

SUPPLEMENTAL MEMORANDUM

January 3, 2023

TO: Marin County Planning Commission

SUBJECT: Public comments received between December 17, 2022 and December 30, 2022 on the Housing & Safety Elements Update and associated Final Environmental Impact Report (Agenda Items 4 and 6) ahead of January 5, 2023 hearing

COMMENTS ATTACHED:

1. Email from Dan & Anne Hadley dated December 17, 2022
2. Email from Brendan Burke dated December 18, 2022
3. Email from Donna Loftus dated December 18, 2022
4. Email from John & Lynn Wunsch dated December 19, 2022
5. Email from Michael Billing dated December 19, 2022
6. Email from Mike dated December 19, 2022
7. Email from San Rafael City Schools dated December 20, 2022
8. Email from Tomales Village Community Services District dated December 20, 2022 (1 of 2)
9. Email from Vikrum dated December 20, 2022
10. Email from Andre Souang dated December 28, 2022 (1 of 2)
11. Email from Andre Souang dated December 28, 2022 (2 of 2)
12. Letter from Catalysts for Local Control dated December 28, 2022 (1 of 2)
13. Email from Kathleen Bales dated December 28, 2022
14. Email and two letters from Riley Hurd dated December 28, 2022 and December 30, 2022
15. Email from Seminary Neighborhood Association dated December 28, 2022 (1 of 2)
16. Email and letter from Sustainable TamAlmonte dated December 28, 2022
17. Email from Ann Roth-Card dated December 29, 2022
18. Email from Barbara Freitas dated December 29, 2022
19. Email from Barbara Lelich Carlson dated December 29, 2022
20. Email from Barbara Rowe dated December 29, 2022
21. Email from Brad Summers dated December 29, 2022
22. Email and letter from Catholic Charities dated December 29, 2022
23. Email from Christine Tusher dated December 29, 2022
24. Email from David & Clair Leimsieder dated December 29, 2022
25. Email from David Piontek dated December 29, 2022

26. Email from Diane Attersley dated December 29, 2022
27. Email from Eric Andrewsen dated December 29, 2022
28. Email from Jennifer Silva dated December 29, 2022 (1 of 2)
29. Email from John Turnacliff dated December 29, 2022
30. Email from Josh Andresen & Sara Heintzelman dated December 29, 2022
31. Email from Kam Jalili dated December 29, 2022
32. Email from Kay Moore Harris dated December 29, 2022
33. Letter from Marin Cove Homeowners Association dated December 29, 2022
34. Email from Mary Fox dated December 29, 2022
35. Email and two letters from Northbridge Homeowners Association dated December 29, 2022 and December 5, 2022
36. Email from Penny Crow dated December 29, 2022
37. Email from Perry & Susan Simon dated December 29, 2022
38. Email from Philip Norris dated December 29, 2022
39. Email from Sandy Roller dated December 29, 2022
40. Email from Seminary Neighborhood Association dated December 29, 2022 (2 of 2)
41. Email from Tirrell Graham dated December 29, 2022
42. Email from Tomales Village Community Services District dated December 29, 2022 (2 of 2)
43. Email from Vikki Goldman dated December 29, 2022
44. Email from Yvette Forte Rosedale dated December 29, 2022
45. Email and letter from Alan Jones dated December 30, 2022
46. Email from Alan Spencer dated December 30, 2022
47. Email from Alexander P. Haas dated December 30, 2022
48. Email from Amanda & Seth Rodner dated December 30, 2022
49. Email from Amir Ebrahimi dated December 30, 2022
50. Email from Amy & David Kalish dated December 30, 2022
51. Email from Andrea Pino dated December 30, 2022
52. Email from Andrew Dailey dated December 30, 2022
53. Email from Angie Lackey dated December 30, 2022
54. Email from Anjuli Basu dated December 30, 2022
55. Email from Ann Pulitzer dated December 30, 2022
56. Email from April Post dated December 30, 2022
57. Email from Bridger Mitchell dated December 30, 2022
58. Email from Carol Gordon dated December 30, 2022
59. Email from Carolyn Zwicker dated December 30, 2022
60. Email from Carter Aronson dated December 30, 2022
61. Email from Catalysts for Local Control dated December 30, 2022 (2 of 2)
62. Email from Cathy & Robert Nourafshan dated December 30, 2022
63. Email and letter from Chad E. MacLachlan dated December 30, 2022
64. Email from Charles Ziegler dated December 30, 2022
65. Email from Claudia Keast dated December 30, 2022
66. Email from Conan Putnam dated December 30, 2022
67. Email from Daniel Vigneron dated December 30, 2022
68. Email from David Kalish dated December 30, 2022
69. Email from David Kennedy dated December 30, 2022

70. Email from Debra Link dated December 30, 2022
71. Email from Elaine Fischman dated December 30, 2022
72. Email from Elisabeth & Mark Bell dated December 30, 2022
73. Email from Ellen Karpay-Brody dated December 30, 2022
74. Email from Eric Cutter dated December 30, 2022
75. Email from Eric Holmberg dated December 30, 2022
76. Email from Eric Lyons dated December 30, 2022
77. Email from Erlend Bø dated December 30, 2022
78. Email from Ford Greene dated December 30, 2022
79. Email from Frank Egger dated December 30, 2022
80. Email from Fred Penczak dated December 30, 2022 (1 of 2)
81. Email from Fred Penczak dated December 30, 2022 (2 of 2)
82. Email from Garril Page dated December 30, 2022
83. Email from Gary & Donna Rich dated December 30, 2022
84. Email from Geralyn da Silva & Chris McCarty dated December 30, 2022
85. Email from Gordon Robinson dated December 30, 2022
86. Email from H. William Paisley dated December 30, 2022
87. Email from Jennifer & Ken Marsden dated December 30, 2022
88. Email from Jennifer Brinn dated December 30, 2022
89. Email from Jennifer Kerr dated December 30, 2022
90. Email from Jennifer Silva dated December 30, 2022 (2 of 2)
91. Email from Jill Barnett dated December 30, 2022
92. Email from Jill Templeton dated December 30, 2022
93. Email from Jim & Toni Shroyer dated December 30, 2022
94. Email from Joe Fitzpatrick dated December 30, 2022
95. Email from Joe Sherer dated December 30, 2022
96. Email from Joey Wolff dated December 30, 2022
97. Email from Julie Brown dated December 30, 2022
98. Email from Kathleen Franks dated December 30, 2022
99. Email from Kathleen Lipinski dated December 30, 2022
100. Email from Lee Reynolds dated December 30, 2022
101. Email from Leila Chism dated December 30, 2022
102. Email from Linda Pfeifer dated December 30, 2022
103. Email from Linda Rames dated December 30, 2022
104. Email from Lisa Brinkmann & Andy Egger dated December 30, 2022
105. Email from Louette Colombano dated December 30, 2022
106. Email and letter from Lucas Valley for Responsible Growth dated December 30, 2022
107. Email from Lucy Anderson dated December 30, 2022
108. Email from Marcus Yamane dated December 30, 2022
109. Email from Marcy Summers dated December 30, 2022
110. Email from Mark Inbody & Mia Blackler dated December 30, 2022
111. Email from Marlys Mayfield dated December 30, 2022
112. Email from Mary McGerity dated December 30, 2022
113. Email from Mary-Ann Milford dated December 30, 2022
114. Email and letter from Meehyun Kurtzman dated December 30, 2022 (1 of 3)

115. Email and letter from Meehyun Kurtzman dated December 30, 2022 (2 of 3)
116. Email from Meehyun Kurtzman dated December 30, 2022 (3 of 3)
117. Email from Michael Anderson dated December 30, 2022
118. Email from Michael McKee dated December 30, 2022
119. Email from Miki Suh & Joseph Kim dated December 30, 2022
120. Email from Nancy Lyle Bennett dated December 30, 2022
121. Email from Nancy McCarthy dated December 30, 2022
122. Email from Nancy Okada dated December 30, 2022
123. Email from Omer Wilson dated December 30, 2022
124. Email from Pam Drew dated December 30, 2022
125. Email from Paul da Silva dated December 30, 2022
126. Email from Paul Kayfetz dated December 30, 2022
127. Email from Peggy Chipkin dated December 30, 2022
128. Email from Peggy Nicholson dated December 30, 2022 (1 of 2)
129. Email from Peggy Nicholson dated December 30, 2022 (2 of 2)
130. Email from Peter Teese dated December 30, 2022
131. Email from Point Reyes Station Village Association dated December 30, 2022
132. Email from Richard L. Harris, Jr. dated December 30, 2022
133. Email from Rick Johnson dated December 30, 2022
134. Email from Robert A. Harvey dated December 30, 2022
135. Email from Robert Blechman dated December 30, 2022
136. Email from Rod Eshelman dated December 30, 2022
137. Email from Roy Forest dated December 30, 2022
138. Email and two letters from Royce McLemore dated December 30, 2022
139. Email from Samantha Brennan dated December 30, 2022
140. Email from Sammie & Sarah Daniels dated December 30, 2022
141. Email and letter from Santa Venetia Neighborhood Association dated December 30, 2022
142. Email from Sheila Meade dated December 30, 2022
143. Email from Sherrie Vigneron dated December 30, 2022
144. Email from Steven Levine dated December 30, 2022
145. Email from Steven Schreibman dated December 30, 2022
146. Email from Susan Kirsch dated December 30, 2022
147. Email from Tara & Aaron Huffman dated December 30, 2022
148. Email from Taylor and Kathleen Safford dated December 30, 2022
149. Email from Terrence & Patrica Keenan dated December 30, 2022
150. Email from Terri Leker and Mark Wallace dated December 30, 2022
151. Email from Tom Peacock dated December 30, 2022
152. Email from Toni Brayer dated December 30, 2022
153. Email from Valeri Hood & Bert Bartsch dated December 30, 2022

From: Dan@Hadleyconstruction.com
To: [housingelement](#)
Subject: 805 Atherton, Novato
Date: Saturday, December 17, 2022 4:43:18 PM

Dan Hadley would like information about:

Hello,

We are neighbors of 805 Atherton. In 2018 Toba development submitted a plan to the county with an attached EIR that stated that the Atherton end of the property, approximately 1 1/2 acres, was wetlands. This designation severely limited the access to the property to the current driveway width of approximately 20'. At the time this access issue limited development potential for the previous owner as their new road / driveway needed to not cover wetlands.

The county is now proposing the Atherton end of the 805 Atherton property (a large portion of which is wetlands) be zoned RMP-20. How is it that the county can take an area that has an EIR showing it to be wetlands and propose rezoning it to RMP-20? Can it be built on? We supported the previous owner's development plans of 6 buildable sites which the county then reduced to 2. We are not opposed to reasonable development so insight you have on this is greatly appreciated

Thank you,
Dan & Anne Hadley
5 Equestrian Court

From: [Thomas, Leelee](#)
To: [housingelement](#)
Subject: FW: Rhna planning
Date: Monday, December 19, 2022 10:09:56 AM

From: brianmcarthy1@gmail.com <brianmcarthy1@gmail.com>
Sent: Sunday, December 18, 2022 11:44 AM
To: cdaplanning <cdaplanning@marincounty.org>
Subject: Rhna planning

Brendan Burke would like information about:

Clearly this is a lose-lose situation for the residents of marin. The numbers are 1,000% of more than the last planning Arena state has the Planning Commission planning on building in areas with safety hazards clear and present as well as future. The state's plan is to force Marin County into building unwanted housing unneeded housing based on our population and if we don't do that they're going to take over the Planning Commission needs to present to the Board of Supervisors a recommendation to sue the state of California over their unreasonable demands. Lily Thomas should not be trying to force through ridiculous plans to build 3,600 residences in unincorporated Marin or any of the city plans which are equally repulsive and repugnant. Local control Community planning secure eir all these things are going away under the state law that the Planning Commission is carrying water for this is really terrible and is not representative of a democracy this is a dictatorship from Sacramento

From: [Donna Loftus](#)
To: [housingelement](#)
Subject: housing deadline
Date: Sunday, December 18, 2022 7:59:39 AM

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I was unable to make the last meeting due to work.

I am very concerned about the housing in unincorporated Marin, specifically in Lucas Valley.

This is not a walkable area, which means more cars on a two lane road.

Animals are killed frequently on this road. What will this do to our wildlife population and ecosystem?

Another huge concern is we are in a severe drought! Where will we get the water for this growing population? This issue does not seem to be getting any better. With the drought is the danger of fire. Our two lane road will not carry people safely out of harm's way if we have more cars.

I feel this plan is being pushed forward due to money for the county, not concern for housing. I see homes and small apartments for rent all the time and they are sitting vacant. Why are people not moving into these places if there is a housing shortage?

I am very concerned.

Respectfully,
Donna Loftus

From: [PlanningCommission](#)
To: [Lynn & John Wunsch](#); [PlanningCommission](#); [Sackett, Mary](#)
Cc: [housingelement](#)
Subject: RE: MARIN COUNTY PLANNING COMMISSION - Juvenile Hall Related Zoning
Date: Monday, December 19, 2022 9:09:28 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Thank you for your comments. Yes, this is the correct email address for the Planning Commission.

Regards,

Ana Hilda



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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”

From: Lynn & John Wunsch <callwunsch@comcast.net>
Sent: Thursday, December 15, 2022 7:29 PM
To: PlanningCommission <PlanningCommission@marincounty.org>; Sackett, Mary <MSackett@marincounty.org>
Subject: RE: MARIN COUNTY PLANNING COMMISSION - Juvenile Hall Related Zoning

You don't often get email from callwunsch@comcast.net. [Learn why this is important](#)

Please let us know whom we can contact regarding our two points (in red and bold below). Thank you.

Sincerely,
John Wunsch

From: Lynn & John Wunsch [<mailto:callwunsch@comcast.net>]
Sent: Sunday, December 11, 2022 7:50 PM
To: 'planningcommission@marincounty.org' <planningcommission@marincounty.org>
Cc: 'Sackett, Mary' <MSackett@marincounty.org>
Subject: RE: MARIN COUNTY PLANNING COMMISSION 12/13/2022 Meeting - Juvenile Hall Related Zoning

Forwarding now to the Planning Commission directly as we located what we believe is the correct email address.

From: Lynn & John Wunsch [<mailto:callwunsch@comcast.net>]
Sent: Sunday, December 11, 2022 7:46 PM
To: 'Sackett, Mary' <MSackett@marincounty.org>
Subject: MARIN COUNTY PLANNING COMMISSION 12/13/2022 Meeting - Juvenile Hall Related Zoning

[Note: this is only being sent with this email to Supervisor Sackett, as we could not find a separate email address for the Planning Commission on its website. The Planning Commission has a link limited to 1,000 characters and so this email will be sent to that link in a few parts.]

Dear Planning Commission and Supervisor Sackett:

We are writing with regard to the parcels labeled as Juvenile Detention Center on the maps. Please note that it is not actually part of the Juvenile Detention Center but the Parks and Rec division has maintained it as a Wilderness Park for more than 20 years with walking trails, and what we believe are large redwood trees and other trees that they planted. We do not understand why the County would choose to covert a Wilderness Park they own into housing depriving the surrounding neighborhoods of the park. That includes senior resident home whose member regularly walked in the park. We asked the Planning Committee and Board of Supervisors to reconsider this decision.

We wrote to Supervisor Sackett before, and appreciated her quick response and comments at the Board of Supervisors meeting. But we also believe based on what was said at the that Board of Supervisors meeting that the decision has been made that the Wilderness Park as a whole will be lost to housing. If that is the case, then we ask that the placement of the homes on the parcel and adjacent parcel be reconsidered, and we have a few questions concerning the current proposed rezoning.

1. All of the homes on Huckleberry to the east of the Wilderness Park are single story residences and have been here about sixty years. Will the proposed zoning change to RPM 11 restrict those to single story homes. If all of those neighbors are going to lose the park, there should not be 2 story homes built looking down into their back yards.
2. To the west of the proposed development, and still part of the current parcel 164-640-01 is a green field that has no buildings on it. This is the section bordering Lucas Valley Road on the south and Mt. Lassen Drive on the West. Why is that not being used for part of the proposed housing instead of all of the Wilderness Park by Huckleberry? Can't the RMP-30 section be moved onto all or a portion of that section, and the RMP-11 section then moved next to it and further west? That could then leave a relatively small portion of the east portion of the Wilderness Park near Huckleberry intact, and hopefully could then save the redwoods trees on the east portion of the paved path.

Sincerely,
John & Lynn Wunsch
(415) 686-2131 (John's cell)

From: [Thomas, Leelee](#)
To: [housingelement](#)
Subject: FW: Housing Element
Date: Monday, December 19, 2022 11:23:08 AM

From: Michael Billing <michael.billing25@gmail.com>
Sent: Monday, December 19, 2022 9:29 AM
To: Mary Sackett <sackett.mary75@gmail.com>; Sackett, Mary <MSackett@marincounty.org>
Subject: Housing Element

Mary,

Congratulations on your early start as our Supervisor !

I think there is a perfect opportunity for you to capture the attention of everyone in Marin County and make a positive and strong impact in the process.

The utter confusion of the Housing Element issue needs someone like you to unravel it, present what it is really about, identify the who, where, why, when, what and how of it all in a form that can be understood, accepted and supported by the people of Marin.

There is too much confusion at County, in the press and I think even at State and it is causing stress, division and expectations that could boomerang back with irreparable harm to all of us; officials, politicians and the public.

This has the flavor of obfuscation intended to hide unwanted truths.

For instance , there is distrust in Lucas Valley breeding about a rumor that Marinwood Fire Department is on such dire financial straits that it will be forced to relocate in the near future to remain viable.

If there is any credence to this , it would be best if this could be openly discussed and any potential impact on feasibility for the proposed Housing Element be acknowledged as soon as possible.

Please accept your leadership role and take the reins on this conundrum of public policy train wreck.

Sincerely

Michael Billing

From: [Mike](#)
To: [housingelement](#); [BOS](#)
Subject: Abandon "island" rezonings in housing element
Date: Monday, December 19, 2022 2:35:19 PM

You don't often get email from eigenhexof-mike@yahoo.com. [Learn why this is important](#)

Dear Marin County Board of Supervisors,

I am writing to strongly discourage the support of "island" rezoning of some parcels in the upcoming housing element proposal. I have two main concerns with this approach.

First, the arbitrary selection of which parcels are "island" rezoned and which ones are not is unfair. Of the roughly 70 total vacant parcels being rezoned, only about 18 of them are being "island" rezoned. This means that a minority of parcels are being singled out while a majority will benefit from their entire parcel being rezoned. It is not clear why this minority of property owners are being treated differently and deprived of new zoning across their entire property. This lack of transparency and consistency not only unfairly affects those who are deprived, but also unjustly enriches those who are able to take advantage of the increased zoning on their entire parcel. The lack of justification to enrich the majority and deprive others where the only side-effect would be increased RHNA credit for Marin isn't equitable. An approach so unevenly applied ought to be abandoned.

Second, the viability, confusion, and uncertainty caused by "island" rezonings will only be worsened by future events such as lot-line adjustments or other boundary changes. It is not clear what would happen to these "islands" in those cases, and the potential unintended legal consequences is high.

Overall, the "island" rezoning approach is flawed and should not be supported. In recorded hearings it was stated that staff has been balancing "opposing priorities" while meeting the state's mandate. Namely, proposing a housing element that meets RHNA numbers at the absolute minimum possible. It was alluded to that this "island" rezoning was a result of that pressure from the supervisors. I urge the County Board of Supervisors to consider the fairer approach of evenly applied rezonings for all property owners.

Sincerely,
Mike

From: [Thomas, Leelee](#)
To: [Zeiger, Jillian](#); [Darby, Liz](#)
Cc: [housingelement](#)
Subject: FW: Resolution on Housing in Marin
Date: Tuesday, December 20, 2022 8:58:51 AM
Attachments: [Resolution 2223-21 Reso about Housing in Marin.pdf](#)

From: Morena Parada <mparada@srcs.org>
Sent: Monday, December 19, 2022 3:52 PM
To: Sackett, Mary <MSackett@marincounty.org>; Jim Schutz <jim.schutz@cityofsanrafael.org>;
Mayor Kate <Kate.Colin@cityofsanrafael.org>
Cc: Jim Hogeboom <jhogeboom@srcs.org>
Subject: Resolution on Housing in Marin

Good afternoon,

I hope that this email finds you well.

Superintendent Hogeboom requested that I share with you Resolution #2223-21 Reso about Housing in Marin. The document is attached.

Wishing you healthy and happy holidays,

Morena

**Morena Parada | Executive Assistant to the Superintendent
San Rafael City Schools
mparada@srcs.org | www.SRCS.org
(415) 492-3233
310 Nova Albion Way
San Rafael, CA 94903**

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SAN RAFAEL CITY SCHOOLS

RESOLUTION # 2223-21

RESO ABOUT HOUSING IN MARIN

WHEREAS, San Rafael City Schools is a diverse school district, with students learning English and students from long-time SR families, low and high income students, and special education students; and

WHEREAS, San Rafael City Schools demonstrates the imperative to hire staff who reflect the student population with a program in the district's plan *Together 2024's* action to provide a supportive program for new teachers of colors, which includes housing support; and

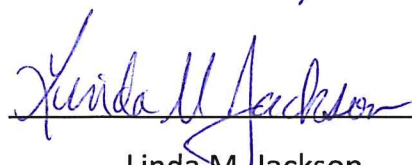
WHEREAS, Marin Promise recently completed a survey showing that the lack of affordable housing in Marin is disincentive to entry-level educators, particularly people of color; and

WHEREAS, the City of San Rafael and Marin County are preparing Housing Elements for the next eight years to meet housing needs, especially affordable housing needs, in the community

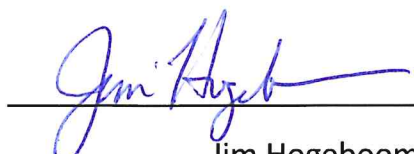
THEREFORE, the Board of Education of San Rafael City Schools supports the efforts of the San Rafael planning staff, the Planning Commission, the City Council, the County of Marin and the larger community to prepare and adopt Housing Elements that will meet the housing needs, especially for affordable housing, of our community.

PASSED AND ADOPTED by the following vote of the Board of Trustees of San Rafael City Schools, County of Marin, State of California on November 14, 2022.

<u>Board Member:</u>	<u>Vote:</u>
Carolina Martin	<u>yes</u>
Gina Daly	<u>yes</u>
Linda M. Jackson	<u>yes</u>
Lucia Martel-Dow	<u>yes</u>
Marina Palma	<u>yes</u>



 Linda M. Jackson
 Board President



 Jim Hogeboom
 Superintendent

From: [Thomas, Leelee](#)
To: [Reid, Rachel](#)
Cc: [housingelement](#)
Subject: FW: Question on RHNA
Date: Tuesday, December 20, 2022 2:19:43 PM

From: admin@tomalescsd.ca.gov <tvcsd@sonic.net>
Sent: Tuesday, December 20, 2022 12:08 PM
To: Thomas, Leelee <LThomas@marincounty.org>
Cc: Kutter, Rhonda <RKutter@marincounty.org>; Rodoni, Dennis <DRodoni@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>; 'Donna Clavaud' <donna.clavaud@gmail.com>
Subject: FW: Question on RHNA

You don't often get email from tvcsd@sonic.net. [Learn why this is important](#)

Hi Leelee,

I am the General Manager for the Tomales Village Community Services District and our district has just a few technical questions that we weren't sure which portion of the Housing Element/RHNA/DEIR discussions it relates to directly, so we are hoping to getting some input from CDA staff.

As you know, the town of Tomales has a small wastewater system that the 'Program' DEIR determined to have insufficient capacity to accommodate the current 118 RHNA units allocated to be built within this 8 year RHNA cycle. Also, most building structures in Tomales have their own wells for potable water which have diminishing capacity in the late summer months, as well as the unknown long-term drought impacts, and then other parts of town (some areas designated in the RHNA) have little to no water at all.

We were told that the current Program DEIR was just an overall 'umbrella' that more generally included the risk factors and related mitigation measures that could occur due to the overall implementation of the housing element, but that the actual build-out of any of the individual parcels included in the RHNA would not be ultimately known until a development application had a 'Project' EIR or CEQA review.

The Program DEIR recommended removing the 118 units allocated in Tomales for both Alternative 2: Reduced Vehicle Miles Traveled and Alternative 3: Reduced Utility Impact. The County for the moment has chosen to leave the 118 units included in the current Housing Element RHNA, so our questions are:

1. if the 118 RHNA numbers stay assigned to Tomales, and then individual 'Project' EIRs determine the lots are unbuildable for various reasons – which may include lack of water, or insufficient wastewater capacity, or located near ESHA, etc., will the individual parcels then be removed from the RHNA so that they do not rollover and become By-right in the next round

of RHNA?

2. also, if the wastewater district determines that it does not have capacity for a given development project, and withholds the 'Will-Serve Notice', would either the current draft-Housing Element (with or without Form Based Code) or By-right authority override utility restrictions and limitations? Could the County's ability to reject a project due to lack of sufficient onsite water production be challenged?

Thank you for your help as we try better to understand how the new Housing Element will impact the TVCSD district.

Best,
Mary Halley
General Manager, TVCSD

Tomales Village Community Services District
PO Box 303
Tomales, CA 94971
admin@tomalescsd.ca.gov

From: [Thomas, Leelee](#)
To: [housingelement](#)
Subject: FW: N Knoll site for housing element
Date: Tuesday, December 20, 2022 10:48:34 AM

Hi Leelee and Jillian,

Thank you for your tireless work in getting the housing element to the finish line! I also appreciate all of the outreach, communications, and for including me along the way going all the way back to October 2021.

I was writing to strongly support the idea/suggestion that Jillian made at the end of the recent (6+ hour long!) meeting about the housing element: abandon the "island"/"blob" rezoning in general but more specifically for my site at 70 N Knoll Rd (034-012-26 and 034-061-09). The "island" for the site, as it's drawn now, includes several features reducing its viability: ingress/egress for emergency vehicles, setbacks from boundaries, setbacks from ephemeral drainage, utilities clearance, as well as protected trees. As it stands now, the site's "island" rezoning reduces the commercially realistic options due to the inclusion of these factors.

Given the relatively small size of the site compared to others on the list and the fact that rezoning it wholly would not substantially disrupt the overall RHNA numbers, I hope you will consider applying the new zoning to the entire site rather than just a portion of it. This would give us greater flexibility to propose a future project that could take advantage of and work around the entire site, which would make a positive impact on encouraging and facilitating housing on the site.

I understand that your team has been working to balance opposing priorities, and that the "island" approach was a result of these constraints. However, as one of the few sites in the 2-10ac size range, I believe that fully rezoning the site would significantly increase its feasibility and viability.

I sincerely implore you to consider including Knoll along with others that are also being fully rezoned.

Thank you and warm regards,
Vikrum

From: [Andre Souang](#)
To: [housingelement](#)
Subject: T3 zones!!
Date: Wednesday, December 28, 2022 1:55:28 PM

Hello Planning /CDA staff,

Thank you for your hard work for the past year plus. We too like many small developers have been working hard to provide much needed housing to Marin. You are on the cusp of making real changes and it would be so disappointing to see all the work get negated by a small but significant change on the documents that were published yesterday.

We were thrilled to see the great suggestions by Riley Hurd, Chair Dickenson and others incorporated into the documents. It was thus a huge surprise that some of those progressive updates were completely reversed by the change that was made to the designated zoning areas.

On many (all?) of the T3 sites but Lucas Valley Environs here specifically, the designated zoning area is extremely reduced. So much so that the development as listed would not be possible. This would be a sad conclusion to 1000's of hours and a year's plus work. This site has always been listed as 26 units - originally 7/acre or 3.7 acre's total. On the now rescinded split zoning - it was about 4.8 acres. However with yesterdays release they have reduced it to 1.7 acres! With roads and sidewalks/fire turn arounds that would be less than 1 developable acre which is impossible with T3. This issue also applies to sites such as the Buck property where the limit is stated as 12.5 acres. The main issue is the sheer length and cost of roads and infrastructure on these larger sites make it infeasible to develop without some realistic flexibility. HCD mentions the inventory sites must be "realistic" (uses that term 27 times in their letter to the Municipalities). That is all we are requesting - a realistic developable area. The original 3.7 (6% of 61 acres) or 4.8 acres would suffice. 1.7 (2.7%) is not "realistic" for the designation. As an alternative solution to a specific number - limiting the developable land on a large parcel to 6 or even 10% of the land would seem to be very reasonable.

I'm aware that Riley Hurd and Bob Brown are already asking questions about this - but we also asking to make sure that this gets corrected before the Jan 5 meeting so that a years worth of work and expense on our part isn't lost AND that needed housing actually is built.

Thank you for your hard work.

Andre Souang
Raised in Marin and still here!

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: URGENT please forward to Chair Dickenson
Date: Friday, December 30, 2022 11:37:47 AM

From: Andre Souang <asouang@orcasonline.com>
Sent: Wednesday, December 28, 2022 1:39 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Subject: URGENT please forward to Chair Dickenson

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

Hello Ana,

I cannot find Chair Commissioner Dickenson's email. Can you please forward to him/his office? The matter is of some urgency.

If you could confirm you received this I would appreciate it.

Andre Souang
Small Developer
Raised in Marin County
360-472-0473

Hello Chair Dickenson,

I as well as the other T3 site owners need your help on the latest Jan 5 Planning Department Memo.

I have been attending the HE meetings for a year and I always appreciate your insight and comprehensive understanding of the issues at hand. Bob Brown mentioned to me that is because you have decades of experience as a CDA manager. It shows, especially was that highlighted at the Dec 12, 2022 meeting when you and Riley Hurd spoke up regarding the then proposed split zoning for the HE inventory sites as well as other critical matters.

As you know, yesterday the Planning Department released the new Memo's/Outlines for the Jan 5 meeting. They wisely incorporated much of what you and Mr. Hurd spoke about HOWEVER they also added something that has taken us by surprise which was very regressive esp to the T3 sites.

On many (all?) of the T3 sites - like mine (61 Acres - 1501 Lucas Valley Road), they considerably reduced the designated zoning area to the point that it makes them infeasible to develop anymore. This would be a sad conclusion to 1000's of hours and a year's plus work. My site has always been designated at 26 units - originally 7/acre or 3.7 acre's. On the now rescinded split zoning - we were given about 4.8 acres. However with yesterdays release they have reduced it to 1.7 acres! With roads and sidewalks/fire turn

arounds that would be less than 1 developable acre which is impossible for us with T3. This issue also applies to sites such as the Buck property where they have limited it to 12.5 acres. The main issue is the roads and infrastructure on these larger sites make it infeasible to develop without some flexibility. HCD mentions the inventory sites must be 'realistic' (uses that term 27 times in their letter to the Municipalities). That is all we are requesting - a realistic developable area. The original 3.7 (6% of 61 acres) or 4.8 acres would suffice. 1.7 (2.7%) makes it impossible. Limiting the developable land to 6 or even 10% of the land would seem to be very reasonable.

I know you have already seen this issue - as has Riley Hurd and Bob Brown (who works with me) but we are asking to make sure that this gets corrected before the Jan 5 meeting so that a years worth of work and expense on our part isn't lost AND that needed housing actually is built.

I would very much appreciate an acknowledgment.

Andre Souang
360-472-0473



Ragghianti|Freitas LLP

Attorneys at Law

1101 5th Avenue, Suite 100
San Rafael, CA 94901
telephone 415.453.9433
facsimile 415.453.8269
www.rflawllp.com

Riley F. Hurd III
rhurd@rflawllp.com

December 28, 2022

Via E-Mail Only

Planning Commission
County of Marin
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Re: CWP Amendments - Community Plans

Dear Members of the Planning Commission:

At your last meeting regarding the CWP amendments associated with the Housing Element, a very clear consensus was reached that community plans should be preserved to the fullest extent possible. In response to this direction, the proposed edit to Policy 3.4-3 has been modified to address situations where there is a conflict between community plans and the CWP regarding density or floor area. **However, the remaining proposed edits to Policies 1.4-3 and 1.5-3 continue to completely eviscerate Community Plans.**

Policy 1.4-3 is entitled "How to Read the Countywide Plan" and proposed to now include the following language:

"...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan..."

Policy 1.5-3 addresses land use categories and is proposed to now say:

"The Countywide Plan land use designations supersede Community Plan designations."

These edits do *not* preserve community plans to the fullest extent possible.



Ragghianti|Freitas LLP

Page 2 of 2

There are many major sites and large areas carefully planned for in a community plan, but with nothing more than a land use designation in the CWP. Implementing these edits would eliminate all of this careful planning, and is not necessary for housing preservation. Furthermore, these edits are horizontally inconsistent with the proposed edit to Policy 3.4-3, which says the community plans only supersede the CWP in regards to density or FAR.

Community plans have been developed via a comprehensive, thoughtful, transparent, , and fair process with all stakeholders. While they could certainly use some updating, overriding them in one fell swoop is unnecessary. Many community plans serve as the entire planning document for large sites. Simply reverting to the CWP designation would be catastrophic.

The following simpler, singular, edit could achieve the goals of advancing housing while not single handedly wiping out community plans:

“No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density.”

We would ask that you please use the edit proposed above and not adopt the various other edits regarding CWPs. Thank you.

Very Truly Yours,

A handwritten signature in blue ink that reads 'Riley F. Hurd III'. The signature is written in a cursive, slightly slanted style.

Riley F. Hurd III

CC: SNA

From: [Katie Bales](#)
To: [housingelement](#)
Subject: Fwd: Housing Element Concerns Item #6
Date: Wednesday, December 28, 2022 10:43:18 AM

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

Please make sure our concerns are submitted for next Thursdays meeting 1/5.

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

From: **Katie Bales** <kbales@balesorthodontics.com>
Date: Sat, Dec 10, 2022 at 9:01 PM
Subject: Housing Element Concerns Item #6
To: Adam McGill <amcgill@novato.org>, Arnold, Judy <jarnold@marincounty.org>, Eric Lucan <elucan@novato.org>, <housingelement@marincounty.org>
CC: Robert Balchunas <robert.balchunas@gmail.com>

Dear Marin County Supervisors,

We are writing to provide feedback on Item #6 and the proposed Housing Element sites on the Atherton Corridor and Blackpoint in Novato. While we support providing affordable housing to working families in Marin County, the proposed locations in Blackpoint (Olive Ave.) and along the Atherton corridor (Greenpoint Nursery and beyond) which require rezoning are the cause of alarm.

As a resident of [218 Club Dr, Novato, CA 94945](#) for nearly ten years, we have serious concerns regarding the impact of high density housing along Olive and Atherton Ave. which are both single lane roads and represent the ONLY entry and exit routes for all of the existing residents in the area.

Safety:

Every existing resident in the area and countless more who commute to the area rely on single lane Atherton Avenue and single lane Olive Avenue to access critical infrastructure, timely services from Fire and Police, getting to school, getting to work and accessing the businesses of downtown Novato, including our small business.

Adding a significant amount of high density housing and all of the delivery trucks, cars, construction vehicles, additional demand on scarce water, power, and communications resources that come along with it is an unacceptable outcome that will have a major impact on the safety and well being of the people that live and work in this area.

Traffic:

Atherton Avenue already has significant traffic from both residential and commercial use as it connects Hwy 37 to Rte 101 (which are also both bumper to bumper at critical times day and night). Adding significantly more housing density to this corridor, which will clearly require all new residents to own cars for transportation due to the corridor's lack of walkable access to public transportation and services, will only exacerbate this issue and have a materially negative impact on the quality of life, productivity and traffic safety for the

taxpayers.

Environmental:

Beyond the traffic concerns, we have significant environmental concerns. This unique part of unincorporated Marin represents significant habitat for native plants, birds and animals. A small portion of this land is protected by the Audubon society and the rest of it is zoned as farmland or single family residential. Despite this, the animals and birds in this unique corridor are already threatened and subject to death by truck and automobile on a daily basis with the existing traffic volume and pattern. Adding more housing and traffic will only exacerbate this issue further forcing these animals into an even higher volume of dangerous interactions with residents going about their lives such as families driving home from soccer practice at dusk when the deer like to cross the road.

In summary, why the County Planning Commission would ever decide to pave over and develop these precious green areas and natural resources in an area with limited ingress and egress, and no walkable access to vital services makes absolutely no sense considering **that a multitude of sites exist across the County that have already been developed and are either underutilized or completely vacant...empty shopping centers, malls, churches, large commercial buildings, restaurants, homes, etc.**

Let's recycle and repurpose what has already been developed in Marin and turn blight into bright and NOT turn green spaces into housing.

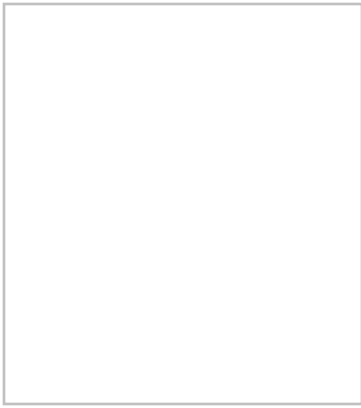
Sincerely,

Rob Balchunas and Dr. Katie Bales
[218 Club Drive, Novato, CA 94945](http://www.218clubdrive.com)

PS - I also find it notable that the "Vacant Blackpoint" site on parcel 143-110-31 under consideration for re-zoning from A2 / ARP to RMP-16 +RMP-5 was just recently purchased by the newly formed, Paradisos Farms LLC, whose principal is one of the area's most connected real estate agents living in Tiburon. Also notable that there are no such similar sites in Tiburon under consideration.

--

Kathleen M. Bales, DDS, MS, MOM
Board Certified Orthodontist, Bales Orthodontics
www.balesorthodontics.com



--

Kathleen M. Bales, DDS, MS, MOM
Board Certified Orthodontist, Bales Orthodontics
www.balesorthodontics.com



From: [Riley Hurd](#)
To: [housingelement](#); [PlanningCommission](#)
Subject: Item 5 - community plans
Date: Friday, December 30, 2022 10:44:11 AM
Attachments: [Ltr - PC re CWPs - 12.28.22.pdf](#)

Please see attached letter, thank you.

Riley F. Hurd III, Esq.
RAGGHIANI | FREITAS LLP
1101 5th Avenue, Suite 100
San Rafael, CA 94901
Tel: 415.453.9433 ext. 126
Fax: 415.453.8269
Email: rhurd@rflawllp.com
Website: <http://www.rflawllp.com/>

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This communication and any accompanying documents are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distributing, or the taking of any action in reliance upon this communication is strictly prohibited. Moreover, any such inadvertent disclosure shall not compromise or waive the attorney client privileges as to this communication or otherwise. (See State Compensation Insurance Fund v. WPS, Inc. (1999) 70 Cal. App. 4th 644.) If you have received this communication in error, please contact the sender at: rhurd@rflawllp.com<<mailto:rhurd@rflawllp.com>>. Thank you.



Ragghianti|Freitas LLP

Attorneys at Law

1101 5th Avenue, Suite 100
San Rafael, CA 94901
telephone 415.453.9433
facsimile 415.453.8269
www.rflawllp.com

Riley F. Hurd III
rhurd@rflawllp.com

December 28, 2022

Via E-Mail Only

Planning Commission
County of Marin
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Re: CWP Amendments - Community Plans

Dear Members of the Planning Commission:

At your last meeting regarding the CWP amendments associated with the Housing Element, a very clear consensus was reached that community plans should be preserved to the fullest extent possible. In response to this direction, the proposed edit to Policy 3.4-3 has been modified to address situations where there is a conflict between community plans and the CWP regarding density or floor area. **However, the remaining proposed edits to Policies 1.4-3 and 1.5-3 continue to completely eviscerate Community Plans.**

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Policy 1.5-3 addresses land use categories and is proposed to now say:

"The Countywide Plan land use designations supersede Community Plan designations."

