



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Community Development

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City Manager Approval: _____

AS

TOPIC: GENERAL PLAN 2040 / DOWNTOWN PRECISE PLAN

SUBJECT: GENERAL PLAN 2040 PROGRESS REPORT #5

RECOMMENDATION:

Accept Report.

BACKGROUND:

Staff is providing the fifth Progress Report (Progress Report #5) to the City Council on the San Rafael General Plan 2040 Update. The Progress Report provides an opportunity to brief the City Council on the status of the project and solicit input on upcoming milestones. Progress Report #1 was presented to the City Council on [March 4, 2019](#). Report #2 was presented on [July 15, 2019](#). Progress Report #3 occurred on [December 2, 2019](#) and covered activities completed between July and November 2019. Progress Report #4 was delivered on [July 6, 2020](#) and focused on new transportation standards.

This fifth report includes a discussion of the following topics

- Status of General Plan 2040
- Status of Downtown Precise Plan
- Status of Environmental Impact Report
- Status of Transportation-Related General Plan Deliverables (TIS Guidelines, Fee Update)
- Schedule and Process for Adoption

Each of the listed topics is discussed below.

A separate staff report has been prepared to update the City Council on initiatives related to Sea Level Rise. These initiatives are part of the General Plan Update and are referenced in two reports that will become appendices to General Plan 2040.

FOR CITY CLERK ONLY

File No.: _____

Council Meeting: _____

Disposition: _____

1. General Plan 2040

General Plan 2040 was launched in December 2017. The updated Plan moves the time horizon forward to 2040, edits the Plan to reflect current conditions and forecasts, and adds new elements to comply with State law. While the update is primarily a “refresh” of the existing plan rather than a brand-new plan, changes to the document address the evolving state of the city and region, and cover issues such as climate change, social equity, and emerging transportation technology. The three-year planning process gathered and analyzed data on these issues; audited each goal, policy, and action in the existing General Plan; and added new and updated policies.

The City Council appointed a 24-member Steering Committee, representing a wide range of advocacies in our community, to guide the Plan Update process. The Steering Committee was supplemented by 22 Alternates. The Committee met 25 times between January 2018 and June 2020; the last three meetings took place virtually as Zoom webinars. All Committee meetings were open to the public. Each meeting was three hours long and included discussion of key planning issues as well as existing and proposed goals, policies, and programs. Policies were developed through an iterative process involving multiple rounds of review and comment by Committee members. The Committee was not established as a recommending body, but rather a sounding board to express the diverse range of opinions relative to long-range planning policies. There was rarely full consensus, but all opinions were heard and considered.

In addition to the Steering Committee meetings, Staff also convened community workshops on the General Plan, including formal meetings at community centers and informal “pop-up” workshops at Farmers Markets and the Downtown Art Walk. The outreach program also included storefront exhibits, youth participation exercises, and attendance at numerous meetings of neighborhood associations, civic organizations, and City boards and commissions. The City created a website for the project, including a link to a related [interactive website](#) that has attracted more than 300 subscribers. Staff has also solicited input from other public agencies, such as the County, the School Districts, and the Transportation Authority of Marin. Community engagement also included a Spanish language engagement program conducted in collaboration with Canal Alliance, with the outcomes summarized in a [survey report](#).

The General Plan is organized into “elements” or topical chapters. A comparison of the elements in General Plan 2020 and the new General Plan 2040 is provided in Table 1. General Plan 2040 maintains most of the 2020 elements, but includes a few changes:

- The Air and Water Quality Element has been incorporated into the Conservation Element. The scope of the Conservation Element has also been expanded to specifically address Climate Change, and its goals and policies have been aligned with the Climate Change Action Plan.
- Sustainability is treated as a “thread” that runs throughout the General Plan, with policies and programs distributed over several elements rather than contained in a single element as they were in General Plan 2020.
- The Community Design Element has been expanded to more comprehensively cover historic preservation.
- The Governance Element has been replaced by an Equity, Diversity, and Inclusion Element, meeting new State requirements to address these issues (as well as environmental justice) in the General Plan.

