

MARIN COUNTY PLANNING COMMISSION HEARING MINUTES

July 19, 2004

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

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

Commissioners Absent: None

Staff Present: Alex Hinds, Director, Community Development Agency
Brian Crawford, Deputy Director, Planning Services
Dan Dawson, Senior Planner
Kristin Drumm, Planner
Jessica Woods, Recording Secretary

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

Convened at 1:09 p.m.
Adjourned at 6:05 p.m.
Reconvened at 6:45 p.m.
Adjourned at 8:50 p.m.

1. ROUTINE TRANSACTIONS:

- a. M/s, Julin/Barner, and passed unanimously, to incorporate the staff reports into the Minutes. Motion passed 7/0.
- b. Continuances: None
- c. Minutes: June 28, 2004

M/s, Thompson/Julin, and passed unanimously, to approve the June 28, 2004 Minutes as amended excluding Gordon Bennett's comments. Motion passed 7/0.

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

Alex Hinds, Agency Director, announced that the July 26, 2004 hearing would start at 10:30 a.m. in order to provide time to discuss regular agenda items as well as the Countywide Plan. Staff added that a revised schedule would be provided to the Commission at the next meeting.

Brian Crawford, Deputy Director, indicated that staff is planning a field trip on Tuesday, the 17th of August in regard to the Moritz project. Staff is also in the process of arranging a Rock Quarry field trip, and is anticipating a response from the San Rafael Rock Quarry later this week.

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

Nancy Gates, landowner, addressed the Commission in regard to an error on Map 2.2 in relation to Special Status Species and asked that the County stop targeting their property.

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, July 26, 2004 at 6:00 p.m.

The hearing was opened to the public.

Terry Hennessey, representing Marin Economic Commission and Marin Builders Association, submitted a letter on behalf of the Marin Builders Association that urged the Commission to seriously consider workforce housing. She also noted that Marin Economic Commission voted almost unanimously to keep the San Quentin Vision Plan in the Countywide Plan.

Bob Lemon, representing Marin Valley Mobile Home Park Homeowners Association, expressed concern for the overall impacts of traffic and noise as well as the berm construction for the equestrian program. He also expressed concern for the agricultural land adjacent to St. Vincent's.

Nona Dennis, Mill Valley resident, discussed the use of the term "*Baylands*" and the many interpretations and believed the term must be clarified because both sides of the argument have valid points.

Judy Binsacca, representing League of Women Voters, submitted a letter by email in regard to St. Vincent's/Silveira Planning Area. She also provided the Commission with a few attachments regarding "*Proposed Marin Baylands National Wildlife Refuge*" as well as a map outlining the "*Biotic Habitats Potentially Used By Special Status Species*" and "*Biotic Habitats at St. Vincent's/Silveira*" for their review.

Commissioner Barner excused himself from the Planning Commission hearing at 2:22 p.m. due to a prior engagement.

Dave Coury, representing MEHD, presented the Commission with material regarding "Marin Environmental Housing Dialogue Strategy Planning Report" for their consideration.

Virginia Brunini, member Marin Economic Commission, noted that she made the motion for inclusion of the San Quentin Vision Plan in the Countywide Plan and urged the Commission's consideration.

Roberta Michaels, representing Marin County Commission on Aging, urged the Commission to take into consideration the need for more affordable housing. She also pointed out that the senior population as well as the number of renters in the County is growing.

Renee Silveira, representing Silveira properties, believed they have been very honest and cooperative participants in the planning process over the last 30 years. She stated there is a certain frustration regarding the need for balance, consistency, and appropriateness. She added that her father desired the best for the property as well as a benefit for all involved. She asked for a good faith, honest effort to have a resolution that would be fair to her father, the environment, as well as the community. She asked the Commission to seize this opportunity in regard to the designation of the property. She further indicated that the Silveira Family desired to protect their entitlements and she believed her father deserved a fair resolution in his lifetime.

In response to comments, Ms. Silveira indicated that her father was very uncomfortable with all the different scenarios in regard to the ranges and desired a more definitive number. She further believed the number should be in the upper range.

Joe Walsh, Board Chairman, EAH, expressed concern for the Taskforce recommendations being ignored. He requested that the Commission review the Taskforce recommendations very carefully. He noted that fairness of the

property owners should be addressed. He explained that his main concern is affordable housing. He added that the City-Centered Corridor is where housing should be located because it is infill with developed communities surrounding it. He believed removing all development potential would be a taking. He further noted that his recommendation is for the County to have as much affordable/workforce housing as possible and did not favor market rate housing or starter castles. He desired to work toward receiving 1,800 units as long as the majority would be affordable housing. He further expressed concern for approving a Plan that would be economically unfeasible and desired a realistic Plan.

