

MARIN COUNTY  
COMMUNITY DEVELOPMENT AGENCY  
ALEX HINDS, DIRECTOR

September 25, 2007

Marin County Board of Supervisors  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT:** Marin County Draft Countywide Plan Update

Dear Board Members:

**RECOMMENDATIONS:**

1. Conduct a public hearing on the Built Environment and Socioeconomic Elements of the Draft Countywide Plan
2. Close public testimony on today's agenda
3. Board deliberations and direction to staff
4. Continue the public hearing to Tuesday, October 16 at 1:30 p.m.

Today's hearing is the 3rd Board hearing on the Draft Marin Countywide Plan (CWP) and the first Board hearing on the Built Environment and Socioeconomic Elements. Major topics for today's hearing include:

- Housing Overlay Designation
- Mixed Use Designation
- St Vincent and Silveira Land Uses
- Rock Quarry
- Transportation
- Ridge and Upland Greenbelt
- Dark sky
- Telecommunications
- Healthcare

Major topics for upcoming hearings include:

October 16, 2007

Completion of carryover topics from previous hearings; provide initial direction regarding EIR certification and adoption of the CWP

October 23, 2007

Consider certification of the EIR and adoption of the CWP

## **TOPIC 1: Housing Overlay Designation**

**Background:** Although the Marin County Housing Element (certified by the State of California in June 2003) remains unchanged, additional housing in the areas with the most highly congested daily traffic received extensive public comment. By promoting greater housing diversity - especially for the local workforce, low and very-low income households, and persons with special needs – housing related policies support Marin County’s goals of providing housing for all economic segments of the community as well as households of diverse sizes and ages. Toward this end, Policies CD-2.3 and CD-8.7 promote development of a broader range of housing types in the County, generally in areas closer to transit and employment opportunities.

Taken together the various policies in the CWP will ensure that Marin County retains the ability to achieve the Regional Housing Needs Allocation (RHNA) assigned by the Association of Bay Area Governments (ABAG). For the 1999-2006 cycle, the County met the requirement and zoned for 100% of the 521 units, including 133 units affordable to low and very-low income households. . The 2007-2014 RHNA cycle requires Marin County to zone for an additional 773 units, 320 of which will be affordable. The draft CWP meets and exceeds the allocation for this cycle as the mixed-use policy and housing overlay designation allow for an additional 1,694 units. Together with existing multifamily zoning, there are more than sufficient sites to meet the RHNA number for 2007-2014.

The CWP notes that the State Department of Finance has estimated that Marin County will grow at an average rate of 500 households per year Countywide during the life of the Plan. The CWP, as revised by the Planning Commission and with the changes recommended in this Staff Report enables Marin County to provide sufficient housing to meet this demand.

The Marin County Housing Element includes a program to evaluate the feasibility of an affordable housing overlay designation that would list particular sites on which residential densities will be substantially increased if a specified level of affordability is reached (Program **HS-3.v**). Based on this program, and on significant public testimony received at the Planning Commission hearings conducted on the draft Countywide Plan in 2004, the Community Development Agency (CDA) included the proposed Housing Overlay Designation (HOD) in the August 2005 draft even though it was not required by ABAG as a means to meet the County’s affordable housing goals.

The purpose of the HOD is to encourage construction of units to meet the need for workforce housing, especially for very low and low income households, and for special needs housing close to transit, employment and/or public services, including redevelopment of existing shopping centers or other underutilized sites. The HOD does this by establishing specific location and affordability standards and identifying sites where qualifying projects would be eligible for development standard adjustments that enable additional housing to be developed. Under the mitigated alternative version of

HOD, the HOD total includes any density bonus units that could be developed under State law.

The Housing Overlay Designation (HOD) concept includes offsetting reductions in potential housing supply due to environmental constraints by identifying less constrained sites dedicated to affordable, mixed-use, transit-oriented development in the City-Centered Corridor. The HOD is a tool for developers, non-governmental organizations, and County government to collaboratively provide higher levels of affordability than under the current inclusionary ordinance.

The sites designated as HOD in the Countywide Plan are scattered throughout the City-Centered Corridor and would promote housing to serve a variety of incomes. They were selected according to criteria which adhere to smart growth principles of preserving the environment by using small in-fill sites to provide much needed housing for lower income and other households.

Housing in the overlay designation would range from market rate to homes affordable to a household making between 50% and 80% of the Area Median Income (AMI). To be eligible for the affordable units; a family of three's annual income would currently be between \$41,050 and \$65,680. An example of a family of three eligible for the affordable units could be a woman who is working full time as a file clerk at a local law firm and recently called County offices seeking housing assistance. She is a widow and mother of two who earns \$35,360 a year and would qualify for affordable housing.

Changes to the Housing Overlay made by the Planning Commission include:

- Clarified target levels for affordability
- Assigned HOD units to Traffic impact Areas
- Refined criteria to exclude floodplains for HOD projects
- Identified potential sites for HOD units and target units within traffic impact areas
- Provided that market rate housing correspondingly offset commercial expansion
- Reduced the density of HOD sites

The Planning Commission recommended language for the Housing Overlay Designation is included as Attachment 1:

**SUBTOPIC 1–A: Issue for further consideration – HOD and Daily Traffic Impacts on Sir Francis Drake**

Sir Francis Drake Boulevard is an important arterial roadway that runs primarily east-west, linking U.S. 101 to State Route 1 in West Marin. Sir Francis Drake Boulevard is the primary east-west corridor in Marin County. Traffic on Sir Francis Drake is well below the acceptable level of service on both weekdays and weekends due to the

impacts of both commuter and recreational traffic. Consequently, consideration could be given to a cap on the number of HOD units in areas served by Sir Francis Drake. For example, in an effort to reduce trips generated by HOD units, the allocation to the College of Marin could be reduced from 50 to 25 units and specified only for students or workforce employees of the college. In addition, the HOD units allocated to Marin General could be specifically targeted for senior, special needs, or workforce housing purposes - and the total reduced to 50 units. The HOD units removed from these areas could then be reallocated to the HOD pool to be drawn down when future sites are identified in the Housing Element and community plan process.

### **SUBTOPIC 1-B: Issue for Further Consideration - Housing Element Affordable Housing Criteria**

According to the California Department of Housing and Community Development, Marin County is located with a metropolitan jurisdiction. As such, allowing 30 dwelling units/acre on HOD sites is considered appropriate to accommodate housing for lower income households and help enable these sites to meet affordable housing criteria. In addition, local governments may not impose different requirements on affordable housing projects or emergency shelters than those imposed on non-assisted housing.

Consequently, the HOD program could be modified to increase the density from 25 to 30 units per acres in order for projects to qualify as affordable housing sites in the Housing Element Update. It will not change units allocated to named sites. This revision also may be important in securing future housing and transportation grant funding.

Furthermore, as currently recommended the CWP specifically encourages community based planning in regards to projects within the HOD. However, community-based planning can also be an effective tool to support infill, environmentally friendly, affordable housing regardless of whether it is located within the HOD. As such, a new program could be added calling for a community-based planning process for any large scale residential development regardless of its location or affordability. Another new program could also help to identify additional sites suitable for affordable housing through the preparation of updated or new community plans.