- The Parks and Recreation Element and the Open Space Element have been combined, recognizing their complementary content.
- The Infrastructure Element has been expanded to also cover Community Services.
- A number of appendices have been added to the Plan, including a Sea Level Rise Adaptation Report, and an Implementation Appendix that identifies responsible parties and timing for key Plan programs.

Table 1: General Plan 2020 and General Plan 2040 Element Comparison

General Plan 2020	General Plan 2040
Land Use (*)	Land Use (*)
Neighborhoods	Neighborhoods
Community Design	Community Design and Preservation
Conservation (*)	Conservation and Climate Change (*)
Air and Water Quality	
Sustainability	
Parks and Recreation	Parks, Recreation and Open Space (*)
Open Space (*)	
Safety (*)	Safety and Resilience (*)
Noise (*)	Noise (*)
Circulation (*)	Mobility (*)
Infrastructure	Community Services and Infrastructure
Culture and Arts	Arts and Culture
Economic Vitality	Economic Vitality
Governance	Equity, Diversity, and Inclusion (*)
Housing (*)	Housing (*)

(*) mandatory element

Like General Plan 2020, the updated General Plan retains a “Neighborhoods” Element. This Element allows citywide policies to be expressed at a more fine-grained level by referencing specific locations and priorities within approximately 33 distinct geographic areas. The element has been reorganized to group neighborhoods into five planning areas. The text has been updated to reflect current data and input from neighborhood organizations across the city. Most of the policy direction provided by General Plan 2020 has been carried forward, although Downtown policies have been updated and there are program recommendations to prepare community plans (potentially precise plans, specific plans, etc.) for the North San Rafael Town Center area and Southeast San Rafael/ Canal.

The General Plan also includes an Introduction and a new “Framework” chapter that summarizes major trends shaping the city as well as Guiding Principles. General Plan 2040 does not include an updated Housing Element, as that will be prepared in 2021-22 in accordance with the regional housing needs assessment now underway.

Each element of the General Plan follows the same basic structure. The content is organized around a set of broad goals related to the topic. Each goal is followed by background information, policies, and programs. The policies provide general direction on day to day activities. The programs indicate specific actions to be carried out to implement the policies. Maps are included throughout the document to communicate policies spatially or provide background data. Text boxes are included to highlight key programs or further explain Plan concepts.

It is important to keep in mind that adoption of the General Plan, in and of itself, does not immediately change City rules, regulations or procedures. The Plan is intended as a road map for the next 20 years. The programs identified in the document reflect measures to be taken between now and 2040 to achieve the goals. Implementation of these programs will require future staff time and financial resources.

General Plan 2040 includes an updated Land Use Map for San Rafael. The Map uses 20 color-coded categories to illustrate the land uses and densities (or intensities) permitted across the Planning Area. Several changes to the category definitions have been made, and a number of categories on the 2020 General Plan Map have been consolidated. Densities are now expressed using net density rather than gross density.¹ This does not change the number of units permitted, but better aligns the General Plan densities with the Zoning Ordinance and is more consistent with best practices for communities with similar development patterns to San Rafael. The changes to the Map will have little effect on the built environment, as few substantive changes are proposed.

General Plan 2040 recognizes that San Rafael is a mature city with few vacant tracts of land for development. In general, it reinforces existing land use policies. Future development is focused on infill sites in Downtown, the Northgate (North San Rafael Town Center) area, and the Southeast San Rafael commercial and industrial districts. A “sea level rise” overlay has been added to the map, showing areas that may be impacted by sea level rise by 2050. The Draft Plan includes a number of priority actions, including preparation of plans for the Priority Development Areas (PDAs) recently designated at Northgate and Southeast San Rafael.

Status of Key Work Products

A project website (www.sanrafael2040.org) was created at the start of the General Plan Update process and has been updated regularly throughout the project. The website includes a “[Documents](#)” tab that includes a number of work products currently available for review. In May 2020, the City posted the draft General Plan 2040 goals, policies, and programs to the website. Comments on this draft were received over the summer and incorporated into the Public Review Draft.

