

REGIONAL HOUSING NEEDS ALLOCATION

Association of Bay Area Governments

2023-2031 Regional Housing Needs Assessment (RHNA) Appeal Request*Submit appeal requests and supporting documentation via DocuSign by 5:00 pm PST on July 9, 2021.****Late submissions will not be accepted.*** Send questions to rhna@bayareametro.govJurisdiction Whose Allocation is Being Appealed: Town of RossFiling Party: HCD Jurisdiction: Town of RossContact Name: Patrick Streeter Title: Planning and Building DirectorPhone: 415 453-1453 x121 Email: pstreeter@townofross.org**APPEAL AUTHORIZED BY:**Name: Joe ChinnSignature: Date: 7/8/2021**PLEASE SELECT BELOW:**

- Mayor
- Chair, County Board of Supervisors
- City Manager
- Chief Administrative Officer
- Other: _____

IDENTIFY ONE OR MORE BASES FOR APPEAL [Government Code Section 65584.5(b)]

- ABAG failed to adequately consider information submitted in the Local Jurisdiction Survey regarding RHNA Factors (Government Code Section 65584.04(e)) and Affirmatively Furthering Fair Housing (See Government Code Section 65584.04(b)(2) and 65584(d)(5)):
- Existing and projected jobs and housing relationship.
 - Sewer or water infrastructure constraints for additional development due to laws, regulatory actions, or decisions made by a provider other than the local jurisdiction.
 - Availability of land suitable for urban development or for conversion to residential use.
 - Lands protected from urban development under existing federal or state programs.
 - County policies to preserve prime agricultural land.
 - Distribution of household growth assumed for Plan Bay Area 2050.
 - County-city agreements to direct growth toward incorporated areas of county.
 - Loss of units contained in assisted housing developments.
 - Households paying more than 30% or 50% of their income in rent.
 - The rate of overcrowding.
 - Housing needs of farmworkers.
 - Housing needs generated by the presence of a university campus within a jurisdiction.
 - Housing needs of individuals and families experiencing homelessness.
 - Loss of units during a declared state of emergency from January 31, 2015 to February 5, 2020.
 - The region's greenhouse gas emissions targets to be met by Plan Bay Area 2050.
 - Affirmatively furthering fair housing.
- ABAG failed to determine the jurisdiction's Draft RHNA Allocation in accordance with the Final RHNA Methodology and in a manner that furthers, and does not undermine the RHNA Objectives (see Government Code Section 65584(d) for the RHNA Objectives).
- A significant and unforeseen change in circumstances has occurred in the local jurisdiction or jurisdictions that merits a revision of the information submitted in the Local Jurisdiction Survey (*appeals based on change of circumstance can only be made by the jurisdiction or jurisdictions where the change occurred*).

Pursuant to Government Code Section 65584.05, appeals shall be based upon comparable data available for all affected jurisdictions and accepted planning methodology, and supported by adequate documentation, and shall include a statement as to why the revision is necessary to further the intent of the objectives listed in Government Code Section 65584(d). An appeal shall be consistent with, and not to the detriment of, [the development pattern in the sustainable communities strategy \(Plan Bay Area 2050 Final Blueprint\)](#). (Click here)

Number of units requested to be reduced or added to jurisdiction's Draft RHNA Allocation:

Decrease Number of Units: ⁵⁹ _____ Increase Number of Units: _____

Brief description of appeal request and statement on why this revision is necessary to further the intent of the objectives listed in Government Code Section 65584(d) and how the revision is consistent with, and not to the detriment, of the development pattern in Plan Bay Area 2050. Please include supporting documentation for evidence as needed, and attach additional pages if you need more room.

Please see attached statement.

List of supporting documentation, by title and number of pages

1. Town of Ross Appeal Request Statement, 1 Page _____
2. _____
3. _____



The maximum file size is 25MB. To submit larger files, please contact rhna@bayareametro.gov.

Click here to attach files

Town of Ross

2023-2031 Regional Housing Needs Assessment Appeal Request Statement

1. *ABAG failed to adequately consider the information submitted as part of the local jurisdiction survey.*

While the local jurisdiction survey included questions about constraints to housing due to land suitability, there is no indication that the Plan Bay Area 2050 Blueprint, on which the RHNA methodology is based, took specific issues like FEMA floodplain, fire severity zones, slope stability, or availability of public services and utilities into consideration when considering “developable land”. Approximately 97% of the parcels in Ross are already improved. Almost 80% of the Town’s land area is in an area defined by the California Public Utilities Commission (CPUC) as [extreme fire threat](#), more than one quarter of our parcels are within FEMA’s 100-year Special Flood Hazard Area, there are fewer than thirty vacant lots, and almost all of them are in heavily wooded, steeply sloped areas with limited or no access for utilities or emergency services. Only seven are located on non-hillside parcels and of those, two are constrained by a creek and four have substandard lot sizes, which significantly reduces their developability.

Additionally, ABAG states that households and jobs were projected on a localized level through modeling (Urban Sim). There is no indication that the modeling observed discreet jurisdictional boundaries. While the area around Ross, which includes San Anselmo and the unincorporated communities of Kentfield and Greenbrae, contains the types of commercial, office, medical, and educational land uses that would be expected in a suburban county, Ross itself has very few parcels that are not already residentially developed. The primary employers are the municipal government, a public grade school, a private high school, and a residence for the developmentally disabled. Altogether, MTC/ABAG estimates a total of 360 jobs in the Town of Ross. Plan Bay Area 2040, the currently active regional planning document, projects a Bay Area jobs/housing balance of 1.32, while the balance in Ross is approximately 0.44. Planning housing units in areas where there is no reasonable expectation of job growth and few significant public transit opportunities or existing transportation infrastructure options does not further the State’s climate goals or the regional transportation plan. Adding units in areas where jobs are unavailable will result in increased Vehicle Miles Travelled and an increase in Greenhouse Gases.

2. *A significant and unforeseen change in circumstances has occurred in the local jurisdiction or jurisdictions that merits a revision of the information submitted as part of the local jurisdiction survey.*

A significant and unforeseen change in circumstances has occurred in the Town of Ross and other parts of Marin County that merits a revision of the draft RHNA. The Marin Municipal Water District (District), the Town’s water service provider, has declared drought conditions. If drought conditions persist, a mitigating step that the District could take would be to place a moratorium on new or expanded water service until such time that adequate supply is available. Marin County already relies on water sourced from the Russian River watershed to the north to supplement its limited supply. The uncertainty regarding municipal water supply has the potential to dramatically affect the feasibility of new housing development in the Town of Ross.