

CALIFORNIA COASTAL COMMISSION

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Th13a

A-2-MAR-21-0045 (BOLINAS AFFORDABLE HOUSING)

SEPTEMBER 9, 2021

CORRESPONDENCE

Sara Pfeifer, Coastal Program Analyst
California Coastal Commission, Local Coastal Program
455 Market St., San Francisco CA 94105

June 3, 2021

RE: Project Application 2835, Bolinas Community Land Trust (BCLT), 31 Wharf Rd., Bolinas CA 94924

Dear Sara:

You may know that an appeal of this affordable housing project has been filed to the Marin Co. Board of Supervisors, with a hearing date of 6/8/21. A revised project application was submitted by the BCLT in February 2021. I wish to bring up several aspects of the revised project that I believe should be addressed by the LCP.

Over the past several years, the LCP has held public meetings in Bolinas to explain revised policies and hear public comment. It was made clear that, within the Wharf Rd. main commercial area, new street front development (main floor) was to be used 'exclusively to serve the visiting public'. In the initial application, there were two store front spaces. The BCLT explained that these would be low water use/single employee parking space businesses.

The revised plan shows the street front space divided into one large and one small space. The larger space is to become the new BCLT office. The BCLT office setting does not serve the visiting public in any way. This would not be such a concern except that the BCLT office is claiming 6 of the parking spaces of the 16 total spaces shown in the design plan. BCLT meetings are attended by at least 10 Board members and employees, with additional people expected at public on-site meetings. Were the BCLT office to be situated at the rear of the property with additional parking added to the plan, less stress would be placed on the project's tenants and all Bolinas visitors seeking street parking.

This 20-bedroom, 8-unit apartment project, with 2 business units at street level fails to provide adequate parking. To be approved for low income housing, the plan states that it is within 400' of a main public transportation system. At the Planning Commission hearing, the Commissioners agreed that the minimal bus service to Bolinas during the week does not qualify as reliable public transportation, but took no action. As a result, the applicant still seeks one-half of the required resident spaces for a project of this size.

The project is also required to provide employee parking for both the Coast Café and the adjacent Smiley's Saloon and its new restaurant. Both businesses gave up their parking spaces in exchange for parking at 31 Wharf Rd.

Adding together the parking needs of the employees of two restaurants, two new on street businesses and with spaces for up to 40 tenants, it is obvious that the 16 spaces in the drawings are not adequate. In its presentation, the BCLT states that there are 22-24 available spaces, which would still not be adequate, but these are not present in the plans.

Coastal visitors park throughout the town of Bolinas including the main entry/exit roads. On any day of the year, the town is packed with visitors vying for a parking space. Vehicles idle in red zones, double park and drive in circles waiting for a space to open. Instead of exacerbating the problem, the BCLT could take measures to provide more on-site parking if given that directive.

I hope that you will consider the impact upon those who come to enjoy the beach and the small-town ambiance of Bolinas. Thank you for taking the time to consider the many aspects of what may become the town's largest development in recent history. Integrating the needs of all and seeking a harmonious solution, especially in such a spectacular coastal area, falls to those who serve to protect it.

Sincerely,

Janine Aroyan

335 Overlook Dr., Bolinas CA 415-868-2516

Cc: Peter Allen, Senior Transportation Analyst

10 Dolores Terrace
San Francisco CA 94110
June 7, 2021

Sara Pfeifer, Local Coastal Program Analyst
California Coastal Commission
Local Coastal Program
455 Market St
San Francisco CA 94105

Re: Marin County Planning Project 2835: 31 Wharf Road, Bolinas 94924
Dear Ms Pfeifer:

The appeal of the 31 Wharf Road project is on the Marin County Board of Supervisors meeting agenda tomorrow, Tuesday, June 8 at 1:30. I have read the LCP letter to the Planning Commission regarding the project as it was described in February 2021. The project description has changed since the plan was approved by the Commission. These changes and omissions prompted the appeal by a neighbor. Several community members have sent their letters asking that the project be sent back to the project proponents for revision with increased community input. In light of these events, I thought it would be appropriate to send this letter to you, citing California Coastal Act policy to support my concerns.

Sincerely,

Eugenia McNaughton
415-846-4721

Cc: Peter Allen, Local Coastal Program. Transportation Analyst

California Coastal Act Policies

Article 6 Development

Section 30251

Protect scenic and visual qualities, protect views

The project will reduce scenic and visual qualities given its footprint that is out of proportion with the rest of the downtown buildings that are either 19-century clapboard buildings with characteristic false fronts or smaller, newer buildings that are generally one story (dentist's office) or low two story (Bolinas garage). At least one house, 23 Wharf Road next to the project, will lose its long-standing view of the Bolinas Ridge.

