailto:housing@cityofsanrafael.org)>  
**Cc:** Alissa Chacko <[achacko@millercreeksd.org](mailto:achacko@millercreeksd.org)>  
**Subject:** Public Comment: Draft to Housing and Community Development (HCD)

Dear Council Members,

The Miller Creek School District is committed to ensuring that decisions that impact our students are informed by the latest and most accurate data. We would like to draw your attention to two new reports commissioned by the Miller Creek School District that show we have some serious demographic challenges in the coming years. Both are available on the District's website and linked below:

- [Development Impact Presentation, 10/11/22](#) and [Development Impact Report, 10/18/22](#)
- [Strategic Facilities Plan Presentation, 11/122](#)

The new data shows that Miller Creek's enrollment growth is back on its pre-pandemic pace. We are seeing a net growth of families coming to the district. The data also shows that in 2021 local births were the highest since 1993 and 2022 is on pace to record the 2<sup>nd</sup> highest birth rate in the last decade. We can expect a 4% growth rate through 2030 and that is before we even get to additional families brought to us by new developments like the Northgate Townsquare Project

Now, we want to be clear. Miller Creek supports new housing. We must have affordable housing for our staff and underserved families. But, we need to make sure that when we absorb new students, it is not done so at the expense of what makes our community so great—our students. We can't wait to welcome these new families, but we as a community need to have an open and honest dialog about how we do that in a way that does not negatively impact our new and existing students.

We look forward to working with you as well as new housing developers to come up with solutions to mitigate the fiscal pressure on our District to provide the same level of services to our community.

Sincerely,



**Becky Rosales**  
Superintendent  
Miller Creek School District  
<http://www.millercreeksd.org>  
415-492-3706

My email address is [brosales@millercreeksd.org](mailto:brosales@millercreeksd.org).

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December 5, 2022

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415.302.0110

San Rafael City Council  
1400 Fifth Avenue  
San Rafael, CA 94901

**RE: San Rafael 2023-2031 Housing Element (Item 3.a)**

Honorable Mayor and Council Members,  
Sustainable San Rafael appreciates the opportunity to have served on the Housing Element Working Group, and we support the City moving forward with the Housing Element's review, refinement, and adoption.

As you do so, we suggest the following:

1. Flag housing affordability as foundational by rewording the Element's 4th goal, "Meet housing needs by providing a range of housing choices and affordability throughout the city."
2. Identify specific funding sources to achieve RHNA low and very low income targets, such as a countywide tax measure.
3. Fund planning for the Canal and North San Rafael PDAs.
4. Coordinate housing in sea level rise flood zones with the upcoming Resilience Plan for the Canal and other shorelines.
5. Complete and adopt 'objective design standards' as soon as possible to guide development proposals already imminent.
6. Pursue early codification of General Plan 2040 zoning recommendations, including adjusting heights to account for affordability bonuses while keeping buildings at desired size.
7. Expand inclusionary housing to include 5% of total units for moderate income, in addition to 10% for low and very low.
8. Assure sufficient funding for 'green building' standards.
9. Encourage housing development in walkable, bike and transit supportive neighborhoods to reduce car dependence.

We applaud staff's thorough work preparing the Housing Element, and the Council's ongoing support of its programs.

Sincerely,

William Carney  
SSR President