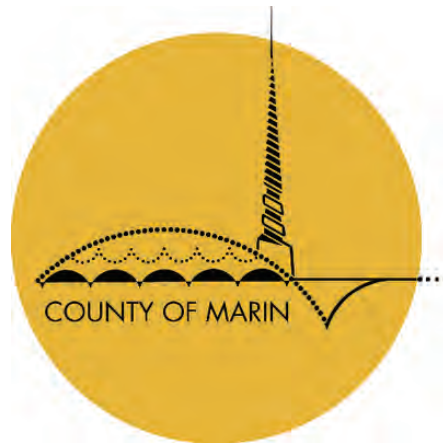


Housing & Safety Elements Update to the Marin Countywide Plan

Final Environmental Impact Report Amendment
County of Marin



January 2023
State Clearinghouse No. 2021120123

Prepared with the assistance of
MIG, Inc.

Marin County Housing and Safety Elements Update Project Final EIR Amendment

1. Introduction

Marin County prepared a Program environmental impact report (“EIR”) for the Housing and Safety Elements Update Project, and circulated the Draft EIR for the Project for a 45-day public review period starting on October 7, 2022 and ending at 4:00 p.m. on November 21, 2022. The County then prepared the Final EIR volume, which was published on December 20, 2022, and includes revisions to the Draft EIR text, response to public comments received on the Draft EIR during the public comment period, and responses to late comments. The Final EIR for the project consists of the October 2022 Draft EIR, the December 2022 Final EIR volume, this Final EIR Amendment, and all documents incorporated therein.

On December 20, 2022, the Marin County Housing Element/Safety Element Update Final EIR and Notice of Availability of the Final EIR and Notice of Public Hearings by the Planning Commission to be held on January 5, 2023 and by the Board of Supervisors on January 24, 2023 were transmitted to the State Clearinghouse, members of the Planning Commission, Board of Supervisors, agencies, commenters on the Draft EIR including agencies that commented on the Draft EIR, and other interested groups and individuals, as well as being published on the project webpage and in the Marin Independent Journal. A subsequent Notice of Public Hearing to confirm the January 24, 2023 Board of Supervisors hearing date and time was published on the project webpage on January 12, 2023, and subsequently published in the Marin Independent Journal on January 13, 2023.

The Planning Commission held a public hearing on January 5, 2023 to consider the Final EIR and voted unanimously to recommend that the Marin County Board of Supervisors certify the 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 merits of the Project.

Subsequent to the release of the Final EIR on December 20, 2022 and the January 5, 2023 Planning Commission hearing, minor changes were made to the Housing Element Housing Sites list, which is part of the EIR Project Description; typographical errors were discovered in the Draft EIR Mitigation Measure 8-1 that needed correction; and a public comment letter was discovered in the County’s spam folder. Thus, this Final EIR Amendment is presenting information that addresses these items to be included in the Final EIR of the proposed Housing and Safety Element Update Project.

2. Additional Revisions to Draft EIR Text

Chapter 5 of the Final EIR contains text revisions to the Draft EIR in response to comments and to clarify or amplify the information provided in the Draft EIR. Section 2 of this Final EIR Amendment includes additional text revisions to either the Draft EIR text or the Final EIR text revisions presented in Chapter 5 of the Final EIR, as indicated below. The changes shown in the text revisions correct inaccuracies and clarify the analysis in the EIR. Text removed from the EIR is marked with ~~strike-out~~. New text is indicated by underline. All of the revised text

supersedes the corresponding text in the October 7, 2022 Draft EIR and the December 2022 Final EIR volume, as shown below.

None of the criteria listed in CEQA Guidelines section 15088.5 (Recirculation of an EIR Prior to Certification) indicating the need for recirculation of the Draft EIR has been met as a result of the revisions. In particular:

- no new significant environmental impact due to the project or due to a new mitigation measure has been identified;
- no substantial increase in the severity of a significant environmental impact has been identified; and
- no additional feasible project alternative or mitigation measure considerably different from others analyzed in the Draft EIR has been identified that would clearly lessen the environmental impacts of the project.

The additional text revisions in this Final EIR Amendment are described and shown below.

Historic Resource Mitigation Measure 8-1:

Below is an additional text edit that strikes out duplicative text that appears in Historic Resource Mitigation Measure 8-1. Historic Resource Mitigation Measure 8-1, which appeared in the Draft EIR in Chapter 2 Summary on page 2-24 and in Chapter 8, Cultural, Tribal Cultural, and Historical Resources, presented the same text twice. This Final EIR Amendment shows the strikeout of this duplicative text.

Draft EIR Chapter 2 Summary, page 2-24 and Chapter 8, page 8-18:

Mitigation Measure 8-1. For any project facilitated by the Housing and Safety Elements Update Project that the County determines may involve a property that contains a potentially significant historical resource, then that resource shall be assessed by a professional who meets the Secretary of the Interior's Professional Qualifications Standards to determine whether the property is a significant historic resource and whether or not the project may have a potentially significant adverse effect on the historical resource. If, based on the recommendation of the qualified professional, the County determines that the project may have a potentially significant effect, the County shall require the applicant to implement the following mitigation measures:

(a) Adhere to at least one of the following Secretary of the Interior's Standards:¹

- Secretary of Interior's *Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings*; or
- Secretary of Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*.

The qualified professional shall make a recommendation to the County as to whether the project fully adheres to the Secretary of the Interior's Standards, and any specific modifications necessary to do so. The final determination as to a project's adherence to the Standards shall be made by the County body with final decision-making authority over the project. Such a

¹Under the CEQA Guidelines (section 15064.5[b][3]), a project's adverse impact on a historic resource generally can be mitigated to a less-than-significant level by following either of these standards.

determination of individual project adherence to the Secretary of the Interior's Standards will constitute mitigation of the project historic resource impacts to a less-than-significant level (CEQA Guidelines section 15064.5).

(b) If measure (a) is not feasible, the historical resource shall be moved to a new location compatible with the original character and use of the historical resource, and its historical features and compatibility in orientation, setting, and general environment shall be retained, such that a substantial adverse change in the significance of the historical resource is avoided. Implementation of measure (b) would reduce the impact to a less-than-significant level.

If neither measure (a) nor measure (b) is feasible, then the County shall, as applicable and to the extent feasible, implement the following measures in the following order:

(c) Document the historical resource before any changes that would cause a loss of integrity and loss of continued eligibility. The documentation shall adhere to the Secretary of the Interior's Standards for Architectural and Engineering Documentation. The level of documentation shall be proportionate with the level of significance of the resource. The documentation shall be made available for inclusion in the Historic American Building Survey (HABS) or the Historic American Engineering Record (HAER) Collections in the Library of Congress, the California Historical Resources Information System (CHRIS), and the Bancroft Library, as well as local libraries and historical societies.

~~b) If measure (a) is not feasible, the historical resource shall be moved to a new location compatible with the original character and use of the historical resource, and its historical features and compatibility in orientation, setting, and general environment shall be retained, such that a substantial adverse change in the significance of the historical resource is avoided. Implementation of measure (b) would reduce the impact to a less than significant level.~~

~~If neither measure (a) nor measure (b) is feasible, then the County shall, as applicable and to the extent feasible, implement the following measures in the following order:~~

~~(c) Document the historical resource before any changes that would cause a loss of integrity and loss of continued eligibility. The documentation shall adhere to the Secretary of the Interior's Standards for Architectural and Engineering Documentation. The level of documentation shall be proportionate with the level of significance of the resource. The documentation shall be made available for inclusion in the Historic American Building Survey (HABS) or the Historic American Engineering Record (HAER) Collections in the Library of Congress, the California Historical Resources Information System (CHRIS), and the Bancroft Library, as well as local libraries and historical societies.~~

(d) Retain and reuse the historical resource to the maximum feasible extent and continue to apply the Secretary of the Interior's Standards to the maximum feasible extent in all alterations, additions, and new construction.