These edits do *not* preserve community plans to the fullest extent possible.



Ragghianti|Freitas LLP

Page 2 of 2

There are many major sites and large areas carefully planned for in a community plan, but with nothing more than a land use designation in the CWP. Implementing these edits would eliminate all of this careful planning, and is not necessary for housing preservation. Furthermore, these edits are horizontally inconsistent with the proposed edit to Policy 3.4-3, which says the community plans only supersede the CWP in regards to density or FAR.

Community plans have been developed via a comprehensive, thoughtful, transparent, , and fair process with all stakeholders. While they could certainly use some updating, overriding them in one fell swoop is unnecessary. Many community plans serve as the entire planning document for large sites. Simply reverting to the CWP designation would be catastrophic.

The following simpler, singular, edit could achieve the goals of advancing housing while not single handedly wiping out community plans:

“No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density.”

We would ask that you please use the edit proposed above and not adopt the various other edits regarding CWPs. Thank you.

Very Truly Yours,

A handwritten signature in blue ink that reads 'Riley F. Hurd III'. The signature is written in a cursive, slightly slanted style.

Riley F. Hurd III

CC: SNA



Ragghianti|Freitas LLP

Attorneys at Law

1101 5th Avenue, Suite 100
San Rafael, CA 94901
telephone 415.453.9433
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www.rflawllp.com

Riley F. Hurd III
rhurd@rflawllp.com

December 30, 2022

Via E-Mail Only

Planning Commission
County of Marin
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Re: Housing Element Rezonings

Dear Members of the Planning Commission:

I am writing to you regarding the proposed rezoning approach now proposed for the sites identified in the Housing Element. Instead of choosing specific "islands" of rezoning, the new proposal is a "floating" overlay zone on certain properties, at a size and density that yields the desired number of units for the site. I feel this is a vast improvement over the previous proposal given the extreme difficulty of performing detailed advance site planning for this number of properties in this short of a time. This will allow the actual siting of any new housing to be based on a careful analysis of constraints, as well as the objective standards found in the Code and CWP. **However, I believe additional clarity is needed on one critical detail of how this new zoning program works.**

Specifically, many of the sites now have a density that is "limited" to a specific number of acres on the site. One of many examples is where the new zoning table says:

"30 units per acre, **limited to 1.7 acres.**"

It is unclear if this means the development of the housing must occur on *only* 1.7 acres, **or** if this language simply designates 1.7 acres of the site to be considered at 30 units/acre for overall site density calculation purposes only. If this is an actual limit on area of development, it will have the unintended consequence of requiring certain properties to



Ragghianti|Freitas LLP

Page 2 of 2

be developed with an extremely dense product type where such a style would be inappropriate in the context of the neighborhood. Accordingly, I would strongly encourage the Planning Commission to add clarifying language to avoid such a situation and allow flexibility for appropriate development.

A potential solution to this issue would be a minor addition to the proposed language as follows:

“The acreages listed in the ‘Density Designation’ column of the table in Section 22.14.090(E) are for calculating the total density of a property only.”

This language would also solve the issue raised by the Commission about how to handle the density yields on the remainder of large sites (i.e. the table sets the maximum total density for the site).

I believe this approach is fully compliant with HCD’s housing element requirements. This allows development at the mandated minimum densities required by HCD, which therefore makes the rezonings compliant with state law. The additional language above would simply allow the flexibility to develop the same number of units in a perhaps less-dense product type. RHNA success is measured by unit production, not by the densities of projects that get built. HCD just wants to ensure that the minimum densities are allowed as a matter of right, not that less-dense projects with the same unit count are prohibited. As a reminder, there is a proposal to add Section 22.14.100(D) to the development code to require minimum densities. This would alleviate any concern about the language above resulting in less housing than the County desires.

Thank you for your consideration of this important issue and your continued hard work on the Housing Element.

Very Truly Yours,

A handwritten signature in blue ink that reads "Riley F. Hurd III". The signature is written in a cursive, flowing style.

Riley F. Hurd III

From: [Michael Gallagher](#)
To: [PlanningCommission](#); [housingelement](#)
Cc: [Michael Gallagher](#); [Moulton-Peters, Stephanie](#)
Subject: From Seminary Neighborhood Association RE: Housing Element language STILL undermines Community Plans unnecessarily
Date: Wednesday, December 28, 2022 10:37:27 PM

Some people who received this message don't often get email from michaelgallagher.office@gmail.com. [Learn why this is important](#)

Dear Planning Commissioners —

Despite verbal agreements that Community Plans would not be broadly swept aside, there remains broad and contradictory language in the ITEM 6, Exhibit B. ITEM 6 is the “Housing Element Countywide Plan Amendments/Rezoning.”

In this Exhibit B, you will find the following problematic language:

Policy 1.4-3 entitled “How to Read the Countywide Plan” includes the following language:

...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan.

Policy 1.5-3 addresses land use categories now says:

The Countywide Plan land use designations supersede Community Plan designations.

Exhibit B can be accessed here: <https://www.marincounty.org/-/media/files/departments/cd/planning/cwp/housing-and-safety-elements/pc-hearing-010523/item-6-he/attachment-3.pdf?la=en>

It has been brought to my attention that land use attorney, Riley Hurd, recommended to you substitute language which could achieve Housing Element objectives without destroying Community Plans. Will you please consider and adopt his proposed language and remove the proposed broad language cited above?:

"No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density."

Thank you for your consideration and thoughtful work.

With appreciation,

Michael Gallagher, President
Seminary Neighborhood Association

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Sustainable TamAlmonte Letter to PC re Proposed CWP Amendments, Community Plans, & Housing Element Update
Date: Friday, December 30, 2022 11:42:04 AM
Attachments: [Sustainable TamAlmonte's letter to PC re Community Plans, Housing Element Update, & CWP Amendments 12-28-22.pdf](#)

From: Sharon Rushton <sharonr@tamalmonite.org>
Sent: Thursday, December 29, 2022 6:11 PM
To: BOS <BOS@marincounty.org>; Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Arnold, Judy <JArnold@marincounty.org>; Rodoni, Dennis <DRodoni@marincounty.org>; PlanningCommission <PlanningCommission@marincounty.org>; Sackett, Mary <MSackett@marincounty.org>; Rice, Katie <KRice@marincounty.org>
Cc: Goncalves, Gustavo <GGoncalves@marincounty.org>; Martinez, Crystal <cmartinez@marincounty.org>; Vernon, Nancy <NVernon@marincounty.org>; Gounard, Doreen <dgounard@marincounty.org>; Iimbimbo, Jennifer <JIimbimbo@marincounty.org>; Kutter, Rhonda <RKutter@marincounty.org>; Barreto, Fernando <fbarreto@marincounty.org>; Albert, Tanya <TAlbert@marincounty.org>; Weber, Leslie <LWeber@marincounty.org>
Subject: Sustainable TamAlmonte Letter to PC re Proposed CWP Amendments, Community Plans, & Housing Element Update

****Please confirm receipt of this email and the attached letter**

Dear Marin County Planning Commission and Board of Supervisors,

Attached is a letter, dated December 28, 2022, from Sustainable TamAlmonte to the Marin County Planning Commission re: proposed Marin Countywide Plan Amendments, Community Plans, and the Housing Element Update.

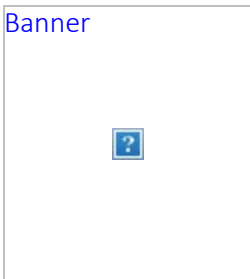
Thank you in advance for your conscientious consideration.

Very truly yours,

Sharon Rushton

--

Banner



Sharon Rushton

President | **Sustainable TamAlmonte**

sharonr@tamalmonite.org

tamalmonite.org



215 Julia Ave Mill Valley, CA 94941

December 28, 2022

Marin County Planning Commission
Cc: Marin County Board of Supervisors
3501 Civic Center Drive, Suite 329
San Rafael, CA 94903
planningcommission@marincounty.org
bos@marincounty.org

Re: Marin County Housing Element Update, Countywide Plan Amendments, and Community Plans

Dear Marin County Planning Commission,

We strongly urge you to uphold the integrity of Community Plans, when considering amendments to the Marin Countywide Plan, Housing Element, and Development Code.

Community Plans should always be used to guide you in your decision making, as each community has different physical aspects, goals and desires. Without the detailed information contained in Community Plans, the County Planning Department would be lost. Please re-read our attached letter, dated December 8, 2022, for an understanding of the tremendous importance of the Tamalpais Area Community Plan. This should serve as an illustration of the significant value of all Community Plans throughout Marin.

At your last meeting regarding the Marin Countywide Plan Amendments associated with the Housing Element, a very clear consensus was reached that Community Plans should be preserved to the fullest extent possible. However, proposed edits to Policies 1.4-3 and 1.5-3 of the Marin Countywide Plan continue to completely eviscerate these vital Community Plans.

Policy 1.4-3 is entitled "How to Read the Countywide Plan" and proposed to now include the following language:

"...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan..."

Policy 1.5-3 addresses land use categories and is proposed to now say: “**The Countywide Plan land use designations supersede Community Plan designations.**”

These proposed edits must be discarded.

We strongly urge you to change the proposed amendments so that the legality and authority of Community Plans are preserved to the fullest extent possible.

Thank you in advance for your conscientious consideration.

Very truly yours,

/s/

Sharon Rushton, President
Sustainable TamAlmonte

The logo for Sustainable Tamalpais, featuring the words "SUSTAINABLE TAMALPAIS" in a stylized, green, serif font against a dark red background.

SUSTAINABLE TAMALPAIS

215 Julia Ave Mill Valley, CA 94941

December 8, 2022

Marin County Board of Supervisors
Marin County Planning Commission
3501 Civic Center Drive, Suite 329
San Rafael, CA 94903
bos@marincounty.org
planningcommission@marincounty.org

Re: Housing Element, Housing Related Countywide Plan Amendments, and Housing Element Related Rezonings

Dear Marin County Board of Supervisors and Planning Commission,

We strongly urge you to uphold the integrity of Community Plans, when considering amendments to the Countywide Plan, Housing Element, and Development Code. Community Plans should be used to guide you in your decision making, as each community has different physical aspects, goals and desires. Without the detailed information contained in Community Plans, the County Planning Department would be lost.

The Tamalpais Area Community Plan

The original Tamalpais Area Community Plan was meticulously studied and drafted by local residents over a period of six years. The Marin County Planning Department, and consulting firm of EDAW, Inc., and John Roberto Associates provided valuable professional staff and administration support in the community planning effort. Through the years, other groups of local residents have worked diligently to periodically update the plan. During the last update, community leaders devoted 5 years to complete the revisions.

The Tamalpais Planning Area is comprised of four major residential neighborhoods and six commercial areas. The Tamalpais Area Community Plan is an extremely valued document that states community goals, objectives, policies and implementation programs relative to the current and foreseeable future conservation and development issues facing the community.

Excerpts from the Tamalpais Area Community Plan:

“The goals of the Community Plan are to maintain the semi-rural character of the community as defined by its small town residential and commercial nature. In addition, the quality of the natural environment shall be maintained.” “The guiding philosophy of the Community Plan places a strong emphasis on protecting public safety and preserving the natural resources of the community, while still permitting individual property owners to realize reasonable development potentials.”

Proposed Amendments to the Countywide Plan

The most concerning language of the proposed Countywide Plan Amendments is regarding Policy 1.5-3 – “To the degree that the community plan policy guidance conflicts with the Countywide Plan or State housing law, **the Countywide Plan shall govern. The Countywide Plan land use designations supersede Community Plan designations.**”

This problem is also found in the following proposed language, which adds; “Where there are land use designation or development density and floor area ratio differences, **the Countywide Plan shall prevail.**”

We urge you to reject the above proposed changes and uphold the integrity of Community Plans when considering proposed amendments.

Thank you in advance for your conscientious consideration.

Very truly yours,

/s/

Sharon Rushton, President
Sustainable TamAlmonte

From: [Ann Roth-Card](#)
To: [housingelement](#)
Subject: Housing Element language STILL undermines Community Plans unnecessarily
Date: Thursday, December 29, 2022 10:42:16 PM

You don't often get email from annrothcard@comcast.net. [Learn why this is important](#)

Dear Planning Commissioners,

Dispite verbal agreements that Community Plans would not be broadly swept aside, there remains broad and contradictory language in the ITEM 6, Exhibit B, ITEM 6 is the "Housing Element Countywide Plan Amendments/Rezoning." In this Exhibit B, you will find the following problematic language:

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It has been brought to my attention that land use attorney, Riley Hurd, recommended to you substitute language which could achieve Housing Element objectives without destroying Community Plans. Will you please consider and adopt his proposed language and remove the proposed board language cited below?

"No provision of a community plan may be applied by the County in a manner that conflicts with State Housing law or that physically precludes the construction of a project at its permitted density."

Thank you for your consideration and thoughtful work.

Sincerely,

Ann Roth-Card
409 E.Strawberry Dr.
Mill Valley, CA 94941

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Letter to PC re: Housing Element Update, Marin CWP Amendments and Community Plans
Date: Friday, December 30, 2022 11:43:40 AM

From: Barbara Freitas <freitasb@sbcglobal.net>
Sent: Thursday, December 29, 2022 11:18 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: BOS <BOS@marincounty.org>
Subject: Letter to PC re: Housing Element Update, Marin CWP Amendments and Community Plans

You don't often get email from freitasb@sbcglobal.net. [Learn why this is important](#)

Dear Marin County Planning Commissioners,

At your last meeting regarding the Marin Countywide Plan Amendments associated with the Housing Element, a very clear consensus was reached that Community Plans should be preserved to the fullest extent possible. However, proposed edits to Policies 1.4-3 and 1.5-3 of the Marin Countywide Plan continue to completely eviscerate these vital Community Plans.

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Policy 1.5-3 addresses land use categories and is proposed to now say: **“The Countywide Plan land use designations supersede Community Plan designations.”**

These proposed edits must be discarded.

I (We) strongly urge you to change the proposed amendments so that the legality and authority of Community Plans are preserved to the fullest extent possible.

Sincerely,
Barbara Freitas
40 Lark Ct., Larkspur, CA 94939

From: [b carlson](#)
To: [housingelement](#)
Subject: Fwd: Housing Element-Strawberry Neighborhood Association Community Plan
Date: Thursday, December 29, 2022 2:24:19 PM

You don't often get email from lelich204@gmail.com. [Learn why this is important](#)

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

From: b carlson <lelich204@gmail.com>
Date: Thu, Dec 29, 2022 at 2:18 PM
Subject: Housing Element-Strawberry Neighborhood Association Community Plan
To: <planningcommission@marincounty.org>

Despite your previous assurances that Community Plans would not be tossed aside in the wake of development plans, there appears to be troublesome language in the Housing Element that does just that. I am referring to Item 6, Exhibit B, specifically Policies 1.4-3 and 1.5-3.

It has been brought to our attention that land use attorney, Riley Hurd, recommended to you substitute language which could achieve Housing Element objectives without destroying Community Plans. Will you please consider and adopt his proposed language and remove the proposed broad language cited below?

"No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density."

Attorney Hurd's proposed language honors your original verbal promises to the citizens of Strawberry as well as their Community Plan. We continue to work with you in good faith.

Sincerely,
Barbara Lelich Carlson

From: [Barbara Rowe](#)
To: [housingelement](#)
Cc: [Moulton-Peters, Stephanie](#)
Subject: Strawberry
Date: Thursday, December 29, 2022 11:56:27 AM

Regarding the Baptist Seminary property (now North Coast) in Strawberry,

I support progress. The Strawberry Community Plan is long outdated and needs to be set aside. We need to make room for more residents and provide more housing,

I have lived in Strawberry since 1976 as a homeowner.

I live in a single family home on Ricardo Road. The future is not single family homes. There will always be SFRs but we need residential high density housing - low-cost and workforce housing. High density has become a dirty word to some but there are many well designed projects that add value to the community. The property is close to the Freeway 101 and public transportation. I am 76 years old and raised my family in my current home.

I am glad the opponents of changing or eliminating the Strawberry Community Plan made it so easy for me to respond with my opinion .

Thank you.

Barbara Rowe
100 Ricardo Rd, Mill Valley 94941

From: [Brad Summers](#)
To: [housingelement](#)
Subject: Housing Element Language
Date: Thursday, December 29, 2022 12:15:36 PM

You don't often get email from email4brad@comcast.net. [Learn why this is important](#)

Dear Planning Commissioners —

Despite verbal agreements that Community Plans would not be broadly swept aside, there remains broad and contradictory language in the ITEM 6, Exhibit B. ITEM 6 is the “Housing Element Countywide Plan Amendments/Rezoning.”

In this Exhibit B, you will find the following problematic language:

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Policy 1.5-3 addresses land use categories now says:

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"No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density."

Thank you for your consideration and thoughtful work.

With appreciation,

Brad Summers
110 Seminary Drive #2E
Mill Valley CA 94941

From: [Dorothy Cartahena](#)
To: [housingelement](#)
Cc: [Dorothy Cartahena](#)
Subject: On Behalf of Dr. Ellen Hammerle, CEO, Catholic Charities
Date: Thursday, December 29, 2022 1:20:58 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[Marin BOS and Planning Commission.pdf](#)
Importance: High

You don't often get email from dcartahena@catholiccharitiessf.org. [Learn why this is important](#)

To whom it may concern:

Attached is a letter from Dr. Ellen Hammerle, CEO, Catholic Charities CYO of the Archdiocese of San Francisco, to the Marin Board of Supervisors and Planning Commission re:

January 5, 2023: Planning Commission Hearing on Housing and Safety Element Final Environmental Impact Report, Countywide Plan/Development Code Amendments

Item #6: Housing Element Countywide Plan Amendments/Rezoning.

Please confirm receipt.

Thank you,

Dorothy Cartahena

Executive Assistant to the CEO
Board Administrator

D | 415 972 1230

T | 415 972 1200

F | 415 972 1201

Catholic Charities

990 Eddy Street
San Francisco, CA 94109

CatholicCharitiesSF.org



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MARIN ♦ SAN FRANCISCO ♦ SAN MATEO

T 415 972 1200
F 415 972 1201
CatholicCharitiesSF.org

990 Eddy Street
San Francisco, CA 94109

December 29, 2022

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

On April 8, 2022 Catholic Charities sent a letter (copy attached) to the Board of Supervisors' expressing concerns related to the proposed housing allocations for St. Vincent's on the County's Housing Sites List for the Marin County Housing Element. The List reflected a reduction from 800 to 680 total units with 65% of units proposed to be built to be lower income units. While we understand that our unincorporated property at Catholic Charities St. Vincent's School for Boys continues to be identified as a site where meaningful progress can be made toward meeting the County's housing requirements, the unit density allocations and rezoning of our property are not feasible for reasons articulated herein.

Catholic Charities has a history of social service support for housing among other need areas in Marin. We understand the need for affordable and low-income units. We are eager to support the pressing needs of our community. During the last thirty years we have embarked on projects to build affordable housing on our property. All of the proposals failed due to the economics of the development: there must be sufficient market rate housing to subsidize the construction of low-income housing.

We send this updated letter in response to the Housing Element January 5th Planning Commission Hearing on Housing and Safety Element Final Environmental Impact Report, Countywide Plan/Development Code Amendments. Specifically, Item #6: Housing Element Countywide Plan Amendments/Rezoning remains untenable for Catholic Charities St. Vincent's School for Boys. This plan remains inconsistent with our efforts to steward our land effectively to serve those in need in Marin County.

Based on discussions with industry professionals, the allocation of a 65% low income housing for St. Vincent's will not be economically feasible for developers or Catholic Charities. In fact, our own experience during the past thirty years demonstrates that even a 40% allocation of affordable housing is financially untenable for developers. As such, it remains improbable that a future housing development at St. Vincent's would be feasible with an even greater density requirement by the County and higher percentage of low-income units required as envisioned in the current Housing Element plan.

In point of fact, we note the following issues with the January 5th Housing Element Plan Item #6:

1. The overall unit count for St. Vincent's continues to fluctuate per the Housing Element. The current plan calls for 743 units (935 is listed in Plan C-9, Appendix B) with rezoning of our land. The County's inclusionary ordinance requires 20% affordable housing which can be moderate, low, or very low or a combination of all three which would be 149 units versus the 440 being identified by the county. St Vincent's is consistently being asked to build more than 50% very low affordable units which is not economically feasible for a developer without large financial subsidies from the County and State. Rezoning will cause additional obstacles to the implementation of the Housing Element. We recommend that the County not proceed with rezoning and adhere to the inclusionary ordinance requirement of 20% affordable units.
2. After conferring with Marin County Community Development, we understand the allocated unit numbers may continue to shift. The key is density per acre. However, we believe that the property owner must be able to determine the use and density of units on their land. If the 440 units of affordable housing is a flexible number and can be lowered, then the County will fail to meet its lower income housing goals that it guaranteed HCD in the next 8-year cycle. It is therefore our recommendation that the County manage the Housing Element needs and requirements to expand identification of viable land for low income housing, and adhere to the County's inclusionary ordinance for development of required housing which will be feasible for property owners and result in successful achievement of the State's goal of building additional affordable housing.
3. It is unfair for the County to require more than 20% affordable housing without providing financial assistance for any housing units over 20%. Catholic Charities property at St. Vincent's is being targeted to carry the cost and burden of the bulk of the affordable units in Marin County. It is our understanding that counsel for the County has opined at a Planning Commission hearing that the county could not require more than 20% affordable housing unless it provided financial subsidies. No such subsidy has been suggested to us by the County.

Before closing, I would like to mention that Catholic Charities also owns the Carmelite property in Marinwood which is currently operating as a social service program. This site is not considered for development and will remain a program site to support those in need in our community.

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,

Chief Executive Officer
Catholic Charities CYO of The Archdiocese of San Francisco

cc: Leelee Thomas
Mary Sackett

From: [Christine Tusher](#)
To: [housingelement](#)
Subject: Community Plan
Date: Thursday, December 29, 2022 2:25:05 PM

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

Dear Planning Commissioners —

Despite verbal agreements that Community Plans would not be broadly swept aside, there remains broad and contradictory language in the ITEM 6, Exhibit B. ITEM 6 is the “Housing Element Countywide Plan Amendments/Rezoning.”

In this Exhibit B, you will find the following problematic language:

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Policy 1.5-3 addresses land use categories now says:

“The Countywide Plan land use designations supersede Community Plan designations.”

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"No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density."

Thank you for your consideration and thoughtful work.

With appreciation,

Christine Tusher

Resident, Mill Valley

From: [David Leimsieder](#)
To: [housingelement](#)
Subject: Fwd: Planning Commission Meeting January 5, 2023 re CWP
Date: Thursday, December 29, 2022 11:34:12 AM
Attachments: [Ltr - PC re CWPs - 12.28.22.pdf](#)

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

Begin forwarded message:

From: David Leimsieder <leimsiederd@yahoo.com>
Date: December 29, 2022 at 9:08:55 AM PST
To: planningcommission@marincounty.org
Cc: smoultonpeters@marincounty.org, Clair Bear Leimsieder
<cleimsieder@gmail.com>
Subject: **Planning Commission Meeting January 5, 2023 re CWP**

To the Planning Commissioners,

This is a note in anticipation of the upcoming Planning Commission Meeting on 1/5/23.

We urge you to preserve the legality of community plans and ask for thoughtful modifications that may be necessary in light of state housing mandates. We can not simply do away with the guiding documents that have governed our community for decades. We ask that you please take a more narrow approach here. For unincorporated towns such as Strawberry, this is the only guiding governance for our town. It is the only specific document to the town of Strawberry, and there has been considerable time, effort, and collaboration spent in drafting and adhering to this community plan in our neighborhood.

We also endorse Attorney Riley Hurd's December 28, 2022, letter (attached herein) which similarly requests less sweeping language that would simply dismiss these vital Community Plans.

Sincerely,
David and Clair Leimsieder
111 Richardson Drive, Mill Valley, CA 94941
10 year Strawberry residents



Ragghianti|Freitas LLP

Attorneys at Law

1101 5th Avenue, Suite 100
San Rafael, CA 94901
telephone 415.453.9433
facsimile 415.453.8269
www.rflawllp.com

Riley F. Hurd III
rhurd@rflawllp.com

December 28, 2022

Via E-Mail Only

Planning Commission
County of Marin
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Re: CWP Amendments - Community Plans

Dear Members of the Planning Commission:

At your last meeting regarding the CWP amendments associated with the Housing Element, a very clear consensus was reached that community plans should be preserved to the fullest extent possible. In response to this direction, the proposed edit to Policy 3.4-3 has been modified to address situations where there is a conflict between community plans and the CWP regarding density or floor area. **However, the remaining proposed edits to Policies 1.4-3 and 1.5-3 continue to completely eviscerate Community Plans.**

Policy 1.4-3 is entitled "How to Read the Countywide Plan" and proposed to now include the following language:

"...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan..."

Policy 1.5-3 addresses land use categories and is proposed to now say:

"The Countywide Plan land use designations supersede Community Plan designations."

These edits do *not* preserve community plans to the fullest extent possible.



Ragghianti|Freitas LLP

Page 2 of 2

There are many major sites and large areas carefully planned for in a community plan, but with nothing more than a land use designation in the CWP. Implementing these edits would eliminate all of this careful planning, and is not necessary for housing preservation. Furthermore, these edits are horizontally inconsistent with the proposed edit to Policy 3.4-3, which says the community plans only supersede the CWP in regards to density or FAR.

Community plans have been developed via a comprehensive, thoughtful, transparent, , and fair process with all stakeholders. While they could certainly use some updating, overriding them in one fell swoop is unnecessary. Many community plans serve as the entire planning document for large sites. Simply reverting to the CWP designation would be catastrophic.

The following simpler, singular, edit could achieve the goals of advancing housing while not single handedly wiping out community plans:

“No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density.”

We would ask that you please use the edit proposed above and not adopt the various other edits regarding CWPs. Thank you.

Very Truly Yours,

A handwritten signature in blue ink that reads 'Riley F. Hurd III'. The signature is written in a cursive, slightly slanted style.

Riley F. Hurd III

CC: SNA

From: [David Piontek](#)
To: [PlanningCommission](#); [Moulton-Peters, Stephanie](#); [housingelement](#)
Cc: [victoria.piontek](#)
Subject: Housing Element language STILL undermines Community Plans unnecessarily
Date: Thursday, December 29, 2022 11:36:06 AM

Some people who received this message don't often get email from davidmpiontek@gmail.com. [Learn why this is important](#)

Dear Planning Commissioners —

Despite verbal agreements that Community Plans would not be broadly swept aside, there remains broad and contradictory language in the ITEM 6, Exhibit B. ITEM 6 is the “Housing Element Countywide Plan Amendments/Rezoning.”

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"No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density."

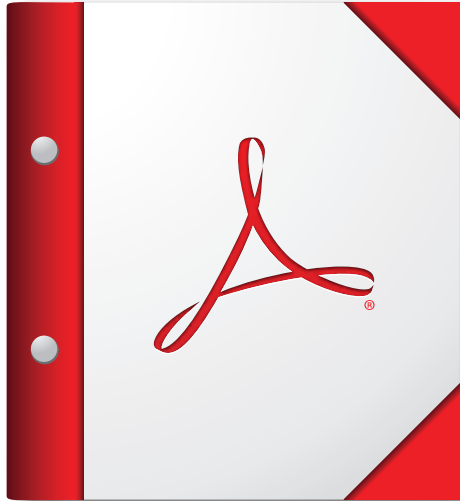
Thank you for your consideration and thoughtful work.

With appreciation,

David Piontek

315 Richardson Dr

Mill Valley, CA 94941



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Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)

From: eandrewsen@comcast.net
To: [PlanningCommission](#); [housingelement](#)
Cc: [Moulton-Peters, Stephanie](#)
Subject: Housing Element language STILL undermines Community Plans unnecessarily
Date: Thursday, December 29, 2022 11:15:00 AM

You don't often get email from eandrewsen@comcast.net. [Learn why this is important](#)

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Sincerely,

Eric Andrewsen
219 Richardson Dr
Mill Valley, CA 94942

From: [Jenny Silva](#)
To: [housingelement](#)
Cc: [housingelements@hcd.ca.gov](#); [housingelements@vimbylaw.org](#)
Subject: Concern about public review process for the Marin County Housing Element
Date: Thursday, December 29, 2022 1:11:57 PM

Dear Marin County,

I have concerns about the current process for the Marin County Housing Element.

On December 27, I received an email from housingelement@marincounty.org regarding a public hearing on the Housing Element scheduled for January 5th.

This email contains links to a [draft housing element](#). In preparing for this January 5th meeting, it has become clear to me that this draft housing element is different from the latest housing element listed on the Marin County [housing element website](#).

HCD requires that every new draft of the housing element has a week-long public review period. If this is intended to be a new draft that is ready to undergo public review, Marin County needs to alert the public that this is a new draft, and give notice of when the review period begins and ends. The email states that comments will be accepted until 5:00pm on December 30. Is that the official end of the review period for this draft of the housing element? If so, that is a review period of only 3 days, rather than the required 7 days.

Marin County has stated that it intends to vote to approve this Housing Element January 5th. It cannot do this without the required public review period.

I do want to alert you that this draft of the Housing Element appears to be missing a portion of Appendix C - namely, everything prior to Table C-4. This should be fixed, and will require a new review period.

In addition, it appears that Marin is undergoing a strategy of rezoning parcels on the site inventory at densities below the Mullin density, as a way to limit housing on these parcels. Some of these rezoned parcels will be targeted for low income housing. The County plans to vote on this rezoning Jan 5th. Sites targeted for low income housing must be zoned at least at the Mullin densities. Rezoning prior to the adoption of the Housing Element does not eliminate this requirement. Woodside already tried this tactic and HCD did not permit it.

I am continuing to review the current draft of the Housing Element. It is not clear if the redlining pertains to the previous HCD draft or the draft labeled as the HCD Response Draft. The versioning of drafts should be clarified for public reviewers. I would appreciate clarification of the draft and process as soon as possible.

Best,

Jennifer Silva
Volunteer, Campaign for Fair Housing Elements

From: [John Turnacliff](#)
To: [housingelement](#); [PlanningCommission](#); [Moulton-Peters, Stephanie](#)
Subject: Seminary Project
Date: Thursday, December 29, 2022 11:53:36 AM

Some people who received this message don't often get email from jturnacliff@protonmail.com. [Learn why this is important](#)

Dear Planning Commissioners —

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Thank you.

John Turnacliff
139 Seminary Dr.
Mill Valley

From: [Josh Andresen](#)
To: [housingelement](#); [PlanningCommission](#)
Cc: [Moulton-Peters, Stephanie](#); [Sara Heintzeman](#)
Subject: Housing Element language STILL undermines Community Plans unnecessarily
Date: Thursday, December 29, 2022 4:56:19 PM

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Dear Planning Commissioners —

We endorse Attorney Riley Hurd's December 28, 2022 letter.

We urge you to preserve the legality of community plans to the fullest extent possible. For reference we have pasted more specific language after our signatures below.

Sincerely,
Josh Andresen and Sara Heintzeman
Strawberry, 319 Ricardo Rd.

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Thank you for your consideration and thoughtful work.

From: [Kam Jalili](#)
To: [housingelement](#)
Subject: Housing Element
Date: Thursday, December 29, 2022 10:46:38 AM

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

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Thank you for your consideration and thoughtful work.

With appreciation,

Kam Jalili

Sent from my iPhone

From: [Kay Moore Harris](#)
To: [housingelement](#)
Subject: Strawberry Community Plan
Date: Thursday, December 29, 2022 12:50:22 PM

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

Dear Commissioners

By now you have heard from many concerned Strawberry residents over the future of our community. We are (and have) asking that you, in reviewing the proposed housing element, use farsightedness in your conclusions just as those fighting the Marincello battle did many years ago. Your decisions, wrongly decided, will not only impact Strawberry but also the entire county.

Thank you. Be well.

Best
Kay Moore Harris

Sent from my iPhone

MARIN COVE HOMEOWNERS' ASSOCIATION
Comments on Proposed Zoning Changes for Affordable Housing

December 29, 2022

To the Honorable Marin County Supervisors and the Housing Elements Planning Commission:

The remarks of consultant staff at the last Planning Commission Hearing on December 12 suggest our position has not been fully considered by consultant staff in evaluating the issue of affordable housing and zoning for the Old Gallinas Property (260 North San Pedro Road).

The Marin Cove Homeowner's Association¹ sets forth the following points in opposition to the proposed zoning change that appears to eliminate the parking lot at the Old Gallinas property.

The proposed zoning changes should **not** eliminate the parking lot at the Old Gallinas property, nor is there is any reasonable basis to do so.

The following points are clear:

1. The Old Gallinas property is 7.9 acres.
2. The Little League field is a de facto park with a Little League field used by residents for recreation. Past meetings have recognized the area as a community resource. This point has not been disputed.
3. The little League field is a 200-foot square, with an additional approximately 100 feet surrounding the outfield, thus creating a field approximately 300 feet by 300 feet, resulting in an area of 90,000 square feet (just over two acres).
4. There is a parking area within the Old Gallinas property, to the south of the Little League field. The area is approximately 300 feet by 130 feet, resulting in an area of 39,000 square feet (just under an acre).
5. The current Old Gallinas property recreational use, including parking, is three acres, which would leave an area at the property for affordable housing of 4.9 acres.
6. The proposed RNHA number for the Old Gallinas property is 21 units /acre.
7. Supervisor Connolly, after neighborhood opposition, recommended 50 units for the Old Gallinas property (which was down from originally proposed 180 units).
8. Using the RNHA number of 21 units per acre, and the 50 claimed needed affordable housing units, this would mean only approximately 3 acres would be needed to meet the currently anticipated affordable housing need.
9. Parking is an integral part of the field use. People drive vehicles to carry equipment, food, drinks, and chairs, which are unloaded from their vehicles.
10. During Little League games, the Old Gallinas parking area is heavily used to overflow capacity. If the parking area were to be eliminated, then inadequate parking would exist and the field could not be used. The parking lot to the immediate north of the Little League field on Steven Way is private property belonging to Marin Cove, not the County, nor the school district. This parking lot, contrary to what consultant staff may believe, is not open for public parking.

¹ Marin Cove is the subdivision to the east and north of the Old Gallinas property.

MARIN COVE HOMEOWNERS' ASSOCIATION

December 29, 2022

Page 2 of 4

11. Members of the San Rafael Tennis Club also regularly park in the west portion of the Old Gallinas parking area. During major tennis club events, the parking lot at the tennis club (to the west of the Gallinas property) is full, and parking is needed on the Old Gallinas property.
12. The School District has already proposed converting what appears to be a portion of the parking area (likely the right side of the photograph below (a/k/a the upper parking area) because it is slightly elevated from the east or left side)) into "temporary" quarters for Wild Care. Despite being labeled as "temporary," cement slabs will be constructed for the buildings. Parking spaces will obviously be lost to accommodate Wild Care.
13. We state again the Old Gallinas property also contains a child care center used by residents for child care. There has not been any discussion as to how residents will cope if this child care resource is lost, nor has the San Rafael City School district revealed any alternative child care facility to serve Santa Venetia residents. Childcare, as the Legislature has declared, is supported by important public policy. (*E.g.*, Health & Saf. Code §1597.40; see also, *Morrison v. Vineyard Creek* (2011) 193 Cal.App.4th 1254, 1257 (1st DCA) ["child day care facilities contribute positively to children and because good quality child day care services are an essential service for working parents"].

We have the impression consultant staff have made recommended housing numbers and zoning change proposals apart from real world circumstances, without ever observing the field being used nor the number of residents who come to the field. Consultant staff also appear to view the process as little more than applying an algorithm to a spreadsheet of housing sites. Parking use should be considered, for without it, realistically, the Old Gallinas property could not be serve its function as a recreational resource. We state again, there is nothing in the Affordable Housing Acts which directs the loss of public recreation areas.

If a reasoned approach were made, there is no justification whatsoever for the statements made by consultant staff the parking can be worked out later when construction details are considered. Once the property zoning for the parking lot has been changed, the area will likely be lost for parking use since the development incentive is to make as many units as possible to reduce per unit construction costs.

Assuming the RNHA numbers are used, and the need for 50 affordable housing units is applied, there is no justification for zoning the entire Old Gallinas property for affordable housing and eliminating the parking lot.

Planning Commission members noted at the last meeting implementation of the Affordable Housing Acts requires public trust. Adopting zoning changes and proceeding in a manner without a logical basis undermines public trust and confidence that governmental agencies properly serve the public interest. One should not be left with the impression the only public interest that is regarded as significant is to favor development. Any proposed zoning change should only be what is believed actually necessary for Affordable Housing, not an excess subject to adjustment later.

MARIN COVE HOMEOWNERS' ASSOCIATION

December 29, 2022

Page 3 of 4

We also suggest the Santa Venetia Neighborhood Association's concerns about the viability of construction on Bayhills Drive in the face of subsidence issues, and the proximity to the San Rafael Airport be fully considered in evaluating the need for affordable housing in the area.

Thank you for your consideration,

Mark C. Raskoff

Mark C. Raskoff

MARIN COVE HOMEOWNERS' ASSOCIATION



MARIN COVE HOMEOWNERS' ASSOCIATION

December 29, 2022

Page 4 of 4



From: [Mary Fox](#)
To: [PlanningCommission](#); [housingelement](#); [Moulton-Peters, Stephanie](#)
Subject: Housing Element undermines community plans
Date: Thursday, December 29, 2022 11:22:26 AM

Some people who received this message don't often get email from marywfox@hotmail.com. [Learn why this is important](#)

Dear Planning Commissioners —

Despite verbal agreements that Community Plans would not be broadly swept aside, there is still contradictory language in the ITEM 6, Exhibit B. ITEM 6 is the “Housing Element Countywide Plan Amendments/Rezoning.”

In this Exhibit B, you will see the following language:

Policy 1.4-3 entitled “How to Read the Countywide Plan” includes the following statement:

“...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan.

Policy 1.5-3 addressing land use categories now says:

“The Countywide Plan land use designations supersede Community Plan designations.”

Exhibit B can be accessed here: <https://www.marincounty.org/-/media/files/departments/cd/planning/cwp/housing-and-safety-elements/pc-hearing-010523/item-6-he/attachment-3.pdf?la=en>

I know land use attorney, Riley Hurd, suggested you substitute language which could achieve Housing Element objectives without destroying Community Plans. Will you please consider and adopt his proposed language and remove the proposed broad language below?

“No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density.”

Thank you for your consideration and thoughtful work.

With appreciation,

Mary Fox,

Strawberry Homeowner

From: [Northbridge Homeowners Assn NHA](#)
To: [BOS](#); [housingelement](#)
Cc: [Goncalves, Gustavo](#); [Sackett, Mary](#)
Subject: Northbridge Comments for 1/5/23 BOS Meeting
Date: Thursday, December 29, 2022 7:45:35 AM
Attachments: [Northbridge Comments for 1.5.23 BOS Meeting re Housing Element.pdf Attachment.pdf](#)

Please see the attached comments in connection with the 1/5/22 BOS meeting re the housing element.