Section 30252

Have access to public transportation, commercial facilities, non-auto circulation, adequate parking, assure potential for public transit, recognize the needs of new residents, don't overload nearby coastal roads

Public transportation is minimal during the week (four round-trips to and from Bolinas to Marin City), but does increase during the weekend (eight round trips from Sausalito) to accommodate visitors.

Circulation of automobiles on is congested in the small downtown area any day of the week, but especially on the weekends. Double parking and vehicles circling are common place. Parking is inadequate; visitors routinely park their vehicles in areas clearly marked "No Parking Anytime," creating dangerous conditions for all people coming to the downtown area. Residents now try to minimize their downtown trips by car as they wish to avoid the unpleasant urban experience of trying to find parking. Projects to work with California agencies to increase public transportation throughout West Marin would be most welcome.

Section 30253

Minimize risk to life and property – geology, flood, fire

The project lies close to the San Andreas fault, the Bolinas Lagoon and the Pacific Ocean. The downtown is flooded from time to time, especially in the winter when

high tides converge with heavy storm events. Though there are excellent volunteer fire departments in West Marin, there are many pockets of accumulated dead and dying vegetation that represent a buildup of highly flammable debris around the downtown. Emergency vehicle access to the downtown to minimize risk to life and property will be negatively impacted by the proposed project.

No structures requiring alteration of land forms

The project design includes a below ground parking structure that engineers hired by the BCLT advise will need increased support and monitoring because of its location at the bottom of a hillside. This aspect of the plan, along with the increase in site hardscape will definitely alter the land form. We would ask that the project be modified to reduce the number of units to remove the need for the subterranean structure. The increased hardscape of the site relates to the need for a driveway between the current set of two buildings, creating traffic congestion within the project, which would also be obviated if the project were reduced to a scale that is more in keeping with the historic downtown.

Be consistent with air pollution control

The project will increase an already congested downtown, contributing to air pollution as well as to indoor air pollution from the subterranean structure below the lower building.

Minimum energy consumption and vehicle miles traveled

The project does not call out energy-conserving measures in the buildings, though one may assume they will be included in more detailed construction plans. On the other hand, energy consumption in vehicle miles traveled will certainly be increased, as inadequate public transportation will require residents to have one or more personal vehicles per apartment.

Protect special communities and neighborhoods

As currently designed, the project does not offer protection to the Bolinas downtown community and impacts the larger community by increasing traffic in the area.

Section 30254

Where existing public works can accommodate only a limited amount of new development, must keep public recreation a priority

The on-going drought has brought home how water-constrained Bolinas is. The public utility district is struggling to meet anticipated demand through the summer and fall to the hopeful beginning of the next water year. Public restrooms are now closed and temporary facilities have been brought in to serve visitors. We are learning the hard lesson that we cannot assume that the public utility district can accommodate our current lifestyle desires for the number of water services already in place. Adding so many additional units will exacerbate the situation and reduce our ability to accommodate visitors' needs further.

Article 4 Marine Resources

Section 30230

Specially protected areas

The Bolinas Lagoon, a world heritage site, will be negatively impacted by run off generated by daily activities at a project of such proportions as is currently proposed.

Sections 30231 and 30232

Public health – control discharges and protection against spillage

Again, there is concern for on-going storm drain use coming from daily activities at the project site, as well as the ability of project to contain and treat the discharges coming from a large storm event.

questions about the appeal process

Genie McNaughton <geniemcnaughton@gmail.com>

Mon 6/21/2021 9:24 AM

To: Pfeifer, Sara@Coastal <Sara.Pfeifer@coastal.ca.gov>

Hi Sara

In reading the information about appealing to the LCP, I have some questions:

1. Has the Coastal Commission approved the 31 Wharf Road project?

In the record I only see the request from the MC Planning Department for comments, to which I am aware that you responded with an email to Michelle Levenson, the project analyst.

2. If there is an approval, does that automatically allow for an appeal? If there is no documented approval, can an appeal be based on the Planning Department and Board of Supervisors approval of the project?