(e) Through careful methods of planned deconstruction to avoid damage and loss, salvage character-defining features and materials for educational and interpretive use on-site, or for reuse in new construction on the site in a way that commemorates their original use and significance.

(f) Interpret the historical significance of the resource through a permanent exhibit or program in a publicly accessible location on the site or elsewhere within the Planning Area.

Implementation of measures (c), (d), (e), and/or (f) would reduce a significant impact on historic resources, but not to a less-than-significant level. Without knowing the characteristics of the potentially affected historical resource or of the future individual development proposal, the County cannot determine with certainty that measure (a) or (b) above would be considered feasible. Consequently, this impact is currently considered **significant and unavoidable**.

Project Housing Site List Changes

The Final EIR updated Tables 3-2 and 3-3 presented in the Draft EIR to reflect changes to the proposed Project Site list (“Project Site Inventory”) as described in Chapter 2.1 of the Final EIR and presented in ~~strikeout~~ and underline in Chapter 5 of the Final EIR. Tables 3-2 and 3-3 in the Draft EIR presented a total of 5,214 units as the “proposed Project.” The Final EIR slightly increased the number of units from 5,214 to 5,231 units. Further revisions to the Project Site Inventory are necessary to correct inaccurate reporting of unit numbers associated with several sites as well as the removal of one site (Site #22, Carmelite Monastery of the Mother of God) from the Housing Sites list because the property owner indicated it would not be developed with housing during this housing cycle. Revisions to Tables 3-2 and 3-3, presented below, now show the Project Site Inventory (“proposed Project”) to have 5,197 units, 17 units fewer than presented in the Draft EIR Project Description. Changes to Table 3-2 and 3-3 presented in the Final EIR are shown in ~~strikeout~~ and underline. The changes to Table 3-2 and 3-3 are shown in this Final EIR Amendment as ~~strikeout~~ and underline in red font to call out the changes from the Final EIR.

All references in the Draft EIR to the number of housing units as 5,214 are globally changed to 5,197 units. All references in the Final EIR to the number of housing units as 5,231 are globally changed to 5,197 units also. The full inventory of Candidate Housing Sites remains at 10,993 units.

**Table 3-1:
2023-2031 Housing Element Proposed Project Sites and Associated Development Potential**

	Potential Unit Development			
	Lower Income	Moderate Income	Above Moderate Income	Total
(A) Proposed Project Sites ^[1]	1,849 1,843 <u>1,840</u>	517 537 <u>515</u>	1,306 <u>1,305</u>	3,672 3,685 <u>3,660</u>
(B) Development Units (ADUs)	154	77	25	256
Total Proposed Project Sites [(A)+(B)]	2,003 1,997 <u>1,994</u>	594 614 <u>592</u>	1,332 <u>1,330</u>	3,928 3,941 <u>3,916</u>
Density Bonus (35% of A)				1,286 1,290 <u>1,281</u>
Project Site Inventory				5,214 5,231 <u>5,197</u>
(C) 2023-2031 Regional Fair Share Housing Need ^[2]	1,734	512	1,323	3,569
HCD Buffer	269 263 <u>260</u>	82 102 <u>112</u>	9 <u>7</u>	359 372 <u>379</u>
Buffer for Sufficient Capacity/No Net Loss (SB 166) ^[3]	45 <u>14%</u>	16 19% <u>22%</u>	0.7 <u>0.5%</u>	10%
California Department of Housing and Community Development (HCD) No Net Loss Recommended Buffer Goal	15 to 30%	15 to 30%	N/A	N/A

SOURCE: County of Marin; MIG, Inc., 2022³.

^[1] “Recommended Housing Sites” MIG, Inc., 4/25/22 01/10/23.

^[2] RHNA breakdowns for “lower” income category include 1,100 units for very low income and 634 units for low income, for a subtotal of 1,734 units.

^[3] To ensure the County’s sites inventory maintains sufficient capacity at all times to accommodate the RHNA by income group throughout the planning period, a buffer of ~~15~~ 14 to 30 percent has been added for the lower-income and moderate-income RHNA categories. The HCD Buffer percentage is calculated by taking the difference between the total proposed project sites [(A) + (B)] and the regional fair share housing need [C], then dividing that difference by the proposed project sites [A]. For example, for the lower income category above, ~~1,849~~ 1,840 (A) + 154 (B) = ~~2,003~~ 1,994; ~~2,003~~ 1,994 – 1,734 (C) = ~~269~~ 260 (the HCD Buffer); ~~269~~ 260 ÷ ~~1,849~~ 1,840 (A) = 0.1451, or approx. 0.14 0.14, or ~~15~~ 14 percent.

Note: This breakdown includes density bonus opportunities in order to demonstrate the maximum reasonable development capacity for conservative environmental analysis purposes.

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**Table 3-3
Proposed Project Sites**

Site ID	Site Name	APN	Acres	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories			
								Lower	Moderate	Above Moderate	Total
1	25 Bayfield Bayview (Kentfield)	022-071-01	0.4	25 Bayview Rd, Kentfield	MF3/RMP-6	10	No	0	0	3	3
3	Kentfield Commercial Underutilized	074-031-54	0.1	923 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	4	0	4
		074-031-65	0.3	921 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	6	0	6
		074-031-68	0.2	935 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	5	0	5
		074-031-69	0.1	Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	3	0	3
		074-031-39	0.3	929 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	8	0	8
		074-031-45	0.2	907 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	5	0	5
		074-031-61	0.3	913 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	7	0	7
		074-031-63	0.1	Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	4	0	4
		074-031-74	0.2	943 Sir Francis Drake Blvd, Kentfield	NC/RMPC	0	No	0	5	0	5
		074-031-75	0.7	901 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	18	0	0	18
		074-031-77	0.2	911 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	6	0	6
5	Marin County Juvenile Hall	164-640-01	33	2 Jeannette Prandi Way, Lucas Valley	PF/PF	30	No	80	0	0	80
6	Marin Gateway Center	052-490-08	4.2	190 Donahue St, Marin City	GC/CP	30	No	0	50	50	100
7	Marinwood Plaza; Dixie School District Properties (Marinwood Plaza adjacent)	164-471-64	0.4	121 Marinwood Ave, Marinwood	GC/CP	30	4th & 5th	16	0	0	16
		164-471-65	1.9	155 Marinwood Ave, Marinwood	GC/CP	30	4th & 5th	0 -10	0 -10	0	0 -20

**Table 3-3
Proposed Project Sites**

Site ID	Site Name	APN	Acres	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories			
								Lower	Moderate	Above Moderate	Total
		164-471-69	1.1	175 Marinwood Ave, Marinwood	GC/CP	30	4th & 5th	34 43	0	0	34 43
		164-471-70	1.5	197 Marinwood Ave, Marinwood	GC/CP	30	4th & 5th	30 46	0	0	30 46
		7A	Miller Creek School District Properties (Marinwood Plaza adjacent)	164-471-71	0.2	Marinwood Ave, Marinwood	GC/CP	30	4th & 5th	0	10 4
		164-471-72	0.3	Marinwood Ave, Marinwood	GC/CP	30	4th & 5th	13 0	0 6	0	13 6
8	McPhail School	180-151-18	4.3	1565 Vendola Dr, Santa Venetia	PF-SF6/PF-RSP-4.36	0	No	0	0	33	33
		180-161-09	1	N San Pedro Rd, Santa Venetia	PF-SF6/PF-RSP-4.36	0	No	0	0	0	0
		180-161-10	4.3	N San Pedro Rd, Santa Venetia	PF-SF6/PF-RSP-4.36	0	No	0	0	0	0
9	Old Gallinas Children Center	180-123-01	7.7	251 N San Pedro Rd, Santa Venetia	PF-SF6/PF-RSP-5.8	30	No	50	0	0	50
10	Olema Commercial Underutilized	166-202-01	1	10002 State Route 1, Olema	C-NC/C-VCR	20	No	0	10	0	10
		166-213-01	0.5	9870 State Route 1, Olema	C-NC/C-VCR	20	No	0	0	5	5
		166-213-02	1	9840 State Route 1, Olema	C-NC/C-VCR	20	No	0	10	0	10
		166-202-04	1.1	9950 Sir Francis Drake Blvd, Olema	C-NC/C-VCR	20	No	0	11	0	11
11	San Domenico School	176-300-30	522.4	1500 Butterfield Rd, Sleepy Hollow	PR/RMP-0.1	30	No	50	0	0	50
12	St. Vincent's School for Boys	155-011-29	20.2	St. Vincent Dr, Santa Venetia Marinwood	PD/A2	20	4th & 5th	0	0	0	0

