

DRAFT NOTICE OF PREPARATION

Program Environmental Impact Report Ross Housing and Safety Update

Date November 28, 2022

To Reviewing Agencies, Interested Parties, and Organizations

Subject Notice of Preparation of a Draft Environmental Impact Report for the Ross General Plan Housing and Safety Element Update and Scheduling of a Scoping Meeting on Thursday December 8, 2022

The Town of Ross will be the Lead Agency and will prepare a programmatic Environmental Impact Report (EIR) for the Ross Housing and Safety Element Update (the Project). The Project, its location, and potential environmental effects are described below. Pursuant to CEQA Section 15060, the Town has determined that an EIR is required for the Project and an Initial Study has been prepared (see attached).

Public agencies and members of the general public are invited to provide comments in writing as to the scope and content of the EIR. Specifically, the Town needs to know the views of Responsible and Trustee Agencies as to the potentially significant environmental issues, reasonable alternatives, and mitigation measures that are germane to each agency's statutory responsibilities in connection with the Project. Responsible Agencies will need to use the EIR prepared by the Town when considering permit or other approval for the Project.

Due to the time limits mandated by State law, responses must be sent at the earliest possible date, but no later than the close of the NOP review period, which runs as follows: November 28, 2022 through December 29, 2022.

Please send written responses to Rebecca Markwick at the address shown below. Public agencies providing comments are requested to include a contact person for the agency.

PROJECT TITLE:

Ross Housing and Safety Element Update

LEAD AGENCY CONTACT:

Rebecca Markwick
Director of Planning and Building
P.O. Box 320
Ross, CA, 94957
Email: rmarkwick@townofross.org
Phone: 415-453-1453 x121

PROJECT SPONSOR:

Town of Ross
P.O. Box 320
31 Sir Francis Drake Boulevard
Ross, CA 94957

PROJECT LOCATION AND CONTEXT:

Located in the scenic Ross Valley amid wooded hillsides and meandering creeks, the Town of Ross is a quiet residential community that takes pride in its historic character, small-town charm, tree-lined streets, and excellent school system. Existing residential development in Ross numbers approximately 880 homes. These are predominantly single-family residences, with some guest houses and accessory dwelling units on single-family properties, and some apartment units located above retail in the downtown commercial area. The beauty of the natural landscape helps define the character of the community, but it also presents risk of natural hazards that limit the potential for new housing, including steep topography and areas of landslide hazard in the hills and risk of flooding and liquefaction on much of the valley floor.