In response to Commissioner Holland's question, Mr. Walsh responded that EAH is in the process of establishing minimum numbers of housing units. He added that EAH would not review development under 80 units unless funding is included. He noted that this site is the best and last place for affordable housing that fits all the criteria, and they would provide expertise as well as funding sources for this site. He pointed out that the Taskforce's mission is to provide affordable housing and they included market rate housing only to make the project work.

Cliff Meneken, member, Terra Linda Preservation Committee, asked the Commission to honor the community's rights and desires regarding St. Vincent's/Silveira. He believed it is unfortunate when litigation is discussed. He noted that the people opposed high-density development and desired preservation.

James Stark, representing St. Vincent's School for Boys, provided the Commission with his written comments, which he read into the record for their review. He also believed the first bullet is presumptive in regard to San Rafael deciding not to annex property. He also indicated that the Advisory Taskforce recommendations balance environmental concerns and values with the desperate need for housing and protection of St. Vincent's School for Boys, and sets forth recommendations regarding the appropriate development of St. Vincent's land.

In response to Commissioner Dickenson's question about any indication by the City to take this property back, Mr. Stark indicated that discussions with the property owner and the City of San Rafael are occurring. He requested that the existing policy should continue until this matter is resolved with the City of San Rafael.

Chairman Berland indicated that the Commission cannot make a decision on what the City may or may not do and asked Mr. Stark his position that if this property is solely within the jurisdiction of the County, should the Taskforce recommendations be followed. Mr. Stark responded in the affirmative. He further noted that if the County were willing to protect the interest of St. Vincent's they would be willing to do business with the County.

Priscilla Bull, Kentfield resident, noted that the assumption was that this property would be annexed to San Rafael and that it would be urbanized, which is now dead. She agreed with the seven points that were addressed by Ms. Macris at the last meeting and her point was that there are more than just habitat issues.

Mathew Hartzell, college student, discussed the rail corridor that is proposed to run straight through the site and believed it should be considered in any land use development. He stated that it would be a mistake to develop the site without rail due to additional traffic congestion.

The public hearing was closed.

In response to Chairman Berland's question, Agency Director Hinds clarified the reduction in commercial buildout and the reduction of dwelling units.

In response to Chairman Berland's questions, Agency Director Hinds explained that staff took lands that were within the Ridgeland Upland Greenbelt, outside the City limit but inside the sphere of influence, on septic systems and other environmentally sensitive areas, and applied the low end of the proposed land use designation density range. Staff pointed out that of the 1,800 units, 1,000 units came from West Marin and the policy promotes focusing affordable and employee units where there are services, jobs, and public transportation.

In response to Chairman Berland's questions, Agency Director Hinds noted that staff did not believe that it is taking density from West Marin and moving it elsewhere. Chairman Berland desired information in that regard.

Agency Director Hinds noted that, at the last meeting, staff was asked to address the issue of additional units at St. Vincent's/Silveira in relation to the possibility of a senior care facility and staff provided the Commission with a memorandum modifying policies PA-2.6 and SV-2.3 regarding St. Vincent's/Silveira as well as excerpts of for their review.

The Commission reviewed and discussed the memorandum prepared by staff.

Commissioner Thompson recommended adding the following statement after the words, "community separation" to state, *"adding 100 additional units for a senior care facility if feasible"* in regard to page 3-200. He also recommended instead of stating, *"senior care facility up to"* on page 3-204 to state, *"In addition to ACG2 density and other bonus, a senior care facility servicing up to 350 residents should be allowed"* and stipulate that 150 units are independent living units. He discussed SV-2.4 and he inserted the following: *"that new AGC2 development should be on 5%, if senior care is developed, 100 additional units should be allowed."*

Commissioner Dickenson did not support Commissioner Thompson's recommendations. He believed the senior project should be within what is otherwise allowed. He noted that the idea of the banked units was to have flexibility.

Commissioner Thompson desired language to be included that indicated a right to develop a 350-unit project. Commissioner Dickenson believed discretion should be allowed in that regard.

Agency Director Hinds desired direction on whether the idea of a senior care facility is in addition to the base density of one unit per 10 acres or would the senior care facility be part of the density.