**Table 3-3
Proposed Project Sites**

Site ID	Site Name	APN	Acr es	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories			
								Lower	Moderate	Above Moderate	Total
		155-011-28	74	St. Vincent Dr, Santa Venetia <u>Marinwood</u>	PD/A2	20	4th & 5th	0	0	0	0
		155-011-30	221	St. Vincent Dr, Santa Venetia <u>Marinwood</u>	PD/A2	20	4th & 5th	440	0	240	680
13	Strawberry Commercial	043-151-03	0.2	670 Redwood Hwy Frontage Rd, Strawberry	GC/H1	30	No	0	0	6	6
		043-151-09	0.3	680 Redwood Hwy Frontage Rd, Strawberry	GC/H1	30	No	0	0	7	7
		043-151-02	0.3	664 Redwood Hwy Frontage Rd, Strawberry	GC/H1	30	No	0	0	9	9
		043-151-31	1.5	690 Redwood Hwy Frontage Rd, Strawberry	GC/H1	30	No	0	0	38	38
14	Church of Jesus Christ	180-272-03	3.5	220 N San Pedro Rd, Santa Venetia	SF5/A2-B2	20	No	35	0	0	35
	Congregation Rodef Shalom Marin	180-281-34	2	170 N San Pedro Rd, Santa Venetia	SF5/A2-B2	20	No	0	13	0	13
	Bernard Osher Marin Jewish Community Center	180-281-35	1.2	180 N San Pedro Rd, Santa Venetia	SF5/A2-B2	20	No	10	0	0	10
		180-281-21	1.6	200 N San Pedro Rd, Santa Venetia	SF5/A2-B2	20	No	13	0	0	13
	Bernard Osher Marin Jewish Community Center	180-281-25	0.9	210 N San Pedro Rd, Santa Venetia	OC/AP	20	No	13	0	0	13
16	Atherton Corridor	143-101-35	1	761 Atherton Ave, North Novato	SF3/A2-B4	20	No	0	4	0	4
		143-101-37	4	777 Atherton Ave, North Novato	SF3/A2-B4	20	No	30	8	0	38

**Table 3-3
Proposed Project Sites**

Site ID	Site Name	APN	Acres	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories			
								Lower	Moderate	Above Moderate	Total
		143-101-20	4.8	791 Atherton Ave, North Novato	SF3/A2-B4	20	No	37	13	0	50
		143-101-17	5.6	805 Atherton Ave, North Novato	SF3/A2-B4	20	No	42	13	0	55
20	Buck Center Vacant Property	125-180-79	97.3	Redwood Hwy, Blackpoint Point	AG1/A60	1	No	0	0	24 0	24 0
		125-180-85	136.5	Redwood Hwy, Blackpoint Point	AG1/A60	20	No	0	0	225 249	225 249
21	Cal Park	018-086-17	0.2	Woodland Ave, California Park	MF2/RSP-4	30	4th	0	0	4	4
		018-086-18	0.7	Woodland Ave, California Park	MF2/RSP-4	30	4th	0	0	17	17
		018-075-28	0.9	Woodland Ave, California Park	MF2/RSP-4	30	4th	0	0	20 15	20 15
		018-074-16	0.8	Woodland Ave, California Park	MF2/RSP-4	30	No	30 25	0	0	30 25
		018-081-04	0.4	Auburn St, California Park	MF2/RSP-4	30	No	0	0	24	24
		018-083-01	0.1	Auburn St, California Park	MF2/RSP-4	8	No	0	0	1	1
		018-085-23	0.4	Auburn St, California Park	MF2/RSP-4	8	No	0	0	17	17
		018-083-09	0.1	Auburn St, California Park	MF2/RSP-4	8	No	0	0	2	2
		018-082-13	0.5	Auburn St, California Park	MF2/RSP-4	8	No	0	0	3	3
		018-084-12	1	Auburn St, California Park	MF2/RSP-4	8	No	0	0	2	2
22	Carmelite Monastery of the Mother of God	164-290-80	3.2	530 Blackstone Dr, Santa Venetia	PR/RMP-0.1	20	No	0	32 0	0	32 0
23	College of Marin Parking Lot	071-132-11	0.8	Sir Francis Drake Blvd, Kentfield	PF/PF	30	No	21	0	0	21

**Table 3-3
Proposed Project Sites**

Site ID	Site Name	APN	Acr es	Address	Existing GP/Zoning	Density Allowa nce (du/ac)	Used in Previo us HE?	Housing Units by RHNA Income Categories			
								Lower	Moderate	Above Moderate	Total
		071-132-12	0.3	Sir Francis Drake Blvd, Kentfield	PF/PF	30	No	7	0	0	7
24	College of Marin Parking Lot	074-092-11	0.2	139 Kent Ave, Kentfield	PF/PF	20	No	3	0	0	3
		074-181-18	2.7	440-139 Kent Ave, Kentfield	PF/PF	20	No	48	0	0	48
		074-092-17	0.2	440-139 Kent Ave, Kentfield	PF/PF	20	No	2	0	0	2
	College of Marin (Commercial Frontage)	074-031-56	0.2	937 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	10	0	10
		074-031-58	0.1	941 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	5	0	5
		074-031-60	0.1	939 Sir Francis Drake Blvd, Kentfield	NC/RMPC	30	No	0	10	0	10
25	Cornerstone Community Church of God	052-140-38	0.4	626 Drake Ave, Marin City	NC/RMPC	20	No	0	4	0	4
29	Grandi Building/Site	119-234-01	2.5	54 B ST, Pt. Reyes Station	C-NC/C-VCR-B2	20	4th & 5th	25 <u>21</u>	0	0	25 <u>21</u>
30	Greenpoint Nursery	153-190-24	19.6	275 Olive Ave, Blackpoint Point	AG1/ARP-60	16	No	0	0	53	53
31	Hidden Valley Elementary School Vacant Area	177-011-13	0.6	Fawn Dr, Sleepy Hollow	PF-SF4/PF-RSP-2	8	No	0	0	5 <u>0</u>	5 <u>0</u>
<u>32</u>	<u>Holiday Inn Mill Valley</u>	<u>052-371-09</u>	<u>3.1</u>	<u>160 Shoreline Highway, Strawberry</u>	<u>C-VCR</u>	<u>?</u>	<u>No</u>	<u>72</u>	<u>0</u>	<u>0</u>	<u>72</u>
33	Inverness County Site	112-220-08	0.1	Sir Francis Drake Blvd, Inverness	C-SF3/C-RSP-0.33	20	No	0	0	0	0
		112-220-09	0.9	Sir Francis Drake Blvd, Inverness	C-SF3/C-RSP-0.33	20	No	0	0	13 <u>0</u>	13 <u>0</u>
36	Inverness Underutilized Residential	112-143-03	0.2	20 Balmoral Way, Inverness	C-SF3/C-RSP-1	7	No	0	0	2 <u>0</u>	2 <u>0</u>

