

**MARIN COUNTY PLANNING COMMISSION HEARING MINUTES**

**June 28, 2004**

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

*Commissioners Present:* Allan Berland  
Steven Thompson  
Hank Barner  
Don Dickenson  
Wade Holland  
Randy Greenberg  
Jo Julin

*Commissioners Absent:*

*Staff Present:* Alex Hinds, Director, Community Development Agency  
Brian Crawford, Deputy Director, Planning Services  
Michele Rodriguez, Principal Planner  
Dan Dawson, Senior Planner  
Kristin Drumm, Senior Planner  
Stacy Carlsen, Agricultural Commissioner  
Ronald Miska, Assistant General Manager, OSD  
Dave Hansen, Planning & Acquisition Manager, OSD  
Jessica Woods, Recording Secretary

*Minutes Approved on:* **July 19, 2004**

Convened at 1:00 p.m.  
Adjourned at 5:50 p.m.  
Reconvened at 6:32 p.m.  
Adjourned at 9:20 p.m.

1. ROUTINE TRANSACTIONS:

- a. M/s, Holland/Julin, 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 for their review.

Kristin Drumm, Senior Planner, addressed the concerns that had been raised by the Gates and Pozzi families regarding the trail maps and explained the following action taken for the Commission's review:

- a. Correcting the Trails Plan Map 2-11a to show the trails in question as proposed rather than existing.
- b. Providing an errata notice with the revised map to the Gates' and Pozzi families.
- c. Replacing the existing maps in remaining stocked copies of the draft Plan with updated versions.
- d. Replacing the existing digital map on the website with the updated version.
- e. Added disclaimer language to the maps: *"This Map is a planning document. Only those trails shown on the maps as existing are available for public use. In regard to proposed trails, the public has no right to enter private property without the owner's permission. If and when the public acquires or is granted an easement for trail purposes in any area where a trail is proposed, the exact location of such proposed trail will be determined at that time."*

Nancy Gates, Ranch owner, stated that the revisions indicated had failed to comply with their request. She further requested that the proposed trails be removed from the Countywide Plan.

Henry Grossi, Point Reyes resident, submitted a two-page letter from the Marin County Farm Bureau addressing their concerns regarding the proposed trails for the Commission's consideration that opposed involuntary public trails.

Gordon Bennett, representing the Sierra Club, supported the Farm Bureau's position on this issue.

Stacy Carlson, Marin County Agricultural Commission, reviewed the property owners' concerns regarding protection of agriculture. He said access to the public, which could be a real issue in terms of bio terrorism as well as free access to property could be detrimental. He believed access on private lands could cause serious problems.

Ron Miska, Assistant General Manager of Marin County Parks and Open Space District, urged the Commission to support staff's recommendation to continue to support the California Coastal Trail in the Countywide Plan update. He believed deleting this section of the proposed trails would set a dangerous precedent.

Martin Pozzi, Ranch owner, asked that the proposed trails be removed entirely and stated that it would be detrimental to continuing agriculture and felt family and animals are vulnerable. He believed a better document is needed because the trails are not accurately being described. He further asked staff to explain the water trail and the justification for it as well as how it was established.

Sally Pozzi, Ranch owner, stated that their land is permanently restricted with a deed restriction from MALT and they oppose the proposed trails because it would be detrimental to the health and safety of their animals.

David Hansen, Planning & Acquisition Manager for Open Space, reiterated that the Commission should support staff's recommendation. They feel there is flexibility in alignment and most proposed trails cover private property. He discussed the water trail, which is very common throughout the United States, which is very popular for

kayaking that is within the public designation. He added that they are always willing to work with private property owners and they did not desire to create undue situations. He further asked that the designation not be changed at this time.

In response to Chairman Berland's questions, Mr. Hansen responded that there are many ways to assure privacy by following boundaries of the property, so the land is not split in two, such as fencing, gates, and landscaping. He further noted that they respect the private property rights and negotiations must occur in that regard.

Commissioner Holland requested information that distinguished the Coastal and County Trails for a better understanding. Agency Director Hinds responded in the affirmative.

Agency Director Hinds believed the Coastal Trail should continue to be shown and staff attempted to add an appropriate disclaimer in that regard. Staff added that the level of specificity being discussed should be deferred to the Trails Committee of the Open Space District. Staff then asked the Commission if they agreed with staff's recommendation.