Based on the above issues and concerns, the HOD policy and program could be modified as underlined below:

### **Policy**

**CD-2.3** Establish *a Housing Overlay Designation*. The Housing Overlay Designation (HOD) is established, as shown on Maps 3-2a and 3-2b. The purpose of the HOD is to encourage construction of units to meet the need for workforce housing, especially for very low- and low-income households, and for special needs housing, in the City-Centered Corridor close to transit, employment, and/or public services. Sites for the HOD include reuse of existing shopping centers or other underutilized sites.

Development on sites designated as both mixed use and as suggested HOD sites shall be developed pursuant to the HOD Policy and Program and not per mixed use land designation criteria. Each square foot of market-rate HOD housing shall be offset by an equal reduction in the square footage of the permissible commercial development. Up to 658 housing units may be approved within the HOD, subject to a discretionary approval process.

The criteria used in establishing the Housing Overlay Designation include:

Designated by the Countywide Plan as Multifamily (MF), General Commercial (GC), Neighborhood Commercial (NC), Office Commercial (OC), Recreation Commercial (RC), or Public Facility (PF). Located within:

- The unincorporated portion of the City-Centered Corridor:
- One-half mile of a transit node or route with daily, regularly scheduled service: and
- One mile of a medical facility, library, post office, or commercial center.
- The area to be developed:
  - Does not exceed an average 20 percent slope and is not within the Ridge and Upland Greenbelt;
  - Is not within a Wetlands Conservation Area or Streamside Conservation Area;
  - Is not a park or public open space area; and
  - Is not primarily located within the 100-year flood plain.

The County will engage in discussions with cities and towns within Marin County regarding the possibility of locating residential units otherwise allocated to the HOD within these cities and towns, subject to the criteria described above.

Based on the above, the potential HOD suggested sites and unit allocations by traffic impact areas are listed in Exhibit 5.0-15 and shown in Exhibit 5.0-16.

**Exhibit 5.0-15**

Traffic Impact Areas as Determined by Screenlines and HOD Site Criteria (See Exhibit 5.0-16)	HOD Unit Potential for Traffic Impact Areas (including Density Bonus Units)	Suggested Qualifying Sites Within Traffic Impact Areas
Screenline 7:	110	<ul style="list-style-type: none"> <li>○ Marinwood Shopping Center (<u>50</u> to 100 units)</li> <li>○ Idylberry School (up to 10 units)</li> <li>○ Other qualifying sites</li> </ul>
Screenline 8:	25	<ul style="list-style-type: none"> <li>○ Gallinas Elementary School</li> <li>○ Other qualifying sites</li> </ul>
Screenline 23:	<del>163</del> 88	<ul style="list-style-type: none"> <li>○ College of Marin (up to <u>50 25</u> units – <u>limited to student or workforce employees of the College</u>)</li> <li>○ Marin General Hospital (up to <u>100-50</u> <u>total</u> units if associated with reconstruction or reuse and limited to <u>senior, affordable, workforce employees, or special needs housing</u>)</li> <li>○ Toussin (up to 13 units)</li> <li>○ Other qualifying sites</li> </ul>
Screenline 22:	10	<ul style="list-style-type: none"> <li>○ Oak Manor</li> <li>○ Other qualifying sites</li> </ul>
Screenline 13:	50	<ul style="list-style-type: none"> <li>○ California Park (San Rafael)</li> <li>○ Other qualifying sites</li> </ul>
Screenline 17:	100	<ul style="list-style-type: none"> <li>○ Strawberry Shopping Center</li> <li>○ Other qualifying sites</li> </ul>
Screenline 19:	50	<ul style="list-style-type: none"> <li>○ Fireside Motel</li> </ul>
Screenline 21:	150	<ul style="list-style-type: none"> <li>○ Marin City Shopping Center</li> <li>○ Other qualifying sites</li> </ul>
	583	Units on named HOD sites
	Total: 658	Total Potential HOD Units including Density Bonus Units

**Program:**

**CD-2.d** *Implement the Housing Overlay Designation Program.* The reviewing authority may allocate HOD units to suggested qualifying sites or other qualifying sites within Traffic Impact Areas shown on Exhibit 5.0-16 up to a total of 658 units, including any state density bonus units. ~~The number of HOD units shall be a density bonus and shall be an alternative to any density bonus authorized by State law; project sponsors may elect to proceed pursuant to either the HOD density bonus or state law density bonus.~~ Housing Overlay units within identified Traffic Screenlines may be allocated to suggested HOD sites listed in Exhibit 5.0-15 if the HOD project meets the following standards:

~~1) Developer is encouraged to undertake a community based planning process.~~

*(NOTE: This should instead be a global policy in the Community Development Section – see below)*

- 1) Developer is encouraged to maintain ownership interest in the project.
- 2) High-quality building and site design that fits with the surrounding neighborhood and incorporates attractive and usable common/open space areas must be utilized, consistent with design guidelines.  
~~Income levels to be consistent with the County's inclusionary requirements.~~

3) Affordability levels as follows:

For rental developments:

- i.) At least 49% of the units should be deed restricted and occupied to the maximum extent feasible by households whose incomes are 60% or less of area median income, adjusted for family size.

For ownership developments:

- ii.) at least 60% of the units should be deed restricted and occupied to the maximum extent feasible by households whose incomes are 80% or less of area median income adjusted for family size,
  - iii.) OR at least 49% of the units should be deed restricted and occupied to the maximum extent feasible by households whose incomes are 60% or less of area median income, adjusted for family size.
- 4) Affordable ownership and rental units shall be deed restricted in perpetuity or for a period of not less than 55 years to ensure a stock of affordable ownership and rental units.
  - 5) Housing densities of at least ~~25~~ 30 units per acre on the portion of the site developed for housing.
  - 6) Projects that qualify for the designation and meet the affordability requirements may be entitled to development standard adjustments,

such as parking, floor area ratio, height and fee reductions and other considerations.

- 7) Additional “units” of senior housing on an HOD site may be permitted if:
  - (i) the additional “units” are affordable to low and very low below market households; and
  - (ii) projected peak-hour traffic impacts of the entire project site, including the traffic impacts of the additional “units” of senior housing, fall within the maximum peak-hour traffic generated by the permissible development on the site based on a traffic study to verify reduced trips and reduced parking.
- 8) Parking requirements may be adjusted on a case-by-case basis for senior and affordable housing using criteria established in the URBEMIS model to encourage transit oriented development. Trip reduction credits may be obtained through utilization of a variety of mitigation measures: locating development close to transit, or in a location where the jobs-housing balance will be optimized; commitments from the developer to implement demand management programs including parking pricing and leased parking for market-rate units; use of tandem parking, and off-site parking, among other measures to permanently reduce parking need. Reduction of parking requirements are subject to discretionary approval and may require a parking study to verify reduced parking demand.
- 9) Potential impacts are mitigated to the maximum extent feasible.
- 10) Occupancy or resident preferences for HOD projects should be analyzed for appropriateness in each project, taking into consideration applicable traffic impacts, jobs/housing balance opportunities, and fair housing laws.

