

# **MARIN COUNTY PLANNING COMMISSION WORKSHOP MINUTES**

**April 5, 2004**

**Marin County Civic Center, Room #328 - San Rafael, California**

*Commissioners Present:* Allan Berland, Chairman  
Steve Thompson, Vice Chairman  
Hank Barner  
Ray Buddie  
Don Dickenson  
Wade Holland  
Jo Julin

*Commissioners Absent:* None

*Staff Present:* Alex Hinds, Director, Community Development Agency  
Brian Crawford, Deputy Director, Planning Services  
Michele Rodriguez, Principal Planner  
Dan Dawson, Senior Planner  
Alexandra Morales/Jessica Woods, Planning Commission Secretary

*Minutes Approved on:* ***September 13, 2004***

Convened at 1:00 p.m.  
Adjourned at 7:00 p.m.  
Reconvened at 7:30 p.m.  
Adjourned at 9:31 p.m.

1. ROUTINE TRANSACTIONS:

- a. *M/s, Julin/Holland, and passed unanimously, to incorporate the staff reports into the Minutes. Motion passed 7/0.*
- b. Continuances- None
- c. Minutes: None

2. COMMUNICATIONS

The Commission acknowledged several pieces of correspondence regarding the Countywide Plan.

3. DIRECTOR'S ORAL REPORT

- a. Update on Board of Supervisors Actions- None
- b. Report on On-Going/Pending Development Projects- None

4. OPEN TIME FOR PUBLIC EXPRESSION (LIMITED TO THREE MINUTES PER SPEAKER) – None.

5. FUTURE AGENDA DISCUSSION ITEMS, FIELD TRIPS- None

## 6. DRAFT MARIN COUNTYWIDE PLAN

Public hearing on the Draft Countywide Plan.

The hearing was opened to the public.

Concerned Santa Venetia residents Roger Ahlenins, Gerald Short, and Frances Nunez expressed concern regarding the proposed 50-foot buffer zone in the Streamside Conservation Areas (SCA) as it would apply on properties along Las Gallinas Creek and near Santa Margarita Island in Santa Venetia.

Cela O'Connor, Bolinas resident, suggested revising page 2-28 to read, "*currently existing permitted or legal non-conforming structures.*"

The public hearing was closed.

Commissioner Julin believed "*Agriculture*" should be its own element and not part of the Natural Systems section. However, if it is to remain in that element, the section should be in alphabetical order.

After a lengthy discussion, the Commission tentatively agreed that "*Agriculture*" should be a separate element.

### Biology

Jim Martin, Biology Consultant discussed page 2-3 of the Plan and suggested expanding the biological resources paragraph to include more on flora and fauna.

The Commission expressed interest in conducting a field trip to the Baylands Corridor. Staff agreed to return at the next meeting with details about a tour.

### Background

The Commission discussed page 2-10 in regard to the third paragraph and recommended expanding the description about "*why a greater setback and protection is needed for the baylands.*"

### Key Trends

The Commission discussed page 2-12 under the fourth and fifth paragraphs regarding special-status species and recommended expanding the section to qualify that not being listed on the Fish and Game Natural Diversity Data Base does not mean that special-status species do not exist on a site. The Commission also noted that additional environmental review may be required.

The Commission believed that, in addition to landowners under BIO-1.6, landscapers, nurseries, and Marin County Open Space District should be added.

Commissioner Barner recommended the following: BIO-1.5 – encouraging a variety of native species; BIO-1.7 – include monitoring; BIO-1.c – add the public and other cities and towns in the County; and BIO-2.5 – add assessment of cumulative impacts.

Commissioner Holland discussed BIO-1.2 and recommended adding wildlife corridors, wetlands and other lands linking riparian corridors. He also suggested adding a new policy, BIO-1.9 to discourage the introduction of non-native animals.

The hearing was opened to the public.