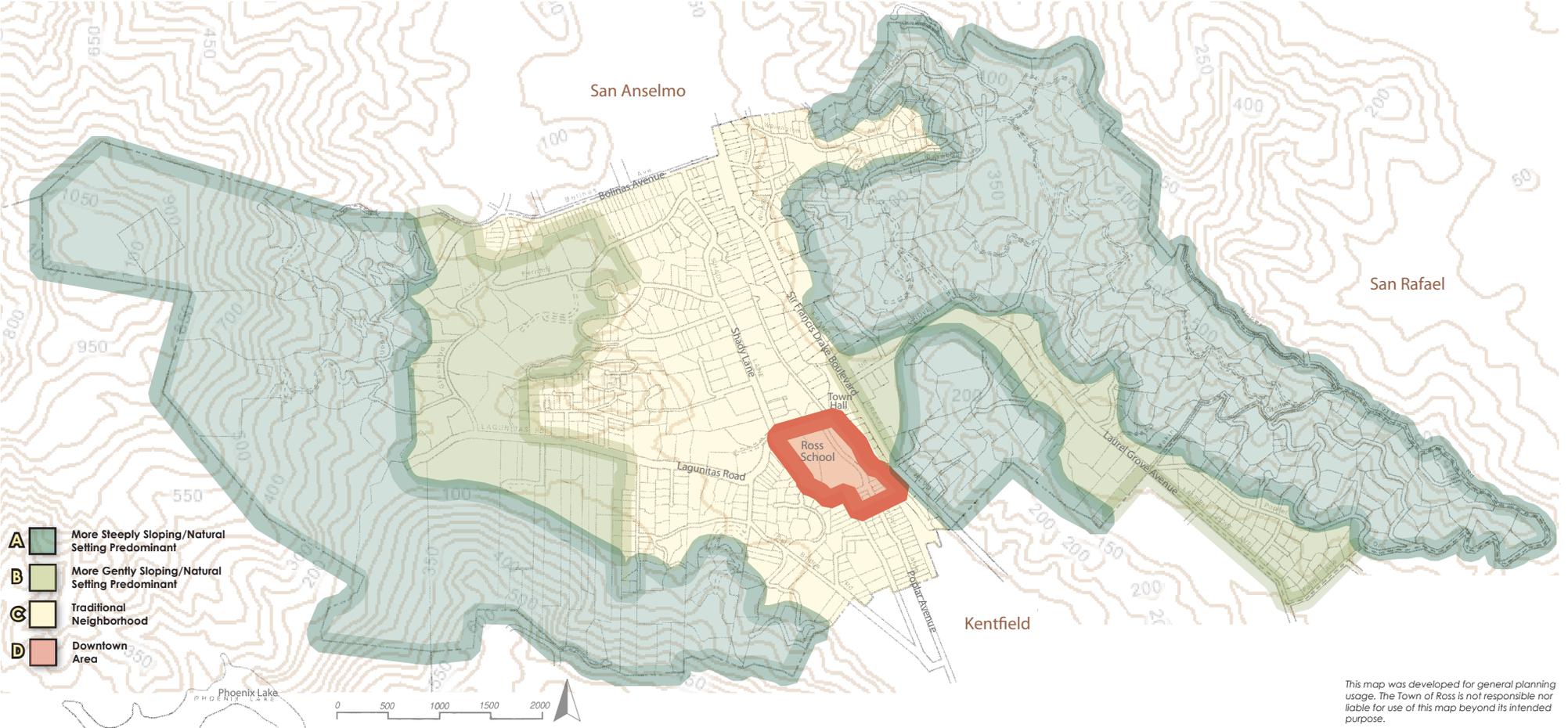
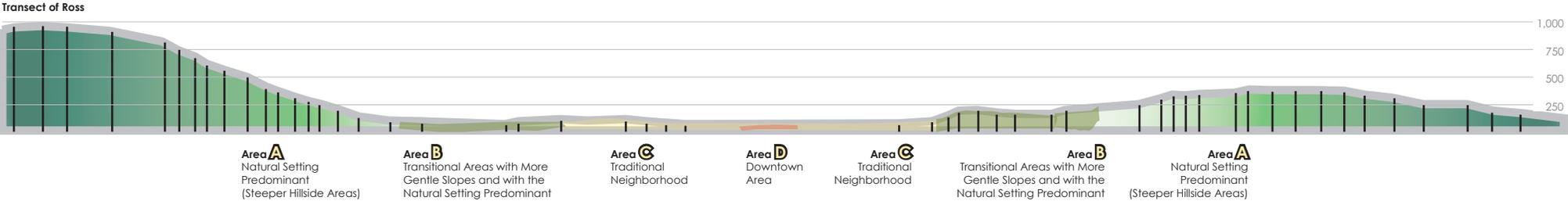
Planning Area Boundaries

Located approximately 18 miles north of San Francisco and centrally located in Marin County, Ross is bounded by the Town of San Anselmo to the north, the City of San Rafael to the east, and the unincorporated community of Kentfield to the south, with undeveloped open space administered by the Marin Municipal Water District in the hills to the west. Sir Francis Drake Boulevard bisects Ross in a north-south direction, providing the principal access route to and from the region. Marin Transit operates bus service along Sir Francis Drake, connecting Ross with San Rafael, Larkspur, Fairfax and the wider Bay Area. The Corte Madeira Creek runs roughly parallel to Sir Francis Drake Boulevard and Ross Creek drains from Phoenix Lake in the western hills to the Ross Valley floor. The Town's regional location and planning boundaries are shown in Figure 1.