The City published Chapters 1-9 of the General Plan on October 2, 2020. Chapters 10-14 were published on October 16, 2020. The elements may be downloaded from the project website as PDF files. The website also includes the [Draft 2040 Land Use Map](#), which the City Council discussed in February 2020. The website also contains a series of “Existing Conditions” reports covering topics such as land use, parks and recreation, demographics, and environmental justice.

2. Downtown Precise Plan

In 2018, City of San Rafael received a \$500,000 grant from the Association of Bay Area Governments/ Metropolitan Transportation Commission (ABAG/ MTC) to prepare a Precise Plan for Downtown San Rafael. The intent was to update the existing Downtown Plan, which had been prepared in 1993, and to incorporate the more recent [Downtown SMART Station Area Plan](#) (2012) as well as other plans and studies for Downtown completed over the last few years (Parking and Wayfinding Study, Bicycle and Pedestrian Master Plan, etc.). The grant created “collateral” opportunities, such as updating the inventory of Downtown historic resources, and developing new zoning regulations for Downtown that are more responsive to the area’s context and scale.

¹ Gross density includes streets, easements, and undevelopable areas. Net density excludes these areas.

In January 2019, the City retained Opticos Design, Inc. (Opticos) as the Downtown Precise Plan consultant. Opticos surveyed existing conditions, reviewed the 1993 and 2012 Plans, and convened a four-day design “charrette” in May 2019, soliciting input on Downtown’s future from several hundred participants. They subsequently developed design concepts and ideas, tested these ideas through a community process, and developed a draft Precise Plan. Concurrently, an updated field survey of Downtown historic resources was completed, facilitating future historic preservation activities while creating development streamlining opportunities on non-historic sites. A Working Draft Plan for staff review was completed in April 2020.

In May 2020, City Staff reviewed the Working Draft and provided extensive comments to the consultants. Staff determined that the Working Draft would benefit from further review and discussion by the General Plan 2040 Steering Committee and formed an ad hoc sub-committee comprised of six members of the Steering Committee. The sub-committee met with staff and the consultants four times during July and August 2020 and provided additional direction. Final revisions will be completed by the end of October. Staff expects to release the Draft Downtown Precise Plan for public review in mid-November. An appendix to the document includes detailed historic resource data for Downtown.

The Draft Downtown Precise Plan includes nine chapters. Following an introduction and “existing conditions” discussion, the Plan provides design principles and a design vision for Downtown. It identifies four subareas: (a) Transit Village; (b) Downtown Core; (c) West End Village; and (d) Montecito Commercial area. Illustrative design concepts for each subarea show public improvements such as new plazas and bike paths and private improvements such as infill development and adaptive reuse of historic buildings. The overall intent is to make Downtown more walkable, attractive, economically successful, and sustainable.

Chapter 5 of the Precise Plan covers historic preservation. The chapter describes the findings of the 2019 historic resources survey and presents recommendations for amending the City’s Historic Preservation Ordinance. It includes strategies to preserve historic resources and ensure that adaptive reuse of older structures makes economic sense.

Chapter 6 addresses Transportation and Parking. It evaluates the Downtown circulation system and identifies improvements to make walking and bicycling safer and more convenient. It also responds to vehicle circulation issues, and the need to improve access to transit (including “last mile” trips to and from the Transit Center/ SMART station). The Plan incorporates recent recommendations from the Third Street corridor improvement program and the 2018 Parking and Wayfinding study.

Chapter 7 of the Precise Plan is an affordable housing and anti-displacement strategy. The chapter recognizes the importance of affordable housing to Downtown and the need to preserve existing affordable housing resources. Chapter 8 provides an implementation strategy, including economic development actions and potential capital improvements.