Thanks

TO: Marin County Board of Supervisors
FROM: Northbridge Homeowners Association
DATE: December 29, 2022
RE: Comments Re 1/5/23 BOS Meeting re Housing Element

Northbridge Homeowners Association (“NHA”) has previously submitted comments in connection with several BOS and PC meetings about the housing element. NHA’s most recent comments, submitted for the 12/6/22 meeting, are attached hereto and remain just as critical as they were a month ago.

The housing plan that the BOS appears on the verge of approving includes the addition of 134 units along a very small stretch of N. San Pedro Rd. As NHA has noted repeatedly throughout this process, that kind of volume of additional housing—along a two-lane road that already is overwhelmed by traffic—poses extremely serious safety risks to our community and cannot responsibly be approved. N. San Pedro Rd. already has horrible traffic problems, and it is the only way in and out of the Santa Venetia neighborhood. Our community is already at great risk in the event of an emergency requiring evacuation (e.g., fire), and adding 134 additional units—which would increase the population of the Santa Venetia neighborhood substantially—will greatly exacerbate that risk, putting lives in danger. Simply put, this neighborhood cannot handle that many additional units. Not even close. And that is before the planned increase in enrollment at Venetia Valley School, which SRCS has already approved as part of its long-term master plan¹ and which increase the BOS and County will have little or no control over.

Respectfully, if the BOS approves a plan that includes this many additional units for our neighborhood, it would be irresponsible. Nor can the BOS reasonably count on the possibility that future development at these sites (Old Galinas School, Church of Jesus Christ, JCC/Rodef Shalom) could theoretically involve some additional review process and, perhaps, community input. Once the zoning is changed for these sites—which the BOS seems on the verge of doing in the next month—that shipped will have, in essence, sailed. For example, as we understand it, once re-zoning occurs, development within such new limit at Old Galinas School will be entirely in the hands of SRCS, with little or no input from the County and any community input will be entirely at the SRCS’s discretion to consider or not consider. Similarly, there is no reason to expect that there would be any opportunity for community input or review of safety concerns, post-rezoning, for development at the other two, private sites (Church of Jesus Christ, JCC/Rodef Shalom).

Thus, for all practical purposes, BOS approval is the last opportunity to consider the real-life safety impacts of this would-be development. Once the BOS approves the plan and the re-

¹ The Master Plan for future development, approved by the San Rafael City Schools Board in or around 2015 or 2016, includes significantly expanding the Grades 6-8 portion of Venetia Valley School at some point in the future, which SRCS projected would increase overall enrollment at the school substantially.

zoning occurs, the development can happen with no meaningful consideration of these concerns and risks. While the BOS did not create this situation (and we certainly do not envy the task you have been given here) it is nevertheless your responsibility to carefully consider these numbers and the context of our community and the single road that goes in/out of it. Respectfully, you cannot responsibly approve a plan that poses such safety risks to our community. This is the last chance to act on these concerns and to protect our community.

Please do not approve a plan that includes 134 additional units between these three sites.

Finally, with respect to the Old Galinas School in particular, as was noted at the most recent PC meeting, preservation of the baseball field on that site, which appears to have been prioritized and intended in the current plan, must include preservation of sufficient area for attendees/parents to park at the field. Moreover, any plan approved by the BOS that includes any units for the Old Galinas site should also specify/prioritize the preservation of the child care operations on that site, which provide critical and unique services for our community. The fact is that there should not be any housing units on this site which serves as such an important resource in multiple respects (both the field and the child care services).

Thank you for your consideration of these comments.

TO: Marin County Board of Supervisors
FROM: Northbridge Homeowners Association
DATE: December 5, 2022
RE: Comments Re 12/6/22 BOS Meeting re Housing Element

In connection with the upcoming December 6, 2022 Board of Supervisors meeting, the Northbridge Homeowners Association (“NHA”) respectfully submits these comments.

The Cumulative Impact of Concentrating 134 Additional Units Along a Small Stretch of North San Pedro Rd. Would Be Devastating

As stated in previously-submitted NHA comments, the Northbridge community remains extremely concerned about the prospect of adding so many additional units, and so dense, in such a small area right next to our neighborhood. The current list of sites/unit numbers, and the corresponding density assumptions, if adopted, would result in a grossly disproportionate share of the County’s total required units being concentrated right next to our community.

While maybe not apparent upon a quick view of the list of proposed sites, the current list provides for far too much concentration of additional units in a very small area along North San Pedro Rd that is adjacent to our Northbridge neighborhood. The cumulative impact of adding this much additional housing in such a small area would be, frankly, devastating to our community. Specifically, sorting the list by address, the current draft list of sites includes *all* of the following:

Site	Address	Units Proposed	Site Name
1	220 N. San Pedro Rd.	35 units Lower-income (20 units per acre density)	The Church of Jesus Christ
2	210 N. San Pedro Rd. 200 N. San Pedro Rd. 180 N. San Pedro Rd.	36 units Lower-income (20 units per acre density)	Bernard Osher Marin JCC
3	170 N. San Pedro Rd	13 units Moderate-income housing	Congregation Rodef Shalom Marin

4	251 N. San Pedro Rd.	50 units Lower-income (super-dense 30 units per acre density)	Old Galinas School
Total		134 units	

That adds up to whopping **134 additional housing units** in a *very small stretch* along North San Pedro Rd. right next to our neighborhood, a grossly disproportionate concentration of the overall additional housing burden countywide. If this is adopted as part of the ultimate plan, that would be seriously unfair to the Northbridge neighborhood and to the surrounding neighborhoods in Santa Venetia, just as it would be if all 134 additional units were proposed for to be added to any one of those essentially adjacent sites.

Indeed, Sites 1, 2, and 3 listed above are literally *right next to one another*, and Site 4 listed above is just a few parcels down and directly on the other side of our Northbridge Neighborhood. Among other consequences, adding this many units to this small area would exacerbate an already very bad traffic situation, compound our residents’ serious concerns regarding emergency evacuation of the neighborhood, and drastically change the character of our community and the surrounding neighborhood.

We ask that the Board please not just consider these sites individually in their own vacuums, but instead consider the *aggregate* number of units proposed for such a small area, the very real and practical *cumulative* impacts this would have on our Northbridge neighborhood, and the inequity of having so much of this additional housing so concentrated in these four essentially adjacent lots. At least some of these adjacent sites should be removed, and the maximum numbers of units provided for the remaining sites, and the density, should be reduced substantially.

The DEIR Paints an Unrealistic Picture of Both Current Conditions and the Impact of the Potential Additional Housing Under the Current List

As stated in recently-submitted NHA comments regarding the DEIR, the DEIR does not properly or realistically assess the cumulative impacts of the proposed additional housing sites on our Northbridge community or Santa Venetia more generally. As discussed above, the list of proposed sites includes several sites that are essentially right next to each other on N. San Pedro Rd. Collectively, if the amount of housing proposed for these sites were to come to fruition, that would seriously exacerbate an already *very* bad traffic and safety evacuation problem for our neighborhood.

The evaluation completed for the DEIR is completely unrealistic, both in terms of current conditions and future projections. Among other problems, the DEIR does not account for the planned increased enrollment at Venetia Valley School, which the County has little or no control

over and which, even without the proposed added housing, will make a bad traffic and safety situation much worse.

The number of units for Santa Venetia, and in particular for the multiple adjacent or near adjacent sites along NSP, should be reduced considerably (including the currently designated 50 units for Old Galinas School) to reduce the cumulative impact of additional housing.

Old Galinas School Site

With respect to Site 4 listed above (Old Galinas School), that site currently serves as a vital resource for our community—a child care center that is used and relied upon by Santa Venetia families and other families throughout the county. Eliminating this important resource would be a terrible loss for our community, and we would ask that you please remove this site from the list entirely.

Additional General Comments

More generally, while the current list of sites has reduced the overall number of proposed additional sites for Santa Venetia, the current list still calls for far too many additional units for Santa Venetia. Some neighborhoods just cannot accommodate that much additional housing, and Santa Venetia is one such neighborhood. 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.

We very much appreciate the Board's consideration of the above comments.

From: [Penny Crow](#)
To: [housingelement](#)
Subject: RE: Housing Element language STILL undermines Community Plans unnecessarily
Date: Thursday, December 29, 2022 3:01:03 PM

You don't often get email from pennyec10@gmail.com. [Learn why this is important](#)

Dear Planning Commissioners —

This is not the first time I am writing to ask you to please not ignore Community Plans, a vital reason many of us have chosen to live where we do.

Despite verbal agreements that Community Plans would not be broadly swept aside, there remains broad and contradictory language in the ITEM 6, Exhibit B. ITEM 6 is the “Housing Element Countywide Plan Amendments/Rezoning.”

In this Exhibit B, you will find the following problematic language:

Policy 1.4-3 entitled “How to Read the Countywide Plan” includes the following language:

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Policy 1.5-3 addresses land use categories and now says:

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"No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density."

Thank you for your consideration and thoughtful work.

Penny Crow

From: [Perry Simon](#)
To: [housingelement](#)
Subject: RE: Seminary Neighborhood Asso -- Housing Element language STILL undermines Community Plans unnecessarily
Date: Thursday, December 29, 2022 4:22:40 PM

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

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Thank you for your consideration and thoughtful work.

Sincerely,

PERRY and SUSAN SIMON
134 Reed Blvd.
Mill Valley, CA 94941

From: [Norris, Philip](#)
To: [PlanningCommission](#); [housingelement](#)
Cc: [Michael](#); [Moulton-Peters, Stephanie](#)
Subject: Housing Element language STILL undermines Community Plans unnecessarily
Date: Thursday, December 29, 2022 10:37:55 AM

Dear Planning Commissioners,

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Thank you for your consideration and thoughtful work.

Sincerely,

Philip Norris

378 E Strawberry Drive
Mill Valley, CA 94941

From: [Sandy Rolleri](#)
To: [housingelement](#)
Subject: The Strawberry Community
Date: Thursday, December 29, 2022 10:43:53 AM

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

I support progress. The Strawberry Community Plan is long outdated and needs to be set aside. We need to make room for more residents and provide more housing,

I have lived in Strawberry since 1977 as a renter and then a homeowner since 1980.

I live in a single family home on Belvedere Street. The future is not single family homes. There will always be SFRs but we need residential high density housing. High density has become a dirty word but there are many well designed projects that add value to the community. I will be 73 years old in January.

I am glad the opponents of changing or eliminating the Strawberry Community Plan made it so easy for me to respond with my opinion .

Sandy Rolleri
SandyRolleri@gmail.com
(415) 381-2118

From: [Bob Hendry](#)
To: [PlanningCommission](#); [housingelement](#)
Cc: [Moulton-Peters, Stephanie](#)
Subject: Re: From Seminary Neighborhood Association RE: Housing Element language STILL undermines Community Plans unnecessarily
Date: Thursday, December 29, 2022 11:50:44 AM

Dear Planning Commissioners,

Please note that the Seminary Cove Homeowners' Association concurs with the recommendations in the letter previously sent to you by the Seminary Neighborhood Association which follows in the attached email.

Too many of us have worked long hours to make the Strawberry area of Marin County as better place as possible for all members of the extended community. Destroying our hard work put into the Community Plan, and hours of fair negotiations since, would be a very negative way to treat your constituents. Please consider seriously the suggestions put forth.

Robert W. Hendry, Board Member
Seminary Cove HOA

From: Michael Gallagher <michaelgallagher.office@gmail.com>
Sent: Wednesday, December 28, 2022 10:37 PM
To: planningcommission@marincounty.org <planningcommission@marincounty.org>; housingelement@marincounty.org <housingelement@marincounty.org>
Cc: Michael Gallagher <michaelgallagher.office@gmail.com>; Stephanie Moulton-Peters <smoultonpeters@marincounty.org>
Subject: From Seminary Neighborhood Association RE: Housing Element language STILL undermines Community Plans unnecessarily

Dear Planning Commissioners —

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"No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density."

Thank you for your consideration and thoughtful work.

With appreciation,

Michael Gallagher, President
Seminary Neighborhood Association

From: [Tirrell Graham](#)
To: [PlanningCommission](#); [Moulton-Peters, Stephanie](#); rhurd@rflawllp.com; [EnvPlanning](#); [housingelement](#); michaelgallagher.office@gmail.com
Subject: Request Housing Element Language Revision
Date: Thursday, December 29, 2022 7:46:04 PM

December 29, 2022

Dear Planning Commissioners:

I have lived on East Strawberry Drive for over 36 years and during that time have worked to preserve the quality of life of Strawberry residents. Included in that work was serving 12 years as a Director of the Strawberry Recreation District and 36 years as an active member of Strawberry's waterfront community (Zone IV). I am very concerned about the state's possible undermining of the Strawberry Community Plan.

First, some background. The Strawberry community started in 1947 -1948 with the first subdivision. The Strawberry Recreation District was created in 1949. District residents have worked with Marin County Planning for many years producing Strawberry Community Plans, including as far back as one dated November 5, 1973. Residents also worked from 2004 – 2007 preparing documents, attending meetings, and revising drafts in the development of the Marin Countywide Plan (November 6, 2007), which originally contained language that could have been detrimental to County waterfront residents. We (and residents of Paradise Cay and Bel Marin Keys) appreciated the County's resolution of our concerns. We hope for the same consideration regarding housing density.

Traffic is a major concern in Strawberry. It will only get worse with increased density. The lower section of East Strawberry Drive has 2 sharp blind curves. Drivers often speed, cross over the botts dots, and threaten us at our mailboxes. In addition, the lower section of East Strawberry Drive (#223 - #313) was originally the only portion of the road and provided two lane access from both directions. The driveways and garages in this section are designed for access from the north. Now we must approach from the south which necessitates slowing down and stopping before making a very sharp turn. This requires any vehicles following to be travelling at a safe speed. Otherwise the driver making the turn or backing out of his garage will be T-boned. Years ago we had East Strawberry Drive certified for radar enforcement but I have never seen any evidence of such enforcement. I have seen cars that went over the embankment or smashed into neighbors' fences.

Any increase in housing density will exacerbate the traffic safety issues for residents, school children, pedestrians, and bicyclists. We understand our communities. A state-imposed mandate is unfair. I support the recommendations of land use attorney, Riley Hurd and Seminary Neighborhood Association President, Michael Gallaher to eliminate the mandate that state housing laws supersede community plans. It is my understanding that Riley Hurd

has drafted substitute language that would achieve the Housing Element objectives without destroying community plans. I hope you consider his recommendations.

I appreciate your consideration.

Tirrell B. Graham
235 East Strawberry Drive

From: admin@tomalescsd.ca.gov
To: [housingelement](#); [PlanningCommission](#)
Cc: [Rodoni, Dennis](#)
Subject: January 5 Planning Commission Hearing on Housing Element
Date: Thursday, December 29, 2022 11:53:43 AM

Some people who received this message don't often get email from tvcsd@sonic.net. [Learn why this is important](#)

Dear Commissioners and Planning Staff,

Thank you for this opportunity to comment. The Tomales Village Community Services District (TVCS D) has just a few technical points relating to Item #4 (Final EIR) and Item #6 (Exhibit B).

The town of Tomales has a small wastewater system that the 'Program' EIR determined to have insufficient capacity to accommodate the current 118 Regional Housing Needs Assessment (RHNA) units allocated to Tomales to be built within this 8 year Housing Element/RHNA cycle. Additionally, most building structures in Tomales have their own wells for potable water which have diminishing capacity in the late summer months, coupled with the unknown long-term drought impacts, and then other parts of town (some areas designated in the RHNA) have little to no water at all.

The current Program EIR is developed to be a general overall 'umbrella' of risk factors that could occur due to the overall implementation of the Housing Element along with recommended mitigation measures, but that the actual build-out of any of the individual parcels included in the RHNA would not be ultimately known until a development application for a given 'Project' EIR or CEQA review was completed. The TVCS D district in general agrees with the risk factors defined in the EIR for Tomales but are concerned that the recommendations in the EIR are not reflected in the Housing Element RHNA and Housing Overlay Designation (HOD) site lists.

The Program Final EIR recommended removing the 70 units allocated in Tomales for Alternative 2: Reduced Vehicle Miles Traveled and removing 118 units allocated based on Alternative 3: Reduced Utility Impact. The current RHNA and HOD site lists still include 118 units in the draft-Housing Element, so our concerns are:

1. if the 118 RHNA numbers stay assigned to Tomales, and then individual 'Project' EIRs determine the lots are eventually unbuildable for various reasons – which may include lack of water, or insufficient wastewater capacity, or located near ESHA, etc., do the individual parcels then get removed from the RHNA so that they do not rollover and become 'By-right' in the next round of RHNA? It is not completely clear from the language how this process works, but only that there is a buffer provided for parcels that do not get developed verses ultimately undevelopable under current conditions.
2. also, if the wastewater district determines that it does not have capacity for a given development project, and cannot provide a 'Will-Serve Notice', would either the current draft-Housing Element (including HOD list) or By-right authority override utility restrictions and limitations?

Thank you for your consideration on these two procedural points as it is not clear how including parcels/units that may not be buildable get removed from the next round of RHNA.

Best,
Mary Halley
General Manager, TVCSD
Tomales Village Community Services District
PO Box 303
Tomales, CA 94971
admin@tomalescsd.ca.gov

From: [Vikki Goldman](#)
To: [housingelement](#)
Subject: Housing Element language unnecessarily undermines Community Plans!
Date: Thursday, December 29, 2022 11:04:05 AM

Dear Planning Commissioners —

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Thank you for your consideration and thoughtful work!

Vikki Goldman
vikki.goldman@gmail.com
415.235.4135

Check out our book [What to Do When You're Dating a Jew!](#)

From: [Yvette Forte Rosedale](#)
To: [housingelement](#)
Subject: Please reconsider
Date: Thursday, December 29, 2022 11:41:08 AM

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

Dear Planning Commissioners —

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Thank you for your consideration and thoughtful work.

With appreciation,

Yvette Forte Rosedale

Strawberry Resident

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Proposed CWP changes and Community Plans
Date: Friday, December 30, 2022 3:36:39 PM
Attachments: [PC letter 12-30-22.pdf](#)

From: Alan Jones <ajarchitect@comcast.net>
Sent: Friday, December 30, 2022 2:39 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Subject: Proposed CWP changes and Community Plans

You don't often get email from ajarchitect@comcast.net. [Learn why this is important](#)

Please forward the attached letter to Commission members for consideration at the upcoming meeting January 5.

From:
Alan Jones, Architect
304 Laurel Way
Mill Valley, CA 94941

December 30, 2022

To: Planning Commission, County of Marin

SUBJECT: Proposed CWP amendments and Community Plans

Ladies and Gentlemen:

At your last meeting where the proposed amendments were considered in relation to the Housing Element the Commission strongly supported our existing Community Plans and directed staff to modify the proposed language to that effect. Whether by oversight or intention, the proposed changes now before you do very little to change what was previously proposed. In effect, if this language is permitted to prevail, our Community Plans will become largely irrelevant.

I strongly urge you to instruct staff clearly to omit the new propose language in Section 1.4-3 and 1.5-3. It is clearly not necessary.

In addition I call your attention to the proposed changes in Section 3.4-3. Omitting the language which allows Community Plans to prevail in a case where they are more specific makes these plans completely irrelevant. The whole point of Community Plans is to be more specific than the Countywide Plan.

If legal advisors indicate that a change is needed in order to comply with new State laws, I fully support the suggestions of Riley Hurd in his letter of December 28.

Very truly yours,

Alan Jones, Architect
Former TDRB member and chair.

From: [Alan Spencer](#)
To: [housingelement](#)
Cc: [Rice, Katie](#)
Subject: Housing Element
Date: Friday, December 30, 2022 1:40:45 PM

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As a long-time resident of the Sorich Ranch / Memorial Park neighborhood in San Anselmo, I have serious misgivings about the proposal to build 64 units in place of the current 17 at 404 San Francisco Blvd.

In particular, I'm concerned about traffic congestion on SF Blvd and at the Hub, water capacity, infrastructure demands, noise, air pollution, and the change in character of that semi-rural part of San Anselmo. In the event of an emergency evacuation, having additional residents would exacerbate an already risky situation, with just one point of egress.

Having heard of some communities in Southern California deciding on balance not to comply with the Housing Element directives, I would urge Marin County to follow suit for the sake of long-term safety and quality of life.

Alan Spencer

From: [Jones, Sarah](#)
To: [housingelement](#)
Subject: FW: Planning Commission Meeting January 5, 2023 re CWP
Date: Friday, December 30, 2022 11:14:17 AM
Attachments: [5e796002-3b4a-4281-af20-0204d759e8bf.png](#)

From: Santa Monica Rx <santamonicarx@gmail.com>
Sent: Friday, December 30, 2022 11:06 AM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>
Subject: Planning Commission Meeting January 5, 2023 re CWP

Some people who received this message don't often get email from santamonicarx@gmail.com. [Learn why this is important](#)

Dear Planning Commissioners,

We endorse Attorney Riley Hurd's December 28, 2022, letter.

The Santa Monica Residents Cross-City Executive Board urges you to exercise your right to preserve the legality of community plans to the fullest extent possible.

Sincerely,



Alexander P. Haas, Secretary
Santa Monica Residents Cross-City (smRx)
Santa Monica, CA

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Urgent - Planning Commission Meeting January 5, 2023 re CWP
Date: Friday, December 30, 2022 4:48:30 PM
Attachments: [Ltr - PC re CWPs - 12.28.22.pdf](#)

From: Amanda Rodner <amandarodner@gmail.com>
Sent: Friday, December 30, 2022 4:45 PM
To: PlanningCommission <PlanningCommission@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>; Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>
Subject: Urgent - Planning Commission Meeting January 5, 2023 re CWP

Some people who received this message don't often get email from amandarodner@gmail.com. [Learn why this is important](#)

Dear Planning Commissioners,

I, Amanda Rodner, and my husband Seth Rodner endorse Attorney Riley Hurd's December 28, 2022, letter.

As voters, residents with extensive backgrounds in law and urban management and planning, we strongly urge you to preserve the legality of community plans to the fullest extent possible.

Smart community design preserves the safety and integrity of our communities.

Sincerely,

Amanda Rodner and Seth Rodner
8 Walsh Drive; Mill Valley, CA 94941
Amandarodner@gmail.com



Ragghianti|Freitas LLP

Attorneys at Law

1101 5th Avenue, Suite 100
San Rafael, CA 94901
telephone 415.453.9433
facsimile 415.453.8269
www.rflawllp.com

Riley F. Hurd III
rhurd@rflawllp.com

December 28, 2022

Via E-Mail Only

Planning Commission
County of Marin
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Re: CWP Amendments - Community Plans

Dear Members of the Planning Commission:

At your last meeting regarding the CWP amendments associated with the Housing Element, a very clear consensus was reached that community plans should be preserved to the fullest extent possible. In response to this direction, the proposed edit to Policy 3.4-3 has been modified to address situations where there is a conflict between community plans and the CWP regarding density or floor area. **However, the remaining proposed edits to Policies 1.4-3 and 1.5-3 continue to completely eviscerate Community Plans.**

Policy 1.4-3 is entitled "How to Read the Countywide Plan" and proposed to now include the following language:

"...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan..."

Policy 1.5-3 addresses land use categories and is proposed to now say:

"The Countywide Plan land use designations supersede Community Plan designations."

These edits do *not* preserve community plans to the fullest extent possible.



Ragghianti|Freitas LLP

Page 2 of 2

There are many major sites and large areas carefully planned for in a community plan, but with nothing more than a land use designation in the CWP. Implementing these edits would eliminate all of this careful planning, and is not necessary for housing preservation. Furthermore, these edits are horizontally inconsistent with the proposed edit to Policy 3.4-3, which says the community plans only supersede the CWP in regards to density or FAR.

Community plans have been developed via a comprehensive, thoughtful, transparent, , and fair process with all stakeholders. While they could certainly use some updating, overriding them in one fell swoop is unnecessary. Many community plans serve as the entire planning document for large sites. Simply reverting to the CWP designation would be catastrophic.

The following simpler, singular, edit could achieve the goals of advancing housing while not single handedly wiping out community plans:

“No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density.”

We would ask that you please use the edit proposed above and not adopt the various other edits regarding CWPs. Thank you.

Very Truly Yours,

A handwritten signature in blue ink that reads 'Riley F. Hurd III'. The signature is written in a cursive, slightly slanted style.

Riley F. Hurd III

CC: SNA

From: [Jones, Sarah](#)
To: [housingelement](#)
Subject: FW: Planning Commission Meeting on 1/5/23
Date: Friday, December 30, 2022 11:15:09 AM

From: Amir Ebrahimi <ae.pascal@gmail.com>
Sent: Friday, December 30, 2022 10:37 AM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>
Subject: Re: Planning Commission Meeting on 1/5/23

Some people who received this message don't often get email from ae.pascal@gmail.com. [Learn why this is important](#)

Dear Planning Commissioners,

My hope is that you can see from those of us who take the time to send an email that there are many more that are probably not in the know and would send an email if they were.

I'm writing to endorse Attorney Riley Hurd's recent letter from 12/28/22.

I strongly urge you to preserve the legality of community plans to the fullest extent possible.

Yes, I know that the above is copy/paste from community organizers who are helping us all with this matter, but not everyone has the time to dive into these matters individually. What else are we to do?

Sincerely,
Amir Ebrahimi
51 Juniper Ave, San Geronimo, CA 94963

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Subject: Planning Commission Meeting January 5, 2023 re CWP
Date: Friday, December 30, 2022 3:38:18 PM

From: Amy Kalish <amykalish@gmail.com>
Sent: Friday, December 30, 2022 3:36 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Rodoni, Dennis <DRodoni@marincounty.org>
Subject: Subject: Planning Commission Meeting January 5, 2023 re CWP

Dear Planning Commissioners,

I strongly endorse Attorney Riley Hurd's December 28, 2022, letter. I was very disappointed in the new language regarding community plans, especially after the very full throated support for them — from the Commissioners and the public — at the December 12 meeting.

I strongly urge you to preserve the legality of community plans to the fullest extent possible.

Sincerely,
Amy and David Kalish
7 Walsh Drive, MV CA 94941

From: [Andrea Pino](#)
To: [housingelement](#)
Subject: Item 4 environmental impact
Date: Friday, December 30, 2022 12:19:25 PM

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

I am concerned about the traffic and the environmental impact of the park. 64 units seem to be far too many for this location.

Andrea Pino

Sent from my iPhone

From: [Andrew Dailey](#)
To: [housingelement](#)
Cc: [Moulton-Peters, Stephanie](#)
Subject: Housing Element Language - STILL A PROBLEM
Date: Friday, December 30, 2022 9:45:14 AM

Some people who received this message don't often get email from andrew.dailey@gmail.com. [Learn why this is important](#)

Dear Planning Commissioners,

Yours is a powerful position and words have enormous impact. Despite verbal agreements that Community Plans would not be broadly swept aside, there remains broad and contradictory language in the ITEM 6, Exhibit B. ITEM 6 is the "Housing Element Countywide Plan Amendments/Rezoning."

In this Exhibit B, you will find the following problematic language:

Policy 1.4-3 entitled "How to Read the Countywide Plan" includes the following language:

"...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan.

Policy 1.5-3 addresses land use categories now says:

"The Countywide Plan land use designations supersede Community Plan designations."

Exhibit B can be accessed here: <https://www.marincounty.org/-/media/files/departments/cd/planning/cwp/housing-and-safety-elements/pc-hearing-010523/item-6-he/attachment-3.pdf?la=en>

It has been brought to my attention that land use attorney, Riley Hurd, recommended to you substitute language which could achieve Housing Element objectives without destroying Community Plans. Will you please consider and adopt his proposed language and remove the proposed broad language cited below?

"No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density."

Thank you for your consideration and thoughtful work.

With thanks,

Andrew Dailey
14 Vista Real
Mill Valley, CA

From: [Angie Lackey](#)
To: [PlanningCommission](#); [housingelement](#); [Moulton-Peters, Stephanie](#)
Cc: michaelgallagher.office@gmail.com
Subject: Housing Element language
Date: Friday, December 30, 2022 12:55:04 PM

Some people who received this message don't often get email from angie.lackey.olson@gmail.com. [Learn why this is important](#)

From: Angie Lackey, Seminary Resident

Dear Planning Commissioners —

Despite verbal agreements that Community Plans would not be broadly swept aside, there remains broad and contradictory language in the ITEM 6, Exhibit B. ITEM 6 is the “Housing Element Countywide Plan Amendments/Rezoning.”

In this Exhibit B, you will find the following problematic language:

Policy 1.4-3 entitled “How to Read the Countywide Plan” includes the following language:

“...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan.

Policy 1.5-3 addresses land use categories now says:

“The Countywide Plan land use designations supersede Community Plan designations.”

Exhibit B can be accessed here: <https://www.marincounty.org/-/media/files/departments/cd/planning/cwp/housing-and-safety-elements/pc-hearing-010523/item-6-he/attachment-3.pdf?la=en>

It has been brought to my attention that land use attorney, Riley Hurd, recommended to you substitute language which could achieve Housing Element objectives without destroying Community Plans. Will you please consider and adopt his proposed language and remove the proposed broad language cited below?

"No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density."

Thank you for your consideration and thoughtful work.

With appreciation,

Angie Lackey

150 Seminary Drive #1D Mill Valley CA

Seminary Neighbor

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Community Plans
Date: Friday, December 30, 2022 4:47:54 PM

From: Anjuli Basu <anjulibmd@gmail.com>
Sent: Friday, December 30, 2022 4:32 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Subject: Community Plans

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

Dear Marin County Planning Commissioners,

At your last meeting regarding the Marin Countywide Plan Amendments associated with the Housing Element, a very clear consensus was reached that Community Plans should be preserved to the fullest extent possible. However, proposed edits to Policies 1.4-3 and 1.5-3 of the Marin Countywide Plan continue to completely eviscerate these vital Community Plans.

Policy 1.4-3 is entitled "How to Read the Countywide Plan" and proposed to now include the following language:

"...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan..."

Policy 1.5-3 addresses land use categories and is proposed to now say: **"The Countywide Plan land use designations supersede Community Plan designations."**

These proposed edits must be discarded.

I (We) strongly urge you to change the proposed amendments so that the legality and authority of Community Plans are preserved to the fullest extent possible.

Sincerely,
Anjuli Basu
78 Creekside Dr
San Rafael, CA 94903

From: [Ann Politzer](#)
To: [housingelement](#)
Cc: [Rice, Katie](#)
Subject: 404 San Francisco Blvd
Date: Friday, December 30, 2022 5:11:23 PM

[Some people who received this message don't often get email from annpolitzer@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Sir and Madam,

405 San Francisco is a terrible place to put a 64 unit development. San Francisco Boulevard cannot handle the additional traffic, and that many additional cars going back and forth will be a danger to pedestrians and kids on bikes, who cross the Boulevard frequently while traveling between Brookside School and the Park. The crossing at Alderney and San Francisco is already dangerous to pedestrian and bicyclists due to the confusing recessed crosswalks and blind spots created by the roundabout at that intersection.

Also, putting a housing development at the wildfire/open space interface is irresponsible, regardless of HEAC demands. And I wonder about the reality of the low income families currently living in the existing 17 units actually getting back into local housing once the current compound is torn down.

I'm all for folks being able to use their property as they wish if their plans do not compromise the surrounding neighborhood. The impact from rezoning 404 San Francisco will be negative for the surrounding community.

Say Yes to something smaller, but please say No to this.

Sincerely,

Ann Politzer

From: [Jones, Sarah](#)
To: [housingelement](#)
Subject: FW: Planning Commission Meeting January 5, 2023, re: CWP
Date: Friday, December 30, 2022 1:36:46 PM

From: April Post <april_post@comcast.net>
Sent: Friday, December 30, 2022 1:28 PM
To: Jones, Sarah <sbjones@marincounty.org>
Subject: Fwd: Planning Commission Meeting January 5, 2023, re: CWP

You don't often get email from april_post@comcast.net. [Learn why this is important](#)

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

From: April Post <april_post@comcast.net>
To: "planningcommission@marincounty.org"
<planningcommission@marincounty.org>, Stephany Moulton-Peters
<smoultonpeters@marincounty.org>
Date: 12/30/2022 1:25 PM
Subject: Planning Commission Meeting January 5, 2023, re: CWP

Dear Planning Commissioners,

I served on the Tam Design Review Board for Eleven years, Chairing it several times. I can tell you that the Tam Plan is a thoughtful guide that was put together by our citizens and represents years of careful thought and local input. It has been critical in guiding intelligent planning in our unincorporated area for many years. Not only has it been useful in guiding major decisions of appropriate land use in our area, that is challenged by so many issues, for many years, but the forum provided by the design review process helps to inform the community, hear their concerns, and resolve issues at the local level, before the final approval of plans by the Planning Dept. This critical service maintains the public's right to weigh in on decisions directly impacting their daily life, property values, and property taxes, that is the very hallmark of our democratic society. At a time when so many of our hallowed democratic processes are under attack, do not further erode our rights here, at home, where we deeply value our rights and public involvement. This involvement, though sometimes cumbersome, is essential to our democratic process where we are governed by the consent of the people and their right to know and be involved at every level is paramount to this process. Further more, local involvement is essential in providing our next generations of leaders, who are deeply familiar with the issues of those communities they will

represent.

Many have written eloquently on this issue, including Attorney Riley Hurd in his December 28, 2022, letter. Please heed our voices! Thank you for representing us in this important issue! I strongly urge you to preserve the legality of community plans to the fullest extent possible.

Sincerely,
April Post

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Maintain support for Community Plans
Date: Friday, December 30, 2022 4:45:31 PM

From: Bridger Mitchell <bmitchellecon@gmail.com>
Sent: Friday, December 30, 2022 3:49 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Rodoni, Dennis <DRodoni@marincounty.org>
Subject: Maintain support for Community Plans

Dear Planning Commissioners,

Community Plans best articulate local residents' views of their individual communities. Developed and revised through extensive dialog with CDA staff and Commissioners, Community Plans have guided local development decisions throughout our county.

In the complex process of updating the Housing Element, the legality of Community Plans needs to be preserved to the fullest extent possible.

Appropriate language for doing so is contained in Attorney Riley Hurd's December 28, 2022, letter to the Planning Commission.

I strongly urge you to preserve the force and applicability of community plans to the fullest extent possible.

Sincerely,

Bridger Mitchell, Inverness

From: [Carol H Gordon](#)
To: [housingelement](#); [Rice, Katie](#)
Subject: Feedback on Zoning at 404 San Francisco Blvd San Anselmo - Reduce Units/Open LA Blvd
Date: Friday, December 30, 2022 3:09:17 PM

You don't often get email from tjgchg@comcast.net. [Learn why this is important](#)

Hi,

I reside at 222 San Francisco Blvd in San Anselmo, and have been following the debates about a proposed zoning change to significantly increase the number of housing units permitted at the end of our street - specifically at the 404 San Francisco Blvd property, to allow 64 units instead of the 17 currently there.

While I do support an increase in the number of homes/households for this area, 64 units with the corresponding number of cars that will impact our bottleneck street, raises alarm bells for me. I would be in support of maybe half this number (32), without any mitigation to the current traffic flows that route everyone through San Francisco Blvd. All of the new traffic will hit our street, since the only other way into or out of this neighborhood from Sir Francis Drake Blvd is over the inconvenient route up over Pasadena Ave to Indian Rock Road to Broadmoor Avenue.

The city of San Anselmo currently relies on San Francisco Blvd to support the majority of entrances and exits to all of the streets in this neighborhood - particularly the lengthy Los Angeles Blvd. I mention this because one significant mitigation of the traffic issue on San Francisco Blvd would be to OPEN up the currently blocked access from the side of 404 San Francisco Blvd onto Los Angeles Blvd and (at the other end) out to Sir Francis Drake Blvd by Memorial Park/Red Hill Shopping Center.

In short, getting creative about the traffic flows, possibly opening up access to Los Angeles Blvd to reduce the additional load on San Francisco Blvd, would make it easier to support the 64 additional housing units.

Thanks for your consideration.

Carol Gordon
222 San Francisco Blvd, San Anselmo, CA 94960

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Planning Commission Meeting Jan. 5, 2023 reCWP
Date: Friday, December 30, 2022 11:42:35 AM

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

From: Carolyn Zwicker <ctzwick@yahoo.com>
Sent: Thursday, December 29, 2022 8:49 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>
Subject: Planning Commission Meeting Jan. 5, 2023 reCWP

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

Dear Planning Commissioners,

I endorse Attorney Riley Hurd's Dec. 23, 2022 letter.

I strongly urge you to preserve the legality of community plans the fullest extent possible.

Sincerely,

Carolyn Zwicker
Strawberry

From: [Carter Aronson](#)
To: [housingelement](#)
Subject: Development at 404 SF Blvd
Date: Friday, December 30, 2022 4:47:24 PM

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

To whom it may concern,

My name is Carter. I live at 400 San Francisco Blvd with my wife, Kathleen, and 3-year-old daughter, Evie. We have another daughter on the way, coming this March.

We love this neighborhood for its proximity to nature, Memorial Park, and its quiet and safe streets. We moved from Oakland, and part of our move was for peace of mind when we're out walking with Evie on her scooter or bike.

I completely understand the need for affordable housing in Marin, and **I support additional development** to that end. I even support some of that development happening behind our house on SF Blvd. We moved to the neighborhood in August of this year, so we heard about the development when we were considering purchasing the house.

For us, this was actually a selling point. The idea that our neighborhood might become more diverse—especially after our time in Oakland—gave me confidence that we could move here and raise our daughters with the perspective one can only gain from spending time around people with different backgrounds, beliefs, and stories.

That said, *I did not know* that the development could be as many as 72 units. I do not believe that our neighborhood can support this many units without materially changing the nature of the area. To be clear, I *want* our neighborhood to support people of varying socioeconomic levels, but I do not want SF Blvd to become a high-traffic, congested area.

It seems to me that this level of development is not fit for a dead end with only one access point. I worry about the number of cars. I worry about speeding. I worry about the traffic that could form should we all need to evacuate (we're in a high fire zone).

In the spirit of not complaining without offering an alternative, **I'd ask that the county consider moving this development forward, but limiting the number of units to half that which is proposed to date.** This would represent a 2x increase in the units 404 SF Blvd currently supports, and I believe that, at this size, the development will make our wonderful neighborhood even better.

Thank you so much for your time and consideration.

Happy holidays!
Carter

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Planning Commission Meeting - 1/5/23 re CWP
Date: Friday, December 30, 2022 11:43:11 AM
Attachments: [Ltr - PC re CWPs - 12.28.22.pdf](#)

From: Susan Kirsch <susan@susankirsch.com>
Sent: Thursday, December 29, 2022 9:59 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>
Subject: Planning Commission Meeting - 1/5/23 re CWP

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

Dear Planning Commissioners,

Catalysts for Local Control endorses Attorney Riley Hurd's December 28, 2022 letter.

We strongly urge you to preserve the legality of community plans to the fullest extent possible.

