

June 22nd, 2022



Protecting Marin Since 1934

Marin County Community Development Agency
Planning Division - Housing
3501 Civic Center Drive
San Rafael, CA 94903
Attn: Leelee Thomas and Tom Lai

Via Email: lthomas@marincounty.org; tlai@marincounty.org

Subject: Marin County Draft Housing & Safety Elements

Dear Ms. Thomas and Mr. Lai:

Thank you for the opportunity to review and submit comments on the Marin County Draft Housing & Safety Elements. Marin Conservation League (MCL) acknowledges that these documents are critical and important in this pivotal time of balancing the need for housing and the growing consequences of climate change. MCL would like to thank County staff for completing and releasing these documents in tandem, as a number of the goals, policies and programs in each element have a direct or indirect linkage.

MCL has reviewed these draft elements for alignment with its adopted policy positions on, among others, housing, flooding/sea level rise, and wildfire management. Further, these draft elements have also been reviewed for alignment with MCL's longstanding mission, which is, "*To preserve, protect and enhance the natural assets of Marin in a changing environment.*" With this, MCL respectfully submits the following comments.

Draft Housing Element

MCL is an environmental organization, and housing is not its principal focus. Nonetheless, MCL follows its current policy position on housing, which is to: a) support a balance of commercial development and workforce employment with needed housing; b) avoid sprawl; c) correspond to the service capacity of Marin's infrastructure; and d) protect specific areas of environmental importance. As a result of the State's housing crisis, in the past five years there have been dramatic changes in mandated housing laws to promote housing development. These new laws prescribed public review processes that promote streamlining and "by-right" (ministerial) permitting processes. To fully understand these new housings laws, in January 2022, MCL hosted "After Hours Event – The Impacts of the New State Housing Laws." This event was intended to educate interested attendees on the recent State housing laws and how they affect the review and development of housing at a local level in Marin County. Consequently, with the many changes in the housing laws,

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MCL is in the process of updating its housing policy position. The following comments combine MCL’s current position on housing with consideration of the recent changes in State housing law:

1. Format. MCL applauds County staff for the format and organization of the draft element, which is comprised of numerous documents covering specific topic areas. The organization of the documents makes the read easy to follow from the Needs Assessment through to the Sites Inventory (Appendix C).
2. Needs Assessment. The Needs Assessment is telling, as it confirms that the greatest housing need is for the low-, very low-, and extremely low-income households. These income levels support a high percentage of Marin’s workforce that is required to travel far for affordable housing. Planning for housing opportunities to accommodate these households will promote a more sustainable balance in jobs and housing within the County, which will help address the impacts of climate change.
3. Constraints Analysis. The Constraints Analysis is comprehensive and well written. It includes and acknowledges environmental resources and challenges such as stream conservation, flooding/sea level rise, and fire hazards. It is recommended that the Appendix C- Sites Inventory table be revised to include known environmental conditions and constraints for the individual sites. Adding this information to the Sites Inventory table will assist the public and decision-makers in better understanding these conditions and challenges of certain sites.
4. Chapter 5 – Goals, Policies & Programs. MCL supports the four goals and most of the policies and programs. Specific comments are as follows:
 - a. Goal 3 – “Ensure Leadership and Institutional Capacity” is confusing and difficult to interpret. It is recommended that the text be revised or rephrase so that it better aligns with the four supportive policies. The supportive policies are very clear, but do not clearly relate to the goal.
 - b. Policy 1.4 – Development Certainty - “Promote development certainty and minimize discretionary review for affordable housing and special needs housing through amendments to the Development Code.” The intention of this policy is clear. However, how this policy is implemented through Development Code amendments is unknown and open ended. MCL reserves the opportunity to review and comment on the content of the Development Code amendments when they are available for public review.
 - c. Program 1 – Adequate Sites for RHNA and Monitoring No Net Loss. This program references and summarizes the Sites Inventory (housing opportunity sites in Appendix C). The text of this program includes reference to a “revamp” of the Housing Opportunity Sites (HOD) policy language to acknowledge allowable density; maximum and minimum number of units; site constraints; and “objective standards” (if applied).

MCL reserves the opportunity to review and comment on a “revamp” of this policy language when it is available for public review.

- d. Program 2 – By-Right Approval. This program specifies that housing projects/sites that are eligible for the “by-right” approval process are: 1) market rate projects that propose to provide 20% low income inclusionary; 2) 100% affordable housing projects; and 3) projects that include 20% units affordable to homeowners at 60% of AMI or to renters at 50% AMI. Through the “by-right” process, an eligible project would not be subject to a discretionary review, would be exempt from CEQA/environmental review, and would be subject to compliance with “objective standards.” There are a handful of opportunity sites in Appendix C that are being “carried over” from the current and past County Housing Elements. It is our understanding that the State housing laws require that sites “carried over” from the current Housing Element are automatically eligible for the “by-right” process. Is this correct for these sites? Please clarify.
 - e. Program 8 – Development Code Amendments. This program recommends that the County Development Code be amended to, among others increase allowable density and building height limits to 30 dwelling units per acre and 45 feet, respectively in the City Center and Baylands Corridor (noted in Appendix C- Sites Inventory). MCL supports this recommendation for the City Center but opposes a broad-brush application of this change to the Baylands Corridor. Much of the Baylands Corridor is undeveloped Baylands and marsh. Please clarify the boundaries of the Bayland Corridor and what areas are proposed for application of these code amendments.
5. Appendix C – Sites Inventory. The Sites Inventory is well organized and comprehensive. While MCL is pleased that changes were made to the initial inventory that was published earlier this year, we still have concerns about specific sites because they have known site constraints. One example is the Black Point Nursery in East Novato, which is identified as a market rate housing site. A majority of this site is encumbered by Simmons Slough, is adjacent to wetlands, and it does not have sewer service. Appendix C notes that site constraints and environmental conditions were factored into the housing development estimates presented for each site in the table. Citing these known constraints would provide a better understanding on how the housing unit estimates were determined. As noted above, it is recommended that the Sites Inventory be amended to include a column citing known environmental conditions and other constraints such as access to utilities and services. This information will be helpful for the public and decision-makers. Lastly, if there are further changes to the Sites Inventory as a result of its review by the State of California Department of Housing and Community Development, MCL reserves the right to review and comment on these changes prior to final review and action by the County Board of Supervisors.

One missed opportunity in the Sites Inventory is specific, federally owned sites in the West Marin area that are developed and/or suitable for housing use. West Marin, as a Gateway Community to Point Reyes, experiences an affordable housing deficit. If the National Park Service (NPS) personnel could be housed withing the park, that may take some burden off

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of the community. In addition, the West Marin workforce is in dire need for affordable housing, and pressure for housing is exacerbated by the visitor draw to areas such as the Point Reyes National Seashore. It is assumed that since the Housing Element is a State-driven process, federal lands are left to the Federal government for planning land use. Please confirm that this assumption is correct. There might be an opportunity for coordination between the Federal government (e.g., NPS), the County of Marin, and housing interests to plan for housing outside the effort of the Housing Element.

Draft Safety Element

The Draft Safety Element is well-written and well organized. The draft element comprehensively covers six topic areas: a) Equitable Community Safety Planning; b) Disaster Preparedness, Response & Recovery; c) Geology & Seismicity; d) Flooding; e) Wildfire; and f) Climate Change and Resiliency Planning. MCL supports the goals, and most of the policies and programs presented in the draft element. Specific comments are as follows:

1. Sea Level Rise – Climate Change and Resiliency Planning. MCL recently adopted its Sea Level Rise Policy Position Statement. The policies and implementing programs align with the MCL policy position. MCL specifically applauds the attention to the focus on:
 - a. Adaptation planning (Program EHS-6.1b – Develop Adaptation Plans, Program EHS-6.1c – Integrate Adaptation in Plan Documents;
 - b. Promoting nature-based adaptation strategies and tools (Program EHS-6.1b – Use Environmentally Sensitive Adaptation Strategies; and
 - c. Public disclosure of risks (Program EHS-6.1f – Disclose Current and Future Hazards [through development of a resale inspection program]).

2. Wildfire Risk and Regulations. The draft element acknowledges and supports the Marin Wildfire Prevention Authority (MWPA). MCL is pleased to see that new focus areas for wildfire safety include: a) supporting steps communities can take to reduce risks; b) considering equity in wildfire planning; c) incorporating climate change tools and adaptations; d) continuing to work to understand the importance of land use patterns relative to changes in climate; e) increasing safety and resilience for nonconforming developments; f) establishing proper evacuation plans; g) updating building code requirements in the WUI; and g) ensuring post fire recovery planning. The draft text is up to date with MWPA priorities including home hardening, and evacuation route planning. Additional attention should be given to community-based fuel break efforts (work beyond defensible space) and fire wise community organizing under FireSafe Marin auspices.

While the intentions are good, there is potential conflict between two of the recommended programs, Program EHS-1.1c (Present Displacement of Vulnerable People) and Program EHS-5.3c (Require Rebuilding After Disaster to Meet Current Standards). Marin County has many areas that are developed with old structures that are nonconforming and predate current zoning, building and fire code standards. Full compliance with current code

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standards at the time of re-build could result in a smaller building footprint and the reduction or elimination of housing units (causing displacement).

MCL also offers strong support for the following programs related to fire safety:

- a. Program EHS-5.3d – Restrict Land Divisions. As stated in this program, land divisions should be prohibited in very high and high fire hazard areas unless there is availability of adequate water and reliable water for fire suppression access for firefighting vehicles, and adequate evacuation for residents.
- b. Programs EHS-5.5b – Implement Ecologically Sound Methods of Vegetation Management and EHS5.5d – Require Fuel Reduction and Management Plans for New Development. While MCL currently has a policy addressing vegetation management, it is being revisited to update.

Future Review of Draft Environmental Impact Report

Marin Conservation League looks forward to the mid-summer release of the Draft Environmental Impact Report (DEIR) addressing CEQA/environmental review of these documents. With the changes in housing legislation that would streamline future development review, and in some cases exempt CEQA/environmental review, MCL will be reviewing the DEIR to assess the adequacy of this document.