Existing Land Uses

Home to 2,453 residents, the Town of Ross is the second smallest jurisdiction in Marin County, encompassing just 1.6 square miles. The town is largely developed with single-family homes with no vacant parcels on the valley floor. At the heart of the community is the Ross Common, located just west of Sir Francis Drake Boulevard and flanked by the Ross Post Office, the Ross School, and the downtown commercial area. The Ross Civic Center, comprised of the Town Hall and Public Safety Building, is located just north of the Post Office on the west side of Sir Francis Drake, while on the opposite side street is the Marin Art and Garden Center, an 11-acre site that features gardens and historic buildings, added to the National Register of Historic Places in 2022. Other notable land uses in Ross include the Branson School, the Lagunitas Country Club, and Saint Anselms Church. Much of the rest of the community is made up of single-family neighborhoods with a dense tree canopy. The lots on the flat land of the valley floor tend to be smaller, with large lots in the hilly terrain further away from the center of the community. Overall, residential uses account for 657.3 acres, commercial uses occupy 20.3 acres, and institutional uses occupy 1.6 acres. Vacant land accounts for 145.6 acres; however, this is predominantly located in areas of steep terrain.

Figure I: Location and Planning Boundaries



Natural Resources and Environmental Constraints

Set in a valley between wooded hillsides, Ross enjoys a natural environment with an abundance of green from tree-lined streets, hillsides, ridgelines, creeks, and parks and open space. This setting also provides natural habitat for wildlife and birds. Riparian forests along the Town's creeks provide habitat and movement corridors for flora and fauna. Residential development is limited in and near these resources to preserve existing biodiversity, including required setbacks along the creeks. Flooding is common within the 100-year flood zones along Corte Madera and Ross Creeks. These riparian areas along the creeks are also subject to high liquefaction risk. Landslides can occur along the hillsides of the western and eastern boundaries of the town. In addition, there is a very high wildfire hazard severity zone just southwest of the town limits while a high fire hazard severity zone exists within the town's boundaries. Such features in the town that bring risk of exposure to natural hazards, including flooding, wildfires, liquefaction, and landslides, are shown in Figure 2.

PROJECT DESCRIPTION:

The Proposed Project involves updates to the Town of Ross General Plan Housing and Safety Elements. In compliance with State law, the Housing Element is being updated to account for changing demographics, market conditions, and projected housing need over an 8-year planning period that runs from 2023 through 2031. Under State law, the Housing Element update triggers the need to incorporate new data on natural hazards and climate change into the Safety Element along with actions to strengthen community resilience and emergency evacuation capacity. A detailed project description is included in the attached Initial Study (Attachment 1). Key project components are summarized below.