Sincerely,
Susan Kirsch, Director
Catalysts for Local Control
www.catalystsca.org
415-686-4375

From: [Cathy Nourafshan](#)
To: [PlanningCommission](#); [housingelement](#); [Michael Gallagher](#); [Moulton-Peters, Stephanie](#)
Subject: Housing Element language STILL undermines Community Plans unnecessarily
Date: Friday, December 30, 2022 10:42:06 AM

Some people who received this message don't often get email from cbnour@gmail.com. [Learn why this is important](#)

Dear Planning Commissioners —

Despite verbal agreements that Community Plans would not be broadly swept aside, there remains broad and contradictory language in the ITEM 6, Exhibit B. ITEM 6 is the “Housing Element Countywide Plan Amendments/Rezoning.”

In this Exhibit B, you will find the following problematic language:

Policy 1.4-3 entitled “How to Read the Countywide Plan” includes the following language:

“...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan.

Policy 1.5-3 addresses land use categories now says:

“The Countywide Plan land use designations supersede Community Plan designations.”

Exhibit B can be accessed here: <https://www.marincounty.org/-/media/files/departments/cd/planning/cwp/housing-and-safety-elements/pc-hearing-010523/item-6-he/attachment-3.pdf?la=en>

It has been brought to our attention that land use attorney, Riley Hurd, recommended to you substitute language which could achieve Housing Element objectives without destroying Community Plans. Will you please consider and adopt his proposed language and remove the proposed broad language cited below?

"No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density."

Thank you for your consideration and thoughtful work.

With appreciation,
Cathy & Robert Nourafshan
Residents of Strawberry

From: [Chad E MacLachlan](#)
To: [housingelement](#); [eric@ericlucan.com](#); [sarah mccarthy](#); [Bradley Haas](#); [Kira Haas](#); [Mary Turri](#); [james](#); [N Blair](#)
Cc: [Dan Hodges](#); [Gia Lombardi](#); [sargonmichael@yahoo.com](#); [marlinemichael@yahoo.com](#); [ashleyrenee2626@icloud.com](#); [Chad E MacLachlan](#)
Subject: Public Comments: Item #6: Housing Element Countywide Plan Amendments/Rezoning
Date: Friday, December 30, 2022 4:44:40 PM
Attachments: [image001.png](#)
[Planning Commision Comments 1.5.23.docx](#)

You don't often get email from chad.e.maclachlan@kp.org. [Learn why this is important](#)

January 5th: Planning Commission Hearing on Housing and Safety Element Final Environmental Impact Report, Countywide Plan/Development Code Amendments

Public Comments: Item #6: Housing Element Countywide Plan Amendments/Rezoning

Chad E. MacLachlan, MD
APIC of Surgical Specialties, NSA
Sports Medicine Orthopedic Surgeon



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Thank you.

January 5th: Planning Commission Hearing on Housing and Safety Element Final Environmental Impact Report, Countywide Plan/Development Code Amendments

Item #6: Housing Element Countywide Plan Amendments/Rezoning

Planning Commissioners:

Thank you for allowing this opportunity to provide public input on the EIR and the proposed 3,569 housing units in unincorporated Marin County as part of the RHNA set by the ABAG. We would specifically like to address the sites at 791 and 805 Atherton Avenue, in Novato. We ask that the Commission please consider removing these sites completely from the list for potential high-density housing, or at the least consider significantly decreasing the density of the housing planned for these locations.

We fully support a well thought out affordable housing plan in Marin County. The California Environmental Quality Act (CEQA) clearly states: "CEQA requires public agencies to "look before they leap" and consider the environmental consequences of their discretionary actions, and is intended to inform government decisionmakers and the public about the potential environmental effects of proposed activities and to prevent significant, avoidable environmental damage." While I respect the work that MIG put into preparing the EIR, I am in alignment with the Planning Commissioners, our County Supervisors, and the Marin County public that this report has fallen significantly short of a well thought out plan to add affordable housing in Marin County, while still maintaining the beauty and character of our wonderful County and protecting Novato's open land lots that are home to native wildlife. I do hope that our esteemed Planning Commissioners and County Supervisors will consider select sections of the EIR when making their decisions, but will also rely more strongly on their support for the aesthetic Marin County landscape and its constituents who live there when making the final decision on building sites. Our family, along with hundreds of other families, specifically chose to live in the Atherton Avenue area of Novato due to its single-family homes on larger lots, with beautiful countryside and abundant natural wildlife. This is such a beautiful part of Novato and Marin County. If done correctly, we have the opportunity to improve and beautify run-down parts of Novato and Marin County with well-built affordable housing units – but high-density housing units should not just be plopped down on any open lot where it clearly does not fit in and would clearly decrease the beauty and character of the surrounding neighborhood instead of improving it. I can assure you that building high-density housing in the countryside of the Atherton Avenue Corridor is clearly out of place, and is fraught with numerous other issues that should not be ignored. I would love to work with the Planning Commission and our County Supervisors to identify sites that fit within this plan. We can turn this State mandate into an opportunity to 1) provide affordable housing in Marin County, 2) beautify run down parts of Marin County, 3) preserve the beauty and charm of single-family country neighborhoods around Novato and Marin County.

Why unincorporated?

There are so many run-down, abandoned lots and buildings around Novato that would be ideal spots for higher-density, affordable housing. The Square Shopping Center in Novato is an ideal location for mixed used retail/housing, and could provide high-density, affordable housing for a large number of families, while simultaneously supporting local businesses in Novato. I would implore the Planning Commission and Marin County Supervisors to address the mandate with the State that "housing must be developed in unincorporated parts of Marin County." We have plenty of run-down, vacated lots in Novato that could easily provide the required number of affordable houses for Novato and Marin County, without significantly impacting our beautiful open space. This has the added benefit of beautifying the run-down

parts of Novato as well. This includes the empty parking lot at the Square Shopping Center, that is currently being used as a hang out spot for teenagers and others interested in selling illegal drugs. Let's use this State mandate as an opportunity to build this area of Novato up. THERE IS ABSOLUTELY NO VALID REASON THAT AFFORDABLE HOUSING HAS TO BE BUILT IN UNINCORPORATED PARTS OF MARIN COUNTY, when there is plenty of space to build these homes within the city limits. We must push back on this issue. As someone who works in a large company, I understand mandates and their appropriate use – when they make sense. This mandate to build in unincorporated Marin County makes zero sense, and the required number of houses for Novato and unincorporated Marin County can easily be accomplished without disrupting precious and beautiful open land in unincorporated Marin County. We must educate the State on this matter.

Proposed building site for well over 100 high-density housing at 791 and 805 Atherton Avenue:



The Square in Novato, CA:





Already proposed plans for mixed use development of The Square that fit in perfectly with the existing neighborhood:



Aesthetics:

As listed on the EIR. Hundreds of families chose to live and raise children in the Atherton Avenue area of Novato because of the open and rural areas. One of the biggest differentiators in the Novato community compared to other cities in Marin County is the semi-rural feel, larger properties, and less dense housing. Adding hundreds of potential homes along the Atherton Avenue corridor does not fit with this at all. The six identified parcels on the housing element list along the Atherton Avenue Corridor all have something in common...they are bordered or are adjacent to homes of at least 1/2 to 1 acre each. Adding up to 20 units per acre would drastically change the look, feel, and identity of a precious rural area so close to the city itself.

Table 2-2 from the EIR:
Significant with no Mitigation Measures

**Table 2-2:
Summary of Impacts and Recommended Mitigation Measures**

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
AESTHETICS				
Impact 4-1: Effects on Scenic Vistas. [Threshold of Significance (a)]	S	No feasible mitigation is available. This impact would remain significant and unavoidable .	County	SU
Impact 4-2: Impacts on Existing Visual Character and Quality. [Threshold of Significance (c)]	S	No feasible mitigation is available. This impact would remain significant and unavoidable .	County	SU

4. AESTHETICS

Environmental Issue Area	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
Aesthetics. <i>Except as provided in Public Resources Code Section 21099, would the project:</i>				
a) <i>Have a substantial adverse effect on a scenic vista?</i>	X			
b) <i>Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?</i>				X
c) <i>In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?</i>	X			
d) <i>Create a new source of substantial light or glare which would adversely affect day or nighttime views in the Project Area?</i>			X	

4.3.1 Thresholds of Significance

Based on Appendix G of the State CEQA Guidelines, implementation of the Project would have a significant impact related to aesthetics and visual resources if it would:

- A. Have a substantial adverse effect on a scenic vista;
- B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway;
- C. Substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those experienced from publicly accessible vantage point); If the project is in an urbanized area and would conflict with applicable zoning and other regulations governing scenic quality; or

Impact 4-1: Effects on Scenic Vistas. *[Threshold of Significance (a)]* Potential housing facilitated by the Housing Element Update would include development on vacant sites and also replacing existing developed areas with new development, which could substantially adversely affect a scenic vista due to changes in densities and building heights that could potentially obscure or degrade scenic vistas and substantially adversely affect a scenic vista. This would be a **significant impact**.

Impact 4-2: Impacts on Existing Visual Character and Quality. *[Threshold of Significance (c)]* Potential housing facilitated by the Housing Element Update, including development on vacant sites and also replacing existing developed areas with new development, could degrade the existing visual character or quality of public views of the site and its surroundings resulting from densities, building heights, building massing, and other types of exterior building materials and elements that could occur with new development. These effects could degrade the existing visual character or quality of public views of the site, and would be a **significant impact**.

Mitigation. No feasible mitigation is available. This impact would remain **significant and unavoidable**.

Aesthetics and Significant Impact of Providing Utilities with no Mitigation:

All six sites are listed in a chart titled “*Housing Site Removed from Utility Service Providers*” (Table 22-2/Page 22-32 of the EIR) because of an “Inability to Serve the Proposed Project.” In other words, the water district has responded saying they cannot provide water to these sites without impacting their ability to provide water with a sufficient reserve for the entire community during dry years. It would also necessitate significant infrastructure upgrades even if they did have enough water. With ever increasing and severe droughts, the biggest and most important commodity will be water. Adding hundreds of new homes will put a further strain on an already precarious water supply that is heavily reliant on out-of-county water sources to provide basic needs for the service area. The sites along Atherton Avenue and Olive Avenue would also have significant challenges to connecting to the sewer system, especially since the fire station just down the road (to the best of my current knowledge) still hasn’t been able to connect to the sanitary sewer and, like all homes in the area, relies on a septic system.

Furthermore, in a letter from the North Marin Water District to Rachel Reid, the Environmental Planning Manager for the County of Marin, NMWD stated:

Dear Mrs. Reid:

Thank you for the opportunity to comment on the subject Draft EIR. North Marin Water District (NMWD) has reviewed the Draft EIR and the County of Marin Housing Element 2023-2031 review draft dated July 19, 2022. NMWD has the following comments on the Draft EIR:

- 1) Page 2-13, first bullet point within subsection Areas of Known Controversy and Issues to be Resolved: NMWD would like to reiterate the importance of the following statement, *"Water suppliers in the county experience supply deficits during extended drought periods, and the total number of housing units proposed under the Project would increase demands in some areas of the county that already are experiencing supply deficits."*
- 2) Page 4-1, summary table for Environmental Issue Area, *d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the Project Area?*: For NMWD to provide water service to project site no. 16, Atherton Corridor (listed on page 3-18), a storage tank up to 200,000 gallons, 35-foot diameter by 35-foot tall, will need to be installed at elevation 200 feet mean-sea-level. The storage tank would be situated along the Cherry Hill ridge line or Pinheiro ridge line overlooking Rush Creek, Gness Field and Valley Memorial Park. NMWD current practice is to prioritize the use of stainless steel for new tank construction which could lead to glare to the surrounding area.
 - a. Other tank site appurtenances that could have adverse impacts on the scenic vista includes: a ten-foot high antenna installed atop the tank, chain-link fencing surrounding the reservoir, and a paved access road with no more than a 15% grade constructed from the development to the reservoir.

Adding a huge, stainless steel water tank, along with an antenna and a paved access road from the housing sites to the water storage tank will not only significantly impact the environment and the aesthetics of the open land, but will also significantly add to the cost of building these homes at the Atherton Avenue sites. This added multi-million dollar cost will no doubt be passed from the developer to the ultimate cost of the homes, which defeats the purpose of providing affordable housing in Marin County.

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
<p>Impact 19-2b: Project and Cumulative Water Supply Impacts: North Marin Water District and Marin Municipal Water District. [Threshold of Significance (b)] Parts of the unincorporated County are served by North Marin Water District (NMWD), the majority of whose supplies are dependent upon water purchased from Sonoma County Water Agency and piped into the County. Other parts of the unincorporated County are served by Marin Municipal Water District (MMWD), the majority of whose supplies are dependent upon water stored in Marin County reservoirs. When these Districts have access to full annual water entitlements and full reservoir capacity, they are able to accommodate population growth as indicated in their “2020 Urban Water Management Plan for North Marin Water District” and “MMWD Water Resources Plan 2040.”</p> <p>However, due to drought impacts in Sonoma County, NMWD is not able to receive its full annual entitlement from Sonoma County Water Agency and has adopted an ordinance imposing moratoriums on new connections in order to work within its restricted supply. Additionally, until recently MMWD had imposed restrictions on</p>	S	No feasible mitigation is available. This impact would remain <i>significant and unavoidable</i> .	Project applicants; County; NMWD; MMWD	SU
<p>connections for irrigation for new development due to water shortages in its reservoirs as a result of multiple years of less than average rainfall. MMWD’s restriction on irrigation connections was lifted in 2022 because large storm events in the winter of 2021-2022 filled the reservoirs. Because there is uncertainty in the future about the amount of water that would be available for the Districts to supply to customers during the current, ongoing drought, and the Districts are in the early stages of seeking alternate water sources, possible multiple new connections proposed in the Project and cumulative (Project and Districts’ commitments outside of the Project) scenarios could result in demands in excess of available supply during dry and multiple dry years, which would be a <i>potentially significant impact</i>.</p>				
<p>Impact 19-2c: Project and Cumulative Water Supply Impacts: Individual Water Supply Systems. [Threshold of Significance (b)] Parts of the unincorporated County are outside of community service and water district service areas, and developed parcels need to rely on private, individual water supply systems with water obtained from wells and local streams. The Project includes sites which will need to rely on individual water systems. State and local requirements for small water systems will help ensure that the number of units in a development do not exceed the capacity of new or existing wells to supply water. System capacity will be based on the water supply</p>	S	No feasible mitigation is available. This impact would remain <i>significant and unavoidable</i> .	County; project applicants	SU
<p>investigations required for individual developments at the time they are proposed. Under drought conditions, groundwater can decrease to levels below the supply needed to sustain development. This could result in demands in excess of available supply during normal, dry, and multiple dry years, which would be a <i>potentially significant impact</i>.</p>				

<p>Impact 19-3a: Wastewater Treatment Capacity Impacts: Community Service Districts Providing Sewage Treatment. [Threshold of Significance (c)] Parts of the unincorporated County are served by small community service districts that are in need of infrastructure upgrades and expansion in order to collect and treat wastewater from new development.</p> <p>Possible multiple new connections discharging an increased amount of waste to existing infrastructure and facilities could exceed the system's capacity for conveyance and treatment, which would be a <i>potentially significant impact</i>.</p>	S	No feasible mitigation is available. This impact would remain <i>significant and unavoidable</i> .	County; community service districts	SU
<p>Impact 19-3b: Wastewater Treatment Capacity Impacts: Sanitary Districts. [Threshold of Significance (c)] Parts of the unincorporated County are served by large sewer</p>	S	No feasible mitigation is available. This impact would remain <i>significant and unavoidable</i> .	County; project applicants; sewer districts	SU
<p>districts, some for which future treatment capacity is unknown and which may need infrastructure upgrades and expansion in order to collect and treat wastewater from the Project. Possible multiple new connections discharging an increased amount of wastewater to existing infrastructure and facilities could exceed the system's capacity for conveyance and treatment, which would be a <i>potentially significant impact</i>.</p>				
<p>Impact 19-3c: Wastewater Treatment Capacity Impacts Outside of Sanitary Districts and Community Service Districts Providing Sewage Treatment. [Threshold of Significance (c)] Parts of the unincorporated County are outside of sanitary district service areas and community service districts providing wastewater treatment. These areas rely on individual septic systems to treat wastewater on developed parcels. The potential for an individual septic system to have capacity to serve a development's demand depends on the specific soil conditions and existence of natural and built features within the parcel proposed for development. Until site-specific investigations are completed, uncertainty exists on any given parcel regarding the capacity of the existing soil to treat wastewater from a proposed development. Due to this uncertainty in the ability of the parcel to serve a development's wastewater treatment needs, this would be a <i>potentially significant impact</i>.</p>	S	No feasible mitigation is available. This impact would remain <i>significant and unavoidable</i> .	County; project applicants	SU

Safety and Evacuation:

When Highway 37 recently flooded and traffic was re-routed to Atherton Avenue, Atherton Avenue became a parking lot. It took almost 30 minutes to go a half mile to Highway 101. Evacuations along the two-lane Atherton Avenue would be a disaster. All six sites along Atherton Avenue are listed under the "moderate" or "high" fire danger category. This significantly impacts insurance availability and rates, and will make it much more expensive for residents to live in their homes regardless of income level - but particularly those that are in the lower or moderate income categories. In addition to insurance challenges, evacuation is also a concern. This will be a dangerous and potentially catastrophic event that will only be compounded by extra vehicles. Having the potential of several hundred extra cars trying to evacuate on the two-lane Atherton Avenue will further delay evacuation while also inhibiting fire equipment response.



CHP Officer Jawaun Stuart directs traffic at the Atherton Avenue offramp from westbound Highway 37 in Novato on Feb. 27, 2019. Both directions of the highway were closed because of storm flooding. (Alan Dep/Marin Independent Journal)

Environmental impacts and the ability to build on the Atherton Avenue sites to fulfil the State mandate:

We have deep concerns over the methodology and awareness of each Atherton Avenue site’s unique terrain. This is where the EIR really falls short, and this was clearly recognized in the meeting on Nov 16th, 2022. For example, one of the candidate sites (805 Atherton Avenue) previously had an application submitted in 2018 to subdivide the property into just SIX lots. This application, however, was denied by the Planning Commission for several reasons, including the fact that **1.5 acres of the “buildable area” identified was actually surveyed as wetlands in 2018.** What it does tell me is that the slope calculations that are listed on the current housing element site list are incorrect. Furthermore, not a week goes by that deer and other wildlife are found dead along Atherton Avenue after being hit by cars driving along Atherton Avenue and the surrounding neighborhoods. The potential damage to wildlife by drastically increasing vehicle traffic along Atherton Avenue and the surrounding streets is no doubt significant, and not something to be taken lightly. This is completely avoidable. The lots listed along Atherton Avenue are also home to a large number of beautiful native wildlife, including a large herd of deer and flock of wild turkeys.

Table 2-2 from the EIR:

<p>Impact 7-2: Impacts on Riparian Habitat, Sensitive Natural Communities, and Wetlands. [Thresholds of Significance (b) and (c)]</p>	<p>S</p>	<p>Mitigation Measure 7-2: Best Management Practices for vegetation management in riparian areas, wetlands, and sensitive natural communities. For fire safety implementation projects (e.g., fuel load reduction) of any size where sensitive biological resources may occur, the County and/or contractors shall prepare a Construction Management Plan (CMP) for projects that involve vegetation removal within or in proximity to riparian areas, wetlands, and sensitive natural communities. The CMP shall include Best Management Practices (BMPS) that protect these habitats. The CMPs may include, but are not limited to, the following BMPs:</p>	<p>Project applicants; County</p>	<p>LS</p>
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		<ul style="list-style-type: none"> ▪ Setbacks from riparian areas, wetlands, and other sensitive areas where work should be avoided. ▪ Field delineation of sensitive habitats as Environmentally Sensitive Areas to avoid. ▪ Identification of sensitive areas where work should be done by hand rather than with heavy machinery ▪ Measures to control and prevent the discharge of potential pollutants, including solid wastes, paints, concrete, petroleum products, chemicals, wash water or sediment and non-stormwater discharges to storm drains and water courses. ▪ Restrictions on cleaning, fueling, or maintaining vehicles on site, except in a designated area in which run-off is contained and treated. ▪ Erosion control measures for wet season work (October 15 through April 15). ▪ Measures to store, handle, and dispose of construction materials and wastes properly, so as to prevent their contact with stormwater. ▪ Measures to avoid the invasion and/or spread of noxious weeds. 		
		Implementation of this mitigation measure would reduce impacts of the Safety Element Update on riparian habitat, state or federally-protected wetlands, or other sensitive natural communities to a <i>less-than-significant level</i> .		
<p>Impact 7-3: Impacts on Wildlife Movement Corridors and Wildlife Nursery Sites. [Threshold of Significance (d)] .</p>	S	<p>Mitigation Measure 7-3.1. Revise Definition of the Nesting Season</p> <p>Adopted Policy BIO-2.5 in the Natural Systems and Agriculture Element of the 2007 CWP defines the avian nesting season as March 1 through August 1. However, the nesting season in Marin County is generally defined as February 1 through August 31. Unless this policy is amended, future individual development projects resulting from the Housing Element Update have the potential to take active nests of birds protected by the Migratory Bird Treaty Act and California Fish and Game Code. Therefore, the County shall revise this policy as follows:</p> <p>Policy BIO-2.5 (revised) Restrict Disturbance in Sensitive Habitat During the Nesting Season. Limit construction and other sources of potential disturbance in sensitive riparian corridors, wetlands, and Baylands to protect bird nesting activities. Disturbance should generally be set back from sensitive habitat during the nesting season from <u>February 1 through August 31</u> to protect bird nesting, rearing, and fledging activities. Preconstruction surveys should be conducted by a qualified professional where development is proposed in sensitive habitat areas during the nesting</p>	County	LS

		<p>season, and appropriate restrictions should be defined to protect nests in active use and ensure that any young have fledged before construction proceeds.</p> <p>Mitigation Measure 7-3.2 Bird-Safe Design. The County shall establish design standards for new construction and redevelopment projects to implement bird-safe features to prevent or reduce avian collision risks with glass windows. Consistent with the American Bird Conservancy recommendations, the County shall specify thresholds when standards would apply, such as site location relative to avian habitat and amount of contiguous glass proposed on building facades. If projects meet or exceed the thresholds, the County shall require application of bird-safe design features including, but not limited to, window treatments, glass treatments, and landscaping and lighting modifications. The County or project applicants shall obtain a qualified biologist, with experience in avian ecology, to evaluate proposed building plans and bird-safe design features, where applicable. If the proposed bird-safe design does not sufficiently address collision risks, the biologist shall provide additional bird-safe design recommendations that shall be incorporated.</p>		
		<p>Mitigation Measure 7-3.3. Implement Protective Buffers During Vegetation Management.</p> <p>To protect wildlife movement corridors and wildlife nursery sites from removal, degradation, or substantial long-term disturbance, the County shall minimize vegetation management activities to the greatest extent feasible and implement protective buffers, or specify vegetation management and removal methods to protect wildlife movement corridors and avoid disturbance of wildlife nursery sites.</p> <p>With implementation of Mitigation Measures 7-3.1, 7-3.2, and 7-3.3, impacts of the Housing and Safety Element Update would be <i>less than significant</i>.</p>		

Atherton Avenue Lots are not near public transportation and not near supermarkets and amenities:

Due to the more remote location of the Atherton Avenue sites, individual transportation by the hundreds of families would be required. The Atherton Avenue sites are not within walking distance of public transportation, food markets, or eating amenities.

Table 2-2 from the EIR:

Significant with no Mitigation Measures

<p>Impact 15-1: Substantial Permanent Increases in Traffic Noise Levels. [Threshold of Significance (a)] The implementation of the proposed Project could result in a substantial permanent increase in noise levels. This would be a <i>potentially significant impact</i>.</p>	S	<p>Mitigation Measure 15-1. Reduce VMT from New Residential Development. Implement Mitigation Measure 18-4 (Transportation).</p> <p>Mitigation Measure 18-4. Residential development projects shall be required to achieve a VMT significance threshold of 15 percent below the regional average residential VMT per capita. The methodologies and screening parameters used to determine VMT significance shall be consistent with the guidance provided in the <i>Technical Advisory on Evaluating Transportation Impacts in CEQA</i>,</p>	Project applicants; County	SU
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Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<p>OPR, 2018 (or subsequent updates), or future VMT policies adopted by the County of Marin, provided that such policies have been shown through evidence to support the legislative intent of SB 743. Output from the TAMDM travel demand model shall be the source of the regional VMT per capita performance metric used to establish the significance threshold and shall be used in residential development project VMT assessments. For individual residential development projects that do not achieve VMT significance thresholds, applicants shall submit documentation that demonstrates how the necessary VMT per capita reductions will be achieved, relying on available research and evidence to support findings. VMT reduction techniques will vary depending on the location of each development site and the availability of nearby transportation services though utilization of TDM strategies will play a major role in most cases. Following are TDM and other strategies that may be applied; additional measures beyond those provided in this list may be allowed if supported by evidence.</p> <ul style="list-style-type: none"> ▪ Subsidize resident transit passes ▪ Provide or participate in established ride-matching program(s) 		

Impacts	Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Significance With Mitigation
		<ul style="list-style-type: none"> ▪ Provide information, educational, and marketing resources for residents and visitors managed by a TDM Coordinator ▪ Complete bus stop improvements or on-site mobility hubs ▪ Construct off-site pedestrian and/or bicycle network improvements, particularly those that fill gaps and/or connect the project and surrounding neighborhood to transit ▪ Reduce parking supply at affordable or senior projects and projects that are well-served by transit ▪ Unbundle parking costs (sell or lease parking separately from the housing unit) where appropriate on-street management is present ▪ Provide or participate in car-sharing, bike sharing, or scooter sharing program(s) ▪ Contribute to future VMT mitigation fee programs, banks, or exchanges as they become available. <p>Even with implementation of this mitigation measure, this impact would remain significant and unavoidable.</p>		

Thank you again for considering our concerns.

Sincerely,

Chad and Sarah MacLachlan
120 Churchill Lane
Novato, CA
(707) 761-7333

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Planning Commission meeting January 5, 2023 re CWP
Date: Friday, December 30, 2022 4:46:36 PM

From: Charles Ziegler <chasziegler.33@gmail.com>
Sent: Friday, December 30, 2022 4:03 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>
Subject: Planning Commission meeting January 5, 2023 re CWP

Some people who received this message don't often get email from chasziegler.33@gmail.com. [Learn why this is important](#)

Dear Planning Commission members,

I strongly urge you to preserve the legality and contribution of community plans to the fullest extent. They are essential for continuity of a sustainable framework for all discussion.

I endorse Attorney Riley Hurd's letter of 28 December 2022.

Thank you.

Chuck

--

Charles Ziegler
102 Lomita Dr
Mill Valley, Ca 94941

cell : (415) 342-0752

From: claudiakeast@att.net
To: [housingelement](#)
Subject: Zoning Changes at 404 San Francisco Blvd., San Anselmo
Date: Friday, December 30, 2022 2:03:42 PM

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

I live on Santa Barbara Ave. and am concerned about the number of units of possible new housing in this area. The roads leading in and out of our neighborhood are now used, not only by us along this corridor but also by the commuters who live in the Indian Rock neighborhood (used as a shortcut to SFD Blvd.) Many students also walk and bike along San Francisco Blvd. on their way to and from school and this increase in traffic will make their route more dangerous.

Unfortunately, the infrastructure in this area can't expand to accommodate this added population. Please consider these issues when deciding the request for a zoning change.

Sincerely,

Claudia Keast
7 Santa Barbara Ave.
San Anselmo

claudiakeast@att.net

Sent from my iPad

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Planning Commission Meeting on Jan 5, 2023 re: CWP
Date: Friday, December 30, 2022 3:36:49 PM
Attachments: [Ltr - PC re CWPs - 12.28.22.pdf](#)

From: conan putnam <conanputnam@gmail.com>
Sent: Friday, December 30, 2022 2:59 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Subject: Planning Commission Meeting on Jan 5, 2023 re: CWP

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

Dear Planning Commissioners,

I endorse Attorney Riley Hurd's December 28, 2022 letter to the members of the Marin County Planning Commission.

I strongly urge you to preserve the legality of community plans to the fullest extent possible.

Sincerely,
Conan Putnam



Ragghianti|Freitas LLP

Attorneys at Law

1101 5th Avenue, Suite 100
San Rafael, CA 94901
telephone 415.453.9433
facsimile 415.453.8269
www.rflawllp.com

Riley F. Hurd III
rhurd@rflawllp.com

December 28, 2022

Via E-Mail Only

Planning Commission
County of Marin
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Re: CWP Amendments - Community Plans

Dear Members of the Planning Commission:

At your last meeting regarding the CWP amendments associated with the Housing Element, a very clear consensus was reached that community plans should be preserved to the fullest extent possible. In response to this direction, the proposed edit to Policy 3.4-3 has been modified to address situations where there is a conflict between community plans and the CWP regarding density or floor area. **However, the remaining proposed edits to Policies 1.4-3 and 1.5-3 continue to completely eviscerate Community Plans.**

Policy 1.4-3 is entitled "How to Read the Countywide Plan" and proposed to now include the following language:

"...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan..."

Policy 1.5-3 addresses land use categories and is proposed to now say:

"The Countywide Plan land use designations supersede Community Plan designations."

These edits do *not* preserve community plans to the fullest extent possible.



Ragghianti|Freitas LLP

Page 2 of 2

There are many major sites and large areas carefully planned for in a community plan, but with nothing more than a land use designation in the CWP. Implementing these edits would eliminate all of this careful planning, and is not necessary for housing preservation. Furthermore, these edits are horizontally inconsistent with the proposed edit to Policy 3.4-3, which says the community plans only supersede the CWP in regards to density or FAR.

Community plans have been developed via a comprehensive, thoughtful, transparent, , and fair process with all stakeholders. While they could certainly use some updating, overriding them in one fell swoop is unnecessary. Many community plans serve as the entire planning document for large sites. Simply reverting to the CWP designation would be catastrophic.

The following simpler, singular, edit could achieve the goals of advancing housing while not single handedly wiping out community plans:

“No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density.”

We would ask that you please use the edit proposed above and not adopt the various other edits regarding CWPs. Thank you.

Very Truly Yours,

A handwritten signature in blue ink that reads 'Riley F. Hurd III'. The signature is written in a cursive, flowing style.

Riley F. Hurd III

CC: SNA

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Letter to PC re: Housing Element Update, Marin CWP Amendments and Community Plans
Date: Friday, December 30, 2022 11:44:18 AM

From: Vigneron, Daniel <Dan.Vigneron@ucsf.edu>
Sent: Friday, December 30, 2022 10:23 AM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: BOS <BOS@marincounty.org>
Subject: Letter to PC re: Housing Element Update, Marin CWP Amendments and Community Plans

Some people who received this message don't often get email from dan.vigneron@ucsf.edu. [Learn why this is important](#)

Dear Marin County Planning Commissioners,

I am writing you about an important issue affecting tax paying residents and voters in Marin including myself.

At your last meeting regarding the Marin Countywide Plan Amendments associated with the Housing Element, a very clear consensus was reached that Community Plans should be preserved to the fullest extent possible. However, proposed edits to Policies 1.4-3 and 1.5-3 of the Marin Countywide Plan continue to completely eviscerate these vital Community Plans.

Policy 1.4-3 is entitled "How to Read the Countywide Plan" and proposed to now include the following language:

"...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan..."

Policy 1.5-3 addresses land use categories and is proposed to now say: **"The Countywide Plan land use designations supersede Community Plan designations."**

These proposed edits must be discarded!

We strongly urge you to change the proposed amendments so that the legality and authority of Community Plans are preserved to the fullest extent possible.

Thank you for your attention to this and wish you all a Happy New Year,

Dr. & Mrs. Daniel Vigneron
125 Westward Drive
Corte Madera, CA 94925

From: [Jones, Sarah](#)
To: [housingelement](#)
Subject: FW: Planning Commission Meeting January 5, 2023 re CWP
Date: Friday, December 30, 2022 1:20:41 PM
Attachments: [Ltr - PC re CWPs - 12.28.22.pdf](#)

From: S David Kalish <sdavidkalish@gmail.com>
Sent: Friday, December 30, 2022 12:56 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>
Subject: Planning Commission Meeting January 5, 2023 re CWP

Some people who received this message don't often get email from sdavidkalish@gmail.com. [Learn why this is important](#)

Dear Planning Commissioners,

I endorse Attorney Riley Hurd's December 28, 2022, letter.

I strongly urge you to preserve the legality of community plans to the fullest extent possible.

Sincerely,
S David Kalish
7 Walsh Drive
Mill Valley CA 94941



Ragghianti|Freitas LLP

Attorneys at Law

1101 5th Avenue, Suite 100
San Rafael, CA 94901
telephone 415.453.9433
facsimile 415.453.8269
www.rflawllp.com

Riley F. Hurd III
rhurd@rflawllp.com

December 28, 2022

Via E-Mail Only

Planning Commission
County of Marin
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Re: CWP Amendments - Community Plans

Dear Members of the Planning Commission:

At your last meeting regarding the CWP amendments associated with the Housing Element, a very clear consensus was reached that community plans should be preserved to the fullest extent possible. In response to this direction, the proposed edit to Policy 3.4-3 has been modified to address situations where there is a conflict between community plans and the CWP regarding density or floor area. **However, the remaining proposed edits to Policies 1.4-3 and 1.5-3 continue to completely eviscerate Community Plans.**

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These edits do *not* preserve community plans to the fullest extent possible.



Ragghianti|Freitas LLP

Page 2 of 2

There are many major sites and large areas carefully planned for in a community plan, but with nothing more than a land use designation in the CWP. Implementing these edits would eliminate all of this careful planning, and is not necessary for housing preservation. Furthermore, these edits are horizontally inconsistent with the proposed edit to Policy 3.4-3, which says the community plans only supersede the CWP in regards to density or FAR.

Community plans have been developed via a comprehensive, thoughtful, transparent, , and fair process with all stakeholders. While they could certainly use some updating, overriding them in one fell swoop is unnecessary. Many community plans serve as the entire planning document for large sites. Simply reverting to the CWP designation would be catastrophic.

The following simpler, singular, edit could achieve the goals of advancing housing while not single handedly wiping out community plans:

“No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density.”

We would ask that you please use the edit proposed above and not adopt the various other edits regarding CWPs. Thank you.

Very Truly Yours,

A handwritten signature in blue ink that reads 'Riley F. Hurd III'. The signature is written in a cursive, slightly slanted style.

Riley F. Hurd III

CC: SNA

From: [Jones, Sarah](#)
To: [housingelement](#)
Subject: FW: Planning Commission Meeting January 5, 2023 re CWP
Date: Friday, December 30, 2022 11:14:03 AM

From: David Kennedy <davidbkennedy@hotmail.com>
Sent: Friday, December 30, 2022 11:10 AM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>
Subject: Planning Commission Meeting January 5, 2023 re CWP

Some people who received this message don't often get email from davidbkennedy@hotmail.com. [Learn why this is important](#)

Dear Planning Commissioners,

I endorse Attorney Riley Hurd's December 28, 2022, letter.

I strongly urge you to preserve the legality of community plans to the fullest extent possible.

Sincerely,
David Kennedy
26 Keats Dr, Mill Valley CA 94941

Sent from [Mail](#) for Windows

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Community plans matter I endorse Attorney Riley Hurds letter
Date: Friday, December 30, 2022 11:42:58 AM

From: Link <debralink@yahoo.com>
Sent: Thursday, December 29, 2022 9:48 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Subject: Community plans matter I endorse Attorney Riley Hurds letter

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

Marin Supervisors,

I endorse Attorney Riley Hurd's letter regarding the housing element.

Community plans matter. Do not throw away what little local input remains. You represent your constituents, not Senator Scott Weiner and the Sacramento politicians.

Show fortitude.

Regards,
Debra Link
Mill Valley

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Planning Commission Meeting January 5, 2023 re CWP
Date: Friday, December 30, 2022 4:47:44 PM
Attachments: [Ltr - PC re CWPs - 12.28.22.pdf](#)
Importance: High

From: lainiefisch@comcast.net <lainiefisch@comcast.net>
Sent: Friday, December 30, 2022 3:49 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>
Subject: Planning Commission Meeting January 5, 2023 re CWP
Importance: High

You don't often get email from lainiefisch@comcast.net. [Learn why this is important](#)

Dear Planning Commissioners,

I endorse Attorney Riley Hurd's letter dated December 28, 2022 (copy attached).

I strongly urge you to preserve the legality of community plans to the fullest extent possible. It is of the utmost importance to the community.

Sincerely,

Elaine Fischman, Homeowner
555 Seaver Drive
Mill Valley, CA 94941



Ragghianti|Freitas LLP

Attorneys at Law

1101 5th Avenue, Suite 100
San Rafael, CA 94901
telephone 415.453.9433
facsimile 415.453.8269
www.rflawllp.com

Riley F. Hurd III
rhurd@rflawllp.com

December 28, 2022

Via E-Mail Only

Planning Commission
County of Marin
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Re: CWP Amendments - Community Plans

Dear Members of the Planning Commission:

At your last meeting regarding the CWP amendments associated with the Housing Element, a very clear consensus was reached that community plans should be preserved to the fullest extent possible. In response to this direction, the proposed edit to Policy 3.4-3 has been modified to address situations where there is a conflict between community plans and the CWP regarding density or floor area. **However, the remaining proposed edits to Policies 1.4-3 and 1.5-3 continue to completely eviscerate Community Plans.**

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Ragghianti|Freitas LLP

Page 2 of 2

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We would ask that you please use the edit proposed above and not adopt the various other edits regarding CWPs. Thank you.

Very Truly Yours,

A handwritten signature in blue ink that reads 'Riley F. Hurd III'. The signature is written in a cursive, slightly slanted style.

Riley F. Hurd III

CC: SNA

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Planning Commission Meeting January 5, 2023 re CWP
Date: Friday, December 30, 2022 4:47:44 PM
Attachments: [Ltr - PC re CWPs - 12.28.22.pdf](#)
Importance: High

From: lainiefisch@comcast.net <lainiefisch@comcast.net>
Sent: Friday, December 30, 2022 3:49 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>
Subject: Planning Commission Meeting January 5, 2023 re CWP
Importance: High

You don't often get email from lainiefisch@comcast.net. [Learn why this is important](#)

Dear Planning Commissioners,

I endorse Attorney Riley Hurd's letter dated December 28, 2022 (copy attached).

I strongly urge you to preserve the legality of community plans to the fullest extent possible. It is of the utmost importance to the community.

Sincerely,

Elaine Fischman, Homeowner
555 Seaver Drive
Mill Valley, CA 94941



Ragghianti|Freitas LLP

Attorneys at Law

1101 5th Avenue, Suite 100
San Rafael, CA 94901
telephone 415.453.9433
facsimile 415.453.8269
www.rflawllp.com

Riley F. Hurd III
rhurd@rflawllp.com

December 28, 2022

Via E-Mail Only

Planning Commission
County of Marin
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

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Ragghianti|Freitas LLP

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We would ask that you please use the edit proposed above and not adopt the various other edits regarding CWPs. Thank you.

Very Truly Yours,

A handwritten signature in blue ink that reads 'Riley F. Hurd III'. The signature is written in a cursive, flowing style.

Riley F. Hurd III

CC: SNA

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Amendments to Community Plans
Date: Friday, December 30, 2022 3:36:11 PM
Attachments: [Ltr - PC re CWPs - 12.28.22.pdf](#)

From: Ling Shien <lingshien@helmmusic.com>
Sent: Friday, December 30, 2022 2:22 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Subject: Amendments to Community Plans

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

Dear Marin County Planning Commissioners,

At your last meeting regarding the Marin Countywide Plan Amendments associated with the Housing Element, a very clear consensus was reached that Community Plans should be preserved to the fullest extent possible. However, proposed edits to Policies 1.4-3 and 1.5-3 of the Marin Countywide Plan continue to completely eviscerate these vital Community Plans.

