



June 14, 2021

Cynthia Koehler, President  
Marin Municipal Water District  
Board of Directors  
220 Nell Avenue  
Corte Madera, CA 94925

**RE: Proposed Moratorium**

Dear MMWD President and Board Members:

Thank you for the opportunity to provide input on the District's upcoming meeting related to drought conditions and a possible moratorium on new development.

In prior correspondence, City of San Rafael staff asked your Board to consider exempting certain types of projects from such a moratorium (see attached letter), particularly those projects that would create affordable housing units. Over the past few years the City of San Rafael has made an effort to demonstrate a commitment to reaching our goal of complying with the RHNA allocation by adopting a number of initiatives intended to remove barriers to housing production.

This year, the City Council adopted changes to the City's inclusionary housing ordinance in hopes of sparking interest in residential development within the City and moving us in a direction of complying with our housing obligation. Of importance is the real need for affordable housing and the positive impact that development of even 1 new affordable housing unit would have. The City has yet to see the impact of our efforts. If your Board adopts a moratorium on development, such moratorium will delay any such positive impact and the City will be faced with the challenge of having to demonstrate progress toward our housing goals, while also being faced with the need to comply with a moratorium on development. For this reason, I urge you to direct water district staff to instead, explore other water conservation programs that may result in a greater and more measurable impacts on water conservation throughout the County.

City staff previously provided a list of project types that the Board should consider for exemption and includes affordable housing projects. If your Board decides to adopt a moratorium on development, please consider exempting such a project that includes even 1 affordable housing unit. I would also like to affirm my support of staff's requested list of exemptions for the Board's consideration. The full list is provided in the attached letter by staff and includes exemptions for both City-sponsored and private development projects as follows:

#### CITY-SPONSORED PROJECTS

- Projects that have received funding or are not high-water use projects; and
- Project that are under constructions; and
- Building remodels with no or minor additions.

#### PRIVATE DEVELOPMENT

- Affordable housing projects that include at least 1 below market rate unit;
- Other projects that have received land-use entitlements and/or building permit approvals;
- Addition to existing residential units where no new units are created;
- ADUs that swap out turf or other high water use landscaping;
- New residential units/single family homes that propose low water use landscaping (no turf), deferred landscaping, or other water conservation methods;
- Other non-high-water use projects (i.e. remodels, demo & rebuild, minor additions to commercial buildings, etc.)

Please do not hesitate to contact me with question at [Kate.colin@cityofsanrafael.org](mailto:Kate.colin@cityofsanrafael.org).

Sincerely,



Mayor Kate Colin  
CITY OF SAN RAFAEL

Attachments: Letter to MMWD, dated June 1, 2021

CC: Jim Schutz, City of San Rafael City Manager  
Alicia Giudice, Community Development Director  
Jack Gibson, MMWD Boardmember  
Monty Schmitt, MMWD Boardmember  
Larry Bragman, MMWD Boardmember  
Larry Russell, MMWD Boardmember  
Brian Horenstein, General Manager



June 1, 2021

Cynthia Koehler, President  
Marin Municipal Water District  
Board of Directors  
220 Nell Avenue  
Corte Madera, CA 94925

**RE: Proposed Moratorium**

Dear MMWD President and Board Members:

Thank you for the opportunity to provide input on the District's upcoming meeting related to drought conditions and a possible moratorium.

As you may know, the City is obligated to provide its fair share of housing under the Regional Housing Needs Allocation (RHNA) process and to demonstrate annual progress towards meeting our housing goals. If a moratorium on development is approved by your Board, the City will be faced with a challenge of having to demonstrate progress toward our housing goals, while also being faced with the need to comply with a moratorium on development. However, exempting certain projects from a possible moratorium would allow the City to continue to approve those certain types of projects and allow us to continue to demonstrate progress toward our housing obligation.

As such, on behalf of the City of San Rafael, I am requesting your consideration of the following exemptions to a possible moratorium:

**CITY-SPONSORED PROJECTS**

- Projects that have received funding or are not high-water use projects; and
- Project that are under constructions; and
- Building remodels with no or minor additions.

**PRIVATE DEVELOPMENT**

For projects that require land-use entitlements

- Affordable housing projects;
- Projects that have received land use entitlements (projects that have not received entitlements should be allowed to continue through the entitlement process, but would require will serve letters from MMWD before building permits are issued).

For projects that do not require land use entitlements, allow with certain parameters:

- Projects that have already received building permit approvals;
- Addition to existing residential units where no new units are created;
- ADUs -allow if applicants swap out turf or other high water use landscaping;

- New residential units/single family homes allow only if: no turf, low water use landscaping, deferred landscaping, or other water conservation methods are proposed
- Other non-high-water use projects (i.e. remodels, demo & rebuild, minor additions to commercial buildings, etc.)

Should you have any questions please do not hesitate to contact me at (415) 485-3092 or [Alicia.giudice@cityofsanrafael.org](mailto:Alicia.giudice@cityofsanrafael.org).

Sincerely,



Alicia Giudice  
CITY OF SAN RAFAEL  
Community Development Director

CC: Jim Schutz, City of San Rafael City Manager  
Mayor Kate Colin, City of San Rafael  
Jack Gibson, MMWD Boardmember  
Monty Schmitt, MMWD Boardmember  
Larry Bragman, MMWD Boardmember  
Larry Russell, MMWD Boardmember  
Brian Horenstein, General Manager