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December 30, 2025

VIA ELECTRONIC MAIL

Town Council
Town of Ross
31 Sir Francis Drake Blvd.
Ross, CA 94957
Email: towncouncil@townofrossca.gov
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Re: Friends of Ross Firehouse - Review of Town's Plan and Friends' Plan

Dear Council Members:

We represent Friends of Ross Firehouse, and on behalf of the organization's members, we write to comment on the Town of Ross's ("**Town**") plan to demolish the historic Public Safety Building at 31 Sir Francis Drake Boulevard, Ross, California ("**Firehouse**") and replace it as part of the Town's plan to upgrade its administrative facilities ("**Town Plan**")¹.

While the Town's goals are commendable, its approach, as provided for in the Town Plan, is not. The Firehouse is a registered historic resource and a landmark that defines the Town's character. Additionally, the demolition of the Firehouse is unnecessary to achieve the Town's goals. Friends of Ross Firehouse has worked diligently and thoroughly to develop an alternative plan that differs most significantly from the Town Plan by providing for the rehabilitation of the existing Firehouse ("**Friends' Plan**").

The Friends' Plan has multiple legal and practical advantages over the Town Plan. Below, we explain how the Friends' Plan is the most practical path forward for the Town given:

1. The requirements of the California Environmental Quality Act ("**CEQA**");
2. The lack of an impact by the Friends' Plan on a nearby area reserved for housing units to meet the Town's Regional Housing Needs Allocation requirements and designated for such in the Town's 2023-31 Housing Element ("**Housing Element**")² and

¹ The Town Plan is available online at <https://www.townofrossca.gov/planning/page/facilities-master-plan>.

² Available online at https://www.townofrossca.gov/sites/default/files/fileattachments/planning/page/4342/ross_he_-_amended_5-6-24_opt.pdf.

3. The lack of any significant impact by the Friends' Plan on the Town's obligations under the Lease and Operating Agreement between the Town and the Ross Valley Paramedic Authority, which the Town considered and approved at the November 21, 2025 special meeting ("**Lease Agreement**").

CEQA

Our understanding is that the Town has elected to implement Concept B of the Town Plan. Concept B includes the following primary components:

- Demolition of the Firehouse, a state-registered historic structure;
- Renovation of the Ross Town Hall, a state-registered historic structure;
- Demolition of the existing two-story Public Works building;
- Demolition/removal of the existing modular unit housing the Planning & Building Departments;
- Demolition and relocation of most existing site improvements including parking lots, driveways, landscaping, grading and drainage, and utilities; and
- Construction of new buildings.

The Town Plan's environmental impacts will require a time consuming and expensive environmental review process (i.e., the preparation of an environmental impact report ("**EIR**") under CEQA) and mitigation measures to reduce environmental impacts.

1. Demolition of a state-registered historic resource like the Firehouse will require an environmental impact report.

The Firehouse (and Town Hall³) is listed on the California Register of Historic Resources.⁴ (The only other building in Ross in the California Register is the Phoenix Lake Log Cabin; the only other historic structures are bridges.⁵)

Under CEQA, local agencies such as the Town must prepare an EIR for any project "which may have a significant effect on the environment." (Public Resources Code § 21151(a).) The

³ The Town Hall and the Firehouse were designed and built together in 1927 by architect John White.

⁴ In 2016, VerPlanck Historic Preservation Consulting prepared a draft Historic Resource Evaluation for the Town. (The report is available through the Friends of Ross Firehouse's website at <https://www.friendsofross.com/data>.) The report states at page 2, "[T]he Ross Public Safety Building [i.e., Firehouse] is individually listed in the California Register, meaning that it is already considered a 'historical resource' under [CEQA]." See also California's Built Environment Resources Directory at https://ohp.parks.ca.gov/?page_id=30338. The Marin County spreadsheet (available for download at the above website) lists the "Ross Town Hall and Firehouse" at 31 Sir Francis Drake Boulevard with a status code of "2S2." The status codes are explained at <https://ohp.parks.ca.gov/pages/1068/files/Resource-Status-Codes.pdf>. "2S2" means "Individually determined eligible for [National Register] by consensus through Section 106 process. **Listed in the [California Register]**."

