

**SUSTAINABLE TAMALMONTE  
215 JULIA AVENUE  
MILL VALLEY, CA 94941**

August 11, 2014

Marin County Planning Commission  
3501 Civic Center Drive, Suite 308  
San Rafael, CA 94903

Re: 2015 to 2023 Draft Marin County Housing Element Policies & Programs Carried  
Over from the Previous Housing Element

Dear Marin County Planning Commission:

Sustainable TamAlmonte has the following comments and recommendations regarding the 2015 to 2023 Draft Marin County Housing Element's policies and programs that are carried over from the previous Housing Element (2007 to 2014 cycle):

**Regarding Program 1.a Establish Minimum Densities on Housing Element Sites – “The County shall not approve development on sites identified in the Housing Element with fewer units than shown in the Site Inventory Analysis, unless physical or environmental constraints preclude development at the minimum density and the findings in Government Code Section 65863 can be made. If development on a site is to occur over time, the applicant must show that the proposed development does not prevent subsequent development of the site to the density shown in the Site Inventory Analysis. If a reduction in residential density for any parcel would render the sites inventory inadequate to accommodate the County’s Regional Housing Need Allocation, the County must identify sufficient additional, adequate, and available sites with an equal or greater residential density in the jurisdiction so that there is no net loss of residential unit capacity”:**

Program 1.a “Establish Minimum Densities on Housing Element Sites” refers to Housing Element law. However, there are additional sections of the law that allow greater flexibility in regard to being able to change the density at a site identified in a Housing Element’s Site Inventory. This greater flexibility should be added to this program.

**RECOMMENDATION:**

Re-write Program 1.a to allow for greater flexibility and the ability to lower the residential density at sites identified in the Housing Element’s Site Inventory.

**Regarding Housing Goal 1 – Use Land Efficiently –  
Policy 1.3 Promote development certainty and minimize discretionary review for affordable and special needs housing through amendments to the Development Code; Program 1.e Study Ministerial Review for Affordable Housing; & Program 1.o Simplify Review of Residential Development Projects in Planned Districts:  
AND**

**Housing Goal 2 – Meet Housing Needs Through a Variety of Housing Choices -  
Program 2.p. Expedite Permit Processing of Affordable and Special Needs Housing Projects:**

Permitting affordable housing projects and special needs housing projects through a streamlined and expedited process should NOT be allowed. Moreover, ministerial review should NOT be allowed for affordable housing, for residential development projects in planned districts, or for review of subsequent development projects, consistent with a Master Plan.

We see no problem with establishing specific criteria in order to minimize the level of code interpretation required by decision makers. However, we are opposed to any streamlining or expediting of the permit review process or any ministerial review process. Streamlining and fast-tracking permit review (with specific timelines) and ministerial review would hinder thorough and accurate review, constrain public input on planning decisions and reduce transparency. This is in direct opposition to looking out for the best interests of Marin residents and the environment.

Time and time again, the planning department has demonstrated a lack of knowledge of the Tam Valley and Almonte communities, where environmental constraints and hazards abound. Only with local input, did the department become aware of crucial information. Careful and thorough review is necessary to ensure protection of Marin’s environment and public health & safety. For best planning decisions, ample input from the local residents should be encouraged, rather than denied.

Moreover, treating the review of affordable housing projects and special needs housing projects differently and with less careful scrutiny than market rate housing projects could pave the way for lower income households to live in conditions substandard to those of higher income households. This is a form of social injustice.

**RECOMMENDATION:**

Revise Program 2.p. and eliminate all streamlining or expediting of the permit review process or any ministerial review process for Affordable and Special Needs Housing Projects.

**Regarding Housing Goal 1 – Land Use Efficiently -  
1.o Simplify Review of Residential Development Projects in Planned Districts. b.  
“Consider amendments that would allow Master Plans to establish site specific criteria for ministerial review of subsequent development projects subjects”:**

Regarding ministerial review of development projects subject to a Master Plan, many factors may change in the years following the establishment of a Master Plan, such that site specific criteria set by a Master Plan may no longer be appropriate once the subsequent project is applying for a permit. (For instance, it is now known that sea level rise will come sooner and higher than previously known at the time that the CWP was

adopted.) Therefore, development projects that are subsequent to Master Plans should be thoroughly reviewed and not allowed permitting through ministerial review.

**RECOMMENDATION:**

- Establish specific criteria of affordable housing, planned districts, and special needs housing projects in order to minimize the level of code interpretation required by decision makers. However, do NOT allow any streamlining of permit review or ministerial review.

**Regarding Housing Goal 1 – Use Land Efficiently –  
Program 1.g Undertake Adjustments to Second Unit Development Standards - c. Development standards to allow flexibility of second unit parking requirements;  
Program 1.i Review and Update Parking Standards & Program 1.m Codify Affordable Housing Incentives Identified in the Community Development Element – b. Adjust parking requirements:**

Rather than reduce parking standards, parking standards should be maintained and enforced. Public transit is severely lacking and inconvenient in Marin County, resulting in all residents needing the use of cars on a daily basis and the use of easy access parking spaces. To reduce parking standards for the less fortunate is a form of social injustice.

Many streets throughout Marin are narrow with little or no room for off-street parking. In times of emergency ingress and egress, this is a safety issue. There have been instances when emergency vehicles have not had room to pass by parked cars on narrow streets.

There is often a shortage of parking spaces at our park and ride locations. Retail stores need ample parking to ensure patronage. Public parking is needed for the public and should not be relied on for regular private usage.

**RECOMMENDATION:**

- Do NOT reduce but rather maintain on-site vehicular ratios for multi-family housing.
- Do NOT allow off site parking, such as on-street parking and the use of public parking, to satisfy the parking needs for new housing units.
- Eliminate **Program 1.g – c.** and **Program 1.i – b.**

**Regarding Housing Goal 1 – Use Land Efficiently –  
Program 1.p Adjust Height Limits for Multi-family Residential Buildings:**

Height limits should NOT be exceeded. One of the treasured aspects of Marin is the small town and rural character of its communities. This feature would be lost if multi-family residential buildings were allowed heights greater than currently allowed. Greater heights would not blend with Unincorporated Marin's neighborhoods and definitely not with neighborhoods in the Tamalpais Community Plan area. Furthermore, existing height restrictions were created to protect neighbors' views, sunlight, and privacy. As such, raising height limits would potentially lower the quality and value of neighboring properties.

RECOMMENDATION:

- Eliminate Program 1.p and do NOT adjust height limits for Multi-family Residential Buildings; and
- Do NOT amend the Development Code to increase the allowable height for multi-family residential development.

Thank you for your conscientious consideration.

Very truly yours,

/s/

Sharon Rushton

Chairperson

**SUSTAINABLE TAMALMONTE**

Cc: Marin County Board of Supervisors