

From: [Chantra Malee](#)
To: [Rodoni, Dennis](#)
Cc: [housingelement](#)
Subject: 98 houses
Date: Wednesday, March 16, 2022 10:37:08 AM

Dear Supervisor Rodoni and Deputy Director Leelee Thomas,

I do not support 98 houses on the 50 acre High School property facing Drake Blvd. in the San Geronimo Valley. It would destroy our Valley's rural character, the beauty we prize in that view shed and create a new, unnecessary and unwanted village. I support seeking alternative Valley sites to meet our affordable housing obligations.

Sincerely,
Chantra

--

Chantra Malee
Co-Founder
M: +1 917 837 2003

Sharp Type

sharptype.co

From: [Rachel Williams Yudes](#)
To: [Rodoni, Dennis](#); [housingelement](#)
Subject: Concern about Plan to Build 98 Houses in SGV
Date: Thursday, March 17, 2022 1:20:39 PM

Dear Supervisor Rodoni and Deputy Director Leelee Thomas,

My husband and I are relatively new residents of San Geronimo Valley, and we do not support the building of 98 houses on the 50 acre High School property facing Sir Francis Drake Blvd. We moved to the Valley for its natural beauty and spaciousness, to live amongst and have easy access to natural spaces, and to live in a more peaceful and quiet area. This housing development would take away from so much of what we (and our neighbors) love about living here.

We are also very concerned about the lack of infrastructure here required to support such a significant population increase, which will create additional safety (water, septic, traffic, evacuation routes, etc.) and environmental issues for those who already live here. We instead support seeking alternative sites in the Valley to meet our affordable housing needs and requirements.

Best Regards,
Rachel Yudes

From: [Shary Nunan](#)
To: [housingelement](#)
Cc: [BOS](#)
Subject: Housing Sites in Unincorporated Marin
Date: Thursday, March 17, 2022 2:14:30 PM
Attachments: [Tilden Prep Signature Logo FINAL 3.png](#)

Dear housing committee,

I moved to the Los Ranchitos neighborhood because I have severe electromagnetic sensitivity (ems), which is an intolerance to microwave radiation from wifi, cell antennas and towers, and other digital infrastructure and devices. It is extremely hard to find any location that is protected from this technology, but my house at 51 Circle Rd, San Rafael is free of it. I also bought the house next door at 41 Circle Rd in order to keep the level of emf (electromagnetic frequency from wifi etc) low enough to continue living here. I rely on the foliage and low technology in this area, and cannot tolerate an increase in more digital infrastructure from added units on any neighboring properties. While I fully understand the need for everyone to have someplace to live, disabled people like myself also deserve to have a safe place to live. I looked for years for a location that worked for my situation.

Thanks you for your consideration,
Shary Nunan

--

Shary Nunan, Ph.D.
Co-Founder
she | her | hers

Tilden Preparatory School
1231 Solano Avenue, Suite B
Albany, CA 94706
510.525.5506

1475 North Broadway, Suite 200
Walnut Creek, CA 94596
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www.tildenprep.com



From: [Dianne Fradkin](#)
To: [housingelement](#)
Subject: Fwd: Proposed Housing
Date: Friday, March 18, 2022 9:38:57 AM

Sent from my iPhone

Begin forwarded message:

From: Dianne Fradkin <diannefradkin@gmail.com>
Date: March 18, 2022 at 9:37:32 AM PDT
To: drodoni@marincounty.org
Subject: Proposed Housing

I am absolutely opposed to a 24 unit housing development on the Green Barn property in Point Reyes.
We have already contributed to the well being of the greater community by the two affordable housing sites as well as Walnut Place.
The proposal would radically change the village feel of our community. Twenty-four units would possibly mean 24 cars, 48 people and what kind of septic system has been proposed?
The issue may have been brought up in a Village Association meeting but a well publicized open meeting is necessary before decisions are made.
Dianne Fradkin, Point Reyes resident

Sent from my iPhone

From: [Bonnie Felix](#)
To: [Rodoni, Dennis](#); [housingelement](#)
Subject: Re: Green Barn Development -- OPPOSED to 22 Unit plan
Date: Friday, March 18, 2022 11:38:07 AM

PS WATER. Add water to our concerns. We, now, already are experiencing water shortages and heavy salt content in our water. Add, roughly, 60 more people who will be using water from our Wells is not OK. To say the least.

Jeff & Bonnie Felix

> On Mar 18, 2022, at 9:00 AM, Bonnie Felix <bandjfelix@gmail.com> wrote:

>

> Hello Supervisor Rodoni and Housing Element Team,

>

> We hear tell that there is interest in adding up to 22 units in the area where the Green Barn, so called, is now.

>

> We want you to know that the two of us are opposed to this large a development in that 2 acre lot. Our town is already at it's breaking point, we think. That is the town is, now, crowded with people and parking has become a real issue. We also are concerned about the sewage system required to support this large of a development.

>

> Thank you for your consideration,

>

> Jeff & Bonnie Felix

> 171 Mesa Road

> Point Reyes Station, CA 94956

From: [Patrick Murphy/Nina L. Murphy](#)
To: [housingelement](#)
Subject: Housing Development
Date: Friday, March 18, 2022 2:21:29 PM

To whom this may concern,

I understand the need for housing HOWEVER I have not seen any consideration regarding the massive drought we are living with currently, and WATER USAGE!!! Why is this aspect NOT being considered??

Patrick Murphy
San Rafael

From: [John Philip Wyek, Sr.](#)
To: [housingelement](#)
Subject: HE Comments
Date: Friday, March 18, 2022 3:20:52 PM

- I fully support the idea that Marin needs to increase the availability of housing that is “affordable” to average- and lower-income people working in Marin. What I disagree with is the easy-way-out approach to assigning development sites primarily to developed areas in the County.

- As I drive the “101 Corridor” from here to the Marin ‘border’, I see of a lot of flat, undeveloped land. Much of it I imagine is own by just a few landowners (e.g., the St. Vincent’s property). Is it possible to communicate to Supervisors and Planning officials. that they have a choice between alienating **lots** of voter/constituents or just a few (granted, the few probably make huge campaign contributions – but the voting numbers still favor average residents).

- I recognize that it is certainly more profitable for developers to “develop” property that is already “developed” (sewers, utilities, streets, etc.), and there is likely to be resistance to the point above, however ...

- I have heard that some people in the Marin County Planning department favor the “15-minute City” concept (live, work and shop for basics within a 15-minute walk/bike ride). Rather than destroying the character of existing ‘communities’ (e.g., semi-ag Los Ranchitos), might it be preferable to start fresh by **designing** multi-use, multi-‘priced’ communities in the areas noted in the first point above ?

John Philip Wyek
56 Glenside Way
San rafael CA 94903

EIR STATEMENT AND QUESTIONS FOR EIR AS TO AFFORDABLE HOUSING

Marin Cove HOA submits the following statement and questions as to the content of the EIR concerning affordable housing in Marin County generally; and specifically at 261 North San Pedro (the Old Gallinas Child Care Center). The Old Gallinas Child Care Center is bounded by North San Pedro (south), Schmidt Lane (east), and Steven Way (west).

This statement and questions are submitted to gain insight as to the analytical bases for the site selection process and to ensure that all environmental impact factors are considered and analyzed.

Marin Cove is a 75 unit, largely four-plex condominium complex, directly across the street from the proposed development. It has a private parking lot on the northwest boundary of the proposed affordable housing site. It also owns the strip on the east site of the school property. Access to the proposed housing, if the existing driveway on Schmidt Lane were used, would have to cross Marin Cove HOA property. Even if such access were viewed as an easement, this would be an increased, impermissible burden on any existing easement. Main Cove HOA objects to the use of the easement by residents of the proposed housing complex.

EIR CONTENT REQUIREMENTS

As the purpose of an EIR is to: (i) inform the public of the potential significant environmental effects from the proposed projects; (ii) identify ways to prevent, reduce or avoid environmental damage from a proposed project; (iii) take into account the regional setting, with special emphasis on environmental resources that are rare or unique to the region¹; and (iv) disclose the rationale for approval of projects that may significantly impact the environment,² we request the EIR contain detailed statements setting forth all significant effects on the environment the construction will have.

We request the EIR be phrased in terms a layperson, not just a planning expert, can understand.

We request this information so the EIR can fulfill its intended purpose as an "environmental alarm bell" to alert the public and responsible officials to environmental changes before they have reached ecological points of no return.³ It is an abuse of legal authority to approve projects based on an inadequate EIR.⁴

Finally, CEQA requires that feasible mitigation measures be adopted where a project has significant environmental impacts.⁵ Stating that mitigation might occur at some point in the future (such as construction of desalinization plants which might reduce water needs (f the voters were, at some time

¹ *Banning Ranch Conservancy v. City of Newport Beach*, *infra*, fn. 5, citing CEQA Guidelines, Guidelines, § 15125, subd. (c).)

² *E.g., California Building Industry Assn. v. Bay Area Air Quality Management Dist.* (2015) 62 Cal.4th 369, 382;

³ *E.g., Laurel Heights Improv. Assn. v. Regents of Univ. of Calif.* (1988) 47 Cal.3d 376, 392.

⁴ *Banning Ranch Conservancy v. City of Newport Beach* (2017) 2 Cal.5th 918, 942.

⁵ CEQA Guidelines § 15126.4(a))

in the future) to approve such), or widening roadways at some point in the future), is not appropriate. "Feasible," for purposes of preparing an adequate EIR, means being "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors."⁶

GENERAL QUESTIONS

Preliminary Question -- Unwarranted Assumptions in AHA (SB 8)

The AHA is premised on an assumption there are increased housing needs because California population is increasing.⁷ Actually, however, according to the California Department of Finance, California population has decreased. According to the California Department of Finance, the state population declined by 182,083 people in 2020, and by 173,000 in 2021.⁸

This is raised as an impact question because of the likely hardships posed by the AHA on congestion, water rationing, and the destruction of Marin County's iconic open spaces. We question (i) why the unique non-urbanized quality of life in Marin be unnecessarily diminished; (ii) why Marin County's unique tourist attractiveness, and businesses which rely on tourism, should be destroyed by unwarranted urbanization; and (iii) why further challenges should not be made to the State's population estimates and housing unit allocations.

The population decrease is among the factors warranting challenging the AHA. If, however, such an issue is not considered, there are the following additional general concerns:

⁶ Pub. Resources Code, § 21061.1; Guidelines, § 15364; *Laurel Heights, supra*, 47 Cal.3d at p. 402, fn. 10; *Foundation for San Francisco's Architectural Heritage v. City and County of San Francisco* (1980) 106 Cal. App.3d 893, 910.

⁷ SEC. 13.

Section 2 of Chapter 654 of the Statutes of 2019 is amended to read:

SEC. 2.

(a) The Legislature finds and declares the following:

(1) California is experiencing a housing supply crisis, with housing demand far outstripping supply. In 2018, California ranked 49th out of the 50 states in housing units per capita.

(2) Consequently, existing housing in this state, especially in its largest cities, has become very expensive. Seven of the 10 most expensive real estate markets in the United States are in California. In San Francisco, the median home price is \$1.6 million.

(3) California is also experiencing rapid year-over-year rent growth with three cities in the state having had overall rent growth of 10 percent or more year-over-year, and of the 50 United States cities with the highest United States rents, 33 are cities in California.

(4) California needs an estimated 180,000 additional homes annually to keep up with population growth, and the Governor has called for 3.5 million new homes to be built over the next 7 years. [Emphasis added.]

⁸ State of California, Department of Finance, E-2. California County Population Estimates and Components of Change by Year, July 1, 2010-2021. Sacramento, California, December 2021 <https://dof.ca.gov/forecasting/demographics/e-2-california-county-population-estimates-and-components-of-change-by-year/>

1. Water

The approximately 250,000 Marin County residents⁹ have been forced to implement water rationing. The affordable housing increases will result in approximately 10-15,000 new residents (using the 3569 proposed new units as a basis), or approximately at least a 5 percent population increase. Currently, water rationing has only resulted in a 7 percent reduction in use. According to the Governor's most recent announcement, the water supply is currently inadequate to avoid further and increased rationing. Many residents are unable to water their landscape. The water shortage creates fire risks and creates aesthetically unpleasing landscapes.

Future water supplies might be provided by desalinization plants, and/or increased use of recycled water. However, facilities to allow widespread reclaimed water use do not currently exist¹⁰

- ***Where is the additional water going to come from if the units would be opened for occupancy? Marin County voters voted to require voter approval before entry into any contracts regarding the construction of a desalinization plant. (Measures S and T--Nov.2010)).¹¹ The requirement was due to concerns regarding urbanization and environmental impact. This measure has not been invalidated or repealed.***
- ***How are even further hardships to Marin County's existing residents actually going to be avoided if the units were constructed and opened for occupancy? Simply assuming water plants might, or could, be built in the future is not an actual impact mitigation measure.***

2. Power

The existing power system is inadequate to meet existing needs. Currently, brownouts, reduced usage times, and interruptions are frequent. The growing use of electric vehicles is going to require increased power and strain the power supply system even further. The average home uses about 30 KWH per day, or 10,800 KWH/year.¹² If 3569 units are construed, this means an added increase of 38,545,200 KWH per year.

- ***How are power needs going to be met, without further hardship?***
- ***Are green energy systems going to be required?***

3. Disproportionate Allocation of Low Income Housing to District 1

Why is District 1's allocation of 529 low income units markedly higher than any other district? Surely, it cannot be justified because San Rafael is the only urbanized city, or that the District 1 unincorporated areas are more suitable than other districts.

- ***Doesn't the disproportionate allocation of low income housing have an improper impact by***

⁹ <https://www.census.gov/quickfacts/fact/table/marincountycalifornia/POP010220>

¹⁰ According to Marin Mun. Water, 330 homes in the Terra Lina area use recycled water. <https://www.marinwater.org/RecycledWater>

¹¹ The ballot arguments in favor of Measure T (requiring voter approval before construction) stated: "The desalination plant raises very serious health, environmental, global warming, and cost concerns. Millions have already been spent."

¹² <https://www.inspirecleanenergy.com/blog/sustainable-living/average-apartment-electric-bill>

*creating and perpetuating the stigma of an area (Las Gallinas) as a low income area, Isn't this contrary to the purpose of the AHA to avoid such stigmatization?*¹³

SPECIFIC QUESTIONS AS TO IMPACT FROM HOUSING AT 251 NORTH SAN PEDRO, LAS GALLINAS SCHOOL SITE

1. Site Plan --

- Why is this location more desirable, *i.e.*, better suited for housing than sites in an existing urbanized commercial area such as the former Sears site in the Northgate mall? Isn't it more feasible to add 103 units in such area?
- If the housing contemplates persons who do not use or have automobiles, how are such persons going to get to work? The hearing on March 15 pointed out the difficulties and multiple hour time required to in commute to other areas using the existing bus system.
- What is the specific structure contemplated for the Old Gallinas site?
- How many stories is the structure going to be?
- Where is housing resident parking going to be located?
- Why are the planners only contemplating very low income, rather than mixed, housing?
 - Doesn't concentrating only low income housing in the units, together with the Section VIII housing, disproportionately and needlessly stigmatize the area as a low income area? Can't such an effect be avoided by mixing the income levels?

2. Old Gallinas Field User Parking

Assuming the field will be preserved as a neighborhood resource, residents using the field for recreational purposes, particularly Little League games, use the parking lot adjacent to the field for parking. When the field is so used for Little League games, the parking lot is full, and on some days, there is overflow parking on the streets. If parking is not preserved, the utility of the park for local residents will be destroyed.

- ***Does the proposed housing unit plan contemplate the loss of the parking lot? If it does, where are the extra cars going to park?***
- ***How is the impact on neighborhood going to be avoided if the parking lot is lost?***

3, Affoedable Housing Unit Parking

If 103 units are built, the residents in these units will have parking needs. Parking will be needed for for visitors as well as residents, including access for disabled persons. The complex could well average

¹³ See Govt. Code § 65589.5, which states:

(a) (1) The Legislature finds [the lack of affordable housing has caused detrimental impacts] and declares all of the following:

[...¶] (C) Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration.

two cars per unit, plus at least 10 percent visitor parking. Thus, minimally, approximately 230 spaces will be needed, and probably some oversize vehicle parking. If the units are owned by families with dependent children, or have more than one family living in a single unit, the number of vehicles could be even higher and create an even greater need for parking. If just 10 percent of the proposed units have dependent children who drive, or have multiple families with two vehicles per additional family, this would be an additional 20 vehicles, or a total of 250 vehicles.

Marin Cove already has limited parking on public streets, and the parking lot to the northwest side of the Old Gallinas property is private, not public, property.

- ***How will the parking needs for the proposed affordable housing units be met?***
- ***Does the development proposal contemplate the use of Marin Cove parking and the streets?***
- ***Will parking of oversized vehicles be permitted on our streets?¹⁴***
- ***How is the impact on existing residents' parking going to be avoided? Can overnight parking be limited to non-housing residents only?***
- ***Can commercial vehicle parking on public streets be prohibited?***

4. Affordable Housing Resident Vehicle Access

The specific means by which residents can enter or leave the housing has not been specified. Assuming (i) there are 103 homes and (ii) an average of two cars per unit, and (iii) dependent children who drive or multiple families in a unit, there are likely 200-250 vehicles that would enter and leave the housing each workday. If 10 percent of the units have deliveries per day, there is an additional 10 commercial vehicles, and if 10 percent have visitors, there would be another 10 vehicles.

The existing roadway and driveway has not been recently paved, and is covered with dust and gravel.

When vehicles travel on this roadway, there are clouds of dust. Fugitive dust is regularly discharged into homes adjoining the field. Despite repeated requests to the San Rafael City School District, there has not been any asphalt repaving. The problem will only worsen if the use of the roadway is contemplated by the approximately 200-250 additional vehicles using the roadway each day.

- ***How are housing residents expected to gain access to the housing?***
- ***Is the roadway and driveway immediately south of Steven Way, which crosses Marin Cove property, going to be used?***
- ***If it is believed there is a right to use the driveway and roadway, how is the impact from fugitive dust going to be avoided.***
- ***How are such vehicles going to access, and leave the housing units? ‘***
- ***Is the existing driveway contemplated for access to and from the housing?***

The driveway crosses property owned by Marin Cove, and is an easement across Marin Cove property.

¹⁴ A current demonstration of the problem can be seen on Adrian Way near La Brea. Oversize vehicles are regularly parked overnight and on weekends in a residential area, oftentimes with pollutants and/or hazardous materials contained in hauling containers, and wood choppers with tree waste as well as exposed sharp edges on the cutting blades. The vehicles are parked in an area frequented by children, and constitute a visual blight, a safety risk, and nuisance.

A 103 unit would result in dramatically increased use of the easement. Marin Cove does not consent to such use.

- ***How is this impact going to be avoided?***

5. Roadway Impact - North San Pedro

Bumper to bumper traffic is common, five days a week during Venetia Valley School (at 177 North San Pedro) opening and closing hours. The existing turnouts are ineffective to eliminate the bumper to bumper traffic and bottlenecks.

- ***How is the safety risk to residents going to be avoided if fire equipment, ambulances or other emergency equipment needs access to the neighborhoods during such hours?***
- ***With the property adjacent to a mountainous and moderate high fire risk zone,¹⁵ how will evacuation measures be affected?***

6. Affordable Housing Resident Public Transportation Access

Bus service, as was pointed out in the meeting on March 15, 2022, is limited and time-consuming to get to business areas. Some low income residents may have their own vehicles.

- ***How is this a convenient site for residents?***
- ***Isn't this site far less convenient than sites such as the Sears site?***

7 Sewage System

According to the Las Gallinas Sanitation District, the sewer sanitation system is overburdened, and likely to be in need of repair and/or replacement.¹⁶ Las Gallinas Valley Sanitation District Ordinance 153 provides for assessments for sewer inflow problems, which are believed to be caused by discharges from properties. The average home generates about 127 gallons of waste per day.¹⁷ Assuming a 103-unit complex with at least 2 persons, that is approximately 13,100 additional gallons of wastewater per day (about 4.8. million gallons annually)¹⁸ from the affordable housing complex..

- ***How is the system going to handle and treat this additional wastewater?***
- ***If the system needs to be expanded, where and how is the funding to going to be obtained?***

8. Loss of Day Care Facility

The Legislature has recognized day care serves an important public interest, and that there is a shortage of day care facilities.¹⁹ Many parents spend expend lengthy times to find a suitable day care,

¹⁵ <https://egis.fire.ca.gov/FHSZ/>

¹⁶ <http://www.lgvsd.org/wp-content/uploads/Appendix-B-1-1.pdf>

¹⁷ <https://www.cwea.org/about-cwea/>

¹⁸ The figure would obviously be higher if there were 180 units, and would result in annual discharge of nearly 8.3 million gallons.

¹⁹ Welfare and Instructions Code §1597.30, provides, in pertinent part:

(b) That there are insufficient numbers of regulated family day care homes in California.

(c) There will be a growing need for child day care facilities due to the increase in working parents.

(d) Many parents prefer child day care located in their neighborhoods in family homes.

(e) There should be a variety of child care settings, including regulated family day care homes, as suitable alternatives for parents.

and may face be placed on a waiting list. The Old Gallinas Daycare Center is heavily used by residents and has a capacity for 180 children.

- ***Where are the parents who use the day care going to get care for their children while they work?***
- ***If day care parents or guardians cannot obtain day care within their local residential area, what is the effect on the environment and congestion. Won't commute times be increase if non-local day care is not available?***
- ***How would the construction on the site not place an undue burden on client parents?***

CONCLUSION

The EIR must disclose qualified estimations of the best way, all things considered, of meeting the demands of the present while preserving and, if possible, enlarging an ample inheritance for the future.²⁰ The housing should not leave our descendants with only a memory that once, Marin County was a beautiful place, and ignore the existing residents' strong, and repeatedly expressed, desire for limited development to preserve Marin County as a largely non-densely populated area.²¹

Respectfully submitted,

Mark C. Raskoff

President, Marin Cove HOA

²⁰ *Environmental Defense Fund v. Coastside Cty Water Dist.* (1978), 27 Cal. App. 3d 695, 705.

²¹ This is particularly true for unincorporated areas.

From: [Goncalves, Gustavo](#)
To: [housingelement](#)
Subject: FW: 70 Oxford and the RHNA Candidate Site List
Date: Wednesday, March 23, 2022 4:46:33 PM
Attachments: [appendixmarin-comments-on-site-selection-processvfinal.pdf](#)

Please see the comments below.

Thank you.

Best,

Gustavo Gonçalves
District Aide
Office of Supervisor Damon Connolly,
District 1
T: 415 - 473 - 7342
E: ggoncalves@marincounty.org
3501 Civic Center Drive, Suite 326
San Rafael CA, 94903
[Newsletter](#) | [Facebook](#) | [Twitter](#)

From: James Higgins <higginsink@gmail.com>
Sent: Wednesday, March 23, 2022 4:39 PM
To: Connolly, Damon <DConnolly@marincounty.org>
Cc: Goncalves, Gustavo <GGoncalves@marincounty.org>; Sackett, Mary <MSackett@marincounty.org>; ICE Spouse <jilltatehiggins@gmail.com>
Subject: 70 Oxford and the RHNA Candidate Site List

Dear Damon,

As you know, we are in favor of our property being included among the acceptable sites for the revised Housing Element to meet the State's RHNA mandate.

In light of this, we note that on the recently published list of "Candidate Housing Sites Comments," each of the three-letter "key themes" describing our property, 70 Oxford Drive APN 180-261-10, on page 9 of the "Comments," appear to have erroneous and/or misleading notations. In furtherance of helping the County achieve its RHNA goals, these details should be corrected before further public or official review is complete.

The appendix of three-letter codes ("key themes") attached to the "Comments" tables were created to "organize the written comments submitted using various tools." To be accurate and truthful, these "key themes" when/if applied to our property should be modified as follows:

(1) PCL – Erroneous as shown. As defined on the unnumbered third page of the "Draft Candidate Housing Sites List," PCL means "Parcels have been incorrectly or arbitrarily categorized." However, all the descriptive data *in my comment* on Page 9 is accurate as to the parcel's zoning (A2-B2), APN, street address, and size. The CDA concurred in 2015 (see below), and since then no changes have been made to the property, thus it's unclear how the

designation of "PCL" can apply. This property should remain on the Candidate List without any implication that it is there in error. (NOTE: If this categorization was done by someone else, please let me know what data was used, so that I can respond with correct data if applicable.)

"The property is subject to the Countywide Plan's SFS (Low Density Residential 2-4 units per acre) land use designation and the policies for the City-Centered Corridor. " - **CDA Letter to owner**, 12/15/21, p.2

"ZONING REGULATIONS -- The subject property is governed by the A2-B2 zoning designation (Agricultural District, 10,000 sq. ft. minimum lot size); therefore, the proposal to construct new residential unit and residential accessory structures is consistent with the zoning designation."

- **CDA Letter To Owner**, 12/21/15, p. 3

(2) TRF - Misleading. As defined, TRF means "site unsuitable due to traffic congestion." This "key theme" would only apply under the County's initial proposal of 45 homes, which I understand has been revised to 5. Potential traffic congestion from only five residences, as currently displayed on the March 15 revision of the site list, would not create a significant statistical change in traffic in this mature neighborhood of several dozen homes.

(3) NMR - Misleading. The definition of "NMR" shows three reasons to apply "No More Room." Only the third reason ("too much for the site") may apply *at all*, and then only if the 45 residences originally proposed were still under consideration, which seems not now the case. Applying this "key theme" to the five-home limit currently under consideration as shown on the latest version of the "Candidate Site List" may cause a reader to wrongly conclude that 5 residences on these 27+ acres is too much.

(4) NAT - Misleading. The definition of "NAT" has two parts: (1) "development on site will impact natural and/or agricultural resources;" (2) "[site is] located in rural area which is not appropriate for development."

Using NAT#1 to conclude this site is "not suitable for development" is misleading on three counts: (a) this site's natural resources (stream, wetland, trees, grass, and cultural resources) have been scrupulously mapped over the past two decades by numerous independent scientists; (b) the site's constraints simply do NOT dominate the entirety of the acreage. All such constraints including MC Code-based setbacks, taken together occupy only about one-third of the parcel leaving almost *ten contiguous acres* open; (c) though "zoned AG," no legal agricultural activity has occurred on the site since the late 1930s, and remaining remnants of century-old agriculture there have been decimated beyond recognition – and perhaps beyond recovery -- by decades of drought, disease and inattention.

Using NAT#2 to describe our land as "rural," denies the reality that that it is/has (i) completely surrounded by about twenty occupied *contiguous* conventionally-sized SFR parcels, all amidst a larger surrounding residential neighborhood of like structures dating back many decades; (ii) accessible by three different streets; (iii) has overhead PG&E electrical lines overhead; (iv) MMWD and LGVSD "mains" in the street at edge of the property, (v) less than 1/4-mile from a municipal bus stop; (vi) walking distance to at least three schools and two churches; (vii) one mile from both the SMART train station and the County Building itself. Hardly "rural" by any measure.

We urge the elimination or clarification-beyond-misunderstanding of all four key themes now being applied to 70 Oxford Drive so that it 'makes the cut' of acceptable RHNA sites. We feel it may be a helpful example that the public, especially our local friends and neighbors, see that we have put our obviously large, vacant, centrally-located and buildable property 'on the line' to address Santa Venetia's RHNA target. Thus, if removal or clarification of these "key themes" is not possible, and for that or any other reason the property is not designated a qualified candidate, I would hope this letter and the County's subsequent response/explanation becomes available in the public record. It may inspire others when the next 8-year cycle comes around.

James P. Higgins, Manager
Outumbered2, LLC (property owner)

From: [Bill Paisley](#)
To: [housingelement](#)
Subject: Environmental Hazards Meeting Questions
Date: Thursday, March 24, 2022 3:35:15 PM

1. What will the county do to facilitate a temporary common safe covered location for evacuated disaster victims that will provide food, water, shelter and relevant information.
2. What will the county do to assure all common paths in the Almonte District be kept clear of debris and overgrowth that will provide emergency evacuation.
3. What will the county do to recover all common paths in the Almonte District that have been encroached and closed by adjoining neighbors. These paths are vitally essential for the evacuation of disaster victims.

From: [Angie Jones](#)
To: [housingelement](#)
Subject: San Geronimo Valley
Date: Sunday, March 27, 2022 3:12:28 PM

I wanted to add a thought to my previous email regarding building out here in the valley. Do you remember when we had that big mudslide at the bottom of white hill in Fairfax? Well all of us had to drive through Lucas Valley Rd, down 101 to get to Drake! 45-55 min commute to get kids to school on time. Buses took a lot longer! So if there's a fire, again, how will we all get out? Lucas Valley could be a death trap.

How about instead of allowing more housing out here evacuation alternative routes should be considered to get us out safely.

Thanks,
Angie

Sent from my iPhone

From: smauceli@mindspring.com
To: [housingelement](#); [Tanielian, Aline](#)
Cc: [PlanningCommission](#); [Lai, Thomas](#); [Arnold, Judy](#)
Subject: District 5 Housing Element additions
Date: Tuesday, March 29, 2022 1:19:52 PM

Hello Planners

You seem to be fixated on the Atherton corridor to solve your where-to-locate District 5 housing dilemma.

May I suggest that you examine the “underutilized” sections of McClay and Wilson that are on unincorporated lands on the western side of Novato? That would spread the impact of the additional dwellings instead of concentrating it in one area (where the City of Novato is already planning massive development.) And that location would match your “infilling” criteria as readily as do the rural lands along Atherton.

Sincerely
Sandra Mauceli

From: [Thomas, Leelee](#)
To: [housingelement](#)
Subject: FW: Housing Element: Additional Sites
Date: Thursday, March 31, 2022 8:44:29 AM

To be added to the public record, I've already responded

From: Sandy Maucelli <smaucelli@comcast.net>
Sent: Wednesday, March 30, 2022 6:52 PM
To: Thomas, Leelee <LThomas@marincounty.org>
Subject: Housing Element: Additional Sites

Hello Leelee

I always seem to be one step behind in this process of site suggestions. I didn't realize until the new list came out that you were looking for new sites.

But

please consider additional District 5 locations beyond the Atherton corridor. Just moving down the street does nothing to alleviate incipient traffic problems at the 101 freeway that will come from the City of Novato's nearby developments; it still straddles Cal Fire's High and Medium Fire Intensity Severity zones and is in the Wildland Urban Interface where the State discourages development; and it abuts the environmentally sensitive Rush Creek watershed.

Have you looked at the unincorporated areas on the western side of Novato, particularly along McClay, Wilson and Indian Valley? There are underutilized parcels there and opportunities for infill that look no different than those along Atherton. In fact, some of them may be closer to Novato services and potential employment.

Plopping hundreds of new residences down in one location is not fair to the existing or future residents though it may seem like the easy way out. Spreading the development through multiple sites has a better chance for long-term successful integration in the community.

I hope you will look more broadly. (And by the way, I hope this time you have notified the property owners on Atherton that their land has been identified!)

Sincerely,
Sandra Maucelli
118 Oak Shade Lane
Novato

Sent from my iPad

On Mar 29, 2022, at 2:51 PM, Leelee Thomas <no-reply@zoom.us> wrote:



Hello Sandra Maucelli,

Thank you for registering for Housing Element: Additional Sites. You can find information about this meeting below.

Housing Element: Additional Sites

Date & Time	Mar 31, 2022 06:00 PM Pacific Time (US and Canada)
Meeting ID	883 3695 9518
Passcode	640052

Please submit any questions to: lthomas@marincounty.org.

You can [cancel](#) your registration at any time.

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Meeting ID: 883 3695 9518

Passcode: 640052

[International numbers](#)

Thank you!



From: smauceli@comcast.net
To: [Thomas, Leelee](#); [Tanielian, Aline](#); [Zeiger, Jillian](#); [BOS](#); [housingelement](#)
Cc: [Lai, Thomas](#); [PlanningCommission](#)
Subject: District 5 Housing Element
Date: Sunday, April 3, 2022 5:12:16 PM

Hello

In the March 31 zoom you stated that you concentrated on the Atherton Corridor for additional housing because of proximity to services.

It's logical to assume Atherton is closer to services. However, that is not true. For many services Atherton is actually **farther** away than unincorporated areas in western Novato along Wilson, McClay and Indian Valley.

For instance, **consider 568 McClay, a large 43.56-acre underutilized parcel.** When you compare it with 616 Atherton, you'll see that McClay is actually somewhat closer to most of the everyday services that people need. ("Closer" is highlighted in yellow. Distance calculated with Google maps.)

