

MARIN COUNTY PLANNING COMMISSION HEARING MINUTES

May 24, 2004

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

Commissioners Present: Steven Thompson
Hank Barner
Don Dickenson
Wade Holland
Randi Greenberg
Jo Julin

Commissioners Absent: Allan Berland

Staff Present: Alex Hinds, Director, Community Development Agency
Tim Rosenfeld, Energy Consultant
Michele Rodriguez, Principal Planner
Sam Ruark, Green Building Program Coordinator
Dan Dawson, Senior Planner
Jessica Woods, Recording Secretary

Minutes Approved on: **June 14, 2004**

Convened at 5:06 p.m.
Adjourned at 7:27 p.m.
Reconvened at 8:01 p.m.
Adjourned at 9:32 p.m.

1. ROUTINE TRANSACTIONS:

- a. M/s, Holland/Julin, and passed unanimously of those present, to incorporate the staff reports into the Minutes. Motion passed 6/0 (Chairman Berland absent).
- b. Continuances: None
- c. Minutes

M/s, Barner/Holland, to approve the Minutes of March 15, 2004 as modified. Motion passed 5/0 (Chairman Berland absent and Commissioner Greenberg abstained).

2. COMMUNICATIONS - The Commission acknowledge several pieces of correspondence for their review.

Commissioner Dickenson asked staff for a presentation on Code Inspection and Compliance Procedures at the next meeting for the Commission's consideration. Alex Hinds, Agency Director, responded in the affirmative.

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 – Built Environment.

Agency Director Hinds summarized the staff report and recommended that the Commission review the administrative record; conduct a public hearing; and continue the public hearing to Monday, June 7, 2004 at 5:00 p.m.

Sam Ruark, Green Building Program Coordinator, made a presentation on Energy and Green Building commenting on the following:

- A Sustainable Energy Future
 - Uses energy efficiently and wisely
 - Produces energy with local renewable resources
 - Imports energy from renewable resources that cannot be met locally
 - Integrates energy into the planning process
- Key Trends
 - Renewable energy technologies are growing more popular & less costly
 - Energy consumptions is increasing
 - Most energy in the County and the State is imported
 - Energy Use is the main contributor to global warming
- Key Trends – Energy
 - 71% of electricity in U.S. issued in buildings
 - 75% of electricity in U.S. is wasted in generation and transmission
 - 44% of the CO2 emissions in Marin is from energy uses in buildings
 - Only 25% of California homes meet Title 24
 - Rising energy prices in Marin were \$214 Million in 2000
 - Energy costs could exceed over \$500 Million in the next 8 years
 - Energy efficiency has a quick payback
 - Renewable energy process have dropped to \$7 - \$8 per watt
- PG&E Electricity Use, 2000 - Graph
- Marin's Energy Use 1994-2001- Graph
 - Residential Energy Use 1994-2004
 - Nonresidential Energy Use 1994-2004
- Electricity Use by Jurisdiction – Graph
- Energy Planning Factors
- Key Trends – Green Building
 - Buildings account for:
 - 12% of solid waste stream
 - 40% of materials and wood use
 - 88% of potable water
 - Study of LEED Building
 - Average construction cost was \$5 to \$6 more p/sf
 - Savings were approx. \$50 - \$70 per square-foot
 - \$5 - \$6 p/sf savings due to reduced operations and maintenance costs
 - \$45 - \$65 p/sf savings due to productivity and lack of employee absenteeism
- Key Trends
 - Today's existing building stock will continue to use the most energy in 2020
 - Many municipalities are developing green building and energy efficiency programs
 - The County has 3 years of experience implementing energy efficiency and green building policies and programs.

Agency Director Hinds discussed the following for the Commission's review:

- Goal EN-1: Decrease Energy Use

- Implementing Programs
- Trainings and Technical Assistance
- Marin Green Home Rating System
 - Site
 - Energy
 - Water
 - Indoor Air Quality
 - Materials and Resources
- Implementing Programs (Cont'd)
- Goal EN-2: Increase Renewable Resource Use
- Implementing Programs
- Issues for Discussion:
 - Should energy and green building incentives and technical assistant continue to be provided?
 - Should energy efficiency, renewable energy, and green building techniques be mandatory particularly for larger homes and businesses?
 - Should energy efficiency and green building standards be enacted to address existing residential and commercial buildings?
 - Should the County lead by example, i.e., meet LEED standards and use renewable energy sources in public buildings?
 - Should the link between energy use and greenhouse emissions be strengthened?