Catherine Caufield, representing EAC, discussed the following policies BIO-3.d, BIO-4.a, BIO-4.b and suggested using current buffer zones and SCA standards.

The public hearing was closed.

Commissioner Dickenson discussed BIO-3.d and recommended adding policy wording to establish buffers to differentiate between large properties in coastal recreation and inland properties. He also requested that staff define the word, “*development*” in the glossary to clarify what type would be allowed, if any, within buffer zones. Staff agreed.

Commissioner Thompson recommended adding large property buffer language to BIO-3.c(c).

Chairman Berland discussed Goal BIO-4 and requested that staff add a definition of the “*Streamside Conservation Area*.” He also believed Figure 2-1 should be clarified in regard to 50 feet, if less than five acres.

Commissioner Barner recommended the following: BIO-4.1 – move the text regarding “*Human-made*” to the body of the text, not in the City-Centered Corridor; BIO-4.2 – add language preventing the creation of parcels entirely within the SCA; and BIO-4.6 – add monitoring

Commissioner Dickenson asked staff to clarify BIO-4a buildings would still not be allowed to impact streams. Also, only as a last resort can you build parallel to a stream.

Commissioner Barner asked staff to reconsider the replacement ratio in regard to BIO-4.h. He also recommended adding wildlife corridors to BIO-4j.

#### Water Resources

Agency Director Hinds summarized the goals, policies, and implementing programs for water resources, atmosphere and climate sections of the Natural Systems Element.

In response to Commissioner Barner’s question regarding the status of the wastewater and septic ordinance, Agency Director Hinds responded that the revised septic system additions and remodel policy has been approved.

Commissioner Holland discussed WR-2.c and suggested that the language acknowledge that the County will align its septic regulations with the mandates of AB 885.

Commissioner Buddie acknowledged impacts to water quality from concentration of septic systems in small areas.

Michele Rodriguez, Principal Planner, provided the Commission with an update on the draft Watershed Management Plan.

The hearing was opened to the public.

Gordon Bennet, representing the Sierra Club, discussed page 2-50 in regard to Policies WR-2.1, WR-2.2, and WR-2.3, which should address agriculture practices.

Catherine Caufield, representing EAC of West Marin, suggested the following: page 2-48 - add a new policy to protect upland vegetation; page 2-52 under Program WR-2.d - include homeowners and businesses; and page 2-53 under WR-3.a – add reference to water conservation.

Michael Mery, concerned resident, suggested establishing an inspection program for septic systems.

Cela O’Connor, Bolinas resident, expressed concern for separating Agriculture from the Natural Systems Element.

Nona Dennis, representing Community Marin, commented on the atmosphere and climate section. She stated that the section needed to be substantially modified to address all the factors related to global warming and cross referencing to other related sections such as transit, flooding, and increased water levels causing flooding. She also believed the County should add their ongoing efforts regarding the greenhouse gas emissions. She further noted that she would submit a detailed letter outlining her recommendations.

Margaret Zegart, Mill Valley resident, discussed page 2-53 under WR-3.a and asked the Commission to consider desalinated water as a resource.

Commissioner Buddie believed failing septic systems must be addressed.

Phil Smith, Chief of Environmental Health Services, pointed out that until the passage of AB 885 California was the only State that had no regulations for septic Statewide.

*Chairman Berland announced at 6:15 p.m. that the Commission would take a short recess and then reconvene with further discussion.*

*Chairman Berland and Commissioner Buddie excused themselves from the hearing at 6:15 p.m. due to prior engagements. Vice Chair Thompson led the remainder of the meeting.*

Commissioner Holland discussed page 2-46 in regard to the second paragraph and asked staff to review the comment on fecal coliform levels, as this could be misleading. Commissioner Thompson recommended deleting the fecal language from the Plan.

Commissioner Holland commented on page 2-47 under the last paragraph and recommended clarifying that the survey was voluntary. Staff agreed.

The hearing was opened to the public.