The final chapter of the Precise Plan is a Form Based Code. The Code will replace existing zoning regulations for Downtown, and is focused on the physical form (height, mass, bulk, setbacks, etc.) of buildings rather than the uses that occur within those buildings. In some respects, the Code is more flexible than the existing Code (particularly with respect to uses). In other respects, it is more prescriptive, as it identifies specific requirements for building frontages, step backs (recessing of upper floors), and treatment of historic properties. The trade-off for the prescriptive requirements is a streamlined review process for conforming projects, and a more pedestrian-friendly building form that enhances the character of Downtown.

Status of Key Work Products

Staff anticipates that the Downtown Precise Plan will be published as a Public Review Draft in mid-November 2020. In the interim period, supporting work products are available on the General Plan website. These include the [Downtown Profile Report](#), the [Downtown Options Report \(part 1\)](#) and [\(part 2\)](#), and a [PowerPoint presentation](#) highlighting the recommendations of the proposed Plan. In addition, Opticos has prepared a [six-part video tutorial](#) on Form Based Codes for the City, which is available on [YouTube](#).

3. Environmental Impact Report.

A program-level Environmental Impact Report (EIR) is being prepared to identify potential impacts and mitigation measures associated with adoption of the General Plan 2040 and Downtown Precise Plan. The EIR evaluates the impacts of adding approximately 4,400 housing units and 4,100 jobs across the San Rafael Planning Area over a 20-year period. It is estimated that roughly half of this increase will occur within the Downtown Precise Plan boundaries. Accordingly, each section of the EIR includes an evaluation of citywide impacts and then an evaluation of Downtown impacts.

All required CEQA topics are addressed in the EIR. Where potential significant impacts are identified, mitigation measures are identified. The EIR reflects recent State requirements for addressing transportation impacts (SB 743), which prohibit the use of Level of Service (LOS) as a metric for evaluating significant impacts and instead require the use of Vehicle Miles Traveled (VMT). The City Council has held several hearings in the last year to discuss this transition.

Status of Key Work Products

The Draft EIR has not yet been published. Staff has been reviewing Administrative Draft chapters since June 2020 and providing feedback to the consultants. The anticipated publication date for the document is November 13, 2020.

Once the Draft EIR is released, a 60-day public comment period will begin (ending January 14, 2021). The Draft EIR will be circulated to state agencies, as well as other local governments, service providers, special districts, and Native American tribal representatives. Public comment also will be invited during this time. At the conclusion of the comment period, written responses to comments will be provided and appropriate revisions to the Draft EIR will be made. A Final EIR (FEIR) will be prepared for Planning Commission consideration and Council adoption.

4. Transportation-Focused Initiatives

The General Plan Update includes two concurrent transportation initiatives, each discussed below:

- Update of the Traffic Mitigation Fee to reflect General Plan 2040
- Implementation of Vehicle Miles Traveled (VMT) standards for environmental review and updated requirements for traffic studies for proposed development projects

Transportation Fees. San Rafael's traffic mitigation fees were enacted in 1988 in connection with General Plan 2000. Like General Plan 2000 and General Plan 2020, the new General Plan 2040 includes a list of needed transportation improvements and a program for partially covering the cost of these improvements through a development impact fee. Assembly Bill 1600 allows cities to collect

impact fees to offset the impact that new development has on public services and infrastructure, including transportation facilities.

Working in collaboration with City staff, the City's traffic consultant, Fehr & Peers, has developed a list of needed improvements along with preliminary cost estimates. The improvements include unbuilt (but still needed) projects carried forward from General Plan 2020, as well as projects in the City's Bicycle and Pedestrian Master Plan and other transportation-related plans. They also reflect the findings of the traffic analysis completed as part of General Plan 2040. Staff and the consultants are in the process of determining potential adjustments to existing fees and will be bringing a proposal to the Council for consideration in early 2021. The objective is to adopt the updated fees concurrently with General Plan 2040.