3. And a more direct question: is there a fee for filing an appeal?

Thanks for your help,

Genie

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July 30, 2021

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California Coastal Commission
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sara.pfeifer@coastal.ca.gov &
northcentralcoast@coastal.ca.gov

Re: H. Roland Crotts Appeal of 31 Wharf Road Affordable Housing Project

Dear Ms. Pfeifer:

We write regarding H. Roland Crotts' appeal of the proposed mixed-use, affordable residential development at 31 Wharf Road in Bolinas, located in the County of Marin (the "County"). Our client, Bolinas Community Land Trust ("BCLT"), is the owner of this land and the applicant. The approved development that is subject to Mr. Crotts' appeal specifically consists of eight affordable units available for rent to low and very low income households, located in a currently underutilized, undeveloped infill location (the "Project").

The Project, including a Coastal Development Permit, was approved by the Marin County Planning Commission on April 12, 2021. The Planning Commission found that the Project complies with the Marin Local Coastal Program (the "Marin LCP"). Mr. Crotts appealed the decision to the Marin County Board of Supervisors ("Board"), and the Project approval was upheld by the Board on June 8, 2021. Having exhausted all County options to further delay the Project, Mr. Crotts now appeals this Project to the Coastal Commission, raising issues that are nearly identical to those that the Planning Commission and Board of Supervisors already examined in their respective reviews and settled in BCLT's favor.

As the Commission well knows, coastal communities throughout California, and those in Marin County in particular, have been acutely affected by the ongoing housing crisis. The Project will deliver much needed affordable housing to a region which is sorely lacking in supply, but further delay at this point could truly jeopardize this necessary development. Indeed, when the Legislature adopted the Environmental Justice Amendment to the California Coastal Act ("Coastal Act;" Pub. Resources Code, § 30000 *et seq.*) in 2016 as part of Assembly Bill 2616, the Legislature emphasized that "[t]he commission shall encourage housing opportunities for persons of low and moderate income" and "it is important for the commission to encourage the protection of existing and the provision of new affordable housing opportunities for persons of low and moderate income in the coastal zone." Pub. Resources Code, § 30604(f) & (g). BCLT's Project provides a rare opportunity to advance these legislative objectives in Bolinas.

The Commission serves an essential role as the final arbiter on projects that stand to substantially affect coastal resources, but this Project simply does not pose that risk. The BCLT

thoughtfully designed the Project to minimize impacts on the surrounding community and environment. This design is reflected in the content of Mr. Crotts' appeal; Mr. Crotts does not identify a single Marin LCP policy or provision with which the Project allegedly does not conform, and the specific issues Mr. Crotts does raise have all been analyzed by the County, with substantial evidence in the record demonstrating the appellant's concerns do not rise to the level of a "substantial issue" warranting Commission consideration.

We respectfully request that Staff recommend and the Coastal Commission determine that Mr. Crotts' appeal does not raise any issue, whatsoever, of non-conformance with the Marin LCP or the Coastal Act's public access policies and therefore the Commission has no jurisdiction in this matter and need not expend resources considering the appeal any further. If Staff determines that Mr. Crotts' attempted appeal does concern non-conformance with the Marin LCP or the Coastal Act's public access policies, then we respectfully ask that Staff determine that Mr. Crotts has failed to raise any "substantial issue" in his appeal, as all of the Project deficiencies he alleges are contradicted by evidence in the record.

I. Project background

The Project is a 10,268-square-foot mixed-used development including an eight-unit affordable residential development consisting of four three-bedroom units and four two-bedroom units. The Project also includes street-level on-site parking, set behind the development's commercial space and underneath its housing units.

The portion of the site slated for development is located in the C-VCR (Coastal, village commercial residential district) zoning district (governed by Marin County Code section 22.57.123I), which is a zoning designation that broadly falls under the "C district" of Marin, the chapter explicitly enacted by Marin County to "implement coastal policies for Marin County" (Marin County Code section 22.56.010I).

The Marin County Planning Commission made findings of consistency with Marin County Code section 22.56.130I, mandatory for the approval of a Coastal Permit, including findings that the water supply, grading and excavation activities, treatment of archaeological resources, wetland resource protection, wildlife protection, protection of native plant communities, effect on visual resources, recreational facilities, and historic resource preservation measures all complied with section 22.56.130I, and therefore, with the applicable Marin LCP. (Planning Commission Resolution PC21-003 at ¶8). In rejecting Mr. Crotts' administrative appeal, the County Board made these same findings.