⁵ 2016 Historic Resource Evaluation by VerPlanck Historic Preservation Consulting at page 2.

demolition of the Firehouse would be “a substantial adverse change in the significance of an historical resource” and is “a significant effect on the environment.” (14 CCR § 15064.5(b).)

2. The Friends’ Plan is a reasonable alternative to the Town Plan that rehabilitates rather than demolishes the Firehouse.

The EIR will require an evaluation of reasonable alternatives to the Town’s project, i.e., the Town Plan. (14 CCR § 15126.6.) The EIR will also be required to describe measures to minimize significant adverse impacts. (14 CCR § 15126.4.) We are unaware of any mitigation measures that would compensate for the full demolition of a historic resource like the Firehouse.

Friends of Ross Firehouse has prepared such an alternative, the Friends’ Plan. The Friends’ Plan rehabilitates the Firehouse. Our understanding is that the Town’s position is that the Firehouse structure “contains significant structural damage at dilapidated portion of facility”⁶ and that the cost of rehabilitation is more than the cost to replace it with a new structure.⁷

But Friends of Ross Firehouse has engaged professional public safety architecture, engineering, and contracting firms who have prepared plans, reports, and studies that indicate that the Firehouse is in fact a viable candidate for rehabilitation, and can be completed in a cost-effective manner.

3. A CEQA exemption would likely apply to the rehabilitation of the Firehouse.

Under CEQA, the Friends’ Plan’s treatment of the Firehouse would likely be exempt in accordance with 14 CCR section 15331, which exempts “Class 31” projects that are “limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources.” (The rehabilitation work would be required to be done in a manner consistent with Secretary of the Interior’s standards.)

⁶ Town Plan at p. 26.

⁷ See <https://www.townofrossca.gov/civiccenter/page/frequently-asked-questions-faq>:

2. Can we renovate these facilities instead of rebuilding them?

No. Renovating the existing buildings to ESA and FEMA requirements could cost as much as or more than demolishing the old buildings and constructing a new building and would not resolve the existing floor plan and parcel constraints.

We note that the Town does not plan to demolish the Town Hall building, which was constructed in conjunction with the Public Safety Building (i.e., the Firehouse), casting doubt on the assertion that the Public Safety Building cannot be rehabilitated.

4. The Town Plan will have a greater impact than the Friends' Plan on Corte Madera Creek, and the replacement of storm drainage facilities will require expensive upgrades.

The Town Plan includes the near complete demolition and rebuild of all parking lots, grading and drainage, landscaping, and utilities, all of which extend to the top of the bank of Corte Madera Creek:⁸



The Town's Municipal Code governs and limits any work within 25 feet of top of bank and recommends a minimum 50 feet setback for new buildings. (Ross Municipal Code § 18.41.100(s).) Corte Madera Creek is identified as an active and known habitat for steelhead trout (salmonid family), a federally threatened species.⁹ The level of site disturbance contemplated in the Town Plan will require extensive environmental study and construction mitigation measures. (For example, the Town voted on September 11, 2025, to approve the Final Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for upgrades to the Bolinas Avenue storm drain system, mainly the installation of additional piping.¹⁰ Our understanding is that the Town spent approximately \$149,000.00 on environmental and cultural resources review and is expected to spend an additional estimated \$130,000.00 on construction mitigation and monitoring measures.)

Further, our understanding is that current stormwater treatment at the Town Plan's project site consists primarily of grease trap interceptors mounted in the parking lots, which then drain

⁸ Image of Concept B at Town Plan p. 8.

⁹ See [https://en.wikipedia.org/wiki/Corte_Madera_Creek_\(Marin_County\)#Ecology](https://en.wikipedia.org/wiki/Corte_Madera_Creek_(Marin_County)#Ecology) and <https://www.fisheries.noaa.gov/west-coast/endangered-species-conservation/central-california-coast-steelhead>.