**Table 3-3
Proposed Project Sites**

Site ID	Site Name	APN	Acres	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories			
								Lower	Moderate	Above Moderate	Total
37	Inverness Underutilized Residential	112-143-04	0.2	30 Balmoral Way, Inverness	C-SF3/C-RSP-1	7	No	0	0	<u>20</u>	<u>20</u>
38	Inverness Underutilized Residential	112-143-05	0.2	40 Balmoral Way, Inverness	C-SF3/C-RSP-1	7	No	0	0	<u>20</u>	<u>20</u>
41	Inverness Underutilized Residential	112-143-06	0.2	50 Balmoral Way, Inverness	C-SF3/C-RSP-1	7	No	0	0	<u>20</u>	<u>20</u>
42	Inverness Underutilized Residential	112-144-28	0.3	55 Balmoral Way, Inverness	C-SF3/C-RSP-1	7	No	0	0	<u>20</u>	<u>20</u>
43	Inverness Underutilized Residential	112-143-07	0.4	60 Balmoral Way, Inverness	C-SF3/C-RSP-1	7	No	0	0	<u>20</u>	<u>20</u>
44	Inverness Underutilized Residential	112-144-25	0.3	75 Balmoral Way, Inverness	C-SF3/C-RSP-1	7	No	0	0	<u>20</u>	<u>20</u>
46	Jack Krystal Hotel Parcel Site	052-227-09	1.5	260 Redwood Hwy Frontage Rd, Almonte	RC/BFC-RCR	30	No	0	0	36	36
47	<u>St. Sebastian Catholic Church (Kentfield Catholic Church)</u>	022-010-21	1.4	215 Bon Air Rd, Kentfield	PF-SF5/R1-B2	30	No	0	14	0	14
52	Donahue Highlands (formerly LiBao)	052-140-33	49.2	Off Donahue St., Marin City	PR/RMP-0.5	25	No	0	0	25	25
53	Lucas Valley Environs Vacant	164-280-35	54.2	1501 Lucas Valley Road, Lucas Valley Environs	AG1/A60	7	No	0	0	26	26
56	Nicasio Corporation Yard - Marin County	121-050-34	13.9	5600 Nicasio Valley Road, Nicasio	AG1/ARP-60	20	No	16	0	0	16
57	North Knoll Rd/Saint Thomas Dr	034-012-26	5.9	Knoll Rd, Strawberry	PR/RMP-0.2	16	No	0	<u>08</u>	<u>23 48</u>	<u>23 56</u>

**Table 3-3
Proposed Project Sites**

Site ID	Site Name	APN	Acres	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories			
								Lower	Moderate	Above Moderate	Total
		034-061-09	0.6	Knoll Rd, Strawberry	PR/RMP-0.2	16	No	0	0	3	3
58	Oak Manor Commercial Center	174-011-36	0.5	2400 Sir Francis Drake Blvd, Unincorporated Fairfax	GC/C1	30	4th & 5th	11	0	0	11
59		174-011-33	1.1	2410 Sir Francis Drake Blvd, Unincorporated Fairfax	GC/C1	30	4th & 5th	25	0	0	25
60	Office - Forest Knolls (Upper Floors)	168-141-12	0.1	6900 Sir Francis Drake Blvd, Forest Knolls	NC/VCR	20	No	0	0	2	2
61	Office - Lagunitas (Upper Floors and Rear Prop)	168-175-06	0.9	7120 Sir Francis Drake Blvd, Lagunitas	GC/H1	20	No	16	0	0	16
62	Office - Lagunitas (Upper Floors and Rear Prop)	168-192-28	1.3	7282 Sir Francis Drake Blvd, Lagunitas	GC/CP	20	No	40 0	0 10	4	14
63	Office Building (<u>Across From Juvenile Hall</u>)	164-481-10	2.4	7 Mt Lassen Dr, Lucas Valley	GC/CP	30	No	58	0	0	58
64	Olema Catholic Church	166-181-01	2.4	10189 State Route 1, Olema	C-NC/C-VCR	20	No	24 20	0	0	24 20
65	Outnumbered2, LLC	180-261-10	27.9	Oxford Drive, Santa Venetia	SF5/A2-B2	4	No	0	0	28 4	28 4
66	Pan Pac Ocean Site	034-012-21	1.6	Eagle Rock Rd, Strawberry	PR/RMP-0.2	16	No	0	0	3	3
		034-012-27	8.4	Eagle Rock Rd, Strawberry	PR/RMP-0.2	16	No	0	0	17	17
		034-012-28	1.2	Eagle Rock Rd, Strawberry	PR/RMP-0.2	16	No	0	0	2	2
		034-012-29	5	Eagle Rock Rd, Strawberry	PR/RMP-0.2	16	No	0	0	10	10

**Table 3-3
Proposed Project Sites**

Site ID	Site Name	APN	Acres	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories			
								Lower	Moderate	Above Moderate	Total
67	Peace Lutheran Church	052-062-05	2.7	205 Tennessee Valley Rd, Tamalpais	SF6/RA-B1	20	No	20	0	0	20
68	Presbyterian Church San Geronimo	169-101-21	0.8	6001 Sir Francis Drake Blvd, San Geronimo	SF5/R1-B2	20	No	0	15	0	15
69	Presbytery of the Redwoods	119-202-05	0.3	11445 State Route 1, Pt. Reyes Station	C-SF4/C-RA-B3	20	No	0	3	0	3
70	Pt. Reyes Coast Guard Rehabilitation/Conversion	119-240-73	31.4	100 Commodore Webster Dr, Pt. Reyes Station	C-OA/C-OA	0	No	50	0	0	50
71	Pt. Reyes County Vacant Site	119-260-03	2	9 Giacomini Rd, Pt. Reyes Station	C-NC/C-RMPC	20	No	32	0	0	32
		119-270-12	0.3	10 Giacomini Rd, Pt. Reyes Station	C-NC/C-RMPC	20	No	5	0	0	5
73	Pt. Reyes Village (5th St)	119-222-08	1	60 Fifth St, Pt. Reyes Station	C-SF3/C-RSP-4 C-NC/C-VCR-B2	20	No	17	0	0	17
74	Pt. Reyes Village Red/Green Barn	119-198-05 119-198-04	1.5	510 Mesa Rd, Pt. Reyes Station	C-NC/C-VCR-B2	20	No	24	0	0	24
76	Sacramento/San Anselmo Properties	177-220-41	0.3	San Francisco Blvd, Sleepy Hollow	SF6/R1	30	No	7	0	0	7
77	Sacramento/San Anselmo Properties	177-203-03	0.7	4 Sacramento Ave, Sleepy Hollow	SF6/R1	30	No	46 0	0	0 16	16
78	Sacramento/San Anselmo Properties	177-203-04	0.8	404 San Francisco Blvd, Sleepy Hollow	SF6/R1	30	No	48 13	0	0 5	18
79	Sacramento/San Anselmo Properties	177-203-09	0.6	60 Sacramento Ave, Sleepy Hollow	SF6/R1	30	No	45 0	8 0	0 23	23
83	Vacant Santa Venetia	180-171-32	1.1	180-171-32 (N San Pedro Rd), Santa Venetia	SF5/A2-B2	4	No	0	0	2	2