II. Mr. Crotts fails to state any basis for appeal

As the Commission knows, it has limited jurisdiction to review Projects that have already been approved at the local level. Consistent with the Commission's expertise, "the role of the Commission in appeal is limited [...] to determining whether the development permit complies with the LCP" and the Coastal Act's public access policies *Charles A. Pratt Constr. Co. v. California Coastal Com.* (2008) 162 Cal.App.4th 1068, 1076. The Commission's scope is set out explicitly in Public Resource Code section 30603. The grounds for any appeal before the Commission are subject to the limitations of section 30603(b), which mandates that any appeal to the Commission be limited to an allegation that the development does not conform with either the jurisdiction's LCP or the coastal access provisions of the Coastal Act.

In issuing and upholding the Coastal Permit, the Planning Commission and the Board of Appeals already determined that the Project was compliant with the goals and policies in the Marin LCP. (Planning Commission Resolution PC21-003 at ¶9A). This is the correct determination, and Mr. Crotts' appeal includes no argument as to why he believes the County's findings were in error, and in fact makes no allegations that could provide a proper basis for Coastal Commission review.

First, Mr. Crotts' appeal is entirely devoid of any reference to the Marin LCP. Mr. Crotts vaguely claims that the Project must be "consider[ed] in the context of sea level rise, which has been frequent [sic] subject in Marin County's local coastal plan amendment efforts." However, this assertion is not good enough to qualify as a bonafide claim of non-conformance, nor do the facts exist to support any such claim. It is certainly true that sea level rise is a relevant and important topic, and the Marin LCP has policies that reflect this. However, while certain claims raised in Mr. Crotts' appeal concern stormwater, not one of the specific issues that Mr. Crotts raises — e.g., underground parking, site drainage, "damp proofing" — are relevant to the Marin LCP's sea level rise policies or provisions. As further discussed in the next section, even if the Commission were to indulge in Mr. Crotts' vague suggestion that sea level rise will particularly affect the Project site, the Commission would find the claim is wholly without merit.

Second, none of the provisions that Mr. Crotts cited in his appeal are the coastal access provisions of the Coastal Act. Section 30603(b) is clear: "the grounds for an appeal [...] shall be limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program or the [Coastal Act] public access policies."

In summary, none of Mr. Crotts' allegations even attempt raise any non-conformance with any specific provision of Marin LCP, or Chapter 3, Article 2 of the Coastal Act. Therefore, these allegations are not a proper basis for an appeal to the Coastal Commission, and we respectfully request that Commission staff determine that Mr. Crotts fails to raise any issues properly subject to appeal.

III. Mr. Crotts' appeal raises no substantial issue

Even if the Commission determines that Mr. Crotts has a proper basis for appeal, per Public Resource Code section 30625, that appeal should only be heard by the Commission if it raises a substantial issue regarding conformance with the access provisions of the Coastal Act or the Marin LCP. The question the Commission asks "is not whether appellants' appeal raises *any* issue but whether it raises a *substantial* one. A substantial issue is defined as one that presents a 'significant question' as to conformity with the certified local coastal program." *Alberstone v. California Coastal Com.* (2008) 169 Cal.App.4th 859, 863–64 (emphasis added).

In determining whether there is a significant issue, the Commission examines five factors:

1. The degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the certified [local coastal program] and with the public access policies of the Coastal Act;
2. The extent and scope of the development as approved or denied by the local government;

3. The significance of the coastal resources affected by the decision;
4. The precedential value of the local government's decision for future interpretations of its [local coastal program]; and
5. Whether the appeal raises only local issues, or those of regional or statewide significance.

