

MARIN COUNTY PLANNING COMMISSION WORKSHOP MINUTES

April 12, 2004

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

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

Commissioners Absent: Ray Buddie

Staff Present: Alex Hinds, Agency Director
Michele Rodriguez, Principal Planner
Dan Dawson, Senior Planner
Alexandra Morales, Planning Commission Secretary

Minutes Approved on: ***August 2, 2004***

Convened at 5:00 p.m.
Adjourned at 7:00 p.m.
Reconvened at 7:30 p.m.
Readjourned at 9:00 p.m.

1. ROUTINE TRANSACTIONS:

- a. Incorporate Staff Reports into Minutes - None
- b. Continuances- None
- c. Minutes - None

2. COMMUNICATIONS

The Commission acknowledged additional correspondence received regarding the Countywide Plan Update.

3. OPEN TIME FOR PUBLIC EXPRESSION (LIMITED TO THREE MINUTES PER SPEAKER)

None.

4. DRAFT MARIN COUNTYWIDE PLAN

Public hearing on the Draft Countywide Plan.

The hearing was opened to the public.

Bryan Foster, Marin resident, submitted a detailed letter in regard to the Trails Element for the Commission's consideration.

Al Baumann, Marin resident, opposed motorized vehicles on open space trails.

The public hearing was closed.

Commissioner Julin pointed out that there are factual errors in identifying the agencies listed on the table on page 2-100 regarding Figure 2-10 and asked staff to modify the table. Dave Hansen, Open Space District, agreed the table needed to be reviewed and updated.

In response to Commissioner Barner's question related to whether paper streets have a valuable function, Mr. Hansen responded that the March memo discussed their view on paper streets and noted that they felt paper streets should not be shown on the trails plan because many paper streets may be in situations that are not desirable for trail development. However, paper streets do present opportunities to create trails where appropriate.

In response to Commissioner Barner's concern about paper streets being preserved in their natural state, Agency Director Hinds responded that an additional program could be added to carefully review paper streets to ensure that abandonment did not occur if the paper streets provide appropriate access points or key linkages on a desirable trail system. The Commission agreed.

Agency Director Hinds recommended to the Commission that, at the next meeting after discussing the Agricultural section, the Commission go back and review the written comments that have been received from the public in relation to the Natural Systems Element. The Commission agreed.

Commissioner Holland requested that the public send their comments in advance in order for the Commission to have sufficient time to review and digest the information in order to respond.

Commissioner Holland discussed page 2-110 under TRI-2.q and recommended adding language at the end of that paragraph to state, "*construction of barriers or obstructions.*" He also recommended removing the word, "*consider*" in relation to the top of the paragraph and state, "*adopt an ordinance.*" The Commission agreed. County Counsel Nancy Grisham recommended including flexibility in the wording in order to apply to a variety of situations.

Commissioner Holland discussed page TRL-2.k and noted that the word, "*parking*" is missing from the third line. He then discussed the maps and suggested including the major and developed trails in the Plan rather than every proposed trail. Agency Director Hinds responded it is important to have proposed trails on the map as that level of specificity is needed for addressing trail easements during the current planning process. Mr. Hansen added that the maps are the "*bible*" of how to deal with trails did not recommend eliminating the map system that is present.

In response to Commissioner Thompson's question about the methodology used in regard to the maps, Agency Director Hinds responded that the Open Space District would carefully review the maps and encouraged those with concerns regarding trails to provide comments as soon as possible.

Commissioner Dickenson believed it is very important that the General Plan indicate the proposed trails. He stated that the maps are very confusing and stated that it would be important to show a distinction between the types of trails. In general, he felt it is important to identify the Regional Trails that include the Ridge, Bay and Coastal Trail. The Commission agreed.

Commissioner Julin discussed TRL-1.c, TRL-1.j and TRL-1.k and felt they are related to one another and are a bit redundant. She requested that the tone be changed in order not to be so threatening. Chairman Berland suggested stating, “*obtain dedications.*” County Counsel agreed to review.

Commissioner Julin responded to a letter received from Bryan Foster regarding Goal TRI-1 and recommended adding the phrase, “*for all user groups*” to read, “*Preserve the existing trail designated for public use on the Marin Countywide Trails Plan maps, and expand the public trail network for all user groups where appropriate.*” She agreed with the request regarding TRL-1.1 not to change any wording in that policy. She discussed TRL-1.2 and suggested the same wording change so this particular policy would be used for all user groups as appropriate in order to be reviewed on a case-by-case basis. County Counsel recommended that the Commission allow staff to review the changes before action is taken.