¹⁰ See <https://www.townofrossca.gov/publicworks/page/bolinas-avenue-storm-drain-improvements-phase-2>.

directly into Corte Madera Creek. Due to the demolition and reconstruction of all parking and other site improvements, new and expensive bioretention facilities (e.g., underground bio-swale and retention basins) will be required per current regulatory requirements.¹¹ Under the Friends' Plan, stormwater drainage into Corte Madera Creek would remain unchanged.

We note that in October 2024, the Town of San Anselmo found the renovation of Firehouse 20, which is "situated over Sleepy Hollow Creek,"¹² to be categorically exempt under a similar exception, 14 CCR section 15301.¹³ With regard to the Firehouse, we expect that the Town could find similarly for the Friends' Plan.

5. The Friends' Plan would encounter less public opposition and would require a less extensive CEQA process.

As noted, the Friends' Plan retains and rehabilitates the Firehouse. The Friends' Plan also limits construction work to the pre-existing building footprints, and proposes no new construction or site work within 25 feet of Corte Madera Creek:¹⁴



Based on our experience with CEQA, we believe that the Town Plan will require an 18-36 month EIR process, at a cost of \$500,000-\$1,00,000 including construction and other mitigation

¹¹ See <https://mcstoppp.org/2020/03/new-and-redevelopment/>; <https://mcstoppp.org/wp-content/uploads/2020/09/basmaa-postconstruction-manual.pdf>; and Municipal Code chapter 15.54.

¹² See Item 2.2 (p. 96) of the October 22, 2024 Town of San Anselmo staff packet at <https://d3n9y02raazwpg.cloudfront.net/sananselmo-ca/368b3b75-bba9-11ee-8fe8-0050569183fa-f1987086-fb22-4848-a7a9-9d73f32a105d-1729201596.pdf>.

¹³ Town of San Anselmo Town Council's October 22, 2024 meeting minutes at https://sananselmo-ca.granicus.com/DocumentViewer.php?file=sananselmo-ca_757d0b06e5a4dc39d248fd0743e982b6.pdf&view=1.

¹⁴ Image from materials submitted by Friends of Ross Firehouse for its presentation to the Town Council on January 8, 2026.

measures. Litigation could further extend both of these estimates. Time and cost will be driven in part by the amount of opposition to the plan and could include Town liability for attorney's fees incurred by opposition groups. Depending upon the degree of success, an opposing party may recover the entirety of its fees. In this case, the Town can reasonably expect opposition from local environmental organizations, historic preservation groups, and public safety advocacy groups such as Friends of Ross Firehouse. Here, if the Friends of Ross Firehouse were to successfully challenge the project due to the demolition of a historic resource, any claim it may have for the total recovery of its attorney's fees would be supported by the expert reports, studies, and testimony it has prepared to demonstrate the feasibility of preserving and renovating the Firehouse.

Given that the Friends' Plan calls for the rehabilitation of the historic Firehouse, limits work to existing structures' footprints, and does not contemplate construction near Corte Madera Creek, the Friends' Plan would likely not receive significant pushback from historic preservation and environmental organizations.

Housing Element Impacts

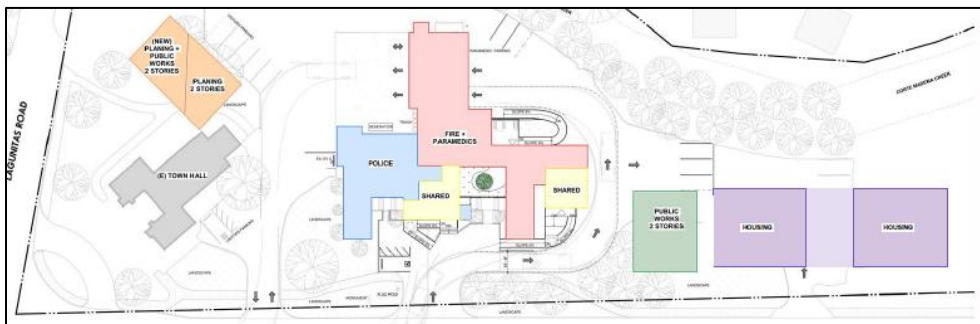
The Friends' Plan does not require deviating from the Town Plan's allocation of the western edge of the site for nine housing units to meet the Town's Regional Housing Needs Allocation requirements.

