



THE MARIN COUNTY HOUSING ELEMENT AND TAM VALLEY

The Marin County Community Development Agency is currently working toward completion of the Housing Element of the County's general plan (the Marin Countywide Plan). This web page is intended to keep interested members of the Tam Valley community informed about the Housing Element update and the process for its adoption. Providing accurate information to the community is the best way to ensure that residents and local business owners know why the County is updating its Housing Element, how the Housing Element relates to the community's existing land use regulations, what important issues are being evaluated through the Housing Element update and when the public can get involved in the decision making process.

This site provides general information on land use and housing planning in Tam Valley.

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Why is the County updating the Housing Element?

State housing element law requires that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. Because the need for housing is considered an issue of statewide importance, every city, town and county is required by statute to update their Housing Elements on a regular basis every 8 years. Independent of state law, the importance of adequate housing, and particularly housing for our local workforce and seniors, is also reflected by goals and policies in the County's general plan, the 2007 Marin Countywide Plan. Unlike the other State-mandated general plan elements, the housing element is subject to detailed statutory requirements regarding its content, and is subject to mandatory review by the California Department of Housing and Community Development (HCD). The housing element must also be updated every 8 years, unlike other general plan elements.

The purpose of the Marin County Housing Element is to achieve an adequate supply of decent, safe, and affordable housing for Marin's workforce, residents, and special needs populations, with a particular focus on the unincorporated areas of the County. (Marin's cities and towns are also required to prepare housing elements for their jurisdictions.) The Community Development Agency's strategy in developing the current update of the County's Housing Element is to respect and adhere to the plans and policies that have been adopted for the County as a whole and for specific communities like Tam Valley and Almonte.

What are the existing land use regulations in Tam Valley and will they change?

The Tamalpais Planning Area is comprised of four major residential neighborhoods and six commercial areas. The planning area stretches from the Shoreline/Manzanita portion of the Tamalpais Valley neighborhood in the south, to the Muir Woods Park neighborhood in the west. The Golden Gate National Recreation Area generally forms its western boundary, with the City of Mill Valley to the north and Richardson Bay to the east.

The [Marin Countywide](#) Plan and [Development Code](#) provide the basic framework for determining what uses and development may occur in the Tamalpais Valley. A map of land uses in the Tamalpais Valley area can be viewed in Countywide Plan Maps [6.1.3b](#) and [6.1.4](#).

The Draft Housing Element does not propose to exceed the maximum number of homes allowed by the current Countywide Plan and would not change land uses currently permitted by existing zoning in the Tamalpais Planning Area. Under the existing zoning, and independent of any proposals in the Draft Housing Element, a mix of commercial and residential uses is allowed in all of the commercial areas of Tam Junction. The maximum residential density under zoning varies from about 2 units per acre to 30 units per acre. The actual density that may be approved as part of an

application may be lower following site-specific environmental impact analysis and factoring in site constraints. Affordable housing may be allowed without a primary commercial use if a project is found to comply with the Community Plan, the Countywide Plan and design guidelines expected to be adopted in 2013. The current zoning reflects the Tamalpais Area Community Plan's vision for redeveloping the west side of Highway One as a cohesive village center with a mixture of commercial and residential uses.

How does the Housing Element update relate to the Tamalpais Area Community Plan?

The [Tamalpais Area Community Plan](#) was created as part of a collaborative community effort and adopted by the Board of Supervisors in 1992 as one of the principal planning documents guiding the County's decisions on land use proposals. As stated in the Community Plan, "*The primary land use goal for the Tam Planning Area is the conservation of the semi-rural town residential and commercial character and scale of the community, and its close relationship with the natural beauty of its setting.*" The commercial areas of Tam Valley should provide businesses that serve primarily the local residents and other businesses in the area. The Community Plan also places an emphasis on protecting public safety and preserving the natural resources of the community. The environmental constraints of the area are viewed as limitations on development rather than relying upon extensive mitigation requirements for new development.