SERVICES	West Novato 568 McClay	Northeast Novato 616 Atherton
Closest Supermarket - Lucky	1.5 miles	2.7 miles
Closest Drug Store-CVS	1.4 miles	2.7 miles
Vintage Oaks Shopping Center	3.6 miles	3.4 miles
Post Office/Pini Hardware	2.0 miles	3.3 miles
Closest Gas Station	1.4 miles	1.8 miles
Closest K-5 School	0.9 miles Lu Sutton Elementary	1.8 miles Olive Elementary
San Marin High School	2.6 miles	4.4 miles
Lady of Loretto Church/School	1.2 miles	3.5 miles
Christ Church North Bay Church/School	2.8 miles	3.5 miles
North Marin Community Services	1.2 miles	3.9 miles
Novato Health Hub/Clinic	2.7 miles	3.4 miles
Kaiser Novato	2.7 miles	3.8 miles
Novato Community Hospital	3.9 miles	3.6 miles
Closest Freeway Entrance	2.3 miles US101	1.2 miles US101

at Delong

1.9 miles CA-37

Moving the proposed dwellings down the street on Atherton doesn't address the traffic, fire and environmental problems inherent in concentrating almost all required District 5 housing in the limited area of Northeast Novato. Freeway proximity does not equal access to services. I urge you to broaden your search.

Sincerely
Robert and Sandra Mauceli
118 Oak Shade Lane
Novato CA 94945

From: [ilene wolff](#)
To: [housingelement](#)
Subject: if a property owner does not know his or her home is picked how does that work
Date: Sunday, April 3, 2022 10:35:05 AM

Re: Having a Continuing Positive Impact on our lives

Dear Aline, Ana and all the many Folks at the Housing Element:

Thank you again for all the many things you do to make this somewhat confusing process easier, I do see the list of designated properties here.

Thank you in advance for responding to each of these questions:

First off:

Thank you for *not* enlisting eminent domain and seeking all the community input.

1. Wondering how properties get considered, for instance the old Valley Visions site for rent across for the tack and feed store in Forest knolls that has wrap around parking-is that too close to the creek to be considered?

<https://www.marincounty.org/-/media/files/departments/cd/planning/cwp/housing-and-safety-elements/bos-pc-hearing-sites-031522/attachment-1-list-of-recommended-sitesv2.pdf?la=en>

2. Do the sites need to be identified and finalized by November/December?

3. If they are not designated, agreed upon, does the state take jurisdiction in January?
Please clarify this.

All this is happening fairly fast. It was hard to follow last meeting. If the moderator could say once the question was asked reference to Novato property-at such and such address, as since the novato meeting was linked with San Geronimo Valley, I found it a bit confusing.

I guess there would not have been time to do what a realtor does, but if there was, it would make such a difference, which is to have a link and photo.

It is hard for me to follow which site is which as I do not know recognize these lot numbers or many of these addresses.

I have worked on fire education, helping to produce as a volunteer a number of programs in the past for San Geronimo Valley.

I know you know: 200 y.o.Old Growth Pioneer Tree Burns down- (suspected arson) last week in Samuel P Taylor Park.

We are at increasing risk of fire given many years of drought.

We know that a fire can travel 15 miles in a day- depending on how and if the winds pick up.

Traffic is an increasing concern and definite challenge heading out toward Fairfax.

4. Wondering do I understand this correctly: A number of sites here are just now being considered, without approaching the owners as of yet? Some people did not seem aware of the process.

Our quality of life is in part based on

I know we live out here to be able to live life in a slow lane, to slow down, to respect and honor nature, and to be able to address increasing fire concerns with Global warming , not have to face even more risk of fire storms.

We do not want to be entitled when it comes to dwindling wildlife reserves, as our planet gets more homogenized and congested.

Take care, and thanks again for your esteemed courage for sorting this (mess!) out in a responsible way, and wishing you happiness while sorting this out,

Ilene Wolf

Woodacre Resident for almost 25 years

From: [Julie Todd](#)
To: [housingelement](#); [BOS](#)
Subject: Housing on Harbor Drive in Black Point
Date: Monday, April 4, 2022 9:14:41 AM

Hi there,

I live in Black Point and I drive on Harbor Drive every day. This construction will cause traffic delays and dust, blah blah blah.

You must hear these arguments every day. People who bought a house 10 years ago/20 years ago and want the neighborhood or town to remain the same as it was when they bought it. They think they bought all the land within a 10-mile radius. They want nothing to change.

I want the community to change and move forward so that Marin residents in the future are comfortable, housed, diverse, and kind to each other.

I want to see available land be slated for its 'highest and best use' and that is for housing. The vast open spaces of West or North Marin can remain vacant. But the towns and cities have plenty of room to fit additional housing on vacant or under-used lots.

I trust the County of Marin to do the research and weigh the pros and cons of the selected lots.

I support this process and I will do my best to show up and vocalize my support.

--

Julie Todd
she/her/hers [why this matters](#)

From: [Anna Lazzarini](#)
To: [housingelement](#)
Subject: Questions about properties being considered
Date: Monday, April 4, 2022 4:16:10 PM

Hi-

As I reviewed the DRAFT list of properties being considered, I am somewhat confused as to your process. I did attend the Zoom meeting the other night and still do not understand much of what you are doing. Are you simply looking at maps and determining potential sites? I've heard that several property owners on your list were contacted by neighbors and were told they were not aware their property was being considered. I've heard you say you will not be using eminent domain to obtain properties.

I clearly understand the need to provide affordable housing for families but as I look through your list of how many lower, moderate, and above moderate (not sure what that means) I'm surprised above moderate has more numbers than moderate in many areas.

I also question the list in each district where churches, religious schools, shopping centers, and other current businesses are being considered. How is this healthy for a community to lose these community bonding centers?

Have all the entities on this list now been notified that they are being considered? The area where we moved to a few years ago is zoned to 1 acre lots. The whole reason we moved here from where we were in Southern Marin is to give ourselves space. We live in the Green Point area and I can attest that the traffic on Atherton is heavy in the mornings, evenings, with cars as well as big rig trucks that take a short cut to Hwy 101. On the weekends, it is busy with people pulling trailers for the same reason, a short cut to Hwy 37.

It does not feel like this process is transparent in the sense that no one really seems to understand the end goal if you say you aren't taking properties through eminent domain and you are. You've had two meetings (the first which I couldn't attend) and from what I understand, you simply name a few more properties being considered but you don't really share the nitty gritty plan. Who will be developing these properties, where is the money to develop 3,929 homes from raw land or land where you are tearing down buildings in order to build clumped together condos/townhouses/apartments.

Perhaps the next meeting should be publicly shared through notifications sent to homes. The fact that there were 104 or so people attending informs me that this is not being publicized enough. If you have a budget to develop all of these properties, surely you have a budget to send a flyer to all residences who are in the site lines of your proposal.

Regards,

Anna Lazzarini

From: [Todd Stevenson](#)
To: [housingelement](#)
Subject: Atherton Corridor Proposed Housing
Date: Monday, April 4, 2022 6:54:42 PM

Hello

We live in the Rush Creek neighborhood in Novato and want to let you know that we are strongly opposed to building low income housing across from our neighborhood on Atherton Ave. While we support the need for affordable housing in Marin, we urge you please consider prioritizing other locations.

Our reasons are as follows:

- The proposed sites are very disproportionately skewed to northern Novato compared to other towns and areas of Marin. This will, without a doubt, negatively impact the value of Rush Creek homes (which also will lower the county's property tax receipts over time).
- Low income housing is completely new to this area and doesn't fit with the surrounding houses from a socio-economic perspective and could create a tension in the neighborhood. Issues arising from this should not be under-estimated.
- The project will completely alter the atmosphere of the area. I bought here 6 years ago for the charming rural feel. This project will undermine what is currently attractive about the area.
- The single lane road and the 101 intersection is not set up to handle the resulting traffic. This will be a big problem, I suspect.
- It seems much more logical to concentrate these projects where the county has already built these sorts of buildings.

Thank you for your consideration.

Sincerely,

Todd Stevenson and Jonell Langley
20 Trailview Ct.
Novato, CA. 94945

C: 415-250-1431

From: [Trish J.](#)
To: [housingelement](#)
Subject: Housing
Date: Tuesday, April 5, 2022 5:05:37 PM

We clearly have a shortage of affordable housing especially for those unhoused as well as for Seniors. I recently learned there is a waiting list of over 900 seniors for the Rotary site in Terra Linda. This is shocking and scary for many

Seniors who find the cost of living and rental increases has made their existing housing unaffordable. No one will disagree with these facts. The urgent need is compounded by the drought and the increased water demand for additional housing units.

How can we responsibly add housing where there is no water??? This is a crisis in the making. The State regulators choose to ignore this. I recently was told of an occupant of the Victory housing project in Fairfax where a disgruntled and obviously impaired resident turned on the water and intentionally flooded the building with over 100,000 gallons of water. While we need housing for the unhoused, the priority should be for those who are Seniors or are unhoused for a job loss and need shorter term help getting back on their feet versus unhoused who are mentally ill, have substance abuse behaviors and chronically refuse treatment. These individuals require conservatorship by the State and reinvestment in facilities that can properly care for them. We need assurance as taxpayers in this county that any housing built or remodeled simply with the intention of getting a roof over someone's head is done so in a responsible manner with resources in place (including water) to properly place people in environments where they will succeed and not impede the success of fellow residents while they are regaining their abilities to becoming contributors to the society of Marin.

Thank you for the opportunity to share my opinions,.

Sincerely,

P.B. Jones, RN

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Increased density
Date: Wednesday, April 6, 2022 7:54:03 AM

.
ANA HILDA MOSHER
SENIOR SECRETARY/PLANNING COMMISSION SECRETARY

County of Marin
Community Development Agency
3501 Civic Center Drive, Suite 308
San Rafael, CA 94903
415 473 6278T
415 473 7880 F
415 473 2255 TTY
CRS Dial 711
amosher@marincounty.org
STAY CONNECTED:

“Please consider the environment before printing this email or attachments”

-----Original Message-----

From: Jonathan Pritikin <Jonathan.Pritikin@kp.org>
Sent: Tuesday, April 5, 2022 3:34 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Subject: Increased density

I am a 32 year resident here in Millvalley and I am very concerned about the plans to increase density. We don't have water to maintain our current house and gardens; traffic is becoming very difficult; a lot of neighborhoods are at high risk for fire and the risk is even higher because of the difficulty in evacuating because of the many narrow windy roads, Particularly in the high fire risk areas. Finally it is very un-democratic to take away local control over local city planning and put it in the hands of state government, but that's another issue and SB9 nine needs to be overturned. In the meantime we should resist and minimize following the absurd recommendations and enforcement of SB nine until we can overturn this un-democratic state law.

Sent from my iPhone

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From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Loss of local building control & high density housing
Date: Wednesday, April 6, 2022 7:54:33 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)



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ANA HILDA MOSHER
SENIOR SECRETARY/PLANNING COMMISSION SECRETARY

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amosher@marincounty.org

STAY CONNECTED:



“Please consider the environment before printing this email or attachments”

From: Kitt and Warren <weagant@aol.com>
Sent: Tuesday, April 5, 2022 6:07 PM
To: PlanningCommission <PlanningCommission@marincounty.org>; BOS <BOS@marincounty.org>; Susan@CatalystsCA.org
Subject: Loss of local building control & high density housing

Marin County is one of the most beautiful places to live in the country. We have the most beauty, best weather and nicest environment. Please do not approve the loss of local control. SB9 and SB35 would remove the ability to keep this county at the highest standard of thoughtfulness and using the best designers and limitations.

My home town was Portland, Oregon. It was sad to see the poor designs and crowded construction on narrow lots in recent years. The design standards of homes many of the neighborhoods is gone.

Ever since I've moved to Marin, I've benefited by living and viewing the quality of most home designs and the retention of lot size requirements. Please keep Marin's local standards - one of the best in the country.

Sincerely,

Warren Weagant
829 Marin Drive
Mill Valley, CA 94941

From: [andre souang](#)
To: [housingelement](#)
Subject: Buck Center Vacant Property - 225 homes is impossible.
Date: Wednesday, April 6, 2022 11:19:15 AM

Hello,

I am writing about the above properties that are included on the latest list.

I am a local land owner and real estate developer and appreciate how difficult this juggling act is. I also very much appreciate the consistent proclamations by individual BOS members that the parcels on the list are supposed to be 'real' and not merely a paperwork exercise to attempt to satisfy the State Mandate (which would backfire).

I would like to again draw attention to the Buck Center Vacant Property parcel. 125-180-85 (and related to that the adjacent 125-180-79). This site was previously commented on by Supervisor Connolly and Don Dickinson. This site has very limited egress, includes 3 hill tops (as high as 500'), very steep topography, no level land, has no infrastructure and is highly visible to Highway 10. Yet some how it is listed as a site for 225 market rate homes! As a professional long time real estate developer this number is so incredibly unrealistic it is almost humorous. In order to fit 225 homes on there it would require a huge amount of excavation and the removal of at least 2 hill tops - at an incredibly high cost. There is literally zero chance anyone in their right fiscal mind would even attempt this. The adjacent site 125-180-79 is completely landlocked, has zero infrastructure and yet is listed as accommodating 25 market rate units.

These numbers are just totally unrealistic. Maybe 5-15 homes on 125-180-85 but even those would too costly to build and with the view and noise of 101 they are highly unlikely to warrant the price that would be required. 125-180-79 would only be of possible interest to a neighboring property owner as it is landlocked. Building the roads and utilities would be just too costly.

As commented on numerous times by the BOS members themselves - the sites must have some basis in reality. This one just doesn't.

Andre Souang
Long time Marin County property owner.

From: [LTB](#)
To: [housingelement](#); [BOS](#)
Cc: ["BPIC"](#)
Subject: RE: Proposed sites in the Greenpoint and Blackpoint corridor areas of District 5
Date: Wednesday, April 6, 2022 3:52:42 PM

Dear Sir or Madam,

I am a resident of Marin County. I live in the area just East of the City of Novato, in the Atherton/Greenpoint corridor. My family has lived in Marin County since 1963, and I have spent most of my life here. I moved into my current home in 1997.

I am writing to ask whether Marin County housing authorities have considered the **5 issues identified below**, 2 about the environment and 3 about traffic associated with the proposed development of three parcels of land identified in the March 2022 revised list of sites for housing development. The **"Three Parcels"** are:

- Parcel identified as "Vacant Blackpoint (Olive Ave, 55 acre site)", 300 Olive Avenue, parcel 141-110-31
- Greenpoint Nursery, parcel 153-190-24
- 350 Atherton Avenue, parcel 143-360-04

Are you aware that these Three Parcels are in whole, or in part, included officially in the watershed basin area known as "Simmons Slough"? Simmons Slough is an area of seasonal wetlands which has been designated as important by the California Department of Fish and Wildlife, the State of California Department of Water Resources, the Coastal Conservancy, the Audubon Society, the Nature Conservancy and many other governmental and non-governmental organizations. A brief search for information on Google led me to the reports identified below.

-
Environmental Issues:

1. The Three Parcels are within Simmons Slough. First, please consider the information identified in the document produced in 2019 entitled ***Simmons Slough Water Management and Seasonal Wetlands Enhancement Project***.

https://scc.ca.gov/webmaster/ftp/pdf/sccb/2019/1912/20191219Board11_Simmons_Slough.pdf

It reflects a recommendation from the Coastal Conservancy regarding the lands identified as Simmons Slough. You will see that significant resources have already been spent in the area for purposes of flood protection and to enhance seasonal wetlands. The area designated as Simmons Slough is reflected in a map within the report at **Exhibit 2**. You can see that each of the Three Parcels identified above are within the boundaries of Simmons Slough, in whole or in part.

- The "Vacant Blackpoint" lot abuts (and environmentally is the same as) much of the Simmons Slough parcel ***already protected*** by the Audubon Society on Olive Avenue. Although there is some hillside adjacent to the wetlands within the parcel, much of the acreage identified in the housing list for the parcel is wetlands, so any density plan would have to account for that fact. Furthermore, I fear homes on the hillside would create

inorganic (likely harmful) landscaping runoff into the wetlands.

- The Green Point Nursery is on the other side of the street on Olive, separated only by landfill used to create Olive Avenue itself, as well as landfill used to create the nursery. The parcel is essentially a patch of wetlands, which has been filled for purposes of the nursery, but could easily be returned to wetlands. Note it's inclusion in the map identified in the Conservation Lands Report (below) as partly "**essential**" for the protection of biodiversity.
- The parcel at 350 Atherton is less than one city block away from the nursery, is seasonal wetlands and is across the street from additional land all along Atherton Avenue **protected already** by the Audubon Society as part of the **Novato Creek Simmons Slough Flood Reduction and Wetlands Enhancement Project**. There is a even a county issued sign on Atherton Avenue identifying the area of 350 Atherton as "Simmons Slough" as you pass the parcel. The parcel currently has one residence and the majority of the property is used for grazing sheep until the winter comes, then the sheep retreat to the hillside above. Very loud frogs, that hibernate in the summer, come to life in the winter on this patch of land/wetland. Much of the "acreage" is actually wetlands and I fear that if the hill is developed, inorganic, harmful landscaping runoff will go into the wetlands.

2. "Essential", "Important" and "Connector" wetlands within and around Simmons Slough should be protected because they are irreplaceable. Next, please consider the **Conservation Lands Network 2.0 Report** (Bay Area Open Space Council.2019. The Conservation Lands Network 2.0 Report, Berkeley. CA).

[The Conservation Lands Network 2.0 Report \(bayarealands.org\)](http://bayarealands.org) reflects thousands of hours of research and study regarding the protection of lands designated as "essential", "important" and "connector" lands required to protect irreplaceable habitat, meet the required goals of biodiversity, protect the landscape and reach long term habitat and species goals. The report was funded by the California State Coastal Conservancy, the Bay Area Open Space Council and others, and had participants from the Nature Conservancy, the Marin Agricultural Land Trust, the California Department of Fish and Wildlife, Audubon California, the San Francisco Bird Observatory and others. You will see that the Three Parcels identified above are, in whole or in part, "essential," "important" or "connector" land under the report.

The environmental issues of creating dense housing developments in and around sensitive wetlands are significant. I am not an expert in this area, so I shall simply leave you with the citations above and ask you to do your own research as well. I ask whether it is wise to risk the environmental consequences of development in wetland areas that others are trying so hard to protect elsewhere around the Bay Area and the rest of the world.

Traffic Issues:

3. Flooding on Highway 37 is a proven concern, and that same flooding must be considered by housing planners for land developed in/near Simmons Slough. As we all know, Highway 37 floods, and when it does, there are significant consequences in terms of traffic. Therefore, a lot of work has

already been done by many agencies to consider what should be done to resolve the problems caused by flooding. Highway 37 runs across **Simmons Slough**, which is the same wetlands where the Three Parcels identified above are located (in whole or in part). When thinking about housing developments within or around Simmons Slough, one cannot ignore the research that has been done by government agencies regarding the same area, albeit for considerations about traffic rather than the environment or housing. Consider the document produced for the Transportation Authority of Marin in *State Route 37 – Segment A Sea Level Rise Corridor Improvement Study*, dated June 18, 2018 [SR37_SLR-Study-Report_Final-Approved_20181114_reduced-v2.pdf \(ca.gov\)](#). First, please consider the map at Figure 1, on page 9, which highlights an area identified as **historical tidal marsh**. The report indicates that these areas are highly susceptible to the impacts of future flooding and global sea rise. Each of the Three Parcels are within this tidal marsh, in whole or in part. Why put new high density housing in areas that will face significant flooding challenges in the future, and render homeowners susceptible to flooding? Another report states: “State Route 37 is protected by a complex system of interconnected levee which makes the corridor vulnerable to Sea Level Rise inundation and flooding now and in the future.” [Highway 37 - Sonoma County Transportation Authority \(ca.gov\)](#) This same “complex system of interconnected levee” includes the lands around the areas of the Three Parcels. If flooding, tides, storm surges and sea rise demand that drastic measures are taken to raise, move or fix Highway 37, how can the county decide to put high density housing in lands that may themselves be prone to flooding and or impact the vital work that must be done for Highway 37?

4. Atherton Avenue is a vital alternative transportation route for Highway 37. When the 37 floods, commuters and truckers use Atherton Avenue to make their way from the 101 to the 80, 580 and all roads East. Something must be done to fix Highway 37, and there are proposals and plans in place, but they have not been implemented or finalized. Until they are implemented, Atherton remains a critical path for commerce going East and West, linking Marin to commerce East. The typical speed is 45+ MPH on Atherton Avenue. **Commerce moves without a single stop sign or stop light between the 101 and Highway 37.** All of that will have to change if the County decides to put density housing, particularly 3 significant developments, within the area which is currently between H Lane, Olive and School Road along Atherton. There will have to be stop lights in order to protect new residents, the significant increase of new drivers, slowing commerce, creating more traffic, significantly impacting current homeowners as well as those trying to navigate problems on Highway 37.

5. There is no public transportation access out here. There is not a single bus route to this area. There is not a train station for miles. There are no shops, no coffee places, no restaurants, no grocery stores, nothing, aside from Rossi’s Deli on the other side of Highway 37. This is a rural area which is not going to be much fun for anyone who does not have their own car and plenty of gas money to spend commuting. This is just not an area where I can reasonably see high density housing make sense. I hope you agree.

I have spent just a short amount of time looking online to find the above reports, and I am sure there are many more that can be cited. I agree that we must have more housing in Marin, but it should not be placed in wetlands and tidal marsh areas which are already identified as subject to flooding and essential, important or connector lands important for the environment and the flow of traffic.

Conclusion:

The majority of the homes in the immediate area of the Three Parcels have minimum acre requirements. Many are on septic. There is no public transportation out here. This is, and has for 100+ years been, a rural area surrounded by wetlands that look like lakes every winter because the flooding can be so significant. For the county to propose this area for high density housing, given the area's role in the long term overall environmental and other plans, seems very wrong to me. Have all the other county planners for decades been so wrong about what to do with this area? The Three Parcels are not vacant parcels that are ripe for development. They are either wetlands or adjacent wetlands worthy of protection.

I look forward to attending the meeting on the 12th of April and look forward to receiving a link to join the call.

Sincerely,

Leah Tuffanelli, Esq.

LITTORAL DEVELOPMENT CO. P.O. Box 3016, San Rafael, CA 94912

April 4, 2022

Thomas Lai,
Director
Marin County Community Agency
3501 Civic Center Drive # 308
San Rafael, CA 94903

Leelee Thomas
Deputy Director of Housing
Marin County Community Agency
3501 Civic Center Drive # 308
San Rafael, CA 94903

RE: Marin County Housing Element Opportunity Site List

Tom and Leelee,

As the Principal and owner of Littoral Development Co, I am formally requesting that you provide a site suitability analysis of the property in Mill Valley/Manzanita, identified in your draft list as the "Jack Krystal Hotel Site" (APN: 052-227-09) located at 260 Redwood Hwy Frontage Road. As you know, we have been planning a hotel project at this location for many years, which requires a complex evaluation of the various policies and overlays specific to Marin County, the Bay Conservation and Development Commission, the Bayfront Conservation district, and the Tamalpais Valley Community Area Plan. Based on the codes, polices and basic evaluations of this property, I have made significant progress on a prospective 73-unit hotel project for this parcel. That said, neither the prior nor the current hotel concepts included affordable housing on site. Nevertheless, the new California State Housing Laws and Regional Housing Needs Allocation (RHNA) requirements for Marin County now imposes requirements for additional housing and the time is right to reimagine the basic assumptions and elements for this development.

Now that the County has included this property in your candidate sites list for potential housing projects, I am confirming that without the hotel development, there will be no possible way to support any standalone affordable housing. As such, please include these parameters in your environmental analysis for the site: a 73-unit hotel, a parking garage and 36 units of affordable Workforce and Senior housing. Our project development team will be designing a working site plan for submission as a formal application to the Community Development Agency later in 2022 and we look forward to your consultants' findings in your updated advisory and environmental review.

Please, do not hesitate to call me at (415) 457-2800 or contact me via email at jkrystal@yahoo.com if you have questions or concerns regarding this request. I am looking forward to the results of the Housing Element update.

Sincerely,


Jack Krystal
Littoral Development

cc: Marty Zwick, zwick@zarch.com
Sean Kennings, sean@lakassocaites.com

From: housingelement
To: housingelement
Subject: RE: Harbor Drive rezoning
Date: Thursday, April 7, 2022 1:39:43 PM

From: apeici@verizon.net <apeici@verizon.net>
Sent: Wednesday, April 6, 2022 6:08 PM
To: Arnold, Judy <JArnold@marincounty.org>
Subject: Harbor Drive rezoning

Dear Judy Arnold and Board of Supervisors,

The proposal to rezone for 93 units of housing at 4 addresses on Harbor Dr., just outside Novato city limits is problematic at best for the following reasons:

- There is no public transit within miles of this site.
- The area is ill equipped to evacuate the current residents of the Black Point area, with only Grandview Ave as an exit to the two lane Harbor Drive as a way for the entire Black Point neighborhood to flee.
- Floods have isolated this area many times, and until Hwy 37 is refurbished to deal with that issue, additional concentrations of housing will only cause difficulties for more stranded and isolated residents.
- There is inadequate parking for such an increase and concentration of housing.
- Because of the rise in sea levels, Harbor Dr. is way too low to consider concentrations of housing, owing to the proximity to the Petaluma River and the mouth of the Bay.
- All of the properties use septic systems. There is no sewer system.

Unless working public transit is made available to Black Point before construction of housing, the issue of parking addressed specifically, a sewer line installed, secondary routes for egress for the entire Black Point area constructed, and a resolution to flooding on Hwy 37...all PRIOR to building housing...this rezoning plan will fail. Harbor Dr. is NOT a good site for more housing at this time.

Thank you for listening,
Anne Carrington

348 Grandview Ave
Novato, 94945

From: [Steve Lightfoot](#)
To: [housingelement](#); [BOS](#); [PlanningCommission](#)
Cc: [Nadia Lightfoot](#); slightfoot@lightfootlawfirm.com
Subject: Atherton Corridor Housing Sites
Date: Friday, April 8, 2022 10:38:24 AM
Attachments: [scan of ltr to Marin County 4-8-22.pdf](#)

Dear Marin County Housing Element, Marin County Board of Supervisors and Marin County Planning Commission:

In advance of the upcoming April 12, 2022 Housing Element Board of Supervisors/Planning Commission Workshops, attached please find correspondence of today's date concerning the proposed Atherton Corridor Housing Sites / Housing Element.

Thank you for your attention to this serious matter.

CONCERNED NOVATO RESIDENTS

c/o Steve and Nadia Lightfoot
Atherton Corridor, Novato, CA 94945

April 8, 2022

VIA ELECTRONIC MAIL ONLY

Marin County Housing Element
housingelement@marincounty.org

Marin County Board of Supervisors
BOS@marincounty.org

Marin County Planning Commission
planningcommission@marincounty.org

Re: Proposed Atherton Corridor Housing Sites

Dear Elected, Appointed and Employed Marin County Officials,

The current plan to approve 16 parcels in District 5 on the Atherton Corridor¹ and then subsequently move ahead with an Environmental Impact Report (“EIR”) with an eye towards developing 333 new housing units is fraught with serious segregation, environmental, safety and practical problems and should be rejected. Please accept this letter, written on behalf of the undersigned, reflecting a number of your concerned constituents – all current residents of Novato on and along the Atherton Corridor.

The following addresses in the Atherton Corridor are currently on the list of “recommended” sites the Board of Supervisors is considering approving and then ordering the EIR process to begin: 350 Atherton; 618 Atherton; 654 Atherton; 761 Atherton; 777 Atherton; 791 Atherton; 805 Atherton; 275 Olive Avenue; 300 Olive Avenue; 50 H Lane; 5 Harbor Drive; 11 Harbor Drive; 35 Harbor; and 55 Harbor. Nearly 45% of the parcels are located on Atherton Avenue; all are side streets or feed into Atherton Avenue which is the only practical connection to Highway 101; no one will

¹ As used in this letter the term “Atherton Corridor” includes the recently, newly named “Greenpoint Corridor,” Greenpoint Nursery” and “Blackpoint Corridor” sections which are all practicably reached for ingress and egress purposes by and across Atherton Avenue in Novato.

commute on a regular basis via Highway 37; and when Highway 37 floods, traffic is redirected onto Atherton Avenue. Also, at the outset, it is noteworthy that the above addresses have been split up and listed in several “differently” named sections of District 5 / unincorporated Novato (*Atherton Corridor, Blackpoint, Greenpoint Corridor, Greenpoint Nursery, and Vacant Blackpoint*), yet they are all within a three-mile radius of each other and, as noted above rely on Atherton Avenue for ingress and egress to Highway 101 and essential services. It’s unclear why there are so many sections of essentially the same neighborhood; indeed, all these parcels share the same zip code. At best it’s a benign labeling based on streets and landmarks; at worst it’s an attempt to misdirect the citizenry that most of the housing development in District 5 is being placed in a very small section of unincorporated Novato.

Turning to the specific sites and developments in the Atherton Corridor, the first glaring problem is the placement of all 147 of the proposed “Very Low and Low Income” and “Moderate Income” housing sites onto only four, essentially adjacent parcels: 761 Atherton, 777 Atherton, 791 Atherton and 805 Atherton. All of the Above Moderate Income sites are assigned to other parcels. Specifically assigning the Very Low and Low Income level groups to only four essentially adjacent parcels is tantamount to economic segregation. It sends a message to the residents that they are confined to living in only one area – it fosters shame and creates a stigma. The proposed assignment of Very Low and Low Income and Moderate Income housing sites must be changed to allocate approximately equal numbers of all three stated income levels to all the proposed sites in unincorporated Novato for income integration purposes.

Next, there are a number of environmental issues which need to be considered by you even before you commission an EIR. These problems are widely known and cannot be resolved by the EIR – only endorsed. The proposed housing sites in the “Atherton Corridor” will be located in a fragile and diverse ecosystem – Rush Creek.² Indeed, Rush Creek is a critical wetland ecosystem year-round, it supports multiple habitats such as the Saltwater Marsh habitat and Brackish water marsh habitats. (*Ibid.*) Development in this area would cause irreparable damage to this ecosystem by increasing water runoff, increasing light pollution, and increasing traffic. (*Ibid.*) The parcels listed in the proposal are part of the Rush Creek watershed. (*Ibid.*) That means that development directly affects the Rush Creek watershed and adjoining waterways such as the Petaluma River. (*Ibid.*) Rush Creek would greatly suffer if impervious pavement and surfaces were to be

² See, Open Letter in Opposition to: Development Along Atherton Corridor, dated March 14, 2022 by Samantha Garcia, Landscape Architecture B.S. 2022, Student Chapter ASLA, Community Outreach Chair University of California, Davis, link: https://nextdoor.com/news_feed/?post=220086157.

added in the water shed. (*Ibid.*) Impervious pavement increases water runoff and pollutants that would then end up in Rush Creek which then flows into the Petaluma River or Deer Island Basin. (*Ibid.*)

In proposing this housing Development along the Atherton Corridor, the City of Novato and County of Marin is causing direct harm of wildlife by significantly degrading and modifying the habitat as well as creating ecological implications that significantly obstruct essential behavior patterns. (*Ibid.*) Light pollution has been scientifically proven to disturb circadian rhythms, and nesting behaviors in birds. (*Ibid.*) One bird that is directly affected by development is the endangered Ridgway's Rail formerly known as the California Clapper Rail. (*Ibid.*) The San Rafael Gallinas Watershed Council had renowned expert on local endangered species, Jules Evans, speak and share his research on how nearby construction projects have impacted the Ridgeway's Rail. (*Ibid.*) Evans found that the creation of the Smart Train rail crossing in 2012 had completely disrupted the nesting region of the Ridgeway Rail along the Gallinas Creek. (*Ibid.*) Two years after the addition of the rail crossing, he and his team found that no birds were using that area during breeding season a place that prior was an essential space for the Ridgeway's breeding and nesting. (*Ibid.*) If the addition of a rail crossing can cause this irreparable damage to an ecosystem one can only imagine the damage the addition of high-density housing can cause to the ecosystem of Rush Creek. (*Ibid.*) The ecological implications and destruction that will come from this project are far too great. (*Ibid.*) The Rush Creek ecosystem would be overloaded with increased water runoff, light pollution, noise pollution, increased traffic among many other factors with detrimental effects to all species. (*Ibid.*)

In an April 8, 2020 report to Novato Community Development Planning Manager Steve Marshall, the California Department of Fish and Wildlife ("CDFW") reviewed the draft Environmental Impact Report (EIR) provided for the Novato 2035 General Plan Update ("Project") located within the City of Novato.³ The Project was an update to the City of Novato's 1996 General Plan through the year 2035. (*Ibid.*) The Project location covers the entirety of the City of Novato as well as the border of unincorporated Marin County which could be incorporated into Novato within the life of the Project. (*Ibid.*) Specific changes include land use map and zoning map revisions, modifications to General Plan Implementing Ordinances, and comprehensive reorganization and reformatting of the City of Novato General Plan. (*Ibid.*) The Project is bordered by Mount Burdell to the north, Big Rock Ridge to the west, San Pablo Bay to east, Bel Marin Keys wetlands to the southeast, Indian Valley open space to the southwest,

³ California Department of Fish and Wildlife Report to Steve Marshall dated April 8, 2020, attached hereto as **Exhibit A**.

Pacheco Valle and Loma Verde open space to the south, and the Petaluma River to the northeast. (*Ibid.*) Thus, the Atherton Corridor is included in the area discussed in this Report.