Commissioner Dickenson disagreed with the wording provided by Mr. Foster and felt the language goes beyond what he would support.

Commissioner Julin commented on page 2-103 regarding TRL-1.4 and suggested stating, “*especially for trails that cross jurisdictional boundaries*” rather than “*pass between jurisdictions.*” The Commission agreed. County Counsel agreed to review.

Commissioner Dickenson asked staff if the revised Plan would be in strike out type in order for the Commission to view the changes. Agency Director Hinds responded in the affirmative.

Commissioner Dickenson reiterated his request that the foldout maps indicate the location of the Coastal, Ridge and Bay Trails and believed there is some value in showing those trails on the lower scale maps in order to view the local connections. Agency Director Hinds agreed.

Commissioner Thompson reiterated the suggestion about an appendix entry showing community plan trails that were not necessarily shown on the maps on page 2-101. Also, there was a comment that the language under Key Trends be sharpened.

Commissioner Julin requested a listing of the types of trails and trail users to be inserted before Key Trends.

Commissioner Thompson reiterated the suggestion of changing the language on page 2-102 to strike the idea of “*historic*” users. Gordon Bennett, representing the Sierra Club, responded that when acquisition of a parcel occurs, consideration should be given. County Counsel responded that it must be reviewed on an individual basis.

Commissioner Dickenson commented on page 2-103 under TRL-1.4 and recommended that the policy be strengthened to coordinate planning with trail agencies in relation to the Regional Trail system.

Commissioner Dickenson discussed TRL-1.e and suggested looking at methods to provide funding for maintenance of trails once acquired. The Commission concurred.

Commissioner Julin commented on Goal TRL-2 on page 2-106 and suggested including language to read, “*Design, develop, and maintain trails to encourage multiple shared public use as appropriate, while protecting environmental resources and minimizing user conflicts.*” She recommended adding more specific wording to TRL-2.1. Commissioner Holland objected to the change to Goal TRL-2 and recommended maintaining the wording as indicated but agreed with the words, “*as appropriate.*” The Commission concurred with Commissioner Holland’s comments.

Commissioner Dickenson commented on TRL-2.b on page 2-107 and recommended using the concept of “*managing*” the trails in addition to maintaining. Also, under TRL-2.d on page 2-108 he suggested adding the concept that proposed trails on private land should be clearly identified on the map. The Commission concurred.

Chairman Berland asked that TRL-2.h be expanded regarding promoting harmony among trail users. Commissioner Holland requested more specific language. Mr. Hansen recommended referencing the County Open Space and Trails Committee as a body that could hear the issues and agreed to establish language in that regard.

Commissioner Thompson reiterated the comments about seasonal uses, bikes, equestrian use, and dirt trails being in conflict in regard to page 2-107 under TRL-2.b and asked staff to review. Staff agreed.

Dr. Donald Aitken, Donald Aitken Associates, provided the Commission with a comprehensive presentation regarding renewable energy and sustainability for their consideration including several graphs. Commissioner Holland asked Dr. Aitken for his definition of sustainability. Dr. Aitken responded that sustainability is defined by those actions that maintain the integrity of the global ecosystems. Dr. Aitken also indicated his appreciation of how sustainability was addressed in the draft Plan including the 3 E's symbols since the environment is not all encompassing and a balance is necessary. The weight to be given to each element depends on the project. The Commission and staff thanked Dr. Aitken for a very informative and provocative presentation.

Chairman Berland announced that the Commission would take a short recess and then reconvene with a staff presentation on the Baylands Corridor, but opened the public hearing for those who were unable to come back after the short recess.

Dave Coury, representing The Housing Council, pointed out the need for energy efficient land use, and flexibility. He discussed the worker housing balance in Marin and how low-income workers are imported and high-income workers are exported, which generates an unsustainable economy. He recommended that more low-income workers should be able to live in Marin in environmentally sensitive affordable housing. He added that the land has not been used efficiently and there is an opportunity in the future to build multifamily affordable homes that would serve Marin's needs, as well as improve Marin's ecological footprint.

Randy Hayes, Member, Natural Systems Working Group, believed it is important to realize that there is no economic development or social equity on a dead planet and that is one manner in which one can honor the three fundamental elements and put them in perspective. Mr. Hayes also indicated his support for the format and content of the draft Plan.