Another important element of the Community Plan is the long-term vision for Tam Junction. The Community Plan recognizes two components of the planning area defined by Highway One and Bothin Marsh. The concept for the east side of the highway is to reorganize the existing land uses to create open space and allow for restoration of the marsh while also allowing for the redevelopment of residential, office, retail and commercial service uses, if appropriate. The Community Plan calls for the west side of the highway to continue to evolve with a variety of land uses, but to plan for these in a cohesive "village center" concept. The type and intensity of new uses should be determined by development constraints and the sensitivity of adjacent land uses. Restrictive building height limits are established for the east (15 feet maximum) and west (30 feet maximum) sides of the Junction. Design guidelines for the Tam Junction area also expand upon and further define the village core concept as a mix of commercial and residential uses at a one-to-one ratio with small residential units above ground floor commercial and small courtyard apartments where appropriate.

What does the Draft Housing Element consist of?

The [2012 Draft Housing Element](#) consists of several main sections, including an analysis of housing needs, a review of constraints on housing development, an inventory of potential housing sites, and a set of policies and programs to support housing at all income levels.

Housing Needs

While the growth rate in Marin is expected to decline and level off at just 0.3% (202 persons) per year, this still represents a need to plan for additional housing. Several factors converge here: Marin has one of the oldest populations in the State; Generation Y is entering family-planning years; single person households are rising; and trends in housing preferences are toward walkable neighborhoods. For the older population to age in their community, and for the younger population to find reasonably priced housing close to employment, a greater range of housing choices should be provided. The concept of “village core” living arrangements for seniors and families reinforces the ability for people to achieve a high quality of life with access to local amenities, choices in housing, health care, and activities, and contributes to a sense of community. Another factor affecting housing choice locally is the lack of available undeveloped land in the unincorporated county that is not already protected agricultural land, parks and public open space.

Housing Sites

Most of the unincorporated county is protected agricultural land and parks and public open space, with historic single-family residential neighborhoods making up the bulk of the remaining areas. This means a limited number of site planning options exist for accommodating what little growth is projected to occur in the unincorporated county. As a general proposition, creating the traditional subdivision with detached single family homes is no longer a viable option for meeting our housing needs in the county.

The Draft Housing Element identifies 17 potential housing sites throughout various communities in the unincorporated county that are proposed for the 2007-2014 planning period. Identification of housing sites is for planning purposes; it does not mean that development proposals for these sites are currently under review or will be submitted in the future. Property owners are free to choose if and when they want to further develop their sites in conformance with the County's zoning rules and other development regulations.

Some of these potential housing sites were chosen based on the work of a citizen group that included residents of the communities where housing sites have been identified. The County's approach to meeting the State planning requirements for housing need is to identify infill areas throughout unincorporated Marin already planned for mixed use, and not to rezone single-family neighborhoods, open space and agricultural land. Specific commercial areas in locations such as Marinwood, Lucas Valley, Tam Junction, Strawberry and Kentfield could benefit from compact housing to support the local desire for a thriving walkable village core. Of the 17 total sites in the unincorporated county being considered for the current Housing Element cycle, three sites are located in the Tam Valley area and one of these sites (the Manzanita mixed use site) has already received approval for a small mixed use building with three units above ground floor commercial space. Two additional sites in the commercial area of Tam Valley are

included in the 32 additional sites in the unincorporated county that are considered for the next Housing Element cycle (2014-2022).