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Policy 1.5-3 addresses land use categories and is proposed to now say: **"The Countywide Plan land use designations supersede Community Plan designations."**

These proposed edits must be discarded.

I (We) strongly urge you to change the proposed amendments so that the legality and authority of Community Plans are preserved to the fullest extent possible.

Sincerely,
Elisabeth and Mark Bell
63 Dominga ave
Fairfax CA 94930

Dear Commissioners and Supervisors:

Please, do not start the New Year by allowing county staff to further eviscerate the rights of local residents, taxpayers and voters who are becoming increasingly alarmed at the lack of oversight by the Marin County Board of Supervisors.

Attorney Riley Hurd has exposed this issue in his attached letter. I fully endorse his December 28, 2022 letter. Please, be guided by his judicious advice and use the suggested remedial edit!

Disenfranchising communities by overriding and eliminating community plans arrived at through often lengthy, fully-engaged public participation is a very, *very* bad idea. And, an even worse idea when perceived done through the actions of rogue county staff.

Yours sincerely,

Garril Page
San Anselmo

Sent from my iPad

From: [Ellen Karpay-Brody](#)
To: [Michael](#); [housingelement](#)
Subject: Opposition to 64 units Sorich Park/San Francisco Blvd.
Date: Friday, December 30, 2022 12:38:19 PM

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

Please consider that the suggested increase in development to 64 units is a four-fold, environmentally reckless and unfair increase for our neighborhood. Double it if needed but simply adding such a large increase is unfair to those of us who have invested a lot of our time and resources to live here. Compromise is a good concept, 16 units to 32 units is such an idea. Please don't OK 64 units.

Ellen Karpay-Brody
300 Los Angeles Blvd
San Anselmo, CA

From: [Eric Cutter](#)
To: [housingelement](#); [Rice, Katie](#)
Subject: Support rezoning of 404 San Francisco Blvd for higher density
Date: Friday, December 30, 2022 4:32:26 PM

Some people who received this message don't often get email from cutterstark@gmail.com. [Learn why this is important](#)

I am writing in support of rezoning 404 San Francisco Blvd. for higher density housing. I am a local resident on 28 Durham Rd that shares San Francisco Blvd. as the entry/exit for the neighborhood. I understand there are concerns about traffic and fire safety, but believe those can be addressed. The area seems a good location to support multi-family and low income housing in Marin.

--

Eric Cutter
28 Durham Rd, San Anselmo

From: eric.holmberg
To: [housingelement](#)
Subject: 404 San Francisco Blvd
Date: Friday, December 30, 2022 4:59:35 PM

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

Dear Planning Committee:

I live at 22 Santa Barbara Ave, San Anselmo, and will be affected by the proposed expansion of this property from 17 to 64 units. This would cause a major increase in traffic on San Francisco Blvd, which is already a road with a lot of traffic. At peak travel times this road will become dangerous and congested. I urge the council to reduce the number of units to something midway between the current 17 and the proposed 64. I understand we all need to help out in easing California's housing crisis, but we have to do keep quality of life in mind as well.

I am also very unhappy with the change to today 5pm as the deadline for comments, as I only learned about the deadline today.

--

with Regards,

Eric Holmberg

From: [Jones, Sarah](#)
To: [housingelement](#)
Subject: FW: Planning Commission Meeting January 5, 2023 re CWP
Date: Friday, December 30, 2022 1:20:13 PM

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

From: Eric Lyons <eric@gus.to>
Sent: Friday, December 30, 2022 1:17 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; sbjones@marincounty.org
Subject: Planning Commission Meeting January 5, 2023 re CWP

[Some people who received this message don't often get email from eric@gus.to. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Planning Commissioners,

I endorse Attorney Riley Hurd's December 28, 2022, letter.

I strongly urge you to preserve the legality of community plans to the fullest extent possible.

Sincerely,
Eric Lyons
140 Jamaica St
Tiburon (uninc county, paradise cay) 94920

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: QUICK ACTION NEEDED TODAY
Date: Friday, December 30, 2022 11:46:51 AM
Attachments: [Ltr - PC re CWPs - 12.28.22.pdf](#)

From: erlendbø <bo.erlend@gmail.com>
Sent: Friday, December 30, 2022 11:37 AM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>
Subject: Fwd: QUICK ACTION NEEDED TODAY

Some people who received this message don't often get email from bo.erlend@gmail.com. [Learn why this is important](#)

I endorse Riley Hurd's letter and share his concerns.

Erlend Bø
+1-415-860-3981
bo.erlend@gmail.com

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

From: Amy Kalish <amykalish@gmail.com>
Date: Fri, Dec 30, 2022 at 10:30 AM
Subject: QUICK ACTION NEEDED TODAY
To: Amy Kalish <amykalish@gmail.com>

Hello Everyone,

Shockingly, the county planning staff has ignored the **unanimous and strong support** for community plans from both the **Planning Commissioners and the public** voiced at the December 22 meeting. They have added language to the County Wide Plan that would **"eviscerate" community plans**, the last bit of local say that citizens still have.

I am currently serving in the Tam Design Review Board, which is guided by the Tam Plan. Many community members worked for many years to create this plan.

On short notice, today is the last day to protest these changes. I urge you to send a simple message to the Planning Commission to keep community plans relevant. I am enclosing a letter (the PDF below) written by Riley Hurd. He expresses the issue simply and directly.

PLEASE DO THIS TODAY BEFORE 5PM, IF YOU CAN!

All you have to do is send an email to the Planning Commission saying you endorse Riley Hurd's letter, and share his concerns. Below is a template you can copy out and add your name(s). Feel free to write your own letter or add any other thoughts you may have.

--

To: planningcommission@marincounty.org

Cc: smoultonpeters@marincounty.org; sbjones@marincounty.org

Subject: Planning Commission Meeting January 5, 2023 re CWP

Dear Planning Commissioners,

I (We) endorse Attorney Riley Hurd's December 28, 2022, letter.

I (We) strongly urge you to preserve the legality of community plans to the fullest extent possible.

Sincerely,

XXXXXX (Your Name or Names)

Address (or Your Unincorporated Area and Supervisor's Email Address Above)

—



Ragghianti|Freitas LLP

Attorneys at Law

1101 5th Avenue, Suite 100
San Rafael, CA 94901
telephone 415.453.9433
facsimile 415.453.8269
www.rflawllp.com

Riley F. Hurd III
rhurd@rflawllp.com

December 28, 2022

Via E-Mail Only

Planning Commission
County of Marin
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Re: CWP Amendments - Community Plans

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Ragghianti|Freitas LLP

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Very Truly Yours,

A handwritten signature in blue ink that reads 'Riley F. Hurd III'. The signature is written in a cursive, flowing style.

Riley F. Hurd III

CC: SNA

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: 64 Unit Development at End of San Francisco Blvd.
Date: Friday, December 30, 2022 4:54:30 PM

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

From: Ford Greene <fordgreene@comcast.net>
Sent: Friday, December 30, 2022 4:54 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Ann Politzer <annpolitzer@gmail.com>
Subject: 64 Unit Development at End of San Francisco Blvd.

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

Please note my objection to this proposed density increase. We do not have sufficient infrastructure to sustain such density increase. We do not have the roads, water or sewage to sustain it.

The sewage main travels directly below the barn located at the rear of the property I own at 711-721 Sir Francis Drake Blvd. San Anselmo.

Ford Greene
711 SF Drake
San Anselmo, CA 94960

Sent from my iPhone

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Countywide Plan Update for Compliance with HCD & the 2023-2031 RHNA housing requirements
Date: Friday, December 30, 2022 4:48:06 PM

From: Frank Egger <fegger@pacbell.net>
Sent: Friday, December 30, 2022 4:36 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: BOS <BOS@marincounty.org>
Subject: Countywide Plan Update for Compliance with HCD & the 2023-2031 RHNA housing requirements

Some people who received this message don't often get email from fegger@pacbell.net. [Learn why this is important](#)

Dear Marin County Planning Commissioners,

At your last meeting regarding the Marin Countywide Plan Amendments associated with the Housing Element, a very clear consensus was reached that Community Plans should be preserved to the fullest extent possible. However, proposed edits to Policies 1.4-3 and 1.5-3 of the Marin Countywide Plan continue to completely eviscerate these vital Community Plans.

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These proposed edits must be discarded.

I strongly urge you to change the proposed amendments so that the legality and authority of Community Plans are preserved to the fullest extent possible.

Also, please request County Counsel to first prepare a claim to and for the State of California's Unfunded State Mandate as a result of their State Housing laws including the cost to supply and deliver new water sources, construct sewer line upgrades and sewer treatment plant construction and or expansions in Western, Northern, Central and Southern Marin plus the cost of widening transportation routes and expanding public transportation to accommodate the additional 41,760 residents that will occupy the 14,400 new living units the California legislators are requiring.

That data can then be the basis for Marin County's litigation against the State of

California. Marin County needs to ask the 11 incorporated cities & towns plus the various water and sewer agencies that provide services to our County to join with them as plaintiffs.

Sincerely,
Frank Egger
13 Meadow Way
Fairfax, CA 94930

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Development
Date: Friday, December 30, 2022 3:38:24 PM

From: Fred Penczak <fredpenczakmd@gmail.com>
Sent: Friday, December 30, 2022 3:37 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Subject: Development

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

Subject: Letter to PC re: Housing Element Update, Marin CWP Amendments and Community Plans
Dear Marin County Planning Commissioners,

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These proposed edits must be discarded.

I Fred Penczak strongly urge you to change the proposed amendments so that the legality and authority of Community Plans are preserved to the fullest extent possible.

Sincerely,
Fred Penczak
78 Creekside Dr
San Rafael, CA 94901

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Development
Date: Friday, December 30, 2022 4:45:18 PM

From: Fred Penczak <fredpenczakmd@gmail.com>
Sent: Friday, December 30, 2022 3:47 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Subject: Development

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

Dear Planning Commissioners,

I, Fred Penczak, M.D. endorse Attorney Riley Hurd's December 28, 2022, letter.

I, Fred Penczak M.D. strongly urge you to preserve the legality of community plans to the fullest extent possible.

Sincerely,

Fred Penczak, M.D.

78 Creekside Dr, San Rafael, CA 94903

From: [Jones, Sarah](#)
To: [housingelement](#)
Subject: FW: CWP Comment:January 5,2023 Planning Commission
Date: Friday, December 30, 2022 1:03:40 PM
Attachments: [Ltr - PC re CWPs - 12.28.22.pdf](#)

From: Garril Page <obility@comcast.net>
Sent: Friday, December 30, 2022 11:59 AM
To: PlanningCommission <PlanningCommission@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>; Rice, Katie <KRice@marincounty.org>; Rodoni, Dennis <DRodoni@marincounty.org>; Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Sackett, Mary <MSackett@marincounty.org>; Lucan, Eric <elucan@marincounty.org>
Subject: CWP Comment:January 5,2023 Planning Commission

You don't often get email from obility@comcast.net. [Learn why this is important](#)

Dear Commissioners and Supervisors:

Please, do not start the New Year by allowing county staff to further eviscerate the rights of local residents, taxpayers and voters who are becoming increasingly alarmed at the lack of oversight by the Marin County Board of Supervisors.

Attorney Riley Hurd has exposed this issue in his attached letter. I fully endorse his December 28, 2022 letter. Please, be guided by his judicious advice and use the suggested remedial edit!

Disenfranchising communities by overriding and eliminating community plans arrived at through often lengthy, fully-engaged public participation is a very, very bad idea. And, an even worse idea when perceived done through the actions of rogue county staff.

Yours sincerely,

Garril Page
San Anselmo



Ragghianti|Freitas LLP

Attorneys at Law

1101 5th Avenue, Suite 100
San Rafael, CA 94901
telephone 415.453.9433
facsimile 415.453.8269
www.rflawllp.com

Riley F. Hurd III
rhurd@rflawllp.com

December 28, 2022

Via E-Mail Only

Planning Commission
County of Marin
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Re: CWP Amendments - Community Plans

Dear Members of the Planning Commission:

At your last meeting regarding the CWP amendments associated with the Housing Element, a very clear consensus was reached that community plans should be preserved to the fullest extent possible. In response to this direction, the proposed edit to Policy 3.4-3 has been modified to address situations where there is a conflict between community plans and the CWP regarding density or floor area. **However, the remaining proposed edits to Policies 1.4-3 and 1.5-3 continue to completely eviscerate Community Plans.**

Policy 1.4-3 is entitled "How to Read the Countywide Plan" and proposed to now include the following language:

"...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan..."

Policy 1.5-3 addresses land use categories and is proposed to now say:

"The Countywide Plan land use designations supersede Community Plan designations."

These edits do *not* preserve community plans to the fullest extent possible.



Ragghianti|Freitas LLP

Page 2 of 2

There are many major sites and large areas carefully planned for in a community plan, but with nothing more than a land use designation in the CWP. Implementing these edits would eliminate all of this careful planning, and is not necessary for housing preservation. Furthermore, these edits are horizontally inconsistent with the proposed edit to Policy 3.4-3, which says the community plans only supersede the CWP in regards to density or FAR.

Community plans have been developed via a comprehensive, thoughtful, transparent, , and fair process with all stakeholders. While they could certainly use some updating, overriding them in one fell swoop is unnecessary. Many community plans serve as the entire planning document for large sites. Simply reverting to the CWP designation would be catastrophic.

The following simpler, singular, edit could achieve the goals of advancing housing while not single handedly wiping out community plans:

“No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density.”

We would ask that you please use the edit proposed above and not adopt the various other edits regarding CWPs. Thank you.

Very Truly Yours,

A handwritten signature in blue ink that reads 'Riley F. Hurd III'. The signature is written in a cursive, slightly slanted style.

Riley F. Hurd III

CC: SNA

From: [Donna Bellucci Rich](#)
To: [housingelement](#)
Subject: Atherton corridor
Date: Friday, December 30, 2022 10:02:59 AM

You don't often get email from ladybug7a@gmail.com. [Learn why this is important](#)

I have commented many times in the past. One would think our comments in tge past would be included in these hearings.

The increased density to the Atherton corridor will only increase traffic to the point of traffic lights. It will also increase traffic when hwy 37 floods, sometimes for weeks.

We are also in a special fire zone. Increased housing will only increase our fire danger, causing our rates to go up.

Then there are the off site improvements for the proposed density. We are already experiencing black outs with pg&e. As of now we have reduced water usage due to drought conditions. This will not change. Most of the properties are on septic systems. Who is going to be able to afford these hookups to the proposed high density.

On a personal note I have lived in the County most of my life to have more room, more land and neighbors not too close to me. I enjoy my animals and am able to have various farm animals. I do not want this to change. I can just see the proposed high density will bring complaints of noise (roosters) and smells that farm animals bring.

I hope you take into consideration the above comments.

Sincerely,
Gary and Donna Rich
6 Equestrian Ct.

From: [Geralyn Da silva](#)
To: [housingelement](#)
Subject: 404 San Francisco Blvd, San Anselmo, CA
Date: Friday, December 30, 2022 12:54:25 PM

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

I am writing in reference to the proposed 64 units to replace the current 17 units at 404 San Francisco Blvd. What is the infrastructure to support this? Already the traffic on San Francisco Blvd is stretched, and this is the only access road in case of fire. Water supply, garbage collection, and parking will be severely impacted. This is a huge project that demands intensive surveys on the impact it will have. We believe in housing, but short term solutions wreck havoc in the long run.

Please decrease the number of units to be built to fit the community that has been established.

Thank you,

Geralyn da Silva and Chris McCarty

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Planning Commission Meeting January 5, 2023 re CWP
Date: Friday, December 30, 2022 3:38:14 PM

From: gordon robinson <gogorobinson@hotmail.com>
Sent: Friday, December 30, 2022 3:28 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>
Subject: Planning Commission Meeting January 5, 2023 re CWP

Some people who received this message don't often get email from gogorobinson@hotmail.com. [Learn why this is important](#)

Dear Planning Commissioners,

I endorse Attorney Riley Hurd's December 28, 2022, letter.

I strongly urge you to preserve the legality of community plans to the fullest extent possible. This seems like money speaks louder than the community.

Sincerely,
Gordon Robinson
64 Monte Cimas Ave.
Mill Valley

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Letter to PC re: Housing Element Update, Marin CWP Amendments and Community Plans
Date: Friday, December 30, 2022 3:34:38 PM

From: Bill Paisley <hwpaisley@comcast.net>
Sent: Friday, December 30, 2022 1:20 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: BOS <BOS@marincounty.org>
Subject: Letter to PC re: Housing Element Update, Marin CWP Amendments and Community Plans

You don't often get email from hwpaisley@comcast.net. [Learn why this is important](#)

Dear Marin County Planning Commissioners,

At your last meeting regarding the Marin Countywide Plan Amendments associated with the Housing Element, a very clear consensus was reached that Community Plans should be preserved to the fullest extent possible. However, proposed edits to Policies 1.4-3 and 1.5-3 of the Marin Countywide Plan continue to completely eviscerate these vital Community Plans.

Policy 1.4-3 is entitled “How to Read the Countywide Plan” and proposed to now include the following language:

“...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan...”

Policy 1.5-3 addresses land use categories and is proposed to now say: **“The Countywide Plan land use designations supersede Community Plan designations.”**

These proposed edits must be discarded.

I (We) strongly urge you to change the proposed amendments so that the legality and authority of Community Plans are preserved to the fullest extent possible.

Sincerely,
H. William Paisley
259 Cleveland Ave
Mill Valley, CA 94941

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Planning Commission Meeting January 5, 2023 re CWP
Date: Friday, December 30, 2022 4:46:00 PM

From: kenmarsden2001@yahoo.com <kenmarsden2001@yahoo.com>
Sent: Friday, December 30, 2022 3:51 PM
To: PlanningCommission <PlanningCommission@marincounty.org>; Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>
Cc: 'Jennifer Marsden' <jkpmarsden@gmail.com>
Subject: Planning Commission Meeting January 5, 2023 re CWP

You don't often get email from kenmarsden2001@yahoo.com. [Learn why this is important](#)

Dear Planning Commissioners,

We endorse Attorney Riley Hurd's December 28, 2022, letter.

We strongly urge you to preserve the legality of community plans to the fullest extent possible.

Sincerely,

Jennifer & Ken Marsden
20 Calle del Sierra
Stinson Beach

From: [Jennifer Brinn](#)
To: [housingelement](#); [Rice, Katie](#)
Subject: Opposition for Development at 404 San Francisco Blvd.
Date: Friday, December 30, 2022 12:26:47 PM

Some people who received this message don't often get email from info@jbrinn.com. [Learn why this is important](#)

Dear Planning Commission and Supervisor Rice,

I am a 11-year resident of the Sorich Park neighborhood. My family and I live on Carmel Way, just above the 404 San Francisco Blvd development.

I'm writing with my opposition on such a large development proposal for this area of our neighborhood.

My opposition is due to the following concerns:

Drought- Marin County's water resource is already in peril. Adding 47 more units to this small plot of land brings us farther away from conservation.

In our current situation, if the drought continues, we are projected to run out of water in 4 years.

Fire- This area, like so many residential areas of Marin County are already so densely populated which impedes fire safe areas and evacuation corridors. Adding 47 more units contributes to population density and densifying our evacuation routes.

Population/Overdevelopment- I personally hike through Sorich Open space every morning. I'm grateful to see the natural corridors that are home to our wildlife, including bobcat, California quail, coyotes, deer, etc. Building 47 more units would destroy sensitive habitats and greatly encroach on the peaceful, natural beauty that make this pocket of Marin so wonderful.

- I agree that affordable housing needs to happen in Marin, but it cannot be by way of overdevelopment.
- I also agree that the current housing at 404 San Francisco Blvd is in need of an overhaul and expansion. Better, more efficient design, bringing structures up to current code, and adding a few more units would contribute to better overall housing for the current residents while expanding affordable housing.
- I would love to see a proposal for 50% or less of what is currently in the development plan for this area.

Please let my comments be known and included.

Many thanks,

Jennifer Brinn
(resident of Carmel Way in Sorich Park neighborhood of San Anselmo)

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Letter to PC re: Housing Element Update, Marin CWP Amendments and Community Plans
Date: Friday, December 30, 2022 11:43:50 AM

From: Jenny Kerr <jenniferher@gmail.com>
Sent: Thursday, December 29, 2022 11:31 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: BOS <BOS@marincounty.org>
Subject: Letter to PC re: Housing Element Update, Marin CWP Amendments and Community Plans

Some people who received this message don't often get email from jenniferher@gmail.com. [Learn why this is important](#)

Dear Marin County Planning Commissioners,

At your last meeting regarding the Marin Countywide Plan Amendments associated with the Housing Element, a very clear consensus was reached that Community Plans should be preserved to the fullest extent possible. However, proposed edits to Policies 1.4-3 and 1.5-3 of the Marin Countywide Plan continue to completely eviscerate these vital Community Plans.

Policy 1.4-3 is entitled "How to Read the Countywide Plan" and proposed to now include the following language:

"...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan..."

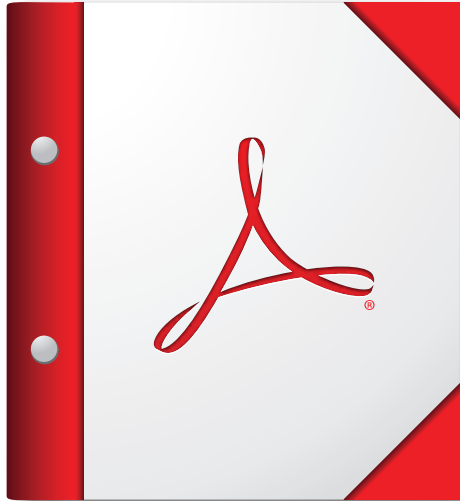
Policy 1.5-3 addresses land use categories and is proposed to now say: **"The Countywide Plan land use designations supersede Community Plan designations."**

These proposed edits must be discarded.

I strongly urge you to change the proposed amendments so that the legality and authority of Community Plans are preserved to the fullest extent possible.

Sincerely,

Jennifer Kerr
201 Marin St.
San Rafael, CA 94901



**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)

From: [Jones, Sarah](#)
To: [housingelement](#)
Subject: FW: Planning Commission Meeting January 5, 2023 re cwp
Date: Friday, December 30, 2022 2:44:45 PM

From: Jillgbarnett@gmail.com <jillgbarnett@gmail.com>
Sent: Friday, December 30, 2022 2:19 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Jones, Sarah <sbjones@marincounty.org>; smoulton@marincounty.org
Subject: Planning Commission Meeting January 5, 2023 re cwp

Some people who received this message don't often get email from jillgbarnett@gmail.com. [Learn why this is important](#)

Dear Planning Commissioners,

I strongly urge you to preserve the legality of community plans to the fullest extent possible.

Sincerely,
Jill Barnett
50 Peninsula Rd
Belvedere

From: [Jill Templeton](#)
To: [housingelement](#)
Subject: Respect community plans
Date: Friday, December 30, 2022 3:57:51 PM

A great deal of local knowledge and community has gone into the development of community plans. Please be sure to give them their due consideration in discussions regarding housing and safety. Don't let competing challenges create housing in unsafe situations.

--

Jill Templeton
(415) 309-7709

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Community Plans should be preserved to the fullest extent possible
Date: Friday, December 30, 2022 11:46:30 AM
Attachments: [Ltr - PC re CWPs - 12.28.22.pdf](#)
[Sustainable TamAlmonte's letter to PC re Community Plans, Housing Element Update, & CWP Amendments 12-28-22.pdf](#)

From: Toni Shroyer <tonishroyer@hotmail.com>
Sent: Friday, December 30, 2022 10:56 AM
To: PlanningCommission <PlanningCommission@marincounty.org>; BOS <BOS@marincounty.org>
Cc: Romeo MAR Arrieta <romeoa@marincountyrealtors.com>
Subject: Community Plans should be preserved to the fullest extent possible

Some people who received this message don't often get email from tonishroyer@hotmail.com. [Learn why this is important](#)

Dear Marin County Planning Commissioners,

At your last meeting regarding the Marin Countywide Plan Amendments associated with the Housing Element, a very clear consensus was reached that Community Plans should be preserved to the fullest extent possible. However, proposed edits to Policies 1.4-3 and 1.5-3 of the **Marin Countywide Plan continue to completely eviscerate these vital Community Plans.**

Policy 1.4-3 is entitled "How to Read the Countywide Plan" and proposed to now include the following language:

"...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan..."

Policy 1.5-3 addresses land use categories and is proposed to now say: **"The Countywide Plan land use designations supersede Community Plan designations."**

We are taxpayers who pay an incredible amount of real estate taxes to the county and we should have a voice. With this additional language we will not and will not have neighborhood specific plans.

These proposed edits must be discarded.

We strongly urge you to change the proposed amendments so that the legality and authority of Community Plans are preserved to the fullest extent possible.

Thank you,

Jim and Toni Shroyer
1955 Indian Valley Road
Novato Ca 94947



Ragghianti|Freitas LLP

Attorneys at Law

1101 5th Avenue, Suite 100
San Rafael, CA 94901
telephone 415.453.9433
facsimile 415.453.8269
www.rflawllp.com

Riley F. Hurd III
rhurd@rflawllp.com

December 28, 2022

Via E-Mail Only

Planning Commission
County of Marin
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Re: CWP Amendments - Community Plans

Dear Members of the Planning Commission:

At your last meeting regarding the CWP amendments associated with the Housing Element, a very clear consensus was reached that community plans should be preserved to the fullest extent possible. In response to this direction, the proposed edit to Policy 3.4-3 has been modified to address situations where there is a conflict between community plans and the CWP regarding density or floor area. **However, the remaining proposed edits to Policies 1.4-3 and 1.5-3 continue to completely eviscerate Community Plans.**

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"The Countywide Plan land use designations supersede Community Plan designations."

These edits do *not* preserve community plans to the fullest extent possible.



Ragghianti|Freitas LLP

Page 2 of 2

There are many major sites and large areas carefully planned for in a community plan, but with nothing more than a land use designation in the CWP. Implementing these edits would eliminate all of this careful planning, and is not necessary for housing preservation. Furthermore, these edits are horizontally inconsistent with the proposed edit to Policy 3.4-3, which says the community plans only supersede the CWP in regards to density or FAR.

Community plans have been developed via a comprehensive, thoughtful, transparent, , and fair process with all stakeholders. While they could certainly use some updating, overriding them in one fell swoop is unnecessary. Many community plans serve as the entire planning document for large sites. Simply reverting to the CWP designation would be catastrophic.

The following simpler, singular, edit could achieve the goals of advancing housing while not single handedly wiping out community plans:

“No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density.”

We would ask that you please use the edit proposed above and not adopt the various other edits regarding CWPs. Thank you.

Very Truly Yours,

A handwritten signature in blue ink that reads 'Riley F. Hurd III'. The signature is written in a cursive, flowing style.

Riley F. Hurd III

CC: SNA



215 Julia Ave Mill Valley, CA 94941

December 28, 2022

Marin County Planning Commission
Cc: Marin County Board of Supervisors
3501 Civic Center Drive, Suite 329
San Rafael, CA 94903
planningcommission@marincounty.org
bos@marincounty.org

Re: Marin County Housing Element Update, Countywide Plan Amendments, and Community Plans

Dear Marin County Planning Commission,

We strongly urge you to uphold the integrity of Community Plans, when considering amendments to the Marin Countywide Plan, Housing Element, and Development Code.

Community Plans should always be used to guide you in your decision making, as each community has different physical aspects, goals and desires. Without the detailed information contained in Community Plans, the County Planning Department would be lost. Please re-read our attached letter, dated December 8, 2022, for an understanding of the tremendous importance of the Tamalpais Area Community Plan. This should serve as an illustration of the significant value of all Community Plans throughout Marin.

At your last meeting regarding the Marin Countywide Plan Amendments associated with the Housing Element, a very clear consensus was reached that Community Plans should be preserved to the fullest extent possible. However, proposed edits to Policies 1.4-3 and 1.5-3 of the Marin Countywide Plan continue to completely eviscerate these vital Community Plans.

Policy 1.4-3 is entitled “How to Read the Countywide Plan” and proposed to now include the following language:

“...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan...”

Policy 1.5-3 addresses land use categories and is proposed to now say: “**The Countywide Plan land use designations supersede Community Plan designations.**”

These proposed edits must be discarded.

We strongly urge you to change the proposed amendments so that the legality and authority of Community Plans are preserved to the fullest extent possible.

Thank you in advance for your conscientious consideration.

Very truly yours,

/s/

Sharon Rushton, President
Sustainable TamAlmonte

The logo for Sustainable Tamalpais, featuring the words "SUSTAINABLE TAMALPAIS" in a stylized, light green font on a dark red rectangular background.

SUSTAINABLE TAMALPAIS

215 Julia Ave Mill Valley, CA 94941

December 8, 2022

Marin County Board of Supervisors
Marin County Planning Commission
3501 Civic Center Drive, Suite 329
San Rafael, CA 94903
bos@marincounty.org
planningcommission@marincounty.org

Re: Housing Element, Housing Related Countywide Plan Amendments, and Housing Element Related Rezonings

Dear Marin County Board of Supervisors and Planning Commission,

We strongly urge you to uphold the integrity of Community Plans, when considering amendments to the Countywide Plan, Housing Element, and Development Code. Community Plans should be used to guide you in your decision making, as each community has different physical aspects, goals and desires. Without the detailed information contained in Community Plans, the County Planning Department would be lost.

The Tamalpais Area Community Plan

The original Tamalpais Area Community Plan was meticulously studied and drafted by local residents over a period of six years. The Marin County Planning Department, and consulting firm of EDAW, Inc., and John Roberto Associates provided valuable professional staff and administration support in the community planning effort. Through the years, other groups of local residents have worked diligently to periodically update the plan. During the last update, community leaders devoted 5 years to complete the revisions.

The Tamalpais Planning Area is comprised of four major residential neighborhoods and six commercial areas. The Tamalpais Area Community Plan is an extremely valued document that states community goals, objectives, policies and implementation programs relative to the current and foreseeable future conservation and development issues facing the community.

Excerpts from the Tamalpais Area Community Plan:

“The goals of the Community Plan are to maintain the semi-rural character of the community as defined by its small town residential and commercial nature. In addition, the quality of the natural environment shall be maintained.” “The guiding philosophy of the Community Plan places a strong emphasis on protecting public safety and preserving the natural resources of the community, while still permitting individual property owners to realize reasonable development potentials.”

Proposed Amendments to the Countywide Plan

The most concerning language of the proposed Countywide Plan Amendments is regarding Policy 1.5-3 – “To the degree that the community plan policy guidance conflicts with the Countywide Plan or State housing law, **the Countywide Plan shall govern. The Countywide Plan land use designations supersede Community Plan designations.**”

This problem is also found in the following proposed language, which adds; “Where there are land use designation or development density and floor area ratio differences, **the Countywide Plan shall prevail.**”

We urge you to reject the above proposed changes and uphold the integrity of Community Plans when considering proposed amendments.

Thank you in advance for your conscientious consideration.

Very truly yours,

/s/

Sharon Rushton, President
Sustainable TamAlmonte

From: [Joe Fitzpatrick](#)
To: [EnvPlanning](#); [housingelement](#)
Cc: [Rice, Katie](#)
Subject: 404 San Francisco, San Anselmo (Unincorporated Marin) Opposition to Current Proposal
Date: Friday, December 30, 2022 12:34:30 PM

Some people who received this message don't often get email from joe.fitzpatrick@gmail.com. [Learn why this is important](#)

Hi Marin County Leadership.

I own and live at 58 Sacramento Ave in San Anselmo. My property is directly adjacent to the proposed development of the old Sorich Dairy property at 404 San Francisco. There are 17 units on the current property, most, if not all are affordable housing.

The proposal is to increase the zoning from R1-single family (4 homes) to a multi-unit complex (64 homes). This is an outrageous increase that would severely impact the density and safety of residents.

Currently the property is legal non-conforming multi-unit with 17 units in homes.

This number of new units would place a huge infrastructure strain on this neighborhood, and could increase traffic on SF Blvd by 400 new car trips per day (when you factor in residents, service people and deliveries).

This massive increase in buildings/units/density doesn't seem like prudent development, is good for current residents, and raises significant safety concerns with additional traffic on San Francisco.

In an emergency, the sheer number of people/cars trying to leave this area would create congestion and a bottleneck at Sir Francis Drake that could be catastrophic. Not to mention the challenges this would present to responders who needed to access this neighborhood.

There are many other reasons why such a huge multiplier in units is unacceptable. Water use, additional fire risk, and development next to a creek that should be protected. Draft plans that have been shared by the developer that show units directly on top of the existing creek (and I assume they want to add a culvert) which is in direct opposition to current environmental trends of protecting waterways.

Add to this, there's a barn on the property that is one of the oldest standing structures in Sorich Park, perhaps there are some conservation considerations too?

We/I know something is going to be developed, this isn't a NIMBY complaint. I believe a reasonable, responsible compromise is 34 units, double the current capacity.

Please help us make sensible growth decisions in all of Marin, including Sorich Park.

Many thanks.
Joe Fitzpatrick
415-216-8024

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Please preserve our Community Plans
Date: Friday, December 30, 2022 11:41:27 AM

From: Joe Sherer <joe@solarports.com>
Sent: Thursday, December 29, 2022 4:05 PM
To: PlanningCommission <PlanningCommission@marincounty.org>;
housingelement@marincounty.org Cc: Michael Gallagher <michaelgallagher.office@gmail.com>;
Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>
Cc: Rob Blechman <Rob.Blechman@gmail.com>
Subject: Please preserve our Community Plans

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

Dear Planning Commissioners —

Despite verbal agreements that Community Plans would not be broadly swept aside, there remains broad and contradictory language in the ITEM 6, Exhibit B. ITEM 6 is the “Housing Element Countywide Plan Amendments/Rezoning.”

In this Exhibit B, you will find the following problematic language:

Policy 1.4-3 entitled “How to Read the Countywide Plan” includes the following language:

“...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan.

Policy 1.5-3 addresses land use categories now says:

“The Countywide Plan land use designations supersede Community Plan designations.”

Exhibit B can be accessed here: <https://www.marincounty.org/-/media/files/departments/cd/planning/cwp/housing-and-safety-elements/pc-hearing-010523/item-6-he/attachment-3.pdf?la=en>

It has been brought to my attention that land use attorney, Riley Hurd, recommended to you substitute language which could achieve Housing Element objectives without destroying Community Plans. Will you please consider and adopt his proposed language and remove the proposed broad language cited below?

"No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density."

Thank you,

Joe Sherer
Co-CEO
Chief Energy Officer



(415) 370-9432 cell

(909) SOLAR-PORTS

(909) 765-2776

SolarPorts.com

From: [Joey Wolff](#)
To: [housingelement](#)
Cc: [Rice, Katie](#)
Subject: Comment on the proposed change in zoning at 404 San Francisco Blvd.
Date: Friday, December 30, 2022 3:14:20 PM

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

I am writing to you regarding the proposed zoning change at 404 San Francisco Blvd and the mandated housing development by the State of California throughout Marin County. Any housing developments need to follow local zoning laws and building procedures, taking into account fire danger, evacuation routes, sea level rise and traffic safety and noise pollution. Did the consulting firm that created the report for the HE determine the impact of the additional housing they suggested or was their report based purely on what is the max number of units that could physically fit on a site regardless of the other elements I mentioned? The response from the California Department of Housing and community to the report provided by the consulting firm feels insufficient and fast tracked. Many issues around health, safety and resources don't appear to have been addressed. I live on San Francisco Blvd. and can tell you the traffic and speeding is already a huge issue, especially with lots of young families in the neighborhood. If the report from the consulting firm took into account the health and safety of changing zoning at 404 San Francisco Blvd. to allow 48 more units at the end of the street, I don't believe I would be writing this. I invite you to come to our neighborhood as it is now and see the traffic and then imagine 49 more household at the end of the street all going the full length of the road every time they come and go.

Please push back on the proposed zoning change at 404 S.F. Blvd in San Anselmo. The impact of 48 more housing units will have a huge negative impact to the neighborhood and make it unsafe for pedestrians. The mandate by the state around housing development that allows developers to side step building process and regulations is not democratic and needs to be stopped.

Thanks for reading this and your time.

- Joey Wolff

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Strawberry Community Plan
Date: Friday, December 30, 2022 11:42:26 AM

From: Julie Brown <julie_brown@redesignsf.com>
Sent: Thursday, December 29, 2022 7:59 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Michael Gallagher <michaelgallagher.office@gmail.com>; Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>
Subject: Strawberry Community Plan

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

Dear Planning Commissioners —

Thank you all for you continuing service and hours of dedication. I am grateful, again, to bring this to your attention.

Despite verbal agreements that Community Plans would not be broadly swept aside, there remains broad and contradictory language in the ITEM 6, Exhibit B. ITEM 6 is the “Housing Element Countywide Plan Amendments/Rezoning.”

In this Exhibit B, you will find the following problematic language:

Policy 1.4-3 entitled “How to Read the Countywide Plan” includes the following language:

“...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan.

Policy 1.5-3 addresses land use categories now says:

“The Countywide Plan land use designations supersede Community Plan designations.”

Exhibit B can be accessed here: <https://www.marincounty.org/-/media/files/departments/cd/planning/cwp/housing-and-safety-elements/pc-hearing-010523/item-6-he/attachment-3.pdf?la=en>

It has been brought to my attention that land use attorney, Riley Hurd, recommended to you substitute language which could achieve Housing Element objectives without destroying Community

Plans. Will you please consider and adopt his proposed language and remove the proposed broad language cited below?

"No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density."

Thank you for your consideration and thoughtful work.

With appreciation,

Julie Brown
www.redesignsf.com
(t)415-297-4471

Sent from my iPhone -please forgive any typos.

From: [KATHLEEN FRANKS](#)
To: [housingelement](#)
Subject: Fwd: Proposed building project at 404 San Francisco Blvd
Date: Friday, December 30, 2022 1:46:42 PM

You don't often get email from kafranks@comcast.net. [Learn why this is important](#)

Subject: Proposed building project at 404 San Francisco Blvd

To all it may concern,

I am asking that you please reconsider the number of units allowed on the 2.4 acres at 404 San Francisco Blvd in San Anselmo. In addition to the traffic created by local residents there is the traffic to a local church on Sacramento, the town building yard and to Sorich Park, a frequently visited open space. The impact of having 64 units at the end of a street that has only one way in and out will not only increase traffic, noise, poor air quality but also create an extreme hazard in evacuating the area in case of fire. earthquakes , or other medical emergencies.It is already sad that the current small community that now exists is being broken up, but there needs to be more consideration to the impact on the all aspects of the community and the environment.I truly hope you reconsider the proposed plan and create a better one that is more harmonious with the neighborhood and Sorich Park.

Thank you,

Kathleen Franks

36 Santa Barbara Ave

San Anselmo, CA 94960

415-488-4868

From: [Kathleen Lipinski](#)
To: [housingelement](#)
Subject: San Francisco Blvd. Housing Project
Date: Friday, December 30, 2022 2:50:07 PM

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

Dear Planning Commission Members,

I'm writing to express my concern about the zoning change at 404 San Francisco Blvd in San Anselmo, which will allow 64 units to replace the current 17 units.

