

June 1, 2017



THE TOWN OF  
CORTE MADERA  
MARIN COUNTY CALIFORNIA

300 TAMALPAIS DRIVE  
CORTE MADERA, CA  
94925-1418

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POLICE AUTHORITY  
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MTC/ABAG  
Bay Area Metro Center  
ATTN: Miriam Chion and Ken Kirkey  
375 Beale Street Suite 800  
San Francisco, CA 94105-2066

**Subject: Town of Corte Madera Comments on Plan Bay Area  
2040 Draft Plan Bay Area 2040**

Dear Ms. Chion and Mr. Kirkey:

Thank you for this opportunity to comment on the Draft Plan Bay Area 2040. The Town recognizes the challenge of projecting precisely where population and job growth will occur in the Bay Area over the long term, but believes it is critical to work closely with local staff and officials to ensure that your assumptions and the inputs used to determine future growth are based on the best and most accurate information available. This is particularly important when projections directly affect local development patterns and planning.

With this in mind, on May 16, 2017, the Town Council of the Town of Corte Madera reviewed a staff report, including the household and employment growth projections identified in the Draft PBA 2040 for Corte Madera, and authorized submission of this letter on the Town Council's behalf.

Based on the information in the Draft PBA 2040, household and employment growth for Corte Madera has been revised as follows:

	Draft Preferred Scenario		Draft PBA 2040	
	2010	2040	2010	2040
Households	3,900	4,350	3,800	4,300
Jobs	6,650	7,450	6,500	7,200

We continue to believe the projected growth over this 30-year period remains unreasonably high, especially in comparison to other local jurisdictions.

Please see the below comments on the Draft PBA 2040 that elaborate on our concerns.

1. No explanation was provided as to why household and job numbers for 2010 changed between the Draft Preferred Scenario and Draft PBA. We would appreciate a response that includes such information.
2. Your December 29, 2016 letter in response to the Town's comments on the Draft Preferred Scenario stated that our concern relating to vacancy rates, "led to a lower household projection for the Town in year 2040..." Nonetheless, the actual household growth projected between 2010 and 2040 increased from 450 to 500 households (or an increase in household growth from 11.5% to 13.2% over the 30 year period). This result runs counter to our expectations given your own statements and leads us to the conclusion that our prior comments were not taken into account in any additional modelling that was undertaken.

As requested in our October 14, 2016 letter (attached for reference), we would like confirmation of the housing unit vacancy assumptions for Corte Madera used in the UrbanSim run and an explanation of how household growth and new housing unit numbers would be affected if a more normal vacancy rate for 2040 is projected (i.e. would Corte Madera's household growth numbers be reduced or would new housing units increase).

3. Since the release of the projections for the Preferred Scenario and the Draft PBA 2040, the County of Marin has released a countywide sea-level rise vulnerability assessment which could have dramatic consequences for growth projections in Corte Madera given that approximately one-third of the Town's parcels, including the vast majority of significant potential redevelopment sites, are *currently* in the FEMA 1% flood plain due to potential inundation from the Bay. This is in addition to the already constrained development conditions in Town, as explained in our October 2016 prior comment letter.

The Draft Plan Bay Area projections do not appear to take into account the implications of sea level rise in the next 23 years. The UrbanSim model, as described in the Land Use Modelling Report, does not account for any change in parcel availability or potential reductions in development capacity in Corte Madera, yet many of the mitigation measures spelled out in Appendix F of the DEIR will assuredly affect household and employment growth in a Town with such a high percentage of land and infrastructure potentially impacted. Measures listed in Appendix F such as applying additional zoning restrictions limiting development capacity in flood prone areas, prohibiting new development in high risk areas, or redistributing infrastructure funding away from such areas, all would act to significantly limit growth in Corte Madera. The absence of such considerations in Corte Madera effectively means that the Draft Plan Bay Area 2040 condones placing more

households and more jobs in areas that will likely be at risk of consistent flooding in the future. We question the wisdom of such policies without realistic plans and funding for comprehensive FEMA-approved flood protection measures.