Commissioner Julin reiterated her suggestion that there must be an explicit condition, so that if 350 units for a senior care facility was permitted that the number be subject to the condition as well as traffic generation. Agency Director Hinds noted that if they add Commissioner Julin's suggested language from the last meeting that would address her concern. The Commission agreed.

Agency Director Hinds suggested the following: on page 3-199 under PA-2.6 for traffic modeling purposes to state, *"100 additional units and a senior care facility like the Redwoods serving 350 units were evaluated at this location;"* Page 3-203 under SV-2.3a in regard to a comprehensive plan to require a plan based on environmental assessment for St. Vincent's/Silveira area; Page 3-204 under SV-2.3 to state, *"In addition to AGC2, senior care facility serving up to a total of 350 residents may be permitted at either or both locations provided they do not exceed a total of 350 units."*

Commissioner Greenberg noted that language should be included defining a senior care facility such as the Redwoods. Agency Director Hinds agreed to review the wording.

Commissioner Barner resumed his position on the Planning Commission at 4:29 p.m.

Commissioner Dickenson expressed concern for affordability requirements. Agency Director Hinds suggested using a range that is primarily affordable. Chairman Berland agreed with the *"primary affordable"* language. Commissioner Greenberg noted that affordability is a major issue.

Commissioner Julin visualized the Redwoods as a model and suggested defining what would work at this site in general before making the recommendation in the General Plan because there are various levels of care and various traffic generators that certain care would generate. She further suggested defining what would have the least negative impact on the community.

Chairman Berland believed the development would be subject to and mitigated by environmental review.

Commissioner Greenberg felt independent living would generate more traffic due to the fact that no amenities are provided at this site. She also expressed concern for the word, “*facility*” with continuum care. Commissioner Thompson suggested advocating that the senior care facility have a private transit service for the residents in any case. Senior Planner Dawson responded that most individuals desired the independent living section in order to retain their independence, and, if additional services are needed, they could be provided.

Chairman Berland stated that no individual desired to be placed in a nursing home and it is important to have an element of independent living and as they need additional services the facility could accommodate their needs. He suggested mitigation impacts such as a shuttle service should not be permitted but required with any such development to alleviate traffic congestion.

Agency Director Hinds agreed to craft language to indicate that in order to receive the higher number a specified percentage of affordability must be provided.

Commissioner Julin believed the precise type of housing at this site would depend on the needs of the community; respecting the environmental limitations and land, and would have the least negative impact on the community.

Commissioner Holland asked staff if the senior facility is within or outside the 5% restriction. Agency Director Hinds recommended that it is within the 5% restriction on new, nonagricultural development.

Commissioner Dickenson expressed concern for 350 units for senior housing and believed the door is being opened to some unknown consequences.

Chairman Berland believed the factors would be analyzed through the EIR and the Commission would have another chance to review.

Chairman Berland called the question and Agency Director Hinds provided clarifying language: Page 3-199 under PA-2.6 for traffic modeling purposes to state, “100 additional units and a senior care facility like the Redwoods serving 350 units were evaluated at this location;” Page 3-203 under SV-2.3a in regard to a comprehensive plan to require a plan based on environmental assessment for St. Vincent’s/Silveira area; Page 3-204 under SV-2.3 to state, “In addition to AGC2, senior care facility serving up to a total of 350 residents may be permitted at either or both locations provided they do not exceed a total of 350 units.” Motion passed 5:1:1 – Commissioner Dickenson opposed and Commissioner Julin abstained.

Chairman Berland announced at 4:50 that the Commission would take a short recess.

New development should be clustered on 5% of the land

Chairman Berland expressed concern and believed it would add to the density problem as well as encourage litigation. He also believed it is not supportable. He further noted that he is comfortable with 10%.

Commissioner Dickenson agreed with the 5%.

Agency Director Hinds noted that 5% was a condition of the proposal, the ARP zoning, and required in the LucasFilm project and suggested specifying that it applied only to new, nonagricultural development. Staff explained that in order to avoid mini mansions and starter castles clustered development is preferred.

Commissioner Thompson believed 5% is a very small number unless there is a study to support it and hoped the environmental assessment would validate what would work best. He also agreed with 10%.

Chairman Berland noted that the Taskforce provided 15% overall and expressed concern for a property owner who might believe he has entitlements of up to 2,100 units and felt the County would be inviting years of litigation. He further believed the sensitive lands would be discussed during the EIR.

Commissioner Greenberg believed developing a higher number would add to the entitlement process and it is not the Planning Commission's job to decide the legal viability, but to review land use issues and constraints. She felt the 5% number is appropriate and should be supported. Commissioner Julin agreed with Commissioner Greenberg's comments.