The CDFW Report notes the habitat in the Project includes coastal salt marsh, coastal scrub, chaparral, Douglas-fir, redwood forest, grassland, mixed oak-bay woodland, riparian woodland, and open water. (*Ibid.*) Numerous state-listed and federally-listed species exist or have the potential to exist in the area, as do Species of Special Concern, California Rare Plant Ranked species, and Fully Protected species. (*Ibid.*) In particular, the CDFW cautions against damage which could be inflicted on the Northern Spotted Owl and the Western Red Bat by development in the Project area. (*Ibid.*) In addition, the San Pablo Song Sparrow, California Black Rail and Saltmarsh Common Yellowthroat are all birds which are of Special Concern and have nesting grounds in and around the Atherton Corridor.

Next, it is a gross understatement to say California has limited water resources. California's existing drought climate cannot support the influx of population that will be produced by the new, dense housing proposed along the Atherton Corridor. And water is only one of the many essential services/utilities/infrastructure the new housing units will require. Access to public transportation from the proposed parcels on the Atherton Corridor is very limited and difficult to reach. Traffic along Atherton often moves at fast speeds, unsafe for bicycles or pedestrians. There are no sidewalks from the freeway to Oak Shade Lane and then only one on the north side of the street – with no crosswalks. There are no bus stops close to the proposed sites. Traffic controls (stop lights and/or stop signs) and crosswalks will need to be added, snarling traffic. The increased vehicular traffic and other necessary changes to the idyllic, two-lane Atherton Avenue will quickly mimic the congestion on Sir Francis Drake Boulevard.

The “Buck Center Vacant Property” is a short walk to a SMART station and bus stop already in existence, compared to the Atherton Corridor sites which would require a longer walk and unsafe crossing of several 101 freeway on and off ramps to access SMART. It makes more sense to focus the location of housing sites at this location, not the Atherton Corridor. Along these same lines, if there is a goal to reduce traffic on Atherton (and more generally), and to make sure Lower Income residents have easier access to community resources, then it makes sense to allocate some Lower Income housing sites to the Buck Center property – on the current list it is only allocated Moderate Income sites.

According to the Safety Element, which is paralleling the Housing Element there is a significant focus on increased wildfire danger, evacuation and traffic modifications. The development of over 300 new housing units on the Atherton Corridor makes no sense given these real safety concerns. Having housing with that density may also increase the probability of an unintentional fire being started that then has the fuel to spread rapidly. In the event of a fire, evacuation would be difficult and dangerous – with only one real means of ingress and egress. Getting emergency responders in while trying to get residents out would be complicated and perilous, to say the least.

Finally, the process under which the County is proceeding is creating undue confusion and consternation. Since the County has repeatedly stated it will not use eminent domain to facilitate Housing Element requirements, identifying proposed housing sites, then conducting an EIR and then notifying owners of the final list of parcels selected for the Housing Element seems backwards, to say the least. The County will be in the unenviable position if, after spending all of the hours, money and effort to identify and qualify a property for participation in the Housing Element development, the owner of the parcel declines to participate. In fact, many of the owners of the parcels under review do not even know their properties are being considered. And, some owners who do know their properties are on the list of proposed sites have communicated with the undersigned they have no intention of participating in any development or participating in the Housing Element even if they are selected.

The number of housing sites proposed for the Atherton Corridor is simply not a socially responsible, safe or practical plan. The Atherton Corridor proposal is not socio-economically integrated, and actually segregates certain populations based on income. This is absolutely unacceptable and must change to integrate all income levels into each of the new Housing Elements. In addition, the Atherton Corridor proposal presents glaring environmental and safety hazards to human and animal life. It is neither practical nor prudent. The sites on the Atherton Corridor (especially 761 Atherton, 777 Atherton, 791 Atherton and 805 Atherton) must be either rejected or revised significantly, to specifically address the concerns expressed in this letter.

Respectfully submitted,

Steve & Nadia Lightfoot
Bruce & Merry Suzuki
Russell & Lisa Helfond
Janet & David Salyer
Erik & Joelle Amundsen

Julie and Peter Schraeder
Leza Danly & Frank Cioffi
Todd Stevenson & Jonell Langley
Rosemary & Ravi Kumar
Jason & Kendra Chamberlain

Ed & Sandy Hoefffer
Donna Drews
Nancy Tate
Donna & Gary Rich
Nina & Casey Blair

*Mike and Vicki McElroy
Matt & Jane Allman
Bob & Patty Hewett
Lauran & Byron Wolfe
Mary & James Selle
Steve and Alison VanDis
Henry and Gaby Hautau
Joe Gray
John and Deanna Fahey
Sean and Kristen Barry
Lisa Hoytt
Suzanne Bales
Penny Hansen*

*Robert and Sandra Mauceli
James Steinle & LJ Strunsky
Kristine & David Donadio
Rob and Melanie Limacher
Shawna and Dave Mullarkey
John & Bambi Mengarelli
Robert and Kathleen Balchunas
William and Rochelle Ghilotti
Bryan and Stephanie Sander
Michael and Colleen Barry
Christopher and Monica Ray
Bobbie & Paul Cerruti
Marty & Deanna Lutzeier*

*Kathy Walker
Marc & Marian LeBrun
Mike and Kristina Bugatto
Zachary and Angela Warren
John E. Conway
Ed & Michal Walters
Lynn Warren
Bob Phillips
Shana and Brooke Pitcher
Steven and Susan Leonard
Nicholas and Brittny Joly
Paul and Julie Urrea*

SKL:ls
Enclosure:
California Department of Fish and Wildlife Report to Steve Marshall dated April 8, 2020

EXHIBIT A



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



April 8, 2020

Mr. Steve Marshall
City of Novato
922 Machin Avenue
Novato, CA 94945
smarshall@novato.org

Subject: Novato 2035 General Plan Update, Draft Environmental Impact Report,
SCH #2016122043, City of Novato, Marin County

Dear Mr. Marshall:

The California Department of Fish and Wildlife (CDFW) reviewed the draft Environmental Impact Report (EIR) provided for the Novato 2035 General Plan Update (Project) located within the City of Novato (citywide), Marin County.

CDFW is a Trustee Agency pursuant to the California Environmental Quality Act (CEQA) Section 15386 and has authority to comment on projects that could impact fish, plant and wildlife resources. CDFW is also considered a Responsible Agency if a project would require discretionary approval, such as permits issued under the California Endangered Species Act (CESA), Lake and Streambed Alteration (LSA) Program, and other provisions of the Fish and Game Code that afford protection to the State's fish and wildlife trust resources.

PROJECT DESCRIPTION AND LOCATION

Proponent: City of Novato

Objective and Location: The Project is an update to the City of Novato 1996 General Plan through the year 2035. The Project location covers the entirety of the City of Novato as well as the border of unincorporated Marin County which could be incorporated into Novato within the life of the Project. Specific changes include land use map and zoning map revisions, modifications to General Plan Implementing Ordinances, and comprehensive reorganization and reformatting of the City of Novato General Plan

ENVIRONMENTAL SETTING

Located in the City of Novato and surrounding areas, the Project area is over 50% open space and park land. The majority of the remainder of the Project area is very-low-density and low-density residential neighborhoods. Near the Highway 101 corridor, medium to high-density residential neighborhoods, commercial and industrial business parks, and mixed-use areas are common. Small pockets of agriculture and rural residential neighborhoods still exist near open space and low-density housing.

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The Project is bordered by Mount Burdell to the north, Big Rock Ridge to the west, San Pablo Bay to east, Bel Marin Keys wetlands to the southeast, Indian Valley open space to the southwest, Pacheco Valle and Loma Verde open space to the south, and the Petaluma River to the northeast. Elevation ranges from sea level to approximately 1,550 feet above mean sea level. Hydrological features include Petaluma River, Stafford Lake, Novato Creek, Rush Creek, and San Pablo Bay. The area receives approximately 30 inches of rainfall per year and enjoys a Mediterranean climate. Habitat types include coastal salt marsh, coastal scrub, chaparral, Douglas-fir, redwood forest, grassland, mixed oak-bay woodland, riparian woodland, and open water. Numerous state-listed and federally-listed species exist or have the potential to exist in the area, as do Species of Special Concern, California Rare Plant Ranked species, and Fully Protected species.

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations below to assist City of Novato in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

Tiering and Subsequent Project Checklist

The draft EIR is identified as a Program EIR that "considers the largescale effects associated with implementing a program...and does not, and is not intended to, examine the specific environmental effects associated with individual actions that may be undertaken under the guise of the larger program. Once a Program EIR has been prepared, subsequent activities within the program must be evaluated to determine what, if any, additional CEQA documentation needs to be prepared" (page 1-3).

The CEQA Guidelines §15168(c)(4) states, "Where the subsequent activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR." CDFW recommends developing the checklist with the draft EIR to determine the future review level of CEQA appropriate for future projects; ideally, as an attachment to the draft EIR. A procedure or checklist will be critical to ensuring adequate analysis of Project effects on biological resources. CDFW recommends using the procedure and checklist developed for infill projects as a model; it can be found in CEQA Guidelines Section 15183.3 and Appendix N. The checklist should also outline how habitat will be analyzed per species or habitat type, how impacts will be assessed, and any mitigation necessary.

When used appropriately, the checklist should be accompanied by enough relevant information and reasonable inferences to support a "within the scope of the draft EIR" conclusion. For subsequent Project activities that may affect sensitive biological resources, a site-specific analysis should be prepared by a qualified biologist to provide the necessary supporting information. In addition, the checklist should cite the specific portions of the draft EIR, including page and section references, containing the analysis of the subsequent Project activities' significant effects and indicate whether it incorporates all applicable mitigation measures from the draft EIR.

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Special-Status Species with the Potential to Occur in the Project Area

CDFW reviewed the special-status species list provided in Appendix C and discussed on pages 4.3-5 and 4.3-6. CDFW recommends the City of Novato also include northern spotted owl (*Strix occidentalis caurina*) and western red bat (*Lasiurus blossevillii*) in the draft EIR.

Northern spotted owl (NSO), a state- and federally-listed as threatened species under the CESA and the federal Endangered Species Act, is known to occur on the periphery of City of Novato, particularly near Burdell Mountain, Little Mountain, and Big Rock Ridge. Subsequent Projects could potentially remove northern spotted owl habitat or could potentially disturb NSO during nesting season and interrupt breeding or lead to nest failure. Population levels and vital rates for NSO continue to decline¹, so any reduction in successful nesting is a potentially significant impact.

Western red bat, a California Species of Special Concern, has the potential to occur in the Project area as it roosts in forests and woodlands and feeds over various habitats including grasslands, shrublands, open woodlands, and agricultural crops. Subsequent Projects could potentially remove western red bat roost trees, leading to potentially significant impacts not currently addressed in the draft EIR.

To reduce project impacts to less-than-significant, in Measure BIO-2, CDFW recommends clarifying the term "biological assessment." Providing a clear definition of the term allows subsequent Project applicants to ensure they are meeting the intent of the Mitigation Measure and are adequately reducing potential impacts to less-than-significant.

CDFW recommends assessing all parcels; biological assessments are still necessary in areas with development or which seem to have no natural habitat, because sensitive species may still occur at such sites. Finally, CDFW recommends additional information related to site-specific measures after a biological assessment is done to ensure subsequent projects are adequately reducing potential impacts to less-than-significant.

CDFW recommends the following changes to the Biological Mitigation Measures. Proposed deletions are in ~~strikethrough~~, additions are in **bold**.

BIO-2: Biological Studies for New Development

Project applicants shall be required to provide a biological assessment for projects on parcels with indicators of sensitive biological features, such as waterways. A biological assessment will be conducted by a qualified biologist and will include a data review and habitat assessment prior to Project activities to identify whether any special-status plant or animal species' habitat or sensitive natural communities occur on-site. The data reviewed will include the biological resources setting, Appendix C species list, and best available, current data for the area, including a current review of the California Natural Diversity Database. Habitat assessments will be completed at an appropriate time of year for identifying potential habitat

¹ California Department of Fish and Wildlife. 2016. Report to the Fish and Game Commission: A Status Review of the Northern Spotted Owl (*Strix occidentalis caurina*) in California.
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=116307&inline>

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and no more than one year prior to Project activity commencement. The purpose of these assessments is to identify appropriate measures to avoid or minimize harm to sensitive biological resources and to incorporate the recommended measures as conditions of approval of the Project. **Based on the results of the biological assessment, the qualified biologist will identify the locations of any potential biological resources on-site and will provide site-specific measures to completely avoid those areas. If avoidance is infeasible, Mitigation Measure BIO-3, biological resources inventory for new development, will be employed.** ~~Detailed assessments are not necessary in locations where past and existing development have eliminated natural habitat and the potential for the presence of sensitive biological resources.~~

Proposed changes to BIO-3 reflect the changes to BIO-2. CDFW recommends including seasonally appropriate surveys following vetted methodologies and protocols for the site-specific species in the area. If impacts cannot be avoided, the draft EIR should discuss mitigation, and potentially additional environmental review for off-site mitigation. This should be included in the checklist and procedures that the City of Novato develops to guide subsequent projects. CDFW recommends adding the following language to BIO-3:

BIO-3: Biological Resources Inventory for New Development. A detailed inventory of biological resources conducted by an independent, professionally qualified biologist, plant ecologist, arborist, or appropriately qualified specialist shall be required for projects in sensitive and vulnerable habitats, **as identified in BIO-2. A biological resources inventory will include seasonally appropriate, protocol-level surveys for all sensitive species or natural communities potentially in the area.** If sensitive resources are identified on the Project site, recommendations to protect the sensitive resources shall conform with applicable State and federal regulations regarding their protection and may include avoidance of the resource, providing setbacks, clustering development onto less sensitive areas, preparing restoration plans, off-site mitigation, and/or other similar measures as determined on a Project-specific basis. **If compensatory mitigation appears necessary, a subsequent environmental review and CEQA document may be required.**

To observe and adequately protect birds that may be nesting in the Project area, BIO-4 should include pre-construction nesting bird surveys as close to the start of the construction activities as possible. CDFW recommends adding the following language to BIO-4:

BIO-4: Nesting Bird Protection. All discretionary projects shall retain the services of a qualified biologist(s) to conduct a pre-construction nesting bird survey during the nesting season (February 1 through August 31) **at most 7 days** prior to any and all development that may remove trees or vegetation that may provide suitable nesting habitat for migratory birds or other special-status bird species. If nests are found the qualified biologist(s) shall identify and the Project sponsor shall implement appropriate avoidance measures, such as fenced buffer areas or staged tree removal periods.

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Sensitive Natural Communities

The draft EIR references special-status habitats (page 4.3-6). CDFW recommends including sensitive natural communities as part of this section header and in this discussion. Sensitive natural communities are described via vegetation mapping following the standards in the Manual of California Vegetation. CDFW maintains a list of over 1,500 vegetation associations identified as sensitive¹ that should be considered during environmental review. The special-status habitats identified currently approximately coincide with vegetation associations listed as sensitive natural communities. CDFW recommends incorporating sensitive natural communities into the draft EIR with a discussion of potential impacts and the Mitigation Measures, where appropriate.

REGULATORY REQUIREMENTS

California Endangered Species Act

Please be advised that a CESA Permit is warranted if the Project has the potential to result in "take" of plants or animals listed under CESA, either during construction or over the life of the Project. Issuance of a CESA Permit is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA Permit.

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially impact threatened or endangered species (CEQA §§ 21001(c), 21083, and CEQA Guidelines §§ 15380, 15064, 15065). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency's FOC does not eliminate the Project proponent's obligation to comply with Fish and Game Code § 2080.

Lake and Streambed Alteration Agreement

CDFW will require an LSA Agreement, pursuant to Fish and Game Code §§ 1600 et. seq. for Project-related activities within any waters within the proposed Project area that fall under LSA authority. Notification is required for any activity that will substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake or stream. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to notification requirements. CDFW, as a responsible agency under CEQA, will consider the CEQA document for the Project. CDFW may not execute the final LSA Agreement until it has complied with CEQA (Public Resources Code § 21000 et seq.) as the responsible agency.

Migratory Birds and Raptors

CDFW also has jurisdiction over actions that may result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code Sections protecting

¹ CDFW. California Sensitive Natural Communities, November 8, 2019.
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=153609&inline>

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birds, their eggs, and nests include 3503 (regarding unlawful take, possession or needless destruction of the nests or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird). Fully protected species may not be taken or possessed at any time (Fish and Game Code Section 3511). Migratory raptors are also protected under the federal Migratory Bird Treaty Act.

FILING FEES

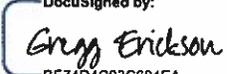
CDFW anticipates that the Project will have an impact on fish and/or wildlife, and assessment of filing fees is necessary (Fish and Game Code, § 711.4; Pub. Resources Code, § 21089). Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW.

CONCLUSION

CDFW appreciates the opportunity to comment on the draft EIR to assist City of Novato in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Ms. Amanda Culpepper, Environmental Scientist, at amanda.culpepper@wildlife.ca.gov; or Ms. Karen Weiss, Senior Environmental Scientist (Supervisory), at karen.weiss@wildlife.ca.gov.

Sincerely,

DocuSigned by:

BE74D4C93C804EA
Gregg Erickson
Regional Manager
Bay Delta Region

cc: State Clearinghouse (SCH #2016122043)

From: [Darcy Kruse](#)
To: [housingelement](#)
Subject: Zoning in Black Point along Harbor Dr
Date: Friday, April 8, 2022 2:21:30 PM

I am writing concerning the proposed zoning for ~80-90 units in Black Point at 55 Harbor Dr, 35 Harbor Dr, 11 Harbor Dr, and 5 Harbor Dr. While I support upzoning as more housing is needed, I would propose fewer units (perhaps 20 max) at these locations for the following reasons:

- Fire danger and evacuation: There are a couple hundred homes in Black Point typically built 50+ years ago which are entirely in an oak forest within the wildland-urban interface in a high fire danger area. *Unfortunately, there is only one narrow road through the forest for egress (Grandview Ave) for the entire neighborhood*, which feeds directly into Harbor Dr to exit. I am already concerned with safe evacuation out of Black Point in the event of a fire or other natural disaster. Adding 80-90 more units at the only exit out of Black Point off Grandview Ave would add to this congestion. There is a very real danger of being unable to evacuate or being stuck in a traffic jam on a road lined closely by a forest during a forest fire. Adding a considerable number of dense housing at a chokepoint out of the area would increase the neighborhood's evacuation risks.
- Public transit: Harbor Dr is over 4 miles away from any public transit stops. This means most people at these locations will need to drive daily to work. I would recommend dense housing to be built closer to public transit and near city centers to avoid traffic and environmental pollution impacts (preferably within walking distance). ***Locations west on Atherton within walking distance of the Novato-San Marin SMART station and bus stops would be better suited for additional housing.***
- Septic: Black Point is on septic and off the bay, thus an additional 80-90+ units on septic in the area would be an environmental concern.
- Employer centers: Black Point is the furthest north and east point in Marin. It is much further away from the main daily commuter destinations and major employer locations in San Francisco compared to the rest of Marin. These units could significantly increase traffic in the area. ***I recommend building more housing near daily commuter destinations in the south of the county and along public transit stops.***

Thank you for taking these points into consideration.

Regards,

Darcy Kruse

Laurel Ave, Black Point

From: [Eric Oldmixon](#)
To: [housingelement](#); [BOS](#)
Subject: Housing Element comment for 4/12 meeting
Date: Saturday, April 9, 2022 1:08:03 PM

Dear Supervisors and Housing Element Planning Committee,

I am a West Marin resident, educator, and involved affordable housing advocate. I have been following this process closely. I have learned a lot about the many steps along the way and I appreciate the outreach, involvement and relative transparency you all have offered throughout. Thank you.

As you move forward through the remaining steps in the process, I have a few overarching questions that I encourage you all to grapple with as you narrow down and designate the various lots and contingencies in a final plan.

First and foremost, is there a way to ensure that all housing created be restricted as primary residences and maximum affordability for those in "lower" and "moderate" RHNA categories?

Given that the plan demands some homes must be offered in all RHNA income categories and the clear impact of second home and vacation rental sites throughout the county, it seems important for there to be a way to ensure this process develops housing for those in critical need.

Furthermore, I am quite aware of the many essential workers in need of housing throughout Marin along with the great number who commute to Marin for essential work each day; both of these situations directly impact and lower the overall standard of living of our communities.

A primary residence provision appears in keeping with the ethos of the Housing Element Program.

Second, how exactly did you reach the conclusion that clustering 20-25% of the homes in more rural areas of the community to be in keeping with the feedback of environmental impact?

Given the limitations of natural resources - primarily water and increased fire danger I am unable to understand the logic that led to a plan where higher density housing in rural areas is considered to be environmentally responsible.

Additionally, the limited amount of available jobs in these areas for all but those in the "lower" income category begs that all new housing must therefore be designated for those individuals. Otherwise, I can only assume long commutes and the deleterious impact of fossil fuels and/or retirement and vacation homes are of high import in your considerations.

My recommendation is that all housing in these areas, given the impacts mentioned, be designated for moderate and lower affordability to assure they reach the people in NEED.

Third, can you ensure this process considers proper zoning changes to maximum creation of affordable housing stock? As I am sure you are aware, there are a number of west marin lots on your current list that under current zoning restrictions will only be able to

host a single home. Single homes on larger lots (given setback restrictions) result in single family dwellings available at market rates. Rezoning of one researched parcel in downtown Pt Reyes village area, for example, would increase capacity from one 1 to 4 or possibly 5 homes (pending septic considerations), for example, thus creating greater opportunity to create housing available to "lower" and "moderate" income workers.

Thank you,

Eric Oldmixon

From: [Karen Anderson](#)
To: [housingelement](#)
Subject: comments about housing location proposals
Date: Saturday, April 9, 2022 3:24:55 PM

I'd like us to be more reasonable about where additional housing should be located. I think that housing should be located close to where there are jobs and/or public transportation to those jobs without adding to the already precarious and inevitable sea rise and environmental hazards we have in Marin County. I think housing should be primarily located near Highway 101.

West Marin already has the additional housing coming in the former Coast Guard housing area. That location is close to food, schools, and further from the bay.

Lastly, the congresspeople that produced these mandatory numbers for counties should be voted out. I will do my part.

Karen Anderson
Karen77anderson@gmail.com

From: [FRED AND JEAN BERENSMEIER](#)
To: [housingelement](#)
Cc: [Rodoni, Dennis](#); [Kutter, Rhonda](#)
Subject: Re: San Geronimo Valley Housing sites
Date: Saturday, April 9, 2022 4:52:42 PM

To: Housing Element Staff
From: SGV Planning Group Housing Element Committee

Our Committee will be meeting soon to prepare a report for our Steering Committee and membership. According to your most recent posting regarding housing site locations we have the following info:

San Geronimo Valley	
Woodacre Fire Station	10
Office - Forest Knolls	2
Office - Lagunitas	30
Presbyterian Church	15
St. Cecilia Church	16
Total	73 units

We are still gathering and reviewing information. We have concerns that there may be too much development at the two church's and Lagunitas office along SF Drake Blvd. creating a kind of "strip" development, along that major thoroughfare not in keeping with our Community Plan and historical efforts to keep our Valley rural.

Please let us know if you can consider placing these units on the following alternative sites. Both of these properties are described in the SGV Community Plan:

Forest Knolls - Morrissey property (AP# 168-250-25) - 174 acres (access off Tamal Road). Access may be a problem. (CP Pg IV-11)
San Geronimo - Grange property - 99 acres adjacent to Gary Giacomini Open Space Preserve. (CP Pg IV-13)

Sincerely,
SGV Planning Group Housing Element Committee Co-chairs
Jean Berensmeier
Nancy Binzen

From: [Diane Amarillas](#)
To: [housingelement](#); [BOS](#); bos@co.marin.ca.us
Subject: Black Point Proposed Housing development
Date: Sunday, April 10, 2022 8:28:07 AM

To whom it may concern,

Please reconsider adding 90± housing units in Black Point. We have limited resources in our area. We have been experiencing drought conditions, with water use restrictions. Dry conditions threaten fire. We have only one egress for the entire community in case of fire or other emergency situations. We have had flooding on Harbor Drive during extreme weather conditions.

We have wildland-urban interface. Shrinking open land will affect wildlife.

This area has no public transportation stops. There are many other areas in the county where empty buildings, closer to transportation and shopping, can be transformed into housing.

Please consider other alternatives.

Respectfully,
Diane Amarillas
11 Murphy Ln.
Black Point, CA. 94945



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



April 8, 2020

Governor's Office of Planning & Research

APR 09 2020

STATE CLEARINGHOUSE

Mr. Steve Marshall
City of Novato
922 Machin Avenue
Novato, CA 94945
smarshall@novato.org

Subject: Novato 2035 General Plan Update, Draft Environmental Impact Report,
SCH #2016122043, City of Novato, Marin County

Dear Mr. Marshall:

The California Department of Fish and Wildlife (CDFW) reviewed the draft Environmental Impact Report (EIR) provided for the Novato 2035 General Plan Update (Project) located within the City of Novato (citywide), Marin County.

CDFW is a Trustee Agency pursuant to the California Environmental Quality Act (CEQA) Section 15386 and has authority to comment on projects that could impact fish, plant and wildlife resources. CDFW is also considered a Responsible Agency if a project would require discretionary approval, such as permits issued under the California Endangered Species Act (CESA), Lake and Streambed Alteration (LSA) Program, and other provisions of the Fish and Game Code that afford protection to the State's fish and wildlife trust resources.

PROJECT DESCRIPTION AND LOCATION

Proponent: City of Novato

Objective and Location: The Project is an update to the City of Novato 1996 General Plan through the year 2035. The Project location covers the entirety of the City of Novato as well as the border of unincorporated Marin County which could be incorporated into Novato within the life of the Project. Specific changes include land use map and zoning map revisions, modifications to General Plan Implementing Ordinances, and comprehensive reorganization and reformatting of the City of Novato General Plan

ENVIRONMENTAL SETTING

Located in the City of Novato and surrounding areas, the Project area is over 50% open space and park land. The majority of the remainder of the Project area is very-low-density and low-density residential neighborhoods. Near the Highway 101 corridor, medium to high-density residential neighborhoods, commercial and industrial business parks, and mixed-use areas are common. Small pockets of agriculture and rural residential neighborhoods still exist near open space and low-density housing.

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The Project is bordered by Mount Burdell to the north, Big Rock Ridge to the west, San Pablo Bay to east, Bel Marin Keys wetlands to the southeast, Indian Valley open space to the southwest, Pacheco Valle and Loma Verde open space to the south, and the Petaluma River to the northeast. Elevation ranges from sea level to approximately 1,550 feet above mean sea level. Hydrological features include Petaluma River, Stafford Lake, Novato Creek, Rush Creek, and San Pablo Bay. The area receives approximately 30 inches of rainfall per year and enjoys a Mediterranean climate. Habitat types include coastal salt marsh, coastal scrub, chaparral, Douglas-fir, redwood forest, grassland, mixed oak-bay woodland, riparian woodland, and open water. Numerous state-listed and federally-listed species exist or have the potential to exist in the area, as do Species of Special Concern, California Rare Plant Ranked species, and Fully Protected species.

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations below to assist City of Novato in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

Tiering and Subsequent Project Checklist

The draft EIR is identified as a Program EIR that "considers the largescale effects associated with implementing a program...and does not, and is not intended to, examine the specific environmental effects associated with individual actions that may be undertaken under the guise of the larger program. Once a Program EIR has been prepared, subsequent activities within the program must be evaluated to determine what, if any, additional CEQA documentation needs to be prepared" (page 1-3).

The CEQA Guidelines §15168(c)(4) states, "Where the subsequent activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR." CDFW recommends developing the checklist with the draft EIR to determine the future review level of CEQA appropriate for future projects; ideally, as an attachment to the draft EIR. A procedure or checklist will be critical to ensuring adequate analysis of Project effects on biological resources. CDFW recommends using the procedure and checklist developed for infill projects as a model; it can be found in CEQA Guidelines Section 15183.3 and Appendix N. The checklist should also outline how habitat will be analyzed per species or habitat type, how impacts will be assessed, and any mitigation necessary.

When used appropriately, the checklist should be accompanied by enough relevant information and reasonable inferences to support a "within the scope of the draft EIR" conclusion. For subsequent Project activities that may affect sensitive biological resources, a site-specific analysis should be prepared by a qualified biologist to provide the necessary supporting information. In addition, the checklist should cite the specific portions of the draft EIR, including page and section references, containing the analysis of the subsequent Project activities' significant effects and indicate whether it incorporates all applicable mitigation measures from the draft EIR.

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Special-Status Species with the Potential to Occur in the Project Area

CDFW reviewed the special-status species list provided in Appendix C and discussed on pages 4.3-5 and 4.3-6. CDFW recommends the City of Novato also include northern spotted owl (*Strix occidentalis caurina*) and western red bat (*Lasiurus blossevillii*) in the draft EIR.

Northern spotted owl (NSO), a state- and federally-listed as threatened species under the CESA and the federal Endangered Species Act, is known to occur on the periphery of City of Novato, particularly near Burdell Mountain, Little Mountain, and Big Rock Ridge. Subsequent Projects could potentially remove northern spotted owl habitat or could potentially disturb NSO during nesting season and interrupt breeding or lead to nest failure. Population levels and vital rates for NSO continue to decline¹, so any reduction in successful nesting is a potentially significant impact.

Western red bat, a California Species of Special Concern, has the potential to occur in the Project area as it roosts in forests and woodlands and feeds over various habitats including grasslands, shrublands, open woodlands, and agricultural crops. Subsequent Projects could potentially remove western red bat roost trees, leading to potentially significant impacts not currently addressed in the draft EIR.

To reduce project impacts to less-than-significant, in Measure BIO-2, CDFW recommends clarifying the term “biological assessment.” Providing a clear definition of the term allows subsequent Project applicants to ensure they are meeting the intent of the Mitigation Measure and are adequately reducing potential impacts to less-than-significant.

CDFW recommends assessing all parcels; biological assessments are still necessary in areas with development or which seem to have no natural habitat, because sensitive species may still occur at such sites. Finally, CDFW recommends additional information related to site-specific measures after a biological assessment is done to ensure subsequent projects are adequately reducing potential impacts to less-than-significant.

CDFW recommends the following changes to the Biological Mitigation Measures. Proposed deletions are in ~~strikethrough~~, additions are in **bold**.

BIO-2: Biological Studies for New Development

Project applicants shall be required to provide a biological assessment for projects on ~~parcels with indicators of sensitive biological features, such as waterways.~~ **A biological assessment will be conducted by a qualified biologist and will include a data review and habitat assessment prior to Project activities to identify whether any special-status plant or animal species’ habitat or sensitive natural communities occur on-site. The data reviewed will include the biological resources setting, Appendix C species list, and best available, current data for the area, including a current review of the California Natural Diversity Database. Habitat assessments will be completed at an appropriate time of year for identifying potential habitat**

¹ California Department of Fish and Wildlife. 2016. Report to the Fish and Game Commission: A Status Review of the Northern Spotted Owl (*Strix occidentalis caurina*) in California.
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=116307&inline>

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and no more than one year prior to Project activity commencement. The purpose of these assessments is to identify appropriate measures to avoid or minimize harm to sensitive biological resources and to incorporate the recommended measures as conditions of approval of the Project. **Based on the results of the biological assessment, the qualified biologist will identify the locations of any potential biological resources on-site and will provide site-specific measures to completely avoid those areas. If avoidance is infeasible, Mitigation Measure BIO-3, biological resources inventory for new development, will be employed.** ~~Detailed assessments are not necessary in locations where past and existing development have eliminated natural habitat and the potential for the presence of sensitive biological resources.~~

Proposed changes to BIO-3 reflect the changes to BIO-2. CDFW recommends including seasonally appropriate surveys following vetted methodologies and protocols for the site-specific species in the area. If impacts cannot be avoided, the draft EIR should discuss mitigation, and potentially additional environmental review for off-site mitigation. This should be included in the checklist and procedures that the City of Novato develops to guide subsequent projects. CDFW recommends adding the following language to BIO-3:

BIO-3: Biological Resources Inventory for New Development. A detailed inventory of biological resources conducted by an independent, professionally qualified biologist, plant ecologist, arborist, or appropriately qualified specialist shall be required for projects in sensitive and vulnerable habitats, **as identified in BIO-2. A biological resources inventory will include seasonally appropriate, protocol-level surveys for all sensitive species or natural communities potentially in the area.** If sensitive resources are identified on the Project site, recommendations to protect the sensitive resources shall conform with applicable State and federal regulations regarding their protection and may include avoidance of the resource, providing setbacks, clustering development onto less sensitive areas, preparing restoration plans, off-site mitigation, and/or other similar measures as determined on a Project-specific basis. **If compensatory mitigation appears necessary, a subsequent environmental review and CEQA document may be required.**

To observe and adequately protect birds that may be nesting in the Project area, BIO-4 should include pre-construction nesting bird surveys as close to the start of the construction activities as possible. CDFW recommends adding the following language to BIO-4:

BIO-4: Nesting Bird Protection. All discretionary projects shall retain the services of a qualified biologist(s) to conduct a pre-construction nesting bird survey during the nesting season (February 1 through August 31) **at most 7 days** prior to any and all development that may remove trees or vegetation that may provide suitable nesting habitat for migratory birds or other special-status bird species. If nests are found the qualified biologist(s) shall identify and the Project sponsor shall implement appropriate avoidance measures, such as fenced buffer areas or staged tree removal periods.