The three sites in Tamalpais Valley being considered for the current Housing Element cycle include the vacant lot at 150 Shoreline (Manzanita) where a deli and three dwelling units have been approved; the vacant lot across Shoreline Highway from the Dipsea Café (Armstrong Nursery); and the vacant and remediated gas station (Old Chevron) at the corner of Shoreline Highway and Flamingo Road. The Draft Housing Element identifies a realistic development capacity of 23 homes total for these three sites (revised downward from 43), which is below the maximum amount of housing that could be developed under the existing Countywide Plan and zoning rules that apply to Tam Junction and Manzanita. *(Please note that the reduced potential density for the three identified sites is not reflected in the version of the 2012 Draft Housing Element that was posted online in conjunction with the Planning Commission's October 8, 2012 workshop. This change will be reflected in correspondence and reports that staff will distribute in advance of the subsequent public hearings on the draft Housing Element, including the Planning Commission's February 11, 2013 hearing.)*

However, the potential maximum buildout of all of the sites is evaluated in the Supplemental Environmental Impact Report for the Draft Housing Element to comply with State environmental review laws that require impact assessments to be based on the upper end of building intensity standards (e.g., density ranges) even if they don't reflect realistic constraints to development.

Not all properties can be developed at the number of units cited in the Supplemental EIR because Countywide Plan policy CD-8.7(6) caps the mixed use residential development potential in the Tamalpais Area Community Plan area at 100 new (post 2007) dwelling units. The combination of sites is useful to study, however in the event one or more property owners do pursue residential development.



The zoning and land use on these sites allow a combination of commercial and residential uses at a scale that reflects the existing character. Consistent with the Tamalpais Area Community Plan, housing integrated into these locations could help support a thriving village core at Tam Junction outlined in the Community Plan's Objective LU.24 (p. 65).

How is the County taking into consideration possible environmental impacts of future development in Tam Valley?

The County is preparing a [Supplement to the 2007 Countywide Plan Environmental Impact Report \(Supplemental EIR\)](#) to study the Housing Element. The housing sites identified in the Draft Housing Element, in addition to the policies and programs, are evaluated in the Supplemental EIR from the standpoint of 17 areas of potential physical impacts, such as traffic, air quality, flooding and availability of utilities. While environmental review as extensive as this Supplemental EIR is not necessarily required for Housing Elements, particularly a Housing Element that does not plan for growth beyond the upper limits of the current general plan (Countywide Plan), a comprehensive evaluation of housing programs and sites is the most effective means of meeting State environmental laws and informing the public and County decision makers about the environmental consequences of the current and next housing elements. Also, changes in certain baseline conditions, such as population, air quality and traffic, since the 2007 Countywide Plan, make additional analysis appropriate. A copy of the Draft Supplemental EIR can be accessed on the [County's EIR website](#).

In addition to programmatic actions, the Supplemental EIR studies the impact of development on 49 proposed [housing sites throughout unincorporated Marin](#). Although the 2012 Draft Housing Element proposes 17 sites in the unincorporated county for the 2007-2014 planning period, the Supplemental EIR includes an analysis of an additional 32 potential housing sites that may be considered for inclusion in the future Housing Element for the 2014-2022 planning period, or the current Draft Housing Element. Two of these additional sites are located in Tam Valley, including the "Tam Junction Retail" parcel, which encompasses the prior Bell/Cala Foods/Delano Market, and the parcels adjacent to 150 Shoreline Highway. All of these potential future housing sites are being evaluated in the Supplemental EIR for the current Housing Element to ensure the County is able to receive a timely approval of the next Housing Element for the 2014-2022 planning period. Sites located in Tamalpais Valley are mapped on page 22 of the [Draft Supplemental EIR](#).

What are some of the big issues that have arisen to date?

Several important issues have arisen thus far in the review and public input process for the Draft Housing Element. They involve both the physical impacts that may occur from implementing policies and zoning decisions allowing for a limited amount of residential growth as well as broad public policy objectives and legal requirements that need to be implemented in a balanced manner.

- **Traffic**

The Tam Junction area experiences high volumes of traffic due to vehicles using Highway One as a major route to the coast, West Marin and the surrounding Mill Valley community. At times during morning and evening peak commutes and

when visitorship to West Marin becomes heavy, the movement of traffic through major intersections in the heart of the Junction area can drop below the County's acceptable standard. The EIR for the 2007 Countywide Plan and the recently released Draft Supplemental EIR for the Draft Housing Element identify traffic as a significant impact that cannot be feasibly mitigated due to the lack of realistic options for expanding the traffic capacity of Highway One.

