

**CIVIC CENTER PRIORITY DEVELOPMENT AREA
RESPONSES TO “COMMUNITY QUESTIONS”
August 29, 2013**

CIVIC CENTER PRIORITY DEVELOPMENT AREA (PDA) RESPONSES TO COMMUNITY QUESTIONS

INTRODUCTION

This document presents a list of questions that have been raised by the community on the topic of the Civic Center “Priority Development Area” (PDA), which encompasses a ½-mile radius around the planned Civic Center SMART station. The questions were formulated and finalized by a group of community members representing broad interests.

The PDA topic and questions overlap with several other related topics including the ABAG/MTC-sponsored “Plan Bay Area,” affordable housing requirements and the Civic Center Station Area Plan. For this reason, the questions and answers have been grouped into six sections, which are listed below in the table of contents.

On Friday, September 6, 2013, at 5:00pm, the City Council will hold a study session (in the City Council Chambers) to discuss the Civic Center PDA and the Civic Center Station Area Plan.

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CIVIC CENTER PRIORITY DEVELOPMENT AREA (PDA) RESPONSES TO COMMUNITY QUESTIONS

A. GENERAL QUESTIONS REGARDING PRIORITY DEVELOPMENT AREAS

1. What is a Priority Development Area (PDA)?

Response: A Priority Development Area (PDA) is a geographic area that is close to, along, or within transit nodes and connections that can be earmarked for concentrated growth, particularly housing growth. Examples of transit nodes and connections include rail stations (e.g., SMART rail), major transportation corridors (e.g., US 101) or transit centers (Bettini Transit Center, Downtown San Rafael). A PDA is also a funding tool.

The PDA was formulated by two regional agencies, Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC). The roles of these two, regional agencies are explained in Section F of this document. The PDA concept is a key component of the ABAG/MTC-sponsored "Plan Bay Area," which is the Bay Area's "Sustainable Communities Strategy." The roots of the "Sustainable Communities Strategy" are Assembly Bill 32 (AB32) and Senate Bill 375 (SB375) which require, respectfully: a) a statewide mandate to reduce greenhouse gas emissions by 2035; and b) that each region develop a Sustainable Communities Strategy which must demonstrate ways to lower greenhouse gas emissions. The Plan Bay Area is explained and described below, under Section D of this document. As a component of the Plan Bay Area, a PDA is intended to promote future growth (jobs and housing) to be concentrated in currently-developed areas of the inner-Bay region, specifically around transportation networks and modes. The premise of this concept is that by promoting more concentrated growth in the currently-developed inner-Bay region, it will reduce pressure for growth to continue in outward region of undeveloped, green field areas, which has been the historic pattern of growth. More concentrated growth provides greater opportunities for people to live closer to work, which results in less vehicle miles traveled, thus reducing greenhouse gas emissions.

Essentially, the PDA process has been established as a funding tool. For long-range, regional planning purposes, the PDA receives a higher percentage of projected growth (because of immediate proximity to transit), in exchange for funding incentives. The details of the funding incentives are presented in responses to other questions below. The ABAG/MTC-sponsored Plan Bay Area estimates that in most Bay Area counties, 80% of the projected growth is to occur in the PDAs. By comparison, 37% of the projected Marin County housing growth to 2040 would occur in the PDAs. For Marin County, the percentage of growth assigned to the PDAs is considerably lower for several factors: a) Marin does not have the extent of public transit options and systems (e.g., BART and Cal Train) as the other counties in the inner-region; b) Marin has conserved much of the lands outside the urban corridor (West Marin) for agriculture and open space; and c) there are few areas to grow within this county. While it is the intent of a PDA to provide concentrated, higher density development, how this projected growth is planned is fully controlled by the local jurisdiction.

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The PDA concept is not new. Essentially, a PDA mirrors the concept of “transit-oriented development,” with mixed use and higher densities concentrated around transit. Transit-oriented development has been promoted and successfully achieved as “smart growth” for the past 20-30 years.

2. Where are San Rafael’s Priority Development Areas and how did they come about?

Response: In 2006, the Association of Bay Area Governments (ABAG) began the FOCUS program, described as “a regional incentive-based development and conservation strategy for the Bay Area.” In the FOCUS program, local governments identify areas for a Priority Development Areas (PDA) designation. PDAs are eligible for existing and future financial assistance for planning and infrastructure improvements. As noted in the response to question #1 above, the PDA is basically a mechanism to achieve additional funding to address the local impact of regional transit projects. ABAG has made available to the nine Bay Area counties, \$7.5 million to PDAs for planning grants and \$10 million in additional grants in coming years.

In 2008 and 2009, San Rafael submitted an application and received approval of PDA designations for Downtown San Rafael and Civic Center/North San Rafael Town Center respectively. The two PDAs surround the two, planned SMART stations.

The SMART rail service is coming and will impact our local circulation system. Given the potential for funding of infrastructure improvements and necessary planning to address the impact of SMART, staff recommended applying for PDA designations for areas centered around the two proposed San Rafael SMART stations. Both areas include a mix of office, single-story and multi-story commercial, single-family and multi-family residential, and retail.

The PDA designations helped make San Rafael eligible to receive additional infrastructure funding to address the impact of SMART operations and to plan for the smooth integration of the two stations into the surrounding neighborhoods. San Rafael received a grant from the Metropolitan Transportation Commission (MTC) for the development of two SMART Station Area Plans, which were completed in 2012. The planning grant helped prepare studies about needed infrastructure improvements in the station area for pedestrian and bicycle access, parking, security and other amenities, as well as land use opportunities and design guidelines.

Approximately 200 PDAs have been designated in the nine Bay Area counties. At present, in Marin County, there are two designated PDAs in San Rafael (referenced above) and a planned PDA that covers some unincorporated areas along the US 101 corridor.

3. What notification and public outreach was conducted by the City during the PDA designation process? What were the legal requirements for notification?

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Response: There was no formal notification or community outreach employed when the PDA application was presented to the City County. The City has often applied for and received MTC and ABAG funding to plan for and construct infrastructure to address regional transportation issues. As the County seat and the hub of east-west transportation from the East Bay to West Marin, San Rafael has unique infrastructure challenges that cannot be fully addressed with local funding sources. The regional bodies' transportation funds (MTC and ABAG) have understood our challenges and awarded San Rafael regional funding to assist in meeting these challenges.

As the City routinely applies for regional transportation funds as a matter of course, there is no notification or community outreach, and the FOCUS application followed this same course. The applications were presented in a staff report and draft resolution to the City Council and placed on a regular meeting agenda.

The FOCUS applications and PDA designations do not require any formal notification or outreach. While the City's municipal code prescribes specific noticing and outreach requirements for certain and specific land use actions (e.g., property rezoning, land use permits), the PDA designation did not result in such actions that would have necessitated formal notification. The request for action on the FOCUS applications and PDA designations were scheduled for City Council review and placed on a regular meeting agenda. The City Council meeting agendas are published and posted for public review 72 hours prior to the City Council meeting. When published, the City Clerk provides a link of the City Council agenda to a long list of community members, including representatives of the Federation of San Rafael Neighborhoods and North San Rafael Coalition.

4. Why was the Civic Center/Northgate area selected as a Priority Development Area?

Response: The Civic Center/Northgate area was selected as a PDA for the following reasons:

- a. The SMART rail service that is approved and under construction plans for a rail station at the Civic Center (specifically located under US 101 near the Civic Center Drive/McInnis Parkway intersection). As the rail station is a multi-modal commuter transit node, the area around the station is suitable for PDA designation.
- b. The San Rafael General Plan 2020 Circulation Element (adopted in 2004), specifically "Program C-17a (SMART)" states that if SMART is built, the City should plan for safe rail crossings, pedestrian/bicycle/vehicle connections, and transit-oriented high density housing. The PDA designation offers a greater opportunity for receiving grants/funds to plan for, study, and implement these recommendations.
- c. The Civic Center/Northgate area is home to several major employers (County of Marin, Autodesk, Sutter Health and Northgate Mall). Many employees in

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this area commute by private vehicle to/from Northern Marin County, Sonoma County and beyond. These employees will likely benefit from and utilize the SMART rail service for commuting. The PDA designation offers a 'first priority' opportunity for federal, state and other grants/funds, which would assist in funding the transportation network improvements on and around the SMART station to tie to employment centers.

- d. The Civic Center/Northgate area offers a number of opportunity sites for potential housing development. The PDA designation offers an opportunity to plan for higher density housing around and in close proximity to this train station, which would provide local housing options for those employed in this area.

SMART will arrive in 2014 in this area and it will impact our local circulation network. As a funding source, the PDA designation presents an opportunity for increased access to funds and grants to prepare for the operation of the rail service.

5. What alternatives to a PDA were analyzed when the City decided to designate the Civic Center PDA? Is a PDA voluntary?

Response: There were no alternatives to a PDA designation that were analyzed by the City Council when the matter was presented to the Council for action. The June 15, 2009 City Council staff report provides a brief summary of the PDA designation and FOCUS program. It is very apparent in this report that the primary purpose for seeking this designation was to take advantage of potential funding opportunities (for planning and infrastructure improvements) that are eligible for PDAs. The arrival of SMART will impact our local circulation network; therefore, it was prudent to seek out funding opportunities to prepare for SMART.

Because the PDA designation offers a source of funding, there would be no reason to study alternatives to warrant this action. The staff report states: "*The PDA designation will help make San Rafael eligible to receive a station area planning grant for the new Civic Center SMART station. The planning grant would study needed infrastructure improvements for bicycle and pedestrian access, parking, security and other amenities, as well as land use opportunities and design guidelines.*" Following the designation of the Civic Center PDA, the City applied for and received a \$140,000 grant to prepare the Civic Center Station Area Plan.

The designation of a PDA is voluntary. Local jurisdictions are not required to designate areas for PDA status. As discussed above, in 2007, the FOCUS process was developed by ABAG/MTC for local agencies to apply for PDA status.

6. What are the benefits that are offered to a Priority Development Area? What are the obligations of a PDA designation for an area?

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Response: Per the ABAG/MTC-sponsored "Plan Bay Area," the "benefits" of a PDA designation are: a) a greater opportunity for funds and grants to implement transportation and land use projects to address the local impact of a regional transit project; and b) the potential for development projects within the PDA to qualify for a more streamlined environmental review process ("CEQA streamlining"). Specifically:

- a. For the North Bay, 50% of the funds/grants that are made available on a countywide level are earmarked for PDAs and projects that are contiguous and feed into the PDAs. The remaining 50% of the funds/grants are set aside for all other projects throughout the County that are located outside of a PDA. So, simply stated, transportation projects within a PDA have less competition, and are given higher, essentially first priority to receive such funds/grants.
- b. Streamlining the environmental review process for a development project located within a PDA is intended to provide an incentive to local jurisdictions. However, it is not mandatory for a local jurisdiction to exercise or offer such streamlining.

Last year, \$10 million in One Bay Area (OBAG) funding was made available to Marin County. The Transportation Authority of Marin distributed these funds among a number of transportation and planning projects within Marin. Projects within and contiguous to (linked by transportation network) were allocated 50% of the net funding. PDA Planning funding is anticipated to become available in the next year, which would be exclusively available to PDAs.

There are no tangible "obligations" when committing to a PDA designation. While the intent of the PDA designation is to plan for higher density and more concentrated development within PDAs, how this is achieved is at the discretion of each local jurisdiction. As discussed below (under Section D), while the Plan Bay Area includes 2040 jobs and housing growth projections for PDAs, local jurisdictions are not required to plan or zone for this growth, nor obligated or required to build high density affordable housing within the designated PDA.

7. How is a Priority Development Area related to the "Plan Bay Area," which has been sponsored and prepared by the regional agencies of ABAG and MTC?

Response: As explained in the response to question #1 above, the PDA concept is one of the key elements of the "Plan Bay Area." As discussed under Section D below, the Plan Bay Area serves as the region's Sustainable Communities Strategy, which is required by State law (SB375). The Sustainable Communities Strategy is one of a number of tools that are required to be implemented to reduce the regions greenhouse gas emissions by 2035 (mandate of Assembly Bill 32, California Global Warming Solutions Act). The premise of the PDA concept is to promote the concentration of future growth in the inner-Bay Area, specifically around transit networks and centers so that there is less pressure to continue growth to the outer regions. By concentrating future jobs and housing growth in the inner-Bay Area, it provides the future population with an opportunity to reside and work in close proximity with access to public

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transportation, which would result in fewer vehicle trips, thus reducing greenhouse gas emissions.

8. The Civic Center PDA is designated or in the “place type” of “Transit Town Center.” What is this designation or place type, and is it appropriate for this PDA?

Response: As discussed above, in 2006, the Metropolitan Transportation Commission (MTC) launched the *Focusing our Vision Program* (FOCUS). The FOCUS program was developed for local jurisdictions to apply for and designate a PDA. The FOCUS program included the development of a guide to designating and planning PDAs. This guide, which is entitled, *Station Area Plan Manual* (prepared by the Metropolitan Transportation Commission, October 18, 2007) identifies different types of PDAs, which are referred to as “place types.” As a PDA designation is offered to local jurisdictions throughout the region, the “place types” are intended to describe the different types of PDAs based on geographic conditions and area characteristics that vary throughout the region. The PDA place types that are described in this guide range from very urban (e.g., Downtown San Francisco and Oakland) to suburban/semi-rural (e.g. Windsor). When a PDA application is filed by a local jurisdiction, a place type must be identified that is suitable to the conditions and environment of the area being designated. The “Transit Town Center” place type was identified by City staff as being the most appropriate and applicable for the Civic Center PDA. The manual describes the Transit Town Center place type as follows:

“Transit Town Centers are more local-serving centers of economic and community activity than Civic Centers and Suburban Centers [both PDA place types] and attract fewer users from the greater region. A variety of transit options serve Transit Town Centers, with a mix of origin and destination trips, focusing primarily on commuter service to jobs in the greater region, with a lesser degree of secondary transit service than in other centers. Residential density around Transit Town Centers is usually lower than larger centers but there is still a mix of single- and multi-family residential, with a mix of retail, smaller-scale employment and civic uses. Intensities in the Transit Town Centers are usually noticeably greater within ¼-mile of the transit station than within the ½-mile radius. Examples of Transit Town Centers are Hercules waterfront, Suisun City, Napa and Livermore.”

Second, the guide includes other area characteristics that are suitable to define a PDA in the “Transit Town Center” place type, which include the following:

- Area is a local center of economic and community activity
- Area provides commuter rail, local/regional bus hub
- Area provides a moderate-density mix of residential, commercial, employment and civic/cultural uses
- Area provides community-serving and destination retail opportunity

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Third, the guide includes a list of development guidelines for each place type. For Transit Town Centers, the guidelines include:

- New housing development should contain a mix of mid-rise, low-rise townhomes, small lot single family
- A target range of 3,000-7,500 housing units+
- A target range of 2,000-7,500 jobs+
- A net residential project density of 20-75 dwelling units per acre (note: this is net, not gross density, which is lower)
- Minimum non-residential floor area ratio (ratio of building area to land area) of 2.0

+ = Existing development + projected growth

The place types presented in the guidelines are not a perfect fit for every community. However, at the time the PDA designation was made, it was determined that the “Transit Town Center” place type was appropriate for the Civic Center PDA because the characteristics of the Civic Center and Northgate area were the most representative of the characteristics defined in this place type.

It is important to clarify/note that the target range described for each place type represents existing housing units plus projected growth (range of 3,000-7,000 units). The Civic Center Station PDA currently has 1,056 developed housing units (source: *San Rafael Civic Center Station Area Plan Background Report*, January 2011). At the time of designation, the City was yet to study the traffic implications of the PDA. When the Civic Center Station Area Plan was subsequently prepared, traffic modeling was completed assuming more robust growth, which demonstrated that the traffic system could not accommodate this growth (even with factoring in the major, planned transportation improvements identified in the San Rafael General Plan 2020). Ultimately, the Civic Center Station Area Plan represented maintaining the same level of projected land use capacity as the adopted San Rafael General Plan 2020, which is 620 additional housing units for the area, forecast over a 15-20-year timeframe. Since the 2004 adoption of the General Plan, except for a small number of second dwelling units, there have been no housing units approved or built within the boundaries of this PDA.