In response to Commissioner Julin's question, Agency Director Hinds explained that the entire County is mapped showing the best solar radiation locations and if individuals were interested in using solar, staff would provide incentives and benefits. Staff further added that new applications are strongly encouraged to use solar panels.

Commissioner Barner believed a program should be established to determine in reality whether or not the goals are being achieved in regard to solar usage. Staff agreed.

In response to Commissioner Dickenson's comments, Agency Director Hinds noted that the implementation programs for Goal EN-1 on page 3-65 should include both and they should be reduced in both areas. Tim Rosenfeld, Energy Consultant, added that there would be various goals and agreed that what is indicated must be expanded and clarified. Also, the indicators and the targets must be clarified in terms of what they are relative too.

In response to Commissioner Dickenson's question, Agency Director Hinds explained that data collected would decide whether improvements to the existing housing stock would ultimately affect the energy use. Energy Consultant Rosenfeld added that at the present time, given the resources available, staff has not conducted that analysis and the process defined in the Plan is to collect that data.

In response to Commissioner Dickenson's comments, Agency Director Hinds responded that staff is open to the idea of changing the language drafted on page 3-67 in order to resolve the disconnect between the heading and the text, if so desired by the Commission.

In response to Commissioner Barner's statement, Agency Director Hinds responded that the experts in the field indicated that the overall use should be reduced in order to have a more cost effective solar application. Staff agreed that it is more critical to reduce the non-renewable resources. Staff further added that this document promotes distributed power.

The hearing was open to the public.

Ed Mainland, representing, Sustainable Marin, provided the Commission with a letter for their review that included comments and suggestions on the Countywide Plan that would make it more sustainable. He felt the targets should be more aggressive with realistic programs that could be achieved. He also recommended stronger language in the Plan to recognize the goals. He pointed out that Marin County is incredibly rich and many individuals would provide assistance on formulating and implementing a formal plan. He also appreciated Mr. Ruark's help on

establishing polices and guidelines for Green Building in Novato. He further added that there is huge potential in efficiency upgrades as well as solar.

Charles McGlashan, representing, MMWD, believed any methods the County could develop to promote water efficiency would be beneficial to the County and they welcomed agency cooperation. He added that water consumption doubles in the summer and if the County could adopt educational programs to inform the public about using water wise native landscaping and the need to conserve, the County could achieve the goal, which MMWD supports and would continue to work closely with gardeners. In general, he strongly encouraged the adoption of a dual metric effort on every goal in the General Plan. He explained that Marin has worked hard to shrink the ecological footprint as well as size of consumption habits, and encouraged green house reduction. He also noted that green building and energy efficiency was one of the three business clusters identified to enhance, support and invest, which is an asset the County could use over time. He further stated that sustainable has a very hard-edged statement and the urge is to save creeks and reduce consumption that puts the burden on other communities.

Mr. McGlashan responded to Commissioner Dickenson's question about alternative energy generation and explained that recently he convinced the Board to operate with environmental standards that would review every possible means to conserve energy and cut energy use across the district, so the programs being proposed included adding solar on top of the water quality lab, on certain water tanks, and energy efficiency measures such as purchasing hybrid vehicles as well as mandating developing operating procedures. He pointed out that every dollar invested in energy reduction there is a savings, which is the intent across the district. He also convinced the Water Board to join the County as a co-investor in community choice aggregation. He further added that they must save wherever possible and then discuss generation efficiencies.

Mr. McGlashan responded to Commissioner Dickenson's question about accomplishing a reduction while expanding the demand and explained that the goal could not be accomplished and suggested shifting the zoning space to more integrated infill and focus on affordable housing. He further strongly believed that the lack of affordable housing and the transportation issues exacerbates the problem and being able to work and live in Marin would be beneficial to the County.

Eva Karlen, representing, Mothers For Clean and Safe Vehicles, agreed that transportation should be reviewed. She believed stricter efficiency standards should be enforced. She also submitted a letter for the Commission's review, which she briefly discussed. She recommended that the County enforce stricter regulations for green building and believed the County should mobilize all trusted organizations to help with a door-to-door campaign to promote energy efficiency.

Marie Kerpan, Founder, Green Careers, Co-Founder Sustainable Mill Valley, discussed the link between emergency preparedness and climate changes such as earthquakes. She also believed the County must implement renewable sources of energy.

Sandy Ross, Chair, Integrated Pest Management Commission and representing, Health Council of Marin, submitted two letters for the Commission's review, which outlined their concerns, suggestions and comments.

Margaret Zegart, Mill Valley resident, asked the Commission to consider using automatic lights and water timing devices at all public locations. She also desired to know the retrofit cost for San Quentin as the discussions about reuse occur. She then discussed page 3-67 and believed it should be a requirement rather than "*wherever possible.*" She also agreed with the idea of "*land set aside*" and suggested saving lands for future use such as future school sites and energy centers.

Roger Roberts, read a letter into the record on behalf of Priscilla Bull, representing Marin Conservation League, for the Commission's consideration.

Rebecca Collins, Fairfax resident, Founder, MARIN-Clean Alternative Energy Now, submitted a letter for the Commission's review. She then explained that their goal is to reduce green house gas and pointed out that the County must create "*Marin Local Energy Council*" in order to achieve that goal and to have the ability to use the

best integrated resource management for the greatest efficiency. She added that San Francisco is the best model to use in regard to reducing green house gas. She explained that community choice allows public disclosure of the electric load, access to large amounts of conservation funds, and revenue bonds that could fund local projects. She hoped the County would give green house gas reduction the highest priority. She further recommended that Marin County work with San Francisco.

Jesse Law, representing, College of Marin, noted that he has been working for several years on the Facilities Bond Master Plan for the College of Marin to rebuild the campus. He stated there is a tremendous opportunity for Marin County to be a model for green building. He explained that roof costs is the largest drain on the facilities maintenance and one benefit of solar panels is to block that ultraviolet radiation and facilities could benefit by generating their own energy. He also discussed the heat island effect, which is the paved area around a building and some programs discuss the need for covered parking with solar panels, which would generate electricity. He also pointed out that a single tree produces a tremendous amount shade. He referred the Commission to free documents based on the LEED criteria that included tremendous resources about understanding the study and scientific information. He further discussed traffic lights and implementing the use of LEED traffic lights could save a tremendous amount of energy for the County.

Maria Beth Braugan, Bolinas resident, pointed out that there are companies planning on pushing forward with plans to spend billions of dollars for liquefied natural gas plants, and the supply of natural gas had peaked in North America and the use of liquefied natural, which must be transported from other countries, would be at a great cost. She added that Bolinas Public Utility District wrote the County a letter that "Community Choice Aggregation" must be progressively pursued. In addition to benefits that others have mentioned, development of jobs is another consideration, as they transit from dependence on fossil fuels, there would be a huge need for factories that produce solar panels.

Vice Chairman Thompson announced at 7:27 p.m. that the Commission would take a dinner recess and then reconvene with further public comment.

Bruce Ackerman, Fairfax resident, supported "Community Choice Aggregation," which is a very important step toward electricity resources. He also supported the creation of "Marin Local Energy Council." He believed the Plan needed more specific goals and very ambitious goals that are consistent. He noted that there is incredible public support for this type of thinking and in general, individual awareness would decrease the footprint and demand.

In response to Commissioner Holland's question about JPA, Green Building Program Coordinator Ruark noted that a feasibility study had been conducted to analyze energy and how that would work with community choice aggregation and to track the CPU process. Currently, they are analyzing the energy load and the main concern is what is happening at the PUC and what would happen with energy service providers. Agency Director Hinds added that Energy Consultant Rosenfeld is working with several cities and towns on energy efficiency and they are conducting a round of JPA to establish more comprehensive energy reliance of JPA's on a countywide basis.

Roger Roberts, representing, Community of Marin, discussed the environmental hazard section on page 3-66 relative to public education and pointed out that there is no reference to the use of recycled material in green building. With respect to page 3-68, he suggested expanding that program to an outreach program involving cities to use a similar method. He commented on page 3-71 and pointed out that a number of renewable energy resources are mentioned, but there is no discussion about "Bio-gas energy operations," which should be included as part of the Countywide Plan. He commented on the energy measures that could be adopted by the County, and he felt it would be useful for the County to implement the 2002 energy study that would result in energy savings of 75%. He referred to the environmental hazardous and noted that the document did not indicate that it would be a guiding principle of the County to apply and follow land use polices and zoning designations that would be consistent with minimizing the effects of these environmental hazards. He believed recognition of fire hazards in the County is sadly lacking and there is very little compliance with voluntary reduction of fuel load on properties throughout the County. He further suggested developing a program to enforce compliance in order to reduce fire hazards.

Juliette Anthony, active environmentalist, stated that energy efficiency is the most cost effective way to conserve energy and reduce cost. She recommended emphasizing energy efficiency in newer homes and mandate energy efficiency with older homes. She also noted that she contacted Wind Harvest, which is located in Bolinas that designed machines more environmental friendly to birds, which should be explored.

Inez Bradley, representing Architects, Marin Task Force, recommended establishing ways to make it easier for architects to reach the suggested goals. She discussed building siting and that they must take advantage of the solar exposure to encourage appropriate thermal mass in building design in order to conserve energy. She asked the County to develop more innovating siting such as small encroachments into an easement, where feasible. She also believed the County should spend more time on education to work with local jurisdictions to help coordinate the effect of how to build better. She further added that this County is in a unique position to build efficient models such as using LEED standards. Agency Director Hinds noted that some important steps had been made toward such as exempting green houses and solar devices from setback requirements, but staff could establish a specialized exception in relation to solar design.

Ms. Bradley responded to Commissioner Barner's question about windows and explained that architects design windows for light, air and views with the idea is that more is better and in her view it did not make sense to add glass where not appropriate. She added that the entire package must be reviewed to create good design guidelines that would educate those that were unaware and reward those with good design choices. She further explained that the window manufactures have taken advantage of the best energy possible and the newest is the use of fiberglass windows.

Margaret Jones, representing, League of Women Voter's, indicated that they submitted letters to several cities and towns outlining their recommendations and ideas for conserving energy.

Andy Reimers, representing, Sun Power & Geothermal Energy, encouraged the County to help promote interaction at the building department in regard to conserving energy. He further noted that there is a short-term problem with solar panels, which he believed they would overcome.

Ginger Sounders-Mason, representing, Marin Beyond Pesticides, discussed green building and believed there should be a precautionary approach because often there is no study about new materials and at any time new materials are being introduced that could potentially effect the environment and the onus should be on the developer to conduct a study for future uses. She discussed pesticides and stated that notification should be made part of the requirements to reduce the amount of exposure in any kind of built environment. She commented on telecommunications and there indeed is a human health effect and to deny that is to deny what the studies had concluded and believed an acknowledgment should be added to the document. She further requested that the locations of the telecommunication towers be away from residential neighborhoods and schools.

Ms. Karlan addressed the Commission once again and discussed more specifics for the Commission's review along with the goals and the vision for the County. She then discussed Item #3 from her letter and requested open ears from staff and the Commission in that regard.

The hearing was closed to the public.

In response to Commissioner Barner's comments about aging population, Agency Director Hinds responded that the Plan indicated that there would be slow to moderate growth and regardless of an increase or decrease, the existing traffic congestion and larger home energy is a real issue.

Agency Director Hinds discussed the schedule and explained that at the next meeting they would finish Energy and Green Building, Environmental Hazards and Transportation. Commissioner Dickenson suggested starting the special meetings at 3:00 p.m. rather than 5:00 p.m. in order to complete review of the document.

Commissioner Greenberg suggested setting a specific time for public comment because many individuals work and are unable to remain for the entire meeting and provide input.

The Commission adjourned at 9:32 p.m. and continued the hearing to 7, 2004 at 1:30 p.m.