When examining the extent to which future traffic conditions might change from the Draft Housing Element, it's important to keep in mind that the number of new homes planned for mixed use sites in the Tam Junction area does not exceed the amount of development currently allowed under the already adopted general plan and zoning limits for the community. Another factor to keep in mind when considering traffic congestion is that mixed use development close to transit can provide a 5% to 10% reduction in car trip generation over conventional, non-mixed development.

- **Flooding & Sea Level Rise**

[Sea level rise](#) is being addressed at both the regional and local levels, although the regional initiatives have been leading the overall planning effort to date. The San Francisco Bay Conservation and Development Commission (BCDC) updated the [Bay Plan](#) in 2011 to add and amend policies for sea level rise that apply within BCDC's shoreline jurisdiction. In general, the new policies address the vulnerability of shoreline areas to the effects of sea level by integrating sea level rise projections and adaptation strategies into the regulatory process. Risk assessments will be required as a prerequisite for large projects in shoreline areas to determine the uncertainties of sea level rise and the consequences of potential shoreline flooding and failure of proposed flood protection devices. The risk assessment may require certain developments to be designed to be resilient to sea level rise based on the appropriate projection (also referred to as an adaptive management plan).

While the BCDC Bay Plan Amendments usher in a new process of greater scrutiny and adaptive planning around sea level rise, they do not necessarily prohibit residential or other uses in urbanized areas where infill development is planned. For the time being, development proposals in vulnerable areas will be evaluated on a case-by-case basis to determine the project's public benefits, resilience to flooding and capacity to adapt to sea level rise. Outside of BCDC's jurisdiction, the County will evaluate sea level rise impacts and possible mitigations through the environmental review process for development proposals that may be subject to significant flooding impacts. Moreover, the Draft Housing Element is not proposing to allow more development in flood prone areas than currently permitted by the Countywide Plan or the Community Plan.

In the long term, the Bay Plan Amendments call for regional planning agencies to work together in developing a regional adaptation strategy to determine where

and how existing development should be protected and infill development encouraged, where new development should be permitted and where existing development should eventually be removed.

In the meantime, Supervisor Kate Sears is working with County staff and will be reaching out to community leaders to initiate a local sea level rise planning study focused on Richardson's Bay and adjacent communities, including Tamalpais Valley. The intention of this effort is to begin a local initiative that:

- Develops mapping tools more refined and accurate than maps found in BCDC reports (which are not for planning purposes);
- Coordinates land use issues with other local watershed management and flood control plan updates;
- Identifies areas at the local level vulnerable to sea level rise; and
- Begins to formulate adaptation strategies that reflect local physical conditions and community planning objectives.

Developing regional and local vulnerability assessments and adaptation strategies is expected to be an ongoing process that improves with the quality of information and innovation of adaptation techniques. This work will influence future planning decisions about the location and/or design of new development as the Countywide Plan and community plans are updated. For now, the County planning staff is proposing to retain the Countywide Plan or Tamalpais Area Community Plan, both of which advocate for focusing a very limited amount of growth within urbanized infill areas rather than converting undeveloped bay shoreline areas to new development. By staying within the current limits of development in the Tam Valley Planning Area, the Draft Housing Element would not alter this near term approach to planning for sea level rise in an informed and responsible manner.

- **Priority Development Areas**

Priority Development Areas (or PDAs) are locations where future commercial and residential growth can be accommodated in close proximity to public transit, jobs, services and other amenities. By combining homes with other land uses in the same general area or on the same site, residents will tend to reduce the use of their cars for every-day travel, thereby lowering greenhouse gas emissions. Transportation is by a considerable margin the largest source of greenhouse gas emissions in Marin and thus is considered to be one of the greatest opportunity areas for affecting climate change over the long term.