Regarding a possible change in “place type” for this PDA, please see Section E, question #5.

9. Is increased crime associated with PDA development?

Response: The premise of PDAs is to locate housing (and jobs) closer to transit so as to reduce vehicle miles traveled and thus reduce greenhouse gas emissions. The PDA concept mirrors “transit-oriented development,” for which there are many examples throughout the Bay Area. City staff has not unearthed any studies that equate additional crime with housing located near transit or transit-oriented development. The San Rafael General Plan 2020 also supports locating housing near transportation corridors and transit stations.

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The question appears to be inquiring about the correlation between crime and higher density housing. Staff has not found any studies that have shown any relationship between population or housing density and violent crime rates; once residents' incomes are taken into account, the effect of density on non-violent crime decreases to non-significance.

San Rafael has many different types of housing and housing densities, including housing developments that are built at or above 30 units to the acre. These include Lone Palm, One H Street, Centertown, San Rafael Commons, Boyd Court, and Drakes Terrace. For additional information on other residential project examples, see Section B, response to question #10. The San Rafael Police Department has not reported any increased calls for service in this type of housing. The City of San Rafael has over 1,100 units owned and operated by nonprofit housing organizations and an additional 300+ affordable units in private developments. The San Rafael Police Department has not reported any increased or additional crime in the units owned by nonprofit housing organizations in comparison to other housing in the City.

Sources:

http://communityinnovation.berkeley.edu/publications/GCCFramingPaper_FINAL.pdf

10. Is there any available information on how the presence of a PDA could affect property values?

Response: As stated in the response to other questions, a PDA is essentially the same concept as transit-oriented development ("TOD"). TOD areas are defined as moderate- to higher-density development located within an easy walk of a transit stop. So, for the purpose of responding to the question, City staff has turned to information that is available on TODs. In Northern California, TODs have been developed in areas near major transit systems including BART, MUNI and Cal Train.

In 2008, the Minetta Transportation Institute, based in San Jose, completed a study of the impact of TOD's on single-family home prices. The study selected areas with the following criteria:

- Suburban location
- Substantial single family residences within one-half mile radius of the TOD
- Good mix of uses, including residential, office and/or commercial within the TOD
- All or a major portion of the TOD built

Four areas were chosen; San Jose, Pleasant Hill, Downtown Hayward and San Mateo. The study found that the Ohlone Chynoweth TOD in San Jose had a positive impact on the surrounding single-family home prices. The study quantified this positive effect to be an average increase in the sales price of the home of \$10,150 with every 100-foot decrease in the distance to the TOD. The

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average sales prices of homes in that area were \$660,000, so the TOD increased value by about 1.5%. The remaining three TOD's did not have any effect-positive or negative- on the prices of surrounding single family homes.

Coldwell Banker studied the impact of the Mission Meridian Transit Village in South Pasadena. Their study found that sales prices in the transit village were \$100,000-\$300,000 higher than the rest of the City during the period from 2006, when the light rail started, to 2009.

11. Is there evidence that concentrated development in a PDA reduces traffic and highway congestion? Have there been any studies or special traffic generation rates developed that is unique to “transit-oriented development?”

Response: Yes, there is evidence that concentrated development placed near transit reduces traffic generation. As explained throughout this document, a PDA mirrors the concept of “transit-oriented development” (TOD), which has been promoted as smart growth for the past 20 years. Many cities throughout the country have planned for concentrated growth around transit and there are numerous examples of higher density and mixed-use projects that have been built and proven to reduce traffic generation, result in increased transit usage and have a lower demand for parking. Numerous studies have been conducted which support this conclusion.

When preparing traffic studies on development projects, traffic engineers typically rely on the *Institute of Transportation Engineers Trip Generation Manual*. The ITE manual provides trip generation rates for every type of land use. The trip generation rates are based on surveys of actual development projects and the rates are used as a base for preparing traffic studies on development projects. The ITE manual includes trip generation surveys for mixed-use projects but what is typically employed in San Rafael when studying traffic for such projects is an individual assessment of each use in the project (as it provides a more conservative approach). However, as transit-oriented development has been a common planning and development practice in recent years, there has been focus on studying the unique traffic generation characteristics of this type of development. In fact, the transportation engineering firm of Fehr & Peers has done extensive research on this topic and has developed (based on surveys of TODs), an alternative trip generation model (referred to as “MDX”) that factors in transit proximity and availability of services., which support a lower trip generation than the ITE manual. This model is based on case studies of TOD projects in, among others, Portland, Oregon and Bay Street in Emeryville.

Albeit more urban settings with access to more active/robust transit than the San Rafael Civic Center area, the case studies show that a mix of more concentrated, residential development coupled with supporting commercial services near transit reduces trip generation. These findings are published in *Getting Trip Generation Right- Eliminating the Bias Against Mixed-Use Development*, by Jerry Waters, Brian Bochner and Reid Ewing, transportation engineers (APA, 2013). Based on

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a study of 27 mixed-use development sites throughout the US, the publication reports:

- a. On average, the land uses in a mixed-use development would generate 49% more traffic if they were distributed among single-use sites in suburban settings.
- b. The current mixed-use trip generation rate that is published in the *ITE Trip Generation Manual* overestimates peak hour traffic by an average of 35%.

These findings are based on a combination of factors (referred to as the “D Variables”), that include, among others, density (higher densities shorten trip lengths), diversity of uses (including destination uses such as places of employment and local-serving retail) and demographics. This model has been approved for use by the EPA, peer-reviewed in the ASCE Journal of Urban Planning and Development and is even recommended for use on mixed-use transit-oriented development projects by SANDAG (San Diego Area Government). According to Fehr & Peers, the model has been successfully used in the preparation of Environmental Impact Reports (EIR) throughout the State.

City staff consulted with Fehr & Peers on whether a TOD reduces highway congestion. Fehr & Peers responded that the claim that TODs reduce traffic congestion is not black-and-white; it depends upon the circumstances. Of course if more development is added to an area, more traffic congestion would result from this additional development. However, Fehr & Peers noted that if this same development is placed in an area that is less transit-oriented, then yes, a TOD would reduce traffic levels, thus reduce congestion.

12. Is there evidence that concentrated development in a PDA reduces greenhouse gas emissions?

Response: As discussed above, essentially, a PDA mirrors the concept of “transit-oriented development,” with mixed use and higher densities concentrated around transit. Please see Section D, response to question #14 which addresses greenhouse gas emissions associated with transit-oriented development.

13. Who supports Priority Development Areas (PDA) and why?

Response: PDAs are part of a planning effort to reach the greenhouse gas emissions reduction goal mandated by Assembly Bill 32 (AB32). In 2006, the Legislature passed and Governor Schwarzenegger signed AB 32, the Global Warming Solutions Act of 2006, which set the 2020 greenhouse gas emissions reduction goal into law. In 2008, SB 375, the Sustainable Communities and Climate Protection Act, was signed to enhance California's ability to reach its AB32 goals by promoting good planning with the goal of more sustainable communities.

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Each of California's metropolitan planning organizations (ABAG and MTC in the Bay Area) are required to prepare a "sustainable communities strategy" (SCS) that demonstrates how the region will meet its greenhouse gas reduction target through integrated land use, housing and transportation planning.

PDAs are locally designated by resolution of the City Council. The San Rafael Chamber of Commerce and Sustainable San Rafael have indicated support of PDAs.

In addition, the City has had long-standing policies supporting transit-oriented development. Transit-oriented development was endorsed in the former General Plan 2000 (1988) and currently-adopted San Rafael General Plan 2020 (2004); both plans were developed by citizen-based steering committees and involved stakeholders throughout the planning process.

Sources:

http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb_0351-0400/sb_375_bill_20080930_chaptered.pdf

14. How does the current zoning differ from the PDA?

Response: There is no "zoning" associated with a PDA designation. A PDA is a designation that allows a local jurisdiction to apply for additional funding to address the local impact of regional transit such as SMART, or a specific area around transit. As explained below under Section D addressing "Plan Bay Area" questions, a PDA is assigned a percentage of projected housing and job growth (through 2040). The 2040 growth identified in the Plan Bay Area represents projections for additional residential units and number of jobs. However, the Plan Bay Area does not assign this growth to any specific sites within a PDA, does not mandate that sites within the PDA be re-zoned to accommodate this growth, nor does it require that high density affordable housing be built. Local jurisdictions have full discretion to plan for and/or rezone properties to plan for the projected growth for the PDA.

The current zoning of properties within the Civic Center PDA has not changed or been amended as a result of the PDA designation. As discussed below under the section of questions pertaining to the "Civic Center Station Area Plan," this Plan recommends changes to the San Rafael General Plan and property zoning to specific properties, which would promote more housing within this area. However, any initiative to change the zoning of properties (or General Plan amendments) would require detailed study, environmental review, as well as a public review and public hearing process.

15. Will the PDA designation result in more development of housing and commercial development in the area than without the designation?

Response: Not necessarily. The *intent and purpose* of a PDA is to promote more concentrated and focus growth (more housing and commercial development) within a geographic area than if the area were not designated as a

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PDA. However, unless there are major changes in City transportation/traffic policies (major amendments to the General Plan) and changes to the zoning of properties, the Civic Center PDA designation would *not result* in the development of more housing and commercial use for jobs than without the PDA for the following reasons:

- a. While the Plan Bay Area provides higher 2040 jobs and housing growth projections for PDAs, there is no mandate under SB375 or Plan Bay Area that this growth be planned or zoned by the local jurisdiction. Further, there is no mandate or certainty that the extent of housing or commercial use for jobs envisioned by the projections of the Plan Bay Area will be built.
- b. The feasibility of additional growth for jobs and housing was studied in the Civic Center Station Area Plan. The initial traffic modeling that was completed for the Civic Center Station Area Plan studied the potential impacts of additional growth within this area considering two scenarios: 1) the addition of 862 housing units; and 2) the addition of up to 1,400 housing units. The model results for both scenarios demonstrated that the circulation system would fail, even with the implementation of the planned transportation improvements included in the San Rafael General Plan 2020. The study for this Plan concluded that even with the construction of the planned transportation improvements recommended in the General Plan, the area can accommodate only the growth already assumed in the General Plan. The land use capacity for the Civic Center PDA in the General Plan is 620 housing units and 280,000 square feet of office/commercial use. This capacity represents the upper limit of additional development within this area (forecast over the 15-20 year General Plan timeframe) in order to maintain the City-adopted traffic service levels at local intersections and arterials. In fact, the growth represented in this land use capacity cannot occur unless the planned transportation improvements are fully funded and scheduled to be built. One of the key transportation improvements is the reconstruction of the Freitas Interchange, which is estimated at a cost of \$14 million. For this reason, the Civic Center Station Area Plan, which essentially represents the Civic Center PDA held to the land use capacity of the currently adopted San Rafael General Plan 2020. This land use capacity would continue to provide a safeguard for managing local traffic conditions with or without the PDA designation.

Even though a local jurisdiction has control over and implements the planning and zoning of an area, actual development and construction is dictated by the market. Local jurisdictions (cities and counties) are not property developers. Local government is not required to build the housing units but is required to provide the regulatory framework, generally zoning, that will allow the private sector to build the units that are necessary to address the needs of each income category.

- 16. If the PDA designation were to be retained, what level of housing density would the City be obligated to plan for in this area? Where is the housing planned? Would the density be more spread out without the PDA?**

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Response: The PDA designation does not obligate or mandate that a local jurisdiction plan for or build a specific level of housing density. As discussed above, the PDA designation is linked to Plan Bay Area, which includes 2040 jobs and housing growth projections. See Section D (Relationship to Plan Bay Area), question 5, which presents these growth projections. While it is the intent of a PDA to provide concentrated, higher density development, how this is planned is fully controlled by the local jurisdiction. The Civic Center Station Area Plan, which represents that same geographic area of the Civic Center PDA makes a number of recommendations to a handful of sites that would allow for an increased amount of housing development within this area. See Section C (Relationship to Civic Center Station Area Plan), questions #9 and #10, which list the areas/sites recommended for additional housing. However, at this time, no changes have been made to the San Rafael General Plan 2020 or property zoning that authorize this additional development.

In response to the second part of this question, if there were no PDA designation for the Civic Center area, the Plan Bay Area 2040 jobs and housing growth projections for this area would be re-distributed to other areas of San Rafael and/or throughout Marin County.

17. If the PDA designation is to be removed or eliminated, will the City still able to do some long-range planning within this area to address housing?

Response: Yes, but with financial limitations. The removal or elimination of the PDA designation has no impact or influence on future study of this area for housing. The San Rafael General Plan 2020 already identifies housing opportunity sites within the geographic area of the Civic Center PDA, which will continue to be considered and studied. Nonetheless, the *opportunity to fund* long-range planning studies for this area, and ultimately transportation and infrastructure improvements, would be significantly reduced if the PDA designation is eliminated. In the past, the City has wisely used outside funding sources (other than the City's general fund), to cover or subsidize long-range planning studies. The elimination of the PDA designation would eliminate the opportunity to secure outside sources such as OBAG (One Bay Area) and other ABAG and MTC grants that are earmarked solely for PDAs.

18. What is "transit-oriented" development (TOD) and does the City support this concept and why?

Response: Transit-oriented development (TOD) is development along transit corridors composed of compact neighborhoods that include housing, jobs, shopping, community services, and recreational opportunities within one-half mile walking distance of a major transit station. The City's General Plan 2000, General Plan 2020 and zoning ordinance encourages housing and mixed-use development along the city's transit corridors.

The following programs from the General Plan 2020 supports transit-oriented development:

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NH-88. Sonoma Marin Area Rail Transit (SMART) Station.

If rail service is initiated, support construction of a Civic Center SMART station. Encourage a plan that provides high density housing, bus transit connections, a parking lot, and incorporates pedestrian facilities and bicycle access (including bike storage facilities) consistent with the San Rafael Bike and Pedestrian Master Plan.

NH-88a. Transit-Oriented Development. Work with SMART, Marin County, Golden Gate Bridge Transit District and other transit providers to prepare a site-specific design for a transit-oriented development with housing in the vicinity of the rail station.

Transit-oriented development is supported because it supports a mix of residential and non-residential uses in one area around or accessible to transit, which promotes more walkable living and less reliance on vehicle travel.

19. Is the PDA concept an effective way to meet the goals of SB375?

Response: Yes, the State Legislature, ABAG and MTC have determined that the PDA concept provides a way to reduce vehicle miles traveled, thus reducing greenhouse gas emissions, which is the goal of SB 375. In 2008, Governor Schwarzenegger signed Senate Bill 375 (SB 375), which promoted a direct linkage of regional transportation plans (RTP) with the statewide goals to reduce greenhouse gas (GHG) emissions. SB 375 requires that the metropolitan transportation organizations of each region of the state (MTC is the transportation agency for the Bay Area region) develop a Sustainable Communities Strategy (SCS). The goal of the SCS is to reach a greenhouse gas (GHG) reduction target for each region. The target for the Bay Area is a seven percent (7%) greenhouse gas reduction per capita by 2020 and a 15% reduction per capita by 2035.

The primary contributor to GHG impacts is emissions from fossil-fueled vehicles. Therefore, the greatest effort to reach this target is to develop ways to reduce the amount of vehicle miles traveled, such as planning for more transit and housing and jobs that can be concentrated in the urban/developed areas and around or near transit. By concentrating future growth around or near transit, there are increased opportunities for the population to live closer to work and to use available transit rather than their personal vehicles. The end result is a reduction in vehicle miles traveled.