While we are aware that this current Plan Bay Area 2040 update will not directly lead to new Regional Housing Needs Allocations (RHNA), we note that California Government Code Section 65584.04 requires MTC/ABAG to include opportunities and constraints to the development of additional housing in each member jurisdiction, including, "The availability of land suitable for urban development or for conversion to residential use, the availability of underutilized land, and opportunities for infill development and increased residential densities... *The determination of available land suitable for urban development may exclude lands where the Federal Emergency Management Agency (FEMA) or the Department of Water Resources has determined that the flood management infrastructure designed to protect that land is not adequate to avoid the risk of flooding [emphasis added].*"

The Federal Emergency Management Agency (FEMA) has not determined that Corte Madera's existing flood management infrastructure is adequate. Therefore, the Town of Corte Madera requests that all FEMA identified flood prone parcels in Corte Madera (see attached map) be removed from your inventory of land available for redevelopment or increased residential densities and that the UrbanSim model likewise remove the potential for additional residential development for such parcels.

At the end of the day, we simply find it difficult to understand where the additional household and employment growth is expected to locate in Corte Madera over the next 23 years given the real constraints we see on existing land in Town. It is especially troubling when we must face the probability that land available for development in Corte Madera will only diminish in size in the future. We hope you continue to improve upon your efforts to take into consideration local factors in developing your projections. As noted in my October letter, the sharing of information and close collaboration with local officials early in the projection process is critical to delivering realistic and supportable projections and we continue to be concerned that not enough effort has been taken to ensure that the methodologies and assumptions utilized for each locality are shared in a transparent way.

Nonetheless, we appreciate the opportunity to review and comment on the Draft Preferred Scenario and look forward to a response to our comments. Should you have any questions regarding the information in this letter please feel free to contact Adam Wolff, Director of Planning and Building, at (415) 927-5059 or email at [awolff@tcmmail.org](mailto:awolff@tcmmail.org).

Sincerely,



Diane Furst, Mayor  
Town of Corte Madera

cc: Town Council  
Town Manager  
Planning and Building Director  
Planning Commission

October 14, 2016



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ATTN: Miriam Chion and Ken Kirkey  
375 Beale Street Suite 800  
San Francisco, CA 94105-2066

**Subject: Town of Corte Madera Comments on Plan Bay Area  
2040 Draft Preferred Scenario**

Dear Ms. Chion and Mr. Kirkey:

Thank you for this opportunity to comment on the Draft Preferred Scenario for the 2017 update of Plan Bay Area 2040. The Town recognizes the challenge of projecting precisely where population and job growth will occur in the Bay Area over the long term, but believes it is critical to work closely with local staff and officials to ensure that your assumptions and the inputs used to determine future growth are based on the best and most accurate information available. This is particularly important when projections directly affect local development patterns and planning.

With this in mind, on October 4, 2016, the Town Council of the Town of Corte Madera reviewed a staff report, including the information in your August 30<sup>th</sup> letter, and September 15<sup>th</sup> and 29<sup>th</sup> emails, and discussed the household and job projections provided for our Town. The Town Council has directed the preparation of this letter and the comments that follow based on the information provided to the Town to date.

In general, we have serious concerns about the lack of information sharing and collaboration in the development of the Draft Preferred Scenario. It is difficult, if not impossible, to provide meaningful comments on the growth projections if we do not understand or cannot review the assumptions and inputs that are being used in their development. While staff has been able to obtain pieces of additional information, as discussed below, it is not clear how even this information is being used or if it is complete. It has also trickled in late in the comment process making it difficult to provide meaningful comment by the requested deadline.

Given that we are not certain what information and assumptions are being utilized in the projection process, it is important that growth projections are not in any way based on Corte Madera's land area, since approximately 43% of Corte Madera's total land area is either under water or protected marshlands.

The Town received two maps provided via the Transportation Authority of Marin (TAM) on October 4, 2016, titled, "Mill Valley and Corte Madera Maximum Allowable Commercial Density" (Map 1 attached) and "Mill Valley and Corte Madera Maximum Allowable Residential Density," (Map 2 attached) which we are told drive the UrbanSim model results. The following comments relate to these pieces of information:

- Map 1 appears to correctly assign FAR to parcels in Corte Madera based on the 2009 Corte Madera General Plan. However, the map should be revised to account for the following:

The map includes all public and private schools and government-owned and occupied properties in Corte Madera, including Neil Cummins public elementary school, the private schools of Marin Country Day and Marin Montessori, Corte Madera Public Library, California Department of Motor Vehicles, Marin Municipal Water District, and Town of Corte Madera government properties, such as our fire stations, Corporation Yard, and Town Hall. Based on the September 15, 2016 memo to City and County Planning Staff from MTC, under the heading "Prohibitions," "development is not allowed on *government-owned land*, parcels with long-term conservation easements, transportation/city infrastructure, water or wetlands, and parcels with very old/historic buildings [emphasis added]." Additionally, it should be noted that these properties are not commercially-designated properties, rather they are designated "Public/Semi-Public Facilities" in the Corte Madera General Plan. The map should be revised to remove the above-mentioned properties in Corte Madera and UrbanSim modelling should account for such revisions. This can be done by removing properties from the map that are designated "Public/Semi-Public" on Corte Madera's General Plan Land Use Diagram. We further note that similar properties in Mill Valley were not assigned FAR on this map.

- Maps 1 and 2, when read together, imply that the properties with Mixed-Use land use designations in the Corte Madera General Plan could be developed both at a maximum residential density *and* at a maximum commercial FAR. In certain instances, like Old Corte Madera Square, this is consistent with current zoning rules, however in large part, this is an unreasonable assumption to make and an incorrect interpretation of the Town's General Plan land use policies. For example, the impending adoption of the MX-1 Zoning District for Tamal Vista Boulevard will create new regulations that would set a maximum FAR for all uses on a parcel, meaning developing a site with the maximum allowable commercial FAR would preclude the development of the maximum allowable residential

density and vice versa (it should be noted that the maximum residential density would be 15.1 units/acre in this area as well). Furthermore, the vast majority of these "Mixed Use" areas are currently only zoned for commercial use, making commercial development more likely than residential.

At the very least, the maps should be revised to reflect that parcels within the Mixed-Use Commercial land use designation may be developed at either the maximum residential density *or* the maximum commercial density to more accurately reflect current Town policies. Given the current zoning regulations in place, the Town recommends placing all parcels in the Mixed Use Commercial land use designation (not in the MX-1 Zoning District) on Map 1, and remove them from Map 2.

- One of the last remaining sizable vacant parcels of land in Corte Madera, at 72 Industrial Way (approximately 5.0 acres), has recently been purchased by the Marin Audobon Society for the express purpose of restoring the land to protected marshland and habitat. This site currently has a General Plan designation for office space, but office development on this site is now entirely unrealistic. Map 1 should be revised to remove this site from Corte Madera's commercial land use inventory.

The Town received additional information related to the UrbanSim run that resulted in the Draft Preferred Scenario from TAM on October 7, 2016. The following comment relates to this piece of information:

- The UrbanSim run accessed at the following link: <http://mapcraftlabs.github.io/labs/r5080.html> indicates the development of 216 units at 195-205 Tamal Vista Boulevard. This site has been developed with 180 units and 3,000 square feet of commercial space. Therefore, the number of units projected to be developed at this location should be reduced by 36 units to 180.

Town staff had a phone conversation with ABAG staff on October 7, 2016 regarding household vacancy rates utilized in the UrbanSim run that resulted in the Preferred Scenario. The following comment relates to the information received in that communication:

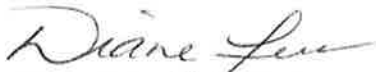
- It is our understanding that approximately 200 of the additional households projected in Corte Madera by 2040 result from decreased vacancy rates between 2010 and 2040 (from approximately 6% to 1% respectively). This is an important distinction that needs to be clearly explained to jurisdictions and the public so that household growth numbers are not confused with new units of housing created. We would like confirmation of the housing unit vacancy assumptions for Corte Madera used in the UrbanSim run and an explanation of how

household growth and new housing unit numbers would be affected if a more normal vacancy rate for 2040 is projected (i.e. would Corte Madera's household growth numbers be reduced or would new housing units increase).

Finally, while not directly related to the Plan Bay Area 2040 Draft Preferred Scenario, the Town believes it is important that MTC and ABAG, along with the Department of Housing and Community Development (HCD) begin the process of redefining what constitutes a housing unit. It is our understanding that certain types of housing for seniors for example (i.e. assisted living units without kitchens) do not qualify as a housing unit yet function as housing for our residents. This recognition and redefinition would more realistically represent the various ways in which jurisdictions accommodate household growth in the coming years.