Draft 2023-31 Housing Element

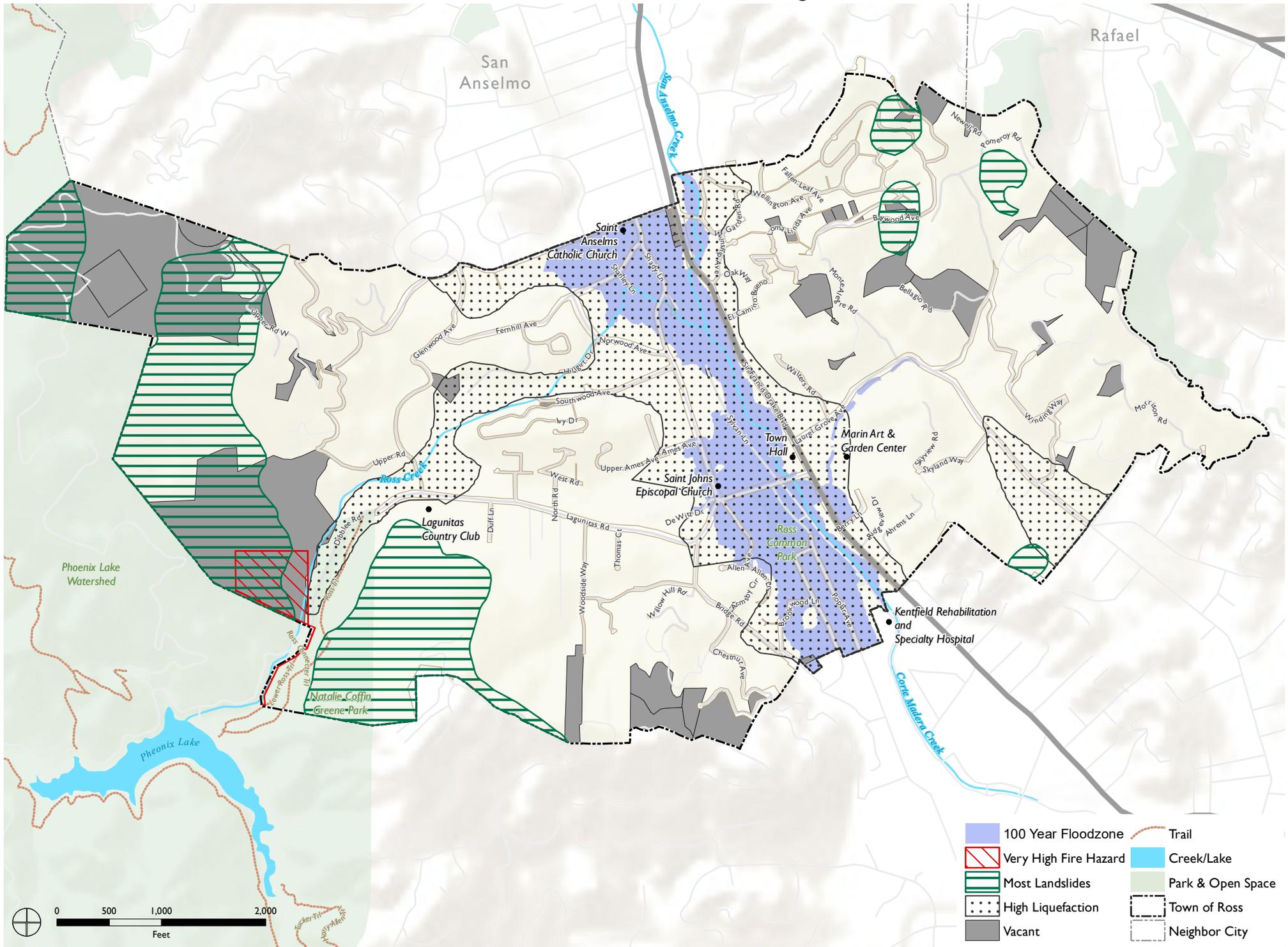
The Draft 2023-31 Housing Element is an update to the current Housing Element prepared to respond to the requirements for the Sixth Housing Element Cycle, which runs from 2023 through 2031. The Draft Housing Element was released for public review on October 18, 2022 and is posted on the Town of Ross website, accessible at this link:

<https://www.townofross.org/planning/webform/draft-housing-element-public-review>

Under State law, each city and county in California must plan to accommodate its share of the regional housing need - called the Regional Housing Needs Allocation (RHNA) - for the coming 8-year planning period. The State determines the estimated need for new housing in each region of California, based on population projections and other factors including rates of vacancy, overcrowding, and cost-burden. The various regional planning agencies then allocate a target to each city or town within their jurisdiction, considering factors such as access to jobs, good schools, and healthy environmental conditions. RHNA is split into four categories representing different levels of affordability, based on median income level in the county. The affordability categories are as follows:

- Very Low Income - Households making less than 50 percent of the average median income (AMI)
- Low Income - Households making 50-80 percent of AMI
- Moderate Income - Households making 80-120 percent of AMI
- Above Moderate Income - Households making more than 120 percent of AMI

Figure 2: Environmental Hazards and Constraints



Amid the ongoing housing crisis in California, Ross is required to plan for at least 111 new housing units between 2023 and 2031, including 34 Very Low Income units, 20 Low Income units, 16 Moderate income units, and 41 Above Moderate units.

As required by State law, the Draft Housing Element includes a map of sites available for housing and an inventory of realistic capacity. The inventory demonstrates a total capacity of up to 148 new housing units, which is sufficient to meet the Town's RHNA obligations at all income levels with a buffer. The buffer is required to ensure that there is sufficient capacity to meet RHNA obligations at all times during the planning period, in the event that some sites on the inventory develop at lower densities than envisioned. Implementation of the Draft Housing Element would primarily involve facilitation of smaller scale housing construction in established neighborhoods on existing lots and infill sites.