As discussed below under Section D, the Plan Bay Area serves as the region's SCS. A key component of the Plan Bay Area is the PDA, which, as discussed throughout this FAQ list, promotes concentrating this future growth in the inner, developed areas of the region. There are approximately 200 PDAs throughout the Bay Area region. An Environmental Impact Report was prepared for the Plan Bay Area, which includes an assessment of alternatives to the Plan. The Alternative Analysis section of the Plan Bay Area Draft Environmental Impact Report (Draft EIR Chapter 3.1) can be accessed at [http://onebayarea.org/pdf/Draft EIR Chapters/3.1 Alternatives.pdf](http://onebayarea.org/pdf/Draft_EIR_Chapters/3.1_Alternatives.pdf). The EIR

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concludes that the PDA concept, as applied to the region, will reduce GHG emissions by 9% per capita by 2035. Coupled with several other Plan Bay Area strategies, the 15% reduction would be met. Therefore, the PDA concept is expected to meet the goals of SB375.

20. Are there any case studies of PDAs in communities similar to San Rafael and what lessons were learned?

Response: A priority development area (“PDA”) is the same concept as Transit Oriented Development (“TOD”). TOD areas are defined as moderate to higher-density development located within an easy walk of a transit stop. In Northern California, TOD has been used in areas near major transit systems including BART, MUNI and Cal Train.

Members of San Rafael's citizen's advisory groups for the Downtown and Civic Center Stations started their work with a bus tour of TOD's in San Francisco (West Portal Station), Oakland (Rockridge Station), Redwood City and Palo Alto. These areas represented TOD's with three different transit systems; MUNI, BART, and Cal Train. Each TOD area reflected the particular characteristics of the local neighborhood. The San Rafael committee found the TOD areas to be active and lively with a good mix of interesting shops and restaurants and well maintained housing within walking distance of the transit station. In West Portal and Rockridge, the shopping areas were right outside the transit gates. In Redwood City and Palo Alto, the shopping areas were a little farther away but still within walking distance to the station.

There have been quite a few studies of the factors necessary for successful TOD implementation. Here are a few examples:
http://www.sustainablecitiesinstitute.org/view/page.basic/report/feature.report/report_TOD_national_examples
http://www.qualitygrowthalliance.org/SEA/wp-content/uploads/2010/01/Urban_Centers_and-TOD.Analysis_of_Barriers_and_Solutions.UW_September_2009.pdf
<http://www.reconnectingamerica.org/resource-center/browse-research/2011/tod-204-planning-for-tod-at-the-regional-scale/>
<http://www.seattle.gov/transportation/sap/factsheet.pdf>

21. What is the relationship between Metropolitan Transportation Commission (MTC) Resolution #3434 and the PDA designation?

Response: MTC Resolution #3434 is a Transit-Oriented Development Policy for Regional Transit Expansion Projects and is linked to funding for Sonoma Marin Area Rail Transit (SMART) and can affect regional transportation funding to the transit agency.

There is no direct relationship between MTC Resolution #3434 and the PDA designation. MTC Resolution #3434 is not linked to any funding sources for the City of San Rafael and includes no mandates or requirements for the City. The City of San Rafael applied for the PDA designation to be eligible for funding to

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address the impact of SMART operations on City streets. The MTC Resolution and the PDA designation both use a ½-mile radius around the SMART station for a boundary.

For more information about MTC Resolution #3434, please visit: <http://www.mtc.ca.gov/planning/rtep/>

22. Are there conditions (“springs attached”) to the additional grants and funds that are provided to PDAs?

Response: According to ABAG staff, there are no “springs attached” to the funding or grants that are provided for a project that is within a PDA. While the expectation of a PDA is to plan for increased, more concentrated development around/near transit, there is no obligation to produce, plan or zone areas or properties for housing in order to receive grants or funds for projects within a PDA.

As a PDA-designated area, the City received a grant through the Metropolitan Transportation Commission (MTC) to prepare the Civic Center Station Area Plan. Staff reviewed the scope and terms of the agreement between MTC and the City, which authorized the funding of this Plan (City Council Resolution 12948, May 3, 2010; and MTC Funding Agreement, June 30, 2010). The agreement includes a scope of work that, for the most part addresses station access and connectivity, but also includes *“Design guidelines and zoning recommendations to maximize housing potential.”* The terms of this agreement do not include any obligations or requirements for zoning actions or development of housing. The terms of the agreement, which trigger the final release of grant dollars, requires that the City submit a Final Station Area Plan and City Council resolution accepting the Station Area Plan.

B. GENERAL QUESTIONS ABOUT “RHNA” AND AFFORDABLE HOUSING

1. What is “RHNA” (Regional Housing Need Allocation)? How is RHNA connected to the PDA?

Response: RHNA is the state-mandated housing allocation that is provided to each local jurisdiction, which is required to be addressed in the Housing Elements of local General Plans. The RHNA is distributed citywide and there is no “allocation” that is applied or assigned to PDAs. Therefore, there is no connection or relationship between RHNA and a PDA designation. The PDA designation allows the City to apply for funds and grants for infrastructure and planning to ultimately address the impact of SMART. While the Plan Bay Area has identified 2040 jobs and housing growth projections to designated PDAs, this has no bearing on or relationship with RHNA. The 2040 jobs and housing projections are not a mandate.

The State of California established a requirement for each City and County to adopt a comprehensive long term general plan for the physical development of the City or County. In 1969, the Housing Element was added as one of the

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mandated elements. Since that time, each community is required to adequately plan to meet the existing and projected housing needs of all economic segments of the community. The State recognizes that in order for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems which provide opportunities for, and do not unduly constrain, housing development. The State of California Department of Housing and Community Development (HCD) reviews local Housing Elements for compliance with State law.

Pursuant to Government Code (GC) 65584 applicable to the RHNA process, HCD is required to determine the RHNA, by income category, for each region (e.g., the Bay Area). The RHNA is then distributed to the designated Council of Governments (COGs) for the region. The Association of Bay Area Governments (“ABAG”) is the COG for the nine bay area counties, which includes Marin. It is the job of ABAG to take the RHNA and distribute it among the local jurisdictions in the nine Bay Area counties. See Section F of this document, which describes ABAG’s role as a COG.

RHNA is based on Department of Finance population projections and regional population forecasts used in preparing regional transportation plans. COGs are required to allocate to each locality a share of housing need totaling the RHNA for each income category. Pursuant to GC 65583, local jurisdictions are required to update their Housing Element to plan to accommodate its entire RHNA share by income category.

It should be noted that the State recognizes that cities and counties are not property developers. Local government is not required to build, fund, own or operate the housing units, but is required to provide the regulatory framework, generally zoning, that will allow the private sector to build the units that are necessary to address the needs of each income category.

Cities and counties are required to provide adequately zoned sites to meet the RHNA allocation. There is no requirement in State Law to meet the PDA numbers.

2. Has the City’s Housing Element complied with RHNA in the past?

Response: Yes, the City of San Rafael has an adopted and certified Housing Element which demonstrates compliance with the RHNA. For San Rafael, the RHNA numbers for 2007-2014 State Planning cycle are 1,403 units. The units are broken down as follows:

Very low income	Low income	Moderate income	Above moderate
262	207	288	646

The City’s Housing Element has demonstrated, to the acceptance of the State Department of Housing and Community Development (HCD), that there are suitable sites zoned within the City to accommodate/meet the RHNA and meet our community needs for housing of all types. Since 1981, the City has

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consistently met the RHNA by diligently updating the Housing Element consistent with State laws.

3. How does the City's Housing Element comply with the current RHNA allocation?

Response: The City's Housing Element sets forth the types of housing that are needed to meet the needs of our current residents and the projected demographic needs. San Rafael's Housing element defines the current needs as:

- a. Rental units, particularly smaller units affordable to very low, low and moderate income households including seniors, students and local workers.
- b. Smaller and attached for sale units for lower income households.
- c. Senior housing affordable to very low, low and moderate income households.
- d. Second units (which can also increase the affordability of single-family units).
- e. Housing with a service component. This type of housing could serve seniors, the disabled and/or families with young children.

The City's Housing Element includes policies that promote all of these types of housing and the City's Zoning Ordinance that implements the General Plan includes housing densities that would accommodate the types of housing to meet the community's needs. San Rafael's housing element includes a variety of methods to meet the City's housing needs without the need to mandate a certain type of development on a specific site. Our zoning ordinance allows housing to be built on sites that are currently zoning for housing and on sites that are currently zoned for commercial, office or retail.

The General Plan 2020 Housing Element and Background Report are available on-line at <http://docs.cityofsanrafael.org/CommDev/planning/general-plan-2020/03-housing.pdf>.

4. Why is a certified Housing Element important?

Response: San Rafael is proud of our record of working with the private market to assure our housing stock meets the needs of our economically diverse community. The majority of State-offered grant and loan programs for infrastructure and other uses are limited to local jurisdictions that have a certified Housing Element. There have been several proposals in the State legislature through the years to withhold gas tax funds from City's that do not comply with the Housing Element law, which would have a significant impact on our ability to pave and improve our streets. Also, local jurisdictions that do not have certified Housing Elements can be vulnerable to lawsuits from private entities.

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With the enactment of SB375 and adoption of Plan Bay Area, local jurisdictions must now demonstrate that they have a certified Housing Element in order to secure grants for funds for transportation projects.

- 5. Are there locational criteria that are required (or given weight) to those applying for low-income or affordable housing? (e.g., locational criteria could be that one must be a current resident of San Rafael or person currently working for a local employer)?**

Response: San Rafael provides for affordable housing in a number of ways. Affordable housing is required to be included in the majority of new market rate housing developments. Therefore, San Rafael currently has 115 affordable ownership units within existing market rate ownership housing developments and about 250 affordable rental units in market rate apartment developments. In addition, there are about 900 rental units owned by nonprofit housing groups.

The City of San Rafael sets the criteria for affordable ownership units. Affordable ownership units are allocated based on a lottery of qualified purchasers. The lottery system gives first priority for people who live or work in Marin County. All households that purchased below market rate homes in San Rafael lived or worked in Marin County at the time they purchased their home.

For rental units, individual landlords are responsible for setting the selection criteria for their tenants. For rental units owned by nonprofit housing groups, the rental criteria is usually based on the type of Federal and State funding received by the developer. A study conducted by the Non Profit Housing Association of Northern California showed that 91% of workers who live in Marin's affordable housing work in Marin, compared to 68% of county residents overall.

- 6. What constitutes an “affordable housing” project?**

Response: The City of San Rafael Zoning Ordinance (SRMC Title 14) does not define “affordable housing,” but does include a definition for “affordable housing unit.” The zoning ordinance includes definitions for single family, multi family, commercial and industrial areas. Each type of zoning has its own unique housing density, height limitations and development standards.

The City of San Rafael provides for our affordable housing obligations in many ways with both nonprofit and for profit housing developers. San Rafael was one of the first cities in California to adopt inclusionary housing requirements in 1986. (San Rafael General Plan 2020 Housing Element Policy H-19- Inclusionary Housing Requirements requires that new development be required to comply with this requirement. All new housing developments over ten units include some amount of affordable units (range of below market rate units is 10-20%, depending on the project size). These inclusionary units are of the same type of housing as the rest of the development. For example, Redwood Village and Vista Marin are ownership developments with some affordable ownership units. Affordability is based on the median income for the area, as annually published by the State.

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In San Rafael, the zoning code states that affordable ownership units must be affordable to households of low and moderate income. The actual income target range is set by City Council resolution and the individual below market rate agreement for the development. Each development has a below market rate agreement as a condition of approval. The most current resolution sets the affordable ownership price for a low income unit as 65% of County median income or \$66,950 for a family of four (2013) and moderate income unit to be affordable to a household at or below 90% of County median income or \$93,000 for a family of four (2013).

Privately owned rental developments are also required to provide units affordable to lower income households. The zoning code states that affordable rental units must be affordable to a household of very low and low income. The actual income target range is set by City Council resolution and the individual below market rate agreement for the development. The most current resolution sets the very low income rate as affordable to a household at 50% of County median income or \$51,500 for a family of four and the low income rate as affordable to a household at or below 60% of County median income or \$62,000 for a family of four (2013).

7. Are affordable housing developments exempt from taxes?

Response: Privately-owned ownership units and rental units that are affordable (e.g., below market rate [BMR] units contained within a market-rate development project) are assessed property taxes and special assessments like any other housing unit.

Rental developments that are owned by non-profit housing organizations and provide 100% affordable units are exempt from property taxes but are charged for special assessments including school parcel taxes.

All new housing developments, regardless of ownership (private ownership vs. non-profit ownership) or type (rental vs. ownership) are required to pay school impact fees per State Law.

Examples of rental developments owned by nonprofit housing organizations in North San Rafael include Marin B. Freitas, Pilgrim Park Apartments, and single family homes owned by Life house. Examples of rental developments owned by non-profit housing organizations in Central San Rafael include San Rafael Commons, Rotary Manor, and Martinelli House.

8. Can second dwelling units (in-law units) satisfy the City's affordable housing requirements?

Response: Yes, second units (also referred to as "in-law" or "granny" units) are addressed in the City's adopted and certified Housing Element. The Housing Element includes specific policies and programs to promote second dwelling units and such units typically provide housing with affordable rents. The

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California Department of Housing and Community Development (HCD) has accepted second units as a legitimate program to achieve affordable housing. For Housing Element certification, HCD allows a local jurisdiction to count the annual second unit production that occurred in the previous Housing Element review cycle. From 2000-2008, the City of San Rafael approved a total of 41 second units. The annual rate was about five units per year. The General Plan 2020 Housing Element shows a total of 29 second units to be counted towards the RHNA allocation in the 2007-2014 time period.

9. How does San Rafael ensure that the type of housing being proposed and built meets the needs of the current and future residents?

Response: The Housing Element process requires jurisdictions to identify the housing needed to serve the residents in that community. The housing need analysis is based on demographic information, census data, wage and employment information and discussions with community groups and social service agencies. San Rafael's Housing Element defines the current community housing needs as:

- a. Rental units, particularly smaller units affordable to very low, low and moderate income households including seniors, students and local workers.
- b. Smaller and attached for sale units for lower income households.
- c. Senior housing affordable to very low, low and moderate income households.
- d. Second units (which can also increase the affordability of single-family units).
- e. Housing with a service component. This type of housing could serve seniors, the disabled and/or families with young children.

If affordable units are constructed as part of the City's inclusionary requirement, the developer must certify to the City that the affordable income requirements have been met.

10. What are some good examples of local residential projects that are built at a density of 30 dwelling units per acre?

Response: Examples of housing projects in San Rafael that have been built at 30 units to the acre or above include:

- Drake Terrace- Los Ranchitos Road (senior)
- San Rafael Commons- 4th Street (affordable senior)
- Aegis of San Rafael- Merrydale Road (senior)
- Alma Via- Las Gallinas Avenue (senior and disabled)
- One H Street @ 4th Street
- Lone Palm- 3rd @ C Streets
- Boyd Court- Mission Avenue @ C Street
- Town Center- 4th Street
- Albert Lofts- 2nd Street
- Ventana Villas- 1515 Lincoln

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33 North- 33 San Pablo Avenue

Examples of housing projects in San Rafael that have been built at 20-30 units to the acre include:

125 Nova Albion
Maria B. Freitas – Freitas Parkway (affordable senior)
Rotary Manor – 5th Avenue (affordable & disabled)
Baypoint Lagoon apartments – 345 Catalina Drive (affordable)
Ecology House- 375 Catalina Drive (disabled)
Summerhill Townhomes – Los Ranchitos Road and Golden Hinde Blvd
Pilgrim Park – Merrydale Road (affordable)
626 Del Ganado- (affordable disabled)
Redwood Village Townhomes- Sequoia Road

11. If a housing development project is proposed, what is the review process that is required and followed? How are the potential environmental issues of the project considered? When is public input provided in this process?