We appreciate the opportunity to review and comment on the Draft Preferred Scenario and look forward to a response to our comments. Should you have any questions regarding the information in this letter please feel free to contact Adam Wolff, Director of Planning and Building, at (415) 927-5059 or email at [awolff@tcmmail.org](mailto:awolff@tcmmail.org).

Sincerely,

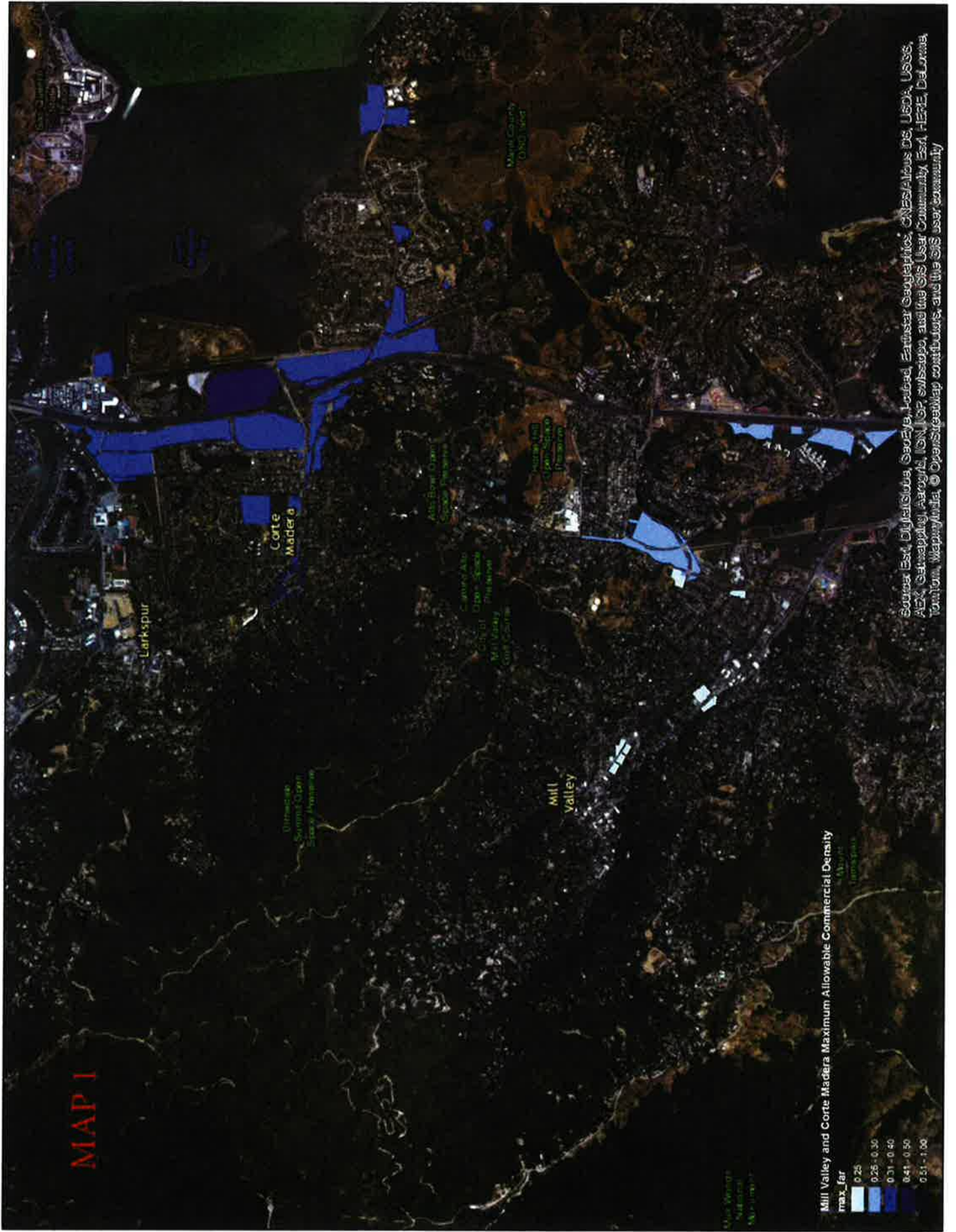


Diane Furst, Vice-Mayor  
Town of Corte Madera

cc: Town Council  
Town Manager  
Planning and Building Director  
Planning Commission