Application can be made by a property owner to the County for the designation of a new HOD site which meets all of the criteria identified in Policy CD-2.3. In such cases, the review authority may designate an additional HOD site and reallocate units “assigned to” HOD sites within the same Traffic Impact Area and within the 658 total HOD units. Funding shall be pursued to prepare Master Plans and related environmental review documents to facilitate development on HOD sites. The Marinwood Plaza Conceptual Master Plan approved by the Board of Supervisors provides an example of a community-based planning process that meets the goals of the Housing Overlay Designation..

The County’s inclusionary housing ordinance (Marin County Code Chapter 22.22) shall be amended to exempt from inclusionary housing requirements any project developed with affordable housing as outlined in the HOD Program.

The inclusion of workforce housing, especially for very low- and low-income households and for special needs housing, will be strongly encouraged at the time of commercial or other expansion and major remodeling proposals.

In response to the concerns raised above, two new programs could also be added to the Community Development section as follows:

**CD—2.p (new) Encourage Community Based Planning for All Larger Scale Residential Development.** Undertake community-based planning for all larger scale residential development with broad public participation. The community-based planning approach should promote cooperation and collaboration.

**CD-2.q (new). Identify Affordable Housing Sites in Community Plans.** Community Plans should include additional sites that are appropriate for and qualify as affordable housing sites.

## **TOPIC BE- 2: Mixed Use Designation (CD-8.7)**

**Background:** Since the adoption of the first CWP in 1973, Marin County’s conservation and development policies have focused slow, managed growth primarily within the City-Centered Corridor. This update of the CWP continues that tradition by calling for mixed-use housing projects on developed, but underutilized properties such as commercial parking lots. Through a projected time frame that extends to 2030, the draft CWP allows up to 1,036 residential units in mixed-use areas.

Commercial/mixed-use land use categories are established to provide for a mix of retail, office, and similar uses in a manner compatible with residential development, public facilities, natural resource protection, environmental quality, and high standards of urban design. Mixed-use developments that incorporate residential units on commercial properties are encouraged to provide on-site housing for employees and contribute to other needed housing. Accordingly, residential uses may be permitted in all of the commercial land use categories listed below. A complete list of permitted and conditional uses and the development standards can be found in the Development Code. Educational, charitable, and philanthropic institutions such as schools, libraries, community centers, museums, hospitals, childcare centers, and places of worship may be permitted in any commercial area.

The Mixed Use land use categories proposed in the Draft 2005 Countywide Plan include:

- ***General Commercial/Mixed Use.***
- ***Office Commercial/Mixed Use.***
- ***Neighborhood Commercial/Mixed Use.***

#### **SUBTOPIC 2-A: Mixed Use and Traffic impacts on State Route 1 in Tam Valley.**

##### **Issue for further consideration**

State Route 1 is a two-lane highway that runs north to south in West Marin. With the exception of its access point from U.S. 101 at Tamalpais Valley, State Route 1 follows the east side of the Golden Gate National Recreation Area and the entire recreational corridor of West Marin for the duration of its length through the county. State Route 1 between U.S. 101 and Almonte Boulevard reports substandard Level of Service ratings. In addition, traffic on State Route 1 in Tam Valley is well below the acceptable level on both weekdays and weekends due to the impacts of commuter and recreational traffic.

Consequently, consideration could be given to a cap on the number of residential mixed use units in order to address concerns regarding overly concentrated development in the highly congested and multi-hazard area of Tam Valley. For example, residential units on mixed-use sites along Shoreline Highway in Tam Valley could be restricted to 100 additional units. Additionally, areas subject to the cap would not be subject to the FAR exceptions for affordable units as otherwise permitted through the mixed-use policy (CD-8.7) because of the area's highly constrained traffic conditions, flooding, and other hazards.

#### **SUBTOPIC 2-B: Lower Income Units and Floor Area Ratio (FAR) Requirements - Allow Moderate Income Units Above FAR in Acceptable Traffic Areas.**

The draft CWP further strengthens the linkage between expanded commercial development and the need to provide some additional housing for a workforce that all too frequently commutes long distances to their job site.

Toward this end, changes to the mixed-use policy made by the Planning Commission include:

- Capping the number of residential units on mixed use sites at 1,036 units countywide
- Ensuring that residential development is taken out of the permissible commercial FAR instead of additive to it

- Requiring that a minimum percentage of residential be included in new development on mixed-use sites
- Allowing affordable units to be exempt from the FAR only in areas with acceptable traffic levels of service

**Issues for further consideration**

However, adoption of these recommendations, along with the additional limits on housing mentioned above, could be adjusted by allowing low to moderate income housing to exceed FAR requirements - as is currently permitted in Marin County and many other jurisdictions. This approach has merit because low and very low income residents statistically create fewer car trips, particularly in association with infill locations near jobs and public transit. Consequently, within all mixed-use designations, allowing only very low and low income residential units to exceed FAR requirements could be justified- along with only exempting moderate income residences if they occur within areas of acceptable traffic levels of service. Regardless of their location, all residential mixed use should continue to be limited by the overall and area specific limits.

Consequently, the mixed use policy could be modified as underlined below:

**CD-8.7 Establish Commercial/Mixed Use Land Use Categories and Intensities.** Commercial/mixed use land use categories are established to provide for a mix of retail, office, and industrial uses as well as mixed-use residential development in a manner compatible with public facilities, natural resource protection, environmental quality, and high standards of urban design. Mixed-use developments are intended to incorporate residential units on commercial properties including on-site housing for employees thereby contributing to affordable housing and reduced commutes.

The following criteria shall apply to any mixed-use development:

1. For parcels larger than 2 acres in size - no more than 50% of the new floor area may be developed for commercial uses, and the remaining new floor area shall be developed for new housing.  
  
For parcels 2 acres and less in size - no more than 75% of the new floor area may be developed for commercial uses, and the remaining new floor area shall be developed for new housing.
2. Projected peak-hour traffic impacts of the proposed mixed-use development are no greater than that for the maximum commercial development permissible on the site under the specific land use category;
3. Priority shall be given to the retention of existing neighborhood serving retail-commercial-uses; and