Response: The review process for a housing development project will vary, based on the type of planning and land use approval that is required and location. The planning and land use review is a public process, meaning that there are steps in the review process that require notification to the public of a public hearing or meeting that involves an action on the development project. Typically, the City's review process for a housing development project requires the following steps (in order of sequence). Please note that the milestones for public notification and input in the process are underlined:

- Developer/property owner contacts City staff with a preliminary plan or concept for housing development. At that time, City staff determines if THE proposed project is consistent with the San Rafael General Plan 2020 and property zoning. City provides feedback on the required permit process and expected environmental review process. City staff encourages the developer/property owner to initiate and conduct outreach to the effected HOA/neighborhood association for early comments and feedback.
- Developer/property owner files planning applications with accompanying project plans and background materials.
- City staff reviews applications for completeness and distributes project plans for City departments/utilities for review and comment. Plans also distributed to the HOA/neighborhood association (most impacted by project) for review and comment.
- City staff determines if the project is subject to environmental review. If so, then an Initial Study is completed to determine the topic areas of potential impact (e.g., traffic, drainage, resident exposure to pollutants, noise, visual, biological resources). Environmental document is prepared and published for public review. Notification for review is typically grouped with the notification of public hearing on the project (see Planning Commission step in process below).
- Design Review Board reviews the project design for consistency with the San Rafael General Plan, City ordinance provisions and policies. Design Review Board meetings are noticed as public meetings. Property owners and

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residents within a certain distance of the project site (minimum of 300 feet) are notified of this meeting and of all documents and plans available for review.

- Project merits and environmental documents are reviewed by Planning Commission. Planning Commission meetings are noticed as public meetings. Property owners and residents within a certain distance of a project site (minimum of 300 feet) are notified. Action by the Planning Commission on a project is final but can be appealed to the City Council. However, when the land use approvals require a change in the San Rafael General 2020 and/or a rezoning, the Planning Commission makes a recommendation to the City Council for final action.
- On appeal or when the project includes a General Plan amendment and/or rezoning, the project merits and environmental documents are reviewed by the City Council. City Council meetings are noticed as public meetings. Property owners and residents within a certain distance of a project site (minimum of 300 feet) are notified.

Please note that for all public meetings (Design Review Board, Planning Commission and City Council) the City Clerk publishes and posts the meeting agendas on the City's website.

The steps outlined above are broadly presented and generic to the process. Every development project is different and could result in additional steps and timing, depending upon the project scope and the project issues and challenges.

C. RELATIONSHIP TO SAN RAFAEL CIVIC CENTER STATION AREA PLAN

- 1. In 2012, the City completed the "San Rafael Civic Center Station Area Plan" for the Civic Center Priority Development Area. What is this Plan, its purpose and scope?**

Response: The San Rafael Civic Center Station Area Plan is the culmination of nearly two years of work (17 monthly meetings) by the City of San Rafael and a citizens committee (20-23 community members and ex-officios) to identify a community "vision" for the area around the future Civic Center SMART station in North San Rafael. The Plan builds on previous planning efforts, and sets out a conceptual framework for development and circulation improvements in the area. As the Plan states, future, detailed plans will be needed to further develop and implement the concepts in the plan and, at that time, the City will conduct environmental analysis.

- 2. How does the Civic Center Station Area Plan relate to the Civic Center Priority Development Area?**

Response: Geographically, they are one-in-the-same in that they share the same ½-mile radius around the planned Civic Center SMART station. The designation of the Civic Center area as a PDA came first (2009), which provided an opportunity to secure funding to prepare the Civic Center Station Area Plan (2012). Section A, question #5, addresses the City Council action to designate

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the Civic PDA and references a quote in the June 15, 2009 City Council staff report, which states: *“The PDA designation will help make San Rafael eligible to receive a station area planning grant for the new Civic Center SMART station. The planning grant would study needed infrastructure improvements for bicycle and pedestrian access, bus/auto drop-off, parking, security and other amenities, as well as land use opportunities and design guidelines.”*

Essentially, the Civic Center Station Area Plan is a study of the Civic Center PDA to assess and determine opportunities for SMART station access and connectivity (bicycle, pedestrian), parking and land use. The Civic Center Station Area Plan includes a number of recommendations for future study and action, which would support the area as a PDA. See question #6 below for a summary of the Plan recommendations. The Station Area Plan presents 24 recommendations with all but three recommendations addressing circulation, access and parking. Maintaining the PDA designation for the Civic Center area would provide greater funding and grant opportunities to implement the recommendations of the Plan.

3. Is the title “San Rafael Civic Center Station Area Plan” accurate in presenting a reasonable understanding of the purpose and scope of this Plan?

Response: The grant received by MTC to prepare this Plan was to prepare a “Station Area Plan.” The purpose was to prepare for the integration of a new rail station into the community. The Station Area Planning grant program funds city-sponsored planning efforts for the areas around future transit stations. The future rail station is the San Rafael Civic Center Station.

At the outset of the station area planning process, SMART was conducting public outreach and workshops regarding potential amenities and landscaping for their stations. This created an understandable degree of confusion between the two planning processes. Staff deliberately distinguished the two efforts on many occasions describing the SMART planning as focused on SMART property and stations and the City-sponsored Station Area Plan as planning for the ½-mile radius around the station. The Advisory Committee’s specific charge was to prepare a plan that addressed:

- Station Access and Connectivity;
- Transit Oriented Development;
- Accessible Design;
- Parking; and
- Pedestrian Design.

A better name for the document would have been the “Civic Center Station Area Vision.”

4. What is the relationship between the Civic Center Station Area Plan and SMART ridership?

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Response: Ridership projections were provided to the Station Area Plan Advisory Committee as background information. The Advisory Committee used SMART's ridership projections as well as their own knowledge of the area in discussions about housing and jobs in the area. Based on current projections, SMART considers the Civic Center station to be a "destination" station which means more people are projected to commute into the area than commute out. The Committee felt multi-family residential within walking distance from the station should be encouraged throughout the area to create a balance between boarding and alighting passengers throughout the day.

5. Why did the City accept the Civic Center Station Area Plan even though some residents opposed the plan?

Response: The Civic Center Station Area Plan is a "vision" document meaning that it represents a compilation of recommendations to consider at some time in the future. This document represents the work and recommendations of a City-appointed committee. The City Council's action to "accept" the Plan, was solely acknowledging the: a) completion of the Plan; b) the compilation of recommendations in the Plan; and c) the work of the City-appointed Committee; the Council's acceptance of the Plan did not endorse, approve or oppose any recommendations presented in the Station Area Plan.

While it may appear that the acceptance of the Plan represented a formal action by the City Council on the Station Area Plan, this is not the case. The compilation of recommendations in this document require further study, review and public hearings before there is a formal action by the City. Because of the concern over this perception, the City Council's August 20, 2012 resolution accepting the Plan (Resolution 13401) was adopted to include the following:

- a. Specific concerns expressed by a number of residents (and specific neighborhood/community groups) on recommendations presented in the Plan;
- b. A confirmation that the Plan represents a "vision" document the does not endorse nor oppose any specific action; rather, it represents a compilation of recommendations that require further study and public review; and
- c. The incorporation of an "Exhibit A" which lists all of the record or documents and proceedings of the Plan process, including petitions expressing opposition to a number of recommendations of the Plan.

Planning issues are often complicated and usually there are some community members and interest groups in favor while others are in opposition of an issue or project. Regional, city-wide, and even hyper-local issues can result in differing opinions about the right course of action and often lead to some level of dissatisfaction among certain groups for some or all elements of a project or plan.

The Civic Center Station Area Plan is the culmination of a two-year planning process involving a Citizen Advisory Committee, 17 monthly meetings open to

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the public, two community workshops, a Design Review Board meeting, a Planning Commission meeting and a City Council meeting. The City Council accepted the Plan as recommended by the Advisory Committee. The Committee did not gain consensus on one item pertaining to land use and instead offered three alternatives to the City Council. The Council did not select an alternative, but accepted the report “as-is.”

As a City that practices community-based governance, community involvement is an integral part of the planning process. However, this does not ensure all participants will agree or be satisfied with the outcome. A Citizens Advisory Committee was appointed at the outset of the process, a practice that is done with most major planning projects over the last several decades. The Committee represented a variety of interests and included homeowners, renters, business owners, and property owners in the area.

6. What does the Civic Center Station Area Plan recommend?

Response: In short, the Plan presents the following recommendations:

- a. Provide “Complete Streets” treatments.
- b. Complete the Promenade from Las Gallinas Avenue to North San Pedro Road.
- c. Complete the sidewalk network.
- d. Maintain and improve the Walter Place Crossing.
- e. Construct a new pedestrian crossing at the west end of the Civic Center Station (connecting Merrydale Road).
- f. Complete the Citywide Bicycle Network, as identified in the San Rafael Bicycle and Pedestrian Master Plan.
- g. Implement planned SMART-proposed shuttle service to major activity centers in the Study Area.
- h. Construct a transfer point for bus and shuttle service connecting to the SMART station.
- i. Construct vehicle turnaround areas at the ends of Merrydale Road north and south of the railroad tracks.
- j. Construct improvements at Las Gallinas Avenue, from Merrydale Road to Del Presidio Boulevard.
- k. Construct improvements at US 101 / Freitas Parkway Interchange as specified in General Plan 2020.
- l. Signalize US 101 Southbound Ramps / Merrydale Road Intersection.
- m. Install directional signage for all modes directing people to and from key destinations in the area.
- n. Explore residential parking permits and time limits.
- o. Provide more commuter parking opportunities throughout the area.
- p. Coordinate parking controls.
- q. Reduce parking requirements.
- r. Provide bike parking.
- s. Protect existing residential neighborhoods.
- t. Encourage residential uses within walking distance (generally a ¼-mile) of the station.

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- u. Allow limited retail in proximity to the station.
- v. Develop design guidelines to ensure compatibility with the existing neighborhoods.
- w. Restore and enhance the natural resources in the station area
- x. Allow an increase in building height, allowable FAR and/or residential density in focused locations. In addition, amend the General Plan and zoning designations on Planned Development (PD) zoned parcels for additional uses.

The above recommendations represent a list of tasks and actions, some of which require further study and review. Additional details on each of these recommendations can be viewed here: <http://docs.cityofsanrafael.org/CommDev/planning/SAP/CivicCenter/Final%20Plan%20Executive%20Summary.pdf>

7. What is the relationship of the Civic Center Station Area Plan to the San Rafael General Plan 2020, which is the City's "Master Plan" and blueprint for the future?

Response: Every local jurisdiction in California is required to prepare and adopt a General Plan, which essentially presents a 'blue print' or 'master plan' for the jurisdiction which covers a time frame of 10-20 years. The State law governing General Plans is provided in California Government Code, Article 5 (Authority for and Scope of General Plans), commencing at Section 65300 and can be accessed at <http://codes.lp.findlaw.com/LCsearch.html?entry=65300&restrict=codes%3Acacode#>. State law requires that General Plans contain seven key elements, including a housing element, land use element and circulation element. Collectively, these plan elements present goals, policies and programs that:

- a. Reflect the key interests and priorities of the community to guide future growth;
- b. Establish land use designations with limitations on intensity and density (e.g., residential density of up to 30 dwelling units per gross acre) for all areas of the jurisdiction that are used as a basis for property zoning;
- c. Establish circulation and transportation standards to coincide with the projected land use that is envisioned by the Plan;
- d. Reflect standards that address, among others: maintaining the quality of life, community character, resource protection, safety and community services, and economic vitality; and
- e. Provide a guide for assessing development and land use. In San Rafael, nearly all land use and development actions taken by the City require a finding of "consistency with the General Plan."

As the General Plan is the backbone to many decisions that are made by a local jurisdiction, it is adopted as a legislative act by the decision-making body (e.g.,

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City Council). Further, a General Plan is subject to environmental review per the provisions of the California Environmental Quality Act (CEQA).

The preparation process for the San Rafael General Plan 2020 was a five-year effort that involved a 25-member steering committee of residents and community stakeholders. This committee was supported by four task groups of 60 volunteers. Ultimately the Plan was adopted by the City Council in 2004. This action was coupled with the City Council's certification of the Plan Environmental Impact Report. The following General Plan 2020 programs set the stage for preparing the Civic Center Station Area Plan:

NH-88. Sonoma Marin Area Rail Transit (SMART) Station. If rail service is initiated, support construction of a Civic Center SMART station. Encourage a plan that provides high density housing, bus transit connections, a parking lot, and incorporates pedestrian facilities and bicycle access (including bike storage facilities) consistent with the San Rafael Bike and Pedestrian Master Plan.

NH-88a. Transit-Oriented Development. Work with SMART, Marin County, Golden Gate Bridge Transit District and other transit providers to prepare a site-specific design for a transit-oriented development with housing in the vicinity of the rail station.

NH-88b. Safe Walkways and Bikeways. Encourage the provision of lighting and sidewalks to ensure safe and attractive walkways and bikeways from the transit center, on both sides of Civic Center Drive, to the Northgate area.

NH-148: Residential Use at the End of Merrydale Road. Evaluate amending the General Plan and Zoning Ordinance to promote residential uses at the end of Merrydale Road.

C-20. Intermodal Transit Hubs. Support efforts to develop intermodal transit hubs in Downtown and at the Civic Center to provide convenient and safe connections and support for bus, rail, shuttle, bicycle, and pedestrian users, as well as automobile drivers using transit services. Hubs should include secure bicycle parking and efficient drop-off and pick-up areas without adversely affecting surrounding traffic flow.

The Civic Center Station Area Plan was prepared as a conceptual study of a specific geographic area of the City. As mentioned throughout the responses in this document, the Station Area Plan is a "vision" document, meaning that, unlike the General Plan, it was not adopted as a legislative action nor was it subject to environmental review. Further, it is not an appendage or supplement to the General Plan nor is it a specific plan to the General Plan. The sole relationship between the Station Area Plan and the General Plan is that the former includes, among others, a list of recommendations, some of which would necessitate changes or amendments to the General Plan.

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8. What is the growth that is envisioned by the Civic Center Station Area Plan? How many new residences does the Plan propose and where?

Response: The Civic Center Station Area Plan does not propose a certain number of residences. It defers to the growth projected in the San Rafael General Plan 2020, specifically the land use capacity, but recommends this growth be focused around the station (within walking distance). Increases in density are contingent upon the identified limits of traffic capacity in the area. Specifically, the Plan discusses the development *potential* in the area East of US 101, the Redwood Highway area, and the area around Northgate in a conceptual way. Please refer to the following questions #9 and #10 for detailed descriptions of the Plan's land use recommendations.

9. Did the Civic Center Station Area Plan result in any changes to the San Rafael General Plan 2020? Does the Plan recommend any changes to the General Plan?

Response: No, the Civic Center Station Area Plan did not result in any changes or amendments to the San Rafael General Plan 2020. The Civic Center Station Area Plan is a "vision" document that presents a list of suggestions and recommendations for changes (such as changes to zoning) but did not result in any changes or amendments to the City's General Plan. However, the Station Area Plan identifies the following land use-related recommendations that would require amending the San Rafael General Plan 2020:

- a. Redwood Highway Area (south/southwest of SMART station)-
 - Amend General Plan Land Use Map designation land use policies for Public Storage and Marin Ventures sites to permit residential use, and to allow retail/office uses with a floor area ratio exceeding the area limit of 0.30.
 - Amend General Plan Land Use Element policies to allow for building heights in excess of 36 feet (4 stories) along the Redwood Highway frontage road**
- b. Northgate Area (north/northwest of SMART station)-
 - Amend General Plan Land Use Map designation for Northgate Storage site (Merrydale Road) to permit residential use with densities exceeding 44 dwelling units per acre (but within traffic capacity limits)
 - Amend General Plan Land Use Element policies for Northgate Mall and Northgate III Shopping Center sites to allow for building heights in excess of 36 feet (4 stories and 5 stories, respectively)**
- c. East of US 101 (Civic Center area)-
 - Amend General Plan Land Use Element policies to: permit residential use with densities exceeding 44 dwelling units per acre (but within traffic capacity limits); allow retail/office uses with floor area ratio exceeding the

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area limit of 0.30; and allow building heights in excess of 36 feet (4-5 stories**)

** Note: The Station Area Plan Citizens Committee did not reach consensus on the recommendation for changes in building height limits

It should be noted that all proposed amendments to the San Rafael General Plan 2020 are subject to environmental review (CEQA review) to determine potential impacts such as, but not limited to traffic, aesthetics (view impacts), exposure to hazards/pollutants, biological resources, drainage/flooding. All General Plan Amendments require a public review process involving a recommendation by the Planning Commission and action by the City Council.

