



✓ COUNTY
COMMUNITY DEVELOPMENT AGENCY
ALEX HINDS, DIRECTOR

August 30, 2004

Marin County Planning Commission
3501 Civic Center Drive
San Rafael, California 94903

SUBJECT: Summary of Initial Countywide Plan Recommendations and Unresolved Issues

DISCUSSION:

The Planning Commission has completed twenty-one public hearings on the draft Countywide Plan in order to assist in further defining the “project description” for environmental review purposes. The following is a brief summary of several key changes recommended by the Planning Commission including a few unresolved issues. This staff report includes the Initial Direction by the Planning Commission, staff’s response to that Initial Direction and clarification made by the Planning Commission at their August 16th meeting. Staff is reviewing the letters received by the public and will incorporate many of the recommendations. All recommendations will be responded to in a staff report when we return with the next draft of the Countywide Plan. Many other changes suggested by the public, such as emphasizing greenhouse gas reduction measures, will also be incorporated into the draft Plan.

INTRODUCTORY SECTION

Initial Commission Direction #1: Clarify the definition of sustainability and improve how it links together the various components of the Plan.

Staff Response: A clearer definition of the term ‘sustainability’ should draw upon the excellent input that has been provided, -and linkages with the various components of the Plan should be improved. The three E’s icon (environment, economy and equity) should be retained in order to address the diverse interests of the community. However, the icon should be more closely correlated with the accompanying text and be revised to improve the graphic representation of how the proposed goals affect the environment, economy and social equity.

Clarification of Commission Direction: The Commission continues to be concerned that the three E’s icon will not be able to effectively portray the effect of proposed policies on sustainability or the three E’s. Therefore, the Commission recommends that the three E’s’ icon should at most remain only as a logo, rather than a Venn diagram. The Commission also requested that a paragraph be added to the introduction to further highlight the relationship of the precautionary principle to sustainability.

Initial Commission Direction #2: Improve the Organization of the Plan.

Response: The Planning Commission recommended several ways to improve the readability and organization of the Plan including moving information critical to understanding the framework of the Plan to the Introductory Section and a variety of revisions to the maps and graphics. A discussion also occurred regarding what really is a natural system and whether agriculture and mineral resources should be included in that element. While there was agreement for the time being to retain all of the existing topics and simply rename the element “Resource Management”, after careful consultation staff recommends renaming the element “Natural and Agricultural Systems”. This would recognize the distinctions and connectivity among biological, geophysical and agricultural systems. Toward that end, staff also recommends that Mineral Resources be moved to the Built Environment in light of its construction related function.

Clarification of Commission Direction: The Commission concurred with renaming the element “Natural and Agricultural Systems”, as well as moving the *Mineral Resources* section to the Built Environment Element.

NATURAL AND AGRICULTURAL SYSTEMS ELEMENT

Initial Commission Direction #3 (Biology):

- a. Include the Baylands Corridor, but before determining the precise boundary north of San Rafael, have the EIR assesses three options, i.e. locating the corridor based on revised information from the San Francisco Estuary Institute, extending the line in several locations to Highway 101, or continuing to use the existing Bayfront Conservation Zone railroad tracks boundary. Also revise the criteria to be consistent throughout the County.
- b. Address the cumulative impacts of development projects on biology, particularly wetlands and habitats. Ensure adequate monitoring and minimum mitigation ratios. Add setbacks for wetlands and clarify how setbacks apply for both Streamside Conservation Areas and wetlands if the lot size is less than .5 acre, or between .5 – 2 acres.
- c. Acknowledge (and apply to proposed regulations) that additional biological impacts of small, already developed lots tend to occur more at their interface with sensitive habitats rather than within existing, fenced yards.

Response: Staff doesn't recommend outright exempting properties due to potential environmental impacts but will return with modified text and revised corridor boundaries based on the Commission's initial direction and pending environmental impact analysis.

Clarification of Commission Direction:

- a. The EIR should address the three options for the proposed Baylands Corridor boundary.
- b. No additional clarification required.
- c. There was general agreement that small, developed lots with little habitat value should not be subject to as rigid environmental policy requirements as larger or undeveloped lots. However, it was not determined to what extent small, developed

parcels currently within the Bayfront Conservation Zone should be removed from the proposed Baylands Corridor. (Staff assumes that this issue will also be reassessed once the draft environmental impact report is available.)

Initial Commission Direction #4 (Agriculture):

- a. Consider collection, treatment and reuse of water along with small-scale, sustainable water development to provide for limited agricultural diversification -as long as it doesn't degrade environmental resources.
- b. Support both organic and/or locally grown agriculture.
- c. Revise draft language limiting the amount of residential and non-agricultural building on agriculturally zoned properties.
- d. Clarify that the recently adopted development code revisions pertaining to agriculture (such as the clustering of non-agricultural buildings) are also carried forward in the Plan.

Response: How best to address nonagricultural building remains unresolved. Staff continues to recommend limiting total residential building size (excluding farm worker housing) in agricultural areas after researching precedence already set in communities like Indian Valley, with house size limitations.

Clarification of Commission Direction: The Commission discussion indicated more concurrence with the proposed restrictions on residential building sizes in agricultural areas. Commissioners generally agreed to recommend the 3,000 s.f. limit to the primary residence and consider allowing additional farm family residences at no more than 2,000 s.f. each. (Staff remains unclear about whether the Commission wishes to retain the 7000 s.f. residential cap, if mitigated as proposed in the draft Plan.) The Commission also discussed:

- a. Requiring minimum separation between dwellings to preclude joining separate structures together and making one large house.
- b. Using the aggregated floor area of residential uses as the basis for determining what type of project review should be required.
- c. Excluding nonresidential uses (below a certain size) supporting the agricultural operation on the property, such as an office, from the residential square footage calculation.
- d. Clarifying that clustering of structures on the site should be required while recognizing that in some instances more than one cluster may be justified.