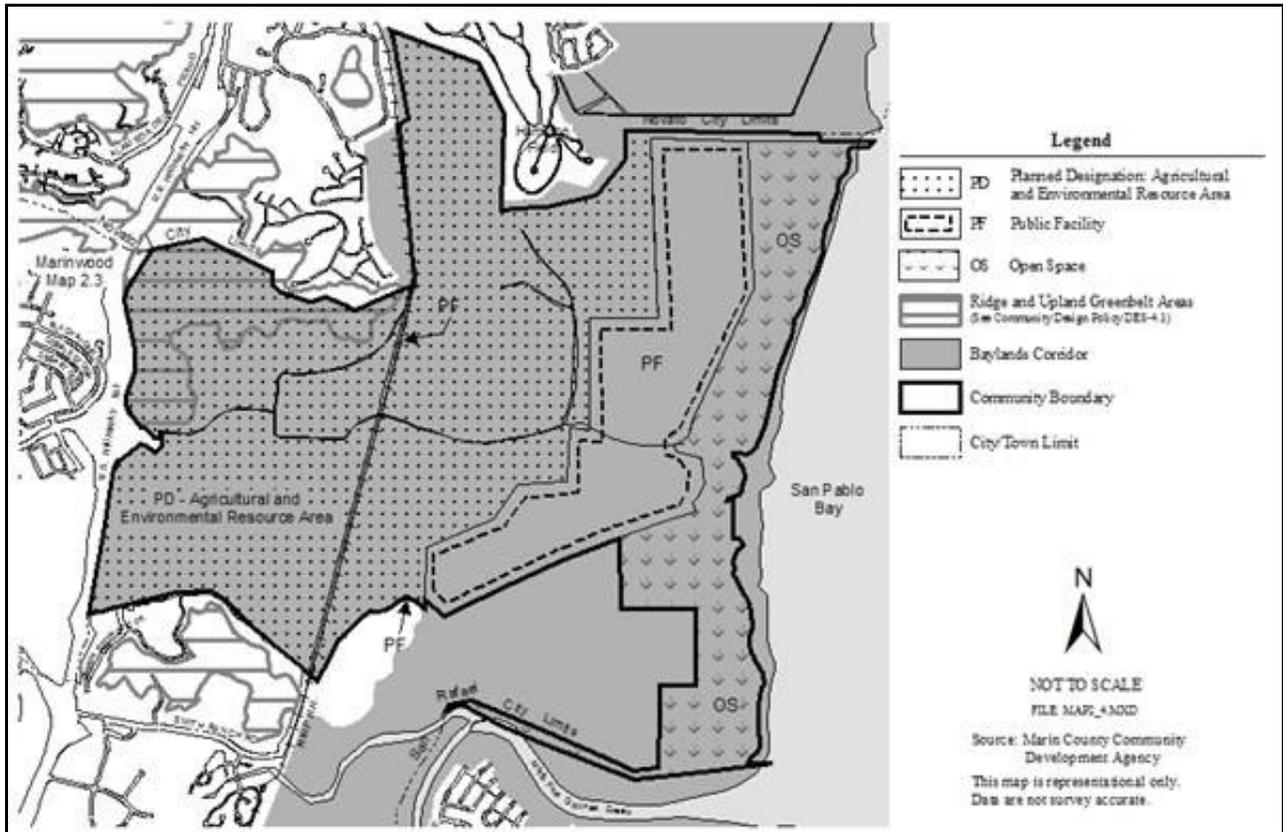
4. The site design fits with the surrounding neighborhood and incorporates design elements such as podium parking, usable common/open space areas, and vertical mix of uses, where appropriate. In most instances, residential uses should be considered above the ground floor or located in a manner to provide the continuity of store frontages while maintaining visual interest and a pedestrian orientation.
5. For projects consisting of low income and very low income affordable units, the FAR may be exceeded to accommodate additional units for those affordable categories. For projects consisting of moderate income housing, the FAR may only be exceeded in areas with acceptable traffic levels of service - but not to an amount sufficient to cause an LOS standard to be exceeded.
6. Residential units on mixed-use sites along Shoreline Highway in the Tamalpais Area Community Plan area shall be restricted to 100 additional units and not subject to the FAR exceptions listed in #5 above due to the area's highly constrained (week and weekend) traffic conditions, flooding and other hazards.

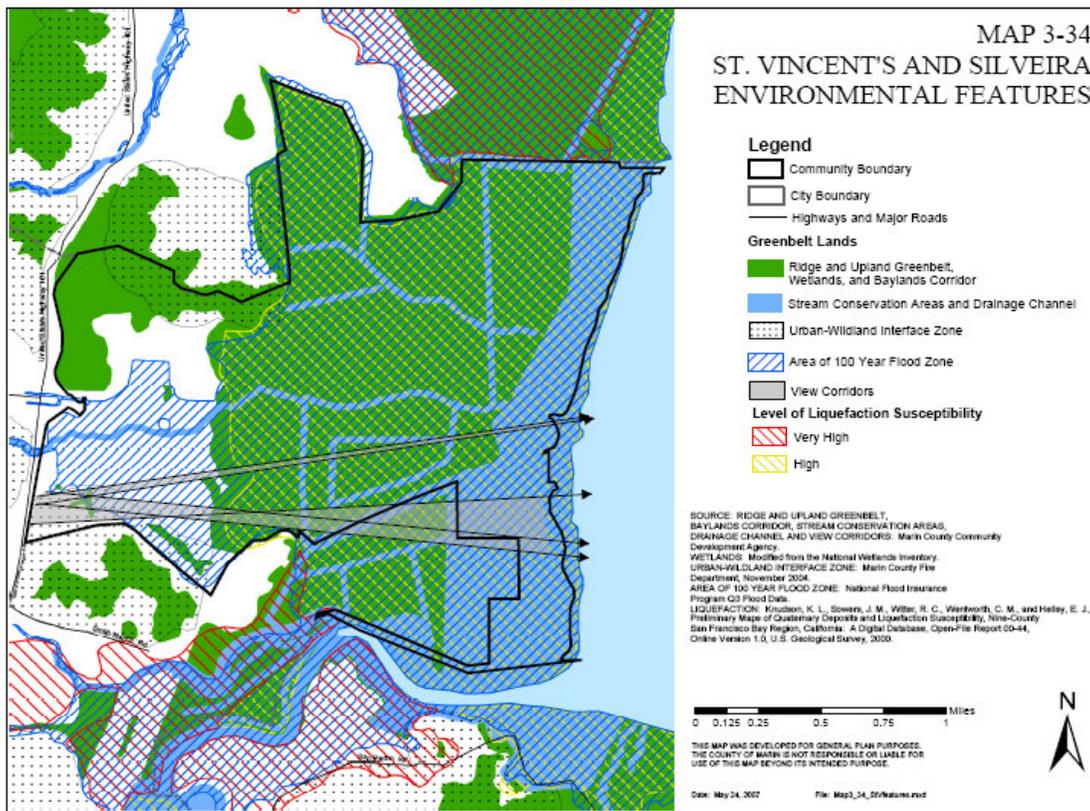
Minor renovations not resulting in additional square footage may be exempt from the above requirements if consistent with the requirements of the Marin County Jobs-Housing Linkage Ordinance, Chapter 22.22 of the Development Code.

### **Topic 3: St Vincent and Silveira Land Uses**

**Background:** Four development options pertaining to the St. Vincent's and Silveira properties were presented in the 2005 Draft CWP ranging from 221 to 350 to 500 residential units. The Planning Commission recommended Option 1 which allows 221 units (121 market rate plus 100 units affordable to low and very low income households) or a variety of nonresidential uses provided they do not exceed an equivalent level of peak hour traffic. The relevant text for Options 1, 2, 3, and 4 are included in Attachment 2.

In addition to the 221 residential units allowed, the Planned Designation—Agricultural and Environmental Resource Area is also recommended for the St. Vincent and Silveira properties. This designation recognizes the agricultural and environmental features on the two properties and provides for their reuse and development along with a variety of low intensity and institutional uses. New nonagricultural development would be clustered on up to five percent additional land area for each property, or as determined through a site specific analysis.





