



July 18, 2022

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

BOARD OF DIRECTORS

William Carney, President
Linda Jackson, Vice President
Stuart Siegel, Secretary
Arin Benavides
Greg Brockbank
Kay Karchevski
Kiki La Porta
Annika Osborn
Bob Spofford

415.457.7656

RE: SB 9 Housing Development & Lot Split Regulations

Honorable Mayor and Council Members,
Sustainable San Rafael supports the proposed zoning code amendment to facilitate implementation of SB 9 in San Rafael. We believe that opening opportunities for more housing units in single-family districts is an appropriate way to increase the amount and affordability of housing available in already developed portions of our community. We expect that the new regulations will result in small units that enable existing property owners to benefit from additional rental income and/or the proximity of relatives and potential caregivers.

We continue to recommend that the "natural state" standards of San Rafael's hillside districts not be prioritized as the first standards to be abandoned to accommodate SB 9 units. Staff's argument that standards protecting the natural environment are less important than lot coverage, front setbacks, or second floor area limitations does not conform with the value that our community places on nature. To the extent permitted by SB 9, we therefore recommend that the Planning Department be afforded the flexibility to determine which exceptions should be granted to allow a given development based on its specific site, rather than imposing a prescribed prioritization.

Instead of "in the following order," Section 14.16.282.C.3.a.ii would then read "in the order determined by the Planning Department until the site can contain two, 800-sq. ft. units. . ."

For the same reason, the proposed amendment to Section 14.12.040 should not abandon our hillside ordinance out of hand for SB 9 units, but rather exempt its requirements only to the extent necessary to accommodate a SB 9 development. The amendment would then read "This section may ~~shall not~~ apply to SB 9 Housing Developments (regulated by section 14.16.282) or Urban Lot Splits (regulated by Chapter 15.155 - Urban Lot Splits), unless pre-empted by a determination to permit such development or lot split pursuant to said section or chapter."

Thank you for considering these simple, but critical, details.

Sincerely,

William Carney
SSR President