Thank you for this opportunity to comment these critical County documents.

Yours truly,



Robert Miller
President



Paul Jensen
Board Member

From: [Lorin Schneider](#)
To: [safetelement](#)
Subject: Applies to housing and safety
Date: Monday, June 27, 2022 11:48:49 AM

Adding the thousands of homes that you want to add to Marin County in Tiburon, Mill Valley, Sausalito and Corte Madera is one of the biggest mistakes this county & the state could be making. You have to use whatever is available housing and is already built, not build more. Our infrastructure is horrendous in this county and getting in and out of these cities in any kind of an emergency is an impossibility! You people have to wake up and realize what you're doing and make the affordable housing with what is already here. Restructure what is already here, do not add more !!! There are ways that this can be done but adding more housing is absolutely absurd because adding thousands of more cars on these roads is going to be a hazard!!! Not quite sure who it is that we have to get this through to but that is the reality.

Lorin Schneider, Tiburon.

From: BOS <BOS@marincounty.org>
Sent: Monday, June 27, 2022 9:30 AM
To: BOS - Aides
Cc: Damazyn, Michele; Mosher, Ana Hilda
Subject: FW: Draft Housing and Safety Element

Aides,

Attached is a letter relating to the draft housing element received in the June 26, 2022 BOS mailbox. Please forward as you deem appropriate.

Thank you,



Joyce Evans
DEPUTY CLERK

County of Marin
Board of Supervisors
3501 Civic Center Drive, Suite 329
San Rafael, CA 94903
415 473 3768 T
415 473 3645 F
CRS Dial 711
jevans@marincounty.org

From: Bobbi Loeb <bobbil@sonic.net>
Sent: Sunday, June 26, 2022 5:22 PM
To: BOS <BOS@marincounty.org>

Subject: Draft Housing and Safety Element

Dear All Marin County Board of Supervisors [general box] All Marin County Board of Supervisors [general box],

Dear County of Marin Planning Commission and Board of Supervisors,

I am writing today regarding the Draft Housing and Safety Element reports. For the last 50 years, the community has worked in partnership with the County to ensure community planning incorporates the theme of sustainable communities to protect sensitive coastal habitats; ensure resource availability; reduce greenhouse gas impacts; encourage infill and redevelopment projects to recolonize the asphalt with projects focused on underutilized development near transit and job centers. The County is currently on track to rollback the foundational elements of the award-winning 2007 Countywide Plan and conservation zoning that has safeguarded Marin from sprawl and irresponsible development projects. Please uphold the legacy of sustainable community planning and development and consider the below priorities as this plan proceeds:

1. Marin's award-winning Countywide Plan must be honored, not rolled back. The environmental corridors should not be changed to promote urban sprawl.
2. Don't roll back A-60 zoning (one house per 60 acres of agricultural lands). This is a slippery slope! Exclude the Buck Center site and other proposed A-60 sites from consideration for residential housing development.
3. Protect sensitive habitat areas and depleted water resources from irresponsible development. Development sites should be 100 feet away from a shoreline or creek, protecting riparian habitat and water quality.
4. Proposed housing locations must be near adequate water supplies and wastewater infrastructure to reduce environmental harms.
5. Exclude locations in and near low-lying wetlands. These areas will be flooded due to rising sea levels in the coming decades.
6. Protect our residential communities with programs and policies that prioritize residential housing stock for the people who live and work in our communities.
7. Honor the Sustainable Communities Strategies of Plan Bay Area 2050. The County should promote infill near commercial cores, job centers, and transit centers, as well as promoting mixed-use commercial spaces.

Thank you for consideration of my comments,

Sincerely,
Bobbi Loeb

PO Box 673
Point Reyes Station, CA 94956

From: [Brian Mccarthy](#)
To: [safetylement](#)
Subject: Safety
Date: Tuesday, June 28, 2022 11:33:36 AM

Many of the sites in the housing element are dangerous. Toxic substances are in the ground. These were ignored at great cost at Hamilton. Sea rise is imminent at many sites, especially near shoreline. Roads with parking restrictions for access will be blocked under the new rules. CEQA has been run over and ignored in this planning. Toxic air near bus and freeways are not good for poor or kids. Would you want to live in a place where car exhaust is omnipresent??. No but you will have houses built there. Lot subsidence during earthquakes is also ignored. Water availability in the future is exacerbated by new building and residents. This housing element is wrong and politically driven to destroy our community as we know it. WRONG AND UNSAFE!!!!.

From: [Terri Leker](#)
To: [safetelement](#)
Cc: [Terri Leker](#)
Subject: Comments for the Draft Safety Element
Date: Thursday, June 30, 2022 4:16:47 PM

To the Marin County Board of Supervisors and Planning Department:

My husband and I are longtime residents of Santa Venetia in unincorporated Marin County, and members of the Santa Venetia Neighborhood Association (SVNA). We and our neighbors remain gravely concerned about the implications of the Draft Housing and Safety Elements on our ability to evacuate in the event of emergency (the likelihood of which increases with the addition of approximately one thousand new residents). We ask again that you consider the magnitude of risk that this unfettered new development places on Santa Venetia, which relies on a single road in and out and is already crippled by daily gridlock. We also wish to call out the astronomical and disproportionate number of units that our neighborhood has been asked to absorb.

It is indisputable that much of the proposed housing is sited in areas at high risk of fire, with inadequate evacuation routes; nor does it appear that these draft documents were created in partnership with our first responders or that their expert and vital opinions were considered. The Marin Community Wildfire Protection Plan (MCWP), prepared in December 2020 for the Marin County Fire Department, is an excellent and thorough report detailing the extreme challenges of fire management in WUI environments. The MCWP addressed several critical issues, including emergency egress:

An article in the Marin Independent Journal (August 23, 2019) discussed how several communities in Marin could face major traffic during a disaster. The article was based on research by StreetLight Data Inc. that was inspired, in part, by the gridlock faced by residents of Paradise, California, during the Camp Fire in 2018. Researchers looked at communities of 40,000 residents or less across the country, showing how traffic would flow during an emergency and pointing out potential bottlenecks. Of the 30,000 communities analyzed, about 800 had scores that were three or more times the national average, including 107 in California, indicating that residents in California have fewer options than average when evacuating during an emergency. Twenty-two of the towns and cities are in the Bay Area, and of these, seven are in Marin County. (4.8 Roadways and Streets, p. 28)

On this same page, MCWP cites a map from StreetLight Data Inc. which identifies Santa Venetia as one of only 675 U.S. communities with limited evacuation routes:

<https://www.streetlightdata.com/limited-emergency-evacuation-routes-map>

The maps used in the June 2022 Draft Safety Element also demonstrate great risk to Santa Venetia from liquefaction, seismic shaking amplification, historic flooding, and sea level rise. Any single one of these risk factors will severely impact emergency evacuation on North San Pedro, the sole route in and out of Santa Venetia.

The Draft Safety Element Section EHS-2.4.c: Identify and Improve Deficient Evacuation Routes, has a stated goal to:

Implement findings of the Marin Wildfire Protection Authority Evacuation Ingress-Egress Risk Assessment. Use the visual risk assessment and risk factors to identify and prioritize existing deficient evacuation routes. Improve evacuation routes based on the prioritization ranking, but also in consideration of improvements required for a transportation network which is resilient to flooding and inundation from sea level rise.

However, the corresponding Implementation Table (Figure 2-21: Goal EHS-2. Disaster Preparedness, Response, & Recovery Program) states that meeting this goal "Requires additional funding." We do not believe that *even a single new home* should be approved before funding is secured.

Finally, the Draft Safety Element states:

A regional approach to wildfire planning and response is addressed in the Marin County Multi- Jurisdictional Local Hazard Mitigation Plan and the Marin Community Wildfire Protection Plan (CWPP). The Marin Wildfire Protection Authority (MWPA), established in 2020, coordinates and funds 17 local member agencies to create more fire adapted communities based on the priorities outlined in the CWPP. Additional information detailing wildfire hazard in the County and detailed descriptions of the CWPP and the MWPA are provided in a technical memo supporting this Safety Element. (15)

We object to the use of the "supporting" in this context, as it implies that the *recommendations* of the CWPP and MWPA support the conclusions of the Draft Safety Element, when, in fact, detailed descriptions of these plans are simply provided as a supplement to the Draft Safety Element.

With regard to fire, Map 2-15 (Fire Hazard Severity Zones) is dated August 15, 2021, but cites CALFIRE 2007 as its source. We believe that some of the hazard maps in use are more current, but can you confirm that *no* 2007 FHSZ CAL FIRE maps are still in use?

We also take issue with the loss of local control over how our communities are planned and developed. Rather than defining this as a simplistic NIMBY vs YIMBY argument, we should call it what it is: a transfer of power from communities to for-profit developers. The current process, along with SBs 9 and 10 is a gross overreach to overturn local autonomy and planning decisions and is in direct opposition to the wishes of most Marin residents. The majority of mandated units would be at or above market rate, which does not ameliorate the most urgent need for truly affordable housing.

We have written before to state our concerns, none of which were lessened by the series of Zoom "workshops" where MIG representatives could not answer questions about the degree to which the Draft Housing and Safety Elements, RHNA, ABAG, and the new state bills were interdependent, how water would be supplied, or how critical infrastructure needs would be addressed. As we have noted previously, many Marin residents are still unaware that this process is underway and have yet to even formulate questions or objections.