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Sensitive Natural Communities

The draft EIR references special-status habitats (page 4.3-6). CDFW recommends including sensitive natural communities as part of this section header and in this discussion. Sensitive natural communities are described via vegetation mapping following the standards in the Manual of California Vegetation. CDFW maintains a list of over 1,500 vegetation associations identified as sensitive¹ that should be considered during environmental review. The special-status habitats identified currently approximately coincide with vegetation associations listed as sensitive natural communities. CDFW recommends incorporating sensitive natural communities into the draft EIR with a discussion of potential impacts and the Mitigation Measures, where appropriate.

REGULATORY REQUIREMENTS

California Endangered Species Act

Please be advised that a CESA Permit is warranted if the Project has the potential to result in “take” of plants or animals listed under CESA, either during construction or over the life of the Project. Issuance of a CESA Permit is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA Permit.

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially impact threatened or endangered species (CEQA §§ 21001(c), 21083, and CEQA Guidelines §§ 15380, 15064, 15065). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency’s FOC does not eliminate the Project proponent’s obligation to comply with Fish and Game Code § 2080.

Lake and Streambed Alteration Agreement

CDFW will require an LSA Agreement, pursuant to Fish and Game Code §§ 1600 et. seq. for Project-related activities within any waters within the proposed Project area that fall under LSA authority. Notification is required for any activity that will substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake or stream. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to notification requirements. CDFW, as a responsible agency under CEQA, will consider the CEQA document for the Project. CDFW may not execute the final LSA Agreement until it has complied with CEQA (Public Resources Code § 21000 et seq.) as the responsible agency.

Migratory Birds and Raptors

CDFW also has jurisdiction over actions that may result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code Sections protecting

¹ CDFW. California Sensitive Natural Communities, November 8, 2019.
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=153609&inline>

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birds, their eggs, and nests include 3503 (regarding unlawful take, possession or needless destruction of the nests or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird). Fully protected species may not be taken or possessed at any time (Fish and Game Code Section 3511). Migratory raptors are also protected under the federal Migratory Bird Treaty Act.

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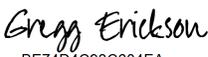
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CONCLUSION

CDFW appreciates the opportunity to comment on the draft EIR to assist City of Novato in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Ms. Amanda Culpepper, Environmental Scientist, at amanda.culpepper@wildlife.ca.gov; or Ms. Karen Weiss, Senior Environmental Scientist (Supervisory), at karen.weiss@wildlife.ca.gov.

Sincerely,

DocuSigned by:

BE74D4C93C604EA...
Gregg Erickson
Regional Manager
Bay Delta Region

cc: State Clearinghouse (SCH #2016122043)

From: nadia@nadiavolk.net
To: [housingelement](#); [BOS](#); [PlanningCommission](#)
Cc: [DragonSlayer](#)
Subject: Proposed Income Segregation Concern re Housing Element
Date: Sunday, April 10, 2022 5:30:11 PM

Dear Board of Supervisors, Housing Element and Planning Commission,

It has come to my attention that you have received or will receive a letter in the form of a Memorandum from Christopher Gilkerson and Susan Matthews and perhaps others advocating for a "subdivision" of Lower Income and Very Low Income housing sites be developed on four essentially adjacent parcels on Atherton Avenue (761 Atherton, 777 Atherton, 791 Atherton and 805 Atherton). This letter strenuously opposes that suggestion.

It is a grave social injustice to place Low and Very Low Income residents completely separate from the other income levels of the housing element (i.e. segregated). Research and my own personal experience reveal the lived experience for children and adults (often already marginalized) runs counter to any social advancement which may have been the original goal. Children that grow up in economically segregated areas (with their own green spaces, playgrounds, etc.) experience discrimination and stigma from everyone - both consciously and unconsciously.

I fully believe this housing element can and should be achieved with economic integration. I haven't heard a sound argument against integrating income levels across the housing element or any new development anywhere for that matter.

I grew up in an area with horrible segregation similar to this type of proposition and it's not something to advocate for. It is already here in Marin and it's wrong. It needs to be corrected, not advanced. Marin City children are treated unfairly when they matriculate to Tam High. My kids went to Tam and there were several occasions involving a dear lifelong (since preschool) friend of my daughter's who happened to live in Marin City wanted to have someone over, but they weren't allowed to go....she also was often not invited places because parents basically would not allow their kids to be friends with her simply because of where she lived. Economic discrimination is a real thing. I experienced it growing up too. I grew up very close to significantly different income level neighborhood and I was treated like I was contagious.

I think it's easy to fall into a trap of believing that our community is better and wouldn't behave like that. But I don't believe this to be so, unfortunately. The more we "other" people rather than integrate people the more we demonstrate our unconscious bias (or inherent racism/discrimination) and that really needs to be looked at - we all have unconscious bias (and inherent racism) and we all need to look at these issues on the microscopic level. Myself included!! As we are positioned to have an impact and prevent more social emotional impediments and improve society in general - which I believe is a goal here - then it should be done.

I know, if I were in need of low income housing for my children and me right now, I would feel much better, more well-supported and confident, writing an address that was known to have many levels of income on a job application and on school documents. The reason I say this is because I know how it feels from my lived experience to be "othered" economically due to segregation and also my daughter's lifelong friend who lives in Marin City whom I discussed above. I refuse to repeat the things people in Marin County (our community peers) said about where she lived and about her due to her being "poor." But she wasn't really poor, by the way.

So, all I ask, and it's an honest ask - if you were a child again do you think it might impact your self-esteem? What if kids teased you because you lived in the "___" place (think of nicknames-because segregated low income developments get nicknamed). Parents refer to you to other parents as "is he the one who lives ___." And you weren't able to blend at all because by virtue of the economic segregation it's on display. Just take a minute and think it through.

It's very difficult to come up with a sound rationale for isolating the Very Low Income people from other income people. Why?? If anyone cares about children and positive social issues at all anyway I really can't think of any reason. It can foster a lot of anger. It would be like inviting 10 people over for dinner and saying well, let's see you two earn 500K/yr you sit at this table, you two make 50K/yr you sit at this table. But it's not a dinner, it's your life.

Remember also, Marin still has towns with homes and properties that have deeds and titles with racist language in them. Change needs to occur! No question. But it needs to take place in a progressive, research-driven way so as not to perpetuate discriminatory, social-emotional damage to children and often already marginalized people.

Sincerely,

Nadia S. Lightfoot, LMFT

Nadia Lightfoot, MS, LMFT #98259
Psychotherapist in Private Practice
Marin County
200 Tamal Plaza, Suite 135
Corte Madera, California 94925
www.nadiavolk.net. nadia@nadiavolk.net
415.548.2888

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From: [Christopher Gilkerson](#)
To: [housingelement](#); [BOS](#)
Subject: Comments for April 12 Joint Meeting on Housing Element Sites
Date: Sunday, April 10, 2022 9:58:20 PM
Attachments: [Comment Ltr for April 12 Housing Element Sites.pdf](#)

Dear Planning Staff, Commissioners, and Supervisors. Please circulate and read tomorrow so that our comments (from 30 residents of Rush Creek on Atherton Ave.) may be considered in time for the joint meeting on Tuesday. Thank you.

Best regards,
Christopher Gilkerson

April 10, 2022

To: Marin County Board of Supervisors and Planning Commission
3501 Civic Center Dr.
San Rafael, CA 94903

Re: Comments/Questions for Housing Element Update (Sites Meeting #4) on April 12

From: Christopher Gilkerson and Susan Mathews, and certain other residents of the Rush Creek Neighborhood on Atherton Ave. in District 5 (see full list of signatories below)

Submitted via email

Dear Supervisors, Commissioners, and Staff:

This letter focuses primarily on District 5 and makes the following key points:

- 1) **Create more optimal and integrated location of Lower and Moderate Income housing.** Do this by conducting the state-required analysis to show that at least some of the Lower Income housing appropriately can be sited at the large Buck Institute Vacant parcel that is near the City of Novato’s mixed-use development at the former Fireman’s Fund site. Having mixed income housing both on Atherton and by the Buck Institute would be a more integrated approach.
- (2) **Reduce the impacts of the proposed dramatic increase in the number of Above Moderate housing units along or near Atherton Ave.** Do this by going back to the prior number of proposed units (538) for District 5 and removing at least 44 Above Moderate units from this area.
- (3) **Require focused environmental impact review for Atherton Corridor and other sensitive locations such as Greenpoint Nursery.** Do this by requiring that the EIR for the Housing Element independently and thoroughly review the proposed sites that are near sea-level and adjacent to or near surface or groundwater. Also make clear that the four parcels comprising the Atherton Corridor site should be developed holistically (for example, as a subdivision which could be a common interest development) to encourage Lower and Moderate Income home ownership, assure developer responsibility, and entail full environmental and community input at the time of development. This would enable, as stated in a prior letter, “a well-planned environmentally friendly residential neighborhood that could include a reasonable number of lower income dwelling units while remaining consistent with the existing rural-urban character of the corridor.”¹

Background and Consideration of the Revised Proposed Housing Unit Numbers

At the March 15, 2022 joint meeting, Supervisors and Commissioners asked the Staff to reduce the capacity buffer to 15%, and expressed concerns based on public feedback regarding certain sites. Supervisor Arnold asked that the zoning density of the four parcels comprising the “Atherton Corridor”

¹ Letter dated March 11, 2022 from Christopher Gilkerson to Marin County Board of Supervisors and Planning Commission regarding “Comments for Housing Element Update (Sites Meeting #2)” (“First Gilkerson Letter”). This letter will not repeat the points in the March 11 letter, many of which remain relevant.

site (currently zoned “Agriculture Limited”) be reduced from the proposed 30 units per acre to 20 and thereby reduce the number of units by at least one-third. To some extent the Staff has followed that advice, which we greatly appreciate. When asked by Staff, Supervisor Arnold also said she would consider “making up the difference” further “down Atherton” and at the Buck Institute’s vacant properties that are in Unincorporated Marin.

In response, the Staff:

- Has reduced the number of units on the Atherton Corridor site from 323 to 147 units consisting of 109 Lower Income and 38 Moderate Income units.
- Has included 9 new parcels that are adjacent to Atherton Ave. or are on side roads that feed into Atherton Ave.; but, rather than moving Lower Income units to any of those parcels (i.e., “making up the difference”), the Staff is using them to add 75 Above Moderate units.
- Has proposed to allow zoning to build 225 Above Moderate units (up from 80 previously proposed) on the Buck Institute vacant property (meaning the large parcel # 125-180-85) with 0 (zero) Lower or Moderate Income units.

The net result is that District 5 sites (all of which are concentrated along Atherton Ave. to just past the 101 exit) compared to the March 15 draft would have an increase in housing units from 538 to 582, and a startling increase of Above Moderate units from 82 to 435.

Keep in mind that District 5 mostly consists of the City of Novato and does not have much Unincorporated County land to develop. Despite that fact, in the latest recommendation District 5 has:

- The *MOST increase in proposed units* of any District compared to the March 15 numbers (44 more units), and
- An eye-opening *500% INCREASE in the number of proposed Above Moderate units* (going from 82 to 435).

1. Create More Optimal and Integrated Locations of Lower and Moderate Income Housing

The Atherton Corridor site is the only one in District 5 slated for Lower Income housing. We agree that the four parcels comprising that site could result in a right-sized, environmentally-friendly housing development with some Lower Income housing. But as pointed out in the prior letter,² the Atherton Corridor sites are actually not very convenient to grocery stores and other shopping (2.8 mile roundtrip to Trader Joe’s and Pharmaca), and they are not on a walking route to the closest SMART station (Novato – San Marin) on Redwood Blvd. because it would require pedestrian navigation through several Rt. 101 on- and off-ramps. It is not in-fill development.

In contrast, the Buck Institute Vacant Parcel 125-180-85 is much larger (136 acres) and appears to be just a 1 mile walk to the SMART station on the same side of Rt. 101 with no dangerous crossings. Rather than including any Lower or Moderate Income housing there, the current recommendation is to include 225 Above Moderate units.

² See First Gilkerson Letter, *supra* note 1, at page 2.

We asked for Staff's reasons why the Lower, Moderate, and Above Moderate income categories can't be spread more evenly among the 16 parcels in the proposed sites for District 5 and, in particular, why the large Buck Institute Vacant Property does not include a recommendation for any Lower or Moderate units. Staff replied that it is because of the "State delineated site criteria for affordable housing as detailed in the Site Inventory Memo to accommodate economies of scale," and the "densities proposed and property size do not meet the Lower income requirements."³ Under the applicable state regulations, that conclusion is not required.

State of California Department of Housing and Community Development best practices for selecting sites to accommodate Lower Income housing includes factors such as proximity to transit, access to amenities such as parks and services, and proximity to available infrastructure and utilities.⁴ Given the City of Novato's plan for mixed housing and mixed residential/commercial use sites on Redwood Blvd. close to the SMART station including development of the former Fireman's Fund site, and the adjacency to parkland with the Mt. Burdell Open Space and Olompali State Park, the large Buck Institute Vacant Property parcel logically should include at least some Lower and Moderate housing. It would also be consistent with the professed goal of "in-fill development" given everything else being planned for the Buck Institute – Fireman's Fund - Redwood Blvd. corridor. And obviously it would be convenient for Buck Center employees who could walk to work.⁵

As an impediment to spreading the different housing income categories throughout the District 5 parcels, Staff said that "sites designated for affordable housing cannot be smaller than 0.5 acres or larger than 10 acres, and must be zoned for sufficient density."⁶ This comes from the California Site Inventory Memo which states that suburban sites to accommodate low and very low-income housing must allow at least 20 units per acre.⁷ The density requirement is met because the Staff's recommended future density for the large Buck Institute parcel in fact is 20. It is true, however, that the site is larger than 10 acres. But that does not automatically disqualify it for Lower Income housing consideration under the state regulations for the Housing Element. Rather, it requires the County to undertake analysis that includes, for example:

Evidence that the site is adequate to accommodate lower income housing. Evidence may include developer interest, proposed specific-plan development, potential for subdivision, the jurisdiction's role or track record in facilitating lot splits, or other information that can demonstrate to HCD the feasibility of the site for development. The housing element should

³ Email from Aline Tanielian to Christopher Gilkerson on April 8, 2022 at 3:10 p.m.

⁴ Housing Element Site Inventory Guidebook, Government Code Section 65583.2 (June 10, 2020) (the "Site Inventory Memo") at Part A, Step 6.

⁵ Taking this holistic approach to Housing Element planning would be consistent with the Board and Commission's request that Staff take into account what is going on in adjacent towns and cities like Novato.

⁶ Email *supra* note 3.

⁷ Site Inventory Memo *supra* note 4 at Part B, Step 2A.

include programs promoting, incentivizing, and supporting lot splits and/or large lot development.⁸

That seems very doable and desirable. The fact that the City of Novato is undertaking housing and commercial development with infrastructure along that same Redwood Blvd. corridor is a good indication of the viability and potential. We urge the Board and Commission to direct Staff to perform the necessary analysis set forth above and not just concede that the Buck Institute Vacant Property at parcel number 125-180-85 is unfit for anything but large Above Moderate Income homes.

2. Reduce the Impacts of the Dramatic Increase in the Number of Above Moderate Housing Units along Atherton Ave.

Staff included a substantial shortfall (599) of Above Moderate housing countywide in the March 15 recommendation. Consequently, in the adjustments for the April 12 recommendation, many proposed sites were shifted from Lower and Moderate to Above Moderate. Plus new sites were added for Above Moderate. With the revisions, District 5 and Atherton Avenue would be burdened with making up 59% of that countywide shortfall of 599.⁹ The direction to Staff at the March 15 meeting was to consider other areas of Atherton for Lower Income housing if necessary, NOT to add an extraordinary additional number of Above Moderate units.

The bottom line is that the updated recommended housing sites list includes too many proposed housing units in a limited geographic space along or adjacent to Atherton Ave. The number should be reduced to the March 15 sum of 538, which would require moving 44 Above Moderate units away from the increasingly congested Atherton Ave. Building at or above market-rate housing in the semi-rural area on or near Atherton Avenue will result in larger homes and longer single vehicle commute drives compared to locations further south in Marin. This would have a correspondingly greater overall negative impact on traffic and the environment.

3. Require Focused Environmental Impact Review for Atherton Corridor and Other Sensitive Locations such as Greenpoint Nursery

At the March 15 meeting Commissioner Dickenson made this observation about the Greenpoint and Atherton sites: “They’re not going to happen” due to concerns about and impacts relating to the wetlands. A very practical observation.

Through various meetings with Planning Staff, they have stated that environmental concerns such as traffic impacts, sea-level rise, and impacts on wildlife, etc. must be reserved for the upcoming environmental review process under CEQA (the EIR). Best we can tell, however, the planned EIR will be

⁸ *Id.* at Part B, Step 3B.

⁹ Here is the math: the March 15 Above Moderate number for District 5 was 82, and it is now 435 for a net increase of 353. That number, 353, is .589 or 59% of the March 15 countywide shortfall of 599.

at a very high level and collectively cover the approximately 100 sites identified by the County for the entire Housing Element. That would be a mistake.

Neither the Supervisors nor Commissioners should turn a blind eye at this stage to obvious environmental hazards. For example, commenters have repeatedly pointed out it is unfathomable that the Greenpoint Nursery site sitting on the edge of significant wetlands – the same contiguous wetlands that have repeatedly flooded Rt. 37 – will be appropriate to accommodate the proposed 53 Above Moderate Income homes on that relatively small parcel.¹⁰ The Sites Inventory Memo states that the Housing Element analysis must include “a general description of any known environmental or other features . . . that have the potential to impact the developmental viability of the identified sites . . . and must demonstrate that the existence of these features will not preclude development of the sites . . . at the projected residential densities/capacities.”¹¹

To make sure the environmental impacts are adequately considered in both the Housing Element and future actual development plans we make two requests:

- Require that the EIR for the Housing Element separately and fully review those proposed sites that are near sea-level and adjacent to or near surface or groundwater. This would include the Atherton Corridor and Greenpoint Nursery sites as well as others that are of similar elevation and proximity to identifiable wetlands.
- Make clear that the Atherton Corridor site consisting of the parcels at 761, 777, 791, and 805 Atherton Ave. should be developed under Subdivision requirements. A Subdivision could include common ownership such as low rise, affordable condos instead of apartment buildings, along with mixed income housing as we have advocated. This is important for several reasons. If the high number of Lower income units would result in a determination that it would be “By Right,” but the proposed development nonetheless requires a subdivision, then it would remain a “project” subject to more review under CEQA with full community input.¹² The California subdivision laws also protect buyers, encourage home ownership, help assure developer responsibility, and enable a more holistic approach to neighborhood construction and integration.

This could help lead to our goal of a well-planned environmentally friendly residential neighborhood at the Atherton Corridor site including coordinated building and road design complete with green spaces, minimization of traffic impacts, inclusion of pedestrian and bike pathways, and other necessary community amenities.

¹⁰ See also Open Letter in Opposition to: Development Along Atherton Corridor, dated March 14, 2022 by Samantha Garcia, Landscape Architecture B.S. 2022, Student Chapter ASLA, Community Outreach Chair University of California, Davis, link: https://nextdoor.com/news_feed/?post=220086157.

¹¹ Site Inventory Memo *supra* note 4 at Part A, Step 7.

¹² *Id.* at Part B, Step 1.

We would be happy to discuss our comments and concerns in more detail. Thank you for your consideration of these points at the April 12 joint meeting.

Very truly yours,

Christopher Gilkerson and Susan Mathews

Duncan and Betsy Ross

John and Bambi Mengarelli

Carole and Thor Hanson

John and Cathy Yee

Sharon and Steve Nebb

Matt and Jan Lennon

Michael Ring and Jacqueline Bonner

Michael Morris and Victoria Hecht

John Conway

Melanie and Rob Limacher

Naomi Zavislak

Susan and Richard Markx

Marc and Marian LeBrun

Michael and Susan Parnes

Eric and Heather Gahan

From: [kelleymcnair](#)
To: [housingelement](#); [BOS](#)
Subject: Harbor Drive Rezoning Proposal
Date: Monday, April 11, 2022 8:02:33 AM

To Whom It May Concern,

This letter is in regard to the proposed rezoning of the properties at 5, 11, 35 and 55 Harbor Drive.

I am strongly opposed to this proposed rezoning, both as a member of the Black Point Community and as the owner of the property at 35 Harbor Drive.

Black Point is a quiet, almost rural community. Most of our residents have chosen to live in this area because it is far enough from the hustle and bustle of town to offer us plenty of space and privacy but near enough to downtown Novato to provide easy access to shopping centers and public services. I believe I speak for the entire community when I say we do not want a 93 unit housing project brought to our area.

Rossi's Deli (5 Harbor Dr.) is a staple of our community and it would be a great loss to the residents of Black Point if it was eliminated and replaced with high density housing.

On a personal note, the loss of current zoning (commercial/residential) at my own property at 35 Harbor Drive would be an enormous hardship. I purchased this property near the end of 2019 because of its zoning, with the intent of obtaining a use permit so that I can transition my mobile veterinary business into a "brick and mortar" facility at the address. My plans had to be postponed due to the pandemic, but I was planning to move forward with the use permit this summer. I bought this property with the intent of living and working at this site for the rest of my life and the proposed rezoning could potentially destroy all of these plans.

The proposed rezoning of Harbor Drive would forever change the nature of the Black Point community and cause hardship for the current owners of these properties. I am pleading with the County of Marin not to approve this proposed rezoning.

Sincerely,

Kelley McNair
35 Harbor Drive
Novato, CA. 94945

Sent from my Verizon, Samsung Galaxy smartphone



FERNWOOD
CEMETERY | MORTUARY | CREMATORY

April 5, 2022

Marin County Community Development Agency
Tom Lai -CDA Director
Leelee Thomas – Director of Housing and Federal Grants
3501 Civic Center Drive, Suite 308
San Rafael, CA 94903
Re: Fernwood Cemetery Expansion and Donahue Highlands Development

Dear MCCDA Representatives,

My business partner, Yogu, and I are the owners of Fernwood Cemetery on Tennessee Valley Road. We purchased the property from the Daphne family in 2006 and have been privileged to serve the death care needs of Marin County ever since. We introduced a new concept variously called Green, Natural, and Conservation burial and the community has embraced it over the years and provided a model of success for other efforts around the world.

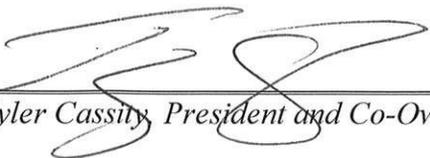
Christina Cliff contacted the agency (Sabrina Cardoza) on our behalf last July regarding subdividing the Donahue Highlands. We were considering the purchase of the Tennessee Valley side for the expansion of Fernwood – with LIBAO, the previous owner, retaining the Marin City acreage. In addition to Green Burial, Fernwood needs additional lands to serve our Jewish and Asian communities as well as an emerging trend of tree planting with cremation burial.

Subsequently during the negotiations, LIBAO decided to exit its US Holdings and we closed on the entire 49 acre parcel two weeks ago. We have engaged Sean Kennings to guide us through the planning process.

We would like to achieve our original intention of expanding Fernwood's cemetery grounds while finding the best use of the additional lands. Our initial assessment is that we would set aside the Fernwood adjacent 25+ acres for cemetery – according to the same guidelines as the existing master plan – and then divide the remaining land into an expanded and permanent easement/gateway into the GGNRA with remaining Marin city acreage devoted to housing.

I know our timing is off – as this was an unexpected purchase of the entire parcel on our parts – but we would like to request that the Donahue Highlands Project be re-entered into the Housing Element study that closes on April 12. In our review of past efforts, we have seen different density calculations. Given the current need for housing in Marin, we would like to propose 25 housing units on the area of the land discussed.

Thank you for considering our request. We look forward to meeting to discuss our plans and next steps.


Tyler Cassity, President and Co-Owner


Yogakumar Kanthiah, CFO and Co-Owner

301 Tennessee Valley Road ■ Mill Valley, California 94941
T 415.383.7100 F 415.383.7409
www.FernwoodCemetery.com

From: [Wendy Calcaterra](#)
To: [housingelement](#); [BOS](#); [PlanningCommission](#)
Subject: Re: Atherton Corridor Housing Sites
Date: Monday, April 11, 2022 9:12:28 AM
Attachments: [scan of ltr to Marin County 4-8-22.pdf](#)

Please add our names to this letter that was thoughtfully written by Steve and Nadia Lightfoot. We are in complete agreement with their written statements regarding the Atherton Corridor Housing Sites.

Sincerely,

Wendy Calcaterra
Richard Calcaterra
Nicholas Calcaterra
Lauren Walker
Frank Calcaterra
Joseph Calcaterra

On Apr 8, 2022, at 10:39 AM, 'Steve Lightfoot' via Rush Creek <rush-creek@googlegroups.com> wrote:

Dear Marin County Housing Element, Marin County Board of Supervisors and Marin County Planning Commission:

In advance of the upcoming April 12, 2022 Housing Element Board of Supervisors/Planning Commission Workshops, attached please find correspondence of today's date concerning the proposed Atherton Corridor Housing Sites / Housing Element.

Thank you for your attention to this serious matter.

--

You received this message because you are subscribed to the Google Groups "Rush Creek" group.

To unsubscribe from this group and stop receiving emails from it, send an email to rush-creek+unsubscribe@googlegroups.com.

To view this discussion on the web visit <https://groups.google.com/d/msgid/rush-creek/2091677466.2456549.1649439552825%40mail.yahoo.com>.

For more options, visit <https://groups.google.com/d/optout>.

<scan of ltr to Marin County 4-8-22.pdf>

CONCERNED NOVATO RESIDENTS

c/o Steve and Nadia Lightfoot
Atherton Corridor, Novato, CA 94945

April 8, 2022

VIA ELECTRONIC MAIL ONLY

Marin County Housing Element
housingelement@marincounty.org

Marin County Board of Supervisors
BOS@marincounty.org

Marin County Planning Commission
planningcommission@marincounty.org

Re: Proposed Atherton Corridor Housing Sites

Dear Elected, Appointed and Employed Marin County Officials,

The current plan to approve 16 parcels in District 5 on the Atherton Corridor¹ and then subsequently move ahead with an Environmental Impact Report (“EIR”) with an eye towards developing 333 new housing units is fraught with serious segregation, environmental, safety and practical problems and should be rejected. Please accept this letter, written on behalf of the undersigned, reflecting a number of your concerned constituents – all current residents of Novato on and along the Atherton Corridor.

The following addresses in the Atherton Corridor are currently on the list of “recommended” sites the Board of Supervisors is considering approving and then ordering the EIR process to begin: 350 Atherton; 618 Atherton; 654 Atherton; 761 Atherton; 777 Atherton; 791 Atherton; 805 Atherton; 275 Olive Avenue; 300 Olive Avenue; 50 H Lane; 5 Harbor Drive; 11 Harbor Drive; 35 Harbor; and 55 Harbor. Nearly 45% of the parcels are located on Atherton Avenue; all are side streets or feed into Atherton Avenue which is the only practical connection to Highway 101; no one will

¹ As used in this letter the term “Atherton Corridor” includes the recently, newly named “Greenpoint Corridor,” Greenpoint Nursery” and “Blackpoint Corridor” sections which are all practicably reached for ingress and egress purposes by and across Atherton Avenue in Novato.

commute on a regular basis via Highway 37; and when Highway 37 floods, traffic is redirected onto Atherton Avenue. Also, at the outset, it is noteworthy that the above addresses have been split up and listed in several “differently” named sections of District 5 / unincorporated Novato (*Atherton Corridor, Blackpoint, Greenpoint Corridor, Greenpoint Nursery, and Vacant Blackpoint*), yet they are all within a three-mile radius of each other and, as noted above rely on Atherton Avenue for ingress and egress to Highway 101 and essential services. It’s unclear why there are so many sections of essentially the same neighborhood; indeed, all these parcels share the same zip code. At best it’s a benign labeling based on streets and landmarks; at worst it’s an attempt to misdirect the citizenry that most of the housing development in District 5 is being placed in a very small section of unincorporated Novato.

Turning to the specific sites and developments in the Atherton Corridor, the first glaring problem is the placement of all 147 of the proposed “Very Low and Low Income” and “Moderate Income” housing sites onto only four, essentially adjacent parcels: 761 Atherton, 777 Atherton, 791 Atherton and 805 Atherton. All of the Above Moderate Income sites are assigned to other parcels. Specifically assigning the Very Low and Low Income level groups to only four essentially adjacent parcels is tantamount to economic segregation. It sends a message to the residents that they are confined to living in only one area – it fosters shame and creates a stigma. The proposed assignment of Very Low and Low Income and Moderate Income housing sites must be changed to allocate approximately equal numbers of all three stated income levels to all the proposed sites in unincorporated Novato for income integration purposes.

Next, there are a number of environmental issues which need to be considered by you even before you commission an EIR. These problems are widely known and cannot be resolved by the EIR – only endorsed. The proposed housing sites in the “Atherton Corridor” will be located in a fragile and diverse ecosystem – Rush Creek.² Indeed, Rush Creek is a critical wetland ecosystem year-round, it supports multiple habitats such as the Saltwater Marsh habitat and Brackish water marsh habitats. (*Ibid.*) Development in this area would cause irreparable damage to this ecosystem by increasing water runoff, increasing light pollution, and increasing traffic. (*Ibid.*) The parcels listed in the proposal are part of the Rush Creek watershed. (*Ibid.*) That means that development directly affects the Rush Creek watershed and adjoining waterways such as the Petaluma River. (*Ibid.*) Rush Creek would greatly suffer if impervious pavement and surfaces were to be

² See, Open Letter in Opposition to: Development Along Atherton Corridor, dated March 14, 2022 by Samantha Garcia, Landscape Architecture B.S. 2022, Student Chapter ASLA, Community Outreach Chair University of California, Davis, link: https://nextdoor.com/news_feed/?post=220086157.

added in the water shed. (*Ibid.*) Impervious pavement increases water runoff and pollutants that would then end up in Rush Creek which then flows into the Petaluma River or Deer Island Basin. (*Ibid.*)

In proposing this housing Development along the Atherton Corridor, the City of Novato and County of Marin is causing direct harm of wildlife by significantly degrading and modifying the habitat as well as creating ecological implications that significantly obstruct essential behavior patterns. (*Ibid.*) Light pollution has been scientifically proven to disturb circadian rhythms, and nesting behaviors in birds. (*Ibid.*) One bird that is directly affected by development is the endangered Ridgway's Rail formerly known as the California Clapper Rail. (*Ibid.*) The San Rafael Gallinas Watershed Council had renowned expert on local endangered species, Jules Evans, speak and share his research on how nearby construction projects have impacted the Ridgeway's Rail. (*Ibid.*) Evans found that the creation of the Smart Train rail crossing in 2012 had completely disrupted the nesting region of the Ridgeway Rail along the Gallinas Creek. (*Ibid.*) Two years after the addition of the rail crossing, he and his team found that no birds were using that area during breeding season a place that prior was an essential space for the Ridgeway's breeding and nesting. (*Ibid.*) If the addition of a rail crossing can cause this irreparable damage to an ecosystem one can only imagine the damage the addition of high-density housing can cause to the ecosystem of Rush Creek. (*Ibid.*) The ecological implications and destruction that will come from this project are far too great. (*Ibid.*) The Rush Creek ecosystem would be overloaded with increased water runoff, light pollution, noise pollution, increased traffic among many other factors with detrimental effects to all species. (*Ibid.*)

In an April 8, 2020 report to Novato Community Development Planning Manager Steve Marshall, the California Department of Fish and Wildlife ("CDFW") reviewed the draft Environmental Impact Report (EIR) provided for the Novato 2035 General Plan Update ("Project") located within the City of Novato.³ The Project was an update to the City of Novato's 1996 General Plan through the year 2035. (*Ibid.*) The Project location covers the entirety of the City of Novato as well as the border of unincorporated Marin County which could be incorporated into Novato within the life of the Project. (*Ibid.*) Specific changes include land use map and zoning map revisions, modifications to General Plan Implementing Ordinances, and comprehensive reorganization and reformatting of the City of Novato General Plan. (*Ibid.*) The Project is bordered by Mount Burdell to the north, Big Rock Ridge to the west, San Pablo Bay to east, Bel Marin Keys wetlands to the southeast, Indian Valley open space to the southwest,

³ California Department of Fish and Wildlife Report to Steve Marshall dated April 8, 2020, attached hereto as **Exhibit A**.

Pacheco Valle and Loma Verde open space to the south, and the Petaluma River to the northeast. (*Ibid.*) Thus, the Atherton Corridor is included in the area discussed in this Report.

The CDFW Report notes the habitat in the Project includes coastal salt marsh, coastal scrub, chaparral, Douglas-fir, redwood forest, grassland, mixed oak-bay woodland, riparian woodland, and open water. (*Ibid.*) Numerous state-listed and federally-listed species exist or have the potential to exist in the area, as do Species of Special Concern, California Rare Plant Ranked species, and Fully Protected species. (*Ibid.*) In particular, the CDFW cautions against damage which could be inflicted on the Northern Spotted Owl and the Western Red Bat by development in the Project area. (*Ibid.*) In addition, the San Pablo Song Sparrow, California Black Rail and Saltmarsh Common Yellowthroat are all birds which are of Special Concern and have nesting grounds in and around the Atherton Corridor.