**Table 3-3
Proposed Project Sites**

Site ID	Site Name	APN	Acres	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories			
								Lower	Moderate	Above Moderate	Total
89	Shoreline Unified School District	102-080-19	2.1	Shoreline Highway, Tomales	C-SF3/C-RSP-1.6	20	No	35	0	0	35
90	Shoreline Unified School District	102-080-20	0.4	Shoreline Highway, Tomales	C-SF3/C-RSP-1.6	20	No	9	0	0	9
93	Sloat Garden Center	071-191-47	1.1	700 Sir Francis Drake Blvd, Kentfield	SF6/R1	30	No	26	0	0	26
		071-191-48	0.2	700 Sir Francis Drake Blvd, Kentfield	SF6/R1	30	No	5	0	0	5
95	Stinson Beach Community Center - Vacant	195-211-05	0.9	10 Willow Ave, Stinson Beach	C-SF6/C-R1	7	No	0	0	5	5
97	Stinson Beach Commercial	195-193-35	0.3	3422 State Route 1, Stinson Beach	C-NC/C-VCR	20	No	0	0	5	5
99	Stinson Beach Underutilized Residential	195-193-15	0.3	128 Calle Del Mar, Stinson Beach	C-SF6/C-R1	7	No	0	0	2	2
		195-193-18	0	129 Calle Del Mar, Stinson Beach	C-SF6/C-R1	7	No	0	0	1	1
101	Strawberry Village Center (North of Belvedere Dr)	043-321-03	9.1	800 Redwood Hwy Frontage Rd, Strawberry	GC/RMPC	30	No	28	0	0	28
		043-151-30	3.9	750 Redwood Hwy Frontage Rd, Strawberry 110 E Strawberry Dr, Strawberry	GC/RMPC	30	No	72	0	0	72
102	Subud California	177-202-08	2.6	100 Sacramento Ave, Sleepy Hollow	PR/RMP-0.1	20	No	0	4	0	4
104	Tam Junction State Vacant Lot	052-041-27	0.5	Shoreline Hwy, Tamalpais	MF4.5/RMP-12.45	30	4th	0	12	0	12
106	Tomales Underutilized	102-051-07	0.6	200 Valley Ave, Tomales	C-NC/C-VCR-B1	20	No	0	0	6	6

**Table 3-3
Proposed Project Sites**

Site ID	Site Name	APN	Acres	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories			
								Lower	Moderate	Above Moderate	Total
107	Tomales <u>Underutilized</u>	102-075-09	0.5	29 John St, Tomales	C-NC/C-VCR-B1	20	No	0	0	5	5
109	Tomales Catholic Church	102-080-23	1.3	26825 State Route 1, Tomales	C-NC/C-VCR-B1	20	No	0	13	0	13
110	Tomales Joint Union High School District	102-080-10	0.7	State Route 1, Tomales	C-SF3/C-RSP-1.6	20	No	0	14	0	14
112	Tomales Nursery	102-051-09	0.3	27235 State Route 1	C-NC/C-VCR-B1	20	No	0	0	3	3
113	Tomales Nursery	102-051-08	0.3	27235 State Route 1	C-NC/C-VCR-B1	20	No	0	0	3	3
114	Vacant <u>Blackpoint Point</u> (Olive Ave)	143-110-31	55.2	300 Olive Ave, <u>Blackpoint Point</u>	SF3/ARP-2	4	No	0	0	58	58
116	Vacant Nicasio	121-080-05	0.2	4449 Nicasio Valley Rd, Nicasio	NC/RMPC-1	20	No	0	0	40	40
120	Vacant Pt. Reyes Station	119-203-01	0.1	Mesa Rd, Pt. Reyes Station	C-NC/C-VCR-B2	20	No	0	0	2	2
121	Vacant Pt. Reyes Station	119-203-03	0.1	Mesa Rd, Pt. Reyes Station	C-NC/C-VCR-B2	20	No	0	0	2	2
124	Vacant Santa Venetia	179-332-19	1	179-332-19 (Edgehill Way), Santa Venetia	SF6/R1	7	No	0	0	3	3
126	Vacant Tomales	102-062-01	0.7	Dillon Beach Rd, Tomales	C-SF6/C-RSP-7.26	7	No	0	0	4	4
127	Vacant Tomales	102-075-02	0.3	Shoreline Hwy, Tomales	C-NC/C-VCR-B1	20	No	0	0	5	5
128	Vacant Tomales	102-075-06	0.3	Shoreline Hwy, Tomales	C-NC/C-VCR-B1	20	No	0	0	6	6
129	Vacant Tomales	102-075-07	0.1	Shoreline Hwy, Tomales	C-NC/C-VCR-B1	20	No	0	0	2	2
130	Vacant Tomales	102-041-44	4.8	290 Dillon Beach Rd, Tomales	C-SF6/C-RSP-7.26	7	No	0	0	13	13

**Table 3-3
Proposed Project Sites**

Site ID	Site Name	APN	Acres	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories			
								Lower	Moderate	Above Moderate	Total
133	Residential next to Forest Knolls Trailer Park	168-131-04	6.5	6760 Sir Francis Drake Boulevard, Forest Knolls	SF3/RA-B4	20	No	0	0	8	8
134	Saint Cecilia Church	168-183-04	0.9	428 W. Cintura, Lagunitas	SF4/R1-B3	30	No	16	0	0	16
136	Woodacre Fire Station	172-111-01	0.4	33 Castle Rock, Woodacre	SF5/R1-B2	20	No	0	10	0	10
		172-111-02	0.8	33 Castle Rock, Woodacre	SF5/R1-B2	20	No	0	0	0	0
		172-104-02	1.4	33 Castle Rock, Woodacre	SF5/R1-B2	20	No	0	0	0	0
146	MLK Academy School Site	052-140-39	8.4	610 Drake Ave, Marin City	PF/PF	20	No	0	63	0	63
147	Vacant Bayhills Drive	180-333-01	1.5	Bayhills Drive, Santa Venetia	PR/RMP-1	8	No	0	0	5	5
148	Strawberry Recreation District Site	043-361-54	3.1	Redwood Hwy Frontage Rd, Strawberry	MF4/RMP-12.1	30	No	46 <u>0</u>	0	0 <u>46</u>	46
	Subtotal							1,655 1,640 1,637	402 422 400	1,138 1,188	3,195 3,250 3,225
A	Downtown Project	193-061-03	1.8	31 Wharf Rd, Bolinas	C-SF5/C-RA-B2	0	No	0 <u>9</u>	0	8 <u>0</u>	8 <u>9</u>
B	Aspen Lots	192-102-22	0.2	430 Aspen Rd, Bolinas	C-SF5/C-RA-B2	0	No	2	0	0	2
C	Albion Monolith	018-087-13	0.5	33 Albion St, California Park	MF3/RMP-9	0	No	1	0	8	9
		018-087-14	1.2	37 Albion St, California Park	MF3/RMP-9	0	No	0	0	0	0
D	150 Shoreline	052-371-03	0.5	150 Shoreline Hwy, Strawberry	GC/CP	0	4th	0	0	40 <u>0</u>	40 <u>0</u>

**Table 3-3
Proposed Project Sites**

Site ID	Site Name	APN	Acres	Address	Existing GP/Zoning	Density Allowance (du/ac)	Used in Previous HE?	Housing Units by RHNA Income Categories			
								Lower	Moderate	Above Moderate	Total
		052-371-04	0.9	150 Shoreline Hwy, Strawberry	GC/CP	0	4th	0	0	0 10	0 10
		052-371-06	0.3	150 Shoreline Hwy, Strawberry	GC/CP	0	4th	0	0	0	0
		052-371-07	0.3	150 Shoreline Hwy, Strawberry	GC/CP	0	4th	0	0	0	0
E	Martha Company	059-251-05	109.457	059-251-05	PR, SF6/R1, RMP-0.2	0	No	0	0	43 0	43 0
F	San Quentin Adjacent Vacant Property	018-152-12	55.2	E Sir Francis Drake Blvd, San Quentin	PF/A2-B2	0	No	115	115	0	230
G	Karuna	177-220-10	10.8	1 Sacramento Ave, Sleepy Hollow	MF2/RMP-1.0	1	No	0	0	10	10
H	North Coast Seminary	043-261-25	48.4	201 Seminary Dr, Strawberry	MF2/RMP-2.47	0	4th	0	0	89 49	89 49
		043-261-26	25.1	300 Storer Dr, Strawberry	MF2/RMP-2.47	0	4th	0	0	0 40	0 40
I	825 Drake	052-112-03	1	825 Drake Ave, Marin City	MF4.5/RMP-34	0	No	74	0	0	74
J	Overlook Lots	192-061-14	0.5	530 Overlook Dr, Bolinas	C-SF5/C-RA-B2	0	No	2	0	0	2
	Subtotal							194 203	115	168 117	477 435
	TOTAL PROPOSED PROJECT SITES							1,849 1,843 1,840	517 537 515	1,306 1,305	3,672 3,685 3,660