In addition to everything that has already been stated, we want to add that it is a foregone conclusion that we will *never* reach compliance with the RHNA mandates, whether we attempt to do so or not. Our "success" is completely dependent upon multiple unstable factors, including a reliable supply chain for the innumerable building materials — lumber, concrete, metal, cinder blocks, drywall, glass, etc. — required to construct this amount of housing. Further to this, can you begin to calculate the amount of water necessary to produce the essential concrete and cinder blocks? Where will we find the enormous labor force to build thousands of new housing units? In Corte Madera alone, Nugget Markets has for weeks advertised dozens of unfilled positions, from checker to meat clerk, for which they are offering a \$1000 sign-on bonus. Now consider that all of this development will take place simultaneously throughout the state. Regardless of our efforts, we will most certainly be penalized for not meeting our quotas, which, again, is to the benefit of the developers who will then proceed without environmental review.

After reading the MCWP and related reports, we will state the obvious conclusion that should have been drawn by the Draft Safety Element: The multifold hazards to the residents of Marin County are so great and insurmountable that the Housing Element must be thoroughly reconsidered.

We will not win this battle for our communities by attempting to comply. We ask that you stand up to Sacramento and fight like our lives depend on it.

Thank you,

Terri Leker and Mark Wallace
10 Bayhills Drive
San Rafael, CA 94903

From: lainiefisch@comcast.net
To: [safetelement](#)
Subject: COMMENT: Mill Valley homeowner feedback on the Draft Safety Element
Date: Thursday, June 30, 2022 2:09:45 PM
Importance: High

To the Board of Supervisors and Planning Department,

I have been a Mill Valley condominium owner in the Shelter Ridge neighborhood for the past 20 years. I originally moved to Mill Valley in the early 1980's. In the past 40 years I have seen local traffic in Mill Valley greatly increase, and roads into and out of Mill Valley have become very congested and routinely gridlocked.

I'm very worried about fire danger, the drought, and the traffic jams that would endanger our lives if large areas of Mill Valley had to evacuate in an emergency. For these reasons, I'm very disturbed by the RHNA, the punitive laws that enforce them, and the loss of local control.

I am angry and disappointed that ABAG has utterly disregarded our safety with their disrespect of valid appeals. Their actions completely contradict *Plan Bay Area 2050* goals and assurances that one size does not fit all, and that *high risk areas would be spared development*. Even with the new state laws, these factors could have been considered with appeals and distributions.

It should be impossible to ignore both the fire hazards and the anemic evacuation routes here, yet ABAG is unswayed. As you are well aware, the numbers cannot be met without putting the lives of a great number of people, including the new residents, at risk.

Besides ignoring the realities of each separate municipality, the cumulative effects are not considered. 865 new units in Mill Valley does not just add 1,800 people to their evacuation. The mandated reckless development also blocks egress from the heavily populated unincorporated areas and their new residents, rippling all the way back to the coastal areas — including a probable large tourist population. That could be 20,000 plus people stuck in a miles long, gridlocked fire-trap towards two already-overloaded Highway 101 exits in Mill Valley, or the exits further north that run through many small towns.

A similar situation could occur in Santa Venetia. North San Pedro Road barely moves much of the day and the additional population there will join the current residents in a crawl towards the freeway. In an evacuation this leaves them totally exposed, especially if they'll be meeting a stream from the newly densified Los Ranchitos.

The list goes on. We are experiencing fires here daily now, some already requiring small scale evacuation. The state firefighting forces are staffed below 70%. We have been lucky to have

excellent first responders in the LRAs, and that there's been no wind that could turn a small fire into devastation. Just take a moment to remember the scenes of devastation in the Oakland hills fire in 1991, in which many lost their lives while attempting to evacuate.

The Marin Community Wildfire Protection Plan (CWPP) 2020 describes our situation in stark terms. It also contains very relevant risk assessment maps, unlike CAL FIRE'S, which are totally out of date, <https://www.arcgis.com/apps/MapJournal/index.html?appid=6b55c55b3f7d41fe980ef5e65ae881a6>

Besides the safety issues, the punishments that the cities and counties are being threatened with in connection with the proposed reckless development do not comport with reality.

Several lawsuits regarding evacuation safety have gotten traction. They are made up of one large development, but the case could be made that adding 800 units in chunks along an evacuation corridor will have a similar effect and should be disallowed. I don't believe any traffic studies have been done to confirm this issue in areas of Marin slated for development.

I hope that you will summon your courage to resist the forces that are pushing us in a dangerous direction. The residents of Mill Valley live in fear and anxiety, and we look to you for help and support. Our lives are on the line.

Sincerely,

Elaine Fischman
555 Seaver Drive
Mill Valley, CA 94941
(415) 710-5135

From: [Susan Kirsch](#)
To: [safetelement](#)
Cc: [cityclerk@cityofmillvalley.org](#); [clerk@cityofbelvedere.org](#); [rvaughn@tcmail.org](#); [Michele Gardner](#); [afoulis@cityoflarkspur.org](#); [lmcdownall@novato.org](#); [towncouncil@townofross.org](#); [Carla Kacmar](#); [city_clerk@cityofsanrafael.org](#); [Heidi Scoble](#); [town@townoftiburon.org](#); [Mike McGuire](#); [Marc.Levine@asm.gov](#); [Marin IJ - Dick Spotswood](#); [Marin IJ - Richard Halstead](#)
Subject: Comment: Marin 2023-2031 Safety Element
Date: Thursday, June 30, 2022 1:46:15 PM

Dear Marin County Board of Supervisors:

Thank you for your commitment to protect the safety of your constituents. State legislators have put you, along with all California counties and cities, in a difficult position.

- You're asked to fulfill unreachable RHNA goals that you had no say-so in setting.
- Your appeal to ABAG re: safety issues was denied.
- You're threatened with punishment if you don't meet housing unit quotas, even though you don't have any authority over a developer's plans to build what is permitted.
- You recognize that rezoning to meet inflated RHNA goals increases public risk for flooding and wildfire.
- The state Auditor found that HCD's RHNA methodology and process were flawed and unreliable. Yet, without correction, you're asked to comply.

Consultants, staff, and the media say, "there's nothing to do but comply." But, of course, there's more that you can and must do to protect safety, truth, and transparency.

This 4th of July weekend reminds us that freedom and independence weren't gained through compliance, but through courageous action. We need your bold action now to challenge the 6th cycle of RHNA, the false numbers, faulty assumptions, and disregard for something so basic as safety. Even with the loss of local control and autonomy, the heavy-handed state housing policies fail to meet the need for housing that is affordable to low-income wage-earners. It's a travesty.

The county, Marin cities and counties, and cities and counties throughout California have the opportunity to join lawsuits that challenge the over-reach of state legislators. Do what you must to comply and simultaneously demonstrate bold leadership that corrects the broken system.

cc:

Senator Mike McGuire

Assemblyman Marc Levine

Marin City Clerks: Belvedere, Corte Madera, Fairfax, Larkspur, Mill Valley, Novato,

Ross, San Anselmo, San Rafael, Sausalito, Tiburon

Dick Spotswood, Richard Halstead

Susan Kirsch

Catalysts, Director

www.catalystsca.org

www.susankirsch.com/

415-686-4375

From: [Amy Kalish](#)
To: [safetelement](#)
Cc: [Amy Kalish](#)
Subject: SAFETY ELEMENT
Date: Thursday, June 30, 2022 10:49:50 AM

To the Marin Board of Supervisors and Planning Department,

The Public Draft of the Safety Element Update begins: “Marin County places the highest priority on the well-being and safety of its community members.”

In light of that, the Safety Element should negate the Housing Element, as there are innumerable examples of the hazards in our region being compounded by geography, topography, wind patterns, building proximity, proliferation of pyrophitic landscaping, drought fueled dryness of vegetation, infrastructure that cannot safely support evacuation, etc.

The CWPP report alone indicates the Housing Element cannot be fulfilled and also protect the “safety of its community members.”

I am disturbed by the amount of angst ABAG has caused by utterly disregarding our safety with their disrespect of valid appeals. (I’ve read all of those filed in Marin, plus.) Their actions completely contradict Plan Bay Area 2050 goals and assurances that one size does not fit all, and that high risk areas would be spared development. Even with the new state laws, these factors could have been considered with appeals and redistributions.

It should be impossible to ignore both the fire hazards and the anemic evacuation routes here, yet ABAG is unswayed. As you are well aware, the numbers cannot be met without putting a great number of people, including the new residents, at risk.

In the Great Mill Valley Fire of 1929, when vegetation was largely native and sparse, and only 100 well spaced homes dotted the area, 2,500 acres burned (Marin Historical Society).

Marin’s fires reoccur in the same locations because of the predictable combination of wind and topography. The same area of the Great Mill Valley Fire, today, with a largely unimproved infrastructure and a totally overgrown topography, now holds well over 1,100 homes. This is the definition of “built-out.”

More information here:

[First Wednesday: Fire On the Mountain with Mike Swezy - YouTube](#) The history and mechanics of fire in Marin. MIKE SWEZY 23 years as Marin Municipal Watershed Manager, career in forestry and fire ecology, service with Marin

Conservation Corps the US Forest Service and FIRESafe Marin.

Besides ignoring the realities of each separate municipality, the cumulative effects of development are not considered in the RHNA. 865 new units in Mill Valley does not just add 1,800 people to their evacuation. It also blocks egress from the heavily populated unincorporated areas and our new residents, rippling all the way back to the coastal areas — including a probable large tourist population. That could be 20,000 plus people stuck in a miles long, gridlocked fire-trap towards two crummy 101 exits in Mill Valley, or the exits further north that run through many small towns.

A similar situation could occur in Santa Venetia. North San Pedro Road barely moves much of the day and the additional population there will join the current residents in a crawl towards the freeway. This scenario leaves them totally exposed, especially if they'll be meeting a stream from the newly densified Los Ranchitos.

Think about Santa Rosa, and the wide street access they had. Compare that to the wiggly lines in the evacuation maps of the unincorporated areas of Marin.

We now have a year-round fires season, and now, just in June, we are already having daily fires, some requiring small scale evacuation. As I write, another has just started in San Rafael. We have been lucky to have excellent first responders in the LRAs, and that there's been no wind that could turn a small fire into devastation. The state firefighting forces are staffed below 70%, and we have plenty of SRA in our area. We have to hope there's is only one incident at a time to deal with.