10. Did the Civic Center Station Area Plan change any property zoning? Does the Plan recommend any changes to zoning?

Response: No, the Civic Center Station Area Plan did not re-zone any properties within the Plan area. As noted above in question #9, the Station Area Plan is a “vision” document that presents a list of suggestions and recommendations for changes (such as changes to zoning) but did not result in any changes in property zoning. The Station Area Plan recommends changes in property zoning for the following sites/areas:

- a. Redwood Highway Area (south/southwest of SMART station)-
 - Rezone the Public Storage and Marin Ventures sites (from current PD District) to permit residential/mixed-use
 - Amend zoning ordinance to allow for retail/office uses with a floor area ratio exceeding the area limit of 0.30
 - Amend zoning ordinance to allow for building height bonus along the Redwood Highway frontage road, Public Storage and Marin Ventures sites
- b. Northgate Area (north/northwest of SMART station)-
 - Rezone the Northgate Storage site (Merrydale Road, from current PD District) to permit residential use/mixed use with densities exceeding 44 dwelling units per acre ++ (but within traffic capacity limits)
 - Amend zoning ordinance to allow for retail/office uses on Northgate Storage and Northgate III sites with a floor area ratio exceeding the area limit of 0.30
 - Amend zoning ordinance to allow for building height bonus for Northgate III, Northgate Mall and Northgate Storage sites
- c. East of US 101 (Civic Center area)-

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- Rezone the #1 McInnis Parkway office building (from current PD District) to permit residential use/mixed use with densities exceeding 44 dwelling units per acre ++ (but within traffic capacity)
- Amend zoning ordinance to allow for retail/office uses on the office/commercial sites with a floor area ratio exceeding the area limit of 0.30
- Amend zoning ordinance to allow for building height bonus for sites closest to the SMART station

++ = Zoning is represented in NET dwelling units per acre (land area only), while the San Rafael General Plan 2020 represents residential density in GROSS dwelling units per acre (land area + public streets and rights-of-way). The 44 dwelling units per net acre is the same as 30 dwelling units per gross acre

As is the case with General Plan Amendments, all changes to zoning (re-zoning) are subject to environmental review (CEQA review) to determine potential impacts such as, but not limited to traffic, aesthetics (view impacts), exposure to hazards/pollutants, biological resources, drainage/flooding. All zoning changes require a public review process involving a recommendation by the Planning Commission and action by the City Council.

11. Does the Civic Center Station Area Plan authorize the development of new, high density, multi-story housing?

Response: No, the Civic Center Station Area Plan does not authorize development. As noted above, the Station Area Plan is a “vision” document, which includes a list of recommendations that require further study and actions by the City in certain areas and/or on specific sites. These further studies and actions are required before new, high density housing is authorized and developed. However, it should be noted that the adopted San Rafael General Plan 2020 (adopted in 2004) and current property zoning for certain properties within the Station Area Plan permit multi-family residential use at high densities (zoning of up to 44 dwelling units per net acre) and with building heights of up to 36 feet. The following sites are currently zoned (GC [General Commercial] and O [Office] Districts), which permit residential land use and mixed use at high densities (44 dwelling units per net acre):

- a. Northgate Mall (commercial shopping center)
- b. Northgate III (commercial shopping center)
- c. 555 Northgate Drive (office)
- d. 670 Las Gallinas Avenue (office)
- e. 630 Las Gallinas Avenue (office)
- f. 600 Las Gallinas Avenue (office)
- g. 550 Las Gallinas Avenue
- h. 3773 Redwood Highway (Hudson Street Design, formerly Bruener’s Furniture)
- i. 3900 Civic Center Drive (office)
- j. 4000 Civic Center Drive (office)

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k. 4040 Civic Center Drive (office)

While the zoning for these properties permit high density residential land use, it does not authorize actual development. A proposal for residential development on any of these sites would require a public process and would be analyzed on a case-by-case basis for potential environmental impacts, and consistency with the San Rafael General Plan 2020 and zoning standards.

12. What level of traffic impacts would result from the development envisioned by the Civic Center Station Area Plan?

Response: The Station Area Plan presents recommendations for General Plan amendments and zoning changes that would allow additional residential use and development on specific sites around the planned SMART station. No estimation on the specific amount of additional development (e.g., number of additional residential units or commercial building square footage) was prepared for the Plan. However, as part of the Station Area Plan preparation process, traffic modeling was completed assessing two scenarios to test increased development within the Plan area. One traffic modeling scenario assessed the addition of 862 residential units, while the second scenario assessed the addition of 1,400 units. Under both traffic-modeling scenarios the list of planned transportation improvements from the San Rafael General Plan 2020 were factored into the model run. Under both scenarios, the road system conditions failed (resulting in gridlock at specific intersections and on-/off-ramps).

Because of the results of the traffic modeling, the Civic Center Station Area Plan defaulted to the “land use capacity” for this area that is recognized in the adopted San Rafael General Plan 2020. The land use capacity represents the uppermost limit of development that can occur in order to maintain the City’s long-standing level of service standard for intersections and arterials (Level of Service D). This land use capacity also assumes and factors in the construction of the list of planned transportation improvements in the San Rafael General Plan (e.g., a new flyover at the Freitas Interchange).

For the Civic Center Station Area Plan area, the land use capacity under the San Rafael General Plan 2020 is 620 residential units and 280,000 square feet of non-residential use (office, some retail). So, while the Station Area Plan recommends pursuing General Plan and zoning changes that would potentially allow additional residential use around the SMART station, the land use capacity would still be used as the upper limit of development that can occur in order to maintain area traffic and the City’s long-standing level of service standard. Section 5.4 of the Civic Center Station Area Plan (Plan page 54) confirms the traffic capacity of this area and the Plan’s recommendation to respect the limits established by the San Rafael General Plan 2020.

Regarding further traffic study of the Plan area, the City’s Public Works Director has advised that we take a “wait-and-see” approach before this effort is initiated and pursued. The San Rafael General Plan 2020 pre-dated the voter-approved SMART service and therefore does not assess the potential traffic impacts this

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service will have on the Plan area. SMART is projected to commence with service in 2016, so updated traffic modeling will not occur until the rail service is in operation. It is likely that the SMART service will have an impact on the circulation network in the Plan area, which could influence the land use capacity referenced above. The transportation improvements that may be necessary to address the impact of SMART operations are likely to be costly and will not be covered by SMART. Therefore, staff recommended applying for PDA status in order to be eligible for the allocation of PDA funding from TAM to assist the City in addressing the impact of SMART operations on City streets.

13. Are there safeguards in the Plan (or elsewhere) to ensure that traffic impacts can be mitigated?

Response: Yes, there are some significant “safeguards” in the San Rafael General Plan 2020, which are intended to manage traffic and mitigate (thorough transportation improvements) the impacts of new development. However, it should be noted that the purpose of applying for the PDA status for the two stations was to be eligible for the allocation of funding from TAM for PDA’s to assist the City in addressing the impact of SMART operations on City streets.

Since 1988, the City’s General Plan has closely linked land use development with planned and needed transportation improvements. Essentially, development cannot proceed unless the traffic impacts associated with development are mitigated. The safeguards are provided in the following General Plan policies:

- *Land Use Policy LU-8- Density of Residential Development*
“. . . maximum densities are not guaranteed. . .”
“density on any site shall response to the site resources/constraints, traffic and access, adequacy of infrastructure, development patterns and prevailing densities of the adjacent developed areas.”
- *Circulation Policy C-5- Traffic Level of Service Standards*
Level of Service (LOS) D standard for intersections and arterials within the Plan area
- *Circulation Policy C-6- Proposed (Circulation) Improvements*
Transportation improvements needed in the Civic Center area that are needed to accommodate projected growth under the San Rafael General Plan 2020 include:
 - *Las Gallinas Avenue widening from Merrydale Rd to Del Presidio*
 - *Freitas Parkway/US 101 new “flyover”*
 - *Signalized southbound US 101 Off-ramp/Merrydale Road plus new turning lanes*
- *Land Use Policy LU-2- Timing of Development*
“. . .new development should only occur when there is adequate infrastructure. . .”
 - *The level of service standard must be maintained.*

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- *Planned transportation improvements must be funded and programmed for construction (listed above)*
- *Environmental Review must be completed*
- *Sewer and water must be available to serve the new development*

The San Rafael General Plan is available on the City's website. All transportation and circulation policies and programs are presented in the General Plan Land Use and Circulation Elements. The direct link to these elements is:

<http://docs.cityofsanrafael.org/CommDev/planning/general-plan-2020/02-land-use.pdf>

<http://docs.cityofsanrafael.org/CommDev/planning/general-plan-2020/07-circulation.pdf>

14. How would the growth of this area impact local schools and public services?

Response: The City's adoption of General Plan 2020 also included an environmental analysis of the development potential outlined in the General Plan. The potential impacts on public services was considered in that environmental impact report ("EIR"). Any new development that is proposed in any area of San Rafael will require some level of environmental analysis pursuant to the California Environmental Quality Act ("CEQA"). Also see question B-6 and C-15.

15. If high density housing is built, what are the tax consequences, particularly to schools and public safety? What portion of City revenues are derived from property taxes?

Response: There is no specific plan or current proposal to build high density housing in the Civic Center PDA. The Station Area Plan made some recommendations for future zoning changes on specific sites but those zoning changes must be approved through a public process. The current General Plan designations and property zoning have not changed as a result of the PDA.

The tax consequences of any new housing development is not based on the density of the housing but based on the ownership of the housing. All privately owned housing units in San Rafael pay property taxes, and special assessments including payments for parcel taxes for San Rafael and Dixie Schools, San Rafael paramedic tax and the San Rafael library tax. Rental developments that are owned by non-profit housing organizations are exempt from property taxes but are charged for special assessments including school parcel taxes. All new housing developments are required to pay school impact fees per State Law.

The tax impact on schools and public safety also depend on the type of housing and where it is built. The San Rafael Elementary School District is a "revenue limit" district. The revenue limit is a per pupil limit made up of local property taxes and state aid. The total per pupil amount remains the same regardless of

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the amount of local property taxes collected and the District receives additional funding from the State for additional students.

The San Rafael High School and Dixie School Districts are not revenue limit districts and receive the majority of their income from property taxes.

Public safety impacts are also based on the type of housing rather than the density or income level. Housing that caters to seniors will result in more medical calls when compared to housing that caters to families.

In 2013, the City of San Rafael revenues are comprised as follows:

24 % property tax
29 % sales tax
11 % Measure S (sales & use tax)
36 % All Others

16. How will water be provided for new residents? Is there an adequate water supply to accommodate the projected growth?

Response: The water provider for the Civic Center area (and San Rafael) is Marin Municipal Water District (MMWD). Water service and capacity for the City's projected growth was analyzed in the San Rafael General Plan 2020 Environmental Impact Report (2004). At that time, MMWD was operating under its *2005 Urban Water Management Plan*. This EIR was the basis for adopting the San Rafael General Plan 2020. The General Plan EIR included an assessment of water capacity and service addressing the MMWD service area. The EIR reported that projected growth of the San Rafael General Plan 2020 would increase demand for water supply, but that in order to meet the supply, MMWD, based on the 2005 Urban Water Management Plan would have to: a) continue to implement water conservation; b) examine supply enhancement options including desalination, recycling and imported water supplies; and c) construct necessary facilities and infrastructure improvements. Because of the uncertainty of long-term supply for which mitigation is beyond the control of the City of San Rafael, the General Plan EIR concluded that build-out of the projected growth for the City would result in a significant, unavoidable water service impact.

The recent ABAG/MTC-prepared Plan Bay Area Draft Environmental Impact Report (2012) included a broad level assessment of water supply for the Bay Area region, which breaks-down water service and capacity by water supplier (e.g., MMWD). This EIR was based on the Plan Bay Area 2040 growth projections for each county in the region, including the San Rafael citywide projections and projections for the two, Priority Development Areas (PDA). This EIR presents the following conclusions (DEIR page 2.12-9):

"In general, demand management strategies allow Bay Area water agencies to continue to meet projected demand through 2030 in average years." . . . "All districts except Solano Water Agency will be able to

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provide adequate supplies to meet demand in a year of normal precipitation, although in doing so require some districts to acquire additional supplies.”

When reviewing the Plan Bay Area, this finding raised some concern by City staff as our San Rafael General Plan 2020 (prepared in 2004) concludes that MMWD may not be able to meet the water supply needs for the growth projected in the current General Plan. As follow-up to this concern, City staff contacted MMWD staff about the Plan Bay Area DEIR water supply information and the current status of the District’s water supply. MMWD staff reported that its water management plan is required to be updated every five years, and that this plan was last updated in 2010 (*2010 Urban Water Management Plan*). This water management plan covers the following:

- Existing water supplies and transmission system
- Projected water demands in the MMWD’s service area over the next 25 years
- Projected water supplies available to MMWD over the next 25 years, the reliability of that supply, and general plans for water supply projects
- Current and planned water conservation activities
- A water shortage contingency analysis
- A comparison of water supply and water demand over the next 25 years under different hydrological assumptions (normal year, single dry year, multiple dry years)

This *2010 Urban Water Management Plan* concludes that there is adequate water supply to meet demand for the next 20-25 years based on projected growth. Factors such as increased water conservation efforts have reduced demand from that projected in the *2005 Urban Water Management Plan*.

Source: Jon LaHaye, MMWD; August 27, 2013

17. Does placement of high density housing adjacent or close to US101 expose new residents to health hazards? What are the health effects on new residents and how will this be analyzed?

Response: Depending upon the specific location of housing and its proximity to US 101, residents could be exposed to particulates and air pollutants that would be a health hazard or increased cancer risk. Like many other areas of San Rafael and Marin, the Civic Center Station Area includes lands that are currently zoned to allow for residential use and the Plan recommends residential use for sites that are within close proximity to US 101 and the SMART rail line and station, this issue is of critical concern. High concentrations of pollutants are typically found and documented along freeways (e.g., US 101) and along diesel-fueled rail service lines (e.g., SMART), so air pollutant exposure to “sensitive receptors” (e.g., residential land use, schools and day care) is a concern for the lands within the Civic Center Station Area Plan.

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In 2005, the California EPA Air Resource Board (ARB) published the, *Air Quality and Land Use Handbook: A Community Health Perspective*. This handbook was prepared to present information and data on health risks and recommendations on siting certain sensitive land uses near sources of air pollutants. This handbook reports that on a typical urban freeway (truck traffic of 10,000-20,000/day), diesel PM (particulate matter) represents about 70 percent of the potential cancer risk from the vehicle traffic. Diesel particulate emissions are also of special concern because health studies show an association between particulate matter and premature mortality in those with existing cardiovascular disease. This handbook cites several studies including one Southern California study (Zhu, 2002) which showed measured concentrations of vehicle-related pollutants, including ultra-fine particles, drop dramatically within 100 meters (approximately 300 feet) of the 710 and 405 freeways. Another study looked at the validity of using distance from a roadway as a measure of exposure to traffic related air pollution (Knape, 1999). This study showed that concentrations of traffic related pollutants declined with distance from the road, primarily in the first 150 meters (or about 500 feet).