Land use issues at these locations have been the subject of continuing major controversy with environmental interests urging limitations on development, and housing and other advocates arguing for more development. In light of Marin's increasingly older population, the need for additional Redwoods-like senior living facilities has been widely discussed – and was included in previous staff recommendations. The following information regarding the senior facility known as the Redwoods is provided in an effort to better understand this topic.

The Redwoods in Mill Valley has four levels of care. The facility maintains 60 HUD-subsidized apartments affordable to low-income seniors in independent living quarters. The Redwoods has also raised substantial monies from private sources – foundations, fundraising events, and individual contributions – to fund projects that would otherwise have to be funded through rent increases. In addition, efficient administration and the not-for-profit mission of the Redwoods have allowed the Redwoods to offer its units at rents below the Marin market for similar accommodations and services. The Redwoods consists of fifteen, connected, one-to-three story buildings and a community garden on ten acres of land.

The Redwoods includes 4 levels of care:

1. Independent Living (kitchen) – 150 apartments @ 500 sf
2. Residential Living (snack bar/partial kitchen)– 108 apartments, studios and 1 bedroom apartments
3. Personal Care Units (no kitchen)– 28 rooms – private and semi-private full time supervision
4. Health Care Center (no kitchen) – 58 licensed beds – full time nursing care

Overall, the facility serves up to 350 seniors and has 150 full and part time employees. The Redwoods has 1 employee per 2.3 beds.

### **SUBTOPIC 3-A:– Would a Redwoods type facility be allowed under the draft CWP?**

#### **Issues for further consideration**

While a Redwoods type facility would be allowed by the draft CWP – it would be subject to limitations pertaining to allowable residential units, peak hour traffic trips, and clustering requirements. As previously noted a combined total of up to 121 market rate residential units and 100 below market rate units for both the St Vincent and Silviera properties has been recommended under Option 1. By way of comparison, the Redwoods includes 258 apartments (including 60 units technically considered affordable) all of which would be considered residential units - along with 86 beds that would not count against the 221 unit cap. Thus, even if a facility the size of the Redwoods was the only additional development on both the St Vincent and Silviera properties, it would exceed the residential unit limitation recommended by the Planning Commission.

In regards to traffic impacts, the additional 121 market rate and 100 below market rate residential units recommended in Option 1 for both the St Vincent and Silviera properties could result in a combined total of approximately 385 daily peak hour vehicle trips. In comparison, it is estimated that 255 peak trips could be produced by a Redwoods style development resulting in approximately 130 trips below that allowed for both properties – and even fewer if trip reduction measures were enacted. Nevertheless, a 10 acres Redwoods type facility could be easily sited in compliance with recommended clustering requirements – even in combination with additional development on both properties.

If expressly allowing a facility similar in size and function to the Redwoods is desired, some CWP text revisions will be necessary. Accordingly, the following three new options could be considered as follows:

New Option 1 would simply clarify that senior care facilities may be permitted in lieu of some dwelling units, provided that the impacts of the senior care and other non-residential development on peak hour traffic do not exceed those projected for the residential development being replaced.

New Option 2 would specifically allow continuum of care senior facilities in addition to the maximum of 121 market rate units recommended in the draft CWP, provided:

- The project would be a senior care facility providing varying levels of care serving up to 350 seniors
- In lieu of the additional 100 affordable units recommended in the draft CWP, 50 affordable units could be allowed if affordable to very low and low income persons (with a priority for employee housing units) and consistent with Marin County inclusionary ordinance requirements
- The project would be subject to the same clustering and peak hour trip requirements of the 221 unit project recommended by the Planning Commission
- The project would be required to provide regularly scheduled shuttle service to facility residents and other trip reduction measures such as limiting the number of independent living apartments with full kitchens to 150 units (the same as the Redwoods)
- The project would be required to meet a LEED, Build It Green, or equivalent gold level green building standard

New Option 3 would allow continuum of care senior facilities in addition to a maximum of 121 market rate and 100 affordable units. The project would be subject to the same clustering and peak hour trip requirements of the 221 unit project recommended by the Planning Commission. However, the project would be eligible for up to a 35% density bonus and equivalent peak hour trips if:

- regularly scheduled shuttle service is provided to facility residents along with other trip reduction measures
- all new construction meets a LEED, Build It Green, or equivalent platinum level green building standard
- at least 50% of all required below market housing units are reserved for onsite employees .

Accordingly, the following new options are reflected in underlined text revisions:

### **New Option 1**

**SV-2.5. Establish Land Use Categories.** The St. Vincent's/Silveira area is assigned the Planned Designation—Agricultural and Environmental Resource Area land use category. Potential uses include agriculture and related uses, residential development, education and tourism, places of

worship, institutional, and small-scale hospitality uses, as described more fully in SV-2.3.

In addition to existing uses, a total of 221 dwelling units for the combined St. Vincent's and Silveira sites may be allowed consisting of up to 121 market-rate dwelling units plus up to 100 additional dwelling units for very low and/or low income households. Senior units may include a combination of apartment style and congregate care units at varying degrees of affordability. The senior units shall be within the total allowable (with density bonus) dwelling unit cap of 221 units. Dwelling units shall be allocated proportionally to the respective St. Vincent's and Silveira areas based on the total acreage of the St. Vincent's and Silveira sites as determined by the County at the time of the first application for development of more than four units or their equivalent. Within these standards, the Master Plan approval process will determine the specific development suitable for these properties taking into consideration environmental constraints and the community benefits associated with providing a higher ratio of housing affordable to low and very low income persons and smaller residential unit sizes. Pursuant to the PD-Agricultural and Environmental Resource Area land use category, non-residential uses or other senior care facilities may be permitted in lieu of some dwelling units, provided that the impacts of the senior care and other non-residential development on peak hour traffic do not exceed those projected for the residential development being replaced.

**New Option 2, add:**

- Alternatively, in addition to 121 market rate and 50 affordable residential units within the same land area where development would otherwise occur, continuum of care senior facilities may be allowed serving up to 350 seniors and ranging from up to 150 independent living residential units (with full kitchens) to up to 200 assisted living and congregate care facilities (with snack bar or no kitchens) -provided the impacts of such development do not exceed the peak hour traffic projections associated with the 221 unit policy. The 50 allowable below market residential units shall be affordable to very low and low income persons( with a priority for employee housing) and be consistent with Marin County inclusionary ordinance requirements. The facilities shall be required to provide regularly scheduled shuttle service to nearby shopping areas such as Marinwood Plaza and to other senior services. The facility shall also be required to meet a LEED, Build It Green, or equivalent gold level green building standard or equivalent measures.

