

## Concerns about the Latest Version of the Commercial/ Mixed Use Land Use Categories of the Draft CWP:

1. If and when new development occurs, the proposed Commercial/ Mixed Use Designations require commercial square footage to be replaced with residential square footage. The only exception to this is that the plan encourages the retention of existing neighborhood retail. Much of our neighborhood serving commercial is not just retail but also services and offices. This policy is in opposition to our preferred use, which is all neighborhood serving commercial - retail, services, and offices. Why this is preferred is explained further below in number 8.
2. The proposed Commercial/ Mixed Use Designations will allow an exorbitant number of residential units to be built on the 50 acres of commercially zoned parcels in Tam Valley and Almonte. On top of this, 350 more units are already allowed to be built in the residential areas of the Tamalpais Community Plan Area (Almonte, Tam Valley, Homestead, and Muir Woods Park). In addition, 50 units are being built at the Fireside Affordable Housing Development.
3. Residential development has a greater impact on the area than neighborhood commercial.
  - A. This has a lot to do with what economists call the "**multiplier effect**". \*\* Please read the below Marin IJ article, entitled "The Fallacy of In-Fill Housing", to understand this effect.
  - B. The Floor Area Ratio (FAR) and development standards (i.e. height restrictions, set backs, parking requirements, etc.) are stricter for Commercial development than for multi-unit residential development.
    - Commercial Development must follow the Floor Area Ratio (FAR) and development standards set by the Countywide Plan, Zoning as well as by the Tamalpais Community Area Plan. Presently, the Tam Community Area Plan is more restrictive than the current Countywide Plan. The Tam Plan has limited commercial development. For example, the Tam Junction Shopping Center on the West side of Shoreline Blvd. is limited to 30 feet high and commercial development on the marsh side of Shoreline Blvd is limited to 15 feet high. We believe the combination of the height restrictions, the parking requirements, and the set backs do not allow the commercial buildings to reach their maximum FAR. (This must be confirmed.)
    - Affordable residential development is given various leniencies by the current Marin Countywide Plan and to an even greater extent by the new Draft Countywide Plan. Furthermore, due to the "**State Density Bonus Law**", multi-unit residential development does not have to follow the Floor Area Ratio (FAR) or the development standards. An owner can apply for the State Density Bonus by providing a mere 5% affordable residential units. The State Density Bonuses reach the maximum density bonus of 35% additional Floor Area Ratio (FAR) when a project provides either 11% very low income units, 20% low income units, or 40% moderate income units. Moreover, many concessions reducing development standards could be granted. The "**Marin County Inclusionary Regulation**" requires that new residential development of 2 or more units consist of 20% affordable units. (Projects resulting in a fraction of a unit may pay a fee in lieu of building an affordable unit.) Therefore, any new residential development in Unincorporated Marin which builds the 20% affordable units

required by Marin County automatically qualifies for the State Density Bonus Law (provided the developer properly applies for the state density bonus).

4. Most of the Almonte and Tam Valley commercial parcels sit in the Tamalpais Valley lowlands, which are subject to hazardous conditions and thus pose greater risk to personal injury, personal illness, and property damage. The hazardous conditions include: high seismic activity, high liquefaction, 100 year flood plain, and risk of sea level rise. Due to these hazards and greater risks, most of the Almonte and Tam Valley commercial areas are not suitable for residential living.
5. Residential development regulations encourage high density development. Hazardous soil conditions create greater risks for high density development. Besides other concerns, the volume and weight of the high density development cause subsidence and mud displacement. High density development also does not fit the character of our neighborhoods.
6. Many of the commercial parcels sit next to sensitive natural habitat (Bothin Marsh, Bay, Coyote Creek). High population living near the habitats could increase environmental impacts on the habitats.
7. There is a lack of infrastructure, public transportation, and public services for existing residents. Obviously there is an even greater lack for any potential increased population.
8. Neighborhood Serving Commercial is the best use for the Almonte and Tam Valley commercial areas: The Tamalpais Community Plan Area (over 10,000 residents) needs to keep its existing Neighborhood Serving Commercial development. Moreover, the area needs more retail, services and offices that serve the locals. Neighborhood Serving Retail does not increase traffic. It lowers traffic. (Unlike a regional serving store like *Best Buy* or any of the other "Big Name Stores", Neighborhood Serving Retail stores do not attract visitors from outside the area. They simply serve the locals.) If a local resident can find a commodity at a local shop instead of in another jurisdiction, then his/her commute is lessened. If you remove a Neighborhood Serving Retail store, then the local resident still has to drive to the same place where that retail store used to be (because it is on the way to Hwy 101), pass the location, get on the freeway, and then drive much farther to find a comparable shop in another area. In contrast, any new residential unit increases traffic and further burdens all the community's insufficient infrastructure and services.

## **Marin IJ: The Fallacy of In-Fill Housing**

**Sunday Readers' Forum, 06/03/2007**

For the original article, see: [http://www.marinij.com/letters/ci\\_6049664](http://www.marinij.com/letters/ci_6049664)

Regarding the letter by Charles Pick that responded to Jerry Tanner's May 24 letter, "Am I missing something?"

Tanner isn't missing anything. Any transportation engineer worth his salt will tell you that increasing population (rich or poor) in an area with no significant public transportation system will increase traffic throughout the entire region serving that population. And the increase will be greater than one to one.

The idea that infill housing will cut down traffic on Highway 101 or Sir Francis Drake Boulevard is pure fiction (contrary to the wishes of smart growth advocates there's no evidence that this kind of planning is making people abandon car ownership). The amount of traffic decrease gained by more local trips is more than offset by the increase in the number of longer trips.

The reason for this is simple. In something akin to what economists call the "**multiplier effect**," every new residence built increases the demand for services exponentially (food stores, gardeners, auto repair, dry cleaners, hair salons, drug stores and on and on). All these businesses need more employees, most of whom will not be able to live close to their work, so they will drive long distances to get there.

A "housing advocate" will tell you that the solution is to build more infill housing to "satisfy" that need. Unfortunately, the concept of "satisfying the need" for affordable housing or any kind of housing is a fallacy. Barring a recession or a dramatic reversal in population growth, housing need is never satisfied.

Supply actually increases demand. As every new resident increases the demand for services, more and more service workers need to find housing closer to work - because traffic has gotten so bad. And the cycle repeats itself.

The underlying truth is that left to itself, growth only begets more growth and more traffic. And in a loose-money economy like ours, it begets hyper growth and L.A.-style traffic.

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