The ARB handbook acknowledges that State law restricts the siting of new schools within 500 feet of a freeway, urban roadways with 100,000 vehicles/day, or rural roadways with 50,000 vehicles with some exceptions. However, no such requirements apply to the siting of residences, day care centers, playgrounds, or medical facilities. In the traffic-related studies the additional health risk attributable to the proximity effect was strongest within 1,000 feet.

Around the time this handbook was published, ARB adopted a policy that recommends that local jurisdictions avoid siting a "sensitive receptor" use within 500 feet of a freeway/highway and within 200 feet of a rail line or rail station. However, this does not mean that sensitive receptor uses are prohibited within these setback zones; rather, if such uses are proposed within these areas, the ARB and the Bay Area Air Quality Management District (as the regional agency) recommend that a Risk and Hazards Assessment be prepared to determine resident exposure to health and cancer risks. As the Civic Center Station Area includes recommendations that would allow residential use and development within close proximity to US 101 and the SMART rail line and station, a Risk Hazards Assessment will need to be prepared when or if additional land use planning is conducted for this area, or when an individual development project is proposed. A Risk and Hazards Assessment would be prepared in conjunction with environmental review required for any General Plan Amendment, Rezoning or development project proposed within these setback zones.

Prior to preparing a Risk and Hazards Assessment, BAAQMD has developed a "screening process" which can be used to determine if a project meets the thresholds for increased cancer risk exposure. The threshold for increased cancer risk is >10.0 in one million and the threshold for excessive exposure to PM_{2.5} is >0.3ug/m (annual average). The screening process uses Google Earth application that maps each State highway link in the Bay Area, and provides readings at Caltrans mileposts. For each Caltrans milepost, BAAQMD has published the exposure level readings for PM_{2.5} and cancer risk in setback

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increments (10 feet-1,000 feet) measured from the pollutant source (edge of US 101). The US 101 Caltrans milepost in the Civic Center area (Link 674) was reviewed. Based on this initial screening, thresholds would potentially be exceeded on both sides of US 101 (for specific distances presented in the following tables), which would trigger a requirement to prepare a Risk and Hazards Assessment when considering housing development or zone changes to allow housing.

Caltrans Milepost Link 674 Westside of US 101

Distance from source	PM 2.5 (>0.3ug/m)		Cancer Risk (>10 in million)	
	Reading	Exceeds Threshold	Reading	Exceeds Threshold
10 feet	0.48	•	47	•
50 feet	0.30	•	29	•
100 feet	0.21		21	•
200 feet	0.14		14	•
300 feet	0.11		11	•
400 feet	0.08		9	
500 feet	0.07		7	
1,000 feet	0.04		4	

Eastside of US 101

Distance from source	PM 2.5 (>0.3ug/m)		Cancer Risk (>10 in million)	
	Reading	Exceeds Threshold	Reading	Exceeds Threshold
10 feet	1.4	•	138	•
50 feet	0.97	•	95	•
100 feet	0.71	•	71	•
200 feet	0.49	•	48	•
300 feet	0.37	•	37	•
400 feet	0.31	•	31	•
500 feet	0.26		26	•
1,000 feet	0.15		15	•

This screening is not conclusive, but provides a general read on threshold levels. A Risk and Hazards Assessment would have to determine the specific exposure and risk levels.

18. What evidence is there that residents of transit-oriented development located in suburban/rural locations similar to the Civic Center area (where there is connectivity to major employment) will use transit (e.g., SMART, bus service)?

Response: Numerous studies and research shows that housing located near transit reduces vehicle trips and car ownership and increases transit ridership. The likelihood of transit use increases with proximity to a transit station and locating housing near transit stations provides increased opportunities for people

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to use public transit. One study found that vehicle trips per dwelling unit decreased by 15-25 percent for transit-oriented apartments in low-density suburbs. It is difficult to find a similar case of suburban/rural location examples showing evidence proving transit use because research findings vary depending on relative travel times with automobiles, the extensiveness of transit service, and links to job centers, educational opportunities, and cultural facilities. Transit use increases with more links to these activity centers.

Sources:

“Vehicle Trip Reduction Impacts of Transit-Oriented Housing” by Robert Cervero and G. B. Arrington, *Journal of Public Transportation*, Vol. 11, No. 3, 2008: <http://www.nctr.usf.edu/jpt/pdf/JPT11-3Cervero.pdf>

“Transit-Oriented Development in the United States: Experiences, Challenges, and Prospects”: http://onlinepubs.trb.org/onlinepubs/tcrp/tcrp_rpt_102.pdf

“Effects of TOD on Housing, Parking, and Travel” by Robert Cervero and G. B. Arrington Transportation Research Board, 2008: http://onlinepubs.trb.org/onlinepubs/tcrp/tcrp_rpt_128.pdf

19. Does the fact that the initial operations of SMART will terminate in Downtown San Rafael instead of Larkspur have an impact on ridership and the Station Area Plan?

Response: The Station Area Plan is based on a 35-year plan horizon and assumes the connection to Larkspur will ultimately be made during that timeframe.

D. RELATIONSHIP TO “PLAN BAY AREA”

1. What is the Plan Bay Area and its relationship to Priority Development Areas (PDAs)?

Response: The Priority Development Areas (PDA) represent a key component of the Plan Bay Area, which is explained below. The Plan Bay Area is a regional planning document that has been prepared in response to two, statewide legislative bills (AB32 and SB375) that were passed and signed by the Governor to combat global warming and achieve statewide reductions in greenhouse gas emissions by 2035. The background of this effort and a description of the Plan Bay Area (including the PDA component) is provided as follows:

- a. Roots of Plan Bay Area - AB32 (2006) and SB375 (2008) Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006, established state legislation requiring a statewide reduction in greenhouse gas (GHG) emissions to 1990 levels by 2020. The reduction of GHG emissions is to be achieved in numerous ways. In response to AB32, in 2008 Senate Bill 375 (SB 375) was signed by the Governor, which requires that all regional metropolitan transportation organizations in the state (such as MTC) develop a Sustainable Communities Strategy (SCS). The SCS is required to serve as

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a new element of the Regional Transportation Plan (the plan to which MTC operates for the Bay Area region). The goal of the SCS is to reach a greenhouse gas reduction target for each region. The target for the Bay Area is a seven percent (7%) greenhouse gas emission reduction, per capita by 2020 and a 15% reduction, per capita by 2035.

The primary contributor to greenhouse gas emissions is from fossil-fueled vehicles. Therefore, the greatest effort to reach this target is to develop ways to reduce the amount of vehicle miles traveled, such as planning for more housing and jobs that can be concentrated in the urban/developed areas and around or near transit.

- b. “Plan Bay Area” = Sustainable Communities Strategy (SCS) for the region. As required by SB375, ABAG and MTC formed a partnership to develop the SCS for the Bay Area region. The SCS for this region is “Plan Bay Area.” The goal of the Plan Bay Area is to focus and concentrate future growth in and around a sustainable transportation system in the inner, urban areas of the Bay Area, thus reducing the need to continue to reach out to the undeveloped “green field” areas of the region to accommodate housing growth. By focusing growth in the inner-urban areas, there would be less reliance on vehicle travel, which would reduce GHG emissions. In order to achieve this goal, the Plan Bay Area links regional land use with transportation. For this reason, the Plan Bay Area is part of the MTC Regional Transportation Plan (RTP), which sets the long-term transportation needs (transportation improvements) for the region and the funding to implement these needs.

ABAG/MTC also joined forces with the Bay Conservation and Development Commission (BCDC) and the Bay Area Air Quality Management District (BAAQMD) in the Plan Bay Area effort.

- c. Elements of Plan Bay Area
The Plan Bay Area contains three basic elements: a land use component, resource protection, and a transportation component. These elements are described as follows:
- 1) Land Use Component- the land use component addresses two issues, the Regional Housing Need Allocation (RHNA), which is discussed under Section B of this document and the long-term, 2040 growth projections for jobs and housing. RHNA has been referenced in Plan Bay Area so that its cycle (now 6.6 year cycle) synchronizes with the timing cycle of the RTP. This synchronization is critical as the RHNA cycle represents the local jurisdictions timing obligation to update its State-required Housing Element. In order to receive transportation funding through the RTP, a local jurisdiction must demonstrate that it has a certified Housing Element.

The 2040 jobs and housing growth projections of land use component are separate from RHNA. Essentially, the Plan Bay Area has taken the long-term growth projections that ABAG prepares and

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publishes (a task that ABAG has been completing since the 1970's) and shifted a high percentage of this growth to Priority Development Areas. The jobs and housing growth projections for San Rafael and the two PDAs are presented in response to question #5 below.

- 2) Resource Protection- Another key tool in the Plan Bay Area is the designation of Priority Conservation Areas (PCAs). A PCA is a geographic area that is designated for conservation/protection because of its significant resource value to the region. Basically, the premise is that conserving lands that are PCAs is an off-set to allowing increased development in the PDAs. Federal Surface Transportation Program (STP) funds have been made available for the Bay Area to be used to support projects that will preserve and enhance the natural, economic and social value of rural lands, including productive agricultural lands, recreation opportunities, unique ecosystems and areas critical for climate protection. The portion of this fund that is made available to Marin County is \$1.25 million.
- 3) Transportation Plan and Investment Strategy- This component of the Draft Plan covers the strategies for the planned regional transportation improvements and investments to support the projected growth, as well as the funding needed to achieve the improvements/investments. The Draft Plan recommends that investments be focused in four functions: a) maintaining the existing road and bridge system; b) maintaining existing transit; c) expanding the existing road and bridge system; and d) expanding transit (e.g., SMART rail service for the North Bay).

d. Promoting the PDA Concept

The Plan Bay Area presents one key tool to achieving concentrated growth and reduction in vehicle trips, which is the establishment of "Priority Development Areas" (PDA). This designation applies a higher percentage of projected growth for the PDA, but it also comes with incentives. The incentives for a PDA include, among others: a) the potential for reduced requirements for and/or an exemption from CEQA review for future development in these areas; and b) greater grant and funding opportunities for planning, transportation and infrastructure (note: to date, the City has already been awarded funds through the One Bay Area Grant process, which include funding for critical transportation improvements to prepare for "Day One" operations of SMART in the Downtown PDA).

After a very public and controversial process, the Plan Bay Area was adopted by ABAG/MTC in July 2013. It is important to note that the sole mandate for local jurisdictions in this regional planning effort is the State requirement to meet the RHNA through the adoption of a local Housing Element. As explained under Section B, RHNA has been a requirement of local jurisdictions since 1981 and ABAG is the agency that is responsible for distributing the housing allocations to jurisdictions throughout the region.

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2. The Plan Bay Area includes jobs and housing growth assumptions for 2040? How were these growth assumptions formulated?

Response: The Plan Bay Area 2040 jobs/housing growth projections for the City and the two PDAs is are provided in the response to question #5, below. The methodology that was used to develop the 2040 jobs/housing projections is complicated; however, simply stated, the projections consider trends (both past and projected) that are specific to: a) regional growth patterns; b) employment (by sector/job type); c) population changes (by age, demographics and immigration); and d) housing (production and choices in housing). Downward adjustments to the projections were made for Marin to response to many comments made by the local jurisdictions (including San Rafael) and the public. The adjusted projections take into consideration: a) recession recovery (re-tenanting commercial vacancies); b) an increase in home-based businesses; c) absorption of current housing vacancies; and d) an aging population. Nonetheless, the 2040 jobs/housing growth projections were in question during the Draft Plan Bay Area review process as they are considerably more ambitious than the projections published by the State Department of Finance. For Marin County, the Plan Bay Area projects a population increase of 13% (33,000 persons) by 2040. In January 2013, the State Department of Finance forecast a 3% growth for Marin County. The 10% difference in projections is significant, which will likely result in an adjustment when the Plan Bay Area is reviewed and updated in four years.

3. Does the Plan Bay Area take into account continuing changes in technology, which could influence long-term traffic and growth projections?

Response: Yes, to the extent known, the Plan Bay Area growth projections and assumptions of where growth is projected to take place accounts for changes in technology and trends. As noted in the response to question #2 above, the projections account for a projected increase in home-based businesses (and generally more employees working from home). As technology increases more tools are available for employees to work more easily at home, thus reducing vehicle miles traveled. As the Plan Bay Area is to be reviewed and updated every four years, technology and trends that occur between now and then will be factored into the next Plan update.

4. How has the City tracked and participated in the Plan Bay Area process? How is the City of San Rafael represented on ABAG and MTC?

Response: The City has closely tracked the Plan Bay Area process since the Plan process was initiated in 2008. This tracking has been done in several ways. First, an SCS Ad Hoc Committee was formed to track, review and report-out to the Transportation Authority of Marin (TAM) on countywide issues, recommendations and positions during all phases of the Plan Bay Area process. The SCS Ad Hoc Committee is comprised of elected officials from each Marin city/town/county, which met regularly. Councilmember Heller represents the City

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of San Rafael on this committee. Second, City staff has spent many hours during the Plan Bay Area process reviewing materials as they became available and reporting to the City Council and Planning Commission on findings and recommendations. During this process, the City has commented to ABAG/MTC on specific recommendations, projections and studies that have been prepared. The following are several milestones in the Plan Bay Area process for which the City took action or responded:

- a. On January 26, 2012, City submitted written comments to ABAG/MTC on the Plan Bay Area alternatives (“scenarios”)
- b. On May 7, 2012, the City Council was presented with a status report on the Plan Bay Area. Staff report summarized concerns about the 2040 jobs and housing projections presented in various Plan alternatives (“scenarios”).
- c. On July 9, 2012, City submitted written comments to ABAG/MTC on the “Notice of Preparation” for the Plan Bay Area EIR
- d. On May 6, 2013, the City Council presented with a summary of the Draft Plan Bay Area and Draft EIR.
- e. On May 13, 2013, City submitted written comments to ABAG/MTC summarizing comments on the Plan Bay Area Draft EIR

Through all phases of tracking and written comments on the Plan Bay Area, the City expressed concerns to ABAG/MTC on the aggressive 2040 jobs and housing growth projections that had been identified for San Rafael and the two PDAs. Early comments to ABAG/MTC effectively resulted in some reductions to these growth projections, but the reductions were modest.

The City of San Rafael representatives on ABAG and MTC are Councilmember Heller and Mayor Phillips, respectively. While Mayor Phillips and Councilmember Heller serve as the City’s representatives, they do not vote on ABAG and MTC matters. All voting on ABAG/MTC actions are done by the ABAG Executive Board and the MTC Commission. The Executive Board are comprised of elected officials from each of the nine Bay Area counties. Supervisor Kinsey serves as the MTC Commissioner for Marin, while Supervisor Rice serves as the ABAG Executive Board member for Marin. See Section F of this document for information on how each of the nine Bay Area counties are represented on ABAG and MTC.

5. What growth is envisioned by the Plan Bay Area for the Civic Center Priority Development Area? Can this growth be accommodated given the constraints of the area and the strict policies of the San Rafael General Plan 2020?