The Town Plan shows the nine housing units in purple coloring:¹⁵



¹⁵ Image of Concept B at Town Plan p. 8.

The Friends' Plan contemplates the same area for the same housing units:¹⁶



Adoption of the Friends' Plan will not require any changes to the Town's Housing Element.

Impacts to the Lease Agreement

As stated in the Recitals to the Lease Agreement,¹⁷ the Ross Valley Paramedic Authority ("RVPA") has been and continues to be a holdover tenant at the Firehouse under the terms of the lease agreement between it and the Town, which expired September 30, 2024. (Lease Agreement, Recital C.) That lease agreement had allowed the RVPA to use the existing paramedic facilities at the Firehouse. The Town and the RVPA recently entered into the Lease Agreement for paramedic facilities contemplated under the Town Plan. (Lease Agreement ¶ 5(a)(ii).)

Our understanding is that the Town staff's position is that the Lease Agreement prohibits the Town from adopting the Friends' Plan, and the Town is legally required to proceed with the Town Plan.

Our review of the Lease Agreement shows that this is not the case.

The term of the Lease Agreement commences on the first business day following the Town's receipt of either a certificate of occupancy (temporary or otherwise) for the proposed paramedic facility or January 1, 2029, whichever occurs first. (Lease Agreement ¶ 4.)

Per the Town's staff report regarding the Lease Agreement, the Town "can terminate the lease on 30 days' notice if the cost to construct the Facility exceeds the 'Final Facility Costs,' which are defined as the 'Projected Facility Costs,' plus 10%." (The estimated cost of the

¹⁶ Image from materials submitted by Friends of Ross Firehouse for its presentation to the Town Council on January 8, 2026.

¹⁷ An unexecuted copy of the Lease Agreement is available online at https://www.townofrossca.gov/sites/default/files/fileattachments/town_council/meeting/4566/final_11-21-25_rvpa_lease_staff_report_with_lm_edits_web.pdf.

paramedic facility is \$3,503,125.00.¹⁸) There is no penalty provision for failing to keep costs within the Projected Facility Costs. (*See* Lease Agreement ¶ 15(b)(i).)

Additionally, if the paramedic facility is not completed within 90 days of the estimated completion date (January 1, 2029), RVPA may terminate the Lease Agreement in accordance with Lease Agreement paragraph 5(c). And, “Force Majeure Events” “at any stage of the project related to the Facilities” which cause “progress on the Facility to stop” for at least six months constitute an “Unreasonable Delay” under the Lease Agreement, and RVPA has the right to terminate the Lease Agreement for such a delay. (Lease Agreement ¶ 5(d).) Force Majeure Events include delays caused by court orders and the environmental review process. (Lease Agreement ¶ 5(c).)

Practically speaking, so long as the Town continues to house RVPA at the Firehouse, as it is doing now under the terms of the current lease, it is difficult to ascertain any legal or monetary damage from the Town’s failure to deliver the new paramedic facility.

Further, the Friends’ Plan includes brand new paramedic facilities in the existing historic Firehouse, and the plans include all programmatic paramedic requirements contained in the Town Plan. In any case, it’s difficult to see why RVPA would object to the Town providing the RVPA with brand new facilities in the Firehouse that meet all current codes and Emergency Services Act requirements. The Lease Agreement requires the facilities provided to RVPA to “substantially comply” with the requirements of the Town Plan. Here, the Friends’ Plan would do so *earlier than anticipated* under the Town Plan by providing the same paramedic requirements as the Town Plan within the already existing structure.

The Town should seriously consider the alternative plan prepared by the Friends of Ross Firehouse. The Friends’ Plan is more likely to survive review under CEQA, does not impact Corte Madera Creek to the same extent as the Town Plan, does not impact the Town’s housing efforts, and can be accomplished without significant impact to the Town’s Lease Agreement with the RVPA.

Very truly yours,



John Beard

cc (by email): Client

¹⁸ See Attachment 2 of the staff report for the Lease Agreement at https://www.townofrossca.gov/sites/default/files/fileattachments/town_council/meeting/4566/final_11-21-25_rvpa_lease_staff_report_with_lm_edits_web.pdf.