BUILT ENVIRONMENT ELEMENT

Initial Commission Direction #5 (Community Development.)

- a. Reword policies to control growth instead of automatically providing services for new development.
- b. Exclude affordable housing from the requirement to pay for the full cost of all services and require a study to determine fair share costs.

Response: Staff will return with amended language.

Clarification of Commission Direction:

- a. A new program should be added requiring a blanket study or case-by-case analysis of the extent affordable housing should be exempt from impact fees and related costs.
- b. New policies and programs should be added to create an affordable housing overlay to implement the siting of the banked affordable housing units and to address such issues as minimum densities for multifamily-zoned properties.

Initial Commission Direction #6 (Green Building & Energy.)

- a. Expand the green building section and require certification for new, large residential and non-residential development.
- b. Conduct a study to determine whether to require existing residential and non-residential uses to retrofit or use green building techniques during remodeling.

Response: Staff will return with amended language.

Clarification of Commission Direction: No additional clarification required.

Initial Commission Direction #7 (Environmental Hazards.)

- a. Add new programs to promote neighborhood-based disaster planning and preparation.
- b. Add additional fire protection policies and programs including a new wildland fire interface ordinance along with coordination among MMWD, P.G. & E and the County for weed clearance.

Response: Staff will return with amended language.

Clarification of Commission Direction: No additional clarification required.

Initial Commission Direction # 8 (Housing)

- a. Clarify that the existing, state certified Housing Element is incorporated into the Plan.
- b. Add language to another section of the Plan regarding the opportunities for redevelopment and community land trusts to provide affordable housing and the importance of enacting an affordable housing overlay zone.

Response: Staff will return with amended language.

Clarification of Commission Direction: The introductory section should discuss the certification of the Housing Element.

Initial Commission Direction # 9 (Transportation)

- a. Add a new scenic roadway program.
- b. Strengthen language requiring that new development must concurrently install transit improvements.
- c. Add rent-a-bike and a borrow-a-bike programs.
- d. Address ongoing Southern Marin visitor transportation planning efforts.
- e. Address use of school and shuttle buses for children, seniors and others.

Response: Staff will return with amended language.

Clarification of Commission Direction: A policy should be added promoting car sharing programs targeted towards affordable, senior, and student housing projects.

Initial Commission Direction # 10 (Public Facilities)

- a. Clarify and expand text regarding septic and well regulations.
- b. Expand water resource section.

Response: Staff will return with amended language.

Clarification of Commission Direction: New policies and programs should be added to discourage privatization of public utilities and naming practices for public facilities.

Initial Commission Direction # 11 (Planning Areas)

- a. PA#1. Clarify that Baylands Corridor parcels will calculate density at the low-end of the density range. Uses around airport should be airport industry related and the existing mini-storage.
- b. PA#2. Marinwood center should be neighborhood serving and Oakview should include residential only, not office. Add text describing allowable uses if Industrial, Light and Magic's approved 650,000 sq.ft. expansion off Lucas Road is not developed. Clarify allowable St. Vincent's/Silvera land uses as it pertains to permitting a primarily affordable senior care facility like "The Redwoods".
- c. PA#3. Require best management practices at the quarry to address impacts to the neighborhood from the existing use.
- d. PA#4. Add a new policy promoting senior housing on the publicly owned parcel at the Old Ross Hospital site.
- e. PA#5. Summarize the San Quentin Vision Plan but include the background, constraints, goals and land use diagram. Refer to the entire Vision Plan as a reference document and do not include in the appendix.
- f. PA#6. Address Strawberry Center, Marin City Center, LAFCO and Richardson Bay studies, and Southern Marin transportation plan efforts. Recognize Tam Junction as a gateway to Marin County and encourage its redevelopment.

Response: Direction related to St. Vincents/Silveira remains unresolved. Staff continues to recommend that the entire San Quentin Vision Plan be included in the Appendix.

Clarification of Commission Direction:

- a. No additional clarification.
- b. A discussion of banked residential units and the land use designations where they could be sited was deferred to August 30th.
- c. Deferred to August 30th.
- d. Deferred to August 30th.
- e. Deferred to August 30th.
- f. Deferred to August 30th.

SOCIOECONOMIC ELEMENT

Initial Commission Direction #12

- a. Economy. Clarify that 89% of Marin employers are small businesses with less than 10 employees. Encourage support of locally owned businesses and streamlining the processing of minor projects.
- b. Childcare. Expedite large family daycare permitting processes.
- c. Public Health. Add text regarding second-hand smoke, tobacco use, alcohol use, the need for prenatal care and the health and prescription needs of seniors.
- d. Arts and Culture. Expand to capture Marin's remarkable arts and culture scene.

Staff Response: Staff will return with amended language

Clarification of Commission Direction: Deferred to August 30th.

What's Next?

A summary of Commission recommendations will be presented at a joint meeting of the Board of Supervisors and the Planning Commission scheduled for Tuesday, September 28th from 3:00 – 6:30 PM.

Staff will further edit the Plan for environmental review purposes and then return to the Planning Commission with the changes in a strike-thru and underline format as well as the draft environmental impact report. At that time, the Plan will be reviewed again by the Planning Commission (and the public) prior to forwarding your recommendations to the Board of Supervisors for their final decision in 2005.

Respectfully Submitted,

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Agency Director

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Principal Planner