Response: The Plan Bay Area includes the following 2040 jobs and housing growth projections for San Rafael and the two PDAs:

Plan Bay Area 2040 Jobs and Housing Projections for San Rafael

	Housing Units			Employment (Jobs)		
	2010	2040 (Addition)	% Increase	2010	2040 (Addition)	% Increase

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San Rafael (Citywide)	24,010	3,390	14%	37,620	7,340	20%
Civic Center PDA	1,056	1,040	98%		1,200	
Downtown PDA	2,610	1,380	52%		2,230	

Collectively, the projected jobs and housing growth cannot be accommodated unless there are major land use and other significant policy changes to the San Rafael General Plan 2020. Even though we are not required to plan for this projected growth, in commenting to ABAG/MTC on the Draft Plan Bay Area, the City presented the following comments regarding these 2040 projections:

- a. The 2040 jobs projection growth for San Rafael is overly ambitious given built environment conditions and constrained transportation network. The 2040 jobs projection (growth of 7,340 jobs citywide) in this scenario has City had acknowledged that: 1) the growth projections had been reduced by 50% from ABAG’s earlier projections; and 2) the adjustments had been adjusted to account for recession recovery and some increase in home-based jobs. However, this lower jobs growth projection is still inflated and would equate to several million square feet in new commercial building area (even considering recession recovery). This building area equivalent is more than the amount of commercial development planned in the San Rafael General Plan 2020 (approx. 400,000 sf). This development equivalent would require major transportation and utility service infrastructure that exceeds current and planned capacity. For the two PDAs (Civic Center and Downtown), the jobs projections exceed the land use capacity that is linked to maintaining level of service (LOS) standards for our circulation network, which is adopted with the San Rafael General Plan 2020.
 - b. The 2040 housing projection growth exceeds the residential capacity analysis in the San Rafael General Plan 2020. Staff has reviewed the 2040 housing growth projection of 3,390 residential units with growth projections covered in the currently-adopted San Rafael General Plan 2020 Housing Element. The Housing Element includes the results of a citywide residential capacity analysis, which analyzed potential sites and areas as opportunities for housing. The analysis demonstrates opportunities for a potential capacity of approximately 2,500-3,000 units. For the two PDAs (Civic Center and Downtown), the housing projections exceed the land use capacity that is linked to maintaining level of service standards for our circulation network, which is adopted with the San Rafael General Plan 2020.
6. **How does the Plan Bay Area 2040 housing growth envisioned for the Civic Center PDA by the Plan Bay Area compare to the growth envisioned by the Civic Center Station Area Plan?**

Response: As discussed in responses presented in Section C, the Civic Center Station Area Plan did not specify a number of new housing units (or commercial development square footage). However, the Station Area Plan acknowledges and recommends respecting the current San Rafael General Plan

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2020, which, for this Plan area has a land use capacity (upper limit of development) in order to maintain the City's long-standing traffic level of service standards. As noted above, this land use capacity, which factors in planned transportation improvements, is 620 additional residential units. The Plan Bay Area 2040 housing growth projections for the Civic Center PDA is an addition of 1,040 housing units.

7. **Is the City required to adopt the “Plan Bay Area” and meet the growth projections for the Civic Center PDA by changing property zoning or building high density housing?**

Response: No, local jurisdictions are not required or obligate to adopt the Plan Bay Area. The SB375 obligation to develop and adopt a Sustainable Communities Strategy lies with the regional agencies (ABAG and MTC).

The Plan Bay Area presents no obligation for a local jurisdiction to change the San Rafael General Plan 2020, rezone property or build high density housing.

8. **Are local, Bay Area jurisdictions required to update their General Plans to comply with the 2040 jobs and housing projections presented in the “Plan Bay Area?” If local jurisdictions are required to update their General Plans to comply, is there a mandatory time frame for compliance?**

Response: No, local jurisdictions are not mandated to update their General Plans or rezone properties to comply with “Plan Bay Area.” The mandate of SB375 lies with the regional agencies (ABAG and MTC) to prepare a sustainable communities strategy (SCS). ABAG/MTC is required to complete and adopt the Plan Bay Area as the region's SCS.

9. **What are the implications for a local jurisdiction if it does not comply with the Plan Bay Area?**

Response: There are no implications. As noted in a number of the responses to other questions, local jurisdictions are not required to meet the Plan's 2040 jobs and housing growth through planning, zoning or building. Further, regarding PDAs, there are no obligations for local jurisdictions to meet the Plan's jobs and housing growth projections to zone or build affordable housing.

10. **What are the implications for a local jurisdiction if it does not meet or plan for the 2040 jobs/housing projection numbers presented in the Plan Bay Area?**

Response: There are no implications. The Plan Bay Area is intended to offer *incentives* to local jurisdictions to plan for the 2040 jobs/housing projections by encouraging the designation of PDAs. The incentives are to encourage CEQA streamlining and offer first priority access to funds and grants to promote planning and development for PDAs. However, how a local jurisdiction plans for future development within its community is locally-controlled.

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It is important to note that ABAG has published jobs and housing growth projections for the region for nearly 40 years. Although, in part, the growth projections are derived from local jurisdiction input (e.g., through local General Plans), the ABAG growth projections have never been imposed as a mandate on local jurisdictions.

11. How does the Plan Bay Area impact local land use control?

Response: The Plan Bay Area does not undermine or impact local land use control. While it is the intent of a Plan Bay Area to promote the PDA concept of concentrating growth as a means of reducing vehicle miles traveled and greenhouse gas emissions, how local jurisdictions are planned for growth is fully controlled by the local jurisdiction. The Plan Bay Area, particularly the jobs and housing growth projections and RHNA elements, as well as the incentive for “CEQA Streamlining” have generated a great amount of concern that local land use control is undermined. Staff presents the following response:

- a. The RHNA has been a State-mandate since 1981. Regardless to its linkage to Plan Bay Area, local jurisdictions have and will continue to be required to adopt a Housing Element that complies with RHNA.
- b. Regarding the 2040 jobs/housing projections, City staff has continually inquired about this critical issue and has been repeatedly told by ABAG/MTC staff that local jurisdictions are not bound by or obligated to plan for these projections, or take action to adopt the Plan Bay Area. In fact the Plan Bay Area Draft Environmental Impact Report (DEIR) includes the following statements, which confirms what City staff has been told by ABAG/MTC staff:

“MTC and ABAG have no direct control over local land use planning. Nonetheless, regional efforts will be made through OBAG funding to assist local plan alignment with the Plan.” (DEIR page 2.3-33)

“Local jurisdictions have local land use authority, meaning that in the case where the proposed Plan conflicts with local zoning or specific plans, the local jurisdiction would have ultimate land use authority.” (DEIR page 2.3-42)

“The proposed Plan will only be implemented insofar as local jurisdictions adopt its policies and recommendations.” (DEIR page 2.3-42)

- c. Regarding CEQA Streamlining, see response to question #14 below.

City staff has reviewed the requirements of SB 375. While the regional planning and transportation agencies are required to prepare an SCS (Plan Bay Area) to demonstrate a regional reduction in greenhouse emissions by the targeted dates (2020 and 2035), local jurisdictions are encouraged but not required to adopt the SCS. However, local jurisdictions are required to meet the greenhouse gas target reductions of AB32. The City of San Rafael has prepared and adopted a Greenhouse Gas Emissions Reduction Strategy (part of the General Plan 2020 Sustainability Element). Implementation of the measures in the strategy (which

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assumed earlier ABAG growth assumptions) demonstrated that San Rafael efforts would reduce greenhouse gas emissions by 25% by 2020 (exceeding the target of 15%). At the time of the preparation of this strategy, information was not available to forecast local greenhouse gas reductions for 2035.

The Plan Bay Area presents incentives (primarily financial through the designation of PDA) offered to local jurisdictions for promoting concentrated growth around transit. Setting aside the incentive of potential CEQA Streamlining (discussed below under question #12), the true incentive is the ability to secure transportation dollars. More money for transportation projects is provided to local jurisdictions that have designated PDAs. So, by removing a PDA status, projects with this same area would not be eligible for funds/grants that are exclusively earmarked for PDAs. Projects proposed within this area would have to compete for available funds with a greater pool of projects proposed throughout Marin County.

12. The Plan Bay Area supports streamlining environmental review (referred to as “CEQA Streamlining”) for development projects. Are local jurisdictions required to implement streamlined environmental review for projects located in a PDA?

Response: Local jurisdictions are not required to implement streamlined environmental review for projects located in a PDA. The extent and scope of environmental review that is conducted on a development project proposed within a PDA is at the full discretion of the local jurisdictions. As discussed in responses to questions in Section C, the Civic Center Station Area Plan includes a list of land use recommendations that would necessitate amendments to the San Rafael General Plan 2020 and property re-zonings. Both actions require a legislative act by the City Council and, by the CEQA Guidelines are subject to environmental review. So, if the City were to move forward with these land use recommendations, or if a developer were to propose a development project on the sites necessitating these City actions, there would be no opportunity for CEQA streamlining. An environmental document must be prepared, even at a broad, program-level to assess potential environmental impacts have yet to be studied and disclosed. Topic areas that would need to be studied include, but would not be limited to, traffic, health hazards, noise, and biological resources.

By way of background, SB375 mandates that a Sustainable Communities Strategy incorporate environmental review streamlining provisions for assessing "Transit Priority Projects" (TPP) and certain mixed-use residential projects. A TPP is a development project that: a) contains at least 50% residential use; b) contains between 26% and 50% non-residential use and a floor area ratio (FAR) of not less than 0.75; c) provides a minimum net density of 20 dwelling units per acre; and d) is within 1/2-mile of a major transit stop (rail transit station, ferry terminal, or intersection that provides two or more bus routes providing frequent service intervals) or a high-quality transit corridor (corridor with a fixed bus service providing service intervals of no more than 15 minutes during the peak commute hours). ABAG staff has indicated that the CEQA Streamlining is primarily structured to apply to projects located in the urban communities that are

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served by the more active public transit systems (e.g., Oakland, San Francisco and San Jose, as well as smaller communities with BART and Cal Train stations).

The Plan Bay Area CEQA Streamlining provisions allow for both "exemptions" from environmental review or limited environmental review, depending upon the type of project and issues. In both cases, the environmental review of a qualifying project would "tier" from the Plan Bay Area EIR, meaning that this EIR would be used as the base document (starting point) for completing environmental review. It is important to note that local jurisdictions are not obligated or required to utilize or employ the CEQA Streamlining. Per SB375, CEQA Streamlining is a required element of the SCS (Plan Bay Area). If a local jurisdiction chooses to employ the CEQA Streamlining set forth in this Plan Bay Area EIR, it inherits having to: a) certify this EIR; and b) make all of the findings required of ABAG/MTC in adopting the Plan Bay Area and would be required to comply with the mitigation measures identified in the Plan EIR. The City of San Rafael has taken no action to certify the Plan Bay Area EIR or adopt the Plan.

13. How does the "RHNA" (Regional Housing Need Allocation) relate to the "Plan Bay Area?"

Response: There is no relationship; all local jurisdictions in the State are required to have a certified Housing Element. The Housing Element must demonstrate that there are enough adequately-zoned sites to meet the RHNA numbers. Under current law, the RHNA allocation is based on estimates by the California Department of Finance. The Plan Bay Area is a planning tool, which was prepared by private firms under contract to ABAG, and it does not carry the same mandate as RHNA. All cities and counties must meet their RHNA allocation, regardless of the Plan Bay Area adoption.

14. What evidence is there that "transit-oriented development" or "high density housing" reduces greenhouse gas emissions?

Response: Numerous studies and research shows that housing located near transit reduces vehicle trips and car ownership and increases transit ridership. The shape our cities take through development, infrastructure and transportation has a powerful effect on greenhouse gas production. Transportation contributes an estimated 38% of all GHG emissions in California, 48% of Marin's GHG emissions, and 49% of San Rafael's emissions.

Studies have shown that living in transit-oriented development, as opposed to suburban style development not associated with transit, reduces auto use, resulting in decreased GHG emissions and transportation costs. In addition, some households are less likely to own a car or own fewer cars and more likely to walk or take transit, thus reducing vehicle miles traveled and GHG emissions.

Sources:

<http://www.arb.ca.gov/cc/inventory/data/graph/graph.htm>

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http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/Emission%20Inventory/regionalinventory2007_2_10.ashx

http://docs.cityofsanrafael.org/CityMgr/Green/San%20Rafael%202010%20GHG%20Inventory%20Report%2006%2025%2013_FINAL.pdf

http://www.chpc.net/dnld/FullReport_CHPCAffordableTOD013113.pdf

<http://www.cnt.org/repository/TOD-Potential-GHG-Emissions-Growth.FINAL.pdf>

<http://reconnectingamerica.org/news-center/reconnecting-america-news/2012/tod-and-climate-change-webinar/>

15. **What is the likelihood that someone currently employed in Marin but residing somewhere else (e.g., in Sonoma, Napa or Solano County) will move into new housing that is provided here, with the intent to reduce their commute or use public transportation?**

Response: A premise shared by the Civic Center and Downtown San Rafael Station Area Plans, Priority Development Areas, and Plan Bay Area is that providing options for people to live closer to their place of work and/or use public transportation may result in reduced commutes and increased transit ridership. Single-occupancy automobile commutes are a leading contributor of greenhouse gas emissions, can result in high commute costs, and can strain parking demand. In addition, long single-occupancy commutes can result in high stress levels, decreased workplace productivity, increased absenteeism and tardiness, decreased time with family, and negative health outcomes.

Studies show that many people prefer short commutes and convenient walkability to local services. A 2011 survey conducted by the National Association of Realtors found that while majorities of Americans rank space and privacy as their top priorities, a lengthy commute can sway them to consider smaller houses on smaller lots. A survey from 2013 found that 71 percent placed a high value on being close to employment. This survey also showed that 72 percent of Baby Boomers would opt for a shorter commute and a smaller home, over a longer commute and a larger home and 52 percent said access to public transportation is important. More than half the Gen Y respondents placed a high priority on proximity to public transit.

Sources:

<http://www.uli.org/research/centers-initiatives/terwilliger-center-for-housing/research/community-survey/>

<http://www.vtpi.org/sqcp.pdf>

<http://www.realtor.org/articles/results-reveal-a-desire-for-smart-growth-communities>

CIVIC CENTER PRIORITY DEVELOPMENT AREA (PDA) RESPONSES TO COMMUNITY QUESTIONS

E. IMPLICATIONS FOR RETAINING/REMOVING THE PRIORITY DEVELOPMENT AREA STATUS

- 1. Can the Priority Development Area for the Civic Center area be removed or rescinded and what is the process? Is it too late for San Rafael to rescind or remove the Priority Development Area status in the “Plan Bay Area?”**

Response: Yes, the PDA designation can be removed/rescinded or amended. No, it is not too late for the City to rescind or remove the Civic Center PDA status. In order to remove/rescind or amend the PDA designation, the action must first be taken by the City Council in the form of a resolution. The City resolution is forwarded to ABAG/MTC for review and action.

At this time, if the City should take an action, the removal of or amendment to the PDA will not be reflected in the currently adopted Plan Bay Area. The change will be reflected in the next update of the Plan Bay Area, which will be in approximately four years.

- 2. If the Priority Development Area status is removed for the Civic Center area, what would be the City gain or lose? Will San Rafael lose transit dollars?**

Response: The primary implication of removing the PDA status for the Civic Center area would be:

- a. The loss of funds and grants that are exclusively available to PDAs for transportation and land use related projects. As a non-PDA area the Civic Center area would still be eligible for available funds and grants, but transportation projects in this area would have to compete with a greater pool of other planned transportation projects proposed throughout Marin County. As presented in Section C, question #5, the Civic Center Station Area Plan identifies a long list of recommendations (particularly those that promote connectivity in the area, pedestrian/bicycle connections to/from the SMART station) which may not be funded if they have to compete with a greater pool of projects.
- b. While the PDA status may offer opportunities for streamlining required environmental (CEQA) review for development projects within a PDA, this opportunity is not necessarily an advantage. CEQA review of projects is taken very seriously in San Rafael. San Rafael is careful and comprehensive in completing environmental review on specific development projects and streamlining this review may not be appropriate because of site and area conditions, constraints and impacts.

- 3. If San Rafael decides to rescind or remove the Priority Development Area status would it be required to refund or return funds or grants that had been previously dispensed and used for local planning and transportation studies?**

Response: Should the PDA status be removed, a refund or return of the funds secured to complete the Civic Center Station Area Plan would not be required

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(\$140,000). In November 2012, TAM programmed the allocation of \$650,000 in OBAG funds (plus and additional \$150K from other funding sources) to a County of Marin-sponsored transportation project on North Civic Center Drive (\$2.5 million project connecting the Civic Center campus within the Civic Center PDA). If the PDA status is removed, this programmed grant money will likely be re-programmed to another transportation project in another PDA.