Commissioner Julin suspected that the worry of trespassing is a concern of all landowners and ranchers, but planning a Statewide Coastal Trail system or a Countywide Trail system is in the public's best interest. She further agreed with staff's recommendation.

In response to Commissioner Dickenson's concerns about the water trail being included, Agency Director Hinds responded that Mr. Hansen and staff agreed to remove the water trail portion of the Coastal Trail.

Commissioner Dickenson indicated that the last sentence of the "*disclaimer*" satisfies his concern.

Commissioner Holland requested that the Trails Committee come back and explain why there is a proposal for a trail from Franklin School Road to the Coast.

Chairman Berland announced that the Commission would discuss the following questions:

***Should the Water Trail be removed from the Draft Countywide Plan?***

The Commission unanimously agreed.

***Should the proposed Coastal Trail be continued to be shown explicitly and labeled as a Coastal Trail in the Draft Countywide Plan?***

6:1 (Commissioner Barner opposed).

***Is the "Disclaimer" proposed by staff appropriate?***

6:1 (Commissioner Barner opposed).

***Should the Coastal Trail be relocated so it follows the coastline and be left to a working group to determine the specific location?***

The Commission unanimously agreed.

3. OPEN TIME FOR PUBLIC EXPRESSION (LIMITED TO THREE MINUTES PER SPEAKER) - None

Don Wilhelm, Novato resident, submitted a five-page letter in regard to the Transportation section of the Built Environment section for the Commission's consideration.

#### 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 Tuesday, July 6, 2004 at 1:00 p.m.

The hearing was opened to the public.

Priscilla Bull, Marin resident, read a letter into the record on behalf of Charles McGlashan that was submitted to the Commission for their review in regard to water supply and sustainability. She then reminded the Commission that for Community Facilities section, Community Marin provided language that supported the idea of reducing water importation to eastern Marin County from the Russian River as well as concerns about long-term reliability and cost of the Russian River source. She also addressed enforcement of the septic regulations that she felt deserved more attention in the Plan.

Georgiana McCarty, representing CAPS (Citizens Advocates for Preservation of St. Vincent's/Silveira), submitted a letter dated June 24<sup>th</sup> that outlined their concerns, comments and suggestions for the Commission's consideration.

Sue Beittel, League of Women Voters, discussed water conservation measures as related to "zero net increase." Her greatest interest is in the process and this requires significant community discussion because there are two primary water districts that operate differently and steps must be taken to limit per capita water use.

Roy Chernus, representing Legal Aid of Marin, discussed the bullet points in regard to the Key Community Facilities Issues and opposed the first bullet; believed the second bullet point would not address the issue regarding water; supported the third bullet point regarding graywater use for landscaping; and supported more aggressive recycling, resource recovery, and composting strategies in regard to the fourth bullet.

Margaret Zegart, Mill Valley resident, submitted a letter to the Commission outlining her concerns and suggestions for the Commission's review.

Dave Coury, representing the Housing Council, pointed out that the median household use of water in Marin County is unknown which, in his opinion, is bad policy. He further believed equity and economics should be addressed.

Barbara Salzman, representing Marin Audubon Society, submitted a letter that addressed their concerns, suggestions, and modifications for the Commission's review.

Elissa Giambastiani, representing the San Rafael Chamber of Commerce and Marin Consortium for Workforce Housing, opposed the first bullet regarding new development paying the full cost of all infrastructure in relation to the Key Community Facilities Issues; supported the second bullet regarding more aggressive water conservation measures; but felt "zero net impact" would have unknown ramifications. She pointed out that two Committees recommended development for St. Vincent's/Silveira. In conclusion, it is really discouraging for those that work so hard for affordable housing to hear suggestions of zero net impact, taking development away from St. Vincent's/Silveira and that new development should pay the cost of all infrastructure for affordable housing.

Todd Steiner, Director, SPAWN, submitted a letter addressing their concerns and suggestions for the Commission's review.

Gordon Bennett, representing the Sierra Club, briefly discussed Community Facilities and pointed out the areas of support as well as noted modifications for the Commission's review, which he would submit in writing for the Commission's consideration. They agreed that zero net increase is acceptable, but good measures should be

integrated with the Water District because if they start from a hard cap some would waste water to avoid future development. He added that, in general, the issue of sustainability should not be confused with self-sufficiency.