**New Option 3 (In lieu of Option 2), add:**

Alternatively, in addition to 121 market rate and 100 affordable residential units within the same land area where development would otherwise occur, continuum of care

senior facilities may be allowed subject to the same clustering and peak hour trip requirements of the 221 unit project. However, up to a 35% residential density bonus and equivalent peak hour trips may be granted if:

- regularly scheduled shuttle service is provided to facility residents along with other trip reduction measures
- all new construction meets a LEED, Build It Green, or equivalent platinum level green building standards
- at least 50% of all required below market housing units are reserved for onsite employees

#### **TOPIC 4: San Rafael Rock Quarry Allowable Development**

**Background:** The PD-Reclamation Area land use category is intended for the ultimate reclamation of the San Rafael Rock Quarry and McNear's Brickyard site at the time the quarrying operations cease. As part of an updated reclamation plan, the ultimate reuse of the site will be identified, as will a time horizon as to when such reclamation would occur. While the Countywide Plan assumes that reuse of the site would most likely result in annexation by the City of San Rafael, if annexation should not take place, the Plan contemplates development under the County's jurisdiction. In general, uses would be primarily residential, a marina, and limited, supporting commercial, as reflected in Policy **CD-8.6**, *Establish Land Use Categories: PD-Reclamation Area*.

Since current quarry operations as well as the application for an amended quarry permit would only allow for 250 truck trips / day, the lower end of the density traffic range can be calculated based on existing road capacity utilized by quarry operations converted to an equivalent level of residential automobile traffic. Since a six-axle truck equates to approximately three personal vehicles, the equivalent residential use (i.e., for traffic counting purposes) would be 750 vehicle trips or 75 housing units.

The Draft 2005 Countywide Plan included a possible range of units at the Point San Pedro Quarry from 75 to 300 units. The Planning Commission recommended 75 units based on the Environmental Impact Report's traffic analysis equating current truck trips to 75 single-family homes. Additional flexibility could be added to the policy to allow this number to be modified in accordance with a future county approved traffic study.

#### **Issues for Further Consideration**

Policy **PA-3.2** could be modified so that a County approved traffic study may be considered when determining the baseline vehicle trips and maximum allowable development at the San Rafael Rock Quarry provided that traffic impacts are equal to or less than the existing baseline. In addition, clarification could also be provided that under existing LAFCO policy the City of San Rafael has in effect a first right of refusal to proceed with requesting annexation of the site.

Based on the discussion above, **PA-3.2 (Rock Quarry)** could be revised as underlined below:

**PA-3.2 Designate Land Use in Point San Pedro.** Lands at the Point San Pedro Quarry shall be designated for *mineral resource conservation* during the period the quarry continues to operate. An updated quarry reclamation plan and updated quarry permit are is required to determine the length of time quarrying operations will continue. The quarry site shall also be designated Planned Designation-Reclamation Area in recognition of its potential future conversion to residential, marina, recreational, commercial or similar uses consistent with the updated Quarry Reclamation Plan. Because the site is located within the sphere of influence for the City of San Rafael, the City will be provided the opportunity to the annex the property and conduct future land use approvals. If the site remains subject to County jurisdiction, in order to comprehensively plan for alternative uses and provide a forum for public participation, a Specific or Master Plan will be required to determine residential densities, commercial floor area, and habitat protection areas. No changes in density or land use intensities are proposed prior to approval of a Specific or Master Plan. In order not to exceed current traffic levels, which include truck and other vehicle trips generated by quarry activity, the total number of dwelling units, or their equivalent in commercial or other uses, shall not exceed 75 dwelling units unless otherwise determined by a county approved traffic study.

## **TOPIC 5: Require Community Plans to Address Unique Community Needs**

**Background:** In response to ongoing concern over how specific neighborhood issues, such as home size and flooding, should be addressed in the Countywide Plan Update, language could be added encouraging Community Plans to specifically address the unique needs of the communities within unincorporated Marin County.

### **Issues for Further Consideration**

Per the above discussion, Program **CD-4.a** *Update Community Plans with a Watershed-Protection Approach*, could be modified as underlined below:

**CD-4.a** *Update Community Plans with a Watershed-Protection Approach.* Revise existing community plans in accordance with an approved work program to maintain consistency with the land use plan and programs of the Countywide Plan. Emphasis should also be placed on the need to consider and protect the health of watersheds when making site-specific land use decisions (see Map Set 3–36, Land Use Policy Maps in the Planning Areas Section). These updated community plans should also evaluate and refine the locations of the Ridge and Upland Greenbelt, Baylands Corridor, and address flooding, bicycle and

pedestrian circulation and other issues as needed. (See also CD-4.g Consider Additional Community Plans for Unincorporated Areas.)

In addition, Program **CD-4.g** could be modified as underlined below:

**CD-4.g** *Consider Additional Community Plans for Unincorporated Areas.* Propose development of additional community plans for unincorporated neighborhoods such as Santa Venetia and Muir Woods Park to be considered by the Board of Supervisors when reviewing Community Development Agency work program priorities. Community Plans should focus on needs and concerns specific to particular neighborhoods such as design issues, home size (see DES-4.c), affordable housing sites, hazards, and evacuation routes (See also CD-4.a Update Community Plans with a Watershed-Protection Approach).

## **TOPIC 6: TRANSPORTATION**

### **SUBTOPIC 6a – Transportation and Climate Change**

**Background:** In addition to ongoing concern over improving transportation policies, staff has compiled additional policies and programs suggested by the Attorney General in recent correspondence related to general plan mitigation of greenhouse gas impacts.

#### **Issues for Further Consideration**

Per the above discussion, the following underlined modifications could be made to the Transportation Section:

#### **3.9 Transportation**

##### Background

“The transportation system and land use pattern are inextricably linked: any major change to one triggers the need to modify the other (as evidenced by the common practice of using computer models to balance future transportation capacity with growth projections). ~~Although it appears likely that private cars will remain the dominant form of transportation for the foreseeable future~~ Energy consumption is responsible for an estimated 33 percent of Marin County’s greenhouse gas emissions. But an even larger share –62 percent – comes from transportation. Traditional solutions to maintaining acceptable traffic flows, such as road widening, tend to be prohibitively expensive and environmentally damaging, while not relieving traffic congestion for the long term. Instead, major changes in travel behavior will be needed to reduce traffic congestion, greenhouse gas emissions, and air pollution in Marin, as described in Moving Forward: A 25-year Vision for Transportation in Marin County (2003)...”

## Programs

**TR-1.s** VMT Reduction Monitoring and Implementation and Transportation Demand Management Program. Develop and implement a countywide program for monitoring and reducing VMT consistent with state and regional efforts and based on information from state and regional planning agencies. and Identify and require in new developments specific transportation demand management (TDM) strategies for reducing the VMT below levels that would otherwise occur. Consider the following types of strategies for inclusion in the VMT Reduction Monitoring and Implementation and Transportation Demand Management Program:

- Increased Transit
- All new residential projects consisting of 25 units or more should be located within 1/2 miles of a transit node, shuttle service, or bus stop route with regularly scheduled, daily service during both off-peak and peak times.
- New multi-family projects consisting of 25 units or more should include TDM measures such as reduced parking for affordable or senior projects, subsidized public transportation passes, or ride-matching programs based on site specific review. For market-rate projects, consider TDM programs such as charging parking fees separate from rent.
- Safe, convenient connections should be provided to existing pedestrian and bicycle facilities and secure bicycle parking should be provided in new nonresidential developments.
- TDM should be required for new or expanded projects with 50 employees or more, including programs such as parking cash out, subsidized transit passes, ridesharing incentives, and bicycle storage facilities.