Source: David Chan, TAM; August 27, 2013

4. If the Priority Development Area designation status is removed for the Civic Center area, what would happen to the availability of funds and grants for transportation and land-use related projects?

Response: In the North Bay, PDAs receive 50% of the federal and state funds and grants that are made available for transportation projects in Marin County. The other 50% is made available for transportation projects in the non-PDA areas (essentially, the rest of the County). If the PDA status of an area is removed, the funds and grants that are made available as first priority or exclusively to PDAs, would be shifted to the other PDAs in Marin County (Downtown San Rafael and Marin County unincorporated PDAs).

If the PDA status is removed from the Civic Center area, it would still be eligible for transportation funding, but less funding and greater competition. Transportation projects proposed in non-PDA areas have to compete for funding with a greater pool of transportation projects proposed throughout the County.

The Metropolitan Transportation Commission (MTC) distributes federal transportation funding to the nine Bay Area counties through regional and local-share programs. In the current four year funding cycle, MTC requires that Priority Development Areas (PDAs) receive at least 50% of the transportation infrastructure funding in Marin County. Since Marin received just over \$10 million of local-share transportation funding in the current 4 year funding cycle, this means that a minimum of \$5 million must be spent within Priority Development Areas in Marin.

The allocations and requirements of future funding cycles are uncertain at this time. It is anticipated that Marin might receive less overall funding due to Marin County's small population and lack of large transit infrastructure. If current policies are continued, the six years following the current four year-cycle might generate another \$10 million to \$20 million in transportation funding for Marin and with 50% directed to Priority Development Areas, this would generate \$5 million to \$10 million in funding in future cycles. Thus, projections for a ten year time horizon are that \$10 million to \$15 million (\$5 million in the current four year cycle and \$5 to \$10 million in the next six year cycle) will be spent on transportation improvements within Priority Development Areas in the County.

The current General Plan allows a certain level of development in this area which is anticipated to occur regardless of the PDA designation. The loss of the PDA designation will reduce the funding available for critical pedestrian, bicycle and

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traffic improvements that are needed to prepare for the operation of SMART. New development will be required to construct pedestrian amenities and traffic improvements for the development and to pay traffic mitigation, school fees and other fees to address the impact of the development. However, these fees will generally not be available to address pedestrian, bike and traffic issues in existing developments.

5. Aside from removing/rescinding the Civic Center PDA, are there other “place type” options that might be suitable?

Response: Possibly. As discussed in Section A, response to question #8, there are many different types of PDAs, which are referred to as “place types.” MTC has published a guide (*Station Area Planning Manual*, October 18, 2007) that provides a description of seven PDA “place types,” each presenting varying conditions, characteristics, settings and development types for a given geographic area. This guide was published to assist local agencies in determining the appropriate type of place for planning the PDA. The PDA place types range from very urban (e.g. “Regional Center” place type typical of Downtown San Francisco and Oakland) to suburban/semi-rural (e.g., “Transit Neighborhood”). The Civic Center PDA has been designated in the place type of “Transit Town Center.” The guide presents the following characteristics and conditions for this place type:

The Civic Center PDA place type could be changed to another place type that is less urban and less dense. Staff has reviewed the *Station Area Planning Manual* and has found that the “Transit Neighborhood” place type, which is less urban than the “Transit Town Center” might be a suitable alternative for the Civic Center PDA. A comparison of the *Station Area Planning Manual* characteristics and conditions for these two place types is presented in the following table:

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	Transit Town Center	Transit Neighborhood
Place Type Description	Local serving centers of economic and community activity; a mix of origin and destination trips focusing primarily on commuter service; residential density includes a mix of single- and multi-family, along with retail, smaller-scale employment and civic uses.	Neighborhood of primarily residential served by rail service or multiple bus lines that connect at one location; residential densities are low- to moderate densities, but not enough to support a large amount of local-serving retail, but can be served by nodes of retail activity.
Housing Mix for New Development	Mid-rise, low-rise, townhomes, small lot residential	Low-rise, townhomes, some mid-rise and small single-family lots
Station Area Total Unit Target	3,000-7,500	1,500-4,000
Net Project Density	20-75 du/acre (net)	20-50 du/acre (net)
Station Area Total Jobs Target	2,000-7,500	NA
Minimum floor area ratio (commercial)	2.0	1.0
Characteristics of area	Local center of economic and community activity	Local focus on economic and community activity without a distinct "center"
Transit mode in station area	Commuter rail, local/regional bus hub, ferry, potentially BART	Streetcar, commuter rail, local bus, ferry
Major planning and development challenges	Increasing densities while retaining scale and improving transit access.	Integrate moderate-density housing and local-serving retail

The "Transit Neighborhood" is not a perfect fit for the Civic Center PDA. There are some characteristics of this area that are more suitable to retain the "Transit Town Center" place type. For example, the Transit Neighborhood is not an area with substantial employment. The Civic Center area has a large employment base (County of Marin, Autodesk, Sutter Health and Northgate Mall).

City staff has consulted with ABAG staff on the option of changing the "place type" category for the Civic Center PDA. First, ABAG staff reported that the PDA place type can be changed, but would require: a) a formal action by the City Council (e.g., via the adoption of a resolution); and b) the submittal of this formal action to ABAG for staff review and approval. A similar request and action was taken by the City of Napa last year. Second, ABAG staff reported that if a PDA place type is changed, the 2040 jobs and housing growth projections for this PDA could be adjusted; however, the extent of this adjustment is uncertain at this time. While such an adjustment would not be reflected in the currently-adopted Plan Bay Area, the growth adjustment would be reflected in the next update of the Plan Bay Area in four years. Lastly, ABAG staff confirmed that a change in the PDA place type would not change or impact the extent of funds or grant dollars that would be available for this area.

- 6. Is the money (funds and grants) we receive by the PDA designation enough to cover the costs (schools, etc.) we would incur by maintaining this**

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designation? Would the removal of the PDA status align with sound fiscal policy?

Response: The Metropolitan Transportation Commission (MTC) distributes federal transportation funding to the nine Bay Area counties through regional and local-share programs. In the current four year funding cycle, MTC requires that Priority Development Areas (PDAs) receive at least 50% of the transportation infrastructure funding in Marin County. Since Marin received just over \$10 million of local-share transportation funding in the current 4 year funding cycle, this means that a minimum of \$5 million must be spent within Priority Development Areas in Marin.

The allocations and requirements of future funding cycles are uncertain at this time – it is anticipated that Marin might receive less overall funding due Marin’s small population and lack of large transit infrastructure. If current policies are continued, the six years following the current four year cycle might generate another \$10 million to \$20 million in transportation funding for Marin and with 50% directed to Priority Development Areas, this would generate \$5 million to \$10 million in funding in future cycles. Thus, projections for a ten year time horizon are that \$10 million to \$15 million (\$5 million in the current four year cycle and \$5 to \$10 million in the next six year cycle) will be spent on transportation improvements within Priority Development Areas in the County.

The current General Plan allows a certain level of development in this area which is anticipated to occur regardless of the PDA designation. The loss of the PDA designation will reduce the funding available for pedestrian, bicycle and traffic improvements. New development will be required to construct pedestrian amenities and traffic improvements for the development and to pay traffic mitigation, school fees and other fees to address the impact of the development. However, these fees will generally not be available to address pedestrian, bike and traffic issues in existing developments.

7. If the PDA status is removed for the Civic Center Area, how will San Rafael retain its leadership role and reputation in addressing climate change and long-range planning?

Response: Historically, San Rafael has demonstrated a commitment to addressing climate change and has a long-standing practice of long-range planning. Adopted in 2009, the San Rafael Climate Change Action Plan includes the following programs related to the goals of the PDA:

LF1: Continue to encourage greater residential and commercial densities within walking distance of high frequency transit centers and corridors as called for in the General Plan. High frequency is defined as buses arriving at least every 15 minutes.

LF2: Consider land use and transportation alternatives (better bicycle and pedestrian access and increased transit feeder service) to best use the future Civic Center SMART station.

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LF3: Identify neighborhood areas which do not have suitable pedestrian facilities, convenience retail services and transit stops within walking distance. Determine if sidewalk improvements, land use changes or transit stop locations can be modified for underserved areas.

EC3: Continue to expand the supply of affordable housing, which reduces commute times and congestion.

CO4: Advocate for state and federal legislation that advance GHG reductions and other sustainability efforts.

CO5: Continue to provide a leadership role with other local governmental agencies to share best practices and successes.

In 2011, a Sustainability Element was added to the San Rafael General Plan 2020, which carried over all of the policies and recommendations of the 2009 Climate Change Action Plan. Key policies and programs are as follows:

SU-1. Land Use. Implement General Plan land use policies to increase residential and commercial densities within walking distance of high frequency transit centers and corridors.

SU-1a. Transportation Alternatives. Consider land use and transportation alternatives (better bicycle and pedestrian access and increased transit feeder service) to best use the future Civic Center SMART station.

SU-1b. Walkable Neighborhoods. Determine areas in need of sidewalk improvements, land use changes, or modify transit stops to create walkable neighborhoods.

If the PDA status is removed, the City will lose its priority status for regional transportation funding that could be used to make a variety of the above mentioned improvements for pedestrians, bicyclists, and transit riders. Regardless of the PDA status, the City can continue to pursue the goals above and seek alternative ways to fund these efforts.

8. If the PDA status is removed for the Civic Center Area would or should the Civic Center Station Area Plan be “void,” rescinded or amended?

Response: The Civic Center Station Area Plan would not become null or void. This document is a “vision”, meaning that it provides a list of directives and recommendations for future actions and future studies. This Plan did not result in any formal action by the City to change the San Rafael General Plan 2020, rezone property or authorize development, which would warrant an action to rescind the Plan. However, this Plan can be re-visited by the City at any time for amendments or revisions.

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9. **If the Civic Center Station Area Plan is deemed “void” or is rescinded, will this action compromise the City’s long-standing governance practices, particularly the practice of incorporating local citizen involvement in its planning process? By voiding or rescinding the work of a citizen’s committee set a precedent for future planning in San Rafael?**

Response: Voiding or rescinding the Station Area Plan would be a departure from the City’s past governance practices that have involved local citizen participation. Although the Station Area Plan is a “vision” document that would not have any direct implications if rescinded or voided, it could set a precedent for future long-range planning processes.

F. RELATIONSHIP TO REGIONAL PLANNING & TRANSPORTATION AGENCIES

1. **What is ABAG and what is its role?**

Response: The Bay Area, which encompasses nine counties, is served by a number of regional agencies, including the Association of Bay Area Governments (ABAG). As a regional agency, ABAG manages, administers and oversees regional planning matters. Since the early 1970’s, ABAG has served as the Bay Area’s “Council of Governments” (COG). As a COG, ABAG: a) projects and monitors jobs and housing growth for the region; and b) administers the State-mandated Regional Housing Need Allocation (RHNA). These roles are described as follows:

- a. Since 1978, ABAG has been responsible for developing and publishing jobs and housing growth projections for the region. The projections are based, in part on the growth and development projections of local general plans, input from local agencies and trends in the economy. Historically, ABAG published the jobs and housing projections every two-four years. Local jurisdictions are not bound by or required to comply with the jobs/housing projections, but they are often used by local jurisdictions as a base for forecasting build-out in local general plans.
- b. The Regional Housing Need Allocation (RHNA) is the housing need allocation that is set and determined for each region (e.g., the SF Bay region) by the State of California Department of Housing and Community Development (HCD). Required by State law since 1981, RHNA represents a target number for planning and accommodating new housing units for a broad range of affordability levels. For the Bay Area region, ABAG is provided this RHNA from HCD and it is the job of ABAG, in coordination with the nine Bay Area counties and respective cities/towns, to distribute this allocation to each community. Each county and local municipality must take the share of the allocation and incorporate it into their respective General Plan Housing Elements. The Housing Element must demonstrate how the local allocation can be met or achieved through zoning for housing and supportive General Plan implementation measures. While RHNA does not require municipalities to build housing to meet this allocation, the Housing

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Element must demonstrate, to the satisfaction of HCD, that the local municipality zoning and property inventory can accommodate the allocation. Further, approved and proposed housing development projects are counted toward meeting the RHNA. Once incorporated into the local Housing Element and adopted by the local municipality, the Housing Element must be certified by HCD.

ABAG is governed by a 38-member Executive Board. The Executive Board is comprised of elected officials for each of the nine Bay Area counties. Board members are appointed by their county, cities/towns or mayors to represent their local jurisdiction. In addition to an Executive Board, ABAG has a number of standing committees, which are comprised of local agency representatives. The standing committees have an individual focus or purpose such as addressing regional planning matters, governmental affairs, and legislation.

2. What are the advantages and disadvantages of being a member of ABAG?

Response: The advantages to being a member of ABAG are: a) ABAG provides and serves as a conduit to other cities/counties in the region; b) the membership offers training that is tailored for Bay Area government needs and issued; and c) ABAG provides a source of funding and grants for local governments and non-profit groups. Also, as a member, there is a 'seat-at-the-table' representing and bringing forward local interests and priorities.

The one disadvantage of being a member of ABAG is that it serves to represent the Bay Area region at large. Regional goals and solutions to planning issues do not always align with or represent local goals and policies.

3. Does the City believe its views are effectively represented by ABAG:

Response: Our views are heard but we are not always in the majority. As noted in the response to question #2 above, ABAG is responsible for representing the region at large. Regional goals and solutions to planning issues do not always align with or represent local goals and policies.

4. Should the City drop its membership to ABAG?

Response: No. San Rafael has had a long-standing membership with ABAG (since 1970's) and has been successful in receiving grant funding for projects. While the City has not always agreed with ABAG's regional planning efforts, particularly its long-term projections for jobs and housing, there is value in the ABAG membership. As discussed above, ABAG provides, among others: a) a conduit to other cities/counties in the region; b) training that is tailored for Bay Area government needs and issued; and c) a source of funding and grants for local governments and non-profit groups. Also, as a member, there is a 'seat-at-the-table' representing and bringing forward local interests and priorities.

Dropping an ABAG membership does not change any of the State-mandated obligations that the City is required to meet. Specifically, it is ABAG's role as a

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regional agency and COG to distribute the RHNA to each city/town/county in the Bay Area region. If a local jurisdiction drops its membership to ABAG, it still receives its housing allocation from ABAG. The only way to sever ABAG from this role would be through the formation of a locally- or multi-county-based "Council of Governments" (COG). In considering the formation of a separate, locally- or multi-county-based COG, the following facts would need to be considered:

- a. To form a locally or multi-county-based COG would require the approval of all the communities that would be served by the COG.
- b. Opting-out of ABAG and forming a COG will not eliminate (and will not likely change) the RHNA for Marin County and its cities/towns. The COG would be responsible for taking the countywide allocation provided directly from HCD and distributing it to the Marin cities/towns and unincorporated areas.
- c. By opting-out of ABAG, a locally- or multi-county-based COG would be responsible for addressing the State-mandated SB375, meaning that a Sustainable Communities Strategy (SCS) would have to be developed and adopted by the COG.
- d. Forming a locally-based or multi-county-based COG would require staffing, which has fiscal implications for each community the COG would serve. With the ABAG membership dues comes the staffing to administer RHNA and SCS.

5. What is the Metropolitan Transportation Commission (MTC) and what is its role?

Response: MTC oversees and manages transportation planning and coordination for the Bay Area region. MTC is responsible for developing a regional transportation plan (RTP) which sets the long-term transportation needs (transportation improvements) for a region and the funding to implement these needs. In addition, MTC is responsible for coordinating with the State (Caltrans) on transportation projects for the region, and administering funds and grants received from the State and Federal level. MTC is responsible for allocating and distributing the Federal and State funds and grants to the congestion management agencies throughout the nine Bay Area counties. Transportation Authority of Marin (TAM) serves as the congestion management agency for Marin County. For decades, the City has benefitted from funds and grants provided by MTC through the RTP.