I have lived at 38 San Francisco Blvd. since 1979; our property has been in my husband's family since the 1920's.

In my opinion, more than tripling the number of units at this site is out of keeping with the neighborhood, most of which is single family. My main concern is the traffic impact. San Francisco Blvd. is the feeder street for the entire Sorich Park neighborhood and a "short cut" access to the Sleepy Hollow area. The number of cars speeding by, in spite of the speed bumps and roundabouts, is menacing- during work and school commute times in particular. Everyday I witness cars blowing through the pedestrian crosswalks. Additionally, Sir Francis Drake Blvd. and San Anselmo Avenue are the only routes in and out of much of San Anselmo, Fairfax and San Geronimo Valley; in the event of any type of emergency, these two roads are fully inadequate to safely evacuate our communities.

I urge you to reduce the number of units proposed for 404 for the safety of our neighborhood and the larger community.

Respectfully,
Kathleen Lipinski

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Planning Commission Meeting January 5, 2023 re CWP
Date: Friday, December 30, 2022 11:40:58 AM

From: lee2reynolds@aol.com <lee2reynolds@aol.com>
Sent: Thursday, December 29, 2022 2:09 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>
Subject: Planning Commission Meeting January 5, 2023 re CWP

You don't often get email from lee2reynolds@aol.com. [Learn why this is important](#)

Dear Planning Commissioners,

I endorse Attorney Riley Hurd's December 28, 2022, letter.

I strongly urge you to preserve the legality of community plans to the fullest extent possible.

Sincerely,
Lee Reynolds
72 Great Circle Drive Strawberry Point

From: [Leila Chism](#)
To: [housingelement](#)
Subject: Community Plan for Strawberry
Date: Thursday, December 29, 2022 3:53:22 PM

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

Please don't set aside longstanding agreements in the Strawberry Community Plan that preserve the character and quality of life in Strawberry and the Seminary Area. We are open to reasonable housing proposals consistent with the character of this area, but a 1,000 person commuter school, hundreds of rental homes and various other facilities exceeds reasonable growth demands. I'm sure you will be able to assess what parts of Northcoast Holding's plan are really about helping meet housing needs vs. monetizing nearly every acre of the Seminary to the detriment of the surrounding area. We hope you stand with us on keeping Marin neighborhoods safe and livable.

Best,

Leila Chism
404 E Strawberry Dr
Mill Valley

From: Seminary Neighborhood Association

RE: Housing Element language STILL undermines Community Plans unnecessarily

To: planningcommission@marincounty.org, housingelement@marincounty.org Cc: Michael Gallagher <michaelgallagher.office@gmail.com>, Stephanie Moulton-Peters <smoultonpeters@marincounty.org>

Dear Planning Commissioners —

Despite verbal agreements that Community Plans would not be broadly swept aside, there remains broad and contradictory language in the ITEM 6, Exhibit B. ITEM 6 is the "Housing Element Countywide Plan Amendments/Rezoning."

In this Exhibit B, you will find the following problematic language:

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Policy 1.5-3 addresses land use categories now says:

"The Countywide Plan land use designations supersede Community Plan designations."

Exhibit B can be accessed here: <https://www.marincounty.org/>

</media/files/departments/cd/planning/cwp/housing-and-safety-elements/pc-hearing-010523/item-6-he/attachment-3.pdf?la=en>

It has been brought to my attention that land use attorney, Riley Hurd, recommended to you substitute language which could achieve Housing Element objectives without destroying Community Plans. Will you please consider and adopt his proposed language and remove the proposed broad language cited below?

"No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density."

Thank you for your consideration and thoughtful work.

With appreciation,

Michael Gallagher, President

Seminary Neighborhood Association

Sent from [Mail](#) for Windows

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Planning Commission Meeting January 5, 2023 re CWP
Date: Friday, December 30, 2022 11:43:21 AM

From: pfeiferlj pfeifer <pfeiferlj@hotmail.com>
Sent: Thursday, December 29, 2022 10:29 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>
Subject: Planning Commission Meeting January 5, 2023 re CWP

Some people who received this message don't often get email from pfeiferlj@hotmail.com. [Learn why this is important](#)

Dear Planning Commissioners,

I endorse Attorney Riley Hurd's December 28, 2022, letter.

Community plans represent hundreds of hours of volunteer participation by residents, local businesses, and community leaders. The legality of community plans should not be compromised. Community plans must be respected and protected to the utmost extent.

Sincerely,
Linda Pfeifer
Resident, Sausalito

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: community plans
Date: Friday, December 30, 2022 4:47:03 PM

From: Linda Rames <ljrames@gmail.com>
Sent: Friday, December 30, 2022 4:14 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Subject: community plans

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

Members of the Planning Commission

Please do not consider removing community plans as these documents have been meticulously studied, written and revised by members of each community and are an example of how each group of neighbors wishes to live in the many areas of unincorporated Marin County. As a person who worked on the revision and update of the Tamalpais Community Plan, I know how much study and work went into the update of the 1992 plan. These plans should be used to guide you, the commissioners, as each community has different goals, desires and needs. Removing this important information leaves the Planning Commission with no information about the very different areas in Marin which you are supposed to be guiding in the right direction as designated by the residents of each community.

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

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Letter to PC re: Housing Element Update, Marin CWP Amendments and Community Plans
Date: Friday, December 30, 2022 3:33:33 PM

From: lbrinkmann@mac.com <lbrinkmann@mac.com>
Sent: Friday, December 30, 2022 12:20 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: BOS <BOS@marincounty.org>; Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>
Subject: Letter to PC re: Housing Element Update, Marin CWP Amendments and Community Plans

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

Dear Marin County Planning Commissioners,

At your last meeting regarding the Marin Countywide Plan Amendments associated with the Housing Element, a very clear consensus was reached that Community Plans should be preserved to the fullest extent possible. However, proposed edits to Policies 1.4-3 and 1.5-3 of the Marin Countywide Plan continue to completely eviscerate these vital Community Plans.

Policy 1.4-3 is entitled "How to Read the Countywide Plan" and proposed to now include the following language:

"...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan..."

Policy 1.5-3 addresses land use categories and is proposed to now say: **"The Countywide Plan land use designations supersede Community Plan designations."**

These proposed edits must be discarded.

I (We) strongly urge you to change the proposed amendments so that the legality and authority of Community Plans are preserved to the fullest extent possible.

Sincerely,
Lisa Brinkmann and Andy Egger
311 Greene Street
Mill Valley, CA 94941

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Community Plans
Date: Friday, December 30, 2022 3:35:30 PM
Attachments: [Ltr - PC re CWPs - 12.28.22.pdf](#)

From: Louette Colombano <louette@colombano.com>
Sent: Friday, December 30, 2022 1:50 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Rodoni, Dennis <DRodoni@marincounty.org>
Subject: Community Plans

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

Dear Planning Commissioners,

I, Louette Colombano, endorse Attorney Riley Hurd's December 28, 2022, letter.

I strongly urge you to preserve the legality of **community plans** to the fullest extent possible.

Sincerely,
Louette Colombano
62 Monte Cimas Avenue
Mill Valley, CA 94941

From: [Lucas Valley for Responsible Growth](#)
To: [housingelement](#)
Cc: [Sackett, Mary](#)
Subject: Public Comment in advance of 1/5 Planning Commission meeting
Date: Friday, December 30, 2022 3:06:00 PM
Attachments: [Public comment to be submitted by LVFRG to Housing Element by 5 PM on 12_30 \(2\).pdf](#)

Some people who received this message don't often get email from lvforresponsiblegrowth@gmail.com. [Learn why this is important](#)

Dear Marin Housing Element officials,

Please accept this [public comment](#) from the resident group, [Lucas Valley for Responsible Growth](#).

Our letter pertains to Items #4, #5, #6 and #7.

Thank you for your consideration.

Kristen Brooks
Shep Burton
Kelby Jones
Margaret Kathrein
Meehyun Kurtzman
Susan Morgan
Tina Pfeil
Ginny Pheatt

Dear Marin County Planning Commission, Board of Supervisors and Staff at the Marin County Community Development Agency,

Please consider this email an official comment in advance of the January 5 meeting of the Planning Commission on the Housing and Safety Element Final Environmental Impact Report and the Countywide Plan/Development Code Amendments. It is submitted by [Lucas Valley for Responsible Growth](#) (LVFRG), a group of local residents who have come together in response to shared concerns about housing development decisions in the Lucas Valley. The group's leadership team includes residents with expertise in the following areas: zoning, emergency evacuation, air quality, legal, governmental advocacy and community organizing.

The mission of LVFRG is to engage with community members and elected officials to promote responsible planning decisions in Lucas Valley. We support the development of more affordable housing in our community. We advocate for growth that is safely supportable with the infrastructure, commensurate with growth in other parts of Marin, and which preserves the highly-utilized community resource, Lucas Valley Park, and the rich wildlife it supports. In this way, Lucas Valley will continue to offer a high quality of life for both current and future residents.

More specifically, we support the spirit of the Housing Element allocation in Lucas Valley and believe that our infrastructure can safely integrate - *at a maximum, collectively, and site-specifically* - the allocated 80 units at the Jeannette Prandi site, 58 units at the 7 Mt. Lassen Office Park and 26 units at 1501 Lucas Valley Road. This level of growth represents a more than 25% increase in housing units for the LVHA and Rotary Valley communities.

We also are extremely committed to the preservation of Lucas Valley Park as a unique and valued resource to both current and future residents, accessible to all and providing an important social link across our communities. Lucas Valley Park is the only accessible walking path for people with disabilities or who need adaptive equipment such as walkers. It has been used continuously over the past 20 years by senior residents at Rotary Valley Senior Village as well as residents of all ages throughout the Lucas Valley for walks with strollers, dogs, jogging, biking and socializing with neighbors. Many children walk or bike to school along the path. The preservation of Lucas Valley Park is both a disability rights issue and an equity issue. Additionally and importantly, Lucas Valley Park supports a rich diversity of wildlife.

Recreational sites such as Lucas Valley Park are a key aspect of the "opportunity zones" prioritized by the State of California to provide higher quality of life to new residents in lower income categories under Assembly Bill 686 which was passed to "Affirmatively Further Fair Housing." The need for this recreational site is underscored in Marin's Countywide Plan (CWP) which cites the failure of the Las Gallinas Planning Area to meet the Quimby Act standard for parks, even with the inclusion of Lucas Valley Park.

Further, Lucas Valley Park is protected space per [Ordinance 3193](#). The permit to construct Rotary Village was conditioned, among other things, on establishing this 9.9 acre recreational area. While State housing mandates allow for the Board of Supervisors to overrule the ordinance, we ask that the spirit of the long-standing and community-supported ordinance be honored.

The LVFRG leadership team met yesterday, 12/29, with our Supervisor Mary Sackett and Sarah Jones, Acting Director of the Marin County Community Development Agency, to discuss our concerns regarding proposed development in Lucas Valley. We were heartened by the spirit of collaboration and shared commitment to responsible growth that was expressed at the meeting. We were also pleased to hear that park preservation was a goal of the County.

Additionally, we were reassured to learn that since the Prandi site is owned by the County, there will be an RFP process in which community input and inclusion was assured. We reiterate in this letter what we stated in the meeting - that future development must be conditioned on a thorough evaluation of each project to assure that public safety, infrastructure, recreational, and aesthetic needs are met. The Safety Element and program EIR are not adequate for such an evaluation.

Moving forward, the leadership team at LVFRG is committed to work collaboratively with county officials and members of the community to ensure that approval of housing project development proposals in Lucas Valley, including any with density and County bonuses, will require adequate public safety, supportive infrastructure and public services.

In closing, we join with other communities in Marin in urging the Planning Commissioners and Board of Supervisors to uphold the integrity of Community Plans, in considering amendments to the Marin Countywide Plan, Housing Element, and Development Code. The detailed information contained in Community Plans is essential to the County planning process. At the last meeting of the Planning Commission regarding the Marin Countywide Plan Amendments associated with the Housing Element, a very clear consensus was reached that Community Plans should be preserved to the fullest extent possible.

Sincerely,
Kristen Brooks
Shep Burton
Kelby Jones
Margaret Kathrein
Meehyun Kurtzman
Susan Morgan
Tina Pfeil
Ginny Pheatt

From: [Lucy Anderson](#)
To: [housingelement](#)
Subject: NO - to 404 San Francisco Blvd Development Plan
Date: Friday, December 30, 2022 4:22:10 PM

You don't often get email from anderson_415@hotmail.com. [Learn why this is important](#)

Not comfortable with the proposed 64 unit building project at 404 San Francisco Blvd.
That's too much!!

Thank you
-Lucy Anderson
415-595-2827

From: [marcus.yamane](#)
To: [housingelement](#)
Subject: 404 San Francisco Blvd
Date: Friday, December 30, 2022 4:05:19 PM

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

I don't see how the area around 404 San Francisco Blvd. could reasonably accommodate 64 units, an increase of 47 units. The neighborhood already is packed with houses all along San Francisco Blvd. This will only increase the flow of traffic into incredibly congested Sir Francis Drake Blvd.

Please find a better solution.

Sincerely,

Marcus Yamane
152 Sacramento Ave
San Anselmo

--

Marcus

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Marin Countywide Plan Amendments
Date: Friday, December 30, 2022 11:41:59 AM

From: marcy <msummers@comcast.net>
Sent: Thursday, December 29, 2022 6:48 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: BOS <BOS@marincounty.org>
Subject: Marin Countywide Plan Amendments

You don't often get email from msummers@comcast.net. [Learn why this is important](#)

Dear Marin County Planning Commissioners,

At your last meeting regarding the Marin Countywide Plan Amendments associated with the Housing Element, a very clear consensus was reached that Community Plans should be preserved to the fullest extent possible. However, proposed edits to Policies 1.4-3 and 1.5-3 of the Marin Countywide Plan continue to completely eviscerate these vital Community Plans.

Policy 1.4-3 is entitled "How to Read the Countywide Plan" and proposed to now include the following language:

"...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan..."

Policy 1.5-3 addresses land use categories and is proposed to now say: **"The Countywide Plan land use designations supersede Community Plan designations."**

These proposed edits must be discarded.

I (We) strongly urge you to change the proposed amendments so that the legality and authority of Community Plans are preserved to the fullest extent possible.

Sincerely,

Marcy Summers
110 Seminary Drive #2E
Mill Valley CA, 94941

From: [MARK INBODY](#)
To: [housingelement](#); planningcommision@marincounty.org
Cc: [Moulton-Peters, Stephanie](#); [Mia Blackler](#)
Subject: Housing Element Comments
Date: Friday, December 30, 2022 12:28:36 PM

Some people who received this message don't often get email from markinbody47@gmail.com. [Learn why this is important](#)

Dear Planning Commissioners —

Despite verbal agreements that Community Plans would not be broadly swept aside, there remains broad and contradictory language in the ITEM 6, Exhibit B. ITEM 6 is the “Housing Element Countywide Plan Amendments/Rezoning.”

In this Exhibit B, you will find the following problematic language:

Policy 1.4-3 entitled “How to Read the Countywide Plan” includes the following language:

“...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan.

Policy 1.5-3 addresses land use categories now says:

“The Countywide Plan land use designations supersede Community Plan designations.”

Exhibit B can be accessed here: <https://www.marincounty.org/-/media/files/departments/cd/planning/cwp/housing-and-safety-elements/pc-hearing-010523/item-6-he/attachment-3.pdf?la=en>

It has been brought to my attention that land use attorney, Riley Hurd, recommended to you substitute language which could achieve Housing Element objectives without destroying Community Plans. Will you please consider and adopt his proposed language and remove the proposed broad language cited below?

"No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density."

Thank you for your consideration,

Mark Inbody and Mia Blackler

--

[Mark Inbody](#)
[17 Eagle Rock Road](#)
[Mill Valley, CA 94941-1608](#)

415.994.0487 home/cell

From: [Marlys Mayfield](#)
To: [housingelement](#)
Cc: [Michael Gallagher](#); [Jane Hall](#); [michelle Sandoval](#)
Subject: Urgen Need to Remove Unnecessary contradictory language in the Housing Element Countrywide Plan
Date: Friday, December 30, 2022 12:50:57 PM

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

December 30, 2022

TO; Marin County Planning Commissioners

FROM: Marlys Mayfield resident of Strawberry Shores Apartments and Member of Seminary Neighborhood Association

In my 91 years of life, the 29 years I have lived here in Strawberry have provided me with a now rare access to the delicate balance for optimum life allowed by access to nature, fresh air, and an optimum balance of neighbors and transportation. Here all of these elements are not yet impinging and oppressive as life has become in this state to which I first came as a child in 1943. Yet in all the years I have lived here in Strawberry, I have witnessed a struggle given ever growing population pressures, for us to maintain what first brought us here to Strawberry and made us glad to stay. I myself have often felt as though we were witnessing a potential crime scene. .

Now our attention has be drawn to a a matter of language, agreed upon but not enacted, and concerning a matter that will govern future decisions and actions that will impinge on the lives of all those who have loved this land for so long: specifically ITEM 6, Exhibit B. ITEM 6: "The Housing Element Countywide Plan Amendments/Rezoning."

And all this situation has been described for you in the recent letter sent to you by our President Michael Gallagher.

I urge you to do your duty on our behalf to make a decision that could achieve the Housing element objective without destroying community plans, namely by the use of the following language:

"No provision of a community plan may be applied by the County in a manner that conflicts with state housing law or that physically precludes the construction of a project at its permitted density."

Yours most sincerely,

Marlys Mayfield, Retired
College Textbook Author and
Community College Instructor, Peralta Colleges, College of Marin, and Golden State University.

From: [Jones, Sarah](#)
To: [housingelement](#)
Subject: FW: Planning Commission Meeting January 5, 2023 re CWP
Date: Friday, December 30, 2022 11:15:00 AM
Attachments: [Ltr - PC re CWPs - 12.28.22.pdf](#)

From: mcgerity <mcgerity@yahoo.com>
Sent: Friday, December 30, 2022 10:53 AM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>
Subject: Planning Commission Meeting January 5, 2023 re CWP

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

Dear Planning Commissioners,

I endorse Attorney Riley Hurd's December 28, 2022, letter (attached for reference).

I strongly urge you to preserve the legality of community plans to the fullest extent possible.

Sincerely,
Mary McGerity
179 Sycamore Ave
Mill Valley, CA



Ragghianti|Freitas LLP

Attorneys at Law

1101 5th Avenue, Suite 100
San Rafael, CA 94901
telephone 415.453.9433
facsimile 415.453.8269
www.rflawllp.com

Riley F. Hurd III
rhurd@rflawllp.com

December 28, 2022

Via E-Mail Only

Planning Commission
County of Marin
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Re: CWP Amendments - Community Plans

Dear Members of the Planning Commission:

At your last meeting regarding the CWP amendments associated with the Housing Element, a very clear consensus was reached that community plans should be preserved to the fullest extent possible. In response to this direction, the proposed edit to Policy 3.4-3 has been modified to address situations where there is a conflict between community plans and the CWP regarding density or floor area. **However, the remaining proposed edits to Policies 1.4-3 and 1.5-3 continue to completely eviscerate Community Plans.**

Policy 1.4-3 is entitled "How to Read the Countywide Plan" and proposed to now include the following language:

"...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan..."

Policy 1.5-3 addresses land use categories and is proposed to now say:

"The Countywide Plan land use designations supersede Community Plan designations."

These edits do *not* preserve community plans to the fullest extent possible.



Ragghianti|Freitas LLP

Page 2 of 2

There are many major sites and large areas carefully planned for in a community plan, but with nothing more than a land use designation in the CWP. Implementing these edits would eliminate all of this careful planning, and is not necessary for housing preservation. Furthermore, these edits are horizontally inconsistent with the proposed edit to Policy 3.4-3, which says the community plans only supersede the CWP in regards to density or FAR.

Community plans have been developed via a comprehensive, thoughtful, transparent, , and fair process with all stakeholders. While they could certainly use some updating, overriding them in one fell swoop is unnecessary. Many community plans serve as the entire planning document for large sites. Simply reverting to the CWP designation would be catastrophic.

The following simpler, singular, edit could achieve the goals of advancing housing while not single handedly wiping out community plans:

“No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density.”

We would ask that you please use the edit proposed above and not adopt the various other edits regarding CWPs. Thank you.

Very Truly Yours,

A handwritten signature in blue ink that reads 'Riley F. Hurd III'. The signature is written in a cursive, flowing style.

Riley F. Hurd III

CC: SNA

From: [Mary-Ann Milford](#)
To: [housingelement](#)
Cc: [housingelement@marincounty.org](#) Cc: [Michael Gallagher](#); [Moulton-Peters, Stephanie](#)
Subject: Strawberry/Seminary Development
Date: Friday, December 30, 2022 2:37:51 PM

Some people who received this message don't often get email from mamilford9@gmail.com. [Learn why this is important](#)

RE: Housing Element language STILL undermines Community Plans unnecessarily

Dear Planning Commissioners —

Despite verbal agreements that Community Plans would not be broadly swept aside, there remains broad and contradictory language in the ITEM 6, Exhibit B. ITEM 6 is the “Housing Element Countywide Plan Amendments/Rezoning.”

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It has been brought to my attention that land use attorney, Riley Hurd, recommended to you substitute language which could achieve Housing Element objectives without destroying Community Plans. Will you please consider and adopt his proposed language and remove the proposed broad language cited below?

"No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density."

Thank you for your consideration and thoughtful work.

With appreciation,

Mary-Ann Milford

Strawberry Resident

From: [Meehyun Kurtzman](#)
To: [housingelement](#); [BOS](#)
Cc: [Meehyun Kim Kurtzman](#)
Subject: Housing Element Public Record
Date: Friday, December 30, 2022 3:16:42 PM

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

I am resubmitting my comments sent to the above referenced email that did not make it into HE public record.

Thank you.

Begin forwarded message:

From: Meehyun Kurtzman <meehyun@me.com>
Subject: Housing Element Board of Supervisors/Planning
Commission Workshop: August 9, 2022 Proposed Zoning Change in Marin County
Date: August 8, 2022 at 12:20:45 PM PDT
To: housingelement@marincounty.org, BOS@marincounty.org
Cc: "Lucas Valley Homeowners Assc." <lvha@lvha.net>

Dear Supervisors of Marin County:

- <!--[if !supportLists]-->1. <!--[endif]-->Many of our community members oppose any changes to zoning without knowing the consequences of that proposed zoning change.
- <!--[if !supportLists]-->2. <!--[endif]-->I to date have not seen any EIR (Environmental Impact Report) of the current Housing Element. Without knowing what the impact, how can you as a body make far reaching decisions in our county without knowing what the consequence of those decision will be? This is to place the cart before the horse. Therefore, our comment 1 is pertinent.
- <!--[if !supportLists]-->3. <!--[endif]-->The last HE 2013 as a package, rezoned over 6000 acres of land without an EIR study of those changes or even a legal notification to those impacted. Now to make matters worse, the current HE is piling on even more zoning changes without any EIR to support it. That is dereliction of duty to your constituents. You have massive amounts of documents on public record and piling on even more documents does not resolve the issue of how to mitigate the impacts you identify. Just because you identify the problem is not enough. You DO NOT have solutions on how to mitigate those problems.
- <!--[if !supportLists]-->4. Again, you have not addressed how the current zoning change will impact those parcels and the people living around them.
- <!--[if !supportLists]-->5. <!--[endif]-->For the record, you have not addressed in the Housing Safety Report, any safe harbor evacuation information for the Lucas Valley Environ. Until that is addressed, all current HE allocation in Lucas Valley

Environ is potentially dangerous and is ill-conceived planning due to its known wildfire hazards.

Meehyun Kurtzman, Lucas Valley Resident

Lucas Valley Homeowners Association, Current Zoning Committee Member

Attachment to Meehyun Kurtzman Email

Submitted via:

housingelement@marincounty.org

BOS@marincounty.org

To: Marin County Supervisors and HE planning department staff

From: Meehyun Kurtzman, resident of 125 Mount Lassen Drive and a zoning committee member of Lucas Valley HOA.

Date: November 17, 2022

Subject: Comments on 2023 Housing Element Draft Environmental Impact Report

Area Specific: Lucas Valley/Marinwood Environ

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Cumulative Impacts: Lucas Valley Road traffic and environment will be adversely impacted by all the current and new developments fronting the road. We ask the county that each aforementioned HE sites conduct site specific EIR to include traffic study and its environmental impact and solutions for mitigation to those identified issues.

Finally,

Sites listed above do NOT meet the current 2023 HE EIR's parameter for Affordable Housing:

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Not to be a broken record, but the most important duty of the government is to try to keep their constituents safe. Item 3, a lack of wildfire evacuation plan and adding more populations to the already identified high fire zone seem like a malpractice in planning.

Thank you and please include my comments as a part of 2023 HE records.

From: [Meehyun Kurtzman](#)
To: [housingelement](#); [BOS](#)
Cc: [Meehyun Kim Kurtzman](#)
Subject: Fwd: Comment for the record; Marin County Housing Element 2022
Date: Friday, December 30, 2022 3:18:42 PM

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

I am resubmitting email sent as comment for the Marin County Housing Element back in March, that did not make it into FEIR nor HE public record. Please add to the record. Thank you.

Begin forwarded message:

From: Meehyun Kurtzman <meehyun@me.com>
Subject: **Comment for the record; Marin County Housing Element 2022**
Date: March 14, 2022 at 2:38:12 PM PDT
To: housingelement@marincounty.org
Cc: "Lucas Valley Homeowners Assc." <lvha@lvha.net>

March 14, 2022

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

RE: Hybrid Plan; Housing Element 2022

Dear Board of Supervisors and Planning Commissioners:

I am submitting this letter as a record, protesting the proposed hybrid plan. It is patently inequitable when the county allocates 37% of all housing to District 1. I request that, as the former county general counsel argued to the California Appellate court during the MCA v. The Marin County, that all proposed projects will address, as required by CEQA, its cumulative impact, by utilizing project

EIR or impact assessment.

I also endorse letters and concerns submitted by the Lucas Valley Homeowners Associations dated 2/28/2022 and the Sustainable Tam Almonte dated March 10, 2022, and the Los Ranchitos Improvement Association.

Marin as a land locked peninsula, has challenges in expanding their housing needs due to the limitation of its geography. We are also limited by the inability to expand our transportation corridor, mainly Highway 101 and we have a landmass that does not afford easy implementation of high-density housing. Most of the proposed housing should be built on the highway 101 corridor close to transportation access and infrastructure needed, but not available at the inland rural corridors like the Lucas Valley Environ. During the 2013 HE, the county up-zoned over 6000 acres of very low density zoned areas to 30 units per acre, a high density more suitable for the city center. Even with this drastic and a questionable action, the up-zoned land was not earmarked for 100% affordable housing allocation. That was a mistake. Please do not repeat that error without fully understanding the impact of such a legislative move.

I believe in creating housing for all income levels. By creating a partisan divide of people seeking low to moderate housing over anyone who wishes to build anything at all, the real solution becomes elusive. I advocated for deregulation of the second unit ordinances so ADUs can be built. The solutions are out there. Providing incentives for urban land/building owners to develop underutilized buildings that can be adapted to be re-built as housing is a solution that should be looked at seriously.

On the matter of safety, it has been proven that wildfire evacuation along the Lucas Valley Road corridor is a major concern. This is not hypothetical, but it is a known fact that there is a problem. There are plans and actual building projects that are being built on the Lucas Valley Road corridor that is not even addressed in this current HE 2022. The first order of responsibility for the governmental body is public safety. Planning and allocating high density housing, while ignoring a known health and safety issue, is a road to malpractice, which could adversely impact the local government body, putting itself in an adverse position. Please do not get lost in micro solutions and forget that at a macro level, the HE 2022 proposal will affect the health and safety of people who live in the subject area.

Thank you.

Meehyun Kurtzman

125 Mount Lassen Drive, San Rafael CA 94903

mehyun@me.com

Submitted via:

housingelement@marincounty.org

BOS@marincounty.org

To: Marin County Supervisors and HE planning department staff

From: Meehyun Kurtzman, resident of 125 Mount Lassen Drive and a zoning committee member of Lucas Valley HOA.

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Area Specific: Lucas Valley/Marinwood Environ

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From: [Meehyun Kurtzman](#)
To: [housingelement](#); [BOS](#)
Cc: [EnvPlanning](#)
Subject: Housing Element Public Record - Comments
Date: Friday, December 30, 2022 3:25:38 PM
Attachments: [page1image37143104.png](#)
[page1image37144832.png](#)
[page2image37045952.png](#)
[DEIRComment.pdf](#)

Please include in the current Housing Element public record.

The body of the text from the attachment if below to be abundantly clear, the public record in question.

Thank you.

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Submitted via:

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BOS@marincounty.org

To: Marin County Supervisors and HE planning department staff

From: Meehyun Kurtzman, resident of 125 Mount Lassen Drive and a zoning committee member of Lucas Valley HOA.

Date: November 17, 2022

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Specific: Lucas Valley/Marinwood Environ

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Thank you and please include my comments as a part of 2023 HE records.

Begin forwarded message:

From: Meehyun Kim Kurtzman <meehyun@designcorps.com>
Date: November 17, 2022 at 8:46:15 AM PST
To: housingelement@marincounty.org, BOS@marincounty.org
Cc: Annette Lowder <lvha@lvha.net>

Please submit attached letter for the 2023 Housing Element DEIR as record.
Thank you.

Meehyun Kim Kurtzman Architect
LEED AP DRE 01830812

designcorps architecture | design | build

125 Mount Lassen Drive

San Rafael, CA 94903

415.641.1101 ex. 2 T

415.309.6731 M

415.641.0185 F

www.designcorps.com

From: [Michael Anderson](#)
To: [housingelement](#)
Cc: [Rice, Katie](#)
Subject: 404 San Francisco Blvd.
Date: Friday, December 30, 2022 3:41:14 PM

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

To the Members of the Planning Commission and to the Planning Staff,

Thanks to all of you for the work, both paid and volunteered, that you all do.

Two big things:

#1: We live at 402 San Francisco Blvd., next door to the proposed redevelopment at 404.

There are 17 units there now, not in very good shape, but quite livable for those who live there. We have lived next door for 47 years and are very comfortable living in a community that is affordable to folks who may have low incomes. We are very concerned about how they will manage during the construction period. We are very afraid that they will not be able to return. Will the County, the property owner, a non-profit organization, someone, make provision for them during the construction period? Will they be guaranteed a place at the new development? Some of these folks may be below the "very low income" tier.

#2: Re-zoning. We understand that MIG, and planning staff, are proposing to upzone the property to 64 units. We think this is unconscionably high, for the following reasons.

The 17 units there now already outnumber the per parcel average of the neighborhood by at least ten times. A jump from 17 to 64 is extreme.

The property is at the end of a dead-end street, more than a half mile from public transit.

Traffic at the intersection with Sir Francis Drake Blvd. is already taxed, especially during commute hours.

Then this traffic joins the twice-daily tie-up at the Hub intersection (Sir Francis Drake and Red Hill Ave. (the "Miracle Mile."))

How can anyone support an increase in the State Mandate from 140 new sites in the last Mandate 8 years ago to 3,569 this year? Really?

We have a sense that planning staff may be bending over backward to meet the audacious mandates of the State. We would prefer to sense that planners are primarily looking at the needs of current residents, many of whom are struggling to

live here now.

Urban Wild Interface

Lack of adequate evacuation capability

Added stress to water supply

Dramatic non-conformity with existing neighborhood

Inadequate street access

et al and

etc

Thank you for your attention,

Michael Anderson

402 San Francisco Blvd.

(unincorporated) San Anselmo

From: [Michael McKee](#)
To: [housingelement](#)
Subject: The state cannot mandate loss of life
Date: Friday, December 30, 2022 2:10:45 PM

You don't often get email from mckee@mckeeeco.net. [Learn why this is important](#)

Building to quadruple the number and density of existing units, a half mile into the designated firestorm vulnerable Wildlife Urban Interface, in an area surrounded by eucalyptus trees, where there is already inadequate evacuation capacity on the streets will inevitably result in loss of life. The state cannot mandate loss of life.

I urge the county to sue the state for making a clearly unlawful mandate. You cannot mandate the loss of life. Health and welfare trumps housing element. That's all there is to it. It's clear-cut, and ridiculous to think otherwise. I cannot imagine a court failing to granting a stay on this law, where development inevitably results in building in unsafe places.

I am specifically concerned about the development proposal on San Francisco boulevard in San Anselmo, more generally opposed to any high-density construction in unsafe places!

I encourage the council to take a breath, and realize that attorneys are often full of s***. Their job is to scare and be scared. Attorneys are my client base, and I have met hundreds of them. And I can tell you that the ones that go to work at the city or county level are pretty spineless and cowardly. You're not going to be able to serve your constituency if you let the lawyers cow you out of using your own common sense. Marin county needs to lead the way to oppose unsafe building practices. And, if I'm going to act like an attorney, I might add that now that I have warned Julie elected county officials, in writing, specifically about this inevitable problem, the county will be subject to hundreds of millions of dollars in wrongful death suits if one of these developments does cause loss of life in a firestorm for the reasons I've cited herein. So ask your attorneys about that. Ask them about the county's financial liability should someone die in a firestorm in a place where you have approved quadrupling of the existing housing stock.

I hear through the grapevine that council members are unhappy and feel cornered. But I haven't heard anything about council members trying to think outside the box to find ways to get around this problem and to take legal action against the state. If you don't like something, you fix it. That's your job as council members.

Thanks and sorry you have to deal with this cesspool of a mess.

Sent from my Android.

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: PC MEETING ON 1/5/23 RE CWP
Date: Friday, December 30, 2022 11:38:54 AM
Attachments: [Ltr - PC re CWPs - 12.28.22.pdf](#)

From: Kim, Joseph <jkim@omm.com>
Sent: Thursday, December 29, 2022 1:20 AM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>
Subject: PC MEETING ON 1/5/23 RE CWP

Some people who received this message don't often get email from jkim@omm.com. [Learn why this is important](#)

Dear Planning Commissioners,

We endorse Riley Hurd's December 28, 2022, letter.

We strongly urge you to preserve the legality of Community Plans to the fullest extent possible.

Sincerely,

Miki Suh and Joseph Kim
600 Seminary Drive
Mill Valley, CA 94941

O'Melveny

Joseph K. Kim

Partner & Chair of Korea Practice

jkim@omm.com

O: +1-213-430-6511

M: +1-213-590-7595



Ragghianti|Freitas LLP

Attorneys at Law

1101 5th Avenue, Suite 100
San Rafael, CA 94901
telephone 415.453.9433
facsimile 415.453.8269
www.rflawllp.com

Riley F. Hurd III
rhurd@rflawllp.com

December 28, 2022

Via E-Mail Only

Planning Commission
County of Marin
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Re: CWP Amendments - Community Plans

Dear Members of the Planning Commission:

At your last meeting regarding the CWP amendments associated with the Housing Element, a very clear consensus was reached that community plans should be preserved to the fullest extent possible. In response to this direction, the proposed edit to Policy 3.4-3 has been modified to address situations where there is a conflict between community plans and the CWP regarding density or floor area. **However, the remaining proposed edits to Policies 1.4-3 and 1.5-3 continue to completely eviscerate Community Plans.**

Policy 1.4-3 is entitled "How to Read the Countywide Plan" and proposed to now include the following language:

"...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan..."

Policy 1.5-3 addresses land use categories and is proposed to now say:

"The Countywide Plan land use designations supersede Community Plan designations."

These edits do *not* preserve community plans to the fullest extent possible.



Ragghianti|Freitas LLP

Page 2 of 2

There are many major sites and large areas carefully planned for in a community plan, but with nothing more than a land use designation in the CWP. Implementing these edits would eliminate all of this careful planning, and is not necessary for housing preservation. Furthermore, these edits are horizontally inconsistent with the proposed edit to Policy 3.4-3, which says the community plans only supersede the CWP in regards to density or FAR.

Community plans have been developed via a comprehensive, thoughtful, transparent, , and fair process with all stakeholders. While they could certainly use some updating, overriding them in one fell swoop is unnecessary. Many community plans serve as the entire planning document for large sites. Simply reverting to the CWP designation would be catastrophic.

The following simpler, singular, edit could achieve the goals of advancing housing while not single handedly wiping out community plans:

“No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density.”

We would ask that you please use the edit proposed above and not adopt the various other edits regarding CWPs. Thank you.

Very Truly Yours,

A handwritten signature in blue ink that reads 'Riley F. Hurd III'. The signature is written in a cursive, slightly slanted style.

Riley F. Hurd III

CC: SNA

From: [nancy bennett](#)
To: [housingelement](#)
Subject: Item #6 Housing Element Countywide Plan
Date: Friday, December 30, 2022 8:32:27 AM

You don't often get email from nlyle999@gmail.com. [Learn why this is important](#)

Re: Item #6 Housing Element Countywide Plan Amendments/Rezoning

Planning Commission - I listened to your last Zoom meeting which went to 11pm and we are all so impressed with you!

My first thought was about our little area being damaged.

1 - San Francisco Blvd is not really a "boulevard." It is a dead-end street - with one way in and the same way out. The new housing is planned to be at the very end of the road.

2 - Changing the zoning from R-1 to 30 per acre is an insult supreme to homeowners and all previous planning.

What happened to Marin County's General Plan that so many people put so much effort into for so long - and now suddenly the State can change our zonings at their will? Has this kind of thing ever happened before? It sure smells of big payoffs and lots of money for a few.

Something is Rotten in Sacramento

What to do?

Nancy Lyle Bennett
405 San Francisco Blvd
San Anselmo CA 94960
(415)456-7989

--

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: please do not act to limit taxpayers rights on housing issue
Date: Friday, December 30, 2022 3:33:56 PM

From: Nancy McCarthy <maczord@aol.com>
Sent: Friday, December 30, 2022 12:54 PM
To: PlanningCommission <PlanningCommission@marincounty.org>; BOS <BOS@marincounty.org>
Subject: please do not act to limit taxpayers rights on housing issue

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

To: planningcommission@marincounty.org
Cc: bos@marincounty.org
Subject: Letter to PC re: Housing Element Update, Marin CWP Amendments and Community Plans

Dear Marin County Planning Commissioners,

At your last meeting regarding the Marin Countywide Plan Amendments associated with the Housing Element, a very clear consensus was reached that Community Plans should be preserved to the fullest extent possible. However, proposed edits to Policies 1.4-3 and 1.5-3 of the Marin Countywide Plan continue to completely eviscerate these vital Community Plans.

Policy 1.4-3 is entitled "How to Read the Countywide Plan" and proposed to now include the following language:

"...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan..."

Policy 1.5-3 addresses land use categories and is proposed to now say: **"The Countywide Plan land use designations supersede Community Plan designations."**

These proposed edits must be discarded.

I strongly urge you to change the proposed amendments so that the legality and authority of Community Plans are preserved to the fullest extent possible.

Sincerely,
Nancy McCarthy
Ross, CA

From: [Jones, Sarah](#)
To: [housingelement](#)
Subject: FW: Planning Commission,Jan 5, 2023 re:CWP
Date: Friday, December 30, 2022 11:26:29 AM

From: nancy Okada <nxxokada@gmail.com>
Sent: Friday, December 30, 2022 11:23 AM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>
Subject: Planning Commission,Jan 5, 2023 re:CWP

Some people who received this message don't often get email from nxxokada@gmail.com. [Learn why this is important](#)

Dear Planning Commissioners,

As someone who participated in the community participation which created the County Wide Plan, I endorse Attorney Riley Hurd's December 28, 2022, letter.