I was heartened to see that the hazard maps in the Safety Element report were largely new, and only one FHSZ CAL FIRE map from 2007 was still being used. The Marin Community Wildfire Protection Plan (CWPP) 2020 describes our situation in stark terms. It also contains very detailed and relevant risk assessment maps, and I sincerely hope every Planner and Supervisor reads both of these reports in entirety. <https://www.arcgis.com/apps/MapJournal/index.html?appid=6b55c55b3f7d41fe980ef5e65ae881a6>

I believe the takeaway from these reports, cited in the Safety Element, should have been that the area is too hazardous to support the amount of housing mandated, and the Element should have reflected that with a scaled back Housing Element regardless of the consequences.

My family is emergency conscious, with numerous alert apps set, and go bags ready alongside our CERT packs. We are FireWise and I'm an NRG block captain. I'm

dedicated to fire mitigation and preparedness, and it infuriates me that all the efforts of our first responders and volunteers will be complicated and possibly undone by the reckless development that is demanded.

I started a website in January to do my part to educate people about what's going on: www.citizenmarin.org — because most people are still clueless. Besides the safety issues, the punishments that the cities and counties are being threatened with do not comport with reality.

I look around and see potential for fire everywhere. A simple chain dragging on the ground was all it took to set one in Novato last week.

Several lawsuits regarding evacuation safety have gotten traction, stopped by judges as posing unacceptable evacuation risks. These judgements have been on large developments, but the case could be made that adding 800 units in chunks along a stressed evacuation corridor will have a similar effect and should be disallowed. As far as I know, no traffic studies have been done to confirm this issue in areas of Marin slated for development.

In the face of rapidly changing climate related circumstances, there is no way to predict long range housing plans in disaster prone areas with any degree of safety. The state refuses to acknowledge this. I urge you, our elected Board of Directors, to push back.

The very idea that the HCD hasn't undertaken a review of their RHNA formula (or even consider appeals) in the face of the obvious — fast moving climate change causing drought, year-round fire season, and rising sea levels — is itself the problem. The RHNA can no longer rationally be planned in 8 year cycles.

The housing mandates amplify the threats of all of these natural disasters.

Your powers are already diminishing. I urge you to resist before the rest of our local democracy is seized by the state.

Representing us means ensuring the safety of the residents of Marin's unincorporated areas. Are the threats of punishments by the state — fines, fees, further loss of local control, and elimination of public input — worse than loss of life?

I hope to see a summoning of courage to resist the forces that are pushing us in a dangerous direction.

Sincerely,

Amy Kalish
7 Walsh Drive, Mill Valley, CA 94941
415-383-9115



Santa Venetia Neighborhood Association

P.O. Box 4047 · San Rafael · CA · 94913-4047

June 30, 2022

County of Marin, Community Development Agency, Planning Division
3501 Civic Center Drive, Suite 308
San Rafael, CA 94903-4157

Attention: County Staff: housingelement@marincounty.org

Attention: County Staff: safetyelement@marincounty.org

Re: Marin County Housing and Safety Elements Update, 2023 – 2031

We have received multiple notifications that June 30, 2022 is the last day to submit comments for the Draft Housing Element and the Draft Safety Element, and are resubmitting our previous comments to emphasize our grave safety concerns. We do not trust that the Housing Element numbers can be met without putting a great number of people, including new residents, at risk.

We wish to add that Marin County has seen multiple fires over the past several days, thankfully in the absence of gusting wind, and July has not yet begun. As well, we would like to point out the safety and evacuation data from Streetlight Data, cited in the Marin Community Wildfire Protection Plan, which states that Santa Venetia is one of 675 U.S. communities with limited evacuation routes. (<https://www.streetlightdata.com/limited-emergency-evacuation-routes-map>)

The Santa Venetia Neighborhood Association (SVNA) is an organization representing the interests of 1,700 – 1,800 households (4,474 residents per the 2019 census figures) who live in Santa Venetia. As an organization, we are dedicated to the enhancement and preservation of the character and quality of life of the Santa Venetia neighborhood. We do our best to represent our community and have an established reputation to be a voice for proper development. And in accordance with our mission statement, we, the Board Members of the SVNA, feel compelled to comment on this issue.

As we wrote to you on April 11 and in previous letters, we want to ensure that the Marin County Board of Supervisors receives an accurate impression from our community regarding the updated Housing Element and understands our grave collective concerns about the magnitude of development proposed. All of the issues described in those letters — highly constricted road access that impedes emergency ingress/egress, our history of landslides and flooding, and the risk of catastrophic fire danger (particularly to

SVNA@santavenetia.org ~ www.thesvna.org

Santa Venetia Neighborhood Association

homes sited in the WUI) — are well-known to the Marin County BOS. Before rushing to build, we deserve answers about these areas of concern, perhaps none more important than how water will be supplied.

Community outreach has left much to be desired, and in our attempts to reach out to neighbors we have found that, by and large, they are unaware of the degree to which the updated Housing Element will adversely change our neighborhood and greater Marin. Many neighbors are under the impression that the housing mandates were originated by County staff rather than State officials. Also, since most do not have the time to wade through more than 300 pages of dense and complicated documents, we assure you that the number of comments you receive regarding the updated Housing and Safety Elements do not reflect the attitude of the Santa Venetia community.

As has been frequently stated in previous workshops, community members were unaware that the process was even underway until they were alerted by word of mouth (including a hand-made sign on a telephone pole). As for the workshops themselves, we do not believe that they represent a true and transparent dialogue between community partners. This is due in part to the severe limitation on comments, and the fact that the virtual workshops are held in “webinar” mode. As a result, only County staff know the number of attendees, which is critical in gauging community awareness. Also, speakers representing the County, or, by extension, MIG, have not been clearly identified by name and title on the Zoom screen.

The June 2022 Draft Safety Element and Draft Housing Element appear to conflict with one another, and it is unclear how, or if, that conflict will be resolved. Key findings of the “Preparation of the Housing Element Update” clearly state the limitations on infrastructure:

- Limited infrastructure capacity to support more housing development.
- Insufficient clean water and septic infrastructure.
- Insufficient evacuation capacity and ingress/egress for emergency vehicles.
- Insufficient infrastructure for pedestrians and bicyclists.

In response to these comments, this Housing Element introduces programs to expand and preserve the County’s affordable housing inventory, to create a diverse range of housing choices, and to mitigate infrastructure constraints. (p. 4 DHE)

These limitations are not actually addressed in the Safety Element— they are merely mentioned as areas requiring further study. SB 9 and other recent legislation driving the Housing Element fail to plan for multiple proven risks such as wildfire, flooding, and landslides. (we assume due largely to their insolubility). We strongly agree with Supervisor Connolly’s statement in a recent IJ article that, “SB 9 is a flawed law in the sense that things like high-fire-risk zones and other hazards are not adequately accounted for.”

The maps used in the Safety Element demonstrate the great risk to Santa Venetia from liquefaction, seismic shaking amplification, historic flooding and sea level rise, and fire.

Santa Venetia Neighborhood Association

Any one of these risk factors will severely impact emergency evacuation on North San Pedro Road, the sole route in and out of Santa Venetia.

For example:

Map 2-9, (Seismic Shaking Amplification Hazards) shows that parts of Santa Venetia are on or adjacent to “Soil Type E (200 m/sec > Vs). The strongest amplification of shaking is expected for this soil type. Soil type E includes water-saturated mud and artificial fill.”

Map 2-11 (Liquefaction Susceptibility Hazards) shows that our neighborhood is directly adjacent to areas of “very high” level of liquification susceptibility.

Map 2-12 (Landslide Hazards) does not accurately portray the landslide risk on Crestview, Sunny Oaks, Bayhills Drive and surrounding streets.

We are concerned by the language regarding flooding, which reads: “Development in flood hazard areas in the County is not restricted, but rather municipal code requirements and other regulations consider existing and projected flood zones and extents when reviewing the design and adaptation measures of proposed development.” (p. 9)

Map 2-13 (Flood Hazard Areas) directly follows, which demonstrates the severe flooding risk our community faces. This risk is exacerbated by our inadequate and aging levies.

We noted with interest the section on wildfire:

Fire hazard severity zones (FHSZ) are CAL FIRE-designated areas of significant fire hazard that influence how people construct buildings and protect property to reduce risk associated with wildland fires. A CAL FIRE countywide assessment of wildland fire threat revealed that approximately 82 percent of the total land area of the County is ranked as having moderate to very high fire hazard severity zone ratings. (p. 11)

We ask the date on which the countywide assessment was conducted, and where it has been made publicly available.

Map 2-15 (Fire Hazard Severity Zones) is dated August 15, 2021 but cites CALFIRE 2007 as its source. We ask that you clarify this discrepancy.

Map 2-19 (Sea Level Rise) projects near-term (2040-2050) sea level rise of - 50 cm (1.6 ft) in Santa Venetia, which is the highest risk category.

The Disaster Preparedness, Response, and Recovery section states:

The MWPA is conducting an Evacuation Ingress-Egress Risk Assessment to create a rating system of roads, presenting a visual risk assessment of the County’s roadways at various levels of aggregation (geographic areas, evacuation zones, or other). In addition to the software platform, a report will also present an initial list of risk factors for improvement by area, by risk category, and by responsible agency. (p. 20)

Santa Venetia Neighborhood Association

Page 4 of 4

June 30, 2022

We see that this assessment is in progress; we ask that it reflect Santa Venetia's undeniable status as one of Marin County's most vulnerable areas. We urge you not to exploit our neighborhood for development and exacerbate existing risks

Figure 2-24 Goal EHS-5. Safety from Wildfire, Program Implementation Table states that funding for fire evacuation safety "may require grant funding or additional revenue." (p. 56). We ask where such funding is available.