Agency Director Hinds summarized the staff report on the Baylands Corridor for their consideration. He explained that staff tried to reinforce and expand the greenbelt located around and within the City-Centered Corridor. Staff provided a map showing the existing Bayfront Conservation Zone and the proposed Baylands Corridor as well as aerial photographs that show the existing line and expansion. Staff noted that the proposed Baylands Corridor represents a modest expansion based on the San Francisco Estuary Institute Historic Baylands mapping, plus a 300-foot buffer located on adjacent properties of five acres or more. Staff also provided statistics that point out the differences between the existing baylands acres proposed and the Bayfront Conservation Zone. Staff further explained that several parcels are included that are offshore and under water.

Mia Pelletier, Marin resident, urged the Commission to increase the wetlands buffer zone to be at least 300 feet due to the fact that the uplands area around the wetlands is very important habitat for many species that live in the wetlands.

Jack Krystal, Marin resident, requested that the Commission consider removing the Baylands Corridor that has been drawn south of the Richardson Bay Bridge. He also asked the Commission to provide more flexibility in regard to BIO-1.1 on page 2-13. He believed BIO-1.2 should be reviewed with the idea that preservation could also take place by developing adjoining properties and providing inducement to the property owners so this could be done at no cost.

Gordon Bennett, representing Tam Valley Gateway Coalition, submitted a letter to the Commission that outlined their comments, suggestions and modifications for the Commission's consideration.

In response to Commissioner Holland's confusion between buffers and setbacks, Agency Director Hinds responded that the terms often are used interchangeably, but in this case the proposed buffer to the Baylands Corridor has been included within the Baylands Corridor.

Jim Martin, Biologist, explained that it would be useful to review the policies and distinguish the two functions and follow through for consistency in the policy language where feasible.

Barbara Salzman, representing Marin Audubon Society, submitted a letter dated April 7th, 2004 for the Commission's consideration outlining their comments, suggestions and modifications.

Kathy Cuneo, representing Community Marin, summarized her comments for the Commission's consideration, which were provided to the Commission.

Kathleen Sullivan, Member, Sierra Club Marin Chapter, provided the Commission with several letters supporting Community Marin's 2003 Environmentally Sustainable Land Use Vision.

Ann Brown, Member, Students and Teachers Restoring Watershed, expressed concern for pollution from street runoff to the Bay and urged the Commission to consider at least a 300-foot buffer zone in order to preserve the integrity of the natural function of the wetlands to act as a cleansing operation.

Forrest Craig, Division Chief, Novato Fire Protection District, submitted a letter from the Novato Fire Chief regarding comments to the draft Plan.

Juliet Anthony, Marin resident, discussed the proposed hotel/dwelling and pointed out that geologically it is very unsound as well as costly to build any building in the current Bay mud.

Cela O'Connor, Marin resident, requested that the Commission open for public discussion the decision to remove the Agricultural and Food section and the Mineral Resource section from the Natural Systems Element because there was no public discussion on those matters and several members of the public have comments. She also requested that a glossary be provided to the public as well. She then commented on the Baylands Corridor and noted that the wetlands and the associated uplands are already out of balance, so the protection of these wetlands large or small is critically important and, in her opinion, no wetland should be removed.

The public hearing was closed.

Agency Director Hinds noted that, at the request of the Commission, staff would provide maps and aerial photographs and arrange for a tour of the Baylands, if so desired by the Commission, but suggested that the tour be publicly noticed in order for members of the public to attend. The Commission agreed to have a publicly noticed tour of the Baylands.

Commissioner Barner recommended having the tour early Monday morning on April 19th, 2004. Commissioner Holland agreed.

Commissioner Dickenson felt it is important for those not familiar with the sites to have a tour. Chairman Berland agreed and desired to be more familiar with the area. He suggested arranging a tour later this week. Agency Director Hinds recommended that the Commission continue the hearing to a specific time and place. Staff noted that the tour would probably take about two hours and suggested Friday. Biologist Martin agreed to meet on Friday morning, but suggested specifying four points in order to provide a range of habitat types along the entire shoreline and Baylands Corridor in order to define the location and be as effective as possible, which included the following:

1. South side of Richardson Bay;
2. Santa Venetia vicinity;
3. Treatment plant at the south side of St. Vincent; and
4. Near Novato Creek.

The Commission and staff agreed to meet on Friday morning, April 16th, 2004 at 10:00 a.m.

Chairman Berland adjourned the meeting at 9:00 p.m. and continued the Countywide Plan discussion to April 19th, 2004 at 1:00 p.m.