Next, it is a gross understatement to say California has limited water resources. California's existing drought climate cannot support the influx of population that will be produced by the new, dense housing proposed along the Atherton Corridor. And water is only one of the many essential services/utilities/infrastructure the new housing units will require. Access to public transportation from the proposed parcels on the Atherton Corridor is very limited and difficult to reach. Traffic along Atherton often moves at fast speeds, unsafe for bicycles or pedestrians. There are no sidewalks from the freeway to Oak Shade Lane and then only one on the north side of the street – with no crosswalks. There are no bus stops close to the proposed sites. Traffic controls (stop lights and/or stop signs) and crosswalks will need to be added, snarling traffic. The increased vehicular traffic and other necessary changes to the idyllic, two-lane Atherton Avenue will quickly mimic the congestion on Sir Francis Drake Boulevard.

The “Buck Center Vacant Property” is a short walk to a SMART station and bus stop already in existence, compared to the Atherton Corridor sites which would require a longer walk and unsafe crossing of several 101 freeway on and off ramps to access SMART. It makes more sense to focus the location of housing sites at this location, not the Atherton Corridor. Along these same lines, if there is a goal to reduce traffic on Atherton (and more generally), and to make sure Lower Income residents have easier access to community resources, then it makes sense to allocate some Lower Income housing sites to the Buck Center property – on the current list it is only allocated Moderate Income sites.

According to the Safety Element, which is paralleling the Housing Element there is a significant focus on increased wildfire danger, evacuation and traffic modifications. The development of over 300 new housing units on the Atherton Corridor makes no sense given these real safety concerns. Having housing with that density may also increase the probability of an unintentional fire being started that then has the fuel to spread rapidly. In the event of a fire, evacuation would be difficult and dangerous – with only one real means of ingress and egress. Getting emergency responders in while trying to get residents out would be complicated and perilous, to say the least.

Finally, the process under which the County is proceeding is creating undue confusion and consternation. Since the County has repeatedly stated it will not use eminent domain to facilitate Housing Element requirements, identifying proposed housing sites, then conducting an EIR and then notifying owners of the final list of parcels selected for the Housing Element seems backwards, to say the least. The County will be in the unenviable position if, after spending all of the hours, money and effort to identify and qualify a property for participation in the Housing Element development, the owner of the parcel declines to participate. In fact, many of the owners of the parcels under review do not even know their properties are being considered. And, some owners who do know their properties are on the list of proposed sites have communicated with the undersigned they have no intention of participating in any development or participating in the Housing Element even if they are selected.

The number of housing sites proposed for the Atherton Corridor is simply not a socially responsible, safe or practical plan. The Atherton Corridor proposal is not socio-economically integrated, and actually segregates certain populations based on income. This is absolutely unacceptable and must change to integrate all income levels into each of the new Housing Elements. In addition, the Atherton Corridor proposal presents glaring environmental and safety hazards to human and animal life. It is neither practical nor prudent. The sites on the Atherton Corridor (especially 761 Atherton, 777 Atherton, 791 Atherton and 805 Atherton) must be either rejected or revised significantly, to specifically address the concerns expressed in this letter.

Respectfully submitted,

Steve & Nadia Lightfoot
Bruce & Merry Suzuki
Russell & Lisa Helfond
Janet & David Salyer
Erik & Joelle Amundsen

Julie and Peter Schraeder
Leza Danly & Frank Cioffi
Todd Stevenson & Jonell Langley
Rosemary & Ravi Kumar
Jason & Kendra Chamberlain

Ed & Sandy Hoefffer
Donna Drews
Nancy Tate
Donna & Gary Rich
Nina & Casey Blair

*Mike and Vicki McElroy
Matt & Jane Allman
Bob & Patty Hewett
Lauran & Byron Wolfe
Mary & James Selle
Steve and Alison VanDis
Henry and Gaby Hautau
Joe Gray
John and Deanna Fahey
Sean and Kristen Barry
Lisa Hoytt
Suzanne Bales
Penny Hansen*

*Robert and Sandra Mauceli
James Steinle & LJ Strunsky
Kristine & David Donadio
Rob and Melanie Limacher
Shawna and Dave Mullarkey
John & Bambi Mengarelli
Robert and Kathleen Balchunas
William and Rochelle Ghilotti
Bryan and Stephanie Sander
Michael and Colleen Barry
Christopher and Monica Ray
Bobbie & Paul Cerruti
Marty & Deanna Lutzeier*

*Kathy Walker
Marc & Marian LeBrun
Mike and Kristina Bugatto
Zachary and Angela Warren
John E. Conway
Ed & Michal Walters
Lynn Warren
Bob Phillips
Shana and Brooke Pitcher
Steven and Susan Leonard
Nicholas and Brittny Joly
Paul and Julie Urrea*

SKL:ls
Enclosure:
California Department of Fish and Wildlife Report to Steve Marshall dated April 8, 2020

EXHIBIT A



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



April 8, 2020

Mr. Steve Marshall
City of Novato
922 Machin Avenue
Novato, CA 94945
smarshall@novato.org

Subject: Novato 2035 General Plan Update, Draft Environmental Impact Report,
SCH #2016122043, City of Novato, Marin County

Dear Mr. Marshall:

The California Department of Fish and Wildlife (CDFW) reviewed the draft Environmental Impact Report (EIR) provided for the Novato 2035 General Plan Update (Project) located within the City of Novato (citywide), Marin County.

CDFW is a Trustee Agency pursuant to the California Environmental Quality Act (CEQA) Section 15386 and has authority to comment on projects that could impact fish, plant and wildlife resources. CDFW is also considered a Responsible Agency if a project would require discretionary approval, such as permits issued under the California Endangered Species Act (CESA), Lake and Streambed Alteration (LSA) Program, and other provisions of the Fish and Game Code that afford protection to the State's fish and wildlife trust resources.

PROJECT DESCRIPTION AND LOCATION

Proponent: City of Novato

Objective and Location: The Project is an update to the City of Novato 1996 General Plan through the year 2035. The Project location covers the entirety of the City of Novato as well as the border of unincorporated Marin County which could be incorporated into Novato within the life of the Project. Specific changes include land use map and zoning map revisions, modifications to General Plan Implementing Ordinances, and comprehensive reorganization and reformatting of the City of Novato General Plan

ENVIRONMENTAL SETTING

Located in the City of Novato and surrounding areas, the Project area is over 50% open space and park land. The majority of the remainder of the Project area is very-low-density and low-density residential neighborhoods. Near the Highway 101 corridor, medium to high-density residential neighborhoods, commercial and industrial business parks, and mixed-use areas are common. Small pockets of agriculture and rural residential neighborhoods still exist near open space and low-density housing.

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The Project is bordered by Mount Burdell to the north, Big Rock Ridge to the west, San Pablo Bay to east, Bel Marin Keys wetlands to the southeast, Indian Valley open space to the southwest, Pacheco Valle and Loma Verde open space to the south, and the Petaluma River to the northeast. Elevation ranges from sea level to approximately 1,550 feet above mean sea level. Hydrological features include Petaluma River, Stafford Lake, Novato Creek, Rush Creek, and San Pablo Bay. The area receives approximately 30 inches of rainfall per year and enjoys a Mediterranean climate. Habitat types include coastal salt marsh, coastal scrub, chaparral, Douglas-fir, redwood forest, grassland, mixed oak-bay woodland, riparian woodland, and open water. Numerous state-listed and federally-listed species exist or have the potential to exist in the area, as do Species of Special Concern, California Rare Plant Ranked species, and Fully Protected species.

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations below to assist City of Novato in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

Tiering and Subsequent Project Checklist

The draft EIR is identified as a Program EIR that "considers the largescale effects associated with implementing a program...and does not, and is not intended to, examine the specific environmental effects associated with individual actions that may be undertaken under the guise of the larger program. Once a Program EIR has been prepared, subsequent activities within the program must be evaluated to determine what, if any, additional CEQA documentation needs to be prepared" (page 1-3).

The CEQA Guidelines §15168(c)(4) states, "Where the subsequent activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR." CDFW recommends developing the checklist with the draft EIR to determine the future review level of CEQA appropriate for future projects; ideally, as an attachment to the draft EIR. A procedure or checklist will be critical to ensuring adequate analysis of Project effects on biological resources. CDFW recommends using the procedure and checklist developed for infill projects as a model; it can be found in CEQA Guidelines Section 15183.3 and Appendix N. The checklist should also outline how habitat will be analyzed per species or habitat type, how impacts will be assessed, and any mitigation necessary.

When used appropriately, the checklist should be accompanied by enough relevant information and reasonable inferences to support a "within the scope of the draft EIR" conclusion. For subsequent Project activities that may affect sensitive biological resources, a site-specific analysis should be prepared by a qualified biologist to provide the necessary supporting information. In addition, the checklist should cite the specific portions of the draft EIR, including page and section references, containing the analysis of the subsequent Project activities' significant effects and indicate whether it incorporates all applicable mitigation measures from the draft EIR.

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Special-Status Species with the Potential to Occur in the Project Area

CDFW reviewed the special-status species list provided in Appendix C and discussed on pages 4.3-5 and 4.3-6. CDFW recommends the City of Novato also include northern spotted owl (*Strix occidentalis caurina*) and western red bat (*Lasiurus blossevillii*) in the draft EIR.

Northern spotted owl (NSO), a state- and federally-listed as threatened species under the CESA and the federal Endangered Species Act, is known to occur on the periphery of City of Novato, particularly near Burdell Mountain, Little Mountain, and Big Rock Ridge. Subsequent Projects could potentially remove northern spotted owl habitat or could potentially disturb NSO during nesting season and interrupt breeding or lead to nest failure. Population levels and vital rates for NSO continue to decline¹, so any reduction in successful nesting is a potentially significant impact.

Western red bat, a California Species of Special Concern, has the potential to occur in the Project area as it roosts in forests and woodlands and feeds over various habitats including grasslands, shrublands, open woodlands, and agricultural crops. Subsequent Projects could potentially remove western red bat roost trees, leading to potentially significant impacts not currently addressed in the draft EIR.

To reduce project impacts to less-than-significant, in Measure BIO-2, CDFW recommends clarifying the term "biological assessment." Providing a clear definition of the term allows subsequent Project applicants to ensure they are meeting the intent of the Mitigation Measure and are adequately reducing potential impacts to less-than-significant.

CDFW recommends assessing all parcels; biological assessments are still necessary in areas with development or which seem to have no natural habitat, because sensitive species may still occur at such sites. Finally, CDFW recommends additional information related to site-specific measures after a biological assessment is done to ensure subsequent projects are adequately reducing potential impacts to less-than-significant.

CDFW recommends the following changes to the Biological Mitigation Measures. Proposed deletions are in ~~strikethrough~~, additions are in **bold**.

BIO-2: Biological Studies for New Development

Project applicants shall be required to provide a biological assessment for projects on parcels with indicators of sensitive biological features, such as waterways. A biological assessment will be conducted by a qualified biologist and will include a data review and habitat assessment prior to Project activities to identify whether any special-status plant or animal species' habitat or sensitive natural communities occur on-site. The data reviewed will include the biological resources setting, Appendix C species list, and best available, current data for the area, including a current review of the California Natural Diversity Database. Habitat assessments will be completed at an appropriate time of year for identifying potential habitat

¹ California Department of Fish and Wildlife. 2016. Report to the Fish and Game Commission: A Status Review of the Northern Spotted Owl (*Strix occidentalis caurina*) in California.
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=116307&inline>

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and no more than one year prior to Project activity commencement. The purpose of these assessments is to identify appropriate measures to avoid or minimize harm to sensitive biological resources and to incorporate the recommended measures as conditions of approval of the Project. **Based on the results of the biological assessment, the qualified biologist will identify the locations of any potential biological resources on-site and will provide site-specific measures to completely avoid those areas. If avoidance is infeasible, Mitigation Measure BIO-3, biological resources inventory for new development, will be employed.** ~~Detailed assessments are not necessary in locations where past and existing development have eliminated natural habitat and the potential for the presence of sensitive biological resources.~~

Proposed changes to BIO-3 reflect the changes to BIO-2. CDFW recommends including seasonally appropriate surveys following vetted methodologies and protocols for the site-specific species in the area. If impacts cannot be avoided, the draft EIR should discuss mitigation, and potentially additional environmental review for off-site mitigation. This should be included in the checklist and procedures that the City of Novato develops to guide subsequent projects. CDFW recommends adding the following language to BIO-3:

BIO-3: Biological Resources Inventory for New Development. A detailed inventory of biological resources conducted by an independent, professionally qualified biologist, plant ecologist, arborist, or appropriately qualified specialist shall be required for projects in sensitive and vulnerable habitats, **as identified in BIO-2. A biological resources inventory will include seasonally appropriate, protocol-level surveys for all sensitive species or natural communities potentially in the area.** If sensitive resources are identified on the Project site, recommendations to protect the sensitive resources shall conform with applicable State and federal regulations regarding their protection and may include avoidance of the resource, providing setbacks, clustering development onto less sensitive areas, preparing restoration plans, off-site mitigation, and/or other similar measures as determined on a Project-specific basis. **If compensatory mitigation appears necessary, a subsequent environmental review and CEQA document may be required.**

To observe and adequately protect birds that may be nesting in the Project area, BIO-4 should include pre-construction nesting bird surveys as close to the start of the construction activities as possible. CDFW recommends adding the following language to BIO-4:

BIO-4: Nesting Bird Protection. All discretionary projects shall retain the services of a qualified biologist(s) to conduct a pre-construction nesting bird survey during the nesting season (February 1 through August 31) **at most 7 days** prior to any and all development that may remove trees or vegetation that may provide suitable nesting habitat for migratory birds or other special-status bird species. If nests are found the qualified biologist(s) shall identify and the Project sponsor shall implement appropriate avoidance measures, such as fenced buffer areas or staged tree removal periods.

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Sensitive Natural Communities

The draft EIR references special-status habitats (page 4.3-6). CDFW recommends including sensitive natural communities as part of this section header and in this discussion. Sensitive natural communities are described via vegetation mapping following the standards in the Manual of California Vegetation. CDFW maintains a list of over 1,500 vegetation associations identified as sensitive¹ that should be considered during environmental review. The special-status habitats identified currently approximately coincide with vegetation associations listed as sensitive natural communities. CDFW recommends incorporating sensitive natural communities into the draft EIR with a discussion of potential impacts and the Mitigation Measures, where appropriate.

REGULATORY REQUIREMENTS

California Endangered Species Act

Please be advised that a CESA Permit is warranted if the Project has the potential to result in "take" of plants or animals listed under CESA, either during construction or over the life of the Project. Issuance of a CESA Permit is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA Permit.

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially impact threatened or endangered species (CEQA §§ 21001(c), 21083, and CEQA Guidelines §§ 15380, 15064, 15065). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency's FOC does not eliminate the Project proponent's obligation to comply with Fish and Game Code § 2080.

Lake and Streambed Alteration Agreement

CDFW will require an LSA Agreement, pursuant to Fish and Game Code §§ 1600 et. seq. for Project-related activities within any waters within the proposed Project area that fall under LSA authority. Notification is required for any activity that will substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake or stream. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to notification requirements. CDFW, as a responsible agency under CEQA, will consider the CEQA document for the Project. CDFW may not execute the final LSA Agreement until it has complied with CEQA (Public Resources Code § 21000 et seq.) as the responsible agency.

Migratory Birds and Raptors

CDFW also has jurisdiction over actions that may result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code Sections protecting

¹ CDFW. California Sensitive Natural Communities, November 8, 2019.
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=153609&inline>

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birds, their eggs, and nests include 3503 (regarding unlawful take, possession or needless destruction of the nests or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird). Fully protected species may not be taken or possessed at any time (Fish and Game Code Section 3511). Migratory raptors are also protected under the federal Migratory Bird Treaty Act.

FILING FEES

CDFW anticipates that the Project will have an impact on fish and/or wildlife, and assessment of filing fees is necessary (Fish and Game Code, § 711.4; Pub. Resources Code, § 21089). Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW.

CONCLUSION

CDFW appreciates the opportunity to comment on the draft EIR to assist City of Novato in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Ms. Amanda Culpepper, Environmental Scientist, at amanda.culpepper@wildlife.ca.gov; or Ms. Karen Weiss, Senior Environmental Scientist (Supervisory), at karen.weiss@wildlife.ca.gov.

Sincerely,

DocuSigned by:

BE74D4C93C804EA
Gregg Erickson
Regional Manager
Bay Delta Region

cc: State Clearinghouse (SCH #2016122043)

From: [Brad Rippe](#)
To: [housingelement](#); [BOS](#)
Subject: Hidden Valley School new housing location
Date: Monday, April 11, 2022 10:45:18 AM
Attachments: [Hidden Valley School new houses copy.pdf](#)

Dear Planners,

Attached is a letter in strong opposition the the idea of constructing new houses in the corral above Hidden Valley School in Sleepy Hollow. It's been frustrating having so little notification of this proposal from the County; I found out about it by chance when talking with neighbors last week.

I also found out about the next supervisors meeting a few days ago, which is tomorrow, leaving very little time for the planning dept or the supervisors to receive meaningful information from the neighbors surrounding the school.

Not letting residents know about possible building projects in their neighborhood is unacceptable.

Thank You,

-Brad Rippe
323 Fawn Dr
San Anselmo
415-577-4006

**April 11, 2022
Marin County Planning**

Dear Planners,

I'm writing to let you know the idea of building new houses in the corral above Hidden Valley School in Sleepy Hollow is a terrible idea and is not supported by the majority residents in the neighborhoods around the school.

Following are a few of the many reasons this is a terrible idea:

1- Zoned as a recreational easement for generations, new houses in that beautiful meadow would forever remove a valuable recreation resource from the community; it was built as a horse riding ring years ago. Today, in addition to equestrian use, this unique open field is used by our community for playing with dogs, frisbee, picnics, ball playing, riding bikes and many other recreational uses. It would be terrible for the community to lose this playing field.

2- Access to the new houses would be via the little connector road to Fawn Drive, which occurs at a treacherous blind curve at the base of the steepest section of Fawn Dr. This new access location would be incredibly dangerous for kids, cyclists, runners, hikers, dogs and autos converging at this point.

3- An emergency evacuation on Fawn Dr and Butterfield is already tenuous. Additional cars trying to escape on Fawn will create more gridlock at exactly the wrong time, creating a very dangerous situation for residents trying to evacuate.

4- Traffic on Fawn and Butterfield is practically beyond the tipping point. With morning and afternoon school traffic, it can take anywhere from 20 to 30 minutes just to get to Sir Francis Drake Blvd; additional cars will exacerbate this problem.

Thank You, Brad Rippe 323 Fawn Drive

From: [Bill Duff](#)
To: [housingelement](#)
Subject: Comment on Housing Elements
Date: Monday, April 11, 2022 10:52:51 AM

I'd like you to lower the number of housing units you have planned for San Domenico and Hidden Valley School in Sleepy Hollow (currently 55 units combined).

In the case of the San Domenico development, you are adding 50 houses at the furthest distance from public transit and retail instead of along transit and retail corridors as has been stated in planning documents and legislation.

Butterfield Road is already a high traffic residential road because it services 3 schools and is a major route to a fourth school (Archie Williams). During morning and afternoon windows, Butterfield becomes a traffic jam of parents dropping off and picking up children. At times, Butterfield can come to a dead stop for up to 15 minutes.

Butterfield is a two-lane road and cannot handle the additional traffic 55 houses would bring. Fawn Lane is a narrow, dangerous road that is inadequately designed for the current traffic load.

Finally, the property at San Domenico is right in the path of wildfire models that have been calculated by FireSafe Marin. You would be increasing housing density in precisely the type of area CAL FIRE warns us against developing.

Why are you adding housing at the extreme reaches of our network of roads instead of along major arteries of transportation and near existing town centers and commercial retail?

Bill Duff
415-226-8557

From: [Laura S.](#)
To: [housingelement](#); [Rodoni, Dennis](#)
Subject: Housing Element
Date: Monday, April 11, 2022 11:00:31 AM

Hi Supervisor Rodoni and Leelee Thomas,

Thank you for removing the Tam High Property next to Flanders Ranch and the former Golf Course property from the list of potential housing sites.

Though I believe all future developments should stay in East Marin where there is easy access to Freeway 101 and that is how our forefathers envisioned the future of Marin County, if we have to take some of that burden, the sites you are now looking at in the San Geronimo Valley seem like a good plan moving forward.

I believe the sites now being proposed are where the Fire Department is currently located in Woodacre, the property just west of the trailer park in Forest Knolls, and a couple of units at the church in Lagunitas.

I was pleased at one of the past zoom meetings when the owners of St. Vincents near Marinwood said they welcomed a development there, and I believe I read somewhere that a development was planned for that area that was going to be a model of self containment. It sounded viable to me and very refreshing. I believe I read it in a letter to the editor in the Independent Journal. If I can figure out the date of that letter, I will let you know.

Why not just do one massive development at St. Vincents where there is a ton of land, it's right next to the freeway, and the owners are welcoming it?

I would like to see the San Geronimo Valley work to make more ADU's and stop the AirBNB's and vrbo's. We welcome the people back who had to leave because the cost of housing was too great for them to stay.

Thank you for your consideration,
Laura Szawarzenski
Lagunitas
415 488-0114

From: [lawrence kaplan](#)
To: [housingelement](#); [BOS](#); [lawrence kaplan](#); [ann kaplan](#); [Moulton-Peters, Stephanie](#)
Subject: Housing Element & Site Selection
Date: Monday, April 11, 2022 11:08:36 AM

Dear Supervisors and All Concerned,

I am a resident of the Tam Valley area and have comments on three potential site selections: 150 Shoreline, the Tam Junction vacant lot, and the Peace Lutheran Church at 205 Tennessee Valley Road.

Although these are distinct in terms of the number of proposed units and income category, the three sites share geographical proximity. In particular, by focusing on this geographical area, each of the three sites exist in an area of constant terrible traffic from locals and tourists, regular flooding by way of weather and king tides, and obvious risks of sea level rise. Not one of these issues can be mitigated. All of them present serious safety and environmental problems.

As you may also be aware, Tennessee Valley Road (where the Church property is located) is narrow, curvy and frequently plagued by trees falling from the hillside. Like Shoreline Highway and Tam Junction, it is a principal egress route in an emergency. To intentionally aggravate the traffic safety challenges in this area would be needlessly negligent.

If I am not mistaken, one or more of these three sites have been evaluated, and rejected, in the past housing cycle. As such, I hope that reason prevails and that they are eliminated from the current selection process.

Thank you for your efforts and attention.

Sincerely, Lawrence Kaplan

From: [Carolyn Longstreth](#)
To: [housingelement](#)
Cc: [Rodon, Dennis](#)
Subject: See attached comment for April 12 meeting
Date: Monday, April 11, 2022 11:21:09 AM
Attachments: [Houing Element Comment2 Apr 11.doc](#)

Hello Marin County: Please see attached. --Carolyn Longstreth

*Carolyn Longstreth
415-669-7514 (H)
415-233-2777 (C)
PO Box 657, Inverness CA 94937*

Carolyn K. Longstreth

*P.O. Box 657, Inverness CA 94937
(415) 669-7514; (415) 233-2777 [cell]
cklongstreth@gmail.com*

April 11, 2022

County of Marin
Housing Planning Division
housingelement@marincounty.org

CC: Supervisor Rodoni

Hello Housing Element Planners

I write to reiterate the points raised in my March 14 comment letter. I stand by all the points raised at that time.

The sites designated on Balmoral Way in Inverness are unsuitable for more concentrated housing development for the following reasons:

- The sites do not meet the criteria stated in the Site Inventory Guidebook, issued by the CA DHCD on June 10, 2020.
- Specifically, the sites lack the infrastructure to support such housing.
 - As previously explained by the Inverness Public Utility District, Inverness relies on local surface water for its supply. The ongoing drought conditions are severely straining our supply such that there is insufficient water for the residences already here. There will not be enough water to service these new residences.
 - There is no existing sewer in Inverness and no current plans to construct one.
 - Balmoral Way itself is an unpaved, private road without suitable space for emergency vehicles.
- The Balmoral Way sites are not vacant. All are currently owner-occupied. In order to designate such sites, the County must prepare an analysis to show that the site is likely to become available within the planning period. No such analysis has been made, to my knowledge.

If such an analysis exists, I request that it be made available to me and my neighbors.

- The HCD guidance documents states that if it is not possible to provide the necessary water, sewer and dry utilities to support housing development in time to make housing development realistic during the planning period, the site is not suitable for inclusion in the site inventory.

It would be infeasible for Marin County to provide the necessary infrastructure to support one or more dense housing projects on Balmoral Way within the current planning period. These sites are therefore unsuitable.

Why is the County is ignoring these rules?

- The County has made a mistake in choosing to allocate new housing sites equally among the Supervisor's districts. This approach fails to take advantage of the numerous potential sites in the 101 corridor and the eastern part of the County while planners struggle to find sites in West Marin that meet the criteria of the Site Inventory Guidebook. I urge you to abandon this strategy as soon as possible.
- The County is ignoring the "elephant-in-the-room": the effect of AirBnB on our local housing supply. If the County could reign in this business, the housing supply would quickly rebound, with numerous benefits to the community. Additionally, any new regulations for implementing the current planning process must avoid the ironic outcome that the newly constructed residential sites will also be converted to vacation rentals. Indeed, I suggest the County begin its effort to increase housing supply by tackling this behemoth before undertaking the kind of process it is currently engaged in.

Sincerely,



Carolyn K. Longstreth

From: [Joanna Coy](#)
To: [BOS](#); [housingelement](#); [Moulton-Peters, Stephanie](#); [Connolly, Damon](#); [Rice, Katie](#); [Arnold, Judy](#); [Rodoni, Dennis](#)
Subject: Housing Element Objection
Date: Monday, April 11, 2022 11:22:32 AM

Dear Board of Supervisors, Marin County

I am pleading with you to stop the Housing Element plan. This is not good for our community, and we may have to consider leaving if this program is implemented. Please don't make us move away from our Kentfield home of over twenty years. Here are some of the reasons why I object:

Marin was envisioned as a low growth area in the past which led to its desirability. We moved here because of this. Cramming in a high density population jeopardizes its charm and personality, and degrades the standard of living for those of us already here. If we wanted to live in a more urban environment, we would have done so. People who want that can live in the rest of the Bay Area.

California is experiencing a net exodus of the population. The US Census Bureau estimates the state population has declined by approximately 300,000 between April 1, 2020 and July 1, 2021. At a macro level, looking at overall numbers, **California does not need more housing.**

Where will the people come from? **Wherever they are leaving will likely suffer economic distress by shrinking those communities and make poor areas even more poor.**

Where will the people work? Marin is a small economy. It is difficult to imagine there are enough jobs for all the extra people, if being able to live near employment is the goal.

Kentfield enjoys very high school ratings partly due to high private family donations and significant parental involvement. (The Kentfield School District requests approximately \$2,000 per year per student.) This enables local school districts to rely more on local funding and less on the state. This attracts people to the community who are interested in supporting quality schools. **Bringing in low income people will likely reduce the average school donations and degrade the funding, and quality, of the school programs. This will eventually result in worse public schools.**

Who is going to pay for this and what will it do to existing home values? Many existing residents who have been here for a long time have a significant portion of family equity tied up in our home value. **Eroding our home values** with high density, low income housing and lesser schools will erode our family wealth which can significantly impact the people who have "paid up" to live here and sacrificed other benefits (e.g. discretionary spending) to maintain our homes here, and **will cause us financial distress. We have to plan for our own retirement, and our homes are a big part of that.**

The roads are already very crowded. This plan will make a bad situation worse. Try driving SFD at 3:30 in the afternoon. Marin was not built to be high density.

There isn't enough water. We were just threatened with extreme water usage standards and severe penalties for exceeding them, until the water district backed off after the reservoirs filled up. If having the reservoirs 90% full isn't enough for the existing population, we will be in chronic distress when you increase the local population by a large percentage.

"Fairness" will never be achieved by manipulating and forcing low income housing into higher income communities. Socioeconomic differences will always exist, and history shows that people who do not have a vested interest in their properties (renters) in general do not care for their homes as well as owners. Please do not bring blight to our neighborhood. We have worked extremely hard to live in a nice place, and want to keep it that way. Your plan is an egregious affront to those of us who live here.

If you want to help bring "fairness", then clean up the corruption in the government systems. Stop graft. Reduce taxes, fees, and bureaucracy. Enforce laws. Clean up bad neighborhoods. Combat the homeless problem. **Do your job, and protect the interests of the people in your community**

over vague ideals mandated from afar that ultimately will be detrimental.

Thank you for your attention.

Joanna Coy

10 Butterfly Lane, Kentfield, CA 94904

415.686.2698

From: [David Finkelstein](#)
To: [housingelement](#)
Subject: Additional housing requires mass transit and better roads
Date: Monday, April 11, 2022 11:49:29 AM

Please don't consider additional housing in the Black Point/Atherton area until there is more mass transit and better roads. It would be a good idea to put an additional police station adjacent to the Fire Dept as well since we all know that additional housing brings more crime. Housing should be concentrated in urban areas where transit, police protection and wider roads already exist. Thank you.

David Finkelstein MD

Immanentizing the eschaton is folly. Be your best self now.

From: [Nina Delosreyes](#)
To: [housingelement](#); [BOS](#); [PlanningCommission](#)
Subject: Housing Element - Atherton Corridor
Date: Monday, April 11, 2022 11:58:05 AM

Hello,

How would the high density housing affect the Atherton Corridor in terms of livestock? Many folks here have livestock and animals that would otherwise be banned in the city. It would be unfair to force folks here who have been keeping peacocks, roosters, or any other animals that those in high density housing might consider a nuisance, to suddenly discontinue keeping such animals. Many who live here have chosen to move to this area for the freedom to keep livestock.

Some neighbors have had their properties trespassed upon in the past by people who do not realize that the lack of fencing does not mean open space. This poses a danger to the people who live here and by adding to the population, this will become an even larger problem. Fencing is both expensive and an obstacle to wildlife. More population to this area would mean that people who live here now have to come up with thousands of dollars to fence in acreage. And with that fencing, we now prevent the wildlife from moving freely.

Please reconsider where you are choosing to put in the mandated housing. Can there be any way in which to work with the city of Novato in terms of using space that has already been paved over and is not a point of interest to the wildlife.

Thanks,
C Blair

From: erlendbo
To: [BOS](mailto:BOS@cityofmillvalley.org); cityclerk@cityofmillvalley.org; MCCMCSecretary@gmail.com; housingelement
Cc: Moulton-Peters, Stephanie; Rice, Katie; Arnold, Judy; Rodoni, Dennis
Subject: Re: Housing Element
Date: Monday, April 11, 2022 12:07:52 PM

As a resident of Mill Valley for the last 29 years I'm making a plea to reject the new affordable housing plan mandated by the state of California. The state is forcing the building of 14,000 housing units to meet a goal that was ignored for many years, and now a line has been drawn and it's time to build these units without due diligence and proper thought for the environment. This project will ruin Marin which has been full of open space and beauty and will threaten the long-term quality of life if the BOS approves these units.

Areas of concern: water supply / drought, overcrowding, fire route escapes overburdened, loss of community businesses, and ignoring environmental EIR's because you now can. Please don't make this mistake.

Of particular interest is the unincorporated town of Kentfield. I have seen the master plan of the building scheduled for this area which is very large percentage wise compared to the population of 6,500. The housing is targeted 100% on Sir Francis Drake Blvd. It will take away basically all of the small businesses on SFD which is unjust. I live in old Kentfield (SFD) as opposed to Kent Woodlands which will be insulated from all of the new building units. A majority of Kentfield residents live in the Woodlands (70%) so this makes the new building in old Kentfield at a very high percentage rate. Additionally, I have had to put up with the College of Marin expansion which has gotten out of control, as all building codes and guidelines are waved for schools. Moreover, just the nature of an unincorporated town makes it very easy to just build because we have no City Council, organized groups, supervisors, or Mayor to defend us. And I'm guessing very few residents actually know this is happening because the only information comes from The Marin IJ which is mostly ignored. Residents should have been notified by mail.

As a very concerned Kentfield resident I strongly urge you to reject all of the 14,000 building unit mandates. Stop this madness before it's too late and please save Marin County!

Erlend Bø
31 Alvarado, Mill Valley, CA 94941
+1-415-860-3981
bo.erlend@gmail.com

On Mon, Apr 11, 2022 at 11:57 AM erlendbo <bo.erlend@gmail.com> wrote:

Hi All,

I am writing to say I am strongly opposed to the Housing Element plan of building 14,220 homes in Marin. This will ruin the livability of Marin County by causing tremendous pressure on infrastructure, schools, quality of life, traffic, etc. This proposal is not in the

best interest of residents. Pls put a stop to this or the voters' will. The project is a non-starter.