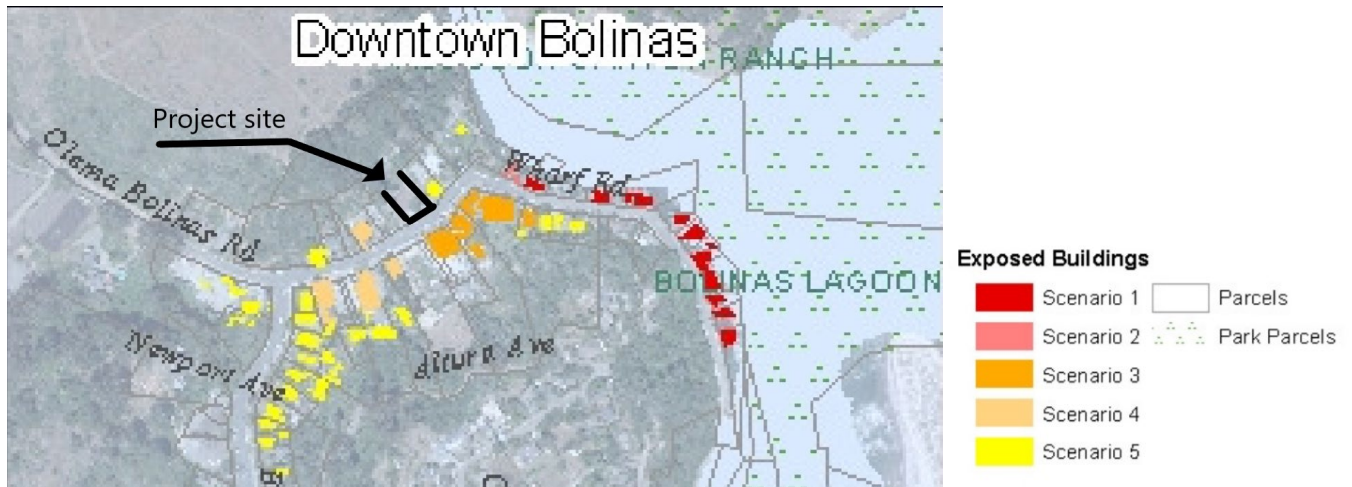
Hines v. California Coastal Commission (2010) 186 Cal.App.4th 830, 849. Under these five factors, Mr. Crotts' appeal raises no substantial issue.

As to the first factor, as discussed above, in issuing the Coastal Permit for the Project, the Planning Commission specifically made findings that the Project conforms with the goals and policies of the Marin LCP. The Board of Supervisors affirmed this finding. Mr. Crotts has not cited a single provision of the Marin LCP that he contends is inconsistent with the Project, let alone any argument that the legal or factual basis for the County's determination of consistency is insufficient.

All Mr. Crotts' appeal offers is a series of allegations that have been previously raised at various other points in the Project's approval process. Even if any of these allegations relate to Marin LCP policies, substantial evidence in the record demonstrates that Mr. Crotts' allegations are unfounded, and that none of the "issues" raised are a basis to conclude that the Project is inconsistent with the Marin LCP, or will have any effect on coastal resources. There is no degree of factual support here the appellant raises.

As previously discussed, Mr. Crotts claims that sea level rise presents a threat to the Project, largely due to the prospect of flooding risk for on-site Project features. The Marin Ocean Coast Sea Level Rise Vulnerability Assessment, commissioned by the County, includes an analysis of all areas in the County susceptible to sea level rise risks. This analysis includes a map evaluating the risk level for parcels in Bolinas under 5 different scenarios of sea level rise and historic storm conditions.¹ Under all five evaluated scenarios, the report concludes that the Project parcel is not vulnerable to impacts from level rise. Mr. Crotts' appeal offers no evidence to rebut this analysis. Please see the following map excerpt from the County's analysis:

¹ See https://www.marincounty.org/-/media/files/departments/cd/planning/slr/vulnerability-assessment/csmart_va_maps_compiled.pdf?la=en at map 13.



Mr. Crofts repeatedly references the site's sloped grade, and the potential effect that the orientation of the site may have on drainage, run-off, and storm water from the site, as well as the alleged resulting effects on water quality in Bolinas Lagoon. These concerns are virtually identical to the "storm water treatment and drainage" concerns Mr. Crofts raised in his unsuccessful appeal to the Board of Supervisors. As noted above, Mr. Crofts makes no attempt to explain why proposed drainage on the site is not in conformance with the Marin LCP. Furthermore, Mr. Crofts ignores the evidence that the Planning Commission and Board of Supervisors considered in determining that site storm water and drainage was not a concern. The Planning Commission specifically found that the "project is consistent with CWP water quality policies and would not result in substantial soil erosion or discharge of sediments or pollutants into surface runoff (WR-1.3, WR-2.2, WR-2.3)." (Planning Commission Resolution PC21-003 at ¶6E). BCLT has also prepared a Storm Water Pollution and Prevention Plan ("SWPPP") for the Project prepared in accordance with the Bay Area Storm Water Management Agency Association ("BASMAA") requirements, which includes measures to capture of Project-related storm water and run off and release it into an existing storm drain, employment of erosion control measures (straw wattles) during construction, as well as the installation of seven bioretention planters that would capture and treat storm water run-off prior to release into storm drains. (Planning Commission Resolution PC21-003 at ¶6E). The Marin County Department of Public Works has reviewed and signed off on the Project's conceptual drainage plans, and will review more detailed construction plans when necessary; meanwhile, any building permits will require the implementation of best management practices to address runoff during construction. (Planning Commission Resolution PC21-003 at ¶6E; ¶9F2).