VMT and LOS Standards. As the City Council is aware, recent State legislation stipulates that the City may no longer use Level of Service (LOS) as the standard for determining whether new development has a significant transportation impact under the California Environmental Quality Act (CEQA). Consistent with SB 743, the City has shifted to a new CEQA standard based on Vehicle Miles Traveled (VMT). In other words, the significance of a proposed project is evaluated based on the total number of vehicle miles (e.g., the amount of driving) it may induce once it is completed. The Council had several meetings in 2019 and early 2020 to discuss proposed new VMT standards.

At prior hearings on this topic, the Council has also expressed its interest in retaining Level of Service (LOS) as a planning and development review tool. General Plan 2040 follows this direction and includes both VMT and LOS standards. The intent of the VMT standards (in addition to CEQA compliance) is to support City efforts to reduce greenhouse gas emissions by reducing trip lengths and making it easier to walk, bicycle, and use transit. The intent of the LOS standards is to manage congestion and ensure that new development contributes to the cost of improving the transportation network to reduce delays. Even in Downtown San Rafael, where LOS standards will not apply, traffic studies will continue to be required to determine the need for localized transportation improvements.

Given the complexity of the new requirements and their potential to increase development costs, staff (through its consultant) is preparing traffic impact study (TIS) guidelines for Council consideration. Preparation of TIS guidelines was also requested by the public during comments made at prior Council hearings on VMT and LOS. The intent of the guidelines is to clearly lay out the City's expectations and requirements for both VMT analysis and LOS analysis. One of the objectives of the TIS guidelines is to ensure that the requirements support the City's development objectives, and do not create a cost burden for desirable projects.

Staff anticipates bringing the TIS Guidelines forward for further Council discussion in late 2020 or early 2021.

ANALYSIS:

A preliminary schedule for General Plan Adoption process has been prepared. A briefing to the Planning Commission took place on [September 15, 2020](#), formally beginning the process. The Planning Commission is the formal hearing body for the General Plan, Downtown Precise Plan, and EIR and will make a recommendation to the City Council (via a series of resolutions) at the end of its hearing process. The City Council will then conduct additional hearings and is ultimately responsible for adopting the Plans and the EIR. Staff will provide progress reports to the City Council during the Planning Commission review process as needed.

Given the size and complexity of the General Plan, Downtown Precise Plan, and EIR, the documents are being released in phases. As noted earlier in this report, General Plan 2040 has recently been posted to the City's website and is now available for public review.

The Downtown Precise Plan and EIR are tentatively planned for publication in mid-November 2020. The Planning Commission will convene at least five public hearings on these documents, and potentially more if needed.

Staff anticipates that the Planning Commission will conduct its first public hearing on the General Plan on October 27, focusing on the first half of the document. Its second public hearing will be on November 12 (a Thursday, due to a furlough on the regular meeting date), covering the second half of the document (and follow-up to questions or earlier comments about the first half).

We anticipate release of the Draft Downtown Precise Plan and the Draft Environmental Impact Report (DEIR) on or around November 13, 2020. The DEIR will be filed with the State Office of Planning and Research (OPR) Clearinghouse at that time, beginning a 60-day public comment period that will conclude on January 14, 2021. These dates are tentative and are subject to change.

The Planning Commission will take up the Downtown Precise Plan at its December 15, 2020 meeting. The December meeting will also provide an opportunity for follow-up on issues raised at the October and November hearings on the General Plan. An opportunity to provide comments on the EIR will be available at the January 12, 2021 meeting. The January 12th meeting will also provide an opportunity for follow-up discussion on the Downtown Precise Plan, primarily on the Form Based Code. If needed, another meeting on the Form Based Code and final direction on the Downtown Plan will be scheduled for January 26, 2021.

Tentatively, Commission action on resolutions forwarding the General Plan, Downtown Precise Plan, and EIR to the City Council would occur in March 2021, following completion of the Final EIR and any necessary revisions to the General Plan and Downtown Precise Plan. It is expected that major issues will be resolved through the Commission hearings, allowing for a smaller number of Council hearings. Council hearings are projected to occur in April and May, with adoption in May.