Dave Coury, representing the Housing Council, discussed growth and noted that the County has a Big and Tall Ordinance that could be augmented for new development. He added that there are many ways to control growth, but penalizing affordable housing is not an appropriate method. He pointed out that if community advocates for affordable housing were to view 1,000 units over the next 20 years in the Plan, they would be excited.

The public hearing was closed.

Agency Director Hinds pointed out that “*no net increase*” of water consumption had not been proposed in the Plan. However, in response to input to be more aggressive, regarding potential “no net water increase” programs was discussed, although he recommended that the idea would not apply to affordable housing. He explained that when new homes are being built it is reasonable that on and off site water conservation measures could be enacted so that more water would not be used. Staff proposed the idea of having a program that called for working with the water districts to explore in lieu fees to install off site water conservation measures and other such programs.

Commissioner Dickenson commented on page 3-182 under CF-2.1 and repeatedly stated that it must be defined and the policy easily could be interpreted to reduce total water use and the consumption of energy.

Chairman Berland believed this policy would transfer wealth to people located in the City-Centered Corridor at the expense of others.

Commissioner Dickenson stated that the goal is sustainable water resources and they must live within their constraints. A long-term goal should be a reduction in water taken from the Russian River; and the short-term goal should be that the County not go further in the hole in terms of becoming more reliant on a water supply that is not guaranteed.

Chairman Berland opposed “*zero net impact.*”

Commissioner Greenberg believed it is an admirable goal and should be included in the Plan because the County must work to reduce the use of this very limited resource. She believed by adding it in the Plan, the EIR could evaluate the negative impacts associated with that in terms of all the other goals.

Commissioner Barner noted that the necessary information to make this determination regarding water is not provided and, until the proper data are presented, he cannot make a determination.

Commissioner Thompson discussed the threat of consequences that are not predictable and encouraged staff to remove the second paragraph regarding “*zero net impact*” because the idea was outside the awareness of the County entirely. He believed the cap should be avoided.

Commissioner Holland noted that moving water is very expensive and pointed out that water conservation is a major issue. He agreed with Commissioner Dickenson’s and Commissioner Greenberg’s comments.

Commissioner Julin asked staff if an analysis of the population projection and water consumption is contained within the work program of the EIR consultant. Michele Rodriguez, Principal Planner, responded that staff provided four alternatives to the water companies asking whether they could service under the ultimate build-out and the consultant would assess the situation and equate it to the policies.

Commissioner Julin indicated that data is needed to process this intellectually, but agreed to pursue the goals as described by Commissioner Greenberg.

Commissioner Holland disagreed with additional data being provided because rainfall is the issue. Chairman Berland agreed that it depends on the weather, but the alternatives are not outlined.

Commissioner Dickenson pointed out that the Commission received a report prepared by the EIR consultant that provided information on water supply and growth projections.

Chairman Berland did not desire to be part of an effort to impose such a policy without having data and urged the Commission not to support the second bullet without having additional information. Agency Director Hinds noted that pursuing more aggressive water measures is acceptable, but individuals were concerned about the zero net impact, so the idea of no net increase should be carefully studied by the County and water districts as appropriate.

Commissioner Thompson suggested removing the second bullet from the straw vote until it is fully discussed out in Marin County in order to continue the issue until additional information is provided.

Commissioner Barner suggested striking out the phrase “*such as zero net impact*” from the second bullet because conservation must be addressed.

Agency Director Hinds suggested studying potential programs associated with “*zero net water impact.*” Staff also desired some general direction in regard to the Key Community Facilities Issues.

Commissioner Dickenson believed water availability is one of the most important planning issues that the Countywide Plan should address. He felt there should be a discussion in regard to planning growth with a limited water supply, which must be addressed by November.

**Chairman Berland supported staff’s proposal for the second bullet to read, “*more aggressive water conservation measures be pursued.*”** 4:3 (Commissioner Dickenson, Greenberg and Julin opposed). Commissioner Dickenson desired to have the second part evaluated, and, if so, he could favor the first part.