Mr. Crofts raises the specter of water resource allocation for the Project, another issue discussed at length in front of the Planning Commission and Board of Supervisors. The Bolinas Community Public Utilities District has been clear in its letters sent to the County, dated June 11, 2020, and March 30, 2021: the Project is adequately served by water and sewer infrastructure, subject to BCLT's successful application to "stack" water meter use allocations. (Planning Commission Staff Report Attachment #4). As the transcript of the December 1, 2020 Bolinas Community Public Utilities District demonstrates, the District has a clear understanding of the scale of the Project, and the number of residents it proposed to serve. The Bolinas Community Public Utilities District is the organization best suited to make determinations about Bolinas' water supply and sewage capacity and the ability of the Project to use its services. To this end, the District has concluded sufficient water supply exists to serve the Project.

Mr. Crofts also contends that the Project would impact the visual quality of the downtown area, and cites the potential degradation of his personal view of the Bolinas Ridge. Mr. Crofts implies that a Marin LCP or Coastal Commission policy exists to preserve his property's view, but this effort is misguided. As the County observed, the Project "is consistent with CWP aesthetic policies and programs (DES-4.1 and DES-4.e) because it would protect scenic quality and views of ridgelines," and "would not impair or obstruct coastal views from a public street or public viewing location." (Planning Commission Resolution PC21-003 at ¶¶6H; ¶8O.). Furthermore, the record clearly demonstrates that the Project would complement existing development in the downtown Bolinas area. The "the roof shape and front façade of the project would be consistent and compatible with that of the surrounding neighborhood," and the "materials and colors proposed with the [...] would blend in and compliment the structures in the downtown area." (Planning Commission Resolution PC21-003 at ¶8Q; ¶9G.).

Mr. Crofts also raises a series of alleged environmental hazards relating to the Project, again with no explanation as to how such hazards relate to the Marin LCP. Each of these alleged hazards has already been studied by expert consultants or County agencies, and have been determined to pose no risk.

For instance, Mr. Crofts alleges potential wildfire hazards and earthquake risks pose a "risk to life and property." Again, Mr. Crofts includes no explanation as to how these risks relate to the Marin LCP. Regardless, the County reviewed the Project for fire safety, and determined that not only would the Project be consistent with the Marin Countywide Plan fire hazard management policies (EH-4.1, EH-4.2, EH-4.5), but also it would be subject to local fire protection district verification of compliance during the review of the building permit application. (Planning Commission Resolution PC21-003 at ¶6G.) The Geotechnical Report for the Project determined that "the potential for surface rupture beneath the proposed development is low," and there are no known active faults that cross the Project site (Geotechnical Report p. 9). Furthermore, before any building permit for the Project is issued, the Marin County Community Development Agency's Building and Safety Division will require seismic compliance with the California Building Code. (Planning Commission Resolution PC21-003 at ¶8K.).

Mr. Crofts also alleges that the Project will have impacts resulting from increased vehicle miles traveled, including degradation of air quality, but his claims ignore the Parisi Transportation Consulting memorandum prepared for the Project, which concludes that the Project's worst case scenario trip generation impact would be 88 vehicle trips per day, well below the 110 trips per day threshold for significant environmental impacts set forth by the State of California Governor's Office of Planning and Research's *Technical Advisory on Evaluating Transportation Impacts in CEQA*. (Parisi Transportation Consulting Memorandum p. 3).

In sum, to the extent Mr. Crofts even raises any question of the Project's conformance with the LCP, ample evidence in the record exists to support the County's determination that Project will not have more than a *de minimis* effect on coastal resources.

As to the second factor (the extent and scope of the development as approved or denied by the local government), the Project is not out of the ordinary for the area, and is not a large or sprawling development different than a typical building in a coastal community. The Project is a residential development on a parcel zoned for residential development, surrounded by other residential or small commercial uses. Key infrastructure concerns, such as Project runoff and

storm water, Project water service, and Project fire risk, have been reviewed by the relevant local agencies best situated to evaluate potential concerns, and will be reviewed again before construction begins. To date, every relevant agency has concluded that the Project, as proposed, is acceptable. In regards to community aesthetics, the County has determined that the scale of the Project “would be consistent and compatible with that of the surrounding neighborhood.” (Planning Commission Resolution PC21-003 at ¶18Q).