Chairman Berland concluded that the majority of the Commission supported the requirement that new, nonagricultural development be limited to 5% of the project site.

Protect Views

Chairman Berland expressed concern for commercial development fronting on Highway 101 in regard to protecting views. Agency Director Hinds responded that the Taskforce recommendation envisioned the creation of an urban village annexed to the City with large commercial development. Now commercial related to agriculture such as a health spa and a café is being proposed and there is no longer a recommendation for office buildings. Staff noted that there is a clear statement of the types of uses, but it is not limited to the exact square-footage.

Agency Director Hinds noted that staff did use the recommendations from the Taskforce in regard to protecting the views on page 205 under SV-3.2.

Commissioner Thompson clarified that the commercial uses would be self limited on the 5% cap as well as agricultural and rural development. Staff agreed.

In response to Commissioner Thompson's question, Agency Director Hinds responded that staff recommended that new development including roads and parking would be within that 5%, but existing roads and development would not be counted.

Commissioner Dickenson expressed concern for the amount of commercial uses and the range allowed and asked if the scale is appropriately defined in order not to have development of a Sonoma Mission Inn at Miller Creek. Agency Director Hinds explained that reduced visitor usage at peak hours could provide for a reasonable rate of return that could be designed to appear rural or hidden, which would help limit the size and type of these commercial developments.

In response to Commissioner Greenberg's concern, Agency Director Hinds noted that staff could include language that "big-box" development is not allowed. Commissioner Greenberg noted that there is a real imbalance between commercial and residential uses in this County.

Commissioner Holland asked staff if existing development could be converted into new development. Agency Director Hinds responded in the affirmative.

Commissioner Julin clarified that the intention was up to 5% for new development, and pointed out that it is not indicated on page 3-200 under PA-2.6 as well as on page 3-204 under SV-2.4. Agency Director Hinds agreed to state, "no more than 5%."

Commissioner Dickenson supported staff's intent to allow the option of some limited small scaled commercial uses and suggested reviewing the language in order to achieve the intent.

Agency Director Hinds stated that market rate projects would be at the lower end of the range and affordable projects could be at the high end. Staff further noted that language would be crafted in that regard.

Chairman Berland allowed public comments on West Marin Planning Area.

Bobbi Kimball, Bolinas resident, discussed page 3-236 under "What are the desired Outcomes" and commented on PA-7.2 and requested that the language be modified to reflect guidelines and intentions set forth in the individual community plans in order to have alignment.

Margaret Zegart, Mill Valley resident, submitted her comments regarding West Marin for the Commission's consideration, which she read into the record.

Agency Director Hinds suggested the following language: *"Community Plans in the Coastal Zone shall reflect local concerns and values and be in alignment with LCP policies."*

Commissioner Greenberg noted that a program must be established in that regard. Ms. Kimball noted that PA-7.4 would address that concern.

The public hearing was closed.

Chairman Berland announced that due to the late hour, the Commission would open the public hearing on San Quentin before staff's presentation.

Edward Segal, representing Marin Association of Realtors, requested that the San Quentin Reuse Report be kept in the Countywide Plan, so it can continue to be a site for future housing and transportation.

Roger Roberts, representing Marin Conservation League, noted that the League submitted a letter outlining their concerns, comments, and suggestions. He reminded the Commission that careful environmental analysis is needed in regard to San Quentin. He believed the waterfront must be addressed as well as impacts. He believed it would be a mistake to include this in the General Plan and felt it should be an appendix otherwise the environmental analysis would be required and if not conducted the County would be called into question in that regard. He also believed the proposed land use designation is appropriate and should not be changed.

Margaret Zegart, Mill Valley resident, submitted written comments to the Commission for their consideration. She believed San Quentin should be a place respectful of California's landmark by protecting, educating and serving the community.

Pricilla Bull, Kentfield resident, noted that the Taskforce recommendations are faulty and should not be included in the General Plan.

The public hearing was closed.

Chairman Berland announced at 6:05 p.m. that the Commission would take a dinner recess and then reconvene with staff's presentation on San Quentin.