***Should examples of these water conservation measures such as “no net increase” be studied?***

Chairman Berland disagreed with singling out any particular measure.

Commissioner Dickenson fully intended to raise the issue of “*no net increase*” through the EIR, and if the draft did not show an option of living within the water resources available, he would raise that issue. Agency Director Hinds noted that there is a state law requiring large new development projects to conduct such analysis that does not increase build out to determine water supply and consumption, but whether or not it applied to a General Plan is another matter, but to be cautious it must be analyzed in the EIR.

***Should safe pretreated or graywater use be evaluated and encouraged?***

6:1 in favor (Commissioner Julin opposed, pending more background data.)

***Should even more aggressive recycling, resource recovery, and composting strategies be pursued?***

6:1 in favor (Commissioner Julin opposed, pending more background data.)

***Should the requirement that new development pay for the full cost of all infrastructure apply to below market rate housing?***

Commissioner Julin stated that the fair share policy has a history that came about from the State’s educational Revenue Augmentation Fund (ERAF). As a result, it was shown that much new development did not pay the cost of the services necessary to support development. If the Commission agreed to take a position, she stated that it must be studied on a case-by-case basis, so approval of a project, whether market rate or affordable, that the facts are known of what the cost would be such as a fiscal cost benefit analysis.

Commissioner Dickenson noted that any housing development with sales prices of less than approximately a million dollars did not pay its fair share, so most market rate housing is not paying fair share currently, and is subsidized by someone or by a reduction of services. He agreed that it is an issue that must be reviewed and decided on a case-by-case basis in terms of what infrastructure cost the public might be willing to waive. He further agreed that the question is too simplistic to receive a logical answer.

Agency Director Hinds stated that when housing is not provided for those that work in Marin it creates additional cost in terms of extra traffic and road improvements and that the need for affordable housing in Marin County is at a crisis state. Staff pointed out that affordable housing and below market housing did not occur without a very strong subsidy, so there needs to be flexibility in terms of how much infrastructure below market rate housing would pay for. Staff believed there should be agreement that below market housing should be treated differently than market rate housing.

Commissioner Thompson asked staff if low-income development is exempt from traffic fees. Agency Director Hinds responded that under certain circumstances traffic fees are waived and in other instances, staff would use other public funds to offset the cost.

***Should below market rate housing continue to be found exempt or subsidized from paying the full cost of all infrastructure?***

The Commission unanimously agreed that this would be considered “on a case-by-case basis.”

The Commission then discussed the Community Facilities section as well as the maps.

Commissioner Greenberg discussed page 3-182 under CF-2.2 regarding alternative water source and desired examples.

Commissioner Dickenson made several modifications and suggestions in regard to the maps provided in the document for staff and the Commission’s review. Agency Director Hinds suggested that the best idea for individual Commissioners is to participate in the sphere revision process and use whatever LAFCO decides. Commissioner Thompson indicated that he would attend LAFCO’s hearing and forward Commissioner Dickenson’s recommendations.

Commissioner Holland recommended re-titling “*Fire Districts*” to “*Fire Agencies.*”

Commissioner Barner discussed page 3-179 under Key Trends and pointed out that the Sheriff is not a Special District. Agency Director Hinds responded that the idea was to tone down the wording for unincorporated areas that are in special districts.

***Goal CF-1: Adequate Public Facilities***

Commissioner Greenberg recommended removing the word “*encourage*” from CF-1.a and recommended stating “*should.*” Commissioner Julin suggested including “*special districts and schools*” to CF-1.a regarding developing fees.

***Goal CF-2: Sustainable water resources***

Commissioner Holland expressed concern for water systems in regard to CF-2.f. Staff agreed to remove.

Commissioner Holland discussed Key Trends regarding best management practices and pointed out that tiered water rates are the national standard and they should be included and encouraged.

Commissioner Dickenson discussed CF-2.1 and requested that the water be clarified. He discussed CF-2.1 and suggested removing the word “*local.*”

***Goal CF-3: Safe processing of wastewater and solid waste***

Commissioner Dickenson noted that the Commission decided to split this in two regarding wastewater/septic issues and the solid waste issues. He also noted there is no technology that removes heavy metals from sewage and it must be removed at the source, which is a conflict between Las Gallinas and MMWD.