As to the third factor (the significance of the coastal resources affected by the decision), as discussed above, the Project is not expected to have any significant effects on coastal resources. Moreover, the Project site is not immediately adjacent to a public beach, but is separated from Bolinas lagoon by three intervening properties, all of which are developed. Coastal access or coastal recreation are entirely unaffected by approval of the Project.

As to the fourth factor (the precedential value of the local government's decision for future interpretations of its local coastal program), the Project does not implicate any particularly broad issues relating to the Marin LCP's interpretation, and Mr. Crotts' appeal does not specifically identify any Marin LCP provisions or questions of interpretation which would be precedential. On the other hand, approving the Project will establish a beneficial precedent for similar affordable housing projects that attempt to advance the Legislature's goal of creating more affordable housing along the coast. See Pub. Resources Code, § 30604.

As to the fifth factor (whether the appeal raises only local issues, or those of regional or statewide significance) the Project is purely local, involving a single property in an infill location, and does not raise any regional or statewide concerns. See, e.g. *Hines v. California Coastal Commission* (Cal. Ct. App. 2010) 186 Cal.App.4th 830, 850.

Mr. Crotts' appeal fails to advance any issues that meet the Commissions' standards for a “substantial issue” warranting any hearing before the Commission. Accordingly, we respectfully request that Staff determine that the appeal raised no substantial issues of conformity with the Marin LCP or the Coastal Act's public access policies.

IV. The Project vindicates key Coastal Commission goals and policies

The Commission has rightly recognized the importance of equity in coastal policy, and the need for a “fundamental rethinking of who is connected to the coast, and how.” California Coastal Commission Environmental Justice Policy, p. 3; see *also* Pub. Resources Code, § 30604. Decades of economic trends and intentional policies have pushed low-income Californians further and further away from coastal communities and have made low-income Californians less and less likely to have access to coastal resources.

Unfortunately, Bolinas is no exception. Currently, about 75% of the workforce in Bolinas is low income, and due to a large influx of part-time residents and vacation rental businesses, finding available rentals within is nearly impossible. When the rare rental opportunity presents itself, the going market rate is around \$4,000 for a 1-2 bedroom home. This amount is well outside the income of a working family, pricing many low-income people out of Bolinas altogether. BCLT is addressing the central issue of housing in Bolinas by creating and sustaining homes in the community. BCLT currently manages 23 homes and a total of 37 tenants, but currently has 200 households on its waitlist, nearly a quarter of whom identify as people of color. 37 of these

households are families with children, and of those families, 31 already belong to the Bolinas workforce.

The Commission has officially recognized that “the elimination of affordable residential neighborhoods” in coastal areas has played a key role in pushing low-income Californians and communities of color further away from the coast, and has made it policy to “work[] with local government to [...] promote a range of affordable new residential development types.” California Coastal Commission Environmental Justice Policy, p. 8. This Project is a golden opportunity to do just that, and bring 8 units of affordable family housing to a community that sorely needs it.

BCLT has done its part by designing an affordable housing project that maximizes affordable units available, and without causing any detriment to the surrounding coastal community or coastal resources. Marin County has done its part, too, by recognizing the importance of this housing development and approving, and then affirming approval, of the Project. By this letter, we respectfully request that the Coastal Commission consider these policies and take similar action by rejecting Mr. Crotts’ meritless attempt to further delay needed affordable housing.

* * *

This Project will bring affordable housing to downtown Bolinas, in-line with the Legislature’s goal of building affordable housing along the coast and the Commission’s policy of promoting equitable housing and equitable access in California’s coastal communities.

Mr. Crotts’ latest attempt to thwart this goal is improper, both from a statutory perspective, with regards to the Commission’s jurisdiction, and from a factual perspective, with respect to the substance of the allegations therein. We ask Staff to treat this appeal as such, and find that it warrants no further consideration. Mr. Crotts’ meritless claims only serve to distract the Commission from its mission of protecting the coast for all Californians, regardless of profession or income level.

As the Commission has affirmed time and time again, “the coast belongs to everyone.” California Coastal Commission Environmental Justice Policy, p. 7. Upholding the approval of this Project, without further unnecessary delay, will help make that so.²

Very truly yours,



Niran S. Somasundaram
Attorney

NSS

² The California Constitution guarantees that “access to the navigable waters of this State shall be always attainable for the people thereof.” See Cal. Const., art. X, § 4. The California Coastal Act implements this constitutional requirement by ensuring that “maximum [coastal] access . . . shall be provided for all the people . . .” Pub. Resources Code, § 30210.