COMMUNITY OUTREACH:

A public notice of this meeting was mailed to stakeholders, agencies and special interest groups 15-days prior to this meeting (Attachment 1). Those noticed included, among others, all neighborhood associations in the city, the San Rafael Chamber of Commerce, and members of the General Plan 2040 Steering Committee. Notice of this report was also provided on the General Plan 2040 [meetings and events webpage](#).

FISCAL IMPACT:

This progress report is informational and has no fiscal impact on the City budget.

RECOMMENDED ACTION:

Accept Report

ATTACHMENTS:

1. Meeting Notice



NOTICE OF PUBLIC HEARING – CITY COUNCIL

You are invited to view and participate online for the City Council hearing on the following project:

PROJECT: PROGRESS REPORT #5 ON SAN RAFAEL GENERAL PLAN 2040- An update on General Plan 2040 will be presented to the City Council, including the Downtown Precise Plan and Form Based Code, Environmental Impact Report, Traffic Impact Fee study, and upcoming adoption schedule. The report will include introduction on the upcoming release of public review drafts of the Draft General Plan 2040, Downtown Precise Plan and EIR. Following the presentation of the Progress Report, the City Council will be presented with a summary of the Sea Level Rise Adaptation Report and Study, which have been prepared for the General Plan 2040. Case Nos.GPA16-001 & P16-013.

State law (California Environmental Quality Act) requires that this project be reviewed to determine if a study of potential environmental effects is required. It has been determined that this project, which is an informational report, will have no physical impact on the environment. This informational report is classified as a planning study, which qualifies for a Statutory Exemption from the provisions of the California Environmental Quality Act Guidelines under 14 CRR Section 15262.

MEETING DATE/TIME/LOCATION: Monday, October 19, 2020, 7:00 p.m. COVID-19 ADVISORY NOTICE: Consistent with Executive Orders No's.-25-20 and N-29-20 from the Executive Department of the State of California and the Marin County 3/16/20 Shelter in Place Order, the City Council hearing of October 19, 2020 WILL NOT be physically open to the public and the meeting will be streamed live to YouTube at www.youtube.com/sanrafael. Instructions on how to participate online, will be available on the YouTube channel.

FOR MORE INFORMATION: Contact **Barry Miller**, Project Manager, at **(415) 485-3423** or barry.miller@cityofsanrafael.org. Please note that City offices are currently closed to public walk-in, but you may contact the planner for more information. You may also view the staff report after 5:00 p.m. on the Friday before the meeting at <http://www.cityofsanrafael.org/meetings>.

WHAT WILL HAPPEN: You can comment on the informational report and options presented in the report. The City Council will consider all public testimony. However, as this item is an informational report, no formal action will be taken by the City Council.

IF YOU WANT TO COMMENT: You may provide comments to the planner using the contact information listed above prior to the meeting. You may also comment on line during the meeting using a chat feature on YouTube or through a conference call (number will be provided on agenda)

At the above time and place, all letters received will be noted and all interested parties will be heard. If you challenge in court the matter described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered at, or prior to, the above referenced public hearing (Government Code Section 65009 (b) (2)).

Appeals of decisions by the Planning Commission to the City Council shall be made by filing a notice thereof in writing with the required fee to the Planning Division of the Community Development Department within 5 working days of a decision involving Title 14 (Zoning) (SRMC Section 14.28.030) or within 10 calendar days of a decision involving Title 15 (Subdivisions) (SRMC 15.56.010).

Language interpreters and assistive listening devices may be requested by calling (415) 485-3066 (voice), emailing Lindsay.Jara@cityofsanrafael.org or using the California Telecommunications Relay Service by dialing "711", at least 72 hours in advance of the meeting. Copies of documents are available in accessible formats upon request. Public transportation is available through Golden Gate Transit, Line 22 or 23. Paratransit is available by calling Whistlestop. Wheels at (415) 454-0964. To allow individuals with environmental illness or multiple chemical sensitivity to attend the meeting/hearing, individuals are requested to refrain from wearing scented products.