Senior Planner Dawson provided the Commission with a presentation on the San Quentin Reuse Plan that included the following:

- Background-A key component of the long range vision is that:
 1. Amount of development will be determined through a specific plan.
 2. Development intensities to not exceed existing, specified baseline levels.
- San Quentin Vision Plan
- Goals
 - Goal SQ-1: Habitat and open space protection.
 - Goal SQ-2: Open space benefit.
 - Goal SQ-3: Water quality.
 - Goal SQ-4: Public Safety.
 - Goal SQ-5: An Exceptional designed community.
 - Goal SQ-6: Community parks and green space.
 - Goal SQ-7: An uncongested, walkable community.
 - Goal SQ-8: Improved access.
 - Goal SQ-9: Historic preservation.
 - Goal SQ-10: Well planned housing.
 - Goal SQ-12: Alternative transportation.

- Goal SQ-13: Well designed parking.
- Goal SQ-14: Green building.
- Goal SQ-15: Provide cultural enrichment opportunities on the site.
- Goal SQ-16: Consider the creation of facilities and housing as part of the new San Quentin that provides education and rehabilitation to inmates.
- Goal SQ-17: Provide for the childcare and educational needs of the new community and educational opportunities for the community at large.
- Goal SQ-18: Encourage economic diversity.

Commissioner Dickenson recommended including the San Quentin Vision Plan Constraints diagram in the Plan.

Commissioner Barner asked if a senior center was ever discussed at this location. Senior Planner Dawson responded that the intent was to have mixed-use and diversity such as workforce housing due to the availability of commute options, but that would not preclude a senior facility at that location.

Agency Director Hinds stated that removing San Quentin from the Plan and having it only as an appendix is not staff's recommendation. Staff noted that a tremendous amount of work went into this and it is an exciting approach. Staff agreed to condense the San Quentin language, but did not recommend removing it completely from the Plan.

Commissioner Dickenson suggested having an appendix with a general reference in the Plan indicating the possibility that San Quentin might close, and if so, the County would require preparation of a specific plan. Chairman Berland's concurred with Commissioner Dickenson's suggestion of having an appendix.

Agency Director Hinds responded that it would be preferable to condense the information rather than eliminating it completely. Staff suggested that development patterns in parts of Sausalito are similar to what is being proposed for San Quentin. Staff noted that the idea was to have a conception if the site becomes available. Staff suggested in light of the Commission's discussion that they consider recommending including the goals and diagrams from the Vision Plan.

Commissioner Julin viewed the San Quentin Vision Plan equivalent to a Community Plan and recommended summarizing the material in the Countywide Plan to show that it was given consideration. She also suggested discussing the matter with expert environmental attorneys such as Clem Shute and Marc Mihaly as to how the County should handle this situation.

Commissioner Greenberg believed the Plan represents the Committee's effort to accommodate all interests. As a result, the Plan includes an extremely large range of facilities, more than can reasonably be placed on the site. In addition, while there was public workshop on the Plan, there were no public hearings and there is no EIR. The specifics of the Plan are too detailed to be appropriately included. She agreed to include the goals which are broad based and not specific as well as include a few paragraphs on the constraints in order to make a useful contribution, but would not recommend including the San Quentin Vision Plan in the Plan.

Commissioner Holland concurred with Commissioner Greenberg's comments that the goals alone suffice.

In response to comments, Agency Director Hinds noted that there is a tradition of compassion and providing rehabilitative services to inmates at San Quentin from Bay Area volunteers that the Vision Plan recommends continuing.

Commissioner Julin agreed with Commissioner Greenberg's solution by using this as a reference document that is available for public review, which in her mind would not require environmental review.

Chairman Berland believed the County should not include material that is purely speculative.

Commissioner Dickenson agreed that referencing San Quentin as a separate document would be most appropriate.

Commissioner Barner had trouble converting the “Vision” into reality. He recommended following Commissioner Greenberg’s suggestion, but with a more elaborate introduction along with the summary and goals, which would convey the message that serious consideration was given.

Commissioner Thompson believed the best solution would be to incorporate the goals, but recommended rewording the goals to be more generic as well as remove all policy statements, which would become a reference document.

Agency Director Hinds summarized that the Commission’s consensus is to recommend to the Board that only a short summary be included; that the San Quentin Vision Plan be referred to as a “reference” document and that it not be part of the appendix. In addition, it was his understanding that the process of adopting a specific plan would be described, along with constraints, goals, and introductory language. The Commission concurred.

Commissioner Dickenson recommended including only the goals and not the specific policies. The Commission and staff agreed.

The hearing was opened to the public.

Jean Arnold, San Quentin Village resident, thanked the Commission for giving this issue serious consideration. She requested a cul-de-sac at the end of Main Street in order to minimize the traffic impacts to San Quentin Village. She noted that this San Quentin Reuse Plan did not include the thoughts of the community. Overall she is overjoyed that her time was not wasted and believed the entire community is very happy. She further believed the biggest contribution of San Quentin would be their water, which is a major issue.