August 9th, 2021

Chair Steve Padilla
California Coastal Commission
276 Fourth Avenue
Chula Vista, CA 91910

Re: Hearing on the Bolinas Community Land Trust's Affordable Housing Project at the California Coastal Commission

Dear Mr. Chair,

I am writing to express my support for the Bolinas Community Land Trust's (BCLT) affordable housing project, an eight-unit housing project that will provide critical low income units in a community that is truly in need.

There is dire need for affordable housing in California, and this project will support the efforts of Marin County to hit the Regional Housing Needs Allocation for the next cycle. BCLT currently has over 200 low income applicants on their waitlist and through their streamlined housing application system, they are providing a service to the community by efficiently connecting people with housing.

The project, which would provide immense relief to the impacted housing stock, was approved by the Marin County Planning Commission but then appealed to the Marin County Board of Supervisors. They denied the appeal with several supervisors commenting on what a crucial project this is for low and very low income, working residents. A singular neighbor has appealed their decision, this time to the California Coastal Commission, causing the BCLT increasing delays and expenses.

This is the only lot in Bolinas zoned for multi-family units and the project is being funded primarily by a private donor with certain contingencies that include a specific timeline and number of units. The donor will withdraw their support if this project lags on for months and perhaps years.

I urge you to give this housing project, which has completed all the required studies, and secured all the necessary permits, your full support. If our office can be of any assistance, please do not hesitate to call us at (916) 651 - 4002.

Warmest regards,

MIKE MCGUIRE
Senator

letter from Senator Mike Mcguire in Support of affordable Housing in Bolinas

Arianne Dar <adar@bolinaslandtrust.org>

Thu 8/12/2021 4:28 PM

To: Padilla, Stephen@Coastal <Stephen.Padilla@coastal.ca.gov>; Brownsey, Donne@Coastal <donne.brownsey@coastal.ca.gov>; Bochco, Dayna@Coastal <dayna.bochco@coastal.ca.gov>; Turnbull-Sanders, Effie@Coastal <effie.turnbull-sanders@coastal.ca.gov>; Aminzadeh, Sara@Coastal <sara.aminzadeh@coastal.ca.gov>; Hart, Caryl@Coastal <caryl.hart@coastal.ca.gov>; Wilson, Mike@Coastal <mike.wilson@coastal.ca.gov>; Rice, Katie@Coastal <katie.rice@coastal.ca.gov>; Escalante, Linda@Coastal <linda.escalante@coastal.ca.gov>; Harmon, Meagan@Coastal <meagan.harmon@coastal.ca.gov>; Uranga, Roberto@Coastal <roberto.uranga@coastal.ca.gov>; Groom, Carole@Coastal <carole.groom@coastal.ca.gov>; Pfeifer, Sara@Coastal <Sara.Pfeifer@coastal.ca.gov>; NorthCentralCoast@Coastal <NorthCentralCoast@coastal.ca.gov>

 1 attachments (174 KB)

Letter of Support for BCLT (2).pdf;

Dear Chair Padilla, Vice-chair Brownsey, Commissioners and Staff:

Attached please find a letter from Senator Mike Mcguire in support of the affordable housing project proposed by the Bolinas Community Land Trust in Bolinas CA.

We believe the project has been well conceived, and carefully thought out for the lot on which it is proposed, which happens to be one of the only lots in Bolinas zoned for multifamily dwellings. Change is hard for a small town to accept and envision, and we understand that people were afraid when they saw the story poles for this project go up. Their fear however does not negate the care in planning that went into our design and coastal permit application, nor should it undermine the extreme expense already incurred by the organization to bring the project to this point. We have been lucky to have the financial support of both the County of Marin and the Marin Community Foundation in the pre-development phase of this project, and should we get through this process in a timely manner we have the commitment of a private donor to pay for all of the construction costs. This is a rare and amazing opportunity for a tiny affordable housing organization such as ours. We have the opportunity to house 8 low income families without incurring any debt. It would quite simply be unfair if a loud and vocal minority of scared community members, most of whom own their own homes, outside of the downtown area, were able to prevent this project from proceeding on baseless claims.

We appreciate your careful review of all materials you will be supplied and hope that you will also take the attached letter into account.

Sincerely,
Arianne Dar

Executive Director
Bolinas Community Land Trust
PO Box 805
Bolinas CA 94924