As we stated in previous letters regarding the updated housing sites list, not only do we object to the placement, density, and extraordinarily high number of selected sites, we reject the process under which the State and, by extension, the County are operating. With the Safety Element still in progress, and no consensus on critical infrastructure improvements, it is premature to move forward with site identification. We must also acknowledge the cumulative impact of such massive development. For example, we need to analyze the repercussions to Santa Venetia (before adding a single new unit) from the upcoming Northgate development, which will add nearly 1,500 units. We question the purpose of updating the Housing Element to remove organizations that currently provide needed services to our community and beyond, such as Old Gallinas School.

To quote from the County's July 9, 2021 appeal, unincorporated Marin County (lacks) "Availability of land suitable for urban development or for conversion to residential use." That this and nearly every other statewide appeal was denied proves that the entire process needs further evaluation before continuing. We urge you to take a pause from this rushed process to consider — truly consider — these impacts.

Please consider the safety of your constituents, rather than complying with state laws that put us at even greater risk of fire, flooding, and landslides.

This push for development is couched as filling a need for "affordable" housing, but in reality, only a minority of the new building will serve truly low-income residents. The majority of housing will be at market rate, and the building process will override local control, limit public input and community planning, and in some cases remove any environmental oversight.

As we did in our letter of April 11, and past letters, we will close by paraphrasing one of our SVNA members, who stated: "The County's first responsibility is for the health and safety of the existing residents of our neighborhood." We again ask you to consider this as you move forward.

These are just a few of the concerns that we have. The SVNA has encouraged our members to send comment letters as well, citing their concerns about this update. Please include those concerns as concerns of the SVNA.

Thank you, SVNA Board of Directors

cc: Damon Connolly, District 1 Supervisor

From: [Michael Dyett](#)
To: [safetelement](#)
Cc: [Michael Dyett](#); [Stephanie Moulton-Peters](#)
Subject: Safety element Comments: Evacuation Routes and SB99 Determinations
Date: Thursday, June 30, 2022 7:11:14 PM

Hi,

I believe the safety element could be strengthened if it included more specific information about the capacities and evacuation times under specific hazard evacuation scenarios for decks Fred emergencies, contrasting flood hazards for example with wild fire hazards. I also think more attention could be paid to the needs of environmental justice communities and getting public transit service or paratransit service to those in evacuation areas, and whether contraflow lane should be specifically designated in advance and signed accordingly. Finally I would like to see more explicit attention to the relative capacity of agencies who would work on evacuation planning and whether, for example, South Marin Fire has stepped up along with Mill Valley and are state and federal agencies fully involved and committed? Covid 19 affected interagency planning in Contra COSTA I know from my work for the City of Richmond. I realize that upon closer reading of the draft some of these questions may be answered but I do think more attention to them in the policies and actions particularly in terms of the environmental justice communities in the county would be warranted. I don't believe the draft actually maps and quantifies times under a evacuation scenarios and how they relate to level of service expectations for the identified routes.

Thank you for considering these remarks. Cordially
Michael V. Dyett F AICP

Michael Dyett
(415) 260-4976

Sent via [Superhuman iOS](#)

From: [judy wong](#)
To: [safetelement](#)
Subject: building more housing on Atherton corridor
Date: Thursday, June 30, 2022 8:13:11 PM

my concerns about building dense housing along Atherton corridor:

1. the traffic. this is one way in and one way out for many houses already. can you imagine the traffic mess adding dense housing will do.

Think about emergency evacuations. that would be a disaster.

2. this is a major animal corridor, which the dense housing will destroy. the animals were here before us, lets not totally destroy their habitat

3. poor city planning to put dense low income housing on Atherton. they are not walking distance to anything and not near mass transportation(like the train)

4. i see many empty buildings and empty lots in Novato. You do NOT need to ruin Atherton ave. It is state mandated that each county build x number of affordable houses. it was not mandated by the state that so much needs to go on county property(like Atherton).

Most of these affordable houses, need to be put in town, where people can walk to do errands, or take the train. think of train access when deciding where to put these high density houses.

this is just poor city planning to put high density homes on Atherton

5. Judy Arnold had identified a vacant property that could be built on, in Ignacio. Also the old Pini building remains vacant. build that 3 stories high with affordable housing(included garage underneath). people can easily walk to do many errands from here and they can walk to train.

Firemans fund is another spot. again, close to the train

i am concerned that many people are on vacation now, and will miss submitting concerns about building affordable housing on Atherton corridor

sincerely

Judy Wong

From: [hentz francine](#)
To: [safetelement](#)
Subject: Tomales Water Issues
Date: Thursday, June 30, 2022 8:35:28 PM

Hello,

I did send a comment to the Housing Element re this topic, but thought I should mention water quality issues we're experiencing in Tomales, due to the extremely low water table. Our previously pristine well water is coming out coffee colored, and we are currently recycling our laundry and wash water to accommodate our landscaping. Also we are currently filtering our drinking water for the first time ever.

Thought this should be considered, as water is a resource in short supply these days. Thanks for any consideration you may give this matter.

Sincerely, Francine Hentz and Dan Erickson, long time home and property owners in Tomales

From: [Bill Fridl](#)
To: [safetelement](#)
Subject: draft Safety Element
Date: Thursday, June 30, 2022 9:45:44 PM
Attachments: [image001.jpg](#)

Hi there,

I live in greater Mill Valley. These hills are going to burn during my lifetime (and I'm old!) It's possible that hundreds will die, unable to get off the hills to safety because the roads couldn't handle the exodus.

And Marin bureaucrats are still trying to squeeze in more housing. Because some other bureaucrats said to.

Ridiculous...

Bill Fridl
222 Cleveland Ave
Mill Valley, CA

Oakland Firestorm 1991 - Oakland - LocalWiki





June 30, 2022

County of Marin
Board of Supervisors
Planning Commission
Community Development Agency

*Submitted via email: housingelement@marincounty.org,
BOS@marincounty.org, planningcommission@marincounty.org, and
DRodoni@marincounty.org*

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RE: Draft Housing & Safety Elements

To Whom It May Concern:

The Environmental Action Committee of West Marin (EAC) is based in Point Reyes Station and has been working to protect the unique lands, waters, and biodiversity of West Marin since 1971. We appreciate the opportunity to comment on the Draft Housing and Safety Element updates.

Since EAC's founding, we have been committed to the health of West Marin's lands, estuaries, bays, and watersheds. In one of our earliest campaigns, we advocated for sustainable community planning to safeguard the irreplaceable natural environments from 1960s development plans that would have paved over the lands we know today as the Point Reyes National Seashore, Golden Gate National Recreation Area, Marin County Parks and Open Space, Marin Municipal Water District Watershed, Gary Giacomini Open Space, and more than 136,000 acres of productive agricultural lands.

These comments are focused on communities in the West Marin watersheds and proposed changes to the Countywide Plan (CWP) that would have long-term impacts to sustainable planning. We have organized this letter into three sections:

1) Public Process and Countywide Plan (CWP) Integrity

2) General Questions and Inconsistencies in the Draft Housing Element

3) Requested Actions for the CDA to Incorporate into the Draft Housing & Safety Elements

We look forward to providing more substantive comments in the coming months with the release of the Draft Environmental Impact Report (Draft EIR) that we understand will narrow site selection, allowing for more comprehensive comments on both the Housing and Safety Elements.

Section 1: Public Process and Integrity of the Countywide Plan (CWP)

1.1. Public Process Concerns.

EAC has participated in the public processes for the Housing and Safety Element since January 2022. While we are grateful to the Community Development Agency (CDA) for the availability of online meetings and remote access to staff for questions, the planning process has been less than ideal, and in our opinion is one of the main reasons that the Draft Housing Element proposes precedent-setting rollbacks to the County's environmental corridors and conservation zoning. This could have been avoided with ground-up community planning.

Due to the pandemic, the CDA engaged in a series of online meetings and developed online tools to encourage public input. While online meetings do increase accessibility for some, these meetings are not collaborative and exclude individuals who do not have access to the internet¹ or the skills to understand how to comment or communicate through the complex portals. Ultimately, the online meeting process constrains public engagement and collaboration, reducing the planning session to online PowerPoint presentations for community members who have access to the internet and a home computer. It becomes an experience of being talked at rather than participating in a dialogue.

The online forums prevent actual collaboration, dialogue, and input that is fostered through in-person community-by-community meetings. In addition, the online forum prevents public employees, and appointed and elected officials from engaging with and being accountable to a local community while making decisions that propose to dramatically change the development of that community.

1.2. Online Mapping Tools and Relationship to the Countywide Plan (CWP).

The CDA released an extensive series of online mapping tools to gather broad community feedback to identify parcels appropriate for potential development. As the Draft Housing Element report indicates, hundreds of people participated in the use of the tools to make suggestions and recommendations of sites for consideration². The multiple versions of maps and lists of potential sites was an overwhelming amount of information that kept changing from week-to-week, making it difficult to understand what was being proposed.

EAC's review of the Draft Inventory Sites³ and the Balancing Act Tool established that the information collected was not informed by the CWP nor were these documents easily

¹ June 14, 2022 Draft Housing Element Workshop, community members from the San Geronimo Valley were unable to participate due to a power outage.

² This data collection was limited to English speaking individuals with computers, internet access, and with the technology skills to navigate the online tools. While some efforts have been made to offer information in Spanish, this effort has not been comprehensive.

³ County of Marin Draft Inventory Site List Google Map available at:

<https://www.google.com/maps/d/u/0/viewer?mid=1fpxZN5FM9A7ZBYywc1FyYZNkqItdN056&ll=38.05956845131791%2C-122.6762669999998&z=10>

accessible in the distribution of materials intended to inform and guide participating members of the public in the process.

In other words, the tools designed to gather public input were not designed or grounded in the CWP's policies or framework that is the supreme document to guide future physical development of a community. All decisions on future development should flow from the CWP, the supreme document to guide future physical development of a community, as is supported by 40 years of case law.