In 2006, the Board of Supervisors nominated [PDAs](#) in several commercial areas along the Highway 101 corridor, including the Tam Junction and Manzanita areas, Marin City, Strawberry, and unincorporated portions of San Rafael. The origins of PDAs come from a [regional planning program](#) aimed at getting local jurisdictions to think collectively about how the Bay Area grows and to encourage infill growth

in developed areas as an environmentally superior alternative to a more auto-dependent land use pattern characterized by sprawl.

The Board's decision to nominate PDAs signifies the County's longstanding planning goal of focusing growth in the urbanized areas of the county and preserving the bulk of the county for agriculture, open space, baylands, ridgelines and environmentally sensitive areas. There are numerous policies in the Countywide Plan, community plans and zoning ordinance that establish strong protections for these high priority conservation areas. Priority Conservation Areas have also been designated to identify areas that should be preserved based on their high natural resource values. Marin has several Priority Conservation Areas (PCAs), including [Bothin Waterfront](#).

Since their inception, Priority Development Areas and Priority Conservation Areas have been incorporated into a regional growth plan referred to as the [Sustainable Communities Strategy](#). The SCS is an outgrowth of State legislation intended to reduce greenhouse gas emissions by promoting focused growth in pedestrian and bicycle friendly communities close to opportunities for public transit, employment, services and amenities. The state laws do not, however, mandate that local jurisdictions change their general plans to be consistent with the SCS. This is especially important for the County since the Countywide Plan has historically encouraged infill growth rather than sprawl and the 2007 update to the Countywide Plan emphasizes accommodating a small amount of projected residential development within existing commercial areas rather than rezoning single-family residential neighborhoods or increasing development potential in baylands and other environmentally sensitive areas.

Concerns have been raised that PDAs and the regional planning process will require local jurisdictions to plan for greater number of housing units through the Housing Element update process. This does not appear to be the case, however, as the planning requirement for the next Housing Element cycle (2014-2022) is expected to drop to a total of 187 homes (includes both market rate and affordable) for unincorporated Marin as a whole from the current requirement of approximately 770 homes. The regional planning process appears to recognize the concerns of residents and public officials that planning should not exceed the very modest growth patterns of this county.

Areas designated as PDAs are eligible for greater amounts of funding for transportation improvements. For example, \$175,000 of federal transportation funds were recently allocated by the Transportation Authority of Marin to prepare a plan for improved pedestrian and public transit improvements in the Tam Junction area. These funds were made available to the community as a result of the Tam Junction area including a PDA.

How can I get involved in the Housing Element update process?

The Housing Element Update has already received substantial public review and there are more opportunities for public participation ahead. Since 2009, there have been five Planning Commission workshops, seven stakeholder and community meetings hosted by the Community Development Agency, one Tam Valley housing meeting hosted by Supervisor Sears, and several progress reports to the Board of Supervisors. **A community Task Force was convened in 2011 to evaluate sites, which included several Tam Valley and southern Marin representatives.** Information on the Housing Element process can be found at www.marincounty.org/housingelement.

The next phase of review consists of public hearings with the Planning Commission throughout Spring 2013. Following the Planning Commission's recommendation, the Board of Supervisors will consider adoption of the Housing Element and SEIR in Summer 2013. *Subscribe to the County's email notification service to receive meeting notices and updates at www.marincounty.org/HousingElement.*

Upcoming Events

At the Marin County Planning Commission, Suite #328 – Administration Building of the Civic Center, San Rafael:

January 14, 2013 Planning Commission Hearing on the Draft SEIR

February 11, 2013 Planning Commission Merits Hearing #1 on the Housing Element

Oral and written comments may be presented to the Planning Commission at, or prior to, the hearing. **A 45-day public review period for the Supplemental EIR will close on Monday, February 4, 2013.** Please see [this notice](#) for information on where to direct your comments, whether they may be environmental review related, or Housing Element content related.