Of the total capacity on the inventory, 41 units would be accommodated on the 10 sites with current zoning that allows for housing. These are vacant and underutilized sites or sites where the property owner has expressed interest in housing. They include the Ross Civic Center, the Branson School, the Post Office, and vacant several residential properties. Additionally, the inventory projects development of 80 accessory dwelling units (ADUs) on existing single-family lots in established neighborhoods, based on past production trends in Ross and a suite of programs proposed to facilitate and incentivize production over the planning period. Given their small size and lower rents and sales prices, ADUs would offer affordable housing options for seniors, live-in caregivers, teachers, public servants, and other who work in Ross. A further 22 units are projected on existing single-family lots pursuant to Senate Bill 9 (SB9), a California state law that enables homeowners to split their single-family residential lot into two separate lots and/or build additional residential units on their property without the need for discretionary review or public hearing. The law gives qualifying property owners the right to a maximum total of four units across the two lots, whether as single-family dwellings, duplexes, and/or ADUs. There are at least 48 of sufficient size, located outside of areas of environmental hazard, and meeting other parameters define in State law that may also be underutilized. The inventory projects up to 22 new units on some combination of the SB9 sites will be developed by 2031.

The Draft Housing Element also includes an Action Plan, organized around five housing goals. Each goal is supported by policies and implementing programs that describe actions the Town will take to help meet its RHNA obligations. The housing sites inventory and map are included in the detailed project description in the attached Initial Study (Attachment 1), together with a summary of Action Plan contents.

Safety Element Update

The Safety Element will be updated to incorporate new data on natural hazards and climate change along with actions to strengthen community resilience and emergency evacuation capacity. Risk to life and property will be characterized and maps showing special flood hazard area, wildfire hazard severity, and geologic hazards will be updated. The Safety Element update will also draw on the findings of a regional evacuation study by the Marin Wildfire Prevention Authority (MWPA) expected in early 2023. The study will simulate the wildfire evacuation process in Marin County, prioritize areas of highest concern, and help identify possible risk mitigation.

PROBABLE ENVIRONMENTAL IMPACTS OF THE PROJECT

An Initial Study (Attachment 1) was prepared to evaluate potentially significant environmental impacts associated with the adoption and implementation of the Project. Consistent with the State CEQA Guidelines (Appendix G), the following environmental resource categories were analyzed:

- Aesthetics
- Agricultural and Forest Resources
- Air Quality
- Biological Resources
- Cultural, Tribal, and Historic Resources
- Energy, Climate Change, and Greenhouse Gas Emissions
- Geology, Soils and Seismicity
- Hazards and Hazardous Materials
- Hydrology, Drainage, and Water Quality
- Land Use, Population, and Housing
- Noise and Vibration
- Public Facilities and Recreation
- Traffic and Transportation
- Utilities and Service Systems
- Wildfire

Environmental effects found to have no impact or a less-than significant impact are identified in the Initial Study. These topics will not be evaluated in detail in the EIR, which will focus on the potentially significant impacts of the Project, as identified in the Initial Study. Mitigation measures will be recommended in the EIR as needed to address any significant impacts identified, and the Initial Study will be incorporated as an Appendix to the Draft EIR. A summary of the potentially significant environmental impacts of the Project identified in the Initial Study is provided below.

Biological Resources

Given the extent of biological resources throughout Ross, future development pursuant to the Proposed Project has the potential to adversely affect sensitive species, riparian habitats, sensitive communities, and federally protected wetlands. The potential presence of sensitive biological resources within the Town will be reviewed as a basis to determine whether new development on one or more of the housing opportunity sites may have potential to affect such resources. Where potential impacts are identified, programmatic biological resources mitigation measures will be identified that would apply to future individual development projects.