Erlend Bø

+1-415-860-3981

bo.erlend@gmail.com

From: [Lauren Ward](#)
To: [housingelement](#)
Subject: Housing proposal for Harbor Drive
Date: Monday, April 11, 2022 12:11:41 PM

I am not opposed to multifamily housing on Atherton or Harbor Drive and the county desperately needs more affordable housing.

I have one comment and two questions:

Comment: This commission just downzoned proposed housing on Bugeia on property that had been zoned single family for over 40 years. You cut the number of homes in half. Rather than downzoning those lots should have been upzoned for duplexes or triplexes or quads. To now dramatically increase density on Atherton and Harbor only because the state is holding a gun to your head is pure hypocrisy. Marin has the worst record in the state for denying new development precisely because this commission has been shamefully derelict in doing its duty.

Question 1: Multifamily housing requires sewer capacity, lots of it. How will the sewer capacity necessary for multifamily housing on Harbor Drive be provided? If it's not available now and will not be provided in the future, this proposed zoning change is a sham.

Question 2: Multifamily housing requires access to public transit. Will that be provided to these proposed developments? What assurance is there of this?

Lauren Ward
75 Mistletoe Drive
Novato

From: [Northbridge Homeowners Assn NHA](#)
To: [housingelement](#); [BOS](#)
Cc: [Northbridge Homeowners Assn NHA](#)
Subject: Comments for 4/12/22 Meeting re Housing Element
Date: Monday, April 11, 2022 12:15:29 PM
Attachments: [Northbridge Comments for 4.12.22 BOS PC Meeting re Housing Element.docx](#)

Please see the attached comments from the Northbridge Homeowners' Association in connection with the April 12, 2022 BOS/PC meeting re the Marin Housing Element.

Thank you.

TO: Marin County Board of Supervisors
FROM: Northbridge Homeowners Association
DATE: April 11, 2022
RE: Comments Re Housing Element Draft Candidate Sites: 4/12/22 BOS/PC Meeting

In connection with the upcoming April 12, 2022 Board of Supervisors/Planning Commission meeting regarding the Marin Housing Element, the Northbridge Homeowners Association (“NHA”) respectfully submits these comments regarding the updated draft list of candidate sites, as revised on March 31, 2022.

NHA previously submitted comments regarding earlier iteration(s) of the draft candidate site list, including regarding the proposed sites/numbers for Santa Venetia generally, and with respect to the Old Galinas School and Ballfield property (251 North San Pedro Rd.) specifically. The most recent updated site list includes reductions to the numbers of proposed additional units for the Old Galinas property and for Santa Venetia generally. NHA and the Northbridge community appreciate the movement in that direction, from the prior larger numbers in earlier drafts, and also greatly appreciate the Board’s and the Planning Commission’s consideration of NHA’s comments.

With that said, the latest proposed numbers for Santa Venetia, and the Old Galinas property specifically, are still significantly too high. Northbridge residents remain very concerned about the prospect of having up to 50 high-density housing units added at the Old Galinas property, as contemplated in the current draft list. Our community also remains very concerned about having some 200+ additional units added to Santa Venetia as a whole.

Some neighborhoods just cannot accommodate that kind of additional housing, and Santa Venetia is one such of those neighborhoods. There is only one street in and out of the neighborhood, with one lane in each direction. The traffic situation on North San Pedro Rd. is already very bad, particularly during school rush hours, even without any additional housing units being added. Moreover, the residents of Northbridge have significant concerns about the ability to evacuate the neighborhood in an emergency. The addition of hundreds of housing units to Santa Venetia, and the corresponding additional residents and their vehicles, would greatly exacerbate both problems. That would be on top of the additional traffic and related problems that would flow from the planned expansion of school facilities at the Osher Marin JCC and Venetia Valley School, the latter of which is largely or entirely beyond the County’s control and oversight.

With respect to the Old Galinas property, Northbridge residents are very concerned about the prospect of adding such a large number of high-density housing (30 units/acre, which is 50% more dense than even the default for housing of this sort, which is 20 units/acre per the County’s materials). Further, as expressed previously, Northbridge residents are concerned about the possibility of losing the ballfield at the property (the only field in the entire Santa Venetia neighborhood). While the concern regarding the field may be addressed by latest draft site list

(very much appreciated), Northbridge residents *also* remain very concerned about the prospect of losing the daycare/pre-school and playground that currently occupy the upper end of the property. That facility has for many years provided critical services to this community and to Marin County generally, and we would very much like to see the property preserved for that extremely important use if at all possible. Losing a day care/pre-school facility, and replacing it with ultra-high-density housing would be very unfortunate. More broadly, the contemplated potential numbers and inflated density (up to 50 units; 30 units/acre) would be significantly out of step with the neighborhood, raising concerns about noise and any number of other serious issues.

NHA, on behalf of the residents of Northbridge, respectfully submit that any rezoning/approval of additional housing, to the extent it is deemed appropriate, should carefully limit development to something far less dense than what is currently contemplated for the Old Galinas property and for Santa Venetia more generally (i.e., something in line with the current, prevailing residential density in Santa Venetia).

We very much appreciate the Board's and the Planning Commission's consideration of the above comments and greatly appreciate your hard work on these issues.

From: [Ken and Sue Naffziger](#)
To: [housingelement](#)
Subject: Questions regarding the House Element in the San Geronimo Valley
Date: Monday, April 11, 2022 11:11:49 AM

I will be unable to attend tomorrow's meeting and have the following questions regarding the proposed housing element sites:

1. When the homes are built as a result of this program:

- Will they be for rent?
- Will they be for sale?
- Will they be a combination of both?
- Other?

2. What kind of buildings will they be?

- Condominiums?
- Single family homes?
- Combination of both?
- Other?

3. Being from the Valley, I am using this as an example but it would apply County-wide:

Should it be chosen as an approved site, 6760 Sir Francis Drake Boulevard will have its zoning changed to allow for up to 20 homes to be built. The current County proposal is to build 8 above moderate units there. Aside from the standard environmental constraints, septic issues and other, what would prevent that property owner from applying for an additional 12 units, immediately or at a later date?

Thank you for your time. I look forward to your response.

Ken Naffziger
Woodacre

From: [Zeiger, Jillian](#)
To: [housingelement](#)
Subject: FW: proposed housing development
Date: Monday, April 11, 2022 12:53:53 PM

Comment that came in below.

Jillian Nameth Zeiger, AICP
Senior Planner
Housing & Federal Grants Division
County of Marin

-----Original Message-----

From: lars swann <thelarsswann@gmail.com>
Sent: Monday, April 11, 2022 12:52 PM
To: Zeiger, Jillian <JZeiger@marincounty.org>
Subject: proposed housing development

Aloha,

Not sure why you are looking at possible new housing developments especially in west Marin We are maxed out on
1 WATER

2 POWER
3 ROADS (one way in and out single road)
4 SCHOOLS
5 POLICE
6 COUNTH AND CITY WORKERS TO IMPLEMENT THIS (YOU DON'T HAVE
ENOUGH RIGHT NOW)
7 AND JUST ABOUT EVERYTHING ELSE

Maybe the first thing to do is fix infrastructure and then increase housing looks like you guys are jumping the gun
How does somebody get proposed housing sites

Mahalo lars swann

From: [Carolina de Bartolo](#)
To: [BOS](#)
Cc: [Moulton-Peters, Stephanie](#); [Connolly, Damon](#); [Rice, Katie](#); [Arnold, Judy](#); [Rodoni, Dennis](#); [MCCMCSecretary@gmail.com](#); [housingelement](#)
Subject: HOUSING ELEMENT
Date: Monday, April 11, 2022 12:58:14 PM

Hello

I am writing to ask you to to push back against the RHNA/ABAG mandates. These laws virtually eliminate local control over new residential development and seem only like a way for private developers to rapidly cram thousands of housing units into our cities and unincorporated areas without proper consideration of the safety and full impact to our communities.

We need more housing, but we cannot mandate its construction separately from the dangerous climate change realities of fire and drought that we face in this area. The final impact of these housing mandates may endanger our water supply, fire safety, and evacuation routes for current residents.

The likelihood is that Marin will end up in NON-COMPLIANCE anyway. Most construction projects do not finish in time and the construction of over 14,000 homes makes it even less likely that these projects will all see completion. In addition, building materials are in short supply and the price of materials will continue to skyrocket. Projects have a very high probability of being abandoned.

Please reconsider and take your local constituents concerns into consideration.

Thank you.
Sincerely,
Carolina de Bartolo

--

Carolina de Bartolo
610B Wateree St
Sausalito, CA 94965

carode@me.com
+1 415 246 8334

From: Ruth Rotman
To: [BOS](#); [housingelement](#)
Subject: Concerns about proposed rezoning along Harbor Drive
Date: Saturday, April 9, 2022 11:32:38 AM

To whom it may concern,

I am writing to express my great concern about the proposed rezoning to accommodate nearly 100 units along Harbor Drive in Novato. (55 Harbor Dr., 35 Harbor Dr., 11 Harbor Dr., and 5 Harbor Dr.)

My first concern is for health of the marshland and San Pablo Bay. Unless I am mistaken, the homes and businesses along that stretch of Harbor Drive rely on septic systems to filter waste water. Has space for and maintenance of large septic systems been considered? Even if the residents of these 93 units are educated about what to do and not do to keep a septic system working properly, it seems unlikely that they would do what is required, and improperly working septic systems would pollute the marsh and bay.

My second concern is about safety. The entire Blackpoint community has only one egress in case of a fire or other emergency and the traffic flows out of the neighborhood onto the part of Harbor Drive where these new units would house hundreds more people with over a hundred additional vehicles needing to exit via Harbor Drive.

Why is this a good location for new housing development when it would create such a strain on the environment and threaten the safety of existing Blackpoint/Greenpoint residents?

I will be unable to attend the April 12th meeting, but want to express my strong disagreement with this proposal.

Thank you for your time and consideration of my concerns.

Ruth Rotman
(415)827-2029

From: Faye Simpson
To: [housingelement](#); [BOS](#)
Subject: Harbor Dr. rezoning for 93 Units
Date: Wednesday, April 6, 2022 1:34:03 PM

To the Marin County Housing Element Organization and BOS of Marin County:

I am a long time resident of the Blackpoint Community residing at 393 Laurel Avenue.

I am writing to oppose the rezoning of Harbor Drive for housing units. My reason is that this rezoning is problematic and even dangerous because:

1. We are in a wild land-urban interface with only one egress for the entire community in case of fire or other emergency.
2. We are over 4 miles from any public transit therefore the additional residents (if re-zoning is approved) will need to have cars creating additional traffic congestion or have no way out for those who do not have access to personal vehicles.

Thank you for considering my concerns,

Faye Simpson

Date: April 11, 2022
To: Housing Element
County of Marin Board of Supervisors
Agenda Item: Housing Element Update

I want to acknowledge that I understand that complying with the Housing Element is a difficult task **mandated** by the State. I hope that the County of Marin will continue to exercise utmost prudence in its response.

I am a property owner in District 5. I would like to express my concerns over the proposed Housing Elements sites along the Atherton Corridor.

Should these sites be identified in the final submission, I understand that the environmental review that is to take place will be swift and broad due to the time limitations imposed by the State. Therefore, final approval of Housing Elements 2022-2031 will be **based on a “very broad” report.**

For many of the identified sites within all other site categories (Commercial Mixed use, Commercial, Public, School etc.) perhaps this level of report will be sufficient in conjunction with some evidentiary development experience in those site categories.

However, in the most recent hybrid model, the Atherton Corridor appears to be the only **“underutilized residential”** site category that remains on the current site list (with one exception of a total of 3 units in Kentfield). This **site category is particularly vulnerable** and Atherton Avenue has no development precedent for multi-family units (138 proposed units, likely with residents owning autos, within a 3 block stretch).

I trust you agree that these sites along Atherton corridor **deserve** a proper comprehensive environmental study and a discretionary review process at the County level that takes into account the many factors of impact before a project gets approved.

However, once the Marin County Housing Element sites affecting the Atherton Corridor are submitted and approved by the State they are vulnerable to development without adequate review:

“The legislation, **SB 35, could allow multi-family, affordable housing** projects to be built without the usual public input process, and instead allow those units to be approved through an administrative process, known as **“by-right.”**”

I urge you not to gamble that “by-right” will not be imposed on the Atherton Corridor vulnerable sites denying **proper due process.**

Michele Delia
673 Atherton Avenue

From: [Thomas, Leelee](#)
To: [housingelement](#)
Subject: FW: Marin Housing Element & St. Vincent's School for Boys Property
Date: Monday, April 11, 2022 1:06:16 PM
Attachments: [Marin Board of Supervisors and Planning Commission_FINAL.docx](#)
[image003.png](#)
[image005.png](#)
[image007.png](#)
[image009.png](#)

From: Liza Cardinal Hand <LHand@catholiccharitiessf.org> **On Behalf Of** Theodore Borrromeo
Sent: Monday, April 11, 2022 12:55 PM
To: Connolly, Damon <DConnolly@marincounty.org>; Rice, Katie <KRice@marincounty.org>; Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Rodoni, Dennis <DRodoni@marincounty.org>; Arnold, Judy <JArnold@marincounty.org>; BOS <BOS@marincounty.org>; Commissions <Commissions@marincounty.org>
Cc: Thomas, Leelee <LThomas@marincounty.org>; Diane Henderson <Diane@dmhplanner.com>; Ross Guehring <ross@townhallpa.com>; Liza Cardinal Hand <LHand@catholiccharitiessf.org>; Dorothy Cartahena <DCartahena@catholiccharitiessf.org>
Subject: Marin Housing Element & St. Vincent's School for Boys Property

Dear Chair Rice and Members of the Marin County Board of Supervisors and Planning Commission:

As partners long committed to Marin County and supportive of the need for affordable housing in the county, please find attached for your review a letter regarding the Marin County Housing Element and Catholic Charities' property at our St. Vincent's School for Boys Campus.

We welcome your questions and look forward to working with the County on a viable housing plan that results in affordable housing at Catholic Charities St. Vincent's School for Boys.

Sincerely,

Ted Borrmeo
Interim Chief Executive Officer

D | 650 793 2760
M | 415 972 1200



One St. Vincent Drive
San Rafael, CA 94903
CatholicCharitiesSF.org



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Catholic Charities

MARIN ♦ SAN FRANCISCO ♦ SAN MATEO

One St. Vincent Drive
San Rafael, CA 94903

T 415 972 1200
F 415 972 1201

CatholicCharitiesSF.org

Mailing

1555 39th Avenue
San Francisco, CA 94122

April 11, 2022

Re: Marin County Housing Element

Dear Chair Rice and Members of the Marin County Board of Supervisors and Planning Commission:

Catholic Charities has been made aware of the Marin County Board of Supervisors' upcoming April 12, 2022 joint session with the County Planning Commission where the Board and Commission will review and provide comments on staff's recommendation for candidate housing sites that address the State-mandated Regional Housing Need Allocation (RHNA) for the 2023-2031 planning period. We understand our unincorporated property at Catholic Charities St. Vincent's School for Boys has been identified as a site where meaningful progress can be made toward meeting the County's housing requirements.

In recent weeks the housing allocations for St. Vincent's on the County's Housing Sites List have been fluid and changing, from 800 total units (500 lower income units and 300 moderate income units) as recently as a week ago, to today's number of 680 total units (440 lower income units and 240 above moderate units). Put differently, some 65% of the units proposed to be built at St. Vincent's are now expected to be lower income.

Catholic Charities wants to partner with the County in the formation of a Housing Element that can be successfully implemented over the next housing cycle. We understand and support the need for affordable housing in Marin and our agency is eager to contribute toward this pressing need. We have a long legacy of partnership with the County of Marin, as well as a long history providing housing and related services to those in need.

As you know, we have made several efforts over many years to develop housing for the community on our St. Vincent's property. Those efforts have been unsuccessful. One reason is the economics of development and construction: there must be enough market rate housing to support or subsidize the construction of low-income housing. Based on informal discussions with industry professionals, we are convinced the current allocation of 65% low income housing for St. Vincent's will not be economically viable for developers or Catholic Charities. In fact, our own experience with a developer last year demonstrates that even the current 40% allocation of affordable housing for St. Vincent's presents significant challenges. Ultimately, the project was unsuccessful, and the developer abandoned the project that would have provided essential housing in Marin. In our estimation, it is probable that a future housing development at St. Vincent's would not be feasible with an even greater percentage of low-income units as envisioned in the current Housing Sites List.

In order to achieve a Housing Element that will reflect a more feasible plan for housing at St. Vincent's, we respectfully ask the County to provide greater flexibility on the intended income levels and consider either 1) an increase in the percentage of market rate housing in the proposed allocation for St. Vincent's, or 2) an increase from 20 to 30 units per acre for the site that assigns more market-rate housing units to enhance the feasibility of producing the current allocation of low-income units. We look forward to engaging and working with the County on a viable plan that will result in affordable housing actually being built at Catholic Charities St. Vincent's School for Boys.

Sincerely,

Ted Borromeo
Interim Chief Executive Officer

CC: Judy Arnold, BOS@Marincounty.org, Commissions@Marincounty.org Damon Connolly, Liza Cardinal Hand, Diane Henderson, Ross Guehring, Stephanie Moulton-Peters, Katie Rice, Dennis Rodoni, Leelee Thomas

From: [Lisa Spaulding](#)
To: [housingelement](#)
Subject: Proposed housing - Harbor drive Novato
Date: Monday, April 11, 2022 1:48:17 PM

Please do not consider housing on Harbor Drive as any added traffic on the small two lane street would negatively impact the small thoroughfare that already exists. The added housing and existing threat of fire would endanger the community's escape route and congestion as this is the only way in/out for existing residents.

Thank you

Lisa Spaulding
18 Bay Canyon Rd

From: [Eric Morey](#)
To: [housingelement](#)
Subject: Housing Shortage Caused By Wall Street Greed
Date: Monday, April 11, 2022 1:49:02 PM

I am frustrated by the futility of the Housing Element. There is no doubt that Marin County needs more affordable housing, but the Housing Element only helps to satisfy a State mandate and has no guarantee that any housing will be built at all, affordable or otherwise.

There is still confusion over the rezoning of private property through the Housing Element. It should be made clear that no property owner will be required to build housing on their rezoned property, but they could if they wanted to. Not everyone wants to be a landlord, or to split their parcel. And people don't seem to understand that the County's housing element is different from that of the many cities in Marin. Commenters frequently mention that you could build more housing at the old Fireman's Fund site in Novato, but they don't understand that this location is inside Novato city limits and not in the County. Novato has their own housing element to satisfy, and building homes at that location does not add to the County's housing element deficit of 3,569 homes.

The implication of the Housing Element is that the housing shortage is a byproduct of restrictive zoning and discrimination. The reality is that investors are reluctant to put their money into real estate development after they got burned by the subprime mortgage disaster of 2008, caused by corrupt Wall Street firms. Now these same firms are buying up housing for cash, pricing out the working class. They then raise the rents to unaffordable levels. For example, right here in Marin County, look at the Skylark Apartments property in Larkspur, which was recently purchased by the investor group Prime. They immediately raised the rents nearly 10%, the maximum allowed by law. And there's the purchase of the trailer park on Francisco Blvd in San Rafael. Same story there. People are being priced out of their homes by Wall Street greed. This is something that is happening all across our nation, not just Marin County.

The final Housing Element may meet the State requirements but it will do nothing to help Marin residents to own their own homes or to help renters to stay in their homes. Until the real problem is addressed we will see more longtime residents forced from their homes and either put on the street or have to move somewhere else. I look forward to the day when our politicians work to better the lives of the average citizen instead of the wealthy that finance lobbyists and reelection campaigns. American laborers deserve a larger portion of our nation's income distribution. We are tired of watching our billionaire oligarchs flying around in their spaceships while homeless camps continue to increase in size. It's time to come down to Earth. Let's end this housing element dog-and-pony show and come up with some real housing solutions that work for everyone. Until then it's only going to get worse.

From: [Nadia volk](#)
To: [housingelement](#)
Cc: [DragonSlayer](#)
Subject: Atherton Corridor ecosystem see attachment/equitable distribution of units AND income levels across ALL Marin town for inclusivity
Date: Friday, March 18, 2022 8:16:18 PM
Attachments: [2016122043_CDFW Comment.pdf](#)

Hello,

First, I'd like to mention that I am another one of the folks that couldn't get your online systems (neither Balancing Act nor the Housing Element Site) to work. I had someone try to help and they told me that it wasn't me, it was the system. I was grateful to learn at the last meeting I wasn't alone but I also think it's unfair to the public not to have access.

Second, I'd like to know why the two sites on Atherton (859 Atherton and 863 Atherton) closer to the freeway were removed from the proposed site list, as well as all the properties on Equestrian Court and Bay Tree Hollow. From site walks that I've done, they seem equal to the other sites along Atherton. I have experience in real estate development.

Please disclose the proposed site removal criteria for all sites along Atherton and in Marin County to the public for transparency and educational purposes.

Third, I am highly concerned about ecological balance where endangered species are concerned and respectfully demand that all protections be enforced. The attachment below will shed some light on this issue.

Next, I am also going to make the obvious, even more obvious, simply so it is on the record: NOT ONE township in Marin County has any valid reason to be exempt from an equal distribution of housing element requirements in raw numbers and of ALL income categories - and yes, that includes Belvedere, Tiburon, Strawberry, Kentfield, Ross and other notoriously NIMBY areas of Marin. If ANY of these towns do not bear equal numbers of units in each income category they are undeniably receiving preferential treatment by the Board of Supervisors.

I am not alone in paying very close attention to the distributions of Housing Element requirements along with the removal of certain proposed sites without cause.

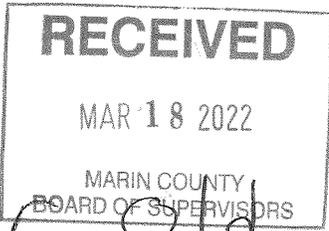
I am also not alone in noticing a lack of proposed sites in certain towns in Marin. Please be aware, as I'm certain you are, that preferential treatment to certain towns with patterns and histories with real estate documents attached to properties will reflect quite poorly upon the Board's decisions,

not upon the towns themselves.

There is plenty of space in EACH and EVERY town in ALL of Marin County to equally distribute ALL income levels necessary for the housing element while also protecting fragile habitats that Marin has fought so hard to protect over the years and holds in such high regard for sound reason.

*Attachment below

Regards,
Nadia Lightfoot



Dear county

I am a 10 year old girl, and my house is right behind the open space. I've seen a lot of things there. And I want those things to stay!

Things like coyotes, foxes, beautiful redwoods, birds hawks, rivers, creeks, and even a bobcat!

I don't want you to take those things away. I love nature, and the earth has been through enough. I don't want you

to take this away from us.

I want people to have homes, but please, please do it some where else

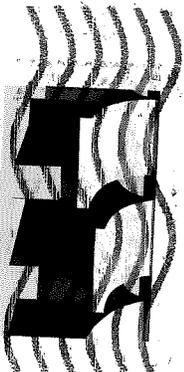
Sincerely - Gemma 



Germina Giraham
2059 Huckleberry Rd
San Rafael, CA 94903

SAN FRANCISCO CA 940

16 MAR 2022 PM 2 L



EMILIO SANCHEZ
FOREVERUSA

Marin County Board of Supervisors
Re: Housing Element, District 1
3501 Civic Center Drive Suite 329
San Rafael, CA 94903

94903-413355

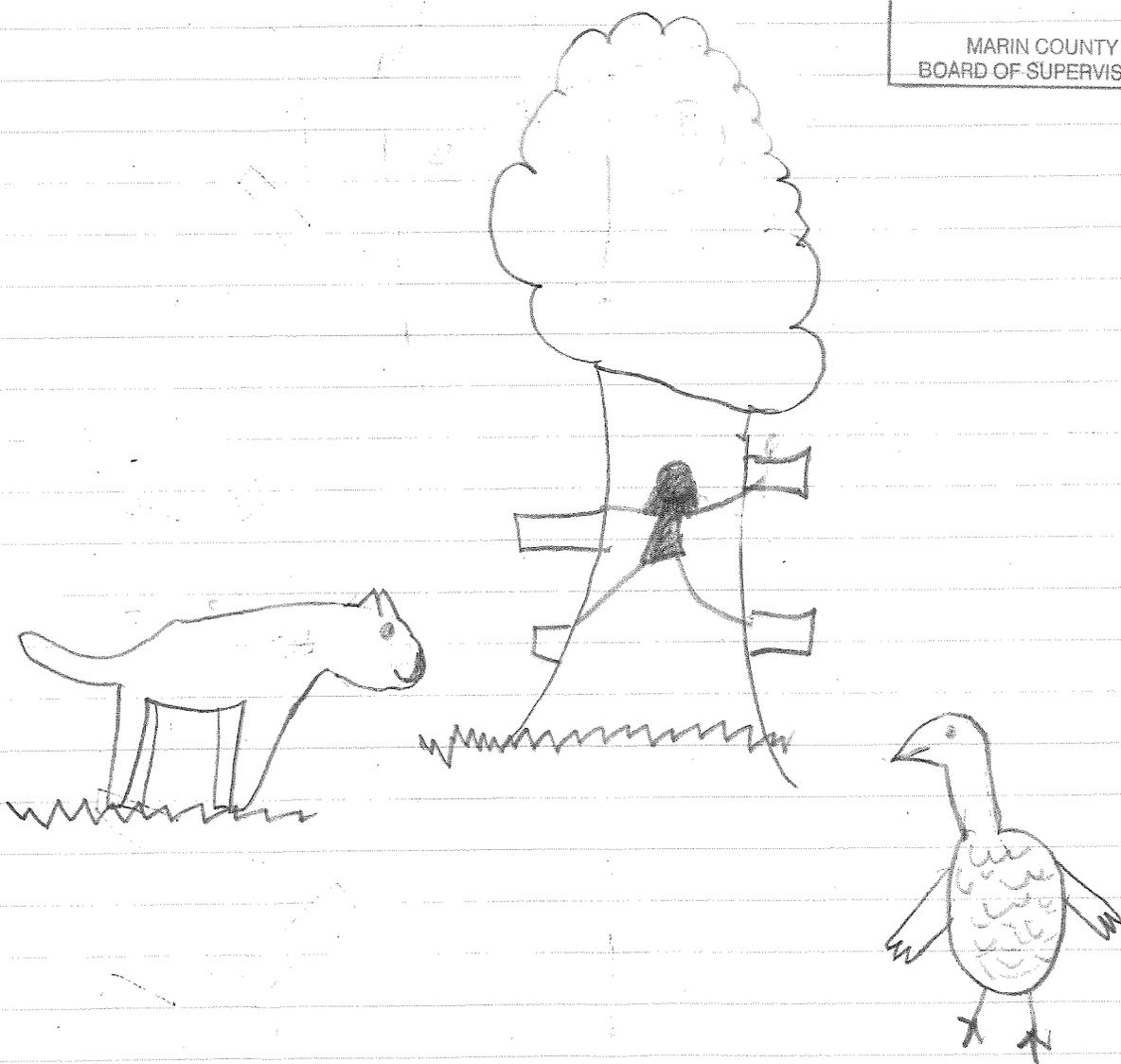


Hi my name is Mable and I am 7 I'm in
first grade what I like about the field I like
the blue herons and the coyotes I also like the
trees because I like to climb in them.

RECEIVED

MAR 18 2022

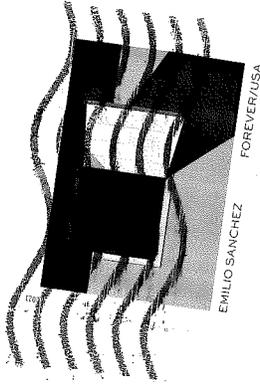
MARIN COUNTY
BOARD OF SUPERVISORS



Mable Graham
2089 Truckberry Rd
San Rafael, CA 94903

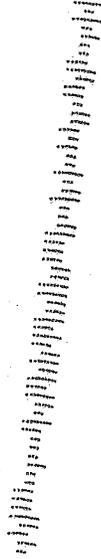
SAN FRANCISCO CA 940

16 MAR 2022 PM 2 L



Marin County Board of Supervisors
Re: Housing Element, District 1
3501 Civic Center Drive, Suite 329
San Rafael, CA 94903

94903-413333



Evans, Joyce

From: Pamela Kroner <pamelamichellekroner@gmail.com>
Sent: Friday, March 18, 2022 10:23 AM
To: BOS
Subject: Fwd: 186 homes

----- Forwarded message -----

From: Pamela Kroner <pamelamichellekroner@gmail.com>
Date: Thu, Mar 17, 2022 at 4:41 PM
Subject: Fwd: 186 homes
To: <jarnold@county.marin.org>

Dear Judy Arnold,

I live in Inverness, you may remember me from the "Gary days" when we kept the libraries open and we saved the ranch lands from development? I worked for Marin County Library and at that time I worked at Fairfax and Inverness branches.

I am sending you copies of the letters I sent to Supervisor Rodoni. I very much want to save Inverness from having 186 new homes built here. I want to continue to protect the creeks, Tomales Bay, and the wetlands. We have a shortage of drinking water.

I grew up in Mill Valley in the 1950's and 60's. Marin county is dear to me. Let's not spoil it because of a mandate coming down from the State.

Sincerely

Pamela Kroner

----- Forwarded message -----

From: Pamela Kroner <pamelamichellekroner@gmail.com>
Date: Mon, Mar 14, 2022 at 3:26 PM
Subject: Re: 186 homes
To: Rodoni, Dennis <DRodoni@marincounty.org>
Cc: Wade Holland <wade.holland@invernesspud.org>

Dennis I do not want any houses on Balmoral . It is a rock promontory!!!

I know this comes to you from the State.

But we who voted for you to represent District 4 thought you were an "environmentalist", someone who protected streams, the bay , the woodlands, the water sources... not someone who crunched numbers so that more wealthy people and not as wealthy people could move here.

I know this comes down from the State of California, but development should remain close to hwy 101 and not crowd out SFD blvd.

There must be a lot of building trades lobbyists pushing for this and what about the bay side of SFD it should have NO building at all. Dixon Marin and the yacht Club are right on the bay. We have sea water rise to think about.

Please, tomorrow do not sell us down the river.

Sincerely

Pamela Kroner

On Mon, Mar 14, 2022 at 2:35 PM Rodoni, Dennis <DRodoni@marincounty.org> wrote:

Correction, the revised list actually reduces the number of units on Balmoral to 14 from 24. Sorry for the error. Dennis

From: Rodoni, Dennis
Sent: Monday, March 14, 2022 12:03 PM
To: Pamela Kroner <pamelamichellekroner@gmail.com>
Cc: Kutter, Rhonda <RKutter@marincounty.org>
Subject: RE: 186 homes

Hi Pam, thanks for your emails and comments. Please understand that this is a state mandated requirement. Please tune in Tuesday night and support the recommended revised site list which removes the parcels from the Balmoral st and reduces Inverness' total to 27 units. All our villages need to provide some housing while respecting the environment and protecting our character. Regards, Dennis

From: Pamela Kroner <pamelamichellekroner@gmail.com>
Sent: Monday, March 14, 2022 8:39 AM
To: Rodoni, Dennis <DRodoni@marincounty.org>
Subject: 186 homes

Dennis I looked at the draft. 186 new homes, that is too much for a small town like Inverness

You know Inverness well having worked here for many years.

Consider the shortage of drinking water, more septic systems and the proximity to creeks and Tomales bay, and the increase of traffic on Sir Francis Drake.

We don't want more sediment getting into the bay.

Please recognize the concerns of your constituents.

Many people who are weekenders and vacationers do not know about this, the news has been filled with other pressing stories.

Sincerely

pamela

Email Disclaimer: <https://www.marincounty.org/main/disclaimers>

From: [Myra Drotman](#)
To: [BOS](#)
Subject: Re: Board of Supervisors Contact Form
Date: Friday, April 1, 2022 6:23:26 PM

Board of Supervisors Contact Form

Your Name:	Myra Drotman
Your Email Address:	mdrotman16@gmail.com
Subject:	Stop Housing Explosion
Select a Routing Method:	District
What District Do You Live In?	District 2 - Katie Rice
Message:	<p>I am totally against changing the face of Marin County by adding thousands of more units. Go visit east bay and ask your self if you want to live there. People love Marin because it is full of nature. There is no end to the influx of humans that need housing. The more housing the more humans. Humans have to figure this out. One way of figuring this out is to protect nature and resources and put your foot down. Honestly, isn't 75% of San Francisco single family housing. Why don't they start put into multi story building to provide housing? They want to preserve their neighborhoods.</p> <p>It is not racist to want to live in rural and suburban areas. People of all races like nature, back yards and birds chirping.</p> <p>Planet Earth is under attack. And every species is also under attack with this assault. Our clean water, sewer, roads, schools can not handle more.</p> <p>Sustainability is the model of behavior we should adopt. Constant growth is a Ponzi scheme and we are creating an unsustainable reality. Side with nature and with sustainability and say no to massive new construction that brings wealth to huge corporations. Sleepy Hollow is zoned for large parcels. It is off the beaten path ad has only one road in and out. If fire came by how many would die on Butterfield Rd? No on any housing developments in Sleepy Hollow. Some folks want to live in high rises and high density of humans and some do not. Happiness studies show people who live with</p>

less crowding and more nature are happier.
No to the state demands of housing.