MAP I

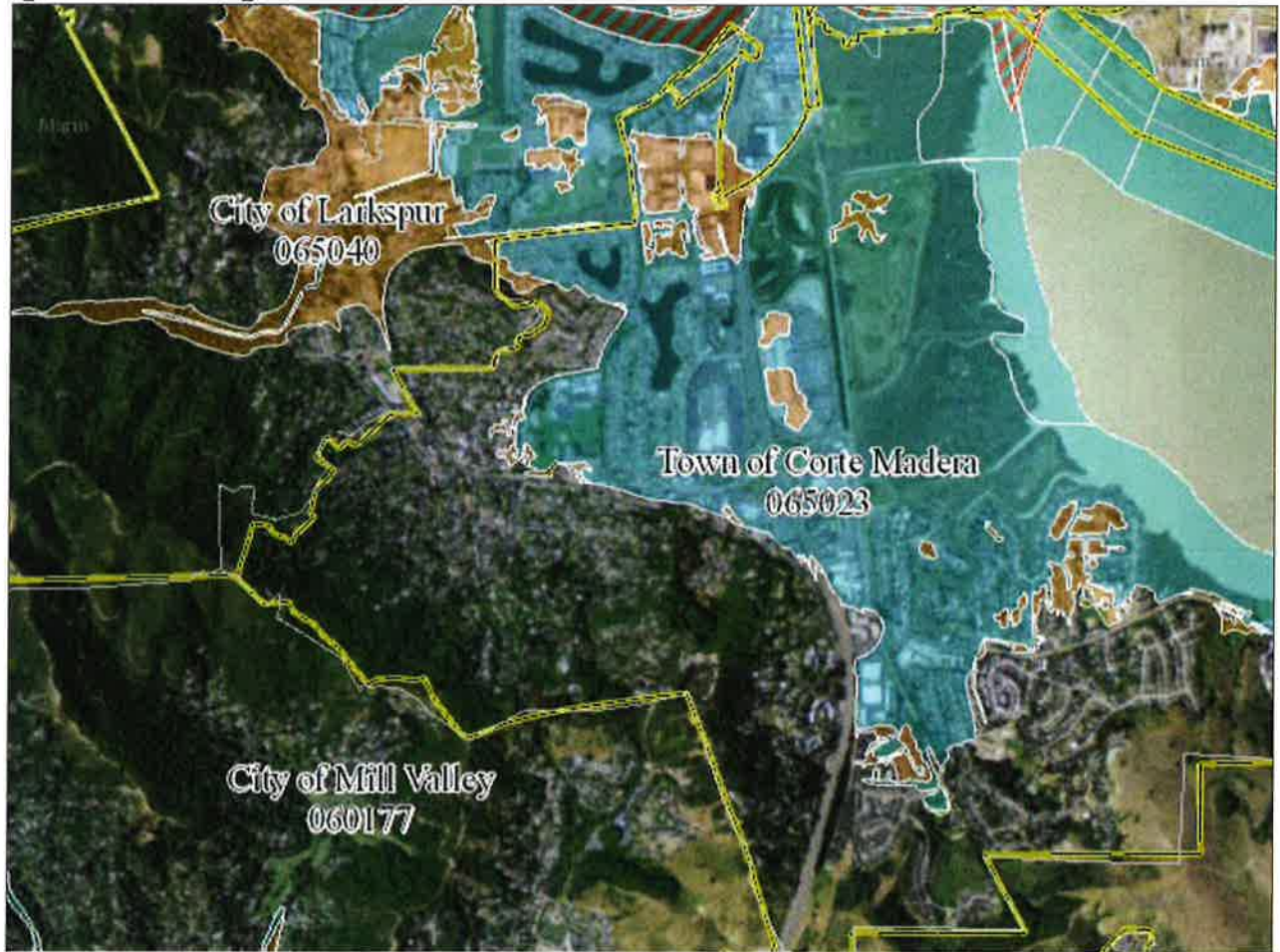


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FEMA's National Flood Hazard Layer (Official)

## FEMA's National Flood Hazard Layer (Official)



USGS The National Map: Orthoimagery |