Cultural Resources

The Ross Town Hall and Fire House is listed on the California Register of Historical Resources and eligible for listing on the National Register. The Proposed Project identifies the Ross Town Hall and Fire House as the Civic Center site, and it is included in the inventory of sites available for housing development. The redevelopment of the Civic Center could potentially result in adverse effects on the historic significance of the buildings. Additionally, there is a high potential for unrecorded historic-period archaeological resources and Native American resources within the Town limits. As such, related potentially significant impact will be analyzed in further detail in the EIR.

Geology and Soils

Given the steep terrain in much of Ross, there is potential for landslides, particularly in wet weather months. Hillside areas in the west, northeast, and southeast of Ross have experienced landslides in the past. The development of housing in or adjacent to areas of geologic hazard could potentially result in significant impacts, which will be analyzed in further detail in the EIR.

Greenhouse Gas Emissions

As a long-range plan, the Proposed Project would be assumed to have a less than significant impact related to GHG emissions if the Town has a qualified GHG Reduction Strategy that demonstrates consistency with established SB32 and EO B-55-18 targets. While the Town's Climate Action sets out a pathway to reducing GHG emissions by 15 percent below 2005 levels by the year 2020, it does not demonstrate consistency with SB32 targets for 2030 or EO B-55-18 targets for 2045. Therefore, GHG emissions from the Proposed Project will be quantified and analyzed in further detail in the EIR. Consistency with the CARB Scoping Plan will also be analyzed.

Hazards and Hazardous Materials

The risk of natural hazards, including flooding and wildfire, is present in Ross. Sir Francis Drake Boulevard, the principal evacuation route in Town, is located within the 100-year flood plain and could be obstructed in the event of a natural disaster. Further, given the extent of wildfire hazard in Ross, project implementation could potentially exposure people and structures to risk from wildland fires. Emergency evacuation and wildfire are potentially significant impacts that will be analyzed in further detail in the EIR, accounting for new strategies proposed in the Safety Element Update and identifying mitigation as needed.

Noise

Vehicle trips generated by new residential development pursuant to the Project may increase ambient noise levels in Ross, while construction activities may cause intermittent impacts. Construction-related noise effects and traffic noise effects will be evaluated based on Town standards and data regarding noise intensities for typical construction activities. Noise modeling will be conducted to determine if noise levels in excess of standards established in the General Plan and Town Code could be exceeded as a result of project implementation, either cumulatively or as a result of project implementation.

Transportation

According to State guidance, transportation impacts would result if home-based vehicle miles travelled (VMT) per resident under the Project are not 15 percent below baseline levels. VMT forecasts developed for the Project indicate that a 12 percent reduction in per capita VMT as compared to 2019 baseline conditions would result. This exceeds the threshold prior to mitigation. As such, this is a potentially significant impact that will be analyzed in further detail in the EIR with mitigation identified accordingly.

Tribal Cultural Resources

Given the high potential for yet undiscovered tribal cultural resources in Ross and the ongoing tribal consultation, it cannot be definitively determined that no significant impact will result at this stage. This section will address whether the Proposed Project may have an adverse change on the significance of a tribal cultural resource.

Wildfire

Given the extent of wildfire hazard in and adjacent to Ross, this section of the EIR will address whether the project would substantially impair an adopted emergency response plan or emergency evacuation plan; expose people to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; require installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or expose people or structures to significant risks, including downslope of downstream flooding or landslides as a result of runoff, postfire slope instability, or drainage changes.

SCOPING MEETING:

A scoping meeting will be conducted on Thursday December 8, 2022 to collect oral comments from agencies and members of the public regarding the scope and content of the EIR in accordance with CEQA Section 21083.9.

EIR Scoping Meeting on the Ross General Plan Update

Thursday December 8, 2022 | 6:00 PM

Ross Town Council Chambers

31 Sir Francis Drake Boulevard Ross, California 94957

For project information, please visit <https://www.townofross.org/planning/page/town-ross-housing-element-update>

Please contact Rebecca Markwick at 415-453-1453 x121 or rmarkwick@townofross.org with any questions regarding this notice or the scoping meeting.

p.p *Claire Villegas*

11/28/22

Rebecca Markwick, Director of Planning and Building

Date

Attachment 1 - Initial Study and Environmental Checklist