Evans, Joyce

From: Marion M Rasmussen <marionmrasmussen@yahoo.com>
Sent: Monday, April 11, 2022 10:46 AM
To: BOS; David Wright
Subject: Housing Element

I am writing this letter in response to the housing proposal discussed in the zoom meeting several weeks ago. We were told in the meeting the city was looking for building sites for 700+ new residences in a city that already has serious infrastructure issues. What about the impact on sewers, on traffic, on water, on schools, air quality, animal life, the bay, law enforcement, etc. etc.

Do you seriously think it is okay to take away our parks, open space, the very things that make living here (despite the high cost of living) special? Are you going to clump these new residences together to create another Marin City to meet ridiculous state demands?

Stop! It is not okay. State government has no right to make demands that we can not afford and we will never be able to meet. Think about the future and what this will mean to the next generations.

Marion Rasmussen
123 Tomales Street
Sausalito, CA 94965

Sent from my iPhone

Evans, Joyce

From: Ted von Glahn <tedvong@gmail.com>
Sent: Monday, April 11, 2022 10:26 AM
To: BOS
Subject: April 12 Housing Element Question

Would the County provide the maps of each proposed site with an overlay of the actual property that is candidate for development -- akin to the 5 use cases discussed in March mtg. in which overlays showed the portion of the property within the tax parcel site. This clarification would the public better understand the candidate site per examples like:

Juvenile Hall site: is the candidate property anywhere on this parcel (164-640-01) or is the candidate site to replace existing County structures (e.g., Juvenile Hall?) or to use the undeveloped land?

St Vincents: the April 12 materials list the address as 170 North San Pedro Rd. but this seems to be an error as the earlier materials identified this property well north of San Pedro Rd. at the Miller Creek/St Vincent Dr. Hwy 101 interchange.

1501 Lucas Valley Rd.: a portion of this property is on a steep slope; is the intended candidate site the land most adjacent to Lucas Valley Rd?

Thanks very much. Ted von Glahn

--

Ted von Glahn
415-378-7467
tedvong@gmail.com

Evans, Joyce

From: Linda Rames <ljrames@gmail.com>
Sent: Sunday, April 10, 2022 6:36 PM
To: BOS
Subject: Housing

April 10,2022

Members of the Board of Supervisors:

It is time for the Board of Supervisors to stand up for Marin County rather than selling our county down the river for the benefit of corrupt state legislators, private developers, and large corporations aiming to build huge wealth at the expense of California residents. Surely you have heard from enough of your constituents in every district to know that Marin County residents do not want and cannot accept the dangerous density and unsafe conditions proposed by the state of California.

Instead of going along with the number of dwellings proposed by the state, you, our supervisors, should be joining the towns and counties in southern California who have the courage to sue the state for their outrageous attempt to end local control and expose our citizens to unnecessary danger.

Continuing to claim there is nothing to be done, hiring consultants who propose ridiculous games to distract the citizenry, and hiding behind the planners whose jobs force them to react to the state shows a serious lack of knowledge, concern and care for the citizens who elected you to supervise, not capitulate to the demands of the state. It is time to stop hiding and show some backbone.

Linda Rames
240 Morning Sun Ave.
Mill Valley, CA 94941

Evans, Joyce

From: Bill Johnston <bjohnston120@comcast.net>
Sent: Sunday, April 10, 2022 8:19 PM
To: BOS
Cc: Moulton-Peters, Stephanie; Connolly, Damon; Rice, Katie; Arnold, Judy; Rodoni, Dennis
Subject: HOUSING ELEMENT

Dear Members of the Board

We should not and must not accept the states''s demands for massive unregulated housing in Marin; with the drought, fire hazards, traffic, and many other issues, we are inviting disaster if we are forced to comply. Please show your leadership and stand up firmly to the tyrannical dictates of the State. The brave citizens of Ukraine have done so to their aggressor, and we must fight back too- no don't think more housing is anywhere near the frightening situation as is there, but the courage shown by the populace is remarkable.

Bill Johnston
A 47 year Marin resident.
554 Marin Ave
Mill Valley
415-272-0810

Evans, Joyce

From: David Crouzet <davcrouz@yahoo.com>
Sent: Sunday, April 10, 2022 8:43 PM
To: BOS
Cc: Moulton-Peters, Stephanie; Connolly, Damon; Rice, Katie; Arnold, Judy; Rodoni, Dennis
Subject: HOUSING ELEMENT

Board of Supervisors,

Please consider opposing the new CA law creating many housing units in Marin County. Marin is already short on water supply with this existing housing units and population. We are having to cut much of our water use to be able to survive and adding more housing units would create a dire situation with the water supply. The County cannot sustain the water demand.

Thank you for your consideration.

David and Heather Crouzet

Evans, Joyce

From: Lauri Flynn <LauriFlynn@msn.com>
Sent: Sunday, April 10, 2022 9:34 PM
To: BOS
Cc: Moulton-Peters, Stephanie; Connolly, Damon; Rice, Katie; Arnold, Judy; drodini@marincounty.org
Subject: HOUSING ELEMENT

I live in Sausalito. I have worked hard and carefully managed my money so I could buy a condo in 2003, on the flats. I do not live "on the hill" nor am I rich, but I am comfortable enough in my chosen retirement home.

As you know Sausalito has been told to provide over 700 new housing units, which is impossible with the available land in my town. This number makes no sense! There is land across the street from my condo (MLK Park) that is being considered for hundreds of new housing units under state mandate. So now my home will be in an area of increased traffic congestion. Also, like many others, water is an issue. We don't have enough now, if the drought continues how are we going to add hundreds of new residents? Plus the selected area highest on the list currently has 2 schools, some small businesses, the only dog park and a recreational area (recently re-landscaped) that will need to be mowed down if this plan continues. AND, why is Sausalito required to build 700+ housing units on our small amount of available land? It makes no sense to me or anyone else in town (unless they are a real estate developer).

I would like everyone to have a home, I'm not a NIMBY, but I think that development needs to be downsized in count for Sausalito because we don't have enough available land. It also needs to be spread through the city and not clustered at one end. Whoever decided these numbers needs to have a reality check on what is possible. Other parts of Marin County have a similar problem, though a few of them have available space for some of the required number. I know some people in Sausalito with larger homes have made ADUs on their property, there is also a program for house sharing and some areas that have been considered for smaller multi-unit housing, i.e. 12 units in one site. That makes sense.

I am asking you, **as a tax-paying constituent**, to NOT ACCEPT the planning staff's recommendations. They are UNREALISTIC and will add to FIRE and WATER issues we are already trying to solve as well as TRAFFIC. Please don't give Marin away to private developers for massive housing complexes! Please push back against the RHNA/ABAG mandates!

Lauri Flynn
2 Cypress Place
Sausalito
415/339-0315

Evans, Joyce

From: Hal Coy <halcoy44@gmail.com>
Sent: Monday, April 11, 2022 8:51 AM
To: BOS
Cc: Moulton-Peters, Stephanie; Connolly, Damon; Rice, Katie; Arnold, Judy; Rodoni, Dennis; cityclerk@cityofmillvalley.org; MCCMCSecretary@gmail.com; Laura Howard
Subject: Housing Element

As a resident of Kentfield for the last 29 years I'm making a plea to reject the new affordable housing plan mandated by the state of California. The state is forcing the building of 14,000 housing units to meet a goal that was ignored for many years, and now a line has been drawn and it's time to build these units without due diligence and proper thought for the environment. This project will ruin Marin which has been full of open space and beauty and will threaten the long-term quality of life if the BOS approves these units.

Areas of concern: water supply / drought, overcrowding, fire route escapes over burdened, loss of community businesses, and ignoring environmental EIR's because you now can. Please don't make this mistake.

Of particular interest is the unincorporated town of Kentfield. I have seen the master plan of the building scheduled for this area which is very large percentage wise compared to the population of 6,500. The housing is targeted 100% on Sir Francis Drake Blvd. It will take away basically all of the small businesses on SFD which is unjust. I live in old Kentfield (SFD) as opposed to Kent Woodlands which will be insulated from all of the new building units. A majority of Kentfield residents live in the Woodlands (70%) so this makes the new building in old Kentfield at a very high percentage rate. Additionally, I have had to put up with the College of Marin expansion which has gotten out of control, as all building codes and guidelines are waved for schools. Moreover, just the nature of an unincorporated town makes it very easy to just build because we have no City Council, organized groups, supervisors, or Mayor to defend us. And I'm guessing very few residents actually know this is happening because the only information comes from The Marin IJ which is mostly ignored. Residents should have been notified by mail.

As a very concerned Kentfield resident I strongly urge you to reject all of the 14,000 building unit mandates. Stop this madness before it's too late and please save Marin County!

Hal Coy
10 Butterfly Lane
Kentfield, CA 94904

Evans, Joyce

From: S David Kalish <sdavidkalish@gmail.com>
Sent: Sunday, April 10, 2022 10:22 AM
To: BOS
Cc: Moulton-Peters, Stephanie; Connolly, Damon; Rice, Katie; Arnold, Judy; Rodoni, Dennis
Subject: Appose New Housing Element

In light of the ongoing drought, ever increasing fire danger and rising sea levels, now is not the time to add 14,000 homes to Marin County. Please do not accept the staff recommendations for the new building mandates. The mandates claims of affordable housing will only result in more profits for builders and banks while making a minimal at best dent in Marins housing costs.

Sincerely

S David Kalish

Evans, Joyce

From: Douglas Twitchell <twitchellcd@comcast.net>
Sent: Sunday, April 10, 2022 2:10 PM
To: BOS
Subject: Agenda Items 10 & 11: Housing Element

To Marin County Supervisors:

I am a resident of the Rush Creek community along the Atherton corridor. I am in support of the concept of affordable housing and am not a NIMBY; however, it looks to me that this is an obvious case of "putting the cart before the horse".

The county is devoting a lot of resources to a project that, as of now, has no confirmed location. To my knowledge, no property owners of the selected properties have been contacted. Why is the county expending all of these resources now on a very tenuous project that may never happen? Without using the powers of "eminent domain" it seems unlikely that these property owners would be willing to sell their properties for this purpose, at least at current market values. (I believe the county is on record that "eminent domain" would NOT be used for this project.)

Additionally, the traffic on Atherton will be severely impacted. The flooding events on highway 37, give us a good picture of what traffic would be like on Atherton. Long delays would impact not only daily commutes and access to our communities, but present a safety hazard for first responders in an emergency. A long term solution would be to widen Atherton to 4 lanes. If this were to be proposed, imagine the impact on the many bordering properties. In this case, I think the rules of "eminent domain" would have to be applied - which the county does not want to use.

Thank you for your consideration of these comments.

Kind regards,

Doug Twitchell
130 Oak Shade Lane, Novato 94945
415.320.9499

Evans, Joyce

From: Laura Howard <laurahoward9@icloud.com>
Sent: Sunday, April 10, 2022 2:12 PM
To: BOS
Cc: Moulton-Peters, Stephanie; Connolly, Damon; Rice, Katie; Arnold, Judy; Rodoni, Dennis; cityclerk@cityofmillvalley.org; mccmcsecretary@gmail.com
Subject: Housing Element

14,000+ housing units into Marin County is untenable.

How can we cram that much housing into Marin?

These state bills/mandates were passed by the California legislature without input from the people.

What about the voice of the residents, the taxpayers, your constituents?

Concerns:

Water - We are in the middle of a years long drought and are currently at risk for running out.

Fire - Is always a thread but with the addition of 14,000 units the risk is even greater.

Traffic/Roads - Traffic is already heavy through Marin.

Schools - Is there room for thousands of new students?

Other infrastructure/resources - Police, Fire, emergency services, hospitals/medical services, power grid, etc

And lastly - Just plain ugly!

Please REJECT these massive mandates!

Sincerely,

Laura Howard
Kentfield

Evans, Joyce

From: Mythili Devineni <mythilidevineni@gmail.com>
Sent: Sunday, April 10, 2022 3:35 PM
To: BOS
Cc: Connolly, Damon; Rodoni, Dennis; Arnold, Judy; Rice, Katie; Moulton-Peters, Stephanie
Subject: HOUSING ELEMENT - please reject ABAG/RHNA numbers

Hello Dear Board of Supervisors

State bills 9 and 10 will drive unregulated development of our city and county, to the detriment of the environment and climate, severely impacting its safety, security, and livability. Given the new severe fire risks and drought reality we face, I urge you, as a dutiful resident of Mill Valley and of the county, to reconsider and not accept the planning recommendations to give up local control over new residential development.

Please stand up for us, your constituents, and fight for your right and our right by rejecting these state forced plans. By doing so, you will be doing the right thing and putting our fire safety and water security first.

Thank you for your consideration,
Mythili

Mythili Devineni & Krishna Kosuri
377 Molino Avenue
Mill Valley
CA 94941

Evans, Joyce

From: Guy Palmer <g_palmer2005@yahoo.com>
Sent: Sunday, April 10, 2022 4:05 PM
To: BOS
Subject: ridiculous, unfillable state housing mandates

Dear Board of supervisors, as along time Marin resident (moved here in 63 (I was 4 going on 5)) I've seen it all and the RHNA's - in my mind are completely illegal and need to be fought tooth and nail. No way, no how should you knuckle under. Lawsuit after lawsuit after lawsuit needs to be filed against our utterly out of control state government/legislature. They have completely lost their minds. All this world war 2 style grossly oversized mandate will create is more (even more) expensive housing, utterly non-functional roads, sewers and utilities. Our state legislature has gone power mad and is abandoning the citizens.

Finally- as a tam valley resident - I looked at a traffic study on Tam junction from 2015 (by the TAM agency(ironically)) and that study showed over 30,000 car trips per day through Highway 1 to Tam junction.
No housing, under any circumstances should be built there for the most obvious and basic of reasons.

--

Guy Palmer
Palmer & Company Construction
Ca. license 916722
415 518 1551

Evans, Joyce

From: Joan Schretlen <jschretlen@gmail.com>
Sent: Sunday, April 10, 2022 5:04 PM
To: BOS
Cc: Moulton-Peters, Stephanie; Connolly, Damon; Rice, Katie; Arnold, Judy; Rodoni, Dennis; millvalleycityclerk@cityofmillvalley.org
Subject: Housing Element

To Whom it May Concern,

I own a house near downtown Mill Valley, and have grave concerns about the housing element requirement to construct a great deal of new housing in town. As you surely know, Mill Valley has just two roads leading out of town, both of which often are clogged with traffic. In any emergency, it's already frightening to consider how difficult it will be to evacuate the townspeople. We cannot, and should not, safely pack in more people and the housing to accommodate them. Additionally, we are in a multi-year drought, with no certainty it will ever ease up. It is not the first time we have been faced with a water shortage, and it is unlikely to be the last. Mandating the construction of new housing, and the attendant extra water demands makes no sense whatsoever.

I respectfully ask that you revisit the plan for Mill Valley, and lower the requirement for additional housing to better fit the reality of the town.

Sincerely,
Joan Schretlen
40 Glen Drive
Mill Valley

Evans, Joyce

From: Lorraine Gemigniani <missgemigniani@gmail.com>
Sent: Sunday, April 10, 2022 5:37 PM
To: BOS
Subject: Housing Element

Hi Supes,

Has anyone mentioned that we have no water? Hello, we are rationing water in Marin. Mostly due to the 25 year drought we are in, but partly because there are automated flush toilets everywhere flushing away with no one on them. I can give you countless examples of where you can witness it with your own eyes. When I took my complaint to MMWD, they could care less. It's unbelievable!

One such toilet can be found in the ladies room at Target in Novato. It flushed every 20 seconds round the clock. Do the math. That's a LOT OF WATER. And it's only one toilet of many around our cities. It's shocking that MMWD has not moved to ban all auto flushers from Marin.

Back on topic, without water, you cannot build new housing for anyone.

Thank you,
Lorraine Gemigniani



Evans, Joyce

From: Ralph Richardi <ralphrichardi@me.com>
Sent: Sunday, April 10, 2022 6:25 PM
To: BOS
Subject: Housing elementary

I understand a final review is to take place this week regarding housing development in Marin. The State mandated building requirements are absurd and can't be supported by current infrastructure. With two roads into and out of Mill Valley what happens during emergencies: we ration water now, without big infrastructure development where does the water come from for new housing. And above all I moved to Mill Valley for the look of the town, it's parks, open areas and small town feel . Don't try to solve housing problems by ruining what we have.

Thank you,
Ralph Richardi

45 Kipling Drive
Mill Valley

Sent from my iPhone

From: [James Massie](#)
To: [housingelement](#); [BOS](#)
Subject: Two questions for the April 12, 5pm Board and Commission Housing Site Meeting
Date: Monday, April 11, 2022 2:34:17 PM

Hello,

During the April 29 Housing Element meeting some questions were asked which we were told would be addressed during the April 12, 5pm Board and Commission Housing Site meeting. Therefore please *explicitly* address the following concerns and questions.

- 1.) The proposed development sites in the San Geronimo Valley and Inverness lie within, or are adjacent to “High” and “Very High” fire hazard zones as designated by CalFire. Egress from a wildfire is a chaotic process, as our family has experienced first hand. With only limited and narrow roads available, *especially* in the case of Sir Francis Drake Blvd., how could such developments NOT be seen as exacerbating an existing and potentially catastrophic situation?

- 2.) We know West Marin is already in a severe water shortage, with the situation projected to worsen in coming years. Have those in the State (and County?) bureaucracies truly gotten out of their offices and taken a good hard look at the facts on the ground? If so, how do they address this issue? This is a sincere question.

Thank you

James Massie

From: [Stephen Nestel](#)
To: [housingelement](#)
Cc: [BOS](#)
Subject: The housing element sites in Marinwood/Lucas Valley/St. Vincents are unacceptable.
Date: Monday, April 11, 2022 2:37:23 PM

Dear Planners and Board Members:

The housing element planned sites for Marinwood/Lucas Valley and St Vincents are too big and poorly planned. It will concentrate the majority of low income housing for Unincorporated Marin in a single 3 square miles of nearly 800 square miles in the entire county.

Aside from these massive apartment complexes being situated among neighborhood low density single family homes, it is bad social policy to isolate our new neighbors from the rest of our community.

We can have a much better plan with a large "new town" style development in the St Vincents/Silveira Ranch area. It can have different living densities, market rate/mixed income levels and will really be an extension of the apartment/condominiums in San Rafael adjacent to Silveira Ranch. This was the vision of Peter Calthorpe about 20 years ago. The beauty of this solution is that it can be built right from the ground up utilizing the latest environmental standards. Since utilities will need to be extended under the current plan for 600 units at St Vincents, why not a more complete vision that can fulfill so many more housing requirements for our community?

The sites in Marinwood/ Lucas Valley will all have major impacts on our traffic, schools and public services. We were designed as a low density suburban neighborhood and the impact of concentrated development in our midst are unsustainable. We will need to build new schools, have new water and sewer capacity and even transportation links will have to be redesigned.

Marinwood Plaza- It is an ACTIVE hazardous waste removal site that clean up has been delayed by the recalcitrant owners under orders from the RWQCB. It is unsafe for residential development. Despite the current owner having received reasonable offers from a developer group in 2020, they will neither sell or clean up the property.

Blackstone Canyon- Although the Carmelite Nuns have been good neighbors with minor impact on the neighborhood, a sudden influx of traffic could be expected if people who must travel to work and shop were occupying the same address.

County Juvenile Facility and Jeannette Prandi Way- The Rotary Village is a successful neighborhood project but I doubt that it can be duplicated in the same density for the amount of homes stated. The Housing element proposes much more housing than what is sustainable given the space limitations.

Success begins with a good community plan and follow up action. Despite many requests about the planning for the impacts of a huge amount of non profit housing and lack of resources, there is ZERO indication that these developments can be built without severely impacting our capacity for water, sewer, school, traffic and other resources. Who is going to PAY THE BILLS? Clearly it will not be the non profit developers. Will our neighborhood suddenly be assessed even MORE TAXES? We are already among the highest taxed counties

in high tax California.

Wouldn't it be better to combine Market Rate development with Non Profit Housing to soften the county impact? This is why I believe a large "New Town" development at St Vincients and Silviera Ranch is the only realistic solution for the amount of RHNA housing for Marinwood/Lucas Valley.

Sincerely,

Stephen Nestel
Marinwood, CA

From: [OFA Marin](#)
To: [housingelement](#)
Subject: comments for tomorrow's workshops
Date: Monday, April 11, 2022 2:37:53 PM

OFA is a Marin County group focused on fighting climate change in our County. We have approximately 150 active members. We are writing to let you know that we support the housing plan and policies you will be discussing at your workshops tomorrow. One of the reasons we support this plan is, with the outrageous price of housing, the people who teach our children, fight our fires, patrol our streets, protect our health, and serve us in our restaurants and stores can not afford to live near where they work. Because there is no efficient transit unless you live and work along highway 101, these workers commute in older cars and increase global warming. The policies you are recommending ensure the County is exploring all alternatives to provide affordable housing. Although we have not reviewed the proposed sites, we are pleased to see that an extensive environmental review is a big part of the process. So we will rely on this review to identify any changes needed. Thank you for the opportunity to comment on these proposals.

ofamarin.org

Belle Cole, Chair (415) 482-6627

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From: [Carol Fagan](#)
To: [housingelement](#)
Subject: San Geronimo Valley "Flanders" site
Date: Monday, April 11, 2022 2:40:18 PM

Hi, I am opposed to any development at the "Flanders" site for multiple reasons. Primarily because access out of SGV is limited in event of fire. Other reasons include not appropriate for rural corridor aesthetically and I prefer to have development as infill in existing village boundaries. However, safety of community is paramount and that many additional units will decrease egress access during an emergency evacuation. Thank you, Carol Fagan, San Geronimo

Sent from my iPhone

From: [Bob Shuttle](#)
To: [housingelement](#)
Subject: 2023 Housing Element update comment letter - 7 Mt Lassen Drive, San Rafael
Date: Monday, April 11, 2022 2:47:35 PM
Attachments: [7 MT LASSEN -- Ltr to Marin County Board \(4.11.2022\).pdf](#)

Good afternoon Commisioners,

In advance of the 4/12/22 Housing Element joint meeting of Supervisors and Planning Commissioners, please find attached a comment letter regarding the subject property.

Thank you,

Bob Shuttle

650 380 5657

VIA ELECTRONIC MAIL

April 11, 2022

Board of Supervisors
County of Marin, State of California
3501 Civic Center Drive, Suite 329
San Rafael, CA 94903

Good afternoon,

We represent the owner of that certain property located at 7 Mt. Lassen Dr. in San Rafael, California (“Property”). As you know, Marin County is in the process of updating its Housing Element and has identified locations deemed suitable for future housing. The Property is one such location.

At this stage, the documentation indicates that the Property could be zoned for 58 dwelling units at a maximum density of 30 per acre. The materials also indicate that 100% of the potential units would be required to be made available at the RHNA lower income level.

We agree that the Property is suitable for housing at the contemplated density and unit count, but urge the Board to consider whether requiring the entirety of the Property to be income-restricted at the level set forth in the materials is equitable for at least four reasons. First, providing 100% of all potential units at the lower income category places a disproportionate burden on any site that is not publicly owned. Second, imposing a 100% lower income category burden on the Property would likely limit the pool of incentivized developers and result in lengthy delays to the construction of any potential housing units at the Property. Third, the Property is located 1.7 miles from the nearest scheduled county bus service, which could be a significant hardship for residents in the lower income category, especially for a possible cluster of up to 58 families/individuals at this location. And finally, 100% lower income category affordability would limit the socioeconomic diversity of the residents at the Property, which would not reflect the diversity of Marin County itself.

We respectfully propose that current inclusionary policy should be applied to the Property — 20% of future units available at lower income category affordability levels. Framed accordingly, at the conclusion of the Housing Element update, Property ownership would, as soon as practicable, pursue redevelopment with 20% of the units at the lower income category of affordability.

Please contact me if you would like to further discuss any of these matters.

Very truly yours,



Graham Street Realty II, LLC
Todd Williams, General Counsel

From: lainiefisch@comcast.net
To: [BOS](#)
Cc: [Moulton-Peters, Stephanie](#); [Connolly, Damon](#); [Rice, Katie](#); [Arnold, Judy](#); [Rodoni, Dennis](#); [housingelement](#)
Subject: HOUSING ELEMENT - 3:30 pm commenting deadline
Date: Monday, April 11, 2022 2:49:16 PM
Importance: High

Re: the 4/12/22 Board of Supervisors and Planning Commission meeting on Housing Element-related items

Dear Board of Supervisors and Planning Commission,

Please enter into the record my fervent objections to the SB 9/10 and RHNA/ABAG mandates for housing development in Mill Valley, unincorporated Mill Valley, and all Marin County communities.

I have lived in Mill Valley since 1981 and have been a homeowner in Mill Valley since 2002. I am a recently retired senior citizen. I am asking you to PLEASE save Marin County by rejecting, pushing back and fighting against the ABAG RHNA numbers. We cannot and should not relinquish local control of our beautiful county to developers and politicians in Sacramento. Our ecosystem and quality of life would be destroyed if the State is allowed to get away with forcing over-development on our county without regard to drought, fire danger, flooding, traffic, pollution, and ability for residents to evacuate in an emergency. If God forbid there were a fire, untold numbers of residents would die trying to flee on our narrow, winding roads that were never meant to accommodate such population growth. In my opinion we are already close to being maxed out in Mill Valley.

I hope that lawsuits will be filed to halt the unfair ABAG proposals. Lake County has already been able to halt one development. Lawsuits have been filed in Southern California, and I hope Northern California attorneys will file as well or join in those lawsuits. The ABAG demands are unconscionable and should never be allowed to go forward. *Your constituents are begging you to please take a stand for Marin County, and demand that our rights to local control be respected and our environment be protected! We don't have to roll over on this!*

Thank you.

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

From: [hentz francine](#)
To: [housingelement](#)
Subject: Housing element
Date: Monday, April 11, 2022 3:01:20 PM

To: Marin County Board of Supervisors
From: Dan Erickson & Francine Hentz, Tomales

We own a parcel at 29 John Street, Tomales which currently has a single rental house and enough square footage to possibly split into 3 lots total. It has been included in the housing element list. Does this require any action on our part? Will our zoning change? Would we lose the ability to split the property as described? Will the value of the property likely rise or fall?

Thank you for considering these concerns.

Dan Erickson
Fran Hentz

April 11, 2022

From: [Thomas, Leelee](#)
To: [housingelement](#)
Subject: FW: 404 San Francisco Blvd, Sacramento Ave, Karuna Site - unincorporated San Anselmo
Date: Monday, April 11, 2022 3:02:52 PM
Attachments: [4-11-22 Ltr to County Karuna Housing Opportunity Sites.pdf](#)
[220308 Concept Site Plan.pdf](#)

From: Michael Folk <mikefolk@yahoo.com>
Sent: Monday, April 11, 2022 3:01 PM
To: Lai, Thomas <TLai@marincounty.org>; Thomas, Leelee <LThomas@marincounty.org>
Cc: Rice, Katie <KRice@marincounty.org>; Sean Kennings <sean@lakassociates.com>; Steven Hiatt <stevenhiatt@gmail.com>
Subject: 404 San Francisco Blvd, Sacramento Ave, Karuna Site - unincorporated San Anselmo

Hi Tom and Leelee,

Please find the attached letter and parcel map to be added to the record for tomorrow afternoons meeting on the Marin County Housing Element. I am requesting that the County do site suitability analysis on a 2 acre portion of the Draper site, of the entire 10.5 acres that we are purchasing from Jerry Draper.

Thanks for your consideration,

Mike Folk
415-596-3655 M

April 11, 2022

Thomas Lai,
Director
Marin County Community
Development Agency
3501 Civic Center Drive, Room 308
San Rafael, CA 94903

Leelee Thomas
Deputy Director of Housing and
Federal Grants
Marin County Community
Development Agency
3501 Civic Center Drive, Room 308
San Rafael, CA 94903

RE: Marin County Housing Element Opportunity Site List

Tom and Leelee,

As owner of the 404 San Francisco, 74, 68 and 60 Sacramento (known locally as "Spagnolliville"), I am formally requesting that you provide additional site suitability analysis of our properties in San Anselmo. As you know, we have been contemplating a multi-unit, mixed-income, rental project on these parcels, but we have also recently confirmed purchase of the Jerry Draper parcel identified in your draft list as the "Karuna Site" (APN: 177-220-10) located at 1 Sacramento Road in unincorporated San Anselmo. In acquiring Mr. Draper's property, we want to incorporate the specific development portions of his Karuna development as part of our residential project. To that end, we will continue to preserve, via a conservation easement, approximately 8.5 acres of the oak woodland hillside as open space, with just under 2 acres at the base of the hill identified for potential development. We will not be pursuing the 6-unit detached home project that has been approved for this parcel however, and will instead explore additional multi-family residential potential for this lower area of the property as part of our project. Attached please find a site map the identifies how the 10.5 acre parcel will be lot line adjusted between the 8.5 acre conservation easement and the 2 acre portion that will be incorporated into our San Francisco Blvd/Sacramento Ave master plan

Currently the County has included the Karuna site in your candidate sites list for 6 total housing units as a "credit" site. I am writing to you to confirm my interest and intention to provide additional housing on these 2 acres consistent with the development intentions for the Sacramento/San Francisco parcels. We anticipate a lot-line adjustment to incorporate the 2 Karuna acres into our adjacent development area for a total project area of about 4.3 acres. As such, I am requesting confirmation from staff that your Housing Element analysis contemplate a similar base density range of 20-30 units per acre for the two acres of the Karuna property. While we do not have a total unit calculation at this time, understanding the planning and environmental limitations for this property will inform our final project and can provide much needed additional rental housing units for Marin County. My project team will be developing a working site plan later in 2022 or 2023 and we eagerly anticipate the findings of your update and environmental review.

Please do not hesitate to call me at (415) 596-3655 or contact me via email at mikefolk@yahoo.com if you have questions or concerns regarding this request. I am looking forward to the results of the Housing Element update.

Sincerely,

Michael Folk

cc: Sean Kennings, sean@lakassociates.com
Steven Hiatt, stevenhiatt@gmail.com
Katie Rice, KRice@narincounty.org

Attachment: 404 San Francisco / Karuna site plan

From: [Susan Dollberg](#)
To: [housingelement](#)
Subject: Harbor Drive
Date: Monday, April 11, 2022 3:03:29 PM

Planning Commission and Board of Supervisors,

Harbor Drive identified properties will be ridiculously impacted with the numbers you are presenting for development.

We do not have sewers. Septic systems must conform to very new regulations the county has imposed.

The number of units you are talking about in the whole area along Harbor, Olive and Atherton will be impacted by impending work on Hwy 37 and cause traffic issues when drivers have to take alternate routes to avoid construction.

There is plenty of property along Redwood Bl to accommodate housing. We do not need more businesses there.

There is plenty of vacant commercial space in Novato to accommodate new businesses. We do not need unincorporated areas in our city to be used as a blank canvas for development.

PLEASE do not impact Hwy 37 traffic issues which are already horrific.

Thank you for taking the time to read this.

Susan Dollberg
Black Point

Sent from my iPad

From: [SVNA](#)
To: [BOS](#); [PlanningCommission](#); ["Damon Connolly"](#); [housingelement](#)
Cc: [LINDA LEVEY](#); ["CATHERINE LAGARDE"](#); ["DENNIS BORTOLI"](#); ["GARY ROBARDS"](#); ["GINA TUOSTO HAGEN"](#); ["JOHN DENIGRIS"](#); ["MARK WALLACE"](#); ["RODERICK CASTRO"](#); [TERRI LEKER](#); [MARY HANLEY](#)
Subject: RE: Marin County Housing & Safety Element Update - Comments
Date: Monday, April 11, 2022 3:10:12 PM
Attachments: [2022.04.11-SVNALetterReHousingElement.pdf](#)

Attached are our comments regarding the Marin County Housing Element for the upcoming Board of Supervisors/Planning Commission meeting on 4/12/22, Item 10 on the Agenda.

Thank you for the opportunity to comment, The SVNA

cc: SVNA Board of Directors, Terri Leker, Mary Hanley

Santa Venetia Neighborhood Association
P.O. Box 4047 · San Rafael · CA · 94913-4047
phone: 415.499.3411 · fax: 415.795.4680
email: SVNA@santavenetia.org · www.thesvna.org



Santa Venetia Neighborhood Association

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

April 11, 2022

Marin County Board of Supervisors,
Marin County Planning Commission, and
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: Marin County Board of Supervisors: BOS@marincounty.org

Attention: Marin County Planning Commission: planningcommission@marincounty.org

Re: Marin County Housing and Safety Elements Update, 2023 – 2031
April 12, 2022, BOS Meeting, Agenda Item 10

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 February 28, 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 that letter — highly constricted road access that impedes emergency ingress/egress, our history of landslides and flooding, and the risk of catastrophic fire danger (particularly to homes sited in the WUI) — are well-known to the Marin County BOS.

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

SVNA@santavenetia.org ~ www.thesvna.org

Santa Venetia Neighborhood Association

Page 2 of 2

April 11, 2022

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.