**TR-1.t (new)** Reduce Single Occupancy Trips. Adopt fees and other programs that encourage alternatives to the single occupant vehicle. Consider imposing tolls, congestion pricing, parking fees, gas taxes and residential parking permit limits. Encourage and assist local cities and towns to adopt similar programs

**TR-1.u (new)** Create Car Share Program. Support the establishment of a “Car Share” program to promote socially responsible car sharing by providing convenient, reliable, and affordable access to cars to reduce individual car ownership.

**TR-3.i (new)** Provide Shuttle Service to Transit. Support the creation of shuttle service and/or jitneys to collect riders for public transit (see AIR-3.1, AIR-4.b)

TR-4.e (new), Support Alternative Fuels Vehicles. Actively support infrastructure needed for alternative fuel vehicles, including fueling and charging stations. Review and consider revising applicable codes applying to refueling and recharging infrastructure. Support state, federal, and local efforts to increase fuel efficiency and reduce greenhouse gas emissions.

Increase priority rating for **TR-1.s**, *VMT Reduction Monitoring and Implementation Program*, from “Low” to “High” , change timeframe from “Long term” to “Medium term” and identify a funding source (to be addressed at October 16 hearing).

## **SUBTOPIC 6B: Transportation and Marin County Bicycle Coalition Recommendations**

### **Marin County Bicycle Coalition Recommendations (MCBC)**

MCBC recommended various modifications to the Transportation section in their public testimony and also submitted these recommendations in writing at the September 10, 2007 Board hearing. The Board requested a response to these recommendations. In consultation with the Department of Public Works and the Transportation Authority of Marin, staff has incorporated the requests of MCBC where feasible as indicated below.

### **Issues for Consideration (per MCBC’s September 10 letter)**

1. **Background.** Please see the first item in Subtopic 6a: Transportation Topics (above) for modifications to the Transportation section Background language.
2. **Adoption of the Bicycle and Pedestrian Master Plan by reference.** Consider modifying program **TR-2.d** as follows:

**TR-2.d Fund Projects.** Work with the Transportation Authority of Marin and the Bicycle Advisory Group to implement the 2007 Marin County Unincorporated Bicycle and Pedestrian Master Plan; include pedestrian and bicycle projects in the County Capital Improvement Program; and apply, where feasible, a portion of traffic mitigation fees toward improvements that will increase bicycle transportation and mitigate congestion. On site improvements and those located near approved development are a priority.

3. **Creating Complete Streets.** Consider modifying Program TR-2.I as follows:

TR-2.I Complete Streets. Consider Non-motorized Access in Transportation Projects. Include safe and convenient bicycle and pedestrian access, where feasible, in all transportation improvement projects. Request that Caltrans and the Federal Highway Administration provide separated, safe and secure bicycle and pedestrian access as part of any roadway or interchange improvement work and that access for

pedestrians and bicyclists be available during construction. Continue to implement the Department of Public Works policy on routine accommodation. While the County does not have authority to plan or ~~maintain~~ bicycle facilities located in other jurisdictions, it may be appropriate for the Transportation Authority of Marin (TAM) or similar entity or collaboration to assume this responsibility for planning.

No additional modifications are proposed to this program because it already adequately addresses the provision of safe, convenient, separate, and secure pedestrian and bicycle access. Regarding AASHTO standards, Title 24 and other sections of the Marin County Code address this issue and no further changes are needed.

4. **Support Non-Motorized Transportation Pilot Program.** Consider modifying Program TR-2.n *Implement Nonmotorized Pilot Program* to ensure all funding sources are utilized:

**TR-2.n *Implement Nonmotorized Pilot Transportation Program.*** Carry out the Nonmotorized Transportation Pilot Program through construction of adopted Pilot projects and initiation of adopted Pilot education and outreach programs. Continue participation in national Pilot efforts, including outreach and mode shift measurement. Encourage continued funding of Pilot activities in future federal transportation bills and other state and local funding sources, including regional funding streams.

5. **Maintenance.** No additional changes are necessary because this should be considered on a project-by-project basis.
6. **Adding a new Bike/Ped Indicator.** During review by the Planning Commission, the Commission accepted the request to include the following indicator:

<b>Indicator</b>	<b>Benchmark</b>	<b>Non-binding Target</b>
Pedestrian and bicycling injury rates	TBD	Decrease the percentage of pedestrian and bicycling injury rates by 2010 and again by 2015
Pedestrian and bicycling fatality rates	TBD	Decrease the percentage of pedestrian and bicycling fatality rates by 2010 and again by 2015

However, Counsel recommends deletion of this proposed addition as this is a matter not appropriate for inclusion in a general plan. The Plan includes several policies and programs calling for improvements that are bicycle and pedestrian friendly, such as Policy **TR-2.1** Improve the Bicycle and Pedestrian Network, and

Programs **TR-2.b** *Adopt Standards for Bicycle and Pedestrian Access*, **TR-2.j**, *Ensure Safe Routes to Schools*, **TR-2.k** *Consider Pedestrian Needs*, and **TR-2.l** *Consider Non-motorized Access in Transportation Projects*. To address safety concerns, consider modifying the following:

**TR-2.1 Improve the Bicycle and Pedestrian Network.** ~~Ensure that all areas of the county have~~ Promote adequate bicycle and pedestrian links, ~~to the extent feasible, both internally and to other parts of~~ within the county, ~~including and that~~ streetscape improvements and standards that are safe and pedestrian and bicycle friendly.

7. **Program Implementation.** Consider modifying Figure 3-38, Transportation Program Implementation chart. Modifications to the Implementation charts will be included in the staff report for the October 16<sup>th</sup> Board hearing.

## **TOPIC 8: RIDGE AND UPLAND GREENBELT - Location in the Marin City Area**

The Planning Commission considered several changes to the boundary of the Ridge and Upland Greenbelt (RUG), including locations in the Marin City area as depicted on Land Use Policy Map 6.2 (Attachment 3). There has been ongoing concern about the expanded Ridge and Upland Greenbelt on a number of properties in the general area. Toward that end staff has reviewed the boundary at this location and prepared revisions to the RUG boundary for your consideration.

### **Issue for Further Consideration**

Per the above discussion, the following revisions could be made to the Ridge and Upland Greenbelt:

1. Modify the RUG boundary on revised Map 6.2 (Attachment 4) to follow the approximate location of the 350 foot contour interval.

In response to ongoing public input, the following technical revision to the RUG boundary should also be considered:

2. Make modifications to add Warner Ridge and Alto Hill areas within the Marin County Open Space District to the RUG on Map 3-1b (Attachment 5). These areas were previously included in the 1994 Countywide Plan Ridge and Upland Greenbelt Policy Areas, Figure EQ-10.

## **TOPIC 9 – Dark Sky**

Light pollution is wasted light that does nothing to increase nighttime safety, utility, or security. Such excessive lighting can significantly change the character of rural and natural areas by making the built environment more prominent at night and creating visual clutter. It can waste energy, money, and natural resources.