GP/Zoning Codes

A60 = Agriculture and Conservation
 A2 = Agriculture Limited
 A2-B2 = Agriculture Limited
 AG1 = Agricultural
 AP = Administrative and Professional
 ARP-2 = Agriculture Residential Planned
 ARP-60 = Agriculture Residential Planned
 BFC-RCR = Resort and Commercial Recreation
 C1 = (Retail Business) District
 CP = Planned Commercial
 C-NC = Coastal Neighborhood Commercial
 C-OA = Coastal open area districts
 C-RA-B3 = Coastal RA (Residential, Agricultural) District
 C-R1 = Residential Single Family
 C-RMPC = Coastal residential multiple planned commercial district
 C-RSP-0.33 = Coastal residential single-family planned district
 C-RSP-1 = Coastal residential single-family planned district
 C-RSP-1.6 = Coastal residential single-family planned district
 C-RSP-7.26 = Residential Single Family Planned
 C-SF3 = Coastal Single Family
 C-SF4 = Coastal Single Family
 C-VCR = Village Commercial Residential
 C-VCR-B1 = Village Commercial Residential
 C-VCR-B2 = Village Commercial Residential
 GC = General Commercial
 H1 = Limited Roadside Business
 MF2 = Multi-family
 MF3 = Multi-family
 MF4 = Multi-family
 MF4.5 = Multi-family
 NC = Neighborhood Commercial
 OC = Office Commercial
 PD = Planned Designation

PF = Public Facilities
 PF-RSP = Public Facilities-Residential Single-Family Planned
 PF-RSP-4.36 = Residential Single Family Planned
 PF-RSP-5.8 = Residential Single Family Planned
 PF-SF4 = Public Facility Single Family
 PF-SF5 = Public Facility Single Family
 PF-SF6 = Public Facility Single Family
 PR = Planned Residential
 R1 = Residential Single Family
 R1-B2 = Residential Single Family
 R1-B3 = Residential Single Family
 RA-B1 = (Residential, Agricultural) District
 RA-B4 = (Residential, Agricultural) District
 RC = Recreational Commercial
 RMP = Residential Multiple Planned
 RMP-0.1 = Residential Multiple Planned
 RMP-0.2 = Residential Multiple Planned
 RMP-0.5 = Residential Multiple Planned
 RMP-1 = Residential Multiple Planned
 RMP-6 = Residential Multiple Planned
 RMP-2.47 = Residential Multiple Planned
 RMP-9 = Residential Multiple Planned
 RMP-12.1 = Residential Multiple Planned
 RMP-12.45 = Residential Multiple Planned
 RMP-34 = Residential Multiple Planned
 RMPC = Residential Commercial Multiple Planned
 RMPC-1 = Residential Commercial Multiple Planned
 RSP-4 = Residential Single Family Planned
 SF3 = Single Family
 SF4 = Single Family
 SF5 = Single Family
 SF6 = Single Family
 VCR = Village Commercial Residential

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3. Comment Letter from Meehyun Kurtzman

A comment letter from Meehyun Kurtzman was submitted to the County on November 17, 2022, during the public comment period for the Draft EIR. However, the comment letter went to the County's email spam folder and thus was not included in the Final EIR. The County subsequently discovered the letter and has included it in this Final EIR Amendment. Full responses to all the comments within the letter are provided below. The comment letter is numbered as a continuation of the Individual comment letters presented in the Final EIR and is numbered as comment letter I149. The letter is attached at the end of this Final EIR Addendum.

Comment Letter I149 Meehyun Kurtzman

Comment I149-1: Absence of notices: The county failed to notify properly the residents impacted by the HE sites allocation. May of this year I have inquired about when the HE DEIR will be available. The county staff called and informed me it will be finished by the end of summer. I only found out the DEIR was completed by reading a Marin IJ article. As a Marin County Subscription email recipient, I nor Lucas Valley HOA had received any notice to the fact that DEIR was completed and ready for public review. I request that public review of current DEIR be extended, for public to review 700+ pages of the document, by another three weeks or more.

Response to Comment I149-1: Section 1.3.2 of the Final EIR describes the notifications sent by the County regarding the publication of the Draft EIR. On October 7, 2022, the Housing & Safety Element Update to the Marin Countywide Plan Draft Environmental Impact Report (State Clearinghouse No. 2021120123) and a Notice of Completion of the Draft EIR and Notice of Public Hearing to be held on November 16, 2022 were transmitted to the State Clearinghouse, distributed to the environmental mailing list including the email subscriber list, and published in a newspaper of general circulation, the Marin Independent Journal, to begin a 45-day public review and comment period which concluded at 4:00 p.m. on November 21, 2022. Postcards providing notice of the updated public hearing date were published on the project webpage on November 3, 2022, and published in the Marin Independent Journal thereafter.

Comment I149-2: 2023 HE DEIR: The DEIR is a flawed document. It was flawed during 2013 HE rollout, as it was litigated {MCA v. Marin County}, and it is flawed now. The overriding conclusion of the DEIR is that all sites listed will have unavoidable impact. Regardless, the county is mandating that conclusion does not negate the county's need of affordable housing, therefore we shall approve it no matter the conclusion or flawed process. With that logic, then anyone can plan/build any affordable and "market rate housing" anywhere anyone wishes in Marin County.

Response to Comment I149-2: The Housing and Safety Element Update Program EIR is a new EIR prepared in 2022 and is not the environmental document prepared for the existing 2015-2023 Housing Element. Draft EIR Chapter 1, Introduction describes the need for the County to prepare a housing element update that plans for the County's Regional Housing Needs Allocation (RHNA) in compliance with State law. State Housing Element Law (Government Code Sections 65580 et seq.) requires that the County of Marin adopt a housing element for the eight-year period 2023-2031 to accommodate the RHNA assigned to the County by the Association of Bay Area Governments of 3,569 housing units, comprised of 1,100 units affordable to very low-income households, 634 units affordable to low-income households, 512 units affordable to moderate-income households, and 1,208 units affordable to above moderate-income households. The

County has prepared this program EIR as an informational document to fulfill the requirements of the California Environmental Quality Act (CEQA). The EIR process is intended to document the potentially significant environmental impacts of a proposed project as required by CEQA. The Marin County Board of Supervisors will decide if the merits of the proposed project outweigh the potential significant and unavoidable impacts described in the EIR.

Comment I149-3: Community Plans are VOIDED: My workshop leader on 11/03/2022 for Lucas Valley area basically said the current HE plans trump any existing community plans. I would like to remind the BOS and the planners that Lucas Valley HOA Ordinance 3278 and Rotary Valley Master plan were legislated local laws. It is ordinance that our neighborhood carefully crafted, and all members abide by. What the county is declaring is those plans do not matter since the new HE and its DEIR is more important state agenda. No one in these affected communities know that their community plans and ordinances have been upended by the county. Where is the notice that this has happened? This is an unacceptable overreach by the government.

Response to Comment I149-3: At the Planning Commission hearing on January 5, 2023, staff proposed, and the Planning Commission recommended, revisions to the proposed Countywide Plan Policy, “How to Read the Countywide Plan,” at pp. 1.4-3, 1.5-3, and 3.4-3, to better reflect the fact that the Countywide Plan incorporates the community plans and does not invalidate them.

Comment I149-4: Rights of landowners have been violated: There are landowners who still have no idea what has been planned on their land. Because the county systematically does not notice the affected parties that this is happening to their land. This is by design and should be unconstitutional. Rights of landowners are sacrosanct, and its roots go back centuries. If the government wish to take the rights of the landowners away, they need to either take it by eminent domain or compensate landowners harmed by the plans that the government is mandating.