We suggest taking a pause from this rushed process to consider — truly consider — these impacts.

As well, we urge you to reject the Planning Department staff recommendations, which go further than even the guidance of RHNA and SB 9 and SB 10. Four LA County cities have filed a lawsuit against SB9, and more will follow. 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.

Before rushing to build, we deserve answers about multiple areas of concern, perhaps none more important than how water will be supplied.

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 February 28, 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
Governor Gavin C Newsom
State Senator Mike McGuire
State Assembly Member Marc Levine

From: [Karen Andresen](#)
To: [housingelement](#)
Subject: comments on proposed housing sites
Date: Monday, April 11, 2022 3:10:28 PM

Dear Board and Commission,

I am a resident of Novato and a member of the MOC Novato Affordable Housing Local Organizing Team. I have reviewed the proposed sites in the unincorporated Novato Area. I see that extensive work has been done and, since my goal is to achieve as much affordable housing as possible in Novato, I support the existing plan. I believe that the beautiful lifestyle I enjoy is only possible because of the fact that we bought our home for \$159,000 in 1985. Our property taxes still fall under proposition 13. With our income from 1985, I would be surprised if we could afford more than a two bedroom condo for our family of four. I am sorry that other people who purchased homes many years ago aren't willing to make room for others. One suggestion I have is to make sure there are sites available with suitable zoning for mobile home parks. My father and his wife live in the park owned by the City of Novato. Of course it is on an extremely beautiful piece of property. But even if it was not surrounded by this beauty, it still seems like a wonderful place for people to live. It is limited to seniors, and filled with small motorhomes with beautiful front yards decorated to express the personality of the residents. The fact that the homes are so close together makes it easy to find a group of friends to take a walk with etc. compared to a senior living in an apartment building with all ages. I think a mobile home park with subsidized housing would provide help for all ages.

Sincerely, Karen Andresen

From: [Terri Leker](#)
To: [housingelement](#); [BOS](#)
Subject: Housing Element
Date: Monday, April 11, 2022 3:11:12 PM

Hello,

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 updated Housing Element's implications on local control of how our communities are planned and developed. This 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. I also want to add that many, many residents are still unaware that any of this is even taking place.

We have written before to state our concerns, none of which were lessened by recent Zoom meetings where MIG representatives were unable to answer questions about the degree to which the Housing Element, RHNA, ABAG, and the new state bills were interdependent, how water would be supplied, or how critical infrastructure needs would be addressed.

Please consider the magnitude of risk that this massive new development places on Santa Venetia, which relies on a single road in and out and is already crippled by daily gridlock. We also ask that you reject the recent recommendations of Planning Commission staff.

Thank you

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

From: [Linda Levey](#)
To: [BOS](#); [PlanningCommission](#); [housingelement](#)
Cc: [SVNA Email](#); "[Damon Connolly](#)"
Subject: Marin County Housing & Safety Element Update - Comments
Date: Monday, April 11, 2022 3:23:35 PM

Hello Marin County Board of Supervisors, Marin County Planning Commission, and Marin County Housing Element Staff: (For the 4/12/22 BOS meeting, this is Item 10 on the Agenda)

I will reiterate the comments I made at previous meetings and in previous comment letters...

I've lived in SV for over 30 years. I've served on the Santa Venetia Neighborhood Association Board of Directors for almost 30 years.

Through our neighborhood association, The Santa Venetia Neighborhood Association (SVNA), we try to get the word out so that our residents are aware of upcoming projects and opportunity to comment. We've heard from Santa Venetia residents that they want to protect our quality of life. We are already concerned about the constant fire danger, flooding, Sea Level Rise, ingress and egress, and unsafe evacuation routes. Climate change is a huge concern for us and, as well, we have run out of water in Marin County and are under strict mandates. So I, as well as many of our Marin County neighbors, can't understand how adding more and more housing units will help.

I was glad to see, in the latest housing sites list, the original and previous number units slated for SV has been reduced. Still the current 205 number of units proposed (if I added right) are an increase of almost 12% of the 1,700-1,800 units we currently have, at last count. It's lower than before, but still a very shocking number of additional units for us. I grew up in San Rafael. I hate what they've done to the City and have been constantly disappointed with the building choices and what they have given up. I don't want to see that happening in Santa Venetia – more congestion and loss of our green spaces.

And as you well know, it's not just the units specific to SV that will affect us in our everyday lives. We have to consider the cumulative effects of the building to the north, south, and west – we are not an island.

If I am reading this new list correctly, there are a total of 84 units slated between 170 and 220 North San Pedro Road and another 50 units slated at Old Gallinas School, at 251 North San Pedro Road. That's now 134 units within a couple of blocks on our already hugely congested street, and our only road in and out of Santa Venetia. All of these units are slated as "lower income". Affordable housing sounds great on paper, but we never seem to get that promise fulfilled. I've followed projects in San Rafael and

for almost every project, the promise is a huge amount of housing with a small portion designated affordable and then after the project passes through the hurdles, the affordable-housing number is adjusted... always downward. I remember previously rules were passed to keep up with the demand of affordable housing, but the goalposts seem to constantly change and that number is lowered. What is the promise that won't happen with this process?

McPhail's School and Oxford Valley (Outnumbered) are slated with 33 and 38 units of above moderate housing. One site, McPhail's is underwater much of the year and the other, Oxford Valley, is a beautiful, mostly undeveloped site. As well, 5 units on Bayhills, at the top of the road, an unbuilt property with no services that I know of? I'm not sure who these units would benefit except the developer. Do we really need to continue to add "above moderate income" units to an area that is already struggling with our infrastructure.

Also, I heard them say at the 2/15/22 meeting, they were giving schools and churches more flexibility by allowing them to build on parking lots? Are the 84 total units slated for the JCC, Church, and Rodef Shalom to be built on their parking lots? If that is the case, where will people park? The lots at the JCC and Rodef Shalom are typically full and overflowing already.

They've already lowered the parking needed for new building in our communities. We already have overblown congestion, car-to-car parking along the road, and lots of red curbs. The idea of reducing parking requirements for new units AND building on parking previously required is frightening.

And finally, I realize this mandate for housing comes from the state. I believe we (my neighbors) are all on the same page when I ask that you push-back further against these mandates. These are not only unrealistic for Santa Venetia but for all of Marin, the wonderful county I grew up in.

Thank you for your attention to my comments, Linda Levey, SVNA
Treasurer and Board Member, CSA #18 (Parks) Chair

From: [Corey Ohama](#)
To: [housingelement](#)
Subject: Comment on West Marin housing sites target income levels
Date: Monday, April 11, 2022 3:25:40 PM

Dear BOS/Planning Commission,

I am writing to urge you to only focus on affordable housing in identifying sites in West Marin. I saw that there are a large number of Above Moderate income sites identified. West Marin really needs Moderate or below - especially Lower Income housing options.

All the best,
Corey Ohama

Olema

From: [Dennis Campbell](#)
To: [housingelement](#)
Subject: Housing Element - Atherton Ave, H Lane, Olive Ave
Date: Monday, April 11, 2022 3:28:19 PM

Dear Marin County Community Development Agency, Planning Commission and Board of Supervisors,

I am opposed to the inclusion of the following locations for candidate housing sites:

- 275 OLIVE (Greenpoint Nursery)
- 300 OLIVE
- 50 H LANE (Former Rancho Marin Horse Stables)
- 350 ATHERTON (The Pedersen sheep farm at the corner of School Rd)
- 618 ATHERTON (The property with the windmill)
- 654 ATHERTON (The property adjacent to the windmill)

These sites are not situated in areas that would accommodate the proposed housing. The proposed zoning density is totally out of character for the neighborhood. All of these sites have adverse conditions such as fire and/or flooding issues. More housing sites need to be included in St Vincent area between Highway 101 and the SMART tracks. Marin County needs to try again with the state agencies and legislators to come up with reasonable housing numbers for Marin County and the Bay Area.

Regards

Dennis Campbell
60 Archibald Lane
Novato, CA 94945

From: [Chander Basho](#)
To: [housingelement](#)
Subject: Housing element sites
Date: Monday, April 11, 2022 3:29:17 PM

To Planner County of Marin

We object to the Selection of the following sites:

- 5 HARBOR DRIVE (Rossi's)
- 11 HARBOR DRIVE
- 35 HARBOR DRIVE (The Dogtor Calls Vet Clinic)
- 55 HARBOR DRIVE
- 275 OLIVE (Greenpoint Nursery)
- 300 OLIVE
- 50 H LANE (Former Rancho Marin Horse Stables)
- 350 ATHERTON (The Pedersen sheep farm at the corner of School Rd)
- 618 ATHERTON (The property with the windmill)
- 654 ATHERTON (The property adjacent to the windmill)

In reference to the above sites we want to object placement of housing elements in these areas causing havoc and disturbance to the established neighborhoods.

Regards,
Chander

From: [Ethan rotman](#)
To: [housingelement](#)
Subject: RE: Proposed rezoning along Harbor Drive in unincorporated Novato
Date: Monday, April 11, 2022 3:29:35 PM

Thank you for taking time to review the request to re-zone this area.

I have two primary concerns regarding the conversation of this area to high density housing:

1. It is my understanding the 93 units will all be on a septic system. While in general septic systems are not an issue, one of this size directly adjacent (across the street) to a marshlands directly linked to state and federally protected wildlife refuges is a concern. The Napa Sonoma marsh managed by CDFW is part of the larger San Pablo Bay national wildlife refuge and host to two federally listed species, both found in the marsh. The impacts from the leech fields containing human bacteria and household chemicals will likely have an adverse effect on the quality of water, thus the wildlife dependent upon it, and in particular the clapper rail and salt harvest mouse both of which are federally protected.
2. This hillside area provides a safety buffer against wildlife to both the Greenpoint and Blackpoint neighborhoods. In 2019 a wildfire burned in Greenpoint and blew southward toward Blackpoint. Firefighters were able to stop the fire at the freeway and the undeveloped portion of hillside adjacent to the freeway. This fire could easily have been in Blackpoint and blowing northward toward Greenpoint. Populating this open land with dense housing will greatly increase the danger of a fire jumping the freeway as well decreasing the safety of the two neighborhoods.

While I understand the County is working hard to provide additional housing and low income housing (two items I support), I believe the environmental concerns make this a poor choice.

I thank you for your consideration

Ethan Rotman
2 Days Island Road
Novato, CA 94945
iSpeakEASY



Marin Audubon Society

P.O. Box 599 | MILL VALLEY, CA 94942-0599 | MARINAUDUBON.ORG

April 11, 2022

Dennis Rodoni, President
Board of Supervisors
Marin County Planning Commission

RE: Comments on RHNA List Recommendations

Dear Supervisors and Commissioners,

We write this revised letter with our concerns about the resources on selected parcels designated for housing on the revised (3/31/22) Regional Housing Needs Allocation list. We strongly recommend that the following parcels be more clearly defined or be deleted from the list because the proposed development would destroy or significantly degrade valuable natural resources on property owned by or of interest to be purchased by Marin Audubon Society (MAS). MAS and Marin Baylands Advocates have partnered to establish the Marin Baylands Campaign through which bayland properties have been permanently protected over the last 30 years.

Properties of Concern:

300 Olive Avenue, unincorporated Novato

This site, identified for 58 units, is a parcel we have been trying to purchase since 2003 because of its resource values. We have made three attempts to acquire it. The property includes the slope of a small hill with a seasonal stream that forms the headwaters of Simmons Slough, an historic tidal slough. The Slough flows from the 300 Olive Avenue site through Marin Audubon property bounded by Olive and Atherton Avenues, through the Sanitary District's diked baylands, then under SR 37 and through Marin County diked baylands to Novato Creek.

At the base of the hill, the land flattens and the runoff collects and supports what is now a diked wetland. This wetland continues onto adjacent property that Marin Audubon purchased in 2005 with Coastal Conservancy funds and later transferred title to the Open Space District (OSD). Runoff from the site supports diked wetlands on our property and adjacent sites. Wetland delineation has identified MAS' Olive and Atherton property as wetlands. Any development on 300 Olive would adversely impact wetlands on-site and on OSD and Marin Audubon adjacent properties and would have to be approved by the Regional Water Quality Control Board. Water quality on adjacent properties would be adversely impacted by urban runoff resulting from development.

In addition, perk tests have been done multiple times for various development proposals on the site. It is our understanding that the perk tests allowed only a few septic systems. This should be confirmed.

The site is not appropriate for housing and should be deleted from the list.

Greenpoint Nursery, corner of Olive and Atherton Avenues, unincorporated Novato

This site is identified for 53 units. While the land where the nursery is located has been filled, and because of its higher elevation and lack of other natural resources can probably accommodate some units, the remainder of the property is low lying diked historic baylands that have never been filled. The unfilled lands are seasonal wetlands, the same as MAS' adjacent 144 acres, and flood basin. The unfilled portions of the property, which surround the nursery, are floodplain that may be encumbered by a flood easement as is Marin Audubon's property. We note that it appears the property owner is currently placing fill on the property and that should be investigated.

Cal Park, unincorporated San Rafael

Cal Park is designated for multiple units. The section of Cal Park we are concerned about is low-lying, flat, and surrounded by hills that form a bowl. This low-flat area is a diked historic tidal marsh, once part of San Francisco Bay, and most is currently seasonal wetlands. The flatlands were subdivided into many small parcels, some or all of which are too small for development without being combined with adjacent parcels. Marin Audubon owns one of the parcels that is near the center of the flatlands. The seasonal wetlands must be avoided in planning any development. Our organizations are interested in purchasing other seasonal wetlands at Cal Park to permanently protect them.

Saint Vincent's Property

Six hundred eighty units are designated for this large property that the environmental community has been wanting to protect for many years. The property consists of oak-wooded hills, diked baylands, seasonal ponded areas and adjacent uplands and these natural resources areas must be protected. Some of which are developed with a church and associated buildings.

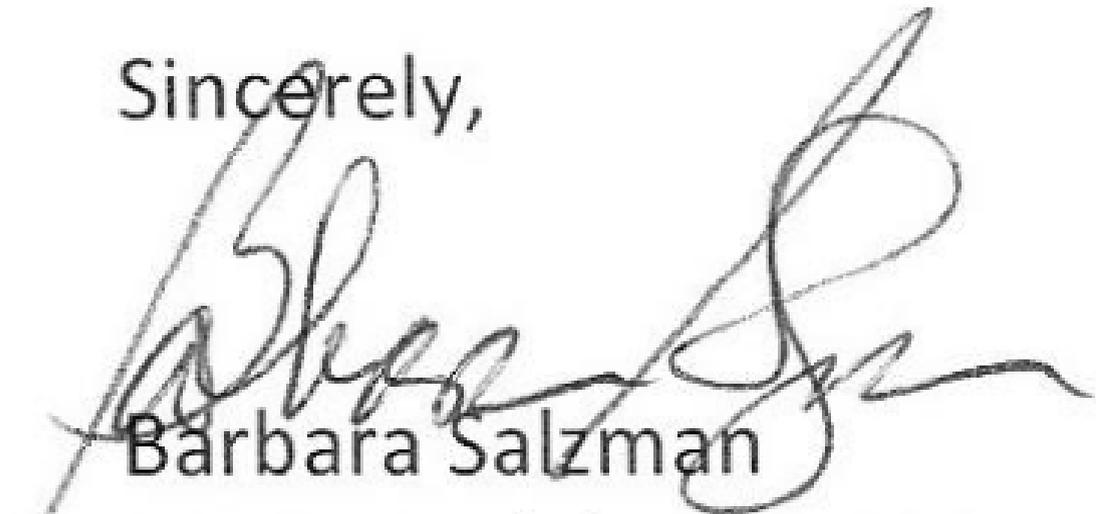
Jack Krystal Hotel Parcel

This site is designated for 36 units. This property is former bay and tidal marsh still exists along the bay edge. It will soon be under water due to sea level rise. This site also has been of acquisition interest with the intent to restore it to tidal marsh.

We also emphasize that other of the properties proposed for housing units are also in the path of sea level rise. Extraordinary measures would have to be taken, at great public expense, to protect residents of the units on these properties from risks of sea level rise.

Thank you for considering our comments.

Sincerely,



Barbara Salzman
Marin Audubon Society



Susan Ristow

Marin Baylands Advocates

From: [Frank Cioffi](#)
To: [Arnold, Judy](#); [Moulton-Peters, Stephanie](#); [Connolly, Damon](#); [Rice, Katie](#); [Rodoni, Dennis](#)
Cc: [housingelement](#)
Subject: Please Stand Up for Marin (Housing Elements and SB9)
Date: Monday, April 11, 2022 8:03:13 PM

Dear Supervisors,

At your April 12 meeting, please stand up for your constituents.

Our voices are being taken away. What is being forced upon us by the state will radically change Marin County. Please push back against the RHNA/ABAG mandates.

Decisions are about to be made that will control our future. Our fire safety and evacuation routes are threatened. Our water supply, in times of severe drought is threatened. The livability and character of Marin is on the line if we force 14,220 homes — 3,569 of them in the unincorporated areas — into Marin, as directed by the state.

Please do the right thing and reject these mandates.

Sincerely,

Frank Cioffi
70 Oak Shade Lane
Novato, CA 94945
415-893-1450

From: [Bruce Seltzer](#)
To: [housingelement](#)
Cc: [BOS](#); [Rice, Katie](#)
Subject: ABAG Proposal For Additional Homes By The Hidden Valley School At The Corral In San Anselmo
Date: Tuesday, April 12, 2022 12:58:44 AM

Re.: ABAG Proposal For Additional Homes By The Hidden Valley School At The Corral In San Anselmo

To: housingelement@marincounty.org

cc: BOS@marincounty.org , Katie Rice krice@marincounty.org

April 12, 2022

Dear Katie, and the Marin County Planning Department,

Recently, I've become aware of the ABAG (Association of Bay Area Governments) identification of a site to add additional homes at the corral site along Fawn Drive next to Hidden Valley (Upper Brookside) School. I don't believe this is a good or safe idea.

This point of Fawn Drive is a most dangerous blind curve with quickly moving cars traveling downhill in both directions at the southeast entrance of Hidden Valley (Upper Brookside) School.

I've been an upper Fawn Drive resident for 40 years since March, 1982. I drive this section of Fawn Drive nearly every day. Drivers need to slow down considerably while driving in either direction in this section due to the blind curve in this area in both directions. But, not all drivers do.

Even though this section of Fawn Drive is a blind curve, I see passenger cars parked on this curve 2-3 times a month in the afternoon. Whether these cars are parked there for 5 minutes or 60+ minutes, these parked cars add to the danger of this blind curve. This location is where moving vehicles from near necessity hug the center of the road for their own required car control., This endangers oncoming traffic moving in the other direction.

Additionally, over the years in this section of Fawn Drive, I've stopped to observe 2 vehicular accidents, a bicyclist hit by a car, a dog hit by a car who was being walked on a leash, and 3 dead cats obviously run over by a vehicle. Each incident was during daylight hours. And, this blind curve section of Fawn Drive is even more dangerous after dark.

More importantly, the safety of the increasing numbers of walkers, bicyclists, and the young students at the school are at risk. Adding more homes at this section of Fawn Drive would be increasing the risk of 3,000-4,000+ pound cars, pickup trucks, and larger vehicles hitting and potentially killing an innocent local student or resident trying to safely use either side of this section of the road.

Thus, I recommend that this site be excluded from the ABAG identification of sites to add new homes in this area.

This email and recommendation may be entered into the record of the Marin County Supervisors April 12, 2022 meeting/hearing and in all future discussions, meetings, and local

formal hearings related to the ABAG state agency planning in San Anselmo and in Marin County.

Your consideration of the aforementioned points and information directly regarding the safety of the local students and residents will be most appreciated. Additional information based upon my 40 years of experience driving this curve in passenger cars on Fawn Drive can be made available.

This information relates to (i) many near monthly “near miss accidents” from cars passing through this curve in the middle of the road, (ii) young children walking down or up this curve accidentally wandering 3’ to 5’ toward the middle of the road from losing their balance on the steep roadway, (iii) dogs even on leashes and local residents on horseback being close to the middle of the lanes, and (iv) far too many pickup trucks of workmen and services providers driving far too fast in this section of the road either from not realizing the slower speed necessary to drive through this section safely, or speeding intentionally if there is no other car in front of them, or not realizing the danger they represent to walkers, bicyclists, and the school students that are on this section of the road daily.

Cordially,

Bruce Seltzer
485 Fawn Drive
San Anselmo, CA 94960
Cell 415-990-3325
seltzerbruce@gmail.com

From: [Pamalah MacNeily](#)
To: [Rodoni, Dennis](#); [housingelement](#); [Kutter, Rhonda](#)
Subject: Housing issues in West Marin- wont happen till County gives a little
Date: Tuesday, April 12, 2022 8:56:27 AM

Housing issues in West Marin could be solved quite easily if the County were serious. Here are some things that could be done:

1) People on the creeks who have lived here for years and have wooden boxes that enter into the creek would pay over \$ 100,000 to redo septic. Retirees! so they don't do anything. And our creeks are polluted.

They could research electric toilets. which have their issues (a little stinky I have heard). But for \$2,000 you can have something that incinerates poop. People use them on boats alot.

2) Homeowners having to put in alternative systems and then spending a thousand or two thousand or more a year for regulating.

There are answers. The County has to be open to new ways.

You won't get significant buy in for housing till you help solve the septic issue.

3) I tried to do a legal ADU. I would have to put \$20,000 into redoing the ceilings to put in 1 hour fire burn insulation. When that is not required in a house, but it is in an ADU.

4) The County makes everything so expensive. County puts in more regulations, hires more people which costs more money. Then they have to figure out how to get it out of us.

Thank you for listening.

Best,

Pamalah MacNeily

From: Kelly Kinnard
To: [BOS](#); cityclerk@cityofmillvalley.org; MCCMCSecretary@gmail.com; [housingelement](#)
Cc: [Moulton-Peters, Stephanie](#); [Rice, Katie](#); [Arnold, Judy](#); [Rodoni, Dennis](#)
Subject: Re: Housing Element Plan
Date: Monday, April 11, 2022 5:15:55 PM

I am contacting you to let you know I strongly oppose the Housing Element plan of building 14,220 homes in Marin.

This will ruin the enjoyment of living in Marin County by putting tremendous pressure on our infrastructure, schools, quality of life, traffic, etc.

This proposal is selfish and not in the best interest of Marin County residents. You owe it to us to vote better. We, as voters, will make sure this does not move forward in any capacity.

Kelly Kinnard
Mill Valley resident

From: [Renee Leech](#)
To: [housingelement](#)
Subject: Re-zoning objection letter attached
Date: Tuesday, April 12, 2022 12:07:45 PM
Attachments: [Re-zoning letter-Black Pt-Atherton-Olive.pdf](#)

Dear Housing Element:

Please see my attached letter concerning re-zoning, directed to the April 12th panel members.

Sincerely,

Renee Leech

To: Marin County Board of Supervisors and Planning Commission
From: Renee Leech, Green Point / Black Point Resident
Date: April 12, 2022
Re: Objection to rezoning of Black Point, Atherton corridor, Olive floodplain

Marin County has been one of the Bay Area's best preserved habitats for native wildlife. It's a treasure of the San Francisco Bay Area.

Flood control: When it rains heavily, we notice the importance of the flood plain areas along Olive Road and Atherton Avenue, and at the beginning of School Road, where the overflow encroaches on the roadways.

Wildlife protection: In Black point, Harbor Drive leads to the Petaluma River and back to Atherton Avenue and Highway 37 in a U shape. Along Harbor Drive on the lower side is a wetland with rushes and a pond where egrets often fish. We drive slowly to accommodate deer, rabbits, turkeys, and quail in this area.

Recreational atmosphere: In Black Point, the boating and fishing public uses the Petaluma River boat ramp area under Highway 37. These visitors experience a low-key entrance into Black Point which enhances their recreational purposes.

Wildlife corridor: Along the Atherton corridor, wildlife can connect to the wider areas of Mount Burdell and Rush Creek.

The Olive, Atherton, Black Point complex is integrated as an area of diverse wildlife, wetlands, native woodlands, and floodplain.

Development of **5, 11, 35, & 55 Harbor Drive, in Black Point**, into an area of denser housing would permanently change the historically pastoral and low-key nature of what is basically a cul-de-sac (except it is a U-shaped street). A slow-paced area would become more urban, fast-paced, and probably more commercial.

Development at **275 & 300 Olive, and 350 Atherton**, would take away the floodplain and would seem to tend towards more flooding, with destruction of the floodplain.

Development along **H Lane and the Atherton Avenue corridor** would permanently change the nature of the land as a connecting peninsula for wildlife inhabiting the region, and for individuals who wish to keep farm animals.

The current zoning of County lands is rational and insightful. The housing mandates should not be allowed to drastically change the character of the affected communities and environment.

Renee Leech-Black Point/Greenpoint resident
51 Bridge Road, Novato, CA 94945

From: [Edgar Welty](#)
To: [housingelement](#); [BOS](#)
Subject: Opposed to "New Houses" on Fawn Drive
Date: Tuesday, April 12, 2022 12:53:37 PM

Dear Supervisor Katie Rice,

We, myself; and my wife Mrs. Edgar (Amy) Welty agree with the argument in opposition to "New Houses" on Fawn Drive in the attached document.

As to our specific reasons for our opposition: 1. This is, at present, set aside for recreational use, how about a soccer field or ... 2. The point about "Traffic Hazards" is right on. (I know because I walk my little dog there almost every day. Once he got loose and parked himself in front of a truck. 3. As for constructing "Workforce Housing" , Sleepy Hollow is the wrong place to do that. There is no public transportation.

Please Listen to the "Stakeholders" on Fawn Drive.

Respectfully

Reverend Edgar and Amy Welty

Chaplain, American Legion Post #179 (Log Cabin) in San Anselmo; Marin County United Veterans' Council and the Redwood Empire Chapter (CA Society of the Sons of the American Revolution and Reverend Edgar S. Welty; Graduate of San Francisco Theological Seminary, Masters of Divinity 1997, Ordained by the Golden Gate Association, Northern California Nevada Conference of the United Church of Christ in April of 2000.

April 9, 2022

Hello Hidden Valley School Neighbors,

I'm writing to let you know the corral above Hidden Valley School has been identified as a possible building site for several new houses by the Association of Bay Area Governments, or ABAG, the state agency.

Following are a few of the many reasons this is a terrible idea:

1- Zoned as a recreational easement for generations, new houses in that beautiful meadow would forever remove a valuable recreation resource from the community; it was built as a horse riding ring years ago. Today, in addition to equestrian use, this unique open field is used by our community for playing with dogs, frisbee, picnics, ball playing, riding bikes and many other recreational uses. It would be terrible for the community to lose this playing field.

2- Access to the new houses would be via the little connector road to Fawn Drive, which occurs at a treacherous blind curve at the base of the steepest section of Fawn Dr. This new access location would be incredibly dangerous for kids, cyclists, runners, hikers, dogs and autos converging at this point.

3- An emergency evacuation on Fawn Dr and Butterfield is already tenuous. Additional cars trying to escape on Fawn will create more gridlock at exactly the wrong time, creating a very dangerous situation for residents trying to evacuate.

4- Traffic on Fawn and Butterfield is practically beyond the tipping point. With morning and afternoon school traffic, it can take anywhere from 20 to 30 minutes just to get to Sir Francis Drake Blvd; additional cars will exacerbate this problem.

This Tuesday, April 12 at 2 pm, there is a Supervisors meeting to discuss this issue. The planners and supervisors need to hear from us. Please email them at: housingelement@marincounty.org or BOS@marincounty.org, our supervisor Katie Rice, the ABAG website, and the Marin County Planning Dept.

**Thank You,
Brad Rippe**

323 Fawn Dr

From: [Michael Sewell](#)
To: [housingelement](#)
Cc: [Rodoni Dennis](#)
Subject: Comment
Date: Tuesday, April 12, 2022 12:56:11 PM

County Representatives,

As a 30 year resident and voter of Marin County I am requesting the Board of Supervisors make the most practical and environmentally sound decision. The primary infrastructure lies along the 101 corridor. West Marin has narrow transportation corridors, limited infrastructure and increasing fire hazards. There have been hard fought battles to preserve the west side of the county and I feel ignoring this preservation history will spark outrage in the county.

Sincerely,

Michael Sewell
415-699-1850

Sent with compliments from Siri

From: [Gregory Davison](#)
To: [housingelement](#); [BOS](#)
Subject: ABAG
Date: Tuesday, April 12, 2022 2:48:59 PM

Planners and Supervisors

I just wanted to formally voice my concerns over this ABAG and their complete over-reach impacting Sleepy Hollow/Fawn Dr in San Anselmo.

Apparently the Hidden Vally School “corral” has been identified as an ABAG site.

I’m all for a smart, thought-out, pragmatic takes to our state wide housing issues. Sites like the Fireman’s Fund, Northgate, maybe St Vincents, I’d even throw in the absurd taken over site of San Geronimo Gold Course as logical places to look at.

Sleepy Hollow???

The Fawn Dr site? This is does not make sense. I’ve heard and agree with the fire, eco/enviro, Emergency Evacuation, access to the existing trail-head, infra-structure, water impact, traffic by a school, traffic at a “sanctioned bike route”, traffic on Butterfield, all of which are obvious. To me the biggest is “danger”- it’s a steep inclined, blind curve that already has a host of issues (see the bikers vs school kids vs cars) which shot up exponentially since becoming a bike route. Fawn is a time bomb- that has already has had several incidents a year since this became a “sanctioned bike route”. Adding more lots (5 lots? Wait, Sacramento changed their mind, we did not tell you, it will be 10 sites, wait- SF striving politician decided it should be a 3 story apartment complex with 50 units...) at a blind curve is simply insane. Did I say kids? Going to school? At an already dangerous spot.

The “state” has clearly over-reached with this ABAG decree and the agenda associated with it. Local property owners have a right to preserve their given neighborhoods they spent years/decades saving and waiting for a chance to move to vs the “entitlement” on “nimby” narrative/language I keep seeing in the media, social media, driven by the limited-but-vocal social activists. I see hard working, tax paying, family based neighbors- this aptly describes Sleepy Hollow. You need to support us by not having Fawn Corral as a site.

Greg Davison
291 Fawn Dr
San Anselmo, CA 94960
gsdavison@sbcglobal.net

From: [Gwendolyn Anderson](#)
To: [housingelement](#)
Subject: DO NOT RUIN ATHERTON AVENUE AND RUSH CREEK PRESERVE!!!
Date: Tuesday, April 12, 2022 2:50:06 PM

Denser housing could go other places like the Fireman's Fund site that is by the train stop and already designed for a multitude of people. The state mandate does ****not**** dictate the county needs a proportion of dense buildings. Atherton needs NONE at all. That is a travesty to Marin that has to be stopped. Do you not remember the 2008-2009 downturn? Right now land prices are inflated due to the printing of currency to pay pandemic bills, which devalues the dollar and raises demand for tangible assets. Marin has protected its agricultural open space historically, and yes this does make housing more costly. We are in severe drought. It is possible to have decades of drought due to the El Nino Southern Oscillation and scientists do not even understand the mechanism that causes the phases of El Nino between drought and storm.

The State Mandate is fraudulent and Newsome contradicts himself as he appears to struggle with drought while also attracting more people into the parched state. Of course everyone and her brother wants to live in California! It is ***NOT*** a simple supply-demand model the so-called experts (funded by bankers and developers) claim. Please tell me where I can be published because I am not finding proper media coverage of the facts and the truth. Demand for California housing is a Queueing Model from Operations Research. Demand is a process by which each person decides whether they want to live in California and then they "wait in line" for housing. Every individual has a different process in terms of how long they are willing to wait, what factors they consider, how much crowding they will tolerate, how much traffic, and when they will give up and live elsewhere. California border is not closed so building more housing will not resolve the shortage in this state. By Queueing Theory, a new steady state will be reached once new housing has been occupied, and it is likely housing will be LESS affordable because now the denser population has to struggle with shortage of water, inadequate parking, more complex emergency egress to plan, higher taxes and higher prices all around. Do the developers pay for these costs? Absolutely not! So why are you allowing developers to ruin the pristine beauty of Atherton Avenue which has been zoned agricultural for ages. Please let us push for biodynamic zoning - no dense condos here and no mega mansions - rather homes that conform to the ecologically sensitive nature of the surroundings and respect the fall migration, the wildlife, and the beauty of our natural surroundings that cannot be restored once destroyed.

Affordable housing for essential services like nurses, firefighters, and teachers, could be achieved by funding these people to live in existing homes, and leave developer off the list of beneficiaries. It's already known developers scam the public and there is not adequate oversight of the funding for housing. And why should a lottery benefit a low income person who comes to California to be an uber driver, dog walker or a manicurist? There is a difference between services and essential services that needs to be recognized. Developers are non-essential to wildlife corridor preservation.

Zoning for single family has already been removed. That will be overtaxing on the populations already given the shortage of resources. There is no justification for destroying the zoning of agricultural lands that support wildlife areas. PLEASE remove Atherton Avenue and the entire Rush Creek area from the list of dense development. Please let's sit down and come up with a plan for biodynamic development for the entire county as a model for the state.

[Poverty, Politics and Profit](#)