**Goal CF- 4: Decreased exposure to hazardous materials**

Commissioner Holland reiterated that the Commission discussed removing this goal entirely from this section. Staff agreed to review that idea.

**Goal CF-5: Minimization of telecommunications facilities and related impacts**

Commissioner Greenberg suggested adding a new item to read, "*locate telecommunication facilities away from residences, schools and hospitals, unless it could be demonstrated that no other sites are available.*" Staff agreed to review.

Chairman Berland announced that the Commission would discuss the Planning Areas and, due to the late hour, the Commission would open the public hearing before hearing the staff report.

The hearing was open to the public.

Nona Dennis, representing Community Marin, submitted comments via email to staff on Friday morning addressing their concerns, which she summarized for the Commission's consideration.

Jean Arnold, San Quentin Village resident, discussed San Quentin and pointed out that it is the only functioning prison in the State with affordable public transit access. She suggested that individuals be allowed to purchase subsidized lots and be allowed to build homes that they could afford. She believed the San Quentin Committee was political and the entire process did not fairly represent the interests of the community. She believed there are different methods of affordable housing that must be explored. Again, the SMART Train is part of the Plan for San Quentin and she did not understand the reason for developing that train because a train would create a mobile traffic jam.

Margaret Zegart, Mill Valley resident, discussed her issues with the Commission for their consideration and requested that the Commission use the term "*effluent*" rather than "*wastewater.*"

Sue Beittel, representing the League of Women Voters, read a letter into the record for the Commission's consideration regarding St. Vincent's/Silveira, affordable housing, City-Centered Corridor, Bayfront Conservation Zone, and toxins from agriculture and animals.

Patsy White, representing the League of Women Voters, also read a letter into the record for the Commission's consideration regarding development at St. Vincent's/Silveira.

Dave Coury, representing the Housing Council, stated that if sustainability is the soul of this plan, then affordability is the heart. He discussed the idea of an overlay zone because the criteria that would be developed for that concept would help resolve some of the issues regarding where housing and development should be located. He explained that other residential areas, publicly owned lands, and commercial areas must be reviewed.

Barbara Salzman, representing Marin Audubon Society, discussed their planning concerns for the Commission's review, which were outlined in the letter submitted.

Jim Gonsman, representing Marin Baylands Advocates, noted that their main purpose is to raise funds for acquisition of Baylands. To date they have been involved with the acquisition of seven separate parcels. They are working with willing sellers and have paid fair market value in every case. The value is established by an appraiser, not by Marin Baylands Advocates. They are in support of providing the maximum amount of protection to San Francisco and San Pablo bays. They also look forward to future opportunities to purchase properties.

Kathy Lowery, representing Marin Conservation League, discussed St. Vincent's/Silveira and if development occurred, they desired limited, clustered development and encouraged the expansion of the Baylands Corridor to protect a variety of important interconnecting habitats. They urged the Commission to adopt Community Marin's recommendations.

James Stark, representing St. Vincent School for Boys, submitted a letter on behalf of St. Vincent's School for Boys for the Commission's consideration that supplemented comments made on the April 26, 2004 Planning Commission hearing and expanded comments made regarding the June 14, 2004 letter to the Planning Commission.

Nadia Costa, representing Bingham McCutchen, submitted material to the Commission for their review and pointed out that attached is a 32-page letter documenting the various violations of the State's housing law in regard to the City of San Rafael's decision to remove St. Vincent's/Silveira as a planning area. She further requested that the EIR evaluate the current position.

The public hearing was closed.

*Chairman Berland announced at 5:50 p.m. that the Commission would recess for dinner and then reconvene with further discussion on the Planning Areas.*

Agency Director Hinds summarized the staff report regarding Planning Areas for the Commission's review that included the following:

- a. Key Trends
- b. Key Issues
  - Should more vacant commercial land be changed from commercial/mixed-use to residential?
  - Should an affordable housing overlay zone be applied to appropriate properties, particularly within the City-Centered Corridor?
  - Should the St. Vincent's/Silveira (SVS) properties be clustered on only 5% of the land (provided no annexation occurs)?
  - Are the land uses and densities proposed for the SVS properties appropriate now that the City of San Rafael has decided not to pursue annexation?
  - Should more specific language regarding the suitability of a senior care facility be added?