Instead, the CDA is proposing changes to the CWP to meet the Regional Housing Needs Allocation (RHNA). This subverts the strategic land-use intentions of the CWP. While we understand the need to identify additional sites to create a planning buffer—as parcels will be removed after the Draft EIR is released—the process is akin to a kitchen sink approach.

1.3. The Case for Ground-Up Community Engagement.

In-person and coordinated local community engagement should not be disregarded. We found two examples within the Draft Housing Element where community stakeholders helped to inform and find solutions that meet specific community needs when compared to the January 2022 inventory of sites.

- **San Geronimo Valley:** The County's top-down planning approach identified 90 potential housing units in the Tamalpais School District parcel and former Golf Course parcel that is currently owned by the Trust for Public Land. In the local Community Plan, the CWP, and Plan Bay Area 2050 these locations are inappropriate and infeasible for development. Thanks to local community engagement, the inappropriate site selections were removed and replaced with alternate locations that have potential to provide housing and serve the needs of the community that lacks affordable housing options and that will complement the villages of the San Geronimo Valley.
- **Community of Bolinas:** The top-down planning approach incorrectly identified the public park and local businesses as appropriate areas for future development. Following the release of the maps, the local community stakeholders and the Bolinas Community Land Trust worked with the CDA to identify parcels that were planned for affordable housing and to identify other potential sites to serve the needs of the community, also lacking in affordable housing options, that are in alignment with the current community culture and infrastructure.

In both examples, community groups found out about site selection *after it was released* to the public and had to work backwards, investing rushed time and effort to provide information to community members and provide input to the CDA for better site selection. In

the end, the site selections seem to be balanced in the community planning, pending the release of the Draft EIR.

Unfortunately, the same type of community coordination has not occurred in other communities in unincorporated Marin County. At the June 14th Public Workshop, coastal community members expressed that they did not have the opportunity to fully review plans, coordinate community response, or provide education to the community on what is happening. This is a major shift in the way that the County of Marin engages with their community members around development planning.

The County of Marin has a storied history of responsive community planning to plan for development proactively and sustainably. As mentioned in the introduction of our letter, the 1970s community planning safeguarded the irreplaceable habitats and natural resources that sustain our human and natural environment. The last update to the CWP in 2007 served as another example of collaborative community engagement and development that resulted in an award-winning CWP that would help protect sensitive coastal habitats; ensure resource availability; reduce greenhouse gas impacts; encourage infill and redevelopment projects focused on underutilized development near transit and job centers.

Under pressure of the RHNA timeline, the CDA has moved away from bottom-up community collaboration and relied on top-down consultant-informed planning that undermines the goals of our CWP, disregards the time and effort of the public participating in the comprehensive CWP updates of the past, and reduces public confidence in community engagement and outreach.

Section 2: General Questions and Inconsistencies in the Draft Housing Element

Below we have outlined questions and inconsistencies within the Draft Housing Element that we would like to have addressed in the public process. We have also included suggestions to increase public understanding and transparency.

2.1. Guiding Principles of Housing Element Update.

Why is the Housing Element update applying only three of the twelve CWP Guiding Principles to this update? The CWP is the supreme document that guides future physical development of the community. All Guiding Principles of the CWP should apply in housing site selection to ensure appropriate site selection that is informed by this overarching framework.

2.2. Land Use Element Update.

Due to the non-standard organization and layout of the Marin's CWP, it is unclear what modifications are being made to the Land Use Element. Where can the public easily find a list of the Land Use Element policies that are being updated? How does the County cross reference for internal consistency between elements? How is this information being provided to the public to ensure that subordinate land-use actions comply with the CWP at the time they are being passed and implemented?

2.3. Table H-2.5: Population by Unincorporated County Community.

The total population of the communities based on the figures provided in *Table H-2.5 Population by Unincorporated County Community* does not equal 68,902 as the total line indicates. The total is 47,396 with a variance of 21,506 people. Why is there a variance in these totals? What is the correct number?

2.4. Population by Unincorporated County Community + Housing Element Projected Population Increase.

It would be helpful for the report to integrate or include a table that demonstrates the potential population increase if the Draft Housing Element was implemented. This provides important information for the public to cross-examine against the projected population increases in Marin County over the next 8 years.

2.5. Table H-2.21: Vacant Units by Type.

The paragraphs of text preceding and describing *Table H-2.21 Vacant Units by Type* highlight some specific community vacancy rates and the high percentages of second homes or vacation units in coastal Marin County. Unfortunately, this table is organized by type of vacancy and not by community like the other tables in the Draft Housing Element.

We would like to see a table of vacancy rates that includes the community level information to better understand which communities are impacted more heavily by seasonal, recreational, or occasional use. This is an important aspect of the housing challenges in coastal Marin County as vacation rentals, second homes, and investment properties remove critical residential housing stock.

2.6. Inclusion of “Other Vacant” Sites (Abandoned or Red-Tagged).

Has the County reviewed specific parcels in areas of coastal Marin villages that are categorized as “other vacant” that are abandoned or red-tagged to be included as potential development sites in the Draft Housing Element Update? Abandoned or red-tagged⁴ housing units not in current use as residential housing stock could be identified for redevelopment or subdivision.

2.7. Availability of Water Table H-3.2: Water Capacity for New Development.

We are unable to find reference to the Buck Center Inventory Site that proposes 249 housing units on this table. Where would the water supply for this site come from? Is there capacity to serve the proposed units within the existing water district?

⁴ Eligible, red-tagged units that are eligible to be brought up to current code and safety standards

2.8. Wastewater Infrastructure Capacity and Sensitive Environmental Habitat Areas.

It would be helpful for the County to overlay a heat map based on number of units proposed in the Site Inventory List over a GIS map of environmental resources including shorelines, sea-level rise projections, emergent groundwater projections, wetlands, creeks, the stream conservation planning area, water capacity based on *Table H-3.2 Water Capacity for New Development by Water District or Private Well*, and *Table H-3.5 Wastewater Treatment Capacity*. Without this information or the pending Draft EIR, it is difficult to comment on the feasibility of potential sites based on the ability to be able to support the potential development.

2.9. Table H-3.11: Coastal Zone Development (1982-2022).

This table seems to be incomplete. Only two cells are updated for *Units Constructed* for the years 1988-2002 and 2002-2010, and the rest of the table is blank.

2.10. Implementing Programs Contradictions.

Throughout the Draft Housing Element there are numerous references to the 2007 CWP land-use policies that are focused on promotion of compact neighborhoods, encouraging infill development, and promoting cluster development.

In unincorporated areas of Marin County, there are proposed Inventory Sites that do not meet this definition. For example, locations in Inverness on Balmoral Road do not meet these criteria; and the site selection seems arbitrarily based on allocating potential housing units to each coastal village rather than reviewing the layout of the communities and proposed locations to proximity of services, transportation, and the village core.

Locations like the Buck Center are located outside of the City-Center Corridor and would require a precedent-setting change to the CWP to modify the environmental planning corridors and rezone A-60 agricultural conservation zoning, promoting urban sprawl.

These examples highlight a fundamental contradiction with the CWP as the Housing Element strays from the CWP policies and guidelines.

2.11. By-Right Development and Loss of Local Control.

The requirement in this RHNA cycle that sites that are not developed in 8 years may thereafter be subject to by-right development creates a host of unintended and unknown consequences for the County and communities to cope with in the coming years.

The large number of potential locations being identified in this RHNA allocation creates an environment in which developers may side-step local community planning. It benefits developers to delay developing housing units on the identified parcels, instead waiting

until the 9th year to submit applications, benefitting from a streamlined permitting process, which in some cases, may not require a project specific CEQA analysis.

This potential for thousands of streamlined development projects needs to be analyzed to ensure that all potential development locations are not sited near sensitive environmental resources and that the community infrastructure and resources are able to support the development projects.

2.12. Analysis on Upzoning and Potential to Exacerbate Displacement, Gentrification, and Fragmentation.

We are not aware of comprehensive analysis by the County of potential consequences or outcomes of upzoning and the increased housing supply on disadvantaged communities. It has been reported that upzoning without promotion and support of affordable housing within communities has the potential to create additional displacement, gentrification, or greater social and economic fragmentation⁵.

The County needs to examine and unravel its history of exclusionary zoning practices and promote locally planned housing development to address the housing crisis in our communities. However, this type of planning must be accompanied by additional sets of policies to ensure the increased housing supply and density does not displace, gentrify, or further fragment communities.

In addition, the County needs to ensure any new housing stock is not converted to short-term rentals, investment properties, or vacation homes that harms the residential community. Otherwise, we are only exacerbating housing problems, promoting urban sprawl, diminishing future potential development locations, and placing pressure on our finite natural resources without achieving the intended goals to provide residential housing within our communities.

2.13. General By-Right and Coastal Zone Development Questions.

During public workshops, County staff and consultants stated that by-right or ministerial permitting will take place under the RHNA allocations if the locations are not developed in 8 years. However, it has also been stated that this will not apply in the Coastal Zone.

Can you please provide the authority for the Coastal Act savings clause or other reference in the regulations?

Will any rezoning need to take place in the Coastal Zone? If so, a Local Coastal Planning amendment will need to occur, and coastal resource impacts should be closely reviewed and coordinated with the California Coastal Commission staff.

⁵ Brookings, Double Edged-Sword of Upzoning. July 15, 2021. Available www.brookings.edu/blog/how-we-rise/2021/07/15/the-double-edged-sword-of-upzoning

In areas that are subject to by-right development in the future, will potential development projects be required to prove access to freshwater and wastewater treatment ability?

2.14. Potential Site Inventory: Priority Development Areas and Impacts to Infrastructure and Resources.

Some of the Potential Site Inventory locations in unincorporated Marin County are not located in Priority Development Areas⁶ and fail to meet the criteria for sustainable development. Development in these locations would promote urban sprawl and increase greenhouse gas emissions⁷, both conflict with the goals of Marin's CWP.

How is the County reconciling the distribution of potential housing locations in rural areas lacking adequate infrastructure (roads, wastewater treatment, access to water, public transportation, and job centers) that would increase populations and negative impacts on these limited resources?