Response to Comment I149-4: In addition to the public noticing conducted for the EIR process described above in the response to Comment I149-1, the County conducted extensive community outreach over the fifteen months it has taken to prepare the Housing Element, beginning in September 2021, as described in detail in Appendix A to the proposed Housing Element Update. On December 7, 2021; March 1, 2022; March 15, 2022; April 12, 2022; June 14, 2022; August 9, 2022; September 27, 2022; October 25, 2022; and November 16, 2022, the Planning Commission and Board of Supervisors held duly and properly noticed joint public meetings to take public testimony and review the proposed Housing Element Update, CWP amendments, and Draft EIR, and on December 12, 2022, the Planning Commission held a duly and properly noticed public meeting to take public testimony and review the proposed Housing Element Update and Countywide Plan amendments. The County also maintained the [Housing and Safety Element Project website](#) and regularly updated information regarding the project.

In accordance with Government Code Section 65585 (b), on June 1, 2022, the County posted the draft Housing Element Update and notified the public of a 30-day public comment period, and on July 19, 2022, after responding to public comments, submitted the draft Housing Element Update to the State Department of Housing and Community Development (HCD) for its review. On November 14, 2022, the County published a revised draft Housing Element Update responding to HCD’s findings and requested public comment on the draft.

Comment I149-5: Lack of Freedom of Speech: I became aware that some residents of the Rotary Valley Senior Village are afraid to communicate their opposition to the HE's plan to add 80 units on 2 Jeanette Prandi Way. They are afraid that exercising their freedom of speech will somehow harm them in their residency status. I was heartbroken to hear that. They feel that the county has no respect for the residents' concern, and they would bulldoze their way into doing whatever they wished. Many members of the Lucas Valley HOA feel the same. The county is suppressing our fundamental rights by not noticing the residents and representatives saying this is going to happen no matter what. They promise one thing by enacting one law and do exactly opposite via HE plans without real due diligence to engage the public most affected by these flawed plans. They feel they have been lied to.

Response to Comment I149-5: Please see Topical Response 3 – Comments on the Merits of the Project (Content of the Housing Element Update or Safety Element Update) and not the Adequacy of the EIR in Chapter 4 of the Final EIR volume. This comment does not pertain to the adequacy or content of the EIR. No further response is required. Inclusion of this comment in this Final EIR Amendment will make the commenter's views available to the Marin County Board of Supervisors, and other public officials who will make decisions about the proposed Project.

Comment I149-6: Appellate Decision for the Marin Community Alliance v. County of Marin: The appellate judges presiding over this matter grasped on to the Marin County counsel's testimony to the effect that the site- specific project level EIRs will be conducted. As a resident affected by these sites listed below, county must deliver on that promise to the court and to its residents affected by these site- specific projects.

Response to Comment I149-6: Please see Topical Response 1 (Use of the Program EIR) in Chapter 4 of the Final EIR volume for a description of how the County will use the Program EIR to evaluate future projects facilitated by the Housing and Safety Elements Update Project.

Comment I149-7: 2 Jeanette Prandi Way: Prime example of why DEIR is flawed. First DEIR did not consider the Rotary Valley master plan and the county's own ordinance 3193. They do not identify the occupants of 80 units except that it is low income. The type of housing and type of occupants, whether they are seniors only or young families will drastically change how the area is impacted. As the DEIR designed as a program EIR and the project being the HE, the county will green light whatever the developer chooses to build on this site. As written, the county will declare negative declaration without any meaningful study and ministerially approve projects. That action would prove, a misrepresentation to the appellate court by the county and county counsel during MCA v the County of Marin.

The 80 units are allocated low income; therefore, the density bonus will add 90% to the 80 units. You cannot say you studied impact of 80 units let alone nearly double that number under the current DEIR. Only the project specific EIR can truly identify what the impact may be.

This also is true of the cumulative impact of adding enough housing units that will nearly double the housing stock near Lucas Valley Road and Mt. Lassen Dr. junction. Hypothetical guess is not a true study of local impacts. Neighbors of Lucas Valley Road and Mt. Lassen junction demand that the county does not declare any negative declaration based on the 2023 HE EIR and require a site-specific impact study from any future developers.

Response to Comment I149-7: Please see Topical Response 1 (Use of the Program EIR) in Chapter 4 of the Final EIR volume for a description of how the County will use the Program EIR to evaluate future projects facilitated by the Housing and Safety Element update project. Also please

see Topical Response 7 (Cumulative Impacts) for a description of the Draft EIR cumulative impact analysis methodology.

Comment I149-8: Mount Lassen DR: 58 low-income units, with density bonus 110 units. This location is adjacent to Miller Creek and adding 110 units seems haphazard and a reach. The LVHOA could not even rebuild their pool this year, in its existing location and like kind, because it crossed the 30-foot creek set back. I do not understand how the county would not allow such existing non- impactful project such as the LVHOA pool, when they can endanger the creek by adding nearly 250+ new housing occupants right next to a creek without looking at environmental impact study of this site. The dichotomy of these set of facts demonstrates how meaningless and dangerous this DEIR really is.

Response to Comment I149-8: Please see Topical Response 1 (Use of the Program EIR) in Chapter 4 of the Final EIR for a description of how the County will use the Program EIR to evaluate future projects facilitated by the Housing and Safety Element update project. Future housing projects facilitated by the Housing Element, whether they are discretionary or ministerial projects, must comply with all relevant federal, state, and County regulations related to the protection of wetland (e.g., streams, marshes, seasonal wetlands) and riparian resources. Please see Final EIR, Chapter 5 Text Revisions to Draft EIR, Section 5.5, page 5-68 for text revisions to the Housing Element Update Impacts which provides additional information on the requirements both discretionary and ministerial must meet for the protection of wetland and riparian resources.

Comment I149-9: 1501 Lucas Valley Road: 26 units moderate-income. This 61-acre lot was purchase by a private developer few years back and this site was never approved for any private buildings due to lack of infrastructure, namely sewer, utility, and water. Now, this site is slated for 26 units by being included in the HE 2023. And their site inclusion will allow 26 units, where only 20% of those units must be moderate income for this project to get a green light without any meaningful environmental impact study. I have not found one member of LVHOA, with 535-member household, who agrees the inclusion of this site on the inventory list. When the current landowner skirts development code by building buildings without a permit, I could only guess what they will do to the site once they have permission to build 20 market rate housing on this site via the 2023HE. We residents of Lucas Valley HOA cry foul on this corrupted process.

We as a group of residents in Lucas Valley Road and Mt. Lassen Junction, demand that the county does NOT preemptively take the right of current residents for the right of the developers by including these sites on the 2023 HE. Being on the HE inventory of sites should not be a back door access for developers to build market rate {affordable housing} without giving due process to the surrounding residents, who can be adversely impacted by the said developments. We only ask that the county deliver what they promised during MCA v. the County of Marin, that the future developers provide notice to impacted residents and ask that a site-specific impact study conducted for all the above listed sites on the current HE sites inventory.

Response to Comment I149-9: Please see Topical Response 3 – Comments on the Merits of the Project (Content of the Housing Element Update or Safety Element Update) and not the Adequacy of the EIR in Chapter 4 of the Final EIR. This comment does not pertain to the adequacy or content of the EIR. No further response is required. Inclusion of this comment in this Final EIR Amendment will make the commenter's views available to the Marin County Board of Supervisors, and other public officials who will make decisions about the proposed Project.

Comment I149-10: 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.

Response to Comment I149-10: Please see Topical Response 1 (Use of the Program EIR) for a description of how the County will use the Program EIR to evaluate future projects facilitated by the Housing and Safety Element update project.

Comment I149-11: The above sites do not meet the Vehicle Miles Traveled criteria to a major highway, namely Highway 101.

Response to Comment I149-11: Chapter 18 (Transportation) of the Draft EIR describes the VMT impacts of the proposed Project. The VMT modeling results indicate that the VMT generated by residential uses in the Planning Area would on average generate 19.7 VMT per capita, exceeding the applied 10.7 VMT per capita threshold of significance by approximately 84 percent. This would be a significant and unavoidable impact even with implementation of Mitigation Measure 18-1.