Dan Dawson, Senior Planner, summarized the Built Environment Planning Areas for the Commission's consideration regarding assumptions, reductions and figures for the Planning Areas. Staff then provided the Commission with the following information for the Novato Planning Area:

- c. Goal PA-1: Land Use Policies for the Novato Planning Area.
- d. Policies - Designate land use in Bel Marin Keys; Designate land use in North Novato; Designate land use in Southwest Novato; Designate land use in Loma Verde.

In response to Commissioner Dickenson's question regarding residential designation applied under Section PA-1.2, Senior Planner Dawson responded that some of North Novato includes the Rush Creek area on Atherton Avenue; otherwise, there are some agricultural parcels on the south side.

In response to Commissioner Dickenson's comments relating to the map designation of AGC1, Senior Planner Dawson responded that the information was pulled over from the 1994 Plan, so staff must investigate that issue.

Commissioner Barner pointed out that Indian Valley is not a Community Plan, but a Specific Plan. He also pointed out that only Phase 1 in regard to the Buck Institute was completed in 1999.

Commissioner Dickenson discussed the land listed as owned by the Coastal Conservancy and believed the title is held by State Fish & Game. He commented on PA-1.2 and suggested adding a footnote regarding the appropriate FAR. Staff agreed to clarify the issue.

In response to Commissioner Greenberg's question regarding the number of employed residents, Senior Planner Dawson responded that it is an individual living in the Novato planning area that is employed.

Chairman Berland pointed out that the beginning of the Built Environment section discussed the ultimate build-out and believed the statement is not consistent with staff's conclusion regarding housing. He asked whether the properties should be changed in terms of residential versus commercial. Senior Planner Dawson responded that short of upzoning residential areas in Novato, the other alternative would be to remove all development related to the airport. Staff pointed out that the airport is not an appropriate area to increase housing.

Commissioner Dickenson believed the Commission should review the nonresidential-designated land near Gness Field and suggested changing those designations that would bring the unincorporated area to a better jobs-housing balance by reducing the number of potential jobs.

In response to Commissioner Barner's concern about restricting development near an airport, Senior Planner Dawson responded that the development is not in the flight path and industrial could include hangars and airport support type facilities as well. Agency Director Hinds suggested having a policy in the Plan promoting airport related commercial uses. Staff further agreed to clarify the issue.

Commissioner Dickenson stated that there are even population limits on non-residential because concentration of population could not be in close proximity to a runway. Chairman Berland requested that County Counsel review that aspect if there is a legal restriction on development near the airport. Agency Director Hinds responded that there are usually zones that identify the intensity of use, so there is a low intensity of use and what little development could occur, it would make sense to give a strong priority to those uses having some relationship to the airport.

Commissioner Dickenson pointed out that the airport site is totally isolated and not the type of location to encourage affordable housing.

Commissioner Greenberg discussed the amount of commercial development and pointed out that the housing square-footage is out of sync and over time Marin could be increasing out-of-town employees with increased traffic congestion.

Commissioner Dickenson stated that at the very minimum the wording in the text should specify that the industrial designation should be used for industrial and not office or commercial uses.

Commissioner Thompson felt the zoning density of 0.04 to 0.35 is a range that should remain, especially with a low intensity use such as hangars. Agency Director Hinds stated that for consistency purposes, if within a Baylands Corridor, it should be at the low end of the range.

Commissioner Dickenson proposed changing the land use designation and specifying that it be airport related industrial use to make it the most restricted industrial use. He believed it would be a mistake to use the upper end of the range because it is located in the Baylands Corridor and should be consistent with other areas of the corridor.

**Chairman Berland asked the Commission if they agreed with staff's recommendation that the area be zoned airport related industrial use under PA-1.2?** The Commission unanimously agreed.

Chairman Berland asked the Commission if they should keep the density at the low end of the FAR. Agency Director Hinds pointed out that it would lower the expectation of having a huge office/industrial complex.

Commissioner Dickenson recommended that the FAR be set at the low end, which would not be the range applied to offices in Downtown San Rafael.

### **Specifying the zoning density range of .04.**

3:3 (Commissioner Julin abstained).

Commissioner Greenberg suggested stating, "*at the low end of the range in the appropriate locations.*" The Commission and staff agreed that it should be subsidized.