Allen Scotch, Santa Venetia resident, expressed concern regarding the proposed SCA policies and the impacts they would have on already developed properties. Staff pointed out that the policies would not apply to already developed properties.

Margaret Zegart, Mill Valley resident, recommended banning drive-thru businesses.

The hearing was closed to the public.

#### Open Space

Agency Director Hinds summarized the goals, policies, and implementing programs for the Open Space section and highlighted the key trends and issues, as well as the Plan's policies, programs, and strategies.

David Hansen, Parks and Open Space District, provided historical information about the District that was originally created in the 1970s.

Commissioner Holland discussed page 2-81 and asked staff to check the language about MALT getting land acquisition money. Staff agreed.

The hearing was opened to the public.

Jean Berensmeier, representing MCL, reported on a recent survey conducted by the Open Space District as follows: Survey report shows that 89% of the community supports the existing open space policies; land use and trail use

policies should be managed by the agencies responsible for those activities; the trail maps need to have a disclaimer that they should not be used as a trail guide; and a priority for open space funds should be acquisition.

Gordon Bennett, representing Sierra Club, recommended the following: page 2-90 under Program OS-3.b – add Bolinas Lagoon; page 2-93 under Program OS-3.h – rearrange list of parks to group them by State, Federal, and County; and add Samuel P. Taylor, Mt. Burdell and other parks in East Marin.

Cela O'Connor, Bolinas resident, suggested the following: page 2-79 – add streams, lagoons and wetlands to the list; and page 2-87 under Policy OS-3.2 – reconsider this policy and its relationship to Local Coastal Program policies.

Linda Novy, Fairfax resident, discussed page 2-82 under Program OS-1.b and recommended not ruling out the use of all chemicals because many of the new chemicals are not bad for the environment.

David Kimball, Bolinas resident, suggested adding a policy to identify creative ways to acquire open space.

The public hearing was closed.

Principal Planner Rodriguez noted that Patsy White's letter recommended that Program OS-3.c be modified.

In response to Commissioner Dickenson's question about whether the Open Space District staff contributed to drafting the Open Space section, staff responded in the affirmative.

Commissioner Dickenson discussed the following: Page 2-82 under Policy OS-1.1 – add text regarding carrying capacity; page 2-82 under Program OS-1.b – amend as suggested by Linda Novy; page 2-85, OS-2.d – explain the meaning of “*ballot measure*; and page 2-91 – add other lowlands to Petaluma River.

Commissioner Barner discussed page 2-93 under OS-3.i and suggested moving agricultural comments to the agricultural section.

The hearing was opened to the public.

Connie Berto, representing Marin Horse Council, submitted a report on pathogens of horse manure for the Commission's consideration.

Jean Berensmeier, representing MCL, discussed the following: Page 2-101 under Key Trends – indicated that a properly designed trail in the proper location would not require huge maintenance; page 2-102 under Policy TRL-1.1 – expressed concern that this policy seems to indicate that trails are used as modes of transportation and they are more passive; page 2-102 under Policy TRL-1.3 – reference handicapped people; encourage creative methods of acquisition; and encourage naming trails after individuals.

Margaret Zegart, Mill Valley resident, suggested adding the trails in the Tam Valley area not currently identified. She also discussed page 2-106 and believed certain trails should alternatively be used for bicycles and equestrian use depending upon the weather. She further commented on page 2-108 under TRL-2.d and expressed concern about individuals trespassing on private property.

Gordon Bennett, representing the Sierra Club, discussed page 2-104 under TRL-1.e and recommended expanding to include maintenance. He also commented on page 2-110 and suggested adding a new program regarding motorized use of parking areas.

The public hearing was closed.

*Vice Chairman Thompson adjourned the meeting at 9:31 p.m. and continued the Countywide Plan hearing to the April 12<sup>th</sup>, 2004 Planning Commission meeting at 1:00 p.m.*