Additionally, Chapter 18 (Transportation) of the Draft EIR, Section 18.4.3 (Project Effects on Traffic Congestion) states: “From a non-CEQA perspective (LOS analysis is no longer included in CEQA traffic impact analyses), the proposed Housing and Safety Elements Update includes the potential development of more housing units in the unincorporated County of Marin than have been analyzed in prior LOS analyses completed for the 2012 Housing Element EIR and the Countywide Plan EIR, both of which were found to contribute to unacceptable LOS below the LOS D standard called for in Implementing Program TR-1.e of the Countywide Plan. The proposed Housing and Safety Elements Update can therefore also be expected to contribute to unacceptable levels of service on major corridors including, for example, segments of US 101, I-580, Shoreline Highway, SR 131, and Sir Francis Drake Boulevard.”

Comment I149-12: None of the sites have the infrastructure capacity to serve the identified housing units.

Response to Comment I149-12: Chapter 19 (Utilities and Service Systems) of the Draft EIR analyzes the ability of water and wastewater service providers to serve the new housing development that would be facilitated by the Housing Element Update. The EIR concludes that the project would have significant and unavoidable impacts on certain water and wastewater service providers and that substantial infrastructure improvements would be required to serve certain areas if new housing development is proposed.

Comment I149-13: There is no plan for a safe evacuation nor safe harbor from the affected area during the wildfire event for the current residents, let alone after nearly doubling the number of populations in the proposed area.

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.

Response to Comment I149-13: Please see Topical Response 5 (Wildfire Evacuation) in Chapter 4 of the Final EIR for a detailed discussion on planning for wildfire evacuation.

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Letter I49

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

I49-1

Absence of notices: The county failed to notify properly the residents impacted by the HE sites allocation. May of this year I have inquired about when the HE DEIR will be available. The county staff called and informed me it will be finished by the end of summer. I only found out the DEIR was completed by reading a Marin IJ article. As a Marin County Subscription email recipient, I nor Lucas Valley HOA had received any notice to the fact that DEIR was completed and ready for public review. I request that public review of current DEIR be extended, for public to review 700+ pages of the document, by another three weeks or more.

I49-2

2023 HE DEIR: The DEIR is a flawed document. It was flawed during 2013 HE rollout, as it was litigated (MCA v. Marin County), and it is flawed now. The overriding conclusion of the DEIR is that all sites listed will have unavoidable impact. Regardless, the county is mandating that conclusion does not negate the county's need of affordable housing, therefore we shall approve it no matter the conclusion or flawed process. With that logic, then anyone can plan/build any affordable and "market rate housing" anywhere anyone wishes in Marin County.

I49-3

Community Plans are VOIDED: My workshop leader on 11/03/2022 for Lucas Valley area basically said the current HE plans trump any existing community plans. I would like to remind the BOS and the planners that Lucas Valley HOA Ordinance 3278 and Rotary Valley Master plan were legislated local laws. It is ordinance that our neighborhood carefully crafted, and all members abide by. What the county is declaring is those plans do not matter since the new HE and its DEIR is more important state agenda. No one in these affected communities know that their community plans and ordinances have been upended by the county. Where is the notice that this has happened? This is an unacceptable overreach by the government.

I49-4

Rights of landowners have been violated: There are landowners who still have no idea what has been planned on their land. Because the county systematically does not notice the affected parties that this is happening to their land. This is by design and should be unconstitutional. Rights of landowners are sacrosanct, and its roots go back centuries. If the government wish to take the rights of the landowners away, they need to either take it by eminent domain or compensate landowners harmed by the plans that the government is mandating.

I49-5

Lack of Freedom of Speech: I became aware that some residents of the Rotary Valley Senior Village are afraid to communicate their opposition to the HE's plan to add 80 units on 2 Jeanette Prandi Way. They are afraid that exercising their freedom of speech will somehow harm them in their residency status. I was heartbroken to hear that. They feel that the county has no respect for the residents' concern, and they would bulldoze their way into doing what ever they wished. Many members of the Lucas Valley HOA feel the same. The county is suppressing our fundamental rights by not noticing the residents and representatives saying this is going to happen no matter what. They promise one thing by enacting one law and do exactly opposite via HE plans without real due diligence to engage the public most affected by these flawed plans. They feel they have been lied to.

I49-6

Appellate Decision for the MCA v the County of Marin: The appellate judges presiding over this matter grasped on to the Marin County counsel's testimony to the effect that the site-specific project level EIRs will be conducted. As a resident affected by these sites listed below, county must deliver on that promise to the court and to its residents affected by these site-specific projects.

I49-7

Site Specific Comments:

2 Jeanette Prandi Way: Prime example of why DEIR is flawed. First DEIR did not consider the Rotary Valley master plan and the county's own ordinance 3193. They do not identify the occupants of 80 units except that it is low income. The type of housing and type of occupants, whether they are seniors only or young families will drastically change how the area is impacted. As the DEIR designed as a program EIR and the project being the HE, the county will green light whatever the developer chooses to build on this site. As written, the county will declare negative declaration without any meaningful study and ministerially approve projects. That action would prove, a misrepresentation to the appellate court by the county and county counsel during MCA v the County of Marin.

The 80 units are allocated low income; therefore, the density bonus will add 90% to the 80 units. You cannot say you studied impact of 80 units let alone nearly double that number under the current DEIR. Only the project specific EIR can truly identify what the impact may be.

This also is true of the cumulative impact of adding enough housing units that will nearly double the housing stock near Lucas Valley Road and Mt. Lassen Dr. junction. Hypothetical guess is not a true study of local impacts. Neighbors of Lucas Valley Road and Mt. Lassen junction demand that the county does not declare any negative declaration based on the 2023 HE EIR and require a site-specific impact study from any future developers.

I49-8

7 Mount Lassen DR: 58 low-income units, with density bonus 110 units. This location is adjacent to Miller Creek and adding 110 units seems haphazard and a reach. The LVHOA could not even rebuild their pool this year, in its existing location and like kind, because it crossed the 30-foot creek set back. I do not understand how the county would not allow such existing non-impactful project such as the LVHOA pool, when they can endanger the creek by adding nearly 250+ new housing occupants right next to a creek without looking at environmental impact

I49-8 | study of this site. The dichotomy of these set of facts demonstrates how meaningless and dangerous this DEIR really is.

1501 Lucas Valley Road: 26 units moderate-income. This 61-acre lot was purchase by a private developer few years back and this site was never approved for any private buildings due to lack of infrastructure, namely sewer, utility, and water. Now, this site is slated for 26 units by being included in the HE 2023. And their site inclusion will allow 26 units, where only 20% of those units must be moderate income for this project to get a green light without any meaningful environmental impact study. I have not found one member of LVHOA, with 535-member household, who agrees the inclusion of this site on the inventory list. When the current landowner skirts development code by building buildings without a permit, I could only guess what they will do to the site once they have permission to build 20 market rate housing on this site via the 2023HE. We residents of Lucas Valley HOA cry foul on this corrupted process.

I49-9

We as a group of residents in Lucas Valley Road and Mt. Lassen Junction, demand that the county does NOT preemptively take the right of current residents for the right of the developers by including these sites on the 2023 HE. Being on the HE inventory of sites should not be a back door access for developers to build market rate (affordable housing) without giving due process to the surrounding residents, who can be adversely impacted by the said developments. We only ask that the county deliver what they promised during MCA v. the County of Marin, that the future developers provide notice to impacted residents and ask that a site-specific impact study conducted for all the above listed sites on the current HE sites inventory.

I49-10

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:

I49-11

1. The above sites do not meet the Vehicle Miles Traveled criteria to a major highway, namely Highway 101.

I49-12

2. None of the sites have the infrastructure capacity to serve the identified housing units.

I49-13

3. There is no plan for a safe evacuation nor safe harbor from the affected area during the wildfire event for the current residents, let alone after nearly doubling the number of populations in the proposed area.

I49-13

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.