### **Issues for Further Consideration**

The Planning Commission recommended a new program for the Community Design section to help mitigate light pollution impacts. Further modifications to program DES-1.h could be considered as underlined below:

**DES-1.h**     *Lighting Design Guidelines.* Amend the Development Code to include lighting design guidelines to be applied through design review and other discretionary permits. Explore the feasibility of amending the Building Code to include lighting specifications. Require new development and major remodel projects that would make significant parking lot improvements or add new lighting to submit a lighting plan consistent with these guidelines for design review by County staff. Lighting design guidelines and/or specifications should address:

- Efficiency – Cost effective energy efficient standards for outdoor lighting shall be developed to conserve energy thereby reducing excessive lighting, light pollution, light trespass, and glare;
- Reasonableness of Intensity – Acceptable standards shall be defined for various land uses and development types specifying the maximum allowable total lumens;
- Directional Control – Standards shall be developed to minimize the upward transmission and intensity of light at various distances from its source through the use of full-cutoff lighting, downward casting, shielding, visors, etc.;
- Signage – Standards for illuminated signs shall be developed that prohibit or limit the size, spacing, design, upward transmission of light, and hours of operation. In addition, signs should be white or light colored lettering on dark backgrounds;
- Night Lighting – Hours of operation for various uses shall be specified in order to prohibit all-night lighting except when warranted for public safety reasons. On demand lighting shall be encouraged;
- Education – A voluntary educational component of this program shall include the distribution of informational materials for use by county residents, developers, and lighting supply retailers. These materials shall provide specific methods and product information necessary for compliance with new development as well as aiding the conversion of existing lighting sources;

- Incentives – The County shall develop incentives for residents and businesses, encouraging the conversion of existing lighting sources to compliant ones; and
- Enforcement – These standards shall be incorporated into the County Development Code and design review process for new development.

## **TOPIC 10 – Telecommunications**

### **Background:**

The impacts of telecommunications are addressed in the Public Facilities and Services Section of the Plan. Goal PFS-5, *Minimization of Telecommunications Facilities and Related Impacts*, has been improved with additional language on co-location, visual impact assessment, and health impacts consideration. In addition, the Community Development Section incorporates policies and programs to help minimize the need for automobile trips by supporting telecommuting strategies. Although the policies and programs included in these sections are aimed at addressing the digital divide, a new program could enhance this effort by encouraging collaboration with the Marin Telecommunications Agency, which focuses on the goal of reducing the digital divide.

### **Issues for Further Consideration**

Per the above discussion, a new program could be added as follows:

**CD-3.c (new) Collaboration with Marin Telecommunications Agency.**  
Continue to collaborate with, support and participate as a member of the Marin Telecommunications Agency to promote and facilitate the policy objectives of that agency.

## **TOPIC 11 - Public Health and Healthcare (Socioeconomic Element)**

### **Background:**

Public health focuses on the health and well-being of populations and communities, and on the principle that everyone is entitled to protection from the world's hazards and premature death and disability. Section 11 of the Socioeconomic Element is devoted to Public Health. There is often a strong link between land use planning and public health and a variety of policies are proposed in this regard. Preventative healthcare is a major focus, along with employing the precautionary principle. Promoting a healthy lifestyle including sound nutrition and exercise is critical, along with getting low cost care to everyone.

There has been ongoing public concern over specific public health topics, including improved access to care and consideration of a single payer system. These issues could be addressed by refining existing language in the Public Health section of the Plan.

### **Issue for Further Consideration**

Per the above discussion, modifications to goals, policies and programs in the Public Health section of the Plan could be revised as underlined below:

**Goal PH-3 Adequate Access to Quality Healthcare.** Ensure that all community members have affordable and convenient access to a full range of primary, preventive, and specialty health care, including mental health care, vision, and dental care.

**PH-3.2 Increase Health Insurance Options.** Enhance funding for health insurance products for children and adults not eligible for publicly funded health programs, including support for state and national single payer systems.

**PH-3.c ~~Streamline the Application Process~~ Improve Access to Health Care.** Improve access to health care for underserved populations by expanding the children's health initiative, transitioning that initiative as feasible to include other underserved populations, developing a one-stop electronic application process that can be used to enroll clients in health insurance and other public benefit programs and through supporting state and national proposals for a single payer system.

**PH-3.d Improve Service Delivery and Utilization.** Develop proactive outreach and enrollment programs for insurance benefits, ~~and~~ integrated case management services with primary medical care, and support electronic medical record portability to improve utilization and quality of services, promote preventive care, and ensure insurance retention.

### **TOPIC 12 – Elder Abuse (Socioeconomic Element)**

The Marin County Division on Aging has recently provided comments on the Countywide Plan related to the topic of elder abuse. Per their recommendations, some additional background information could be added to the Public Safety and Public Health Sections of the Plan.

### **Issues for Further Consideration**

Per the above discussion, modifications to the Key Trends and Strategies in the Public Safety and Public Health sections of the Plan could be revised as underlined below:

## **PUBLIC SAFETY**

### **Key Trends and Issues**

#### ***Who is underrepresented in community dialogue?***

Public forums for decision-making have not typically offered information in languages other than English, nor have they always been held in places most convenient for people interested in a particular issue.....Voices of frail older adults living alone or in institutions such as a skilled-nursing facility are often not heard at these forums, particularly seniors who are no longer able to drive.

## **PUBLIC HEALTH**

### **Key Trends and Issues**

#### ***Are eating habits in Marin leading to obesity and other health problems?***

Community Health Survey results indicated Marin shares in the national obesity epidemic. The county is a long way from achieving the U.S. Healthy People 2010 goal of no more than 5% of children and adolescents being overweight and 15% of adults being obese.....For the senior population, concerns with obesity and unhealthy lifestyles are also alarming. The Marin Community Health Survey (2001) found that 50.7% of Marin adults over the age of 60 are overweight or obese, and only 34.7% of seniors eat 5 servings of fruit and vegetable daily. The survey also indicates that 17.2% of seniors 60+ years never get moderate physical activity.

#### ***Do Marin residents have access to affordable, quality healthcare?***

The quality of healthcare depends largely on health insurance Coverage in Marin varies by age, income and ethnicity (as reported in the 2001 Marin Community Health Survey). While more than 90% of Marin adults have health insurance.....Although Medicare, and in some cases Medi-Cal, provide healthcare coverage for seniors, the Marin Community Health Survey found that 58% of Marin older adults 65+ have no coverage for dental services, 38.8% have no coverage for mental health services, and 28.2% have no coverage for eye exams.

Respectfully submitted:

Alex Hinds  
Director

## Attachments

1. Policy CD-2.3 and Program CD-2.d from the Planning Commission Recommended Draft CWP
2. Options 1-4 for land use at the St Vincent's and Silveira sites from the Draft 2005 CWP
3. Land Use Policy Map 6.2 (Marin City) (July 23, 2007)
4. Revised Land Use Policy Map 6.2 (Marin City)
5. Map 3-1b Environmental Features focusing Development within the City-Centered Corridor