



Office of the City Attorney  
Robert F. Epstein, City Attorney

Phone: (415) 485-3080  
Fax: (415) 485-3109  
Email: [city.attorney@cityofsanrafael.org](mailto:city.attorney@cityofsanrafael.org)

November 18, 2024

**Sent via email: [mrw@mrwolfeassociates.com](mailto:mrw@mrwolfeassociates.com)**

Mark R. Wolfe, Esq.  
Attorney for Save Dominican Valley  
580 California Street, Suite 1200  
San Francisco, CA 94104-1071

**Re: Appeal of Completeness Determination  
File No: PLAN23-081; PLAN24-048; TS23-001; and ED 23-62 /  
Development Application for Dominican Valley Housing  
Development Including Density Bonus, Environmental and Design  
Review, and Tentative Subdivision Map Application (APN 015-163-03)**

Dear Mark Wolfe:

The Community and Economic Development Department (“CEDD”) is in receipt of your letter, dated November 8, 2024, requesting that the City reconsider its interpretation of San Rafael Municipal Code (“SRMC”) Chapter 14.28.010. The City remains firm in its position: CEDD’s October 8, 2024 completeness determination regarding the Dominican Valley Housing development application is not appealable.

The City stands by its interpretation that the October 8, 2024 completeness determination is not appealable because no final determination or action has been made on any project. Were the City to interpret SRMC Chapter 14.28.010 to allow for appeals of non-final “decisions” as you propose, virtually *any* action by the City and its various employees and bodies – no matter how minor – would be appealable. Accordingly, the City interprets SRMC Chapter 14.28.010 to allow for appeals only when a final determination or action has been made.

The City’s determination that the above referenced development application is complete has no bearing on whether the project will ultimately be approved or disapproved. There will be future opportunities for community members to provide input during public hearings.

Should you have any questions, I encourage you to contact me by email at [rob.epstein@cityofsanrafael.org](mailto:rob.epstein@cityofsanrafael.org) or by phone at (415) 485-3080.

Sincerely,

ROBERT F. EPSTEIN  
City Attorney