2.15. Best Available Science and Data to Inform Planning.

Is the County able to integrate the most up to date science and data into the Draft EIS and the Draft Housing and Safety Elements? Specifically, the County's Climate Vulnerability Reports are now out of data as new science and data has been released regarding the potential severity of rising sea levels and new mapping systems that integrate the impacts of emergent groundwater. Rising sea levels and emergent groundwater predictions should require any potential sites within 100 feet of a shoreline or wetland be removed. In low-lying areas within floodplains, the setback should be much greater.

3. Requested Actions to Incorporate into the Draft Housing & Safety Elements

It is difficult to comment on the potential site list in the Draft Housing Element and Draft Safety Element without the Draft EIR that ultimately will narrow the list of sites. However, we have made some recommendations below:

3.1. Marin's award-winning Countywide Plan must be honored, not rolled back. Do not change our environmental corridor boundaries.

In 2007, Community members volunteered their time and worked with the Community Development Agency to help update the CWP with a theme of "sustainable communities" creating a plan that would reduce negative impacts on the environment

⁶ Association of Bay Area Governments, Priority Development Areas. Available at: <https://abag.ca.gov/our-work/land-use/pda-priority-development-areas>

⁷ Priority Development Areas are defined as: 1) Infill to be in existing urban areas that are not to extend beyond urban growth boundaries and that are not Priority Conservation Areas. 2) must have a completed plan for significant job and population growth. 3) Either A) Transit-Rich, at least 50% of the area is within a 1/2 mile of ferry, rail, or bus service that runs every 15 minutes, or b) Connected Community, entire area within 1/2 mile of bus stop with peak service of 30 minutes or less or 1/2 mile of high quality transit and must be in an area identified by the California Department of Housing and Community Development as High Resource or has in place two policies to reduce Vehicle Miles Traveled (bicycle and pedestrian planning projects).

through strategic land-use planning that encourages development to infill sites near transportation corridors and discourages development in hazardous areas subject to wildfires, flooding, and sea level rise. It does not make any sense that the County is planning to change the environmental corridors that contradict the guidelines of the CWP and would initiate urban sprawl development.

3.2. Do Not Rezone A-60 Parcels or Modify Environmental Corridors.

Agricultural conservation zoning should not be changed to pave the way for developers to build housing over the next 8 years. A-60 zoning has protected the Inland Rural Corridor from urban sprawl development since 1973. The County should make decisions based on sustainable development and incorporate the long-term consequences of changing the CWP Corridors and roll-backs to A-60 zoning before making these precedent-setting changes. The Buck Center site and other proposed A-60 sites should be excluded from the list.

3.3. Protect Sensitive Habitat Areas and Depleted Water Resources from Irresponsible Development Locations.

New potential development sites should be at least 100 feet away from shorelines, creeks, and wetlands to protect habitat, water quality, and potential development from rising sea levels and emergent groundwater.

Locations within mapped floodplains, within 100 feet of riparian corridors, wetlands, or shorelines should be removed from consideration to protect critical and sensitive environmental habitat areas.

Sites located within critical watersheds that provide habitat for endangered and threatened species should be removed from consideration.

The County's Inventory Site List continues to include inappropriate locations for development that are too close to creeks, wetlands, and shorelines and agricultural lands that would expand suburban sprawl outside of urban growth boundaries. This conflicts with climate change vulnerability planning and studies the County has been working on for years and will only exacerbate problems in the coming decades.

3.4. Proposed housing should be in areas with adequate water and wastewater infrastructure to reduce environmental harms and avoid exacerbating lack of water availability due to extreme drought conditions.

The rural villages of West Marin are without any centralized wastewater treatment systems, and any new development that would be susceptible to flooding should not be developed. Our communities will only set the stage for increasing bacterial loads in our freshwaters systems and beaches that are threats to public and environmental health.

In addition, freshwater is provided to communities through a network of water districts or private wells. In some communities, the viability of household wells is unstable. Specifically, in Nicasio, household wells run dry each summer. The smaller water districts in the rural coastal communities are extremely vulnerable to drought conditions, as demonstrated in the 2021 Water Year where some communities were on the brink of water rationing.

3.5. Avoid Environmental Hazards and Focus on Urban Area Infill.

It is essential to apply current environmental hazards planning to remove locations susceptible to environmental hazards including wildfire, flooding, and sea level rise.

Locations proposed in high wildfire risk areas should be reconsidered, and the County should focus on infill near community services and transportation corridors. Infill will provide access to public transportation and services and align with the Sustainable Communities Strategy Growth Geographies as Priority Development Areas.⁸ Adding thousands of housing units to rural areas will increase the number of Vehicle Miles Traveled (VMT), undermining Marin and California's greenhouse gas emission reduction goals.

3.6. Protect Residential Communities with Complementary Programs and Policies.

Housing should be prioritized for people that live and work in our communities on a full-time basis. We can't simply build our way out of this crisis. Without ensuring safeguards that proposed development will serve the residential and workforce communities, we may exacerbate our existing affordable housing crisis. The County needs to find ways to further restrict short-term rentals, tax investment housing that does not serve as a primary residence (e.g., vacancy tax that reduces investment property incentives), and explore other solutions to preserve our communities.

3.7. Honor the Sustainable Communities Strategies of Plan Bay Area 2050.

The County should promote infill near commercial cores, job centers, and transit centers, as well as promoting mixed-use commercial spaces. The Bay Area Association of Governments released the Plan Bay Area 2050⁹ strategy that identifies Priority Development Areas (PDAs) and Priority Conservation Areas (PCAs). The Draft Housing Element refers to the County obtaining funding by developing PDAs, but fails to honor the protections intended by PCAs. The full potential site list of 6,500 locations includes parcels in areas of PCAs.

⁸ The Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments, Plan 2050, Chapter 1. Growth Geographies. Available at: <https://www.planbayarea.org/2050-plan/final-plan-bay-area-2050/chapter-1-introduction-and-growth-geographies>

⁹ Association of Bay Area Governments and Metropolitan Transportation Commission, Plan Bay Area 2050. Available at: <https://www.planbayarea.org/>

3.8. Any significant amendments to the CWP environmental corridors or conservation zoning must take place as a transparent and comprehensive public process.

We recommend the CDA conduct an update to the CWP in the coming years that will fully engage local community members to update Community Plans and to prioritize engagement with the unincorporated villages to ensure consistency throughout planning and housing element documents.

3.9. We request the Planning Commission and Board of Supervisors uphold the current CWP and not approve any updates that are not specifically required by the State of California¹⁰.

The County should not make precedent-setting changes to expand the City-Center Corridor and should remove all A-60 agricultural zoning parcels from site selection and rezoning plans.

Thank you for the consideration of our comments. We look forward to further engagement on the Housing and Safety Element update process in the coming months and the release of the Draft EIR.

Respectfully,



Morgan Patton, Executive Director
Environmental Action Committee of West Marin



Bridger Mitchell, Board President
Environmental Action Committee of West Marin

¹⁰ There is no legal requirement for the County to change the CWP environmental corridors and or A-60 zoning. The proposed changes seem to be based on the RHNA and the CDA's scramble for site selection to meet the allocation. If the Buck Center (and any other A-60 parcels remaining on the list) are removed from consideration, this will eliminate the need to amend the Countywide Plan environmental corridors, any needs to change A-60 zoning, and respect the will of the residents of Novato who voted to create an urban growth boundary.

west
marin

environmental
action
committee



Tomales Design Review Board

Point Reyes Station
Village Association



SIERRA
CLUB

MARIN COUNTY GROUP



Resource Renewal Institute
40 Years. Innovation for a Sustainable Future.



Inverness
ASSOCIATION



TURTLE ISLAND
RESTORATION NETWORK



June 30, 2022

County of Marin
Board of Supervisors
Planning Commission
Community Development Agency

*Submitted via email: housingelement@marincounty.org, BOS@marincounty.org,
planningcommission@marincounty.org, and DRodoni@marincounty.org*

RE: Draft Housing and Safety Elements

The under-signed organizations and individuals appreciate the opportunity to comment on the Draft Housing and Safety Element updates. These comments are focused on the proposed changes to the Countywide Plan (CWP) that would have long-term impacts to community-led sustainable planning.

Public Process and Inconsistencies with the Countywide Plan

While we are grateful to the Community Development Agency (CDA) for the availability of online meetings and remote access to staff for questions, the planning process has been less than ideal, and in our opinion is one of the main reasons that there are proposed precedent-setting rollbacks to the County's environmental corridors and conservation zoning folded into the Draft Housing Element. This could have been avoided up front with ground-up in-person community planning.

Site selection by the CDA was driven by consultants, rather than the local communities. The CDA provided online tools and maps to collect data and potential site locations from the general public, but they failed to integrate those resources with the CWP that is the requirement to inform future physical development in

unincorporated Marin County. Decisions on future development flows first from the CWP's policies and guidance as has been upheld and strengthened by more than 40 years of case law.

It is our understanding from the June 14th public workshop that several coastal communities have not had the opportunity to fully review plans, understand the proposed CDA changes, or effectively coordinate community engagement and recommendations into this process. This is a major change in the manner in which the County of Marin has historically engaged with the community around development planning, especially when the CDA is proposing a significant revision to expand the City-Center Corridor and potentially change A-60 zoning on multiple parcels.

There is no legal requirement for the County to change the CWP environmental corridors and or A-60 zoning. Instead, the proposed changes seem to be based solely on the RHNA and the CDA's scramble for site selection to meet the allocation. If the Buck Center (and any other A-60 parcels remaining on the list) are removed from consideration, this will eliminate the need to amend the CWP environmental corridors, change A60 zoning, and uphold the will of the residents of Novato who voted to create an urban growth boundary.