I strongly urge you to preserve the legality of community plans to the fullest extent possible.

Sincerely,
Nancy Okada
San Anselmo

Sent from my iPhone

From: [Omer Wilson](#)
To: [housingelement](#)
Subject: what is proposed isn't good
Date: Friday, December 30, 2022 1:46:46 PM

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

For the San Anselmo Housing Element : A New Kind of Housing

Should we have our urgent housing need end up lining the pockets of the well to do?
Or instead actually help the disadvantaged?

So often 'for their own good' really isn't.

Has the Housing Element consulted the homeless or disadvantaged? They might appreciate feeling important, and have some great ideas and energy.

The way it is now, if we add today's expense in usual building materials and labor, then add the cost of environments destroyed or degraded, bringing forth boxes for more people trapped in a sub par existence isn't wise or worth it .

So many things these days are telling us we haven't been doing things right. We CAN stop to realize this: that it could be much better. Don't compromise our shrinking natural environment OR our human potential.

These days it is obscenely costly tech-slavery driving and channeling our awareness. The financially well off are walled off from both the suffering and any common human decency. They have it made, for the moment, controlling the system which our dilemma is rooted in. While impoverished multitudes struggle for a slippery footing. While mental, emotional and physical health declines for maybe 80% of us.

Is it wise to perpetuate this? And is this what capitalism does to the human psyche?

Perhaps we can let the ones we are doing this for have a say.

If we can imagine it, it can be done. Homes with less impact on our environment, Less trash and commuting, a clean, thriving environment.

The disadvantaged, the homeless, the immigrant aren't trash to be treated like the indigenous were before. Should they not now be empowered, these new indigenous, close to the land and in touch with human reality.

Actually they may have the clarity to see what really needs to be done. Community, eco-local, simple. Non-rigid. Yielding, Soft. Kind. Humane. Resilient. Generating wisdom and compassion, not adversity but generosity.

Look to the lowly mushroom, building the soil, nourishing plants, trees, and animals, so all may live, linking all like brain cells and pathways. Can we be as wise?

Let us generate from our brains and dreams a true healthy community in a beautiful environment.

Don't let big money destroy a single life, for it will if given the chance, and lack of control. Remember the WPA, when the unemployed were given jobs improving the environment, doing good works for/by their fellow man/woman.

I am an 80 year old artist barely getting by financially with the help of the Marin Housing

Authority, living here on the edge of Sorich Park Open Space by the grace of God. The owner is anxious to tear down my home to put up many elegant new boxes. I will get no compensation when he takes everything away, no moving expenses, and rents will be much higher when I get a chance to see how much they have destroyed. I vote we take the time to reconsider what the future will be like.

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Planning Commission Meeting January 5, 2023 re CWP
Date: Friday, December 30, 2022 11:43:59 AM
Attachments: [Ltr - PC re CWPs - 12.28.22.pdf](#)

From: Pam Drew <drew.pam@gmail.com>
Sent: Friday, December 30, 2022 8:14 AM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>
Subject: Planning Commission Meeting January 5, 2023 re CWP

Some people who received this message don't often get email from drew.pam@gmail.com. [Learn why this is important](#)

Dear Planning Commissioners,

I endorse Attorney Riley Hurd's December 28, 2022, letter.

I strongly urge you to preserve the legality of community plans to the fullest extent possible.

Sincerely,
Pam Drew
Novato



Ragghianti|Freitas LLP

Attorneys at Law

1101 5th Avenue, Suite 100
San Rafael, CA 94901
telephone 415.453.9433
facsimile 415.453.8269
www.rflawllp.com

Riley F. Hurd III
rhurd@rflawllp.com

December 28, 2022

Via E-Mail Only

Planning Commission
County of Marin
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Re: CWP Amendments - Community Plans

Dear Members of the Planning Commission:

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Page 2 of 2

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Very Truly Yours,

A handwritten signature in blue ink that reads 'Riley F. Hurd III'. The signature is written in a cursive, flowing style.

Riley F. Hurd III

CC: SNA

From: [pgsilva](#)
To: [housingelement](#)
Subject: Comments for Planning Commission January 5th
Date: Friday, December 30, 2022 1:06:05 PM

You don't often get email from pgsilva@sonic.net. [Learn why this is important](#)

Congratulations to all who have worked so diligently to respond to a very challenging situation. Because the different elements of the countywide plan must be in harmony with each other, and because the plan as a whole must address our most important challenges as a county, it is fitting that planning for housing and safety be conducted with due attention to equity issues. However, planning for housing, safety and equity cannot be conducted without addressing biodiversity loss, climate change and pollution. Thus it is important to heed precious comments made by different groups to this regard and include reference to these issues in all of the documents (Items #1 to #4).

--

Dr. Paul G. da Silva

"What have we done today to address the global diversity crisis?"

(suggestions at: www.marinbiodiversity.org)

From: [Jones, Sarah](#)
To: [housingelement](#)
Subject: FW: Preserve the legality of community plans
Date: Friday, December 30, 2022 11:15:26 AM
Attachments: [Ltr - PC re CWPs - 12.28.22.pdf](#)

From: Paul Kayfetz <paulkayfetz@yahoo.com>
Sent: Friday, December 30, 2022 10:40 AM
To: PlanningCommission <PlanningCommission@marincounty.org>; Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>
Subject: Preserve the legality of community plans

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

To: planningcommission@marincounty.org
Cc: smoultonpeters@marincounty.org; sbjones@marincounty.org
Subject: Planning Commission Meeting January 5, 2023 re CWP

Dear Planning Commissioners,

I endorse Attorney Riley Hurd's December 28, 2022, letter.

I strongly urge you to preserve the legality of community plans to the fullest extent possible.

Sincerely,

Paul Kayfetz
405 Ea. Strawberry Dr.
Mill Valley 94941



Ragghianti|Freitas LLP

Attorneys at Law

1101 5th Avenue, Suite 100
San Rafael, CA 94901
telephone 415.453.9433
facsimile 415.453.8269
www.rflawllp.com

Riley F. Hurd III
rhurd@rflawllp.com

December 28, 2022

Via E-Mail Only

Planning Commission
County of Marin
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

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Ragghianti|Freitas LLP

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Very Truly Yours,

A handwritten signature in blue ink that reads 'Riley F. Hurd III'. The signature is written in a cursive, slightly slanted style.

Riley F. Hurd III

CC: SNA

From: [Jones, Sarah](#)
To: [housingelement](#)
Subject: FW: Planning Commission Meeting January 5, 2023 re CWP
Date: Friday, December 30, 2022 3:19:53 PM

From: Peggy Chipkin <pchipkin16@gmail.com>
Sent: Friday, December 30, 2022 3:09 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>
Subject: Planning Commission Meeting January 5, 2023 re CWP

Some people who received this message don't often get email from pchipkin16@gmail.com. [Learn why this is important](#)

Dear Planning Commissioners,

I strongly endorse Attorney Riley Hurd's December 28, 2022, letter.

I strongly urge you to preserve the legality of community plans to the fullest extent possible. Otherwise we lose our democracy in this county

Thank you

Sincerely,
Peggy Chipkin
Mill Valley

From: [PEGGY NICHOLSON](#)
To: [housingelement](#); [Rice, Katie](#)
Subject: 404 san francisco blvd, san anselmo proposed development
Date: Friday, December 30, 2022 1:48:02 PM

You don't often get email from pnicholson9@comcast.net. [Learn why this is important](#)

to housing element:

i have lived at 404 san francisco blvd for 21 years. i was hoping to be living here for the rest of my life - because i love it here in this tiny community within the small community of sorich park. the land here abuts the open space and we have the privilege of living with the wildlife - many varieties of flora and fauna. it is quiet up here. our street is only one-half mile long. there was for a long time a long waiting list for cottages or apartments here. beauty, peacefulness, nature - is at it should be. it is not natural or healthy to live in apartment complexes or, say, something like 62 units on this property of now 17 units. the removal of nearly all the many trees, the razing of our homes and the homes of the beloved animals would be creating a *very very* bad effect on many life forms. personally, i would not want to do that under any circumstances much less circumstances that have nothing to do with the common good or noble life but only the greed of developers and the dictates of an illegal foreign agenda (un agenda 21 as you well know) that is striving for world dictatorship and the 'you will own nothing and be happy' threat from the un's beloved mr 'eye on global governance' schwab. you know it, i know it, i know you know it so let's not mince words here. the last thing they want is people living 'on the land' or even near 'the land'. don't make the amateurish mistake of believing this doesn't include 'you'.

the other reason i was hoping to live here for the rest of my life is that there is nowhere else for me to go. the rents in marin have increased exponentially while i have lived here. often the move-in cost for a dump elsewhere amounts to or exceeds \$5000. i live on social security. living here is the closest most of us will come to owning a home. we have garden space, have upgraded our apartments or cottages on our own including new floor covers, painting - interior/exterior, i have installed window boxes, paved the outside garage area here with flagstone and many other improvements. i grow tomatoes in my garden in the field behind the building, others grow food etc as well. i cannot live in an apartment complex with few windows, most often no bathtub, no outdoor space, noise, cars, yelling, music, lights, dogs barking etc etc. i would rather die than have to move into one of marin's government tenement slums.

our beautiful county is slated for ruin. no one in the world has the right to dictate or attempt to carry out such an agenda. no one. no one.

i fully endorse and recommend compliance with:

<https://citizenmarin.org/>

<https://citizenmarin.org/protest>

<https://citizenmarin.org/actions-%2B-allies>

<https://citizenmarin.org/endorse>

think carefully before you act. it is not at all a given that the un will win. this is where several bilion people can come in handy.

in all seriousness -

peggy nicholson
404 san francisco blvd #17
san anselmo

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Housing Element Update, Marin CWP Amendments and Community Plans
Date: Friday, December 30, 2022 3:35:49 PM

From: PEGGY NICHOLSON <pnicholson9@comcast.net>
Sent: Friday, December 30, 2022 2:10 PM
To: PlanningCommission <PlanningCommission@marincounty.org>; BOS <BOS@marincounty.org>
Subject: Housing Element Update, Marin CWP Amendments and Community Plans

You don't often get email from pnicholson9@comcast.net. [Learn why this is important](#)

Dear Marin County Planning Commissioners,

Please, do not start the New Year by allowing county staff to further eviscerate the rights of local residents, taxpayers and voters who are becoming increasingly alarmed at the lack of oversight by the Marin County Board of Supervisors.

At your last meeting regarding the Marin Countywide Plan Amendments associated with the Housing Element, a very clear consensus was reached that Community Plans should be preserved to the fullest extent possible. However, proposed edits to Policies 1.4-3 and 1.5-3 of the Marin Countywide Plan continue to completely eviscerate these vital Community Plans.

Policy 1.4-3 is entitled “How to Read the Countywide Plan” and proposed to now include the following language:

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Policy 1.5-3 addresses land use categories and is proposed to now say: **“The Countywide Plan land use designations supersede Community Plan designations.”**

These proposed edits must be discarded.

I (We) strongly urge you to change the proposed amendments so that the legality and authority of Community Plans are preserved to the fullest extent possible.

Sincerely,

Peggy Nicholson
404 San Francisco Blvd #17
San Anselmo

From: [Peter Teese](#)
To: [housingelement](#)
Subject: Strawberry destruction
Date: Friday, December 30, 2022 6:45:56 AM

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

Supervisors--

My name is Peter Teese and my family and I moved to Strawberry 20 years ago; I am on the board of the SRD and have seen my kids matriculate through Strawberry Point School, MVMA and Tam High. We've been fully engaged.

The plans presented by North Coast Land would literally destroy our neighborhood. There are no new options for ingress and egress in Strawberry, there is no infrastructure to satisfy North Coast's avarice and once obliterated, our neighborhood will be gone forever. Strawberry, because of its high percentage of rentals, has always been a whipping post for ambitious politicians; the voices are muted further by continually having a Sausalito based representative on the board. I literally feel like we have no voice, never have.

We all know there is going to be development in the Seminary, I for one, welcome it. But to try and put a sprawling metropolis into a thimble is a grotesque abuse of what the community should have to bear. What's more, there are already better, locally based plans. Would that our votes actually mattered in this debate yet I suppose that's our only collateral at this point.

And, oh yeah: "No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density."

Peter Teese

"No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density."

From: [Ken](#)
To: [BOS](#); [PlanningCommission](#); [housingelement](#)
Subject: Housing and Safety Elements, Code Amendments
Date: Friday, December 30, 2022 12:32:33 PM

Supervisors, Commissioners, Staff,

The present housing exercise prompted by recent statewide mandates is sadly misdirected and wasteful. We support the goal of increasing the stock of affordable housing in Marin County. This is not the way to do so.

We agree with previous Planning Commission criticisms of the consultant/staff process, its report, findings and recommendations. The proposed development plan and its related code amendments threaten to undermine the decades of planning and environmental protection that have made Marin County the Bay Area gem it is today, a treasure to those who live here and to the millions of visitors from around the world who visit each year. Further, some of the proposals, if implemented, would create highly unsafe conditions for residents and visitors alike in an emergency.

Unfortunately, throughout California, counties and municipalities are being controlled by new state laws intended to benefit banking, development and real estate interests rather than lower and middle income folks who need housing they can afford. We understand you are being threatened into approving changes that you may not be in favor of in order to avoid even more drastic erosion of our planning process.

Supervisors, we urge you to join the movement to pass new state legislation that would creatively and effectively provide the affordable housing needed prioritizing publicly funded projects.

Thank you,
Ken Levin, President
Point Reyes Station Village Association

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: CORRECTED Community Plan vs CWP
Date: Friday, December 30, 2022 4:47:41 PM

From: rickharris44@comcast.net <rickharris44@comcast.net>
Sent: Friday, December 30, 2022 4:25 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Subject: CORRECTED Community Plan vs CWP

You don't often get email from rickharris44@comcast.net. [Learn why this is important](#)

Ladies and Gentlemen,

On December 10th I emailed you the below document regarding the importance of maintaining the priority of the Strawberry Community Plan. If you haven't already done so, I hope you will read it.

I received *The Last Hill* for Christmas – the story about the 2nd Ranger Battalion's heroic actions during the Normandy invasion and the taking of Castle Hill, a strategic gateway to Nazi Germany. Of the 130 Rangers who stormed and held Castle Hill, only 16 survived. Like many Americans, I'm disgusted by the way our government, at all levels, has squandered the legacy so any of our relatives died for. Politicians, and sadly staff, have prioritized re-election over representing the will of their constituents. What's worst, some have even decided they know what's best even when that conflict with the wishes of their constituency.

The Strawberry Community Plan represents the will of our Strawberry Community. It establishes and preserves the fundamental underpinnings of our community and the quality of life that attracted so many of us, owners and renters, to Strawberry. We understand that change is inevitable and have demonstrated our acceptance by engaging in a yearlong negotiating process -- terminated by North Coast Land Holdings.

If you allow the priority of the Strawberry Community Plan to become junior to that of the Countywide Plan, you will have (i) eliminated the last vestiges of community self-determination, (ii) changed forever the character of Strawberry, (iii) empowered the Board of Supervisors and County staff with complete authority over planning and implementation, and (iv) virtually eliminated the Planning Commission's role as a mediator between the community and the County.

Please preserve the priority of the Community Plan by adopting the edits proposed by Riley Hurd in his December 29th letter to the Commission.

Sincerely,

Richard L. Harris, Jr.
harrisr44@gmail.com

415-730-4072

December 10, 2022 Letter

Ladies and Gentlemen,

Let me begin by thanking you for your service. Having served on the MMWD Board, I know how unrewarding such service can be on occasion. But in an age of government disfunction, at all levels, you are our closest representatives and our first and last line of defense.

The United States was founded on the principle that powers not explicitly granted to the federal government are reserved for the states and the people. Local governments derive their power and authority from the state and can exercise powers “crucial to the existence of local government.” Our republican form of government, it seems to me, implies that government representatives will broadly adhere to the will of the citizens they represent and will, when conflict arises, negotiate an outcome acceptable to the majority of their constituents.

Since the formation of the first planning commission in Hartford, CT in 1907, planning commissions have been recognized as having unique knowledge of their geographic areas and could thus make intelligent recommendations about planning and zoning. However, Marin County has so many unique neighborhoods that a planning commission members couldn’t possibly be expected to be intimately familiar with each neighborhood. Fortunately, many neighborhoods created community plans which were intended to promote planning that respects and facilitates the sustained environmental health of natural systems and community well-being. In recognition of the unique insight such plans embody, community plans were given preference over Countywide Plans – perhaps one of the best examples of true democracy in action.

What is being proposed now is nothing short of autocracy – a major reversal of the democratic process. Like Donald Trump, our Supervisors are saying -- no need to compromise -- we know better than them.

Change is inevitable. But negotiation becomes impossible when our Supervisors, some of whom have received very large contributions from real estate developers, no longer respect the community’s desires.

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Mr. Riley's Letter
Date: Friday, December 30, 2022 4:45:09 PM

From: Yahoo Mail <arsvitae49@yahoo.com>
Sent: Friday, December 30, 2022 3:42 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Subject: Mr. Riley's Letter

You don't often get email from arsvitae49@yahoo.com. [Learn why this is important](#)

Mr. Riley's letter regarding density seems to be more deserving of consideration than being ignored at worst and put to the round to it file at best.

I know your decision does not come in a 4,000 page report but it does come with the same intent, non transparency.

Rick Johnson
42 Pacheco Creek Drive
Novato, California

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Housing Element language STILL undermines Community Plans unnecessarily
Date: Friday, December 30, 2022 11:40:37 AM

From: Robert Harvey <robertharveymd@gmail.com>
Sent: Thursday, December 29, 2022 12:39 PM
To: [PlanningCommission](mailto:PlanningCommission@marincounty.org) <PlanningCommission@marincounty.org>;
housingelement@marincounty.org Cc: Michael Gallagher <michaelgallagher.office@gmail.com>;
Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>
Subject: Housing Element language STILL undermines Community Plans unnecessarily

Some people who received this message don't often get email from robertharveymd@gmail.com. [Learn why this is important](#)

Dear Planning Commissioners —
Despite verbal agreements that Community Plans would not be broadly swept aside, there remains broad and contradictory language in the ITEM 6, Exhibit B. ITEM 6 is the “Housing Element Countywide Plan Amendments/Rezoning.”
In this Exhibit B, you will find the following problematic language:

Policy 1.4-3 entitled “How to Read the Countywide Plan” includes the following language:

“...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan.

Policy 1.5-3 addresses land use categories now says:

“The Countywide Plan land use designations supersede Community Plan designations.”

Exhibit B can be accessed here: <https://www.marincounty.org/-/media/files/departments/cd/planning/cwp/housing-and-safety-elements/pc-hearing-010523/item-6-he/attachment-3.pdf?la=en>

It has been brought to my attention that land use attorney, Riley Hurd, recommended to you substitute language which could achieve Housing Element objectives without destroying Community Plans.

Will you please consider and adopt his proposed language and remove the proposed broad language cited below?

"No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density."

Thank you for your consideration and thoughtful work.

With appreciation,

Robert A. Harvey, M.D., 414 E. Strawberry Dr., Mill Valley, CA 94941

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Housing Element language STILL undermines Community Plans Unnecessarily
Date: Friday, December 30, 2022 11:40:27 AM

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

From: Rob Blechman <rob.blechman@gmail.com>
Sent: Thursday, December 29, 2022 12:34 PM
To: PlanningCommission <PlanningCommission@marincounty.org>; housingelement@marincounty.org Cc: Michael Gallagher <michaelgallagher.office@gmail.com>; Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>
Subject: Housing Element language STILL undermines Community Plans Unnecessarily

[Some people who received this message don't often get email from rob.blechman@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Planning Commissioners —

Despite verbal agreements that Community Plans would not be broadly swept aside, there remains broad and contradictory language in the ITEM 6, Exhibit B. ITEM 6 is the “Housing Element Countywide Plan Amendments/Rezoning.”

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<https://www.marincounty.org/-/media/files/departments/cd/planning/cwp/housing-and-safety-elements/pc-hearing-010523/item-6-he/attachment-3.pdf?la=en>

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"No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density."

Thank you for your consideration and thoughtful work.

Robert Blechman - Resident

Seminary Neighborhood Association

--

Robert Blechman
415-810-8889

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: County plan
Date: Friday, December 30, 2022 3:33:22 PM

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

From: Rod Eshelman <rod45@comcast.net>
Sent: Friday, December 30, 2022 12:02 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Subject: County plan

[You don't often get email from rod45@comcast.net. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

I strongly endorse Mr. Hurd's letter of 12/28 regarding the changes needed to keep in place local planning. Certainly the County does not intend or want to step on the toes of every local jurisdiction trying to do what is best for their community.

Sincerely,
Rod Eshelman
80 Millay Place
Mill Valley, Ca. 94941
1-415-867-5502 (cell)
rod45@comcast.net

From: [Jones, Sarah](#)
To: [housingelement](#)
Subject: FW: Preserve the legality of community plans
Date: Friday, December 30, 2022 11:15:15 AM
Attachments: [Ltr - PC re CWPs - 12.28.22.pdf](#)

From: Roy Forest <forest77@comcast.net>
Sent: Friday, December 30, 2022 10:47 AM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>
Subject: Preserve the legality of community plans

You don't often get email from forest77@comcast.net. [Learn why this is important](#)

I endorse Riley Hurd's letter. See attachment

I strongly urge you to preserve the legality of community plans to the fullest extent possible.

-Roy Forest

40 Monte Cimas Ave

Mill Valley



Ragghianti|Freitas LLP

Attorneys at Law

1101 5th Avenue, Suite 100
San Rafael, CA 94901
telephone 415.453.9433
facsimile 415.453.8269
www.rflawllp.com

Riley F. Hurd III
rhurd@rflawllp.com

December 28, 2022

Via E-Mail Only

Planning Commission
County of Marin
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Re: CWP Amendments - Community Plans

Dear Members of the Planning Commission:

At your last meeting regarding the CWP amendments associated with the Housing Element, a very clear consensus was reached that community plans should be preserved to the fullest extent possible. In response to this direction, the proposed edit to Policy 3.4-3 has been modified to address situations where there is a conflict between community plans and the CWP regarding density or floor area. **However, the remaining proposed edits to Policies 1.4-3 and 1.5-3 continue to completely eviscerate Community Plans.**

Policy 1.4-3 is entitled "How to Read the Countywide Plan" and proposed to now include the following language:

"...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan..."

Policy 1.5-3 addresses land use categories and is proposed to now say:

"The Countywide Plan land use designations supersede Community Plan designations."

These edits do *not* preserve community plans to the fullest extent possible.



Ragghianti|Freitas LLP

Page 2 of 2

There are many major sites and large areas carefully planned for in a community plan, but with nothing more than a land use designation in the CWP. Implementing these edits would eliminate all of this careful planning, and is not necessary for housing preservation. Furthermore, these edits are horizontally inconsistent with the proposed edit to Policy 3.4-3, which says the community plans only supersede the CWP in regards to density or FAR.

Community plans have been developed via a comprehensive, thoughtful, transparent, , and fair process with all stakeholders. While they could certainly use some updating, overriding them in one fell swoop is unnecessary. Many community plans serve as the entire planning document for large sites. Simply reverting to the CWP designation would be catastrophic.

The following simpler, singular, edit could achieve the goals of advancing housing while not single handedly wiping out community plans:

“No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density.”

We would ask that you please use the edit proposed above and not adopt the various other edits regarding CWPs. Thank you.

Very Truly Yours,

A handwritten signature in blue ink that reads 'Riley F. Hurd III'. The signature is written in a cursive, slightly slanted style.

Riley F. Hurd III

CC: SNA

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Marin County business
Date: Friday, December 30, 2022 3:32:57 PM
Attachments: [Planning Commission County of Marin.docx](#)
[Letter from Royce.docx](#)

From: Royce Mclemore <whap1990@gmail.com>

Sent: Friday, December 30, 2022 11:55 AM

To: Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Rice, Katie <KRice@marincounty.org>; Rodoni, Dennis <DRodoni@marincounty.org>; PlanningCommission <PlanningCommission@marincounty.org>; Sackett, Mary <MSackett@marincounty.org>; Terrie Green <terriegreen@marincityclimateresilience.org>; Pastor Rondall Leggett <leggett@fmbc4christ.org>; Johnathan Logan Sr <pastorjlogan@gmail.com>; mmackel@gmail.com; Donald Parker <jeeppfixr1@aol.com>; Paul Austin <paustin@playmarin.org>; felecia gaston <performingstars@sbcglobal.net>; Debi Mclemore <mclmore500@gmail.com>; Lori Fall <mcf_lori@hotmail.com>; Erika Vaughn <erikavaughn@hotmail.com>; emanuelmclmore4@gmail.com; Kathi Sharpe <sharpe4112@cox.net>; Sharon Rushton <sharonr@tamalmonite.org>; Susan Kirsch <susankirsch@hotmail.com>

Cc: Barbara Bogard <barbogard@gmail.com>; nolan zail <nolan@impacturban.com>; Kevin Haroffa <kharoff@mac.com>; Diane Hanna <diane@sslfirm.com>; nancy@wisdomtracks.com; Lisa Bennett <lisabpolitics@gmail.com>; Tiawana Bullock <saveourcitymc@gmail.com>; Bettie Hodges <bettiehodges@msn.com>; BETTY PRICE <Mama_b@comcast.net>; Rebekah Helzel <rebekah.helzel@gmail.com>; Mary Morgan <bmsanfran@gmail.com>

Subject: Marin County business

To All:

I hope that you have the courage to read and reread these two attachments. After you have read them, then ask God to search your heart and soul in Jesus name.

Royce McLemore

Planning Commission County of Marin
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Re: CWP Amendments – Community Plans

Dear Members of the Planning Commission:

I live in Marin City and have been off and on for 72 years! I have read and reread the Marin City Community Plan. As the Community Plans in the County, they were created with the community and for the community for years to come.

What this County is doing is supposedly following “state law.” However, I have seen what’s happening to the other communities in the County. However, there are major differences between Marin City and the rest of the County’s unincorporated cities.

1. Marin City is the only city that was “redlined.” Which means in plain English that Black people could not move and live anywhere in this county and don’t ever forget it!
2. Marin City Black people made our home in Marin City for many reasons.
3. Black people owned business in Marin City when the white business moved out into other parts of Marin.
4. Most Black people were literally forced out of this County due to “DEEP-SEEDED” RACISM.
5. Black people who made Marin City our home have been subjected to your racism.
6. Now, you want Marin City. So, there is a major move by this county to FORCE Black people out of Marin County out of Marin City with the next stop out of this county!!
7. You have proposed development for people for people who are “low income” who earn \$150,000.00 a year.
8. Your plan is clear – overpopulate Marin City with wealth to force the remaining Black people out of Marin City.
9. Black people are the PROTECTED CLASS IN MARIN COUNTY; therefore, as the PROTECTED CLASS, WE HAVE CERTAIN CIVIL RIGHTS THAT ARE BEING COMPLETELY IGNORE MARIN COUNTY. MARIN COUNTY as a county, have become a “burden” to the rights of Black people who live in Marin City in its entirety!
10. Marin County has plotted and planned for 80 years on how to get rid of Black people out of this County by unequal RACIST treatments.
11. With all the millions of dollars that are pouring into this county, Marin City has not sound wall for health and safety reasons, polluted water, broken infrastructures from the 1800’s etc.
12. MARIN CITY WAS BUILT-OUT WHEN MARIN CITY USA WAS DEVELOPED IN THE 1990’S.

MARIN COUNTY CEASE AND DESIST YOUR RACIST PLANS IMMEDIATELY AGAINST ALL OF THE PROPOSED BUILDING THAT WAS NEVER CONSIDERED TO BE EVER BE BUILT IN MARIN CITY.

I am asking my God in the name of Jesus to CEASE AND RESIST every evil plot AGAINST BLACK PEOPLE IN MARIN CITY from this time and forever more.

Royce McLemore

I just read this again and decided to resend it to you.

Here we go again. If you vote tomorrow to fund the revitalization of Golden Gate Village using tax credits, you will be voting to follow the same old path you were ready for Michaels to lead you along. It will be a vote for timidity, not bravery; for the status quo, not vision. And, likely, another recipe for failure. And here's why.

While we managed to oust Michaels and keep new building at bay, you failed to follow through on your commitment to empower a group from MHA that would work with - not against - Golden Gate Village; that would be committed to creative problem-solving rather than to creating roadblocks at every turn; that would bring to the process a true desire to lift up, not to keep down. As you should be well-aware by now, none of your promises were kept.

Our side came into the working group in April in good faith with the goal of determining whether a feasible financial model for an LEHC was possible. To this end, we found an expert in LEHC funding, Hugh Jeffers, who worked long and hard, pro bono, to see if an LEHC could work at Golden Gate Village. We found that it could work. But instead of joining with us to explore and problem-solve, MHA brought in Mike Andrews, a consultant to HUD, who spent his time (and money) trying to shoot holes in our plan. There was no effort at collaboration, and a complete dismissal of what Golden Gate Village residents want.

You made a promise to vet both financial models (tax credits and LEHC funding) equally. You broke this promise. You promised to create a true working group; instead, you simply paid lip service to the idea. The Golden Gate Village team was never listened to or respected during this entire process - and now you are poised to continue to perpetrate the same failed management system with MHA that has led us to the brink of disaster. We all know the famous definition of insanity: doing the same thing over and over and expecting a different result.

On Tuesday, there will be no Golden Gate Village representative presenting answers to the questions each of you asked in October. There will be no one representing Golden Gate Village in any capacity. Why not? Because we were not invited to participate. The presumption that funding for an LEHC at Golden Gate Village was not feasible is only that - a presumption. And a wrong one. It is not based on a robust assessment of the facts but rather on racial bias and an inability to entertain a funding model that would empower Golden Gate Village residents. It is more of the same old, same old. You don't seem to believe that Black people, especially poor ones, are capable of being in control of our own destiny.

We agree the revitalization of Golden Gate Village will require a major investment in capital funding. We believe this should inspire a concomitant investment in human capital and self-determination, as well. Instead, we are witnessing a major abdication of moral integrity and commitment to justice. We deserve better. Marin County deserves better.

You should be ashamed of yourselves.

Sincerely,

Royce McLemore
President, Golden Gate Village Resident Council

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: From home owner of E strawberry drive
Date: Friday, December 30, 2022 11:40:48 AM

From: Samantha Brennan <brennan.samantha@ymail.com>
Sent: Thursday, December 29, 2022 1:10 PM
To: PlanningCommission <PlanningCommission@marincounty.org>;
housingelement@marincounty.org Cc: Michael Gallagher <michaelgallagher.office@gmail.com>;
Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>
Subject: From home owner of E strawberry drive

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

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It has been brought to my attention that land use attorney, Riley Hurd, recommended to you substitute language which could achieve Housing Element objectives without destroying Community Plans. Will you please consider and adopt his proposed language and remove the proposed broad language cited below?

"No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density."

Thank you for your consideration and thoughtful work.

With appreciation,

Samantha Brennan

Sent from my iPhone

From: PlanningCommission
Sent: Friday, December 30, 2022 11:43 AM
To: housingelement
Subject: FW: Seminary, etc.

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

From: Sammie Daniels <sammie@stayitalia.com>
Sent: Thursday, December 29, 2022 9:41 PM
Cc: PlanningCommission <PlanningCommission@marincounty.org>; housingelement@marincounty.org Cc: Michael Gallagher <michaelgallagher.office@gmail.com>; Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>
Subject: Seminary, etc.

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

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Thank you for your consideration and thoughtful work.

Sammie/Sarah Daniels

Sammie Daniels

<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.stayitalia.com%2F&data=05%7C01%7Chousingelement%40marincounty.org%7C679bd75256354165ef4108daea9e07d8%7Cd272712e54ee458485b3934c194eeb6d%7C0%7C0%7C638080261691329513%7CUnknown%7CTWFpbGZsb3d8eyJWljoIMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=9%2Bu9Tg2RCgks7KI23%2FqSbYcMDdC6p8Taf50kFXaApl0%3D&reserved=0>

Tel: +415 233 3432
Tel: +39 348 722 9006
Sammie@StayItalia.com

From: [SVNA](#)
To: [PlanningCommission](#); [BOS](#); [housingelement](#); [safetyelement](#)
Cc: [Sackett, Mary](#); [Goncalves, Gustavo](#); [Reinhard, Julia](#); [LINDA LEVEY](#); ["CATHERINE LAGARDE"](#); ["DENNIS BORTOLI"](#); ["GARY ROBARDS"](#); ["GINA TUOSTO HAGEN"](#); ["JOHN DENIGRIS"](#); ["MARK WALLACE"](#); ["RODERICK CASTRO"](#); ["TERRI LEKER"](#); ["MARY HANLEY"](#)
Subject: Thursday January 5, 2023 Meeting: Planning Commission Hearing on Housing and Safety Element Final Environmental Impact Report, Countywide Plan/Development Code Amendments - SVNA Comment Letter
Date: Friday, December 30, 2022 4:18:31 PM
Attachments: [2022.12.30-SVNA Letter Re CPs, Housing Element Update, CWP Amendments & EIR.pdf](#)

Some people who received this message don't often get email from svna@santavenetia.org. [Learn why this is important](#)

Attached please find our comment letter for Items 4, 5, 6, and 7 for the Thursday January 5, 2023 Meeting: Planning Commission Hearing on Housing and Safety Element Final Environmental Impact Report, Countywide Plan/Development Code Amendments

Thank you for the opportunity to comment.

cc: SVNA Board, SVNA Land Use Committee, District 1 Supervisor's Office and Staff

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

December 30, 2022

Marin County Planning Commission
Marin County Civic Center
3501 Civic Center Drive, Suite 328
San Rafael, CA 94903

Attention: Marin County Planning Commission planningcommission@marincounty.org
Attention: Marin County Board of Supervisors BOS@marincounty.org
Attention: Housing Element County Staff: housingelement@marincounty.org

Re: Thursday January 5, 2023 Meeting: Planning Commission Hearing on Housing and Safety Element Final Environmental Impact Report, Countywide Plan/Development Code Amendments

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 the Housing and Safety Element Countywide Plan/Development Code Amendments. Santa Venetia has been identified as a site for 181 additional housing units; while we are pleased that the number has decreased throughout the process, we believe this number still places a disproportionate burden on our neighborhood.

We write today with comments on the January 5th: Planning Commission Hearing on Housing and Safety Element Final Environmental Impact Report, Countywide Plan/Development Code Amendments. The January 5th meeting comes on the heels of a marathon six-hour meeting on 12/12, where our Planning Commissioners wrestled with the complexities of siting and permitting 3,569 state-mandated housing units within unincorporated Marin.

We were pleased by the Commissioners' insistence that Staff answer questions, many of which had to do with the specifics of candidate siting, code amendments, and other aspects of materials relevant to the Housing Element's adoption and certification. The Commissioners appeared to have been blindsided by Staff changes to the Countywide

SVNA@santavenetia.org ~ www.thesvna.org

Plan, reacting with shock at the magnitude of control that would be lost. We heard comments from Commissioners such as, “We’re giving away the store,” “We’ve misled the public, “This language eviscerates community plans,” “We’d never approve building here,” and “We’re in this business for the health and safety of the people in the communities where we live...”

At times, Staff seemed to act more as an extension of Sacramento than partners in exploring the best and safest avenues for growth. Rather than questioning the outrageously high number of mandated units, Staff doggedly insist that the numbers must be met at all costs, which has led to heavy placement of housing in disaster-prone areas with limited and challenging evacuation routes. Most of the development in question does little to solve the critical housing issues that Marin residents face, yet this entire exercise feels like a race to hand over all meaningful control to for-profit developers.

The public remained engaged for the entirety of the six-hour meeting. During public comment, residents raised questions about Housing Element sites, overwhelmingly citing safety and environmental concerns. The Commissioners acknowledged the legitimacy of these issues, repeatedly asking Staff for more detailed mapping and site visits. The Commissioners noted flaws that warranted correcting, asking for more information and specific changes in the next iteration (upon which we comment today) but little seems to have changed. From what we have seen, multiple charts, maps, and other materials are still either missing or illegible because of size, formatting, or resolution. This was specifically called out in the 12/12 meeting but was not resolved. The public cannot comment on what cannot be seen.

Further to this, we only received email notification on December 27th that comments were due by today, December 30th. This tight turnaround does not allow the public (much less our Commissioners) time to read, absorb, and understand the changes or nuances in the new documents.

Many of our comments are a continuation of questions that we have raised throughout the process which remain unanswered. We will begin with comments on specific documents included in the upcoming agenda items:

Housing Element Countywide Plan Amendments and Status of Community Plans

Our excellent Countywide Plan (CWP) was created to safeguard Marin’s natural resources and enable sustainable communities, in part by addressing the climate change crisis. The CWP has a long history of “preventing runaway development and protecting open space.” In addition to potential amendments to the CWP, we are extremely concerned about the proposal to eliminate community plans. The Santa Venetia Community Plan and those from other neighborhoods (including Strawberry) were developed over many years, with significant expert and community input. At the 12/12 meeting, the Commissioners and the public raised concerns that changes to the Countywide Plan would eliminate existing community plans or render them useless. In fact, this was one of the meeting’s most animated exchanges. It is difficult to

Santa Venetia Neighborhood Association

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identify the speaker in the transcript, but it appears to be Commissioner Desser who says (and with whom we agree):

And I do understand that we are a review state but I also believe to the (extent) that we're including language were where we don't necessarily have to include language or where we have some room to allow local concerns to at least have some influence, if not prevail, but we do not create language that makes it ever more difficult for the values in the community plan, say, to adhere.

We also echo the concerns of the Seminary Neighborhood Association and TamAlmonte about community plans being superseded by Countywide Plan land use designations. The most recent proposed edits to Policies 1.4-3 and 1.5-3 of the Marin Countywide Plan do nothing to protect these vital roadmaps:

Policy 1.4-3, "How to Read the Countywide Plan" is proposed to include the following language: "...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan..."

Policy 1.5-3, which addresses land use categories, is proposed to say: "The Countywide Plan land use designations supersede Community Plan designations."

And, we agree with Riley Hurd's suggestion in his 12/29 letter to the Planning Commission:

The following simpler, singular, edit could achieve the goals of advancing housing while not single handedly wiping out community plans:

"No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density."

We again urge you to leave the CWP and all community plans, and zoning intact, as any proposed changes subvert their intended purpose and create a one-way gate to dense overdevelopment that undermines the safety of all Marin residents. We urge you to discard these proposed edits and protect community plans to the greatest possible extent.

Item #5 Supplemental Memo and attachment 1 (A Resolution Recommending That the Marin County Board of Supervisors Adopt the 2023 Safety Element and Amend the 2007 Marin Countywide Plan)

From Leslie Lacko's 1/5 memorandum:

During your Commission's hearing on December 12, 2022, the 2023 Draft Safety Element was presented to your Commission, with particular focus on the new

Santa Venetia Neighborhood Association

policy sections: Equitable Community Safety Planning; and Climate Change and Resiliency Planning. Commissioners heard public testimony and had several questions and comments, to which staff responded during the meeting. One of which, regarding public outreach, was addressed during the hearing and is also detailed here in Attachment 2. The remaining questions were germane to the Final Environmental Impact Report and are addressed there.