Roger Roberts, San Rafael resident, discussed the background and noted it is not clear whether development intensities do not exceed existing, specified baseline levels are adequate to make planning decisions, and to state that it would be a criteria for allowing future development would be premature.

The public hearing was closed.

Commissioner Greenberg asked staff to review whether the suggested language is included in the Plan regarding water usage. Agency Director Hinds discussed page 3-216 regarding the key component to be determined through development of the Plan and pointed out that project impacts do not exceed specified baseline levels. Commissioner Greenberg felt it may be suggesting an entitlement. Commissioner Thompson suggested inserting language regarding best practices. The Commission and staff agreed to insert language regarding best practices.

Goal PA-7: Land use policies for the West Marin Planning Area

Agency Director Hinds summarized West Marin’s policies and noted that real substantive changes were not proposed for West Marin. Staff believed this is a fairly status quo portion of the Plan that did not change much from the existing plan.

Commissioner Holland expressed concern for diversity in architecture. He also expressed concern for PA-7.3 on page 3-236 in regard to Mariculture. He further discussed 7.5 in regard to the criteria used and added the following language: “*what post office serves the area.*”

Agency Director Hinds briefly explained the role of the Coastal Commission in coastal plan amendments.

Chairman Berland noted that he is uncomfortable with the rapid increase in development in West Marin. Senior Planner Dawson noted that there are very few parcels that have multiple unit potential in terms of subdivision potential.

Agency Director Hinds noted that the lots on septic but large enough to subdivide would only be entitled to apply for the lower end of the density range.

Agency Director Hinds noted that an initial list of the Commission's direction would be established for the Commission review and then forwarded to the Board.

Commissioner Julin recommended communicating with Supervisor Steve Kinsey in regard to the Commission's discussion about San Quentin.

Initial Comments

Commissioner Holland announced that he supported the Baylands Corridor and extending it to Highway 101. He expressed concern about all the exactness regarding the Baylands Corridor and believed it is a planning tool. He felt it is very important to provide senior, workforce, and special needs housing. He also pointed out that throughout the document there is a "*Why is it Important*" section and recommended adding more emphasis to that section. He also recommended adding policies that encouraged the entire County, cities and towns to work together on housing.

Agency Director Hinds noted that the County was able to get all the cities and towns to prepare a Housing Element workbook for all the cities and towns as well as the County to share data, strategies and ideas.

Agency Director Hinds commented on the "*Why is it Important*" section and explained that he intended that section to focus on the three "*E's*." Staff added that many factions that must be part of any solution, so staff used a metaphor that all could feel included and respected. However, the discussion should have focused more on why is it important environmentally, socially and economically.

Agency Director Hinds pointed out that it has been requested that the EIR address the Baylands Corridor extended to Highway 101, as well as the existing Bayfront Conservation boundary at the railroad line, and review the proposals in the draft Plan.

Commissioner Greenberg noted that the manner in which the Baylands Corridor is derived should be consistent throughout Marin. Agency Director Hinds stated that on very small, largely developed parcels the interface between wetlands or waterways and the parcels is where the greatest protection should be provided. However, inside individual backyards, should have less regulatory protection. Staff is trying to reduce the regulatory burden on the existing small, developed lots, and expand the Baylands Corridor to adjacent sensitive sites such as contiguous habitat on larger undeveloped parcels. Staff further added that it would be explained in the Plan under Baylands Corridor.

Commissioner Greenberg believed the criteria for the Baylands Corridor should be included in the Plan. Staff agreed.

Commissioner Julin discussed staff reports and believed there should be a limit to the initial attachment documents. Agency Director Hinds asked if the Commission agreed with providing a reasonable amount of material to the Commission and then list all available material with the Planning Commission Secretary. That way, if additional information is desired it could be provided to the Commission. Chairman Berland believed all communications must be included in the Commission's packet and agreed that reports could be made available upon request. Commissioner Greenberg appreciated any material being available on the Internet. Commissioner Barner believed having all material is the only manner in order to cover every aspect. Commissioner Dickenson stated that it is a common dilemma and preferred to receive all material, but believed duplicate attachments could be eliminated.

The consensus of the Commission is to continue receiving all material, but avoiding duplicate attachments.

Chairman Berland adjourned the meeting at 8:50 p.m. and continued the Countywide Plan discussion to the July 26, 2004 hearing at 6:00 p.m.