The County of Marin has a storied history of responsive community planning to proactively and sustainably plan for development. This began with the community push back to the 1960s pro-development planning that would have paved over the lands we know today as the Point Reyes National Seashore, Golden Gate National Recreation Area, Marin County Parks and Open Space, Marin Municipal Water District Watershed, Gary Giacomini Open Space, and more than 136,000 acres of productive agricultural lands.

The 1970s community planning safeguarded the irreplaceable habitats and natural resources that sustain our human and natural environments. The 2007 update to the CWP was another example of collaborative community engagement and development resulting in an award-winning CWP that would protect sensitive coastal habitats; ensure resource availability; reduce greenhouse gas impacts; encourage infill and redevelopment projects to recolonize the asphalt with projects focused on underutilized development near transit and job centers.

Unfortunately, under pressure with the Regional Housing Needs Allocation (RHNA) timeline, the CDA departed from bottom-up community collaboration to top-down planning that undermines the goals of our CWP, disregards the time and effort of the public participating in the comprehensive CWP updates of the past, and reduces public confidence in community engagement and outreach.

Requested Action

- We request the Planning Commission and Board of Supervisors uphold the current CWP and not approve any updates that are not specifically required by the State of California. This includes not making precedent-setting changes to expand the City-Center Corridor and also removing all A-60 agricultural zoning from site selection and rezoning plans.
- We request the Planning Commission and Board of Supervisors recommend the CDA conduct an update to the CWP in the coming years that will fully engage local community members and prioritize engagement with the unincorporated villages to update Community Plans to ensure consistency throughout documents and a community-led process.

Thank you for considering these comments.

Morgan Patton
Executive Director
Environmental Action Committee of West Marin (EAC)

Eric Morey
Chair
San Geronimo Valley Planning Group

Ken Levin
President
Point Reyes Station Village Association

Karen Anderson
Resident
Olema

Donna Clavaud
Chair
Tomales Design Review Board

Kathleen Hartzell
President
Inverness Association

Chance Cutano
Director of Programs
Resource Renewal Institute

Judy Schriebman
Chair Marin Group ExCom
Sierra Club, Marin Group

Megan Isadore
Executive Director
River Otter Ecology Project

Laura Chariton
Watershed Alliance of Marin

Preston Brown
Director of Watershed Conservation
Salmon Protection And Watershed Network (SPAWN)

Bridger Mitchell
Resident
Inverness

Robert Johnston
Resident
Inverness

From: [Loretta Figueroa](#)
To: [safetylement](#)
Cc: [Loretta Figueroa](#)
Subject: Marin County Community Development Agency | Public Draft Safety Element
Date: Thursday, June 30, 2022 11:59:47 PM

Reader Introduction

The Safety Element of a General Plan contains the policies and implementation programs to prepare for and protect the public from the harmful impacts of environmental hazards that could occur in that community. In the Marin County Wide Plan, the Safety Element goals and policies are presented as Section 2.6 Environmental Hazards and Safety of the Natural Systems and Agriculture Element. Currently the Safety Element covers three types of environmental hazards:

- Geologic and Seismic Hazards
- Flooding and Sea Level Rise
- Wildfire

I have lived in the Almonte area, near Tamalpais High School, for more than 35 years. Public Safety and Environmental Sustainability are two of my main concerns.

I can see Hwy 101 and Miller Avenue by Tam High School from my home. If there is a major fire disaster, and residents flee for safety in their vehicles, I should be able to see the expected traffic jam and walk out with my backpack. Others will be trapped in their cars. Fatally trapped.

When I moved here, our narrow streets were mostly unencumbered by parked vehicles. That's no longer true. I like the "Park Like Your Life Depends On It" from the Oakland Fire Department.

Environmental Sustainability is more than solar panels, an electric car, and LED lights. We need to be able to walk safely.

That's it for now.

Be well. Be safe.

LJ

Loretta (Lorri) Figueroa
millvalleyfig@yahoo.com

From: [Margaret Kathrein](#)
To: [safetylement](#)
Subject: Housing and Safety Elements
Date: Saturday, July 2, 2022 5:07:42 PM

Comments and suggestions relevant to the current County of Marin Draft Housing Element:

1. The restrictions of the Juvenile Hall Site Master Plan prohibit consideration of this entire area for possible housing sites.

The Juvenile Hall Site Master Plan (adopted 1994) was developed through collaboration between the County of Marin and community.

The Plan encompasses the Jeanette Prandi and Juvenile Hall Sites.

The Master Plan provides:

- SW corner of the site, Jeanette Prandi Way, shall remain as County Administrative and Storage Facilities only
- Rotary Senior Housing, Jeanette Prandi Way, limited to 55 units, single story only
- Juvenile Hall and County Parks Offices shall remain as County facilities. No additional development permitted.
- Lower SE portion reserved for walking paths, soccer fields and recreational use only
- Upper Idylberry Corridor transferred to Open Space District

2. Proportionality, Density, and design issues need to be further addressed. The Lucas Valley Community is comprised of limited density, all single story, Eichler design.

3. Fiscal issues related to subsidized housing or rental units have not been thoroughly considered or explained.

4. The Lucas Valley Wildland Urban Interface (WUI) zone, while not the highest fire danger, still presents significant fire danger, with single road, 2 lane, evacuation limitations.

This fire danger was obvious with a fire dangerously close to home in Lucas Valley in August 2021. This fire danger is sufficiently high to limit and reduce proposed housing numbers.

5. Water shortages and drought conditions in Marin County present limiting factors to proposals for housing in such large numbers at this time.

Thank you for your consideration.

Please excuse my slight delay in responding as I was traveling out of the country.

Sincerely,

Margaret Kathrein
1098 Idylberry Road
San Rafael, CA

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From: [suzi |](#)
To: [safetelement](#)
Subject: To the Marin Board of Supervisors
Date: Thursday, July 28, 2022 4:48:00 PM

You don't often get email from sletteer@gmail.com. [Learn why this is important](#)

We must find a way to fight the housing mandated by the state of California for Mill Valley. The city is nearly out of control already regarding traffic. I have been caught twice in a traffic jam on my street, Lovell, with a emergency vehicle that could not proceed. This is an EXTREME safety problem. This must be obvious to every one of you that with global warming this will only become more dangerous. And then there is the water problem, And there is not even the space to improve infrastructure to the point MV could accommodate thousand more cars and residents.

Streets have already been becoming choked due to the added residents from ADUS. In my neighborhood cars are require to inch around each other. The cost of street widening will be astronomic.

I am hearing that businesses are slated to be replaced by housing. So will we be required to leave Mill Valley to get ordinary needs met? Do we go to San Rafael for a tank of gasoline, to get oil changed, to get a hair cut, to get keys made? This is so inefficient in time and resources it is truly insane it is being contemplated.

Who will be monitoring the Above Moderate, Moderate, and Below Moderate levels of housing? This is guaranteed corruption. Social engineering on this scale is impossible, especially with a community that is effectively built out now. I hear proposed housing is planned for flood zones! Good work, BOS!

Susan Letteer
MV resident of 30 years

From: [CHRIS WRIGHT](#)
To: [safetylement](#)
Subject: Fire safety MMWD
Date: Tuesday, August 2, 2022 5:00:08 PM

[You don't often get email from wrightc1@mac.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

MMWD does not have enough rangers to police the lakes. I have walked out there since June of last year. I have only seen a ranger on the trail twice. I have definitely seen lots of cigarette butts. They talk about what they are doing for prevention after the fire starts. What about stopping the fire before it starts. They need to police the lakes and not from a truck (walk). People smoke because they can. I have seen someone frying a fish a few days after the fire. The phone service out there is not good. I called in the fire last month to the ranger station. I have xfinity which rarely works. We were lucky. A few minutes later I flagged down a ranger and let him know about the fire. Why didn't he already know? They should have an emergency response that goes out right away. You are more than welcome to call me if you want the whole story. Not just MMWD's story. I also no the man who helped the burn victim. My phone number is 925-353-7309 Chris

Thanks



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

7/26/2022

Dear County Administrator Hymel,

This letter is to inform the County of Marin that the Marin Local Agency Formation Commission (LAFCo) has identified two disadvantaged unincorporated communities (DUC) within Marin County's jurisdictional boundary. The DUCs identified are in the areas of Marin City (Census Tract 1290, Block Group 1) and California Park (Census Tract 1121, Block Group 1). Senate Bill 244 (Wolk), effective on January 1, 2012, imposed several requirements and restrictions on LAFCos, cities, and counties with regard to DUCs. The legislature found that many DUCs lack access to basic infrastructure, including, but not limited to streets, sidewalks, storm drainage, clean drinking water, and adequate sewer service.

Pertaining specifically to LAFCos, SB 244 requires LAFCos to identify DUCs when making municipal service review determinations (GC 56430(a)), sphere of influence determinations (GC 56425(e)(5)), and proposed city annexations of over 10 acres. A "disadvantaged community" is defined in Water Code Section 7905.5(a) as a community with an annual median household income (MHI) less than 80 percent of the statewide MHI. The statutory definition of DUCs comes from Government Code Section 56033.5, which defines a DUC as "inhabited territory" that constitutes all or a portion of a "disadvantaged community". "Inhabited territory" may be defined by Government Code Section 56046 as having at least 12 registered voters, or it can be determined by "commission policy".

This letter is intended to both serve as an informational courtesy to the County to identify the DUCs based on the updated U.S. Census data, as well as an official request from Marin LAFCo for recognition of the DUCs in the upcoming Marin County Housing Element update. The current Housing Element, while making mention of the existence of DUCs, does not actually identify any. Marin LAFCo believes the official designation of the DUCs in the Housing Element by the County could potentially aid in obtaining grant funding opportunities for those impacted areas.

The Commission greatly appreciates your consideration in this matter. If you have any questions, please don't hesitate to reach out to us directly at any time.

Sincerely,

Jeren Seibel
Deputy Executive Officer
Marin Local Agency Formation Commission

Administrative Office
Jason Fried, Executive Officer
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San Rafael, California 94903
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Dennis Rodoni, Regular
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Judy Arnold, Alternate
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