As anticipated in the staff presentation, the Board of Supervisors voted to make some changes in the Marin County Office of Emergency Services, one of which is a name change to the Marin County Fire Office of Emergency Management. The change in name has been made globally through the 2023 Draft Safety Element.

Particularly in Santa Venetia, a name change from Marin County Office of Emergency Services to Marin County Fire Office of Emergency Management does nothing to address the grave safety implications of a single route in and out for an entire neighborhood. As has been well-documented, North San Pedro Road backs up to the east and west on a daily basis, without any unusual activity. We once again ask for considered analysis of the safety burden even one additional house places on our neighborhood.

Santa Venetia is not well-represented on the “San Rafael Area Marin Mutual Threat Zone Plan,” but all of Bayhills Drive, Sunny Oaks, and every small “paper” road such as Glen Drive have only secondary evacuation routes to North San Pedro, which is the primary (and sole) evacuation route for all of Santa Venetia, which has a current population of approximately 1800 residents. As well, our ancillary population is upwards of one thousand non-residents, including several hundred schoolchildren, numerous visitors to the JCC complex, China Camp State Park, and service workers entering the neighborhood. We are not aware of another community with such severe challenges to both egress and ingress and ask once again that these risks be considered in light of any potential new development.

With regard to the resolution recommending adoption of the 2023 Safety Element and amendment of the 2007 Countywide Plan, each clause might make sense if read in a vacuum, but they are in utter conflict within the context of the Housing Element as written today.

WHEREAS, the Marin County Board of Supervisors adopted the Marin Countywide Plan on November 6, 2007. The overarching theme presented in the Plan is planning sustainable communities.

WHEREAS, the Marin Countywide Plan is a comprehensive, long term general plan for the physical development of Marin County and establishes an overall framework and set of goals for countywide development in the unincorporated area of the County. The 2007 Marin Countywide Plan includes policies to preserve and enhance the natural environment, to strive for a high-quality built environment, and to support public safety.

WHEREAS, the Marin County Safety Element is a required element of the Countywide Plan per Government Code § 65302(g).

WHEREAS, the current Natural Systems and Agriculture Element of the 2007 Marin Countywide Plan includes goals and policies to increase public safety from environmental hazards, including geology and seismicity, fire, flooding, and hazard awareness.

WHEREAS, amendments to Government Code § 65302(g) since the 2007 Countywide Plan was adopted require additional content in Safety Elements to address climate change resilience, evacuation planning, and increased risks of wildfire and flooding.

WHEREAS, the objective of the 2023 Draft Safety Element is to facilitate community resilience and reduce future loss of life and property, injuries, environmental damage, and social and economic disruption resulting from environmental hazards consistent with California Government Code §§ 65302.6 and 65302(g).

WHEREAS, the 2018 Marin County Multi-Jurisdictional Local Hazard Mitigation Plan (MCM LHMP) complies with all requirements set forth under Disaster Mitigation Act of 2000 and includes information also relevant to the Safety Element. Government Code §§ 65302.6, 65302(g), and the California Disaster Assistance Act allow California jurisdictions to incorporate by reference Local Hazard Mitigation Plans into Safety Elements, which has the effect of increasing the share of local federal emergency funds to such local governments. The 2023 Draft Safety Element incorporates by reference the 2018 MCM LHMP.

WHEREAS, on June 2, 2022, the Marin County Community Development Agency submitted the 2023 Draft Safety Element to the Board of Forestry and Fire Protection for review pursuant to California Government Code § 65302.5(b). The Board of Forestry and Fire Protection held a duly-noticed public meeting on September 22, 2022 where it approved Marin County's 2023 Draft Safety Element.

WHEREAS, the Marin County Planning Commission and Board of Supervisors held duly-noticed, joint public hearings on development and review of the 2023 Draft Safety Element on February 1, 2022, April 19, 2022, June 14, 2022, and October 11, 2022.

WHEREAS, the Marin County Planning Commission held duly-noticed public hearings on the 2023 Draft Safety Element on December 12, 2022 and January 5, 2023.

WHEREAS, at all these public hearings, the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing

regarding the 2023 Draft Safety Element, and all interested persons were given an opportunity to hear and be heard regarding the 2023 Draft Safety Element;

WHEREAS, the Planning Commission has separately reviewed, and recommended that the Board of Supervisors certify the Final Environmental Impact Report (Final EIR) for the Housing and Safety Element Update to the Marin Countywide Plan as adequate and complete in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the County Environmental Review Procedures, and as adequate and complete for consideration in making a decision on the Housing and Safety Element Update project.

With particular regard to the statement that “all interested persons were given an opportunity to hear and be heard regarding the 2023 Draft Safety Element,” we wish to point out that “be(ing) heard” does not equate to being in conversation with. This is borne out by the fact that the Housing and Safety Elements remain demonstrably in conflict with one another, regardless of public comment (and the comments of our Planning Commissioners and Board of Supervisors).

Safety Element Countywide Plan Amendments

Per Staff Report to the Marin County Planning Commission: Amendments to the Countywide Plan for the Safety Element Update:

At the October 11th workshop, staff committed to addressing new state legislation in the latest draft of the Safety Element. Senate Bill 852 creates the Climate Resilience Districts Act, which authorizes local agencies to create climate resilience districts to address climate change effects and impacts. The districts would be formed for the purpose of raising and allocating funding for and the operating expenses of projects designed and implemented to address climate change mitigation, adaptation, or resilience. Staff added program EHS-6.1.k, which reads as follows:

Coordinate Approaches to Climate Resilience. Explore the feasibility of developing a coordinated government approach that has the capacity to raise and allocate funding for planning, construction and operating expenses of projects designed and implemented to benefit the public by addressing climate change mitigation, adaptation, and resilience. Identify potential organizational structures and funding mechanisms, such as levying a benefit assessment, special tax, property-related fee, or other service charge or fee consistent with State law. The state allows for locally-led climate governance including a Climate Resilience District or community-led formation of special districts, such as Geologic Hazard Abatement Districts for planning, financing, constructing and maintaining local climate protection and adaptation projects.

Staff recommends the new program to set the County on a path consistent with the Climate Resilience Districts Act while still allowing the County and its communities to explore and pursue other avenues toward climate resilience. (p2, Attachment 1)

We ask for clarification on how newly created districts would specifically raise and allocate such funding, and to the degree to which such funds will bolster mitigation, adaptation, or resilience to climate change.

We again object to the Draft Housing Element (DHE) superseding the hard truths of the Draft Safety Element (DSE), especially regarding risks from both “normal” and catastrophic weather events such as fire and flood, and the limitations of our current infrastructure to enable safe evacuation. Marin County residents deserve answers to multiple legitimate areas of concern. It is indisputable that the June 2022 DSE and DHE conflict with one another, and it is unclear how, or if, that conflict will be resolved. We are particularly concerned by the lack of accountability for improving infrastructure throughout Marin or how water would be provided to thousands of new residents in a time of unprecedented drought.

Public Outreach Appendix Marin Housing and Safety Elements 2023-2031

Beginning in Fall 2021, the community was encouraged to: “Create your own housing plan!” and “Shape the future of housing and plan for climate change in your community.” Yet, by the time that community input was solicited, appeals had already been filed and rejected, and RHNA numbers of 3,569 units had been slated for unincorporated Marin.

Shape the future of housing and plan for climate change in your community.

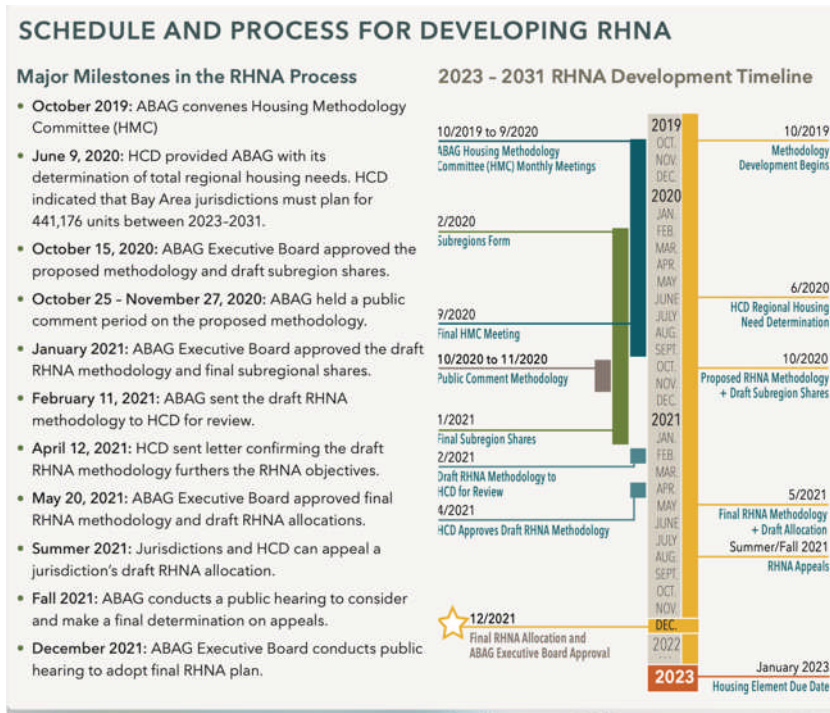
Join us for an online community meeting on September 22, 2021.

Join the County of Marin for an **interactive online, solution-oriented community meeting** to discuss the upcoming Housing and Safety Elements updates for the upcoming 2023-2031 cycle. This will be the first in a series of community workshops that will be scheduled throughout the planning process.

The meeting will take place on Zoom on **Wednesday September 22, 2021 from 6:00-8:00 P.M.** There will be live Spanish translation.

Register for this meeting at <https://tinyurl.com/MarinHousingandSafetyRSVP> or scan this QR code:

www.MarinCounty.org/HousingSafetyElements



We question the realistic impact that any amount of community input ultimately had or could have had on the location, siting, density, or type of units.

At the 12/12 meeting, LeeLee Thomas stated:

“As most of you know, there's been a really robust community engagement process that has included a bunch different ways for people to provide comment, including surveys, public meetings, and we had some online tools, and we were pleased that we didn't receive any comments that said we needed additional public outreach, and that was been unusual in housing process. Many of the teams that we heard were ones that we heard in many of the this that we received tonight. There's concerns around traffic congestion in our communities. There's concerns around fire access and emergency services, threats, sea level rise and flooding due to climate change, impacts on natural resources and, of course, limited water supply, as well as infrastructure concerns.”

Regarding Ms. Thomas' comment that no additional public outreach was necessary, we ask for clarification as to this guidance. Since the public certainly did not eschew the need for additional public outreach, is she referring to HCD?

If we understand, most meetings or workshops had between 3 and 790 participants. In most cases, only percentages are given rather than number of attendees, and the number of comments are unusually low. In reading them, it appears that many

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participants were not sure, based on information given, what they should be commenting on. From Marin County Housing & Safety Elements Community Workshop #1 Summary of Workshop Discussion November 15, 2021:

On Monday, November 15, 2021, the County of Marin and its consultants, MIG, hosted a public workshop to inform the community about the planning process for updating the Housing and Safety Elements and collect input on their issues, concerns and potential solutions. Following guidance from public health agencies regarding gatherings during the COVID-19 pandemic, the workshop was held virtually using online video conferencing. City staff conducted robust community outreach to publicize the event. This included social media posts on Facebook, Nextdoor, and Twitter. In addition, the workshop was promoted through the County's email notifications from the website. Eighty –four (84) people registered for the event and **thirty one (31) people participated.**

Robust community outreach to a county of 260,000 residents does not result in participation by 31 people. From that same workshop:

There were **three people who participated in public comment**, below is a high level summary of their comments and question for the city's consideration.

The summary included a desire to incorporate low-income housing, questions about Golden Gate Village's inclusion, incorporating childcare infrastructure, and a desire to mixed/creative use space.

Further to this, as we have stated previously, we object also to the survey methodology used for creating Objective Design and Development Standards. In a county of nearly 260,000 residents, the survey generated a total of 541 responses, which represents 0.21% of our total 2020 population. According to the "Respondent Profile" no results were recorded from residents of Santa Venetia (or greater San Rafael, our county seat, with a population of more than 61,000). The survey began in April 2020, at the beginning of a global pandemic, when most residents could not be attentive to the outreach described, or to notifications from SurveyMonkey (which is notorious for their emails going directly to spam). Any recorded data should have been discarded and the project paused; moving forward disregarded the crucial nature of true community engagement.

Marin County Housing Element: Candidate Housing Sites and Selection Process Comments Received via Email

This 53-page document has no date range and contains a single set of unexplained abbreviations at the top of Page One only, to which comments are matched. These abbreviations, which include no key anywhere in the document, include PCL, INF, SER, TRF, PRK, PTR, ACT, NMR, SEA, NAT, CUL, FIR, WAT, HLT, EQT, and GDL. Since the codes appear only once at the top of the 53-page document it is not possible to match comments with the codes, rendering any designations meaningless. Further, without a very large format external monitor it is not possible to match even a single

comment with the codes. Comments were written without any understanding that they would be slotted into categories. Had the public known this (and known the categories) they would certainly have written comments that covered a more complete range of concerns. We ask why there is no key to help members of the public understand these categories, which seems to be the document's very purpose. Further, comments are repeated both serially and seemingly randomly throughout the document; identical comments have been designated with different codes. Some comments were edited for length, and it is unclear if "edited" means "truncated" or if any of the comment's meaning was changed. Finally, judging by my own comments and those I recognize from neighbors, the location assigned to comments appears to be inaccurate.

This document is yet another example of data thrown at the public without explanation, proper formatting, context, or collection specifics.

Airport Land Use Plan

Referring to Novato's Gness Field, Chair Dickenson said:

“(A)ny project that falls, development project that falls within the two-mile referral zone automatically has to be referred to the airport management committee and they make a recommendation to the City of Novato or the County of Marin.

Santa Venetia's Marin Ranch Airport is located within two miles of the potential dense new housing, yet the Airport Land Use Plan requirement doesn't apply because it is not a commercial airport. We ask that the airport's impact on the community be considered in tandem with our other concerns.

Form Based Code/Development Code Amendments

Amending County Development Code (including form-based review of objective design standards) and proposed amendments to the Development Code (Marin County Code Title 22) appear to be one more step toward codifying the elimination of CEQA and community involvement. Cities around the state are already joining a legal challenge to SB9 on the basis that this bill overturns the voter initiative process, inadequately addresses public health and safety concerns, greatly limits public input, and lacks due process. SB9 was an emergency measure to create affordable housing yet contains no requirement for actually doing so.

Many sites currently considered developable should require stringent environmental review. For example, the McPhail's site, located in a wetland surrounding a shuttered elementary school, is designated for 33 units of above moderate housing. Significant fill of wetlands would be required to build there. This is not the definition of "infill" housing — it is simply "filling in" bay wetlands. This site is in a flood zone with grossly inadequate levies; forecasts (performed by the County) show that sea level rise will worsen conditions even before construction is complete.

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Another location, 70 Oxford (which is referred to in zoning maps as “Outnumbered” even though there is no active — as far as we know — application — by that name) is the site of known shell mounds; this lot is designated for four “above moderate income” units, even though the County determined in 2020 that a CEQA Initial Study would be required for any development on this land.

Further to this, the cumulative impact of concurrent development has been neither acknowledged nor analyzed. This includes repercussions to Santa Venetia (before adding a single new unit) from the upcoming Northgate development, which will add nearly 1,500 units. As well, the proposed development on Bayhills Drive and at 70 Oxford would add units on steep slopes with poor road access and is reminiscent of the old San Pedro Ridge Project from the 1980s, but with less oversight.

Rezoning

We ask how any rezoning can take place without first addressing myriad outstanding issues:

The DHE states that 50 Bayhills Drive is sited for five homes, but the proposed new zoning designation is from RMP to RMP-10. Based on parcel map 180-333-01, this is a two-acre parcel on a steep grade. We ask for more clarity on the number of units and their siting and that they be considered cumulatively in light of any additional development further up Bayhills. For reference, 50 Bayhills is on the lower part of Bayhills, near the gate. More development is taking place — further up eastern Bayhills and opposite 1000 Bayhills. We have not seen permits for these developments, which have already removed countless trees and done significant grading.

Zoning for 70 Oxford would change from A2 to RMP-1 (yet four homes are proposed). Again, we ask for clarity around the size and siting of these units, and since the new zoning would allow for 3-7 units per acre, we ask for clarity around this site’s potential for future development. As well, what number or percentage of units would be considered affordable?

At the December 6th, 2022, Board of Supervisors Hearing on Housing Element Sites a MIG representative stated that all sites identified in the HE were environmentally viable. To our knowledge, none of the Bayhills parcels have the possibility of water or sewer service. As you are aware, building in areas without water or sewer creates an enormous environmental footprint.

We ask also for clarification on the siting of planned construction at the Old Gallinas site, including the Little League field. We understood that the field would be preserved as a community resource, yet it now appears both that the lower level will be impacted and the lower parking lot, which is used heavily during games, will be rezoned for housing. Adequate street parking does not exist currently, and, when the lot is full during games, extra street parking is required.

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It is also imperative to resolve the status of Bayhills Drive, which is not a county-maintained road. We have no formal road committee; Bayhills is rife with potholes and has collapsed in sections. Every development proposed (and the development in progress) further degrades our sole route to North San Pedro, and potentially cripples us with regard to emergency evacuation.

We ask whether minimum density requirements have been rejected in this latest iteration, and, if not, request a clear explanation for their purpose and how they would function within the Housing Element.

Finally, we echo the comments of multiple other residents and agencies who have stated the RHNA process enables developers to bypass local planning and community input, and in fact *rewards* developers who wait until the 9th year with streamlined permitting and reduced (if any) CEQA analysis.

These specific examples represent only a few of our concerns regarding CWP amendments, (including changes to community plans), the 2023 Safety Element, community outreach, airport land use, FBC and development code amendments, and rezoning.

The RHNA numbers were based on a pre-pandemic economy and should be reconsidered by the State. We are facing a shrinking population, job losses, higher interest rates, supply chain issues, continuing record drought, and unprecedented climate disasters.

We join many other residents and neighborhood associations when we say that this has been a hugely discouraging process (as we imagine it has been for our Planning Commissioners and Board of Supervisors). Public outreach failed to engage an acceptable number of residents; those who did participate were given thousands of pages of unsummarized (in some cases untitled) documents and little time to respond. When we have responded, asking that safety, water, and environmental issues be addressed, our requests have gone unanswered.

As we have in our past letters, we will close by paraphrasing one of our SVNA members, who stated: "The County's first responsibility is for the health and safety of the existing residents of our neighborhood." We ask that you once again consider your constituents, and fight for our safety.

The SVNA always encourages our members to send comment letters as well, citing their concerns about community issues. Please include those concerns as concerns of the SVNA.

Thank you, SVNA Board of Directors and SVNA Land Use Committee

cc: Mary Sackett, District 1 Supervisor
Gustavo Gonçalves, District 1 Aide
Julia Reinhard, District 1 Aide

From: [Jones, Sarah](#)
To: [housingelement](#)
Subject: FW: Resisting state mandates
Date: Friday, December 30, 2022 2:38:52 PM

From: Sheila Meade <sheila.g.meade@gmail.com>
Sent: Friday, December 30, 2022 1:50 PM
To: PlanningCommission <PlanningCommission@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>; Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>
Subject: Fwd: Resisting state mandates

Some people who received this message don't often get email from sheila.g.meade@gmail.com. [Learn why this is important](#)

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

From: **Sheila Meade** <sheila.g.meade@gmail.com>
Date: Fri, Dec 30, 2022 at 1:47 PM
Subject: Resisting state mandates
To: <planningcommission@marincounty.org>

Dear Planning Commissioners,

I would like to strongly endorse Attorney Riley Hurd's December 28, 2022, letter.

Please, do not allow for iron fisted, one size fits all, state gov mandates to trump local community planning. There are legitimate environmental & safety concerns here & residents should have a fair & legal path to resisting forced overbuilding that would be a disaster.

Mill Valley resident,
Sheila Meade

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Letter to PC re: Housing Element Update, Marin CWP Amendments and Community Plans
Date: Friday, December 30, 2022 11:44:08 AM

From: Sherrie Vigneron <vigns1@gmail.com>
Sent: Friday, December 30, 2022 10:21 AM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: BOS <BOS@marincounty.org>
Subject: Letter to PC re: Housing Element Update, Marin CWP Amendments and Community Plans

Some people who received this message don't often get email from vigns1@gmail.com. [Learn why this is important](#)

Dear Marin County Planning Commissioners,

At your last meeting regarding the Marin Countywide Plan Amendments associated with the Housing Element, a very clear consensus was reached that Community Plans should be preserved to the fullest extent possible. However, proposed edits to Policies 1.4-3 and 1.5-3 of the Marin Countywide Plan continue to completely eviscerate these vital Community Plans.

Policy 1.4-3 is entitled “How to Read the Countywide Plan” and proposed to now include the following language:

“...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan...”

Policy 1.5-3 addresses land use categories and is proposed to now say: **“The Countywide Plan land use designations supersede Community Plan designations.”**

These proposed edits must be discarded.

I strongly urge you to change the proposed amendments so that the legality and authority of Community Plans are preserved to the fullest extent possible.

Sincerely,
Sherrie Vigneron
125 Westward Dr
Corte Madera, CA 94925

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Housing Element Update, Marin CWP Amendments and Community Plans
Date: Friday, December 30, 2022 4:48:18 PM

From: Steve Levine <stevenmlevine@comcast.net>
Sent: Friday, December 30, 2022 4:38 PM
To: PlanningCommission <PlanningCommission@marincounty.org>; BOS <BOS@marincounty.org>
Subject: Housing Element Update, Marin CWP Amendments and Community Plans

You don't often get email from stevenmlevine@comcast.net. [Learn why this is important](#)

Dear Marin County Planning Commissioners and BOS,

At your last meeting regarding the Marin Countywide Plan Amendments associated with the Housing Element, a very clear consensus was reached that Community Plans should be preserved to the fullest extent possible. However, proposed edits to Policies 1.4-3 and 1.5-3 of the Marin Countywide Plan continue to completely eviscerate these vital Community Plans.

Policy 1.4-3 is entitled "How to Read the Countywide Plan" and proposed to now include the following language:

"...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan..."

Policy 1.5-3 addresses land use categories and is proposed to now say: **"The Countywide Plan land use designations supersede Community Plan designations."**

These proposed edits must be discarded.

We strongly urge you to change the proposed amendments so that the legality and authority of Community Plans are preserved to the fullest extent possible.

Sincerely,
Steven Levine
Gunilla Bjork
635 Glenwood Ave
Mill Valley , Ca. 94941

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Housing Element Update, Marin CWP Amendments and Community Plans
Date: Friday, December 30, 2022 4:46:50 PM

From: o desertman <odesertman@live.com>
Sent: Friday, December 30, 2022 4:10 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: BOS <BOS@marincounty.org>
Subject: Housing Element Update, Marin CWP Amendments and Community Plans

Some people who received this message don't often get email from odesertman@live.com. [Learn why this is important](#)

Dear Marin County Planning Commissioners,

At your last meeting regarding the Marin Countywide Plan Amendments associated with the Housing Element, a very clear consensus was reached that Community Plans should be preserved to the fullest extent possible. However, proposed edits to Policies 1.4-3 and 1.5-3 of the Marin Countywide Plan continue to completely eviscerate these vital Community Plans.

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Policy 1.5-3 addresses land use categories and is proposed to now say:
"The Countywide Plan land use designations supersede Community Plan designations."

These proposed edits must be discarded.

I (We) strongly urge you to change the proposed amendments so that the legality and authority of Community Plans are preserved to the fullest extent possible.

Sincerely,
steven schreibman
404 san francisco blvd
san anselmo ca 94960

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: CA is usurping planning authority from cities. Reject state overreach.
Date: Friday, December 30, 2022 11:43:31 AM

From: Susan Kirsch <susan@susankirsch.com>
Sent: Thursday, December 29, 2022 10:39 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Cc: Marin Board of Supervisors <bos@co.marin.ca.us>; Marin IJ - Dick Spotswood <spotswood@comcast.net>
Subject: CA is usurping planning authority from cities. Reject state overreach.

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

Dear Marin County Planning Commissioners:

I hope you're enjoying the holidays. I think you'll be interested in reading this [article by Tom Elias](#) before the 1/5/23 PC meeting. And in case you didn't read Amy Kalish's Marin Voice column (12/27) in the Marin IJ, I'm [linking it here](#).

Counties and cities across the state are staggering under the barrage of misguided and unexamined state laws that benefit developers/investors at the expense of constituents. Don't give in to the absurd. Stand your ground for principles of sound planning, public participation, safety, and environmental protection. Don't settle for compliance, as if you - and we - have no other choices. Like other jurisdictions, keep [litigation](#) as one of your options.

Best wishes,
Susan Kirsch
Catalysts, Director
www.catalystsca.org
415-686-4375

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Planning Commission Meeting January 5, 2023 re CWP
Date: Friday, December 30, 2022 4:46:22 PM

From: Tara H <horoshak@gmail.com>
Sent: Friday, December 30, 2022 4:03 PM
To: PlanningCommission <PlanningCommission@marincounty.org>; Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>
Cc: Aaron Huffman <dahuff@mac.com>; planning@cityofmillvalley.org; Jones, Sarah <sbjones@marincounty.org>
Subject: Planning Commission Meeting January 5, 2023 re CWP

Some people who received this message don't often get email from horoshak@gmail.com. [Learn why this is important](#)

Dear Planning Commissioners,

We wanted to send a quick note to endorse Attorney Riley Hurd's December 28, 2022, letter.

Community input is important and we strongly urge you to preserve the legality of community plans to the fullest extent possible.

Thank you for your consideration,
Tara and Aaron Huffman
77 Matilda Ave. Mill Valley
415-405-5760

--

Best,
Tara

From: [T Safford](#)
To: [housingelement](#)
Subject: Housing Element
Date: Friday, December 30, 2022 11:36:53 AM

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Dear Planning Commissioners —

Despite agreements that Community Plans would not be broadly swept aside, there remains broad and contradictory language in the ITEM 6, Exhibit B. ITEM 6 is the “Housing Element Countywide Plan Amendments/Rezoning.”

In this Exhibit B, you will find the following problematic language:

Policy 1.4-3 entitled “How to Read the Countywide Plan” includes the following language:

“...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan”.

Policy 1.5-3 addresses land use categories now says:

“The Countywide Plan land use designations supersede Community Plan designations.”

Exhibit B can be accessed here: <https://www.marincounty.org/-/media/files/departments/cd/planning/cwp/housing-and-safety-elements/pc-hearing-010523/item-6-he/attachment-3.pdf?la=en>

It has been brought to my attention that land use attorney, Riley Hurd, recommended to you substitute language which could achieve Housing Element objectives without destroying Community Plans. Will you please consider and adopt his proposed language and remove the proposed broad language cited below?

"No provision of a community plan may be applied by the County in a manner that conflicts with State housing law or that physically precludes the construction of a project at its permitted density."

Thank you for your consideration and thoughtful work.

Taylor and Kathleen Safford
73 De Silva Island Drive, M.V.

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: Marin County Housing Element Update
Date: Friday, December 30, 2022 3:38:13 PM

From: Terry Keenan <tkeen89@msn.com>
Sent: Friday, December 30, 2022 3:04 PM
To: PlanningCommission <PlanningCommission@marincounty.org>
Subject: Marin County Housing Element Update

You don't often get email from tkeen89@msn.com. [Learn why this is important](#)

Being a 4th generation here in beautiful Marin County am shocked at these proposals. We have already HUNDREDS of illegal Apartments, units, Studios, rooms, etc. available for all types of income and ethnic groups for the past TWENTY YEARS or more. Have you looked at this??? Look at the additional cars on one's street! These are not families for the most part but rented rooms or Studios! With the continue problems of cars and water in Marin it is not in the interest of making this worse. So, I endorse Attorney Hurd's letter and Sustainable Tam Almonte.

Terrence and Patrica Keenan
548 Fairview Ave.
Mill Valley, Calif. 94941

From: [Terri Leker](#)
To: [PlanningCommission](#); [BOS](#); [housingelement](#)
Cc: [Terri Leker](#); [Connolly, Damon](#); [Sackett, Mary](#); [Mark cell](#)
Subject: Comments for Thursday January 5, 2023 Meeting: Planning Commission Hearing on Housing and Safety Element Final Environmental Impact Report, Countywide Plan/Development Code Amendments
Date: Friday, December 30, 2022 4:17:49 PM
Attachments: [clip_image001.png](#)

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 SB9/10/35 are a gross overreach to overturn local autonomy and planning decisions.

We ask how the Housing Element can be certified before addressing myriad outstanding safety, environmental, and ecological issues, including lack of water, fire and flood hazards, a loss of natural space, and, most importantly, emergency egress.

Much of Santa Venetia is sited in a flood plain; other areas are located in the WUI. With only a single one-lane route in and out of the neighborhood, our existing infrastructure is already stretched to the breaking point. As has been well-documented, North San Pedro Road backs up to the east and west on a daily basis, without any unusual activity, restricting both egress and ingress. All of Bayhills Drive, Sunny Oaks, and every small "paper" road such as Glen and Sylvan Drive have only secondary evacuation routes to North San Pedro, the primary (and sole) evacuation route for all of Santa Venetia, which has a current population of approximately 1800 residents. This does not include non-residents, including several hundred schoolchildren, numerous visitors to the JCC complex, China Camp State Park, and service workers entering and exiting the neighborhood. We are not aware of another community with our unique challenges to both egress and ingress and ask once again that these risks be considered in light of any potential new development.

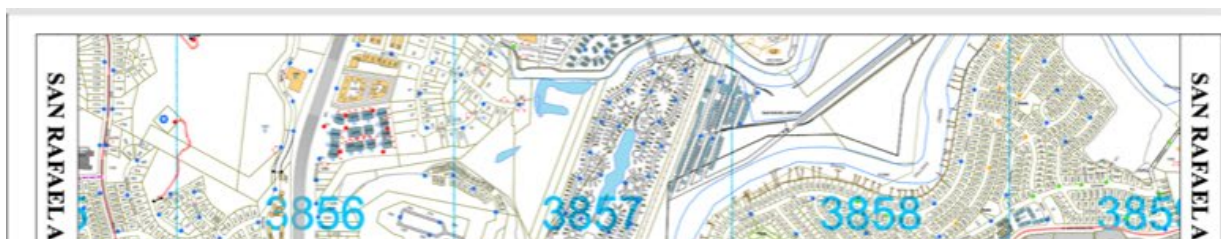
A name change from Marin County Office of Emergency Services to Marin County Fire Office of Emergency Management does nothing to address the safety implications of a single route in and out for an entire neighborhood. When there is no alternate evacuation route, it is not possible to mitigate the risk of additional traffic. It is insoluble.

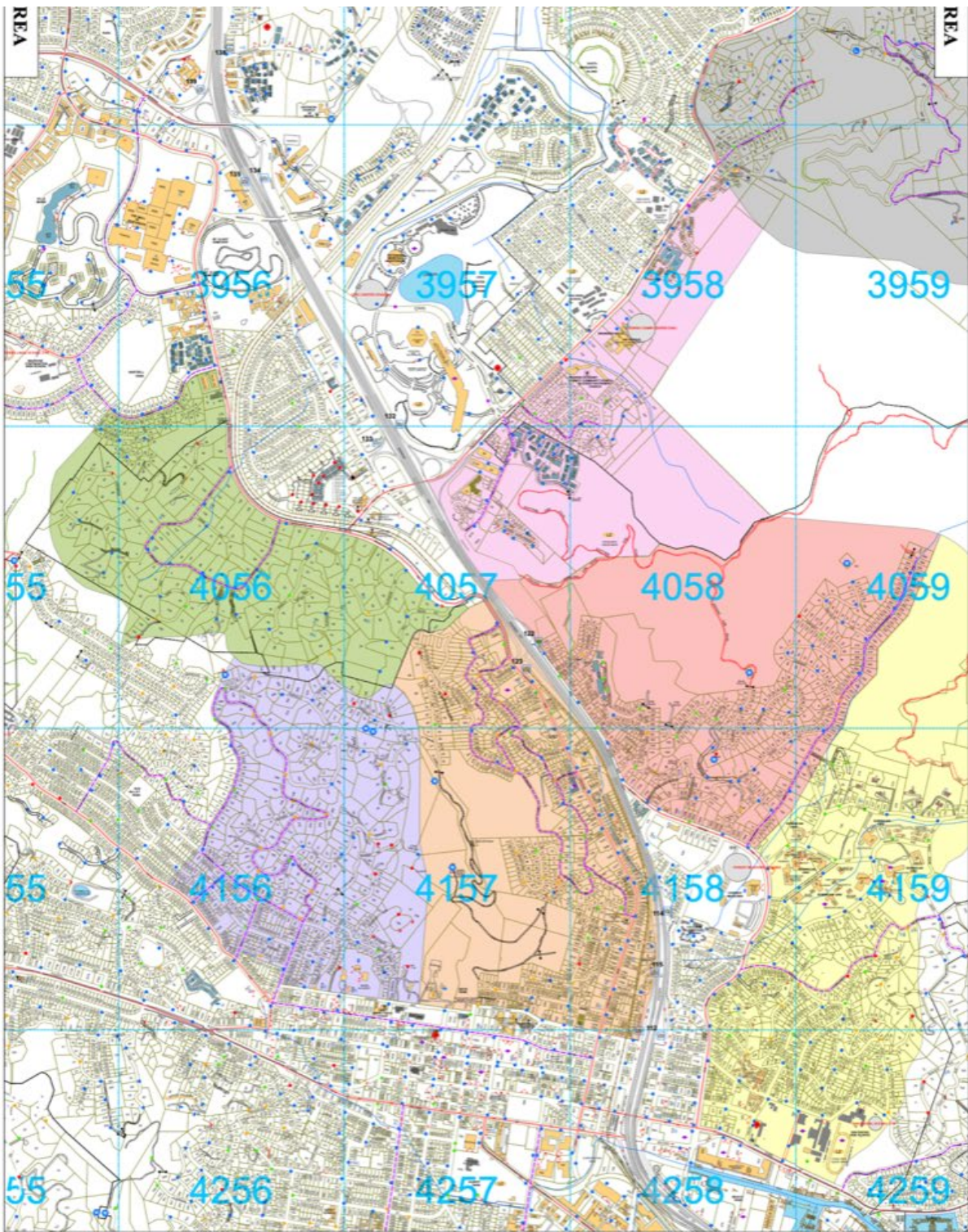
As I stated in my public comments at the 12/12 meeting of the Planning Commission, the Santa Venetia Community Plan should not be considered outdated. It was adopted in 2017, after many years of work between county staff, subject matter experts and neighborhood input. The Santa Venetia community plan was designed, like the Countywide Plan, to support the health and safety of our neighborhood and to ensure stable growth.




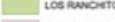



We once again ask for considered analysis of the safety burden even one additional house places on our neighborhood, and urge you to leave the CWP, all community plans, and zoning intact. Any proposed changes subvert their intended purpose and create a one-way gate to dense overdevelopment that undermines the safety of all Marin residents.

We wish to thank the Planning Commission for their insightful questions throughout the process (particularly at the 12/12 Planning Meeting) and their determination on behalf of Marin County.

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





STRUCTURE DEFENSE ZONES	
	BLACK CANYON
	DOMINICAN
	FAIRHILLS
	LOS RANCHITOS
	SAN PABLO
	SAN RAFAEL HILL
	SANTA VENETIA

SAN RAFAEL AREA MARIN MUTUAL THREAT ZONE PLAN



EVACUATION ROUTES — PRIMARY — SECONDARY

From: [TOM PEACOCK](#)
To: [housingelement](#)
Subject: 404 San Francisco Blvd., San Anselmo/County
Date: Friday, December 30, 2022 1:03:26 PM

You don't often get email from tompeacock6333@comcast.net. [Learn why this is important](#)

This project is in the origin of the watershed serving the San Anselmo, Los Angeles Blvd. community. It would appear development of a 62 unit development in this origin is a bad idea, and places down stream community and Memorial Park (San Anselmo's only large scale recreation land) in potential damage and flood jeopardy. San Anselmo ordinance prohibits projects that could damage down stream property owners. This project puts citizens in potential danger especially as climate change is uncertain and largely unknown.

Yes, we need actual realistic affordable housing, but the market manipulates to high cost. Bad choice for environmental and honest housing development.

Tom Peacock
43 Durham Rd.
San Anselmo, Ca. 94960

Please use my new email address:
tompeacock6333@comcast.net

From: [Jones, Sarah](#)
To: [housingelement](#)
Subject: FW: Marin Planning.
Date: Friday, December 30, 2022 11:27:12 AM

From: Toni Brayer <almom2@comcast.net>
Sent: Friday, December 30, 2022 11:26 AM
To: Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; PlanningCommission <PlanningCommission@marincounty.org>; Jones, Sarah <sbjones@marincounty.org>
Subject: Marin Planning.

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We are longtime (5 decades) Mill Valley residents and rather than write a separate appeal we would like to support Attorney Riley Hurd's well written letter. Please listen to the community. Don't destroy the future of Mill Valley.

I (We) endorse Attorney Riley Hurd's December 28, 2022, letter.

I (We) strongly urge you to preserve the legality of community plans to the fullest extent possible.

Sincerely
Toni Brayer
Craig Patterson
Alexander Patterson
205 Roque Moraes Dr
Mill Valley

Sent from my iPhone

From: [PlanningCommission](#)
To: [housingelement](#)
Subject: FW: How to Read the Countywide Plan
Date: Friday, December 30, 2022 3:34:49 PM

From: Valeri Hood <bertmbartsch@yahoo.com>
Sent: Friday, December 30, 2022 1:25 PM
To: PlanningCommission <PlanningCommission@marincounty.org>; BOS <BOS@marincounty.org>
Subject: How to Read the Countywide Plan

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

Dear Marin County Planning Commissioners and Board of Supervisors,

At your last meeting regarding the Marin Countywide Plan Amendments associated with the Housing Element, a very clear consensus was reached that Community Plans should be preserved to the fullest extent possible. However, proposed edits to Policies 1.4-3 and 1.5-3 of the Marin Countywide Plan continue to completely eviscerate these vital Community Plans.

Policy 1.4-3 is entitled "How to Read the Countywide Plan" and proposed to now include the following language:

"...no provision of a community plan may be applied by the County in a manner that conflicts with the Countywide Plan..."

Policy 1.5-3 addresses land use categories and is proposed to now say: **"The Countywide Plan land use designations supersede Community Plan designations."**

These proposed edits must be discarded. Community input is imperative- WE are the community.

Please, do not start the New Year by allowing county staff to further eviscerate the rights of local residents, taxpayers and voters who are becoming increasingly alarmed at the lack of oversight by the Marin County Board of Supervisors.

Disenfranchising communities by overriding and eliminating community plans arrived at through often lengthy, fully-engaged public participation is a very, *very* bad idea. And, an even worse idea when perceived done through the actions of rogue county staff.

We strongly urge you to change the proposed amendments so that the legality and authority of Community Plans are preserved to the fullest extent possible.

Sincerely,

Valeri Hood and Bert Bartsch
79 Dominga Ave.
Fairfax, Ca
94930