In response to Commissioner Thompson's concerns about RV and mini storages, Deputy Director Crawford responded that the applicant is proposing to rezone that to planned industrial zoning classification to accommodate the RV storage and the other acres would be designated to an open area designation to dedicate that portion as open space and it would also change the designation from RC to PD.

Chairman Berland asked if there is entitlement from this property. Deputy Director Crawford responded that dredging was allowed on this property. Staff added that the owner has no vested rights, but they are currently seeking entitlements. Agency Director Hinds recommended that staff review the settlement agreement, discuss it with County Counsel and then report back to the Commission. Commissioner Thompson believed an alternative designation would be AGC1.

Senior Planner Dawson summarized Goal PA-2: Land Use Policies for the Las Gallinas Planning Area. Included in this area is the Marinwood Shopping Center that had been designated mixed-use; Lucas Valley; Lucas Valley Environs; Los Ranchitos; and Santa Venetia.

Commissioner Barner discussed the senior facility in regard to Oakview and asked staff if this kind of facility is appropriate for this site because there are no services located in the area. Agency Director Hinds responded that the ideal location would be next to a shopping center and medical offices. Staff added, however, that it is an acceptable site.

Chairman Berland discussed Fireside regarding multifamily senior projects. According to the consultant, senior housing projects would generate 25% less traffic and presumably they took into account the help for senior living facilities.

Agency Director Hinds stated that more of this type of development is being proposed and felt there is an opportunity for more flexible financing. He explained that although affordable, mixed-use infill projects require more expertise and public subsidy, housing in the right place could be very beneficial.

Chairman Berland discussed the balance and pointed out that in Figure 3.12 it is below what the environmentalists showed.

Commissioner Dickenson asked staff how much additional commercial space was envisioned at Marinwood Shopping Center. Senior Planner Dawson responded that it was based on the FAR and it was about 53,000 square feet of commercial space. Staff added that the existing shopping center is about 35,000 square feet and the 53,000 would be inclusive, which is about a 50% increase.

Commissioner Dickenson asked staff if the acreage regarding St. Vincent's/Silveira had been resolved regarding private ownership. Senior Planner Dawson responded that staff must investigate the matter of title transfer. Commissioner Dickenson believed the transfer of part of the land to the State took place.

Commissioner Dickenson discussed the land use designation of AGC2 regarding St. Vincent's/Silveira and pointed out that the Map on page 3-204 has a different designation.

The hearing was opened to the public.

Judy Binsacca, representing the League of Women Voters, explained that the League supports the Task Force recommendations presented to the Board of Supervisors, which should be the basis for land use at St. Vincent's/Silveira.

Commissioner Julin clarified with staff that Consultant Bob Berman would review extending the boundary of the Baylands Corridor to Highway 101. Agency Director Hinds responded in the affirmative.

In response to the Commission's request, Agency Director Hinds agreed to provide the Commission with the Task Force recommendations for their review.

Allen Bortel, Tiburon resident, representing the Marin County Commission on Aging, felt the Built Environment section should address the aging citizens because seniors need services. He pointed out that the Board of Supervisors noted on the record that it is a goal of this County that seniors should be able to age in place, but age 90+ would mean a care facility. He pointed out that there is a great need for independent living because there is a six-year waiting list at the Redwoods facility. He further believed St. Vincent's/Silveira is the best location for a large senior care facility that would include services.

Margaret Jones, Belvedere resident, objected to the Sierra Club's letter distributed last week regarding the manner in which St. Vincent's/Silveira is being discussed. She then quoted material from that letter for the Commission's consideration.

Margaret Zegart, Mill Valley resident, expressed concern for the attacks on individual viewpoints. She stated that a vision for St. Vincent's/Silveira would be a multiple affordable housing complex that would allow preservation of open space and sensitive lands with small family housing units. She believed both aspects are possible. She further hoped the Commission would reflect on the need for secured housing and careful site preservation of a significant area.

The public hearing was closed.

Chairman Berland requested continuing the Planning Area of San Quentin and West Marin discussion to the second meeting in July. The Commission agreed.

*Chairman Berland adjourned the meeting at 9:20 p.m. and continued the hearing to